



**LAUNCESTON CITY COUNCIL**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 28 OCTOBER 2013**

# LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Monday 28 October 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: 28 October 2013

Time: 1.00 pm

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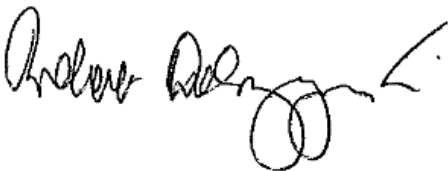
## Section 65 Certificate of Qualified Advice

### 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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# LAUNCESTON CITY COUNCIL

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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 14 October 2013 be confirmed as a true and correct record.

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

| <b>Meeting Date and Item No.</b> | <b>File No.</b> | <b>Question</b>                                                                                                                                  | <b>Answer</b>                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Officer Responsible</b> |
|----------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| 14 October 2013<br>9.1           |                 | Aldermen's Question:<br>Alderman D H McKenzie asked:<br><br>Can the roof of the Princess Theatre be looked at as part of the maintenance budget? | This question was taken on notice at the meeting.<br><br>Further reply - The leak in the roof of the Princess Theatre has been identified and will be fixed under maintenance. Pending fine weather the work will be completed within 4 weeks<br><br>The additional leak caused through the north facing wall of the fly tower has also been identified and the work scoped will be included in the 2014/15 Capital works program. | Richard Mulvaney           |

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**6 PUBLIC QUESTION TIME**

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## **7 ANNOUNCEMENTS BY THE MAYOR**

### **7.1 Mayor's Announcements**

**FILE NO:** SF2375

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#### **Tuesday 15 October**

- Attended Launceston Competitions Annual General Meeting

#### **Wednesday 16 October**

- Chaired St Giles 75th Annual General Meeting

#### **Thursday 17 October**

- Attended LCCI Annual General Meeting

#### **Friday 18 October**

- Officiated at Reunion to celebrate the 50th Anniversary of 2Field Troop, Royal Australian Engineers (RAE) at Cenotaph followed by Reception at Town Hall
- Attended North Launceston Football Club Trophy Presentation evening

#### **Saturday 19 October**

- Officiated at Children's Expo in City Park
- Attended Take Flight Raising our Wings Gala Ball

#### **Sunday 20 October**

- Attended Migrant Resource Centre Inc (Northern Tas) AGM and Cultural Performances

#### **Monday 21 October**

- Officiated at private citizenship ceremony

#### **Tuesday 22 October**

- Officiated at Civic reception to honour the achievements of Lauren Perry

#### **Wednesday 23 October**

- Attended Northern Children's Network in partnership with UTAS Official Opening of Annual Children's Art Exhibition

#### **Thursday 24 October**

- Attended Netball Tas Official Launch of ANZ pre-season game
  - Officiated at 2013 Launceston City Council and Playgroup Tasmania Children's Week Awards
  - Attended Kings Meadows Lions Club - Spurr Wing Inc AGM and Dinner
-

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

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### **Friday 25 October**

- Officiated at St Giles Balfour Burn Official launch
- Attended St Lukes Health Foundation 33 event

### **Saturday 26 October**

- Attended and presented at Launceston Chamber of Commerce Business Excellence Awards

### **Sunday 27 October**

- Attended Launceston Eye Institute Cataract Gorge Challenge
-

8 ALDERMEN'S/DELEGATES' REPORTS

9 QUESTIONS BY ALDERMEN

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**10 COMMITTEE REPORTS****10.1 Street Tree Advisory Committee 13 August 2013****FILE NO:** SF5726**AUTHOR:** Andrew Smith (Manager, Parks and Recreation)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Street Tree Advisory Committee.

**RECOMMENDATION:**

That the report from the Street Tree Advisory Committee meeting held on 13 August 2013 be received.

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**REPORT:**

The Street Tree Advisory Committee held a meeting on the 13 August 2013 and discussed the following items:

1. Northern Outlet - tree planting update  
On 5 August there were 27 trees planted with the Grammar school students involved. There are 59 trees planned for planting on the Eastern side and over 100 trees on the opposite side.
  2. Tree ordering  
All of the advanced trees have arrived, fifty in total at the nursery which have been allocated for William Street, The Quadrant Mall, Adelaide Street and Amy Road.
  3. Hobart Road  
The tree planting will commence shortly once letter drop offs have been completed. These works are due to be completed September 2013.
-

## 10.1 Street Tree Advisory Committee 13 August 2013...(Cont'd)

4. Tamar/William Street planting project  
The owner of the Clarendon Hotel has approached Council officers requesting for trees to be planted along Tamar and William Street.
5. Planting Projects (this year)  
A total of 492 trees were planted for the 2012/2013 financial year from the LCC Street Tree Strategy program.

| <b>Completed to date 2013/2014 Projects:</b> |                                       |
|----------------------------------------------|---------------------------------------|
| <b>Where</b>                                 | <b>Number of Trees Planted</b>        |
| Cimitiere/Bathurst Street                    | 23                                    |
| Henry Street (Stage 1)                       | 250                                   |
| The Avenue                                   | 1 tree planted to replace a dead tree |
| Charles Street                               | 6                                     |
| Rail Trail                                   | 107                                   |
| Silverdome                                   | 46                                    |
| <b>For completion 2013/2014 Projects:</b>    |                                       |
| <b>Where</b>                                 | <b>Number of Trees Planted</b>        |
| ST Leonards (Stage 1)                        | 350                                   |
| High Street                                  | 11                                    |
| Henry Street (Stage 2)                       | 350                                   |
| Hobart Road (Stage 1)                        | 75                                    |
| William Street                               | 19                                    |
| Newstead                                     | 60                                    |
| Inveresk                                     | 21                                    |

6. Lions Club - Kings Meadows  
They submitted a project funding application for war memorials including Franklin Village and to re-plant in this area of Hobart Road.

**10.1 Street Tree Advisory Committee 13 August 2013...(Cont'd)**

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7. Wellington Street & The Avenue Bollards

The white bollards have arrived and are to be changed along Wellington Street and The Avenue.

**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 Tender Review Committee Meeting - 7 October 2013****FILE NO:** SF0100**AUTHOR:** Raj Pakiarajah (Manager Projects)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider a report from the Tender Review Committee (a delegated authority committee).

**RECOMMENDATION:**

That the report from the Tender Review Committee meeting held on 7 October 2013 be received.

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**REPORT:**

## 1. Launceston Regional Tennis Centre - New Grandstand - CD.022/2013

The Tender Review Committee accepted the tender submitted by Hazel Bros for the Launceston Regional Tennis Centre New Grand Stand at a cost of \$206,705.00 (excl. GST).

## 2. Asbestos Removal Princess Theatre Dressing Room - CD.035/2013

The Tender Review Committee accepted the tender submitted by Nicholls Constructions (Tas) Pty Ltd to prepare and seal the internal space of the change rooms below the stage including the showers and toilet, at a cost of \$16,500.00 (excl. GST).

**ECONOMIC IMPACT:**

The economic impact has been considered in the development of each project.

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**10.2 Tender Review Committee Meeting - 7 October 2013...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

The environmental impact has been considered in the development of each project.

**SOCIAL IMPACT:**

The social impact is considered in the development of each project.

**STRATEGIC DOCUMENT REFERENCE:**

Launceston City Council Budget 2013/2014.

**BUDGET & FINANCIAL ASPECTS:**

The projects are funded in accordance with the approved 2013/2014 Budget as follows:

1. Launceston Regional Tennis Centre - New Grandstand - CD.022/2013 - \$250,000.00
2. Asbestos Removal Princess Theatre Dressing Room - CD.035/2013 - \$16,500.00

**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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**10.3 Pedestrian & Bike Committee Meeting 14 October 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 10 September 2013 be received.

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**REPORT:**

The Pedestrian & Bike Committee meeting held on 10 September 2013 discussed the following items:

- Meeting to be held with YPIPA, UTAS and Pedestrian & Bike Committee re Recreational Interface at Inveresk
- Pedestrian & Bike count to be carried out September 24
- Ride to Work Day October 16
- Walk to Work Day October 4

**ECONOMIC IMPACT:**

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

**ENVIRONMENTAL IMPACT:**

Promoting travel by bicycle reduces the negative impacts of motorized transport and the use of finite fuel resources.

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## 10.3 Pedestrian & Bike Committee Meeting 14 October 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**

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**11    PETITIONS**

**Nil**

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## COUNCIL AGENDA

Monday 28 October 2013

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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 - 12.4

### 12 PLANNING AUTHORITY

#### 12.1 Application for dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D3/2013) at Wellington, Bathurst, York and Elizabeth Streets, Launceston

**FILE NO:** SF6003

**AUTHOR:** Damien Fitzgerald (Town Planner & Urban Designer)

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

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#### **DECISION STATEMENT:**

To consider representations received during the public exhibition period for an application for dispensation from a local provision of the Launceston Interim Planning Scheme 2012 under Section 30P of the *Land Use Planning and Approvals Act 1993* at Wellington, Bathurst, York and Elizabeth Streets, Launceston.

#### **PLANNING APPLICATION INFORMATION:**

Applicant: GHD Pty Ltd obo P.A. Williams & Associates  
Property: Wellington, Bathurst, York and Elizabeth Streets, Launceston  
(CT 16548/3; CT 198069/1; CT 199248/1; CT 221543/1; CT 54325;  
CT 54325/2; CT 54325/3; CT 54325/4; CT 54325/5; 54325/7;  
CT 61032/1; CT 16312/1; CT 16312/2)  
Land Area: 10,067m<sup>2</sup>  
Zone: Urban Mixed Use  
Public Exhibition: 7/9/2013 - 5/10/2013  
Representations: Two  
TPC Deadline: 9/11/2013

#### **PREVIOUS COUNCIL CONSIDERATION:**

Council meeting 26 August 2013 - The Council resolved to support the application for dispensation at Wellington, Bathurst, York and Elizabeth Streets, Launceston (CT 16548/3; CT 198069/1; CT 199248/1, CT 221543/1; CT 54325; CT 54325/2; CT 54325/3; CT 54325/4; CT 54325/5; 54325/7; CT 61032/1; CT 16312/1; CT 16312/2) and provided a statement to this effect to the Tasmanian Planning Commission.

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**12.1 Application for dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D3/2013) at Wellington, Bathurst, York and Elizabeth Streets, Launceston...(Cont'd)**

**RECOMMENDATION:**

That, pursuant to *Section 30Q* of the *Land Use Planning and Approvals Act 1993*, the Council has considered representations received in respect to the application for dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D3/2013) at Wellington, Bathurst, York and Elizabeth Streets, Launceston and provide the following statement to the Tasmanian Planning Commission as to the merit of each representation and any recommended modifications:

| <b>Representation</b> | <b>Issues Raised</b>                                                                                                                                                                                                                                                                                                                |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GHD Pty Ltd           | 1. Wish to lodge a representation in support of the proposed dispensation on behalf of the client P.A. Williams & Associates.                                                                                                                                                                                                       |
|                       | <b>Discussion of Merit</b>                                                                                                                                                                                                                                                                                                          |
|                       | This representation accords with the Council's decision to support the application for dispensation.                                                                                                                                                                                                                                |
|                       | <b>Recommended Modification</b>                                                                                                                                                                                                                                                                                                     |
|                       | No modifications are recommended.                                                                                                                                                                                                                                                                                                   |
| <b>Representation</b> | <b>Issues Raised</b>                                                                                                                                                                                                                                                                                                                |
| M Jones               | 1. Traffic concerns at the start and end of each day in relation to Sacred Heart School - Margaret, Bourke and York Streets as parents drop of and collect students.                                                                                                                                                                |
|                       | 2. Traffic concerns directly onto Bathurst and Wellington Street with students who walk from school into the CBD across the surrounding streets.                                                                                                                                                                                    |
|                       | 3. Numerous vehicle accidents and near misses of pedestrians hit by cars in Margaret and Elizabeth Streets - students crossing at lights.                                                                                                                                                                                           |
|                       | 4. Potential concern to the increased traffic by the way of this development size of 3800m <sup>2</sup> versus the speed limit of the streets and safety of students if this development is approved. What measures will be put in place to ensure the safety with the increased volumes of traffic as a result of the development. |

**12.1 Application for dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D3/2013) at Wellington, Bathurst, York and Elizabeth Streets, Launceston...(Cont'd)**

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p><b>Discussion of Merit</b></p> <p>The Council has previously considered the application for dispensation and determined that it accords with the purposes of the:</p> <ul style="list-style-type: none"> <li>• Northern Regional Land Use Strategy;</li> <li>• Launceston Retail Audit and Activity Centres Strategy;</li> <li>• Interim Launceston Planning Scheme 2012; and</li> <li>• Interim Scheme's Urban Mixed Use Zone.</li> </ul> <p>Accordingly, the application has a sound strategic basis and the representation does not question this fact.</p> <p>It should be noted that while the matters raised in the representation are valid, they are not matters which ought to be considered as part of this dispensation application. Rather, these matters must be considered as part of a development application for a supermarket on the site which may result following the dispensation application.</p> <p>The Launceston Interim Planning Scheme 2012 includes development standards which specifically address traffic, parking, connectivity and pedestrian safety issues. Indeed, in the preliminary pre-lodgement discussions that have occurred between Council Officers and the prospective supermarket proponent for the site, a great deal of focus has been applied to addressing all issues that would be presented from the traffic which would be generated by the development. The Council is confident that the matters raised would be suitably addressed in a future development application for the site.</p> |
|  | <p><b>Recommended Modifications</b></p> <p>No modifications are recommended.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

**REPORT:**

**1 Background**

The proposal involved an application to the Tasmanian Planning Commission (TPC) for dispensation from a local provision of the Launceston Interim Planning Scheme 2012 under s30P(1) of the *Land Use Planning and Approvals Act 1993* ('the Act') for Wellington, Bathurst, York and Elizabeth Streets, Launceston.

## **12.1 Application for dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D3/2013) at Wellington, Bathurst, York and Elizabeth Streets, Launceston...(Cont'd)**

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The dispensation proposed to remove the restriction on floor area for supermarkets generally in the Urban Mixed Use zone by adding the words ' except for a supermarket to which no floor limit is applied' to the qualification for a discretionary General Retail and Hire use class.

The dispensation application is capable of facilitating the development of a full-line supermarket with a floor area of 3,800m<sup>2</sup> on the land controlled by the applicant

The Council resolved to support the dispensation at its meeting on 26 August 2013. The application was then placed on public exhibition in accordance with the Act's requirement for a statutory timeframe of 28 days and two (2) representations were received.

At the close of the exhibition period, the Council has 35 days to consider the merit of each representation and determine whether any modification is required in light of those representations pursuant to Section 30Q of the Act. The Council must then report back to the TPC. The TPC may then decide to hold hearings. At their conclusion the TPC will determine whether to grant, modify or reject the application.

### **2 Representations**

The dispensation application was placed on public exhibition between 7 September 2013 and 5 October 2013. Two (2) representations were received with one supporting the application and the other raising a number of traffic related issues. The issues raised are summarised in the report's recommendation. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report (Attachment 1).

### **3 Conclusion**

At its meeting on Monday, 26 August 2013 the Council resolved to support the application to dispense with the qualification on floor areas for the General retail and hire use class in the Urban Mixed use zone on land bounded by Wellington, Bathurst, York and Elizabeth Streets, Launceston (CT 16548/3; CT 198069/1; CT 199248/1, CT 221543/1; CT 54325; CT 54325/2; CT54325/3; CT 54325/4; CT 54325/5; 54325/7; CT 61032/1; CT 16312/1; CT16312/2).

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**12.1 Application for dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D3/2013) at Wellington, Bathurst, York and Elizabeth Streets, Launceston...(Cont'd)**

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The dispensation application was exhibited for a four week period and two representations were received raising issues mainly relating to traffic impacts. While the matters raised in the representations are valid, they are not matters which ought to be considered as part of the dispensation application. Rather, these matters must be considered as part of a development application for a supermarket on the site which may result following the dispensation application. The Council is confident that the matters raised would be suitably addressed in a future development application.

It is therefore recommended that the Council notify the Tasmanian Planning Commission that no modification is required to the application for dispensation in light of the representations received.

**ECONOMIC IMPACT:**

The dispensation is in accordance with the Council's Launceston Retail Audit and Activity Centres Strategy which seeks to provide strategic guidance in respect of activity centre development and CBD Master Planning. The subject site is identified in the Strategy as a development opportunity site, which, along with other identified sites in the CBD, are proposed to "*optimise development opportunities for retailing, commercial, residential and mixed use development ...*". The Retail Strategy also identifies the establishment of a supermarket as an important investment opportunity for the CBD.

**ENVIRONMENTAL IMPACT:**

It is considered that the zoning arrangement will facilitate the preservation of natural and landscape values on the land.

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### 12.1 Application for dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D3/2013) at Wellington, Bathurst, York and Elizabeth Streets, Launceston...(Cont'd)

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#### **SOCIAL IMPACT:**

It is considered that an inner-city supermarket would have positive social impact by improving services to residents, tourist and businesses, particularly in after-hours periods.

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

Launceston Interim Planning Scheme 2012  
Northern Regional Land Use Strategy  
Launceston Retail Audit and Activity Centres Strategy  
*Land Use Planning and Approvals Act 1993*  
Protection of Agricultural land Policy 2009  
State Coastal Policy 1996  
Water Quality Management Policy  
National Environmental Protection Measures  
National Environmental Protection (Used Packaging materials) Measure  
National Environmental Protection (Ambient Air Quality) Measure  
National Environmental Protection (Movement of Controlled Waste Between States and Territories) Measures  
National Environmental Protection (National Pollutant Inventory) Measure  
National Environmental Protection (Diesel Vehicle Emission) Measures  
National Environmental Protection (Air Toxics) Measure

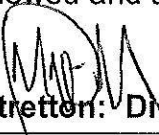
#### **BUDGET & FINANCIAL ASPECTS:**

Not applicable.

#### **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:**

1. Representations (x2)
-



4 October 2013

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

Our ref: 32/16677  
21034  
Your ref:

Dear Sir

**Application for Dispensation from a Local Provision of the Launceston Interim  
Planning Scheme 2012 (LAU D3/2013)  
Representation in support of the application**

I refer to the above dispensation application and wish to lodge our support for the proposed rezoning on behalf of our client P.A Williams & Associates.

Sincerely  
GHD Pty Ltd

A handwritten signature in black ink, appearing to read 'Ashley Brook', written over a light grey grid background.

**Ashley Brook**  
Planner

**Damien Fitzgerald**

---

**From:** Matt Jones  
**Sent:** Wednesday, 2 October 2013 11:06 AM  
**To:** records  
**Subject:** SF6003 36-40 Wellington Street

To whom it may concern

i am writing as Principal of Sacred Heart Catholic Primary School in relation to the ' application for a dispensation from local provisions of the Launceston Interim Planning Scheme 202 has been received for land at 36-40 Wellington Street.'

With our school of ..... there are some queries or questions around traffic in light of this development.

1. Our school is part of a L.C.C. Pilot during 2012 to issue parking fines to parents and general members of the public who are not following parking expectations around the perimeter streets of Sacred Heart. At the start and end of each day traffic is extreme around Margaret, Bourke and York streets as parents collect or drop off students.
2. This traffic accesses directly onto Bathurst and Wellington streets during these times as well as Frederick and into Hillside Crescent. We have students who walk from our school into the CBD across Bathurst and Wellington streets.
3. There have been several accidents in Margaret Streets and several close accidents where our students were nearly hit by cars moving out of Elizabeth onto Margaret Streets and as students crossed traffic pedestrian lights .

My understanding is that the Woolworth Development is requesting zoning of 3800m2 compared to the allowance of 1400m2. I write not about the merits of the development of infact to question the development. I write to express potential concern around the increased traffic this will create, the zoning of this area under 60 or 50 km/h around these streets, the implications for our students and their safety if this development is approved. I am writing so this is asked and hopefully a response to what will be put in place to maintain and address safety with the increased traffic as a result of the development.

--

Cheers

Matt Jones  
Principal  
Sacred Heart Catholic Primary School



**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)**

**FILE NO:** SF5990

**AUTHOR:** Julia Allen (Town Planner)

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

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**DECISION STATEMENT:**

To consider the merits of representations received during the public consultation period for dispensation application (LAU D2/2013) and to determine whether the proposed dispensation requires modification in light of the representations received.

**PLANNING APPLICATION INFORMATION:**

|                    |                         |
|--------------------|-------------------------|
| Applicant:         | GHD Pty Ltd             |
| Property:          | Volume 75633 Folio 1    |
| Land Area:         | 3.8ha                   |
| Zone:              | Low Density Residential |
| Public Exhibition: | 7/9/2013 - 5/10/2013    |
| Representations:   | Nine                    |
| TPC Deadline:      | 9/11/2013               |

**PREVIOUS COUNCIL CONSIDERATION:**

Item 12.1 Monday, 26 August 2013 Council resolved to support the proposal subject to retaining the Scenic Management area overlay.

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**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

**RECOMMENDATION:**

That, pursuant to *Section 30Q* of the *Land Use Planning and Approvals Act 1993*, the Council has considered the representations received in respect to the application for dispensation from a Local Provisions of the Launceston Interim Planning Scheme (LAU D2/2013) at 123 Westbury Road, South Launceston and provide the following statement to the Tasmanian Planning Commission as to the merit of each representation and any recommended modifications:

| <b>Representation</b> | <b>Issues Raised</b>                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bill Campbell-Smith   | <ol style="list-style-type: none"> <li>1. Overlays should remain because property is an iconic backdrop to city.</li> <li>2. Property was gifted to Council but then sold with restrictions. Restrictions should remain.</li> <li>3. Low density zone should remain because better fits with overlay requirements, and traffic and access issues.</li> </ol>            |
|                       | <b>Discussion of Merit</b>                                                                                                                                                                                                                                                                                                                                              |
|                       | <ol style="list-style-type: none"> <li>1. Partially agree. See comments in part 3 of the report.</li> <li>2. Council was presented with the offer to be gifted the land as a public park in 2004 however Council declined to accept the offer. Council has not applied any special restrictions.</li> <li>3. Disagree. See comments in part 3 of the report.</li> </ol> |
|                       | <b>Recommended Alterations</b>                                                                                                                                                                                                                                                                                                                                          |
|                       | <ol style="list-style-type: none"> <li>1. No change. Retain Scenic Management overlay.</li> <li>2. No change.</li> <li>3. No change.</li> </ol>                                                                                                                                                                                                                         |

**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

| <b>Representation</b>    | <b>Issues Raised</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| Nigel and Linda Donachie | <ol style="list-style-type: none"> <li>1. Need for dispensation.</li> <li>2. Issues with information in Traffic Report. Why leave Traffic Flow analysis until subdivision stage?</li> <li>3. How will current users be affected by and who will pay for infrastructure upgrades, especially to the traffic network?</li> <li>4. How will heavy vehicles be managed especially during construction and how will additional traffic arising from development of the land be managed?</li> <li>5. How will safety of pedestrians and cyclists past the 'grand entrance' be accommodated, particularly during construction?</li> <li>6. This site has historically been zoned Low Density Residential with Scenic Protection provisions applying. What has significantly changed?</li> <li>7. If the Scenic Management and Biodiversity overlays are removed from the property, will they also be removed from adjacent properties that have similar attributes thereby giving those owners the same flexibility?</li> <li>8. Concerns with the Landscape and Visual Assessment report including its downplaying of the visual impact of future subdivision, and the visual impact of clear felling of the site.</li> <li>9. Concerns with the report supporting removal of Priority Habitat given there was a limited site assessment, uncertainty whether nocturnal site assessment was conducted to view presence of fauna, that site assessments were done outside of known flowering times for some threatened flora preventing identification or whether those species are present or not, errors in information records presented in report, and that raptor nests were not recorded in report when raptors do nest onsite. The Arborists Report does not include assessment of trees from protected section.</li> <li>10. Incompatibility of the lot density under the General Residential zone with Scenic Management objectives.</li> <li>11. Traffic Study - peak hour snapshots do not truly represent the concentrated traffic along Westbury and Normanstone Roads. Concerns that solution don't adequately deal with traffic banking up on Normanstone Road. The study doesn't consider the traffic issues around the Wellington Street and Westbury Road intersection.</li> <li>12. How will traffic be managed during the construction phase?</li> <li>13. Concerns with Council giving an opinion on the proposal prior to public consultation.</li> </ol> |

**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

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|  | <p><b>Discussion of Merit</b></p> <ol style="list-style-type: none"> <li>1. The ability to apply for a dispensation is available under the <i>Land Use Planning Approvals Act</i> and is available to anyone whilst the scheme is an interim planning scheme.</li> <li>2. The development stage is when the full specific details of what's proposed and the extent of the proposal's implications will be considered. At this stage, it's sufficient to know that there are appropriate traffic engineering solution/s available to enable a development to proceed at a density that the zone allows for.</li> <li>3. Typically infrastructure upgrades and works required to service a new development are required to be paid for by the developer. This will be a matter for a future development application on the site.</li> <li>4. Full analysis of this issue is appropriate for consideration at the subdivision stage. A construction traffic management plan will be required then.</li> <li>5. See above comment.</li> <li>6. The site was zoned Low Density Residential with a Scenic Protection overlay under the Launceston Planning Scheme 1996. This has been translated into the current interim planning scheme. The applicant has analysed the site and believes there is sufficient evidence to support changing the provisions that apply to the land.</li> <li>7. Ideally this should be the case if the attributes are the same however, insufficient evidence has been submitted for adjacent properties and adjacent properties have not been included in this application.</li> <li>8. It is recommended that the Scenic Management overlay be retained on the subject land to enable consideration of the design in the context of its visual impact as well as during subdivision and construction and to also to have future development blend in appropriately with surrounding existing development.</li> <li>9. There is sufficient evidence submitted to indicate the nature values are sufficiently poor that the Biodiversity Code need not apply. This doesn't affect the requirements of other legislation such the provisions of the <i>Nature Conservation Act</i> and the <i>Threatened Species Protection Act</i> where a permit is usually required to remove priority habitat.</li> </ol> |
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**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

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|  | <p>10. The minimum lot size provided in the zone indicates the density appropriate to the zone in an ideal scenario. Where there are constraints, such as scenic values, lot sizes may have to be increased to address those issues. Also in terms of scenic considerations, lot size is only one aspect to consider, the shape, road location, development pattern and so on all affect the scenic outcome of the development. Where the General Residential zone applies, it becomes more important that where there are special values that require consideration that those relevant overlays do apply to ensure their consideration since the zone objectives and zone development standards do not provide scope to consider them.</p> <p>11. Based on traffic surveys over a longer period the figures quoted do represent peak traffic flow, although there are similarly high flows at other times during the day. The figures are appropriate for this submission but a fuller count will be required at subdivision stage. The traffic signals will help to improve traffic flow in Normanstone Road and balance this with Westbury Road.</p> <p>12. Full analysis of this issue is appropriate for consideration at subdivision stage. A construction traffic management plan will be required then.</p> <p>13. This is the statutory process as outlined in <i>Section 30P of the Land Use Planning and Approvals Act</i>.</p> |
|  | <p><b>Recommended Alterations</b></p> <ol style="list-style-type: none"> <li>1. No change.</li> <li>2. No change.</li> <li>3. No change.</li> <li>4. No change.</li> <li>5. No change.</li> <li>6. No change.</li> <li>7. No change.</li> <li>8. No change. Retain scenic management overlay.</li> <li>9. No change.</li> <li>10. No change.</li> <li>11. No change.</li> <li>12. No change.</li> <li>13. No change.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

| Representation | Issues Raised                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Tanya Geddes   | <ol style="list-style-type: none"> <li>1. Affected residents should have had access to these plans prior to the 9 September 2013 since the process appears to have commenced in December 2012.</li> <li>2. Prior to purchase of home in February 2012, I was advised there would be no change to land at the rear of my property, yet we have this application.</li> <li>3. Impact on the resale value of my property.</li> <li>4. My property has covenant about a fence that was removed and would be replaced. That fence has not been replaced.</li> <li>5. How the removal of the right hand turn into Normanstone Road affect road users and congestion.</li> <li>6. Degradation of amenity from increased traffic, stormwater and noise from the increase in residential density proposed.</li> <li>7. Concerned about snakes coming into my property with the loss of habitat.</li> <li>8. Concerns about the process of assessment, why is the public only being notified now?</li> </ol>                                                                                                                                                                                                                                                                                                                                        |
|                | <p><b>Discussion of Merit</b></p> <ol style="list-style-type: none"> <li>1. Council has followed the statutory process as outlined in <i>Section 30P</i> of the <i>Land Use Planning and Approvals Act 1993</i>.</li> <li>2. That advice was correct at the time. The current application seeks to vary the land use which may or may not be successful.</li> <li>3. Not a planning matter.</li> <li>4. Not a matter for this application. Fencing covenants are a civil matter.</li> <li>5. There appears to be a misunderstanding, the proposal is to remove the right turn out of Normanstone Road, not in. As the representation is from Caroline Street this restriction will have no impact.</li> <li>6. Full analysis of this issue is appropriate for consideration at the subdivision stage. There is no evidence that, if correctly managed, any changes to the current stormwater situation will result in any loss of amenity to the neighbouring residents. A stormwater detention structure will be required as a result of the increase in impervious surfaces arising from a subsequent development however the capacity will be a function of the increase in impervious area and is not known at this time as there is no application for subdivision (although several potential layouts have been mooted).</li> </ol> |

**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                       | <p>7. This is not a planning issue.<br/>             8. This is the statutory process as outlined in <i>Section 30P of the Land Use Planning and Approvals Act.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                       | <p><b>Recommended Alterations</b></p> <p>1. No change.<br/>             2. No change.<br/>             3. No change.<br/>             4. No change.<br/>             5. No change.<br/>             6. No change.<br/>             7. No change.<br/>             8. No change.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Representation</b> | <b>Issues Raised</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| GHD                   | <p>1. Scenic Management Code - requires a discretionary application for the removal of all vegetation irrespective of the species or condition. The site contains mostly exotic vegetation in poor condition.</p> <p>2. Scenic Management Code - All development and subdivision is discretionary unless in accordance with the Western Hillside Precinct Provisions. Those provisions have no specific assessment criteria leading to uncertainty for applicants.</p> <p>3. Scenic Management Code - report submitted does assess the site within the areas context and concludes that the landscape sensitivity is medium to negligible. Vegetation is characterised by urban landscaping and street planting, which can occur over time by itself and does not need the overlay to achieve that.</p> |

**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                       | <p><b>Discussion of Merit</b></p> <ol style="list-style-type: none"> <li>1. Agreed, the Scenic Management Code in its current incarnation is too broad scale with its application. An amended Scenic Management Code to refine its application is being prepared and will be considered as part of the Launceston Interim Scheme hearing process. This issue will be dealt with over time and in itself is not a sufficient argument to warrant its removal from the site.</li> <li>2. Agreed, that the Scenic Management Code requires specific assessment criteria for each precinct. This issue is being considered and an amended code is prepared and will be considered as part of the Launceston Interim Scheme hearing process. This issue will be dealt with over time and in itself is not a sufficient argument to warrant its removal from the site.</li> <li>3. The report does not adequately consider alternative planning solutions or the implications for removal of the scenic management area. See further comments in this report in part 3.</li> </ol> <p><b>Recommended Alterations</b></p> <ol style="list-style-type: none"> <li>1. No change. This issue is being considered as part of the Interim Planning Scheme hearing process.</li> <li>2. No change. This issue is being considered as part of the Interim Planning Scheme hearing process.</li> <li>3. No change. Retain Scenic Management Code.</li> </ol> |
| <b>Representation</b> | <b>Issues Raised</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| BD & LB Harper        | <ol style="list-style-type: none"> <li>1. Ongoing loss of trees in the area</li> <li>2. Stormwater issues existing in the area will be exacerbated by further development.</li> <li>3. Traffic generation from denser development will exacerbate congestion around Eureka Street and traffic reporting has not adequately considered the stagnation of traffic in Normanstone Road.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

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|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                    | <p><b>Discussion of Merit</b></p> <ol style="list-style-type: none"> <li>1. Acknowledge tree decline is a problem in this area as well as other areas in Launceston. Retention of Scenic Management overlay and better enforcement would help address this issue.</li> <li>2. Eureka Street is located at the top of the catchment and following the recent flooding while there were several reports of damage in this area they were categorised as overland flow. From the representation it appears that the complaint is actually referring to a problem with the neighbour and not a network failure. This should be referred to the Plumbing Department for review and action if warranted.</li> <li>3. The density of development is not known at this point and the traffic management solution will be determined once this is established (through a future development application for subdivision). The proposed traffic signals will help to improve traffic flow in Normanstone Road and balance this with Westbury Road.</li> </ol> <p><b>Recommended Alterations</b></p> <ol style="list-style-type: none"> <li>1. No change.</li> <li>2. No change.</li> <li>3. No change.</li> </ol> |
| <p><b>Representation</b><br/>Pitt &amp; Sherry</p> | <p><b>Issues Raised</b></p> <ol style="list-style-type: none"> <li>1. There is inadequate justification for the removal of the Priority Habitat overlay since threatened communities do exist.</li> <li>2. The Low Density Residential zone is a better fit for the site since there are existing infrastructure and environmental constraints.</li> <li>3. The Scenic Management Code is not prohibitive towards development instead it guides development to be appropriate for its context. Its removal would set a dangerous precedent for other hillside residential areas.</li> <li>4. Concerned about the traffic impacts from increased density. Concerned about the disruptive impact on residents being denied the ability to turn right from Normanstone Road onto Westbury Road.</li> <li>5. The proposal doesn't adequately address the Northern Regional Strategy Strategic Direction 6 &amp; 8 which identifies that planning should be resilient to planning pressures of population growth and that the retention of threatened vegetation communities and high scenic values be protected.</li> </ol>                                                                                 |

**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>6. Points a) and c) of Section 3.9 of the Objectives of the Launceston Interim Scheme concerning biodiversity and scenic values are not adequately addressed by the proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|  | <p><b>Discussion of Merit</b></p> <ol style="list-style-type: none"> <li>1. What is left is small, fragmented and would be difficult to maintain into the future. Removal can be covered by the provisions of the <i>Nature Conservation Act</i> and the <i>Threatened Species Protection Act</i> need to be followed by the landowners/developers and a permit is usually required to remove priority habitat.</li> <li>2. Disagree, see part 3 of this report.</li> <li>3. Agree. Retain Scenic Management code.</li> <li>4. The removal of the right turn from Normanstone Road into Westbury Road will inconvenience the residents of 99-105 Normantone Road who are unable to turn right onto Normanstone Road. It may be possible for those properties that have a boundary with the development site to negotiate an alternative access. Otherwise residents will be able to use the new subdivision road to turn.</li> <li>5. See part 3 of the report.</li> <li>6. See part 3 of the report.</li> </ol> |
|  | <p><b>Recommended Alterations</b></p> <ol style="list-style-type: none"> <li>1. No change.</li> <li>2. No change.</li> <li>3. No change. Retain Scenic Management Code.</li> <li>4. No change.</li> <li>5. No change.</li> <li>6. No change.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

| Representation | Issues Raised                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PDS            | <ol style="list-style-type: none"> <li>1. Traffic concerns - lack of consideration of a range of alternative options including potential for accesses other than Westbury Road. Lack of detail about access and junction design and lot access.</li> <li>2. Traffic Impact - no traffic assessment against E4.0 has been provided.</li> <li>3. Stormwater infrastructure - Eureka Street already experiences stormwater problems particularly during heavy rainfall. Concerned this proposal will exacerbate that issue.</li> <li>4. Priority Habitat - reporting has not adequately surveyed the site to determine extent of presence of threatened flora. Priority habitat should not be removed until the full values of the vegetation and its habitat for fauna are investigated and analysed.</li> <li>5. Scenic Management code - concerned removal will prevent adequate consideration of vegetation removal, earthworks and built form in this hillside location.</li> <li>6. The Low Density Residential zone is a better fit since the site has infrastructure and environmental constraints.</li> </ol> |
|                | <p><b>Discussion of Merit</b></p> <ol style="list-style-type: none"> <li>1. Other options have been considered but have been regarded as impractical. The lot has sole frontage to Westbury Road which limits the ability to provide alternative access points.</li> <li>2. The code does not apply as there is no application for subdivision.</li> <li>3. Recent heavy rainfall have resulted in several CRMs being received from Eureka Street and were categorised as overland flow issues rather than system failures.</li> <li>4. Issues noted however what is left is small, fragmented and would be difficult to maintain into the future. Removal of the Priority Habitat overlay does not affect the application of the provisions of the <i>Nature Conservation Act</i> and the <i>Threatened Species Protection Act</i> where a permit is usually required to remove priority habitat.</li> <li>5. Agree. Support retention of Scenic Management Code.</li> <li>6. Consider constraints no sufficient enough to warrant retention of the zone. See part 3 of the report for further details.</li> </ol> |

**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       | <p><b>Recommended Alterations</b></p> <ol style="list-style-type: none"> <li>1. No change.</li> <li>2. No change.</li> <li>3. No change.</li> <li>4. No change.</li> <li>5. No change. Retain Scenic Management Code.</li> <li>6. No change.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Representation</b> | <b>Issues Raised</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Michael Watkins       | <ol style="list-style-type: none"> <li>1. Junction changes proposed are not clear as to the impacts of traffic entering/existing Caroline Street.</li> <li>2. Want to be notified of building envelopes on development lots</li> <li>3. What stormwater impact will there be to existing properties in Caroline Street. The documentation talks about Eureka Street properties but not Caroline Street.</li> <li>4. Would like to see 2.1m colourbond fencing on the common boundary.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | <b>Discussion of Merit</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                       | <ol style="list-style-type: none"> <li>1. The proposed access necessitates a right turn lane into the subdivision and the traffic signals at Normanstone Road which will also assist Caroline Street residents.</li> <li>2. This is best considered in an application for subdivision. All subdivisions require a public notification period where adjoining owners are notified by mail.</li> <li>3. Each lot applied for in a subdivision will need to be provided with a stormwater connection to the lowest part of the lot discharging to a suitably sized pipeline which will be taken over as a public asset once completed. The ultimate location of the main will be determined by the layout of the subdivision however it is reasonable to assume that such a pipeline would be located along the rear of the Caroline Street properties and Eureka Street properties.</li> <li>4. Boundary fencing is not a matter for this application.</li> </ol> |
|                       | <b>Recommended Alterations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                       | <ol style="list-style-type: none"> <li>1. No change.</li> <li>2. No change.</li> <li>3. No change.</li> <li>4. No change.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

| Representation | Issues Raised                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Don Wing       | <ol style="list-style-type: none"> <li>1. Minimum lot size would be better to be 800 or 900m<sup>2</sup> for this area.</li> <li>2. Traffic and safety concerns regarding the junction to Westbury Road. Concerned about the effects of traffic lights, and narrowing west bound lane on traffic congestion. Suggest an access via Caroline Street should be considered.</li> </ol>                                                                                                                                                                        |
|                | <b>Discussion of Merit</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                | <ol style="list-style-type: none"> <li>1. The zone sets the minimum lot size, anything above that is permissible in the zone. 800-900m<sup>2</sup> is possible within the General Residential zone without a discretion being invoked. This lot range is more consistent with some adjacent existing residential areas bordering the site.</li> <li>2. Other options have been considered but have been regarded as impractical. 1. The lot has sole frontage to Westbury Road which limits the ability to provide alternative accesses points.</li> </ol> |
|                | <b>Recommended Alterations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                | <ol style="list-style-type: none"> <li>1. No change.</li> <li>2. No change.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**REPORT:**

**1 Background**

The proposal involves an application to the Tasmanian Planning Commission (TPC) for dispensation from a local provision of the Launceston Interim Planning Scheme 2012 under section 30P(1) of the Land Use Planning and Approvals Act 1993 (the Act) for 123 Westbury Road, South Launceston.

The proposal seeks to:

1. Set aside the whole provisions of the Low Density Residential zone as they relate to 123 Westbury Road, certificate of title volume 75633 folio 1, and apply the provisions of the General Residential zone; and
2. Set aside the whole of the provisions of the Scenic Management Area as they relate to 123 Westbury Road, certificate of title volume 75633 folio 1 by the removal of the scenic management area from the overlays map; and

## **12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

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3. Remove the priority habitat area from the overlays map as they relate to 123 Westbury Road, certificate of title volume 75633 folio 1.

The Council determined to support element 1 and 3 of the proposal and not support element 2 of the proposal at the Council meeting on 26 August 2013. The application was then advertised in accordance with the Act's requirement and 9 representations were received.

At the close of the advertising period, the Council has 35 days to consider the merit of each representation and determine whether any modification is required in light of those representations pursuant to Section 30Q of the Act. The Council must then report back to the TPC. The TPC may then decide to hold hearings. At their conclusion the TPC will determine whether to grant, modify or reject the application.

### **2 Representations**

The dispensation application was advertised from 7 September to 5 October 2013. Nine (9) representations were received. The issues raised are summarised in the report's recommendation. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the entire representation attached to this report.

The applicant has submitted further information in response to the issues raised in the representations. This is also attached to the report.

### **3 Issues**

This dispensation application concerns what provisions in the interim scheme should apply to the subject land. In particular, if the General Residential zone provisions are suitable and whether the Scenic Management and Priority Habitat overlays should no longer apply. The issue is whether the values present are sufficient to warrant retention of the overlays and if the land is capable of developing at more of a General Residential density and whether this is appropriate for the context and values that apply to the land.

The details of how traffic and underground infrastructure issues will be dealt with are not necessary at this stage other than to demonstrate development capacity. Details of how these issues will be resolved are necessary at the development stage. This will be the subject of a separate planning application and public consultation process.

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## **12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

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Many of the issues raised in the representations, particularly in relation to traffic are matters of detail that are best considered within the scope of a future subdivision application rather within this application.

The key issues concerning the appropriateness of the zone change are:

- Capability of the site to be developed at a General Residential density given traffic and other constraints;
- Suitability of the zone in that skyline location.

A key purpose of the Low Density Residential zone is:

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

And

*12.1.3 To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development from public views.*

Council must determine whether the constraints and values of the site necessitates the use of the Low Density zone. There are no significant infrastructure or traffic issues that would impede a denser residential development from occurring on the land. Scenic and natural values are not considered to be significant development constraints but instead are capable of being managed by the application of relevant interim scheme codes.

The site falls within the third tier of the hierarchy for residential land in the *Launceston Residential Strategy 2009 - 2029*. This tier identifies vacant land in urban infill locations including undeveloped portions of existing residential areas and vacant land currently within a residential zone. To fulfil the relevant strategy objectives, the highest density suitable should be applied to the land. Factors in favour of the General Residential zone include the absence of natural hazards, the serviceability of the site, the character of existing adjacent development is General Residential, proximity to district shopping facilities, and proximity to public transport.

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## **12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

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It's considered that the General Residential zone provides greater scope to realise Council's planning objectives for density, housing choice, infill development, utilisation of infrastructure and increasing population density close to public transport and district shopping facilities.

The relevant considerations when considering the proposal to remove Scenic Management Code are:

- The scenic values of the site and at what level should an overlay be removed;
- The appropriateness of the submitted recommendations and whether there are alternative options that would be more appropriate.
- Whether in terms of procedure fairness, the applicability of the Scenic Management overlay needs to be considered on adjacent lots within the same precinct.
- Whether development can occur without having a detrimental impact on the hillside without the Scenic Management Code in place.

In the Scenic Management code, the subject land is located within the Western Hillside precinct. The relevant management objectives of the precinct are:

*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.*

*b) Development within the precinct must minimise its visual intrusion on the hillside by its location, form, scale, exterior materials, colours and landscaping particularly when seen from major public vantage points. Visually dominating or obtrusive development, particularly along the skyline must not be approved.*

*c) Subdivisions are to address bushfire safety and vegetation management requirements to achieve a visually unobtrusive development with sufficient vegetation coverage to retain the precincts character.*

The management objectives provide guidance on what is appropriate development on that hillside. In this area, the focus is about having development blend in and retaining or reinstating, as the case may be, trees and vegetation that give the 'green treed' appearance to the urban environment.

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## **12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

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Launceston is experiencing a decline in canopy trees throughout the city, and this decline is most notable in the hillside areas, due to their visibility. The treed character of Launceston is valued by its community.

New residential development is trending towards larger houses with less open area and notably less trees within their gardens. The visual outcome of this development tends to make the buildings more dominant or dominating in the landscape as there is less separation between buildings and less screening and softening of their appearance by vegetation.

The retention of the Scenic Management Overlay will serve to encourage and promote appropriate vegetation and development to facilitate the sites integration into the urban skyline landscape. It also provides the best mechanism to implement the submitted Landscape and Visual Amenity Report's recommendations and for the applicable strategies from the Regional Land Use Strategy concerning scenic landscape values to be met.

Removal of the Scenic Management overlay would remove the opportunity to consider scenic and landscape impacts for development and also the ability to implement the Landscape Visual Amenity Report's recommendations.

Without the overlay in place, there is little scope to moderate inappropriate development. In this scenario, there would be negligible scope to influence the design and the extent of clearance for subsequent development that would result from the subdivision itself. For subsequent housing development there would be no opportunity since where all the applicable acceptable solutions are met, no planning permit would be required.

The Scenic Management Code is improved from its earlier version under the Launceston Planning Scheme 1996. It is recognised however that its current form is too broad in its application and further refinement to provide better clarity during assessment would be beneficial. Revision of the code to improve functionality and incorporate assessment provisions for the precincts is being prepared as part of the interim scheme hearing process.

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## **12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

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Relevant considerations when considering the proposal to remove the Biodiversity code are:

- Whether the submitted documentation is sufficiently thorough and detailed to assess the quality of the threatened flora and fauna onsite;
- The value of the priority habitat and whether protection is necessary under the interim planning scheme.

The submitted documentation provides sufficient evidence to indicate that the priority habitat that exists is small, fragmented and of poor quality. The benefits of retaining the priority habitat overlay are minimal and would impose an additional regulatory hurdle for applicants for habitat that will be difficult to manage sustainably long term. It's considered that the application of other legislation such as the *Nature Conservation Act* and *Threatened Species Protection Act* are sufficient to deal with this issue without the need to have the interim scheme do so in this circumstance as well.

### **6 Conclusion**

The dispensation application for 123 Westbury Road has been advertised and representations were received. This report has considered the issues and merits raised by the representations received and concludes that the opinion Council adopted on the 26 August 2013 for this proposal should remain unchanged.

### **ECONOMIC IMPACT:**

The economic impact has been considered through assessing what the maximum potential of land could be that would provide the best utilisation of existing services and infrastructure.

### **ENVIRONMENTAL IMPACT:**

The environmental impact has been considered through identification of what environmental values apply to the proposal and what planning instruments should apply to manage those values.

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**12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)**

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**SOCIAL IMPACT:**

The social impact of the proposal has been considered by understanding the projected housing and services needs of the community and what zone would be most appropriate to achieving those needs.

**STRATEGIC DOCUMENT REFERENCE:**

Land Use Planning and Approvals Act 1993  
Regional Land Use Strategy for Northern Tasmania  
Launceston Residential Strategy 2009 - 2029  
Launceston Interim Planning Scheme 2012  
State Policy on the Protection of Agricultural Land 2009  
State Policy on Water Quality Management 1997  
State Coastal Policy 1996  
National Environmental Protection (Used Packaging Materials) Measure  
National Environmental Protection (Ambient Air Quality) Measure  
National Environmental Protection (Movement of Controlled Waste Between States and Territories) Measure  
National Environmental Protection (National Pollutant Inventory) Measure  
National Environmental Protection (Assessment of Site Contamination) Measure  
National Environmental Protection (Diesel Vehicle Emissions) Measure  
National Environmental Protection (Air Toxics) Measure


**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:**

1. Copy of representations and applicant's submission in response to representations
-

**Ken Watts**

**From:** [Redacted]  
**Sent:** Saturday, 5 Oct 2013 11:11 AM  
**To:** records  
**Subject:** Fwd: SF5990 123 Westbury Rd representation  
**Attachments:** 123 westbury rd.odt

----- Original Message -----  
**Subject:** SF5990 123 Westbury Rd representation  
**Date:** Thu, 03 Oct 2013 22:11:26 -0700  
**From:** [Redacted]  
**To:** [Council@launceston.tas.gov.au](mailto:Council@launceston.tas.gov.au)

Please find the enclosed representation regarding SF5990 for 123 Wesbury Road

|                   |                |         |  |
|-------------------|----------------|---------|--|
| FILE No.          | SF5990 / 70010 |         |  |
| EO                | OD             | Box     |  |
| RCVD - 7 OCT 2013 |                | LCC     |  |
| Doc No.           |                |         |  |
| Action Officer    | Noted          | Replied |  |
| C. W. [Redacted]  |                |         |  |

*copy of all*

re Development Application No SF 5990

Address 123 Westbury Road

We object to the above proposal because Council has a MORAL OBLIGATION to retain the overlays on this property.

\_\_\_\_\_ of 123 Westbury Road, we understand that he gifted his property to the Council and to the people of Launceston. Council then on-sold the land but the restrictions must be retained.

Scenic preservation order. 123 Westbury Road provides an iconic backdrop to the city and must be retained.

Residential subdivision Zoning This should not be changed due to the reasons in the above statement. The traffic report in the proposal is totally inadequate. We are 20 year residents of \_\_\_\_\_ and recognize that traffic lights and lane changes on Normanstone Road alone will do nothing to ease access issues.

Richard Campbell-Smith

Sally Campbell-Smith

**Julia Allen**

---

**From:** [REDACTED]  
**Sent:** Friday, 4 October 2013 9:15 AM  
**To:** records  
**Subject:** Attention: The General Manager re: SF5990 AO  
**Attachments:** Submission 123 Westbury Rd. SF5990 AO.docx

Please find attached a submission on behalf of [REDACTED] e, regarding application SF5990 AO

Yours Sincerely  
Nigel and Linda.

Pam Scott,  
Director Assessments,  
Tasmanian Planning Commission,  
GPO Box 1691,  
Hobart 7001

Nigel and Linda Donachie,

Cc: The General Manager: Launceston City Council

Submission to the Tasmanian Planning Commission on behalf of Nigel and Linda Donachie

Re: 123 Westbury Road application: For the dispensation from local provisions of the Launceston Interim Planning Scheme 2012: File No. SF5990 AO

**Our understanding of the background to this application for dispensation:**

The application put to the Tasmanian Planning Commission (TPC), in July this year, is for the removal of the existing Scenic Management and Priority Habitat restrictions and to rezone the above-named land to Urban Residential from its existing Low Density Residential zoning. This is to enable the owner to subdivide the Northern 3.8ha aspect of the property (the area immediately adjacent to Westbury Road), with in excess of fifty building blocks.

The application was commissioned by The Australian arm (Kreglinger Australia Pty. Ltd.) of the multinational company based in Antwerp, Belgium known as Kreglinger Pty. Ltd., and was prepared by local firm GHD Pty Ltd.

**2012:** The Interim Planning Commission review and leave unchanged the Scenic Protection and Priority Habitat overlays and the Low Density Residential Zoning existing on the above-named property.

**Dec. 2012:** GHD lodges a submission on behalf of Kreglinger Australia Pty. Ltd to the Interim Planning Commission, suggesting that General Residential Zoning is more appropriate for the site in question and also sought to remove the Scenic Management and Priority Habitat overlay. The TPC leave the Low Residential Zoning, Scenic Protection and Priority Habitat overlays in place.

**12<sup>th</sup> March 2013:** Launceston City Council (LCC) endorse the residential re-zoning to urban residential of the property situate 123 Westbury Road and the removal of the Priority Habitat overlay, but do not endorse removal of Scenic Protection overlay. All subject to the resolution of **traffic management issues** surrounding the project.

**Post March meeting:** GHD planners and members of LCC meet "a number of times" to try to resolve the issue of traffic management. **LCC resolved to postpone concerns over traffic management** and access to the subdivision until after dispensations are granted and the project is at subdivision stage. LCC, as yet have not called for public submissions.

**May 31<sup>st</sup> 2013:** The Tasmanian Planning Commission (TPC) decide to recommend to LCC that prior to dispensation being granted for re-zoning and Priority Habitat removal, and in the name of natural justice a formal public exhibition and hearing process should be instigated.

**Jul 15<sup>th</sup> 2013:** Kreglinger Pty Ltd. formally apply to the TPC for rezoning to urban residential and removal of Scenic Protection and Priority Habitat overlays.

**August 15<sup>th</sup> 2013:** A request is received by LCC from the TPC to respond via its Planning Department a statement of opinion in respect to the application and state that if the LCC do not endorse the plan for 123 Westbury Road then the TPC could not proceed with approvals.

**August 26<sup>th</sup> 2013:** At its August meeting Council recommend that 123 Westbury Road be rezoned to General Residential and that the Priority Habitat overlay is also removed. The Scenic Protection overlay is to remain. Council had not yet taken up the TPC's recommendation for public exhibition of the application nor had it called for public representation.

**September 6<sup>th</sup> 2013:** LCC call for public representations to be made regarding the proposed development. **Submissions must be forwarded by the 5<sup>th</sup> October.**

### **What is a dispensation and why is it needed?**

A dispensation (also known as a privilege, an exception, an indulgence, a relaxation of the rules) is required for the development to proceed because there currently exists a Scenic Protection Policy, a Priority Habitat policy and Low Density Residential Zoning on the land, all of which were confirmed as appropriate for the property as recently as the 2012 by the Interim Planning Scheme Commission. The developer (Kreglinger Aust. Pty Ltd.) cannot proceed unless the Launceston City Council, via its Planning Department agrees to remove all of the current restrictions and rezone the land to Urban Residential. The re-zoning will enable the developers to subdivide the land into lot sizes of 350 – 700 square metres, with multiple dwellings on the larger blocks. The current low density zoning allows only larger blocks of between 1000 – 3000 square metres. The site could be sub-divided into in excess of 50 blocks.

### **Questions raised by the Kreglinger application that we feel require further independent investigation:**

With due respect to its author/s and GHD Pty Ltd, it becomes evident upon reading that a submission such as this, commissioned by the developer, cannot be truly representative or impartial. While it is a substantial work (301 pages) and one that takes some considerable time to read, ultimately, for us, it raises more questions than it does provide unbiased impartial information. For these reasons, we feel that further, Independent scrutiny and independent research is vital prior to permission for overlay removal and re-zoning is granted.

It also becomes evident, that the sole purpose of applying for dispensation to the current overlays and zoning of the land is to clear the way for the application to subdivide. This submission is written with this end-point in mind.



Some of the questions raised for us upon reading the application include:

**Question one:**

Following their own "Traffic Flow Analysis", GHD admit that a further study will need to be undertaken to adequately manage traffic issues presented by the subdivision. Why has Council recommended that this work is left until the subdivision stage when clearly, the only intention of the application for removal of Scenic Protection overlay, Priority Habitat overlay and re-zoning to Urban Residential is to clear the way to place a high density subdivision on the site?

**Question two:**

How will current users of infrastructure be affected and who will pay for upgrades?

The application does not specify who will pay for many of the infrastructure upgrades necessary for the subdivision to go ahead. Nor does it make reference to how local residents and users of Westbury Road will be affected during these upgrades.

In particular, the following necessary works are noted in the application;

- The installation of traffic lights at Westbury Road and remodelling of same to two lanes with no right turn from Normanstone Rd to Westbury Rd.
- The new entrance way and road-works to allow Eureka St to cater for the increased traffic flow to and from the estate.
- The network modelling required to ensure that there will be adequate water supply and water pressure to existing residences once the subdivision is completed?
- The new storm-water retention basin that will be required to deal with additional run-off from rooves and other hard-surfaces within the subdivision. At present, with heavy rainfall, substantial flow can be seen across Westbury Road at the Normanstone Rd./Westbury Rd. intersection. The existing system does not effectively deal with current run-off needs.

**Question three:**

To what extent will the 3000+ drivers and passengers passing the site during each of the peak hour times of 8.10am-9.10am and 5pm-6pm be affected by the heavy vehicles turning off Westbury Road during the construction phase, and how will the additional vehicles (up to 100) be accommodated into the already busy traffic way once the subdivision is completed?

**Question four:**

How will the safety of pedestrians and cyclists past the "Grand Entrance" be accommodated, particularly during the construction phase?

**Question five:**

The LCC has historically enforced the Scenic Protection and Priority Habitat overlays as well as earmarking it as an area suitable only for Low Density Housing. Each of these were reviewed and endorsed as recently as the 2012 Interim Planning Scheme.

What has now significantly changed for this to no longer be the case?

3.

### Question six:

If Council approves the application by Kreglinger Australia Pty Ltd. will the existing Scenic Protection and Priority Habitat Overlays be removed from the rest of the ridgeline, leaving existing homeowners the opportunity to subdivide their Low Density Residential blocks?

In addition to the above questions that are raised by the Kreglinger application, there remain the issues of Scenic Protection removal, Priority Habitat removal and the rezoning from Low Density Residential to Urban Residential that we feel are both subjectively and inadequately addressed in the application.

### Scenic Protection:

On page 23 of the Kreglinger application, it states: **"Comment: These impacts are discussed in detail in Section 4 (Key Issues pp 13,14) of this report. In terms of environmental impacts, it has been demonstrated through specialist reporting, that removal of most of the vegetation on site will not have any particular regional impact."**

With respect, the commissioned "Landscape and Visual Assessment" (LIVA) (Appendix F) from which the application draws its conclusions, appears to lack both objectivity and accuracy.

For the following reasons we hope that the members of the Tasmanian Planning Commission see fit to request an independent report into the visual impact of clear-felling this ridgeline, prior to a decision regarding removal of the Scenic Protection overlay is made.

The report significantly downplays the scenic value of the area rating the future subdivision as having **little or no impact visually** (page 14) and supports this with photographs taken from 9 different locations around Launceston. The pictures included in the proposal are small and unclear and, in our opinion, do not by any measure demonstrate the visual impact that this property holds as the Southern backdrop to the city.

In fairness the authors do admit that any such judgement is subjective.

On page 237 of the application the GHD Pty Ltd, recognise that: **"The assessment has attempted to be objective, however it is recognised that visual assessment can be highly subjective and individuals are likely to associate different visual experiences to the study area."**

We request that the members of the Tasmanian Planning Commission, who will ultimately decide the fate of this ridgeline, stand in any one, and preferably all of the locations identified in the report. We feel that only then can an on-balance judgement be made as to how the day to day viewing of the site will be affected during both the construction phase and as a permanent "urban density" residential area.

The Tamar Valley is a North/South orientated valley and because of this the major highways and thoroughfares are also orientated in this direction. All southbound travellers from the city, view the Northern aspect of the Mount Pleasant Estate at several points along their journey. In addition, the busiest of our city's East/West routes runs directly past its 140m frontage. 4.

From our point of view, there is little doubt that the impressive green canopy (the highest observable from the city centre) provided by the North facing aspect 123 Westbury Road constitutes the most significant and visually appealing portion of Launceston's most important southern ridgeline. It should be noted that it is the ridgelines formed along the valley edges that give Launceston much of its natural beauty and character.

We feel that Members of the TPC, only need to view the land in question from the locations highlighted (or indeed from any number of others in Launceston and surrounds) for it to become abundantly clear just how important this green canopied ridgeline is to the visual beauty of Launceston and why it is currently afforded Scenic Protection.

There are numerous sites around Launceston's urban centre suitable for infill of the type recommended in the application. There would seem to be more than enough to adequately house Launceston's predicted population growth. It does not seem necessary to spoil one of our prominent and important "green ridgelines" to cater for future housing needs.

### **Priority Habitat Overlay:**

On page 13 of the application, the summary of the Flora and Fauna Assessment report is in part, as follows:

**"It is clear from the conclusions and recommendations of the report that subject to relevant approvals, that the vegetation on the site can be removed. It is recommended that future subdivision design, where possible try and retain some of the larger trees on site, in particular, avoiding the hollow bearing tree. Offset options are available and indeed the property owner is already undertaking significant planting elsewhere on the property."**

It should be noted, that the wording, "where possible, try and retain some of the larger trees" is vague and seems to lack sincerity; it may simply mean that the hollow bearing tree may be the sole survivor on the ridgeline. In addition further investigation may well show that the "significant plantings" already undertaken by the owner will be, either the trees planted to screen the view from the owner's residence to the existing subdivision to the South of the property, or those planted to screen the owner's view of this proposed subdivision to the north.

With respect, the commissioned "Flora and Fauna Assessment" (appendix B) from which the Kreglinger application draws its conclusions appears, once again to lack substance, objectivity and accuracy and cannot necessarily be relied upon.

For the following reasons we hope that the members of the Tasmanian Planning Commission consider the possibility of an independent Flora and Fauna assessment of 123 Westbury Road, prior to the decision regarding the removal of the Priority Habitat Overlay is made.

In addition to a “desktop search”, The Flora and Fauna assessment of the site at 123 Westbury Road was carried out by GHD Pty Ltd Staff on a single day in late summer (March 1<sup>st</sup> 2013). It was not mentioned for how many hours the two members of staff surveyed the 3.8ha site, but presumably some portion of the daytime, as no nocturnal animals were reported (just one possum scat found).

On Page 58, the application concludes that:

While suitable habitat for a number of threatened plant species listed within Table 1 exists within the site only one threatened flora species was recorded during the field survey. This species was *Arthropodium strictum* (chocolate lily) which is listed as rare in Tasmania.

Up to 5 individuals of *A. strictum* were recorded within the high quality area of native vegetation (marked as 'DAZ' in Figure 1) in the northeast corner of the site.

Habitat suitable for a number of additional threatened species identified within Table 1 exists within the study area. This survey was conducted during early March, overlapping with flowering times for a number of these species; however, some species have known flowering times which do not coincide with the timing of this survey. Without conducting a site visit during their known flowering time (generally spring), it cannot be determined whether they are present or absent within the study area.

From these findings, it seems quite plausible that additional endangered species could be present upon this site.

In addition, it appears that the Flora Assessment carried out by GHD Pty Ltd, falsely records the following information and submits it as fact in the application. Of particular note are the following statements made in the application, “despite overlap with known flowering time”, “conducted near known flowering time” and “survey near known flowering time”

|                                                        |            |            |                                                                                                                                                                                          |
|--------------------------------------------------------|------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Prostanthera rotundifolia</i><br>roundleaf mintbush | Vulnerable | Not listed | Woody shrub occurs in the north and east of the State, along riverbanks and on rocky hillsides.<br><br>Highly Unlikely, none observed on site despite overlap with known flowering time. |
| <i>Pultenaea prostrata</i><br>Silky bushpea            | Vulnerable | Not listed | Occurs in sandy, inland soil in grassy woodland and grassland.<br><br>Unlikely, as not observed during survey and survey conducted near known flowering time.                            |
| <i>Velleia paradoxa</i><br>spur velleia                | Vulnerable | Not listed | Occurs in grassland and grassy woodland.<br><br>Unlikely, not observed onsite with survey near known flowering times.                                                                    |

Cross-referencing with the Tasmanian government’s DPIPW “Threatened Species Link” indicates that the above-documented species, selected at random from pages 55, 56 and 57 of the Kreglinger application have known flowering times of:

1. *Prostanthera Rotundifolia* : Flowering time September to October
2. *Pultenaea Prostrata*: Flowering time October to December
3. *Velleia Paradoxa*: Flowering time late November to early January 6.

The lot at 123 Westbury Road, particularly the heavily wooded North facing slope that is to be subdivided appears to provide an important link for bird-life using the green corridor that begins on the city-edge at the bottom end of the Southern Outlet. This corridor exists between the gully on the Western edge of Westbury Road and the wooded, east face of the West Launceston ridge. It then extends through the Mount Pleasant Estate to Kate Reed Flora and Fauna Reserve and on to the open country to the South-West of the city.

A pair of Peregrine Falcons return each year (observed by neighbours to the site, including the authors of this submission) for the last three years, 2012, 2011 and 2010. These birds return in late spring to the same nesting tree and raise one or two chicks over the course of the summer. They are regularly seen hunting over the green corridor mentioned above. The tree that they return to is located in the centre of the proposed subdivision, approximately 80 metres from the North boundary and 50m from the East boundary.

Yet in the Fauna Assessment, on page 132, it is stated:

#### Raptor nests and sightings within 500 metres

No Raptor nests or sightings found within 500 metres. \*\*\*

Yellow-tailed black cockatoos, in ever-increasing flocks (this year up to 40 in number) visit the 3.8 ha site daily during spring and summer to feed. Numerous parrot species are regularly seen in this wooded area (by the authors of this submission) including the Swift Parrot.

Unfortunately, in its summary of findings, the report commissioned by Kreglinger Australia Pty Ltd conveniently highlights just one significant species found on the 3.8ha portion of the Mount Pleasant Estate planned for subdivision – the Chocolate Lily and names only one tree (the hollow tree) to be preserved. In addition, the biodiversity study undertaken during daylight hours noted no significant fauna on the site. In fact, the vast majority of animals to be found on the property are Tasmanian Marsupials, and are nocturnal.

In addition, it appears that the arborist's report (from which GHD Pty Ltd. draws its conclusions on page 14 of the application) is based on only 12 trees, all of which grow on the exposed Northern and Eastern flanks of the property. No trees from the more protected internal section of the wooded area were reported upon and no reason for the selection of these particular trees can be found by us in the application.

An independent study of the site at 123 Westbury Road would more fully quantify the extent of the Flora and Fauna that will be permanently lost to the area if the subdivision proceeds.

**Low Density Residential Zoning and infrastructure:**

With respect, both of the commissioned "Land and Visual Impact Assessment (LVIA), (see appendix F) and the "Infrastructure report" (in particular appendix D – the Traffic memo), both of which were conducted by GHD Pty. Ltd staff and from which the Kreglinger application draws its conclusions, again appear, to us, to lack substance, objectivity and accuracy.

For the following reasons we hope that that the members of the Tasmanian Planning Commission seek independent advice on both the visual impact and the traffic flow impact that the proposed subdivision will have prior to the decision to remove Low Density Residential Zoning is made.

In its summary of findings from the LVIA , the Kreglinger application states on page 14;

The LVIA assessed the impacts in terms of visual sensitivity, landscape impact and then overall significance of impact from each of the viewing locations. The overall landscape and visual impacts of the project are assessed as being of varying significance throughout the study area ranging from Minor to Not Significant. Due to the nature of the project there will be permanent impact on the visual landscape and amenity for some viewing locations within the project area.

Until recently, the Launceston City Council, has, maintained a zoning of Low Density Residential for this predominantly green ridgeline. Existing allotments from Eureka Street to the Mount Pleasant Laboratories and beyond are clearly defined by this zoning.

We understand that the LCC have recently recommended to the TPC that Scenic Protection should be maintained on the property but that the Low Density Zoning should be replaced with Urban Residential Zoning. To us the two seem mutually exclusive, (particularly when one considers the streetscape photographs suggested with the concept map on page 306 of the application). Block sizes of 350 – 700 square metres, in our opinion cannot support the kind of foliage that will allow the site to maintain its natural scenic beauty.

On the foundation of equity, we feel strongly, that should permission be granted for the subdivision of this land to proceed that it does so as **Low Density Residential**, in keeping with the existing streetscape.

On pages 12 and 13, the application states;

It is recognised that to facilitate any subdivision on the site (regardless at what zone density) that changes will need to be made to the Normanstone/Westbury Rd intersection, and to Westbury Road itself. The memo attached as **Appendix D** was prepared by GHD's traffic engineers and demonstrates there are two workable traffic management solutions that will facilitate a subdivisional access into the site with an acceptable impact on the level of service of Westbury Road.

Further work would need to be done to finalise designs and demonstrate traffic impacts at the DA subdivisional stage but for the purpose of zoning consideration, it is submitted that an acceptable access can be achieved for a subdivision of the land at the **General Residential** zone density.

The Traffic Memo mentioned above is particularly confusing because it appears to be representing the North bound traffic as the South bound traffic and visa-versa. It would be highly unusual for 610 Southbound vehicles (vehicles travelling up the hill on Westbury Road) to be turning right on to Normanstone Road.

The proposed changes to traffic conditions, including the installation of traffic-lights, reducing Westbury Road from three to two lanes and disallowing existing residents to turn right at the Normanstone Road intersection, are scant in detail and in all probability will have significant, negative impact on existing road users. A low density subdivision at 123 Westbury Road (which includes a 140m frontage on to Westbury Road) will logically have far less impact on local traffic than from the number of vehicles attempting to access the road from a high density subdivision.

The changes to road conditions recommended by GHD's own traffic engineers were based on figures taken from two "suggested" peak-hour times – 8.10am to 9.10am and 4.00pm to 5.00pm. These figures show some 2000 vehicles passing the proposed subdivision, likely carrying in excess of 3000 occupants for each of these one hour periods. These volumes are noteworthy in themselves, but managing up to an additional 100 vehicles, many of which presumably will be attempting to turn right from the estate across two lanes of traffic to travel to the CBD, in our view, is potentially calamitous. Already, at the afore-mentioned times, traffic is commonly backed-up to Eurella Street when waiting to turn left from Normanstone Road to Westbury Road. It is conceivable that this queue will be twice as long when traffic is regularly signalled to stop for the recommended 60 seconds at the Westbury Road/Normanstone Road Intersection. The extended queue will impact the Eurella St/Normanstone Road intersection (particularly when additional vehicles are added from the proposed Eurella Street exit from the subdivision) and likely the Merivale St/Normanstone Rd intersection.

Of additional concern, is the potential effect of significantly increased traffic flow to the already troublesome Westbury Road/ Wellington Street intersection. This intersection does not appear to have been considered in the traffic flow analysis prepared by GHD Pty Ltd.

In our experience, the two one hour "peak-hour snapshots" identified by GHD, are not truly representative of the times of the day when volumes of traffic are concentrated along Westbury Road and Normanstone Road. The reason that Westbury Road is a unique arterial thoroughfare is because traffic travels in approximate equal numbers in both directions, particularly during heavy use periods. This is because, as one would expect, commuters are accessing and exiting from the CBD but also because there are three large local schools in close proximity at its western heights. Commuters accessing Westbury Road to drop off and collect students extend the congestion times on Westbury Road significantly, particularly in the afternoon when traffic flow increases substantially from 2.40pm and continues through to 6.00pm. Flow in the morning increases significantly by 7.30am and does not lessen until after 9.00am.

Westbury Road is clearly the city's original outlet to the West and was built at a time when its main purpose was to transport people to outlying towns. More recently it contends with traffic coming and going from the vast residential, recreational and educational expansion on the city's Western outskirts. The Road was not designed for anything like the current amount of traffic and particularly, we would suggest, for a high density housing development requiring direct access from it, as proposed in the Kreglinger Australia Pty Ltd application.

Because of its topography, Westbury Road is a fundamentally dangerous road (particularly on wet days) and one that will require enormous earthworks to make it safe for road-users (and pedestrians) if it is to safely cope with the volume of traffic entering and exiting the estate, particularly during its construction phase.

We also suggest that consideration is given to the impact any proposed changes to Westbury Road and Normanstone Road will have on the pedestrian traffic, particularly school-children who form a significant portion of the foot traffic past the site. At present there are no available safe areas to cross Westbury Road in proximity to the proposed subdivision. If the proposed traffic lights are to also allow for a safe pedestrian crossing (as we feel they should, to allow pedestrians access away from the site, particularly during construction) at the very least this is likely to mean a greater delay and significantly more impact on traffic flow.

In addition, the construction phase (no detail in the report, but likely to continue for 12-18 months) will necessarily involve large numbers of heavy vehicles entering and exiting the estate across the existing inadequate foot-path. We suggest as part of an independent study, pedestrian and cyclist numbers are ascertained (an increasing number of cyclists use the footpath in front of 123 Westbury Road to access Kate Reed Reserve, because the road is already considered too narrow and dangerous to ride on) and that effective strategies to ensure their safety are identified prior to approval for a subdivision is granted.

The Traffic Flow Analysis, also indicated an insignificant number of cars turning left from Westbury Road to Normanstone Road during these times, but, with a new subdivision, this will no longer be the case. New residents to the subdivision will be using this exit to access the estate from Eureka St and there will also be significant numbers of vehicles slowing and turning left just 200m further along Westbury Road to gain access through the "Grand Entrance" to the estate.

The impact of slowing vehicles prior to making a left turn should not be underestimated on the overall flow on Westbury Road particularly during an extended construction phase when many heavily laden large vehicles will be accessing the building site. This effect will be magnified if the road is reduced to just one southbound lane as suggested.

The same heavy vehicles at the head of a stationary line, waiting for their signal to proceed uphill will be very slow moving indeed. It may well be that only a small portion of the queued vehicles will be able to proceed to their destination on each of the proposed 60second opportunities causing significant issues where at present, there are few.

It is abundantly clear that the application by Kreglinger to re-zone 123 Westbury Road to Urban Density Residential (and to remove the Scenic Protection and Priority Habitat Overlays) is the forerunner to the application for a subdivision in excess of 50 lots on the site. It is, in our opinion, vitally important that an independent traffic analysis is undertaken prior to any decision being made by members of the Tasmanian Planning Commission.



By our reading of the application, one of the areas of detail significantly lacking is in relation to the proposed subdivision. Apart from a hand-drawn sketch with scant detail, little additional information is provided. Given that an application for subdivision will follow, it is clear to us that far more detail on the proposed subdivision should be submitted to the TPC at the earliest convenience. It is only then that a realistic traffic flow analysis can be undertaken for what could be up to an additional 100 vehicles coming into, and going from, in excess of 50 allotments on the estate.

### **In summary:**

It is our view that the three key areas of Scenic Protection, Priority Habitat and Low Residential Zoning should be addressed in more detail via independent agencies prior to the Launceston City Council, in particular the Planning Division of the Council, granting permission for the Kreglinger application to be presented to the Tasmanian Planning Commission. It seems to us that each of these areas on its own provides strong grounds for declining the application but collectively they present a compelling case.

### **Note**

Unfortunately, it was discovered while writing this submission that LCC have already recommended to the Tasmanian Planning Commission that Priority Habitat overlays and re-zoning to Urban Residential be approved. Council chose to give their recommendation before the public had opportunity to provide input on the matter.

In addition, we hope that most, if not all of the questions in the introduction can be answered satisfactorily, through its own independent analysis, by the LCC.

Of these questions, the issue of traffic flow really needs to be effectively addressed. In particular clear solutions need to be provided with regard to traffic flow and how an arterial road that is already at capacity during peak traffic times (the duration of which will only become longer as the city grows) will cope with the addition of significant numbers of additional cars leaving the estate and crossing traffic to turn right toward the city. The question of pedestrian and cyclist safety, particularly during the construction phase must also be dealt with.

Perhaps of even more importance will be the findings of an independent study on the effect of a new set of traffic-lights and the ramifications these will have for queued traffic at the significant-Normanstone Rd/Westbury Road intersection.

### Conclusion:

Kreglinger Australia Pty Ltd achieved revenue in excess of A\$38 550 00 in the 2011 financial year which comprises a small percentage of the parent company's profit for that year. Given the entrepreneurial nature of this company, it is quite possible, that the acquisition and subsequent dismantling of 123 Westbury Road and the Mount Pleasant Estate, for the highest possible profit, is not an after-thought but the intention of the owner from the outset.

Because of the significance of this ridgeline as the southern backdrop to the city, it is appropriately zoned Low Density Residential and if development is to occur, we feel that it should do so within this zoning. Properties surrounding the Mount Pleasant Estate and no-doubt, Mount Pleasant Estate itself, were all purchased with full knowledge of the Scenic Protection and Priority Habitat overlays and that they fell under the city's Low Density Residential Zoning.

Clearly the application by Kreglinger Australia Pty Ltd. represents a deliberate attempt to steer LCC away from its long held beliefs and decisions surrounding this significant ridgeline.

Although not anticipated by the LCC at this point, it seems apparent, that in the short term, it is likely to be requested to pay significant sums of money to improve infrastructure to allow the subdivision to proceed. In the long-term however, the Council will clearly benefit from significant revenue increase from rates to be paid by the 50 plus residences to be built on the land.

It is felt, that the decision to proceed with the Kreglinger application to the next stage should not be made by the LCC on financial grounds but at its core should be the Heritage value, Scenic value, Priority Habitat value and above all the value that this prominent ridgeline has for all residents.

We were surprised to find that while researching this submission, the Kreglinger request to have Protected Habitat Overlay removed and have existing Low Density Zoning replaced with Urban Residential Zoning had already been recommended for approval by the Launceston City Council.

It is confusing to us, that at the same time, the LCC recommended to maintain the Scenic Protection Overlay. From our point of view, and or the reasons given earlier, Scenic Protection and Urban Residential Zoning would appear to be mutually exclusive.

Equally surprising was that the LCC did not see fit to ask for public representation, until after these decisions were made.

It can be assumed that the removal of Priority Habitat Overlay and re-zoning to Urban Residential are entirely linked to the subdivision of this piece of land. As such, it is felt that in the interests of natural justice (particularly with the important issue of traffic management still unresolved) public opinion should have been canvassed prior to any such decision being made.

We trust that this submission will be duly considered by both The Tasmanian Planning Commission and the Launceston City Council and contribute in a significant way to the final decisions on 123 Westbury Road. If personal representation is required at some point prior to finalisation, we are most willing to attend.

Yours sincerely,

**Julia Allen**

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**From:** [redacted]  
**Sent:** Tuesday, 24 September 2013 6:41 PM  
**To:** Julia Allen  
**Subject:** Emailing: Background dates relating to 123 Westbury Rd submission  
**Attachments:** Background dates.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Julia,

Hello Julia,

Thanks again for meeting with me. I am in the process of getting the order of events/decisions clear in my head but because I haven't been involved to this point, I am not sure of their accuracy. Would you mind casting your eye over the above dates and letting me know if there are any glaring mistakes.

**Submission to the Tasmanian Planning Commission on behalf of Nigel and Linda Donachie**

**Re: 123 Westbury Road "Mount Pleasant" application: For the dispensation from local provisions of the Launceston Interim Planning Scheme 2012**

**Background:**

**2012:** The Interim Planning Commission review and leave unchanged the Scenic Protection and Priority Habitat overlays and the Low Density Residential Zoning existing on the above-named property.

**Dec. 2012:** GHD lodges a submission on behalf of Kreglinger Australia Pty. Ltd to the Interim Planning Commission, suggesting that General Residential Zoning is more appropriate for the site in question and also sought to remove the Scenic Management and Priority Habitat overlay. The TPC leave the Low Residential Zoning, Scenic Protection and Priority Habitat overlays in place.

**12<sup>th</sup> March 2013:** Launceston City Council (LCC) endorse the residential re-zoning to urban residential of the property situate 123 Westbury Road and the removal of the Priority Habitat overlay but do not endorse removal of Scenic Protection overlay. All subject to the resolution of **traffic management issues** surrounding the project.

**Post March meeting:** GHD planners and Council meet "a number of times" to try to resolve the issue of traffic management. **Council resolved to postpone concerns over traffic management** and access to the subdivision until after dispensations are granted and the project is at subdivision stage. Council elected not to call for public submissions.

**May 31<sup>st</sup> 2013:** The Tasmanian Planning Commission (TPC) decide to recommend to LCC that prior to dispensation being granted for re-zoning and Priority Habitat removal, and in the name of natural justice a formal public exhibition and hearing process should be instigated.

**Jul 15<sup>th</sup> 2013:** Kreglinger Pty Ltd. formally apply to the TPC for rezoning to urban residential and removal of Scenic Protection and Priority Habitat overlays.

**August 15<sup>th</sup> 2013:** A request is received by LCC from the TPC to respond via its Planning Department a statement of opinion in respect to the application and state that if the LCC do not endorse the plan for 123 Westbury Road then the TPC could not proceed with approvals.

**August 26<sup>th</sup> 2013:** At its August meeting Council recommend that 123 Westbury Road be re-zoned to General Residential and that the Priority Habitat overlay is also removed. The Scenic Protection overlay is to remain. Council had not yet taken up the TPC's recommendation for public exhibition of the application nor had it called for public representation.

**September 6<sup>th</sup> 2013:** LCC call for public representations to be made regarding the proposed development. **Submissions must be forwarded by the 5<sup>th</sup> October.**

**Julia Allen**

---

**From:**  
**Sent:** Saturday, 28 September 2013 9:24 AM  
**To:** records  
**Subject:** Reference SF5990 for the 123 Westbury Road planning application  
**Attachments:** Reference SF5990 for the 123 Westbury Rd South Launceston application.doc

Please find attached a copy of response sent through to the Launceston City Council that I have not received a response to from the Council to date.

**Julia Allen**

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**From:**  
**Sent:** Wednesday, 2 October 2013 9:05 AM  
**To:** records  
**Subject:** Fwd: 123 Westbury Road South Launceston  
**Attachments:** Reference SF5990 for the 123 Westbury Rd South Launceston application.doc; 123 Westbury Road.pdf

To Whom It May Concern

I lodged a response to the planning application for 123 Westbury Road South Launceston with the Council I do not then expect to come home and find the attached letter in a form of PDF in my letterbox where it appears I have been directly approached by the developers representatives??????

There are several missed points not addressed in this correspondence.

1. The affected residents surely should have had access to this plan prior to the arrival of the Council's letter in my letterbox on the 9th September 2013 since the process appears to have commenced 2012 December.

2. I was advised when I approached the Launceston Council prior to the purchase of my home in February 2012 there would be no change to the environment of the land at the rear of my to be purchased property

The loss of resale of my property is an issue as I have not been able to sell prior to the application. Being I was unaware of the Council's change of plan with regards to it. As a rate payer and owner occupier I feel betrayed by the Council's change of direction. My rates were increased this year although property resale prices do not appear to reflect this direction.

3. My property was purchased with a covenant advising those owners as above had removed the rear fence recently prior to the purchase of this home and would erect a new fence of their costs. No fence has been erected to date now 2nd October 2013.

4. How the removal of the right hand turn into Normanstone Road will affect thousands of travellers that access this point to avoid the extra travel around Launceston to work etc. As the congested Westbury Road Wellington street intersection is often a backed up hazardous danger zone. No to mention extra fuel costs of extra travel in Tasmania with already exorbitant fuel costs here.

The exceeding excess traffic flow and noise of owners of a projected 55 blocks of development, the extra excess flow of water through adjoining properties currently experienced to date. The extra noise inconvenience and hazard of the traffic and removed rural buffer zone.

5. The removal of Flora and Fauna increased flow of snakes already experienced as they move elsewhere as a result of urbanisation.

Most of all I feel regret on trusting the verbal word provided to me prior to this purchase of the above property by Launceston City Council which I would not have completed the purchase had I been able to perceive they may or would consider rezoning 123 Westbury Road.

Yours sincerely

Tanya Geddes

The General Manager  
Launceston City Council  
PO Box 396  
Launceston Tasmania  
7250

9<sup>th</sup> September 2013-09-28

To Whom It May Concern,

**Response to Dispensation from local provisions of the Launceston Interim Planning Scheme 2012**

**Road, South Launceston Reference SF5990 for the 123 Westbury application**

In February 2012 I approached Launceston City Council prior to moving to Tasmania and purchasing [redacted] and was advised this property which [redacted] would not be built on.

Based on this I purchased the property and reside there. I was also advised a clause in the contract and Launceston City Council confirmed this then and now that the owners of 123 Westbury Road would replace the missing fence at the rear of [redacted] with a fence that had permission to build of their cost and choosing.

I would like this fence built as soon as possible so I can have more privacy and a dog thank you. It was an agreement on purchase that I was not aware would take nearly 18 months +.

Without even considering the below which adds to my concerns, is the fact I did not buy here to back onto another housing development the payoff from living in this noisy area was having my home back onto some nature

This area is a high noise and traffic area which is somewhat buffered by the land 123 Westbury Road.

- It is hard to enter or exit Caroline St and Normanstone Road as well as other local roads in this area from 8am to 3:30pm as it is.
- This traffic and noise is already exacerbated by the Midland Highway nearby which appears to be becoming noisier and noisier.
- More houses more chaotic traffic and noise with the development of 123 Westbury Rd how will this be, resolved safely.
- The water from 123 Westbury Road in recent rains has been running directly off the property through my property and down into the drains at the back door of my home as well as down the side, of my home into the drains in Caroline Street as well.
- More houses more water runoff with the development of 123 Westbury Rd how will this be, resolved efficiently.
- Where will all the snakes birds and wildlife go once the trees are removed if this application is approved as this wildlife adds to the beauty of backing onto the area?



Increased Traffic and busy traffic conditions, increased area noise without the buffer of this 123 Westbury Road property and increased water runoff and missing rear fences are surely legitimate reasons for this planning request to be denied at this time until satisfactorily resolved.

Why are we only hearing about this now as it has been considered for months and reviewed and discussed? I was preparing to apply to add a rear deck and minor renovations with the Council however I do not desire to be more overlooked than I currently am.

I was aware of current neighbours and how that impacted on the property here, however the traffic water runoff and noise has been a learning curve.

This plan for re-development was an unforeseen issue that would have meant I would not have purchased 1 Caroline St.

The owners of the development might consider purchasing this property at the 2012 purchase price and in turn perhaps address another route to enter and exit for traffic through the development and to add extra drainage should it be approved as all the above issues will remove the benefits of backing onto nature and owning a property in this area in future.

Perhaps the increased noise issues have not been considered by others however it is a definite issue that is hard to pre-empt prior to living here through all seasons.

Yours Sincerely

Tanya Geddes

## 123 WESTBURY RD SUBDIVISION

**Re: 123 Westbury Road "Mount Pleasant" application: For the dispensation from local provisions of the Launceston Interim Planning Scheme 2012**

**What is the reason for the application and who has commissioned it?** The application put to the Tasmanian Planning Commission (TPC), in July this year, is for the removal of the existing Scenic Management and Priority Habitat restrictions and to rezone the above-named land to Urban Residential from its existing Low Density Residential zoning. This is to enable the owner to subdivide the Northern 3.8ha aspect of the property (the area immediately adjacent to Westbury Road), locally known as "Mount Pleasant" with in excess of fifty building blocks.

The application was commissioned by The Australian arm (Kreglinger Australia Pty. Ltd.) of the multinational company based in Antwerp, Belgium known as Kreglinger Pty. Ltd., and was prepared by local firm GHD Pty Ltd.

**Background:**

**2012:** The Interim Planning Commission review and leave unchanged the Scenic Protection and Priority Habitat overlays and the Low Density Residential Zoning existing on the above-named property.

**Dec. 2012:** GHD Pty. Ltd lodges a submission on behalf of Kreglinger Australia Pty. Ltd to the Interim Planning Commission, suggesting that General Residential Zoning is more appropriate for the site in question and also sought to remove the Scenic Management and Priority Habitat overlay. The TPC leave the Low Residential Zoning, Scenic Protection and Priority Habitat overlays in place.

**12<sup>th</sup> March 2013:** Launceston City Council (LCC) endorse the residential re-zoning to urban residential of the property situate 123 Westbury Road and the removal of the Priority Habitat overlay but do not endorse removal of Scenic Protection overlay. All subject to the resolution of traffic management issues surrounding the project.

**Post March meeting:** GHD planners and Council meet "a number of times" to try to resolve the issue of traffic management. Council resolved to postpone concerns over traffic management and access to the subdivision until after dispensations are granted and the project is at subdivision stage. Council elected not to call for public submissions.

**May 31<sup>st</sup> 2013:** The Tasmanian Planning Commission (TPC) decide to recommend to LCC that prior to dispensation being granted for re-zoning and Priority Habitat removal, and in the name of natural justice a formal public exhibition and hearing process should be instigated.

**July 15<sup>th</sup> 2013:** Kreglinger Pty Ltd. formally apply to the TPC for rezoning to urban residential and removal of Scenic Protection and Priority Habitat overlays.

**August 15<sup>th</sup> 2013:** A request is received by LCC from the TPC to respond via its Planning Department a statement of opinion in respect to the application and state that if the LCC do not endorse the plan for 123 Westbury Road then the TPC could not proceed with approvals.

**August 26<sup>th</sup> 2013:** At its August meeting Council again recommend that 123 Westbury Road be re-zoned to General Residential and that the Priority Habitat overlay is also removed. The Scenic Protection overlay is to remain. Council had not yet taken up the TPC's recommendation for public exhibition of the application nor had it called for public representation.

**September 6<sup>th</sup> 2013:** LCC call for public representations to be made regarding the proposed development. Submissions must be forwarded by the 5<sup>th</sup> October.

**What is a dispensation and why is it needed?** A dispensation (also known as a privilege, an exception, an indulgence, a relaxation of the rules) is required for the development to proceed because there currently exists a Scenic Protection Policy, a Priority Habitat policy and Low Density Residential Zoning on the land (all of which were confirmed as appropriate for the property as recently as the 2012 by the Interim Planning Scheme Commission). The developer (Kreglinger Aust. Pty Ltd.) can-not proceed unless the Launceston City Council (LCC) via its Planning Department agrees to remove all of the current restrictions and rezone the land to Urban residential. The re-zoning will enable the developers to subdivide the land into lot sizes of 350 – 700 square metres, with multiple dwellings on the larger blocks. The current low density zoning allows only larger blocks of between 1000 – 3000 square metres. The site will be sub-divided into in excess of 50 blocks.

**Where can the proposal for the subdivision be found.** Google: Launceston City Council Planning Applications and scrolling down the page to "Other Advertised Applications".

**Some of the questions raised by the application that we feel require independent investigation:**

**Question one:** Following their own "Traffic Flow Analysis", GHD admit that a further study will need to be undertaken to adequately manage traffic issues presented by the subdivision. Why has Council recommended that this work is left until the subdivision stage when clearly, the only intention of the application for removal of Scenic Protection overlay, Priority Habitat overlay and re-zoning to Urban Residential is to clear the way to place a high density subdivision on the site?

**Question two:** Who will be affected by the works and who will pay for upgrades?  
The application does not specify who will pay for the infrastructure upgrades necessary for the subdivision to go ahead. Nor does it make any reference as to how local residents and users of Westbury Road will be affected during these upgrades.

In particular, the following necessary works are noted in the application;

- The installation of traffic lights at Westbury Road and remodelling of same to two lanes with no right turn from Normanstone Rd to Westbury Rd.
- The new entrance and road-works for Eureka St to be an access point for the sub-division.
- The network modelling required to ensure that there will be adequate water supply and water pressure to existing residences once the subdivision is completed?
- The new storm-water detention basin that will be required to deal with additional run-off from rooves and other hard-surfaces within the subdivision. At present, with heavy rainfall, substantial flow can be seen across Westbury Road at the Normanstone Rd./Westbury Rd. intersection. The existing storm water system does not effectively deal with current run-off.

**Question three:** To what extent will the thousands of drivers and passengers passing the site each day (particularly peak traffic periods) be affected by the heavy vehicles turning off Westbury Road during the construction phase and how will the additional vehicles (up to 100) be accommodated into the already busy traffic way once the subdivision is completed?

**Question four:** How will the safety of pedestrians and cyclists past the "Grand Entrance" be accommodated, particularly during the construction phase?

**If you have any comments or further questions, or would like to add to our submission to the Tas. Planning Scheme, please contact Linda or Nige at [lindaandnige@bigpond.com.au](mailto:lindaandnige@bigpond.com.au).**



3 October 2013

General Manager  
 Launceston City Council  
 PO Box 396  
 LAUNCESTON TAS 7250

|          |                |              |         |     |
|----------|----------------|--------------|---------|-----|
| FILE No. | SF5990 / 72019 |              |         |     |
| EO       |                | OD           | /       | Box |
| RCVD     |                | - 4 OCT 2013 |         | LCC |
| Doc No.  |                |              |         |     |
|          | Action Officer | Noted        | Replied |     |
|          | C. Wainwright  |              |         |     |

Our ref: 32/16904  
 Your ref: 21030

EMAIL: JALLEN

Dear Sir

**SF5990 123 Westbury Rd, South Launceston  
 Support for Application**

I refer to the above dispensation application SF5990 at 123 Westbury Road, South Launceston for a rezoning to General Residential and the removal of both the Scenic Management and Priority Habitat Overlays. We wish to register our support for the proposed amendment on behalf of our client,

We have reviewed the assessment and recommendation provided in Council's Agenda Report of 26 September 2013. As stated in our application we wish to object to the retention of the Scenic Management Code (SMO) and wish to raise the following issues in respect of the retention of the Code.

- The removal of *all* vegetation is discretionary irrespective of the species, quality or safety associated with the vegetation proposed for removal. In relation to the subject site, much of the vegetation includes exotic species, which are in poor condition.
- All subdivision and development is discretionary unless in accordance with the requirements of the Western Hillside Precinct Provisions Provided under Clause E7.5.3. These provisions do not provide a criteria against which proposals can be quantifiably assessed and are more appropriate to performance criteria, which is contrary to the intention of *Planning Directive No. 1 - The Format and Structure of Planning Schemes*. The provisions result in a lack of certainty for applicants within a residential zoning, and a potentially complicated, protracted and expensive application process.
- The implications of the above are that some very insignificant structures, such as small extensions or outbuildings etc. may all be subject to a discretionary application process, with applicants potentially being required to source expensive assessment reports to demonstrate acceptance under the Code's requirements. This is considered an unfair and inequitable approach that is not consistent with the intentions of the RMPS.

It is acknowledged that Council's report makes mention to some proposed amendments being made to the SMO, however, it is unclear what these amendments are intended to capture, and whether the flexibility provided within the future provisions will be commensurate with the *actual* landscape character in question.

The recommendation report put to Council seeks to retain the Scenic Management Code on the basis of the following:

*The removal of the priority habitat overlay is supported for the following reasons:*

- *The documentation submitted is site specific only and fails to adequately consider the scenic value of the patch of overlay that it is associated with and whether a modification or removal of that scenic overlay is justifiable or whether an alternative planning solution, like including more permitted pathways to the code, inclusion of local area objectives in the zone or development of a special area plan, would be more appropriate.*

- *The documentation submitted fails to adequately consider how the Landscape and Visual Impact Assessment recommendations submitted for the proposal could be implemented in the absence of the application of the Scenic Management Code in the interim scheme.*
- *Removal of the Scenic Management overlay from this site would lead to an unusual boundary line for the remaining patch of Scenic Management Overlay and would unreasonably prejudice other sites within that patch that may have the same level of scenic value and potentially lead to inconsistent development.*

In relation to the above points we respond as follows:

- GHD's Landscape and Visual Impact Assessment (LVIA) dated December 2012 provides a landscape assessment of the site within the context of the surrounding area. The report describes the landscape character in the surrounding area as follows:

*The study area is a developed urban area and there are few natural features remaining except for some protected tree populations and bushland reserves. Many of the residential streets and individual properties have mature vegetation which adds to the overall vegetated character of the area.*

*The vegetation in the study area is characterised by urban landscaping. This includes trees and shrubs along streets and pockets of thicker vegetation in the reserves and parks. The vegetation is generally not native in origin and is the result of landscaping and street planting contributing to the visual character of the area. This is with the exception of the areas of protected native vegetation (i.e. Priority Habitat Overlay).*

In relation to each of Council's points supporting the retention of the SMO, it is considered that the landscape character as described above is likely to be achieved over time through general urban landscaping, as has occurred in the surrounding suburban context. The visual sensitivity of the area is assessed as medium to negligible, with landscape impacts small to negligible. It is therefore not considered that the onerous provisions of the SMO are justified in this instance.

In summary, it is considered that in their existing form, the provisions of the SMO create too many discretions and a lack of certainty for the degree of landscape value that is required to be protected. The provision result in costly, protracted and inequitable application process that is excessive for the associated values. It is considered that future development will likely conform to the surrounding context over time, and that therefore the provisions of the SMO are not justified.

I trust that the information provided herein adequately conveys our position, however, should you have any further queries, please don't hesitate to contact me.

Sincerely

f.

BD &amp; LB Harper

S

**General Manager,  
Launceston City Council,  
PO Box 396,  
LAUNCESTON TAS 7250.**

Reference No. SF5990

**Launceston Interim Planning Scheme 2012  
Notice of dispensation application No. Lau D 2/2013  
123 Westbury Road**

We live at the

... al and therefore it is imperative we make you aware of our concerns contained in GHD's report for Kreglinger Australia and also those issues not included in that report.

We object to the dispensation application. Having read GHD's and the accompanying reports, we are of the opinion, that there are no benefits of this application to this area should it be approved. The developer can still achieve satisfactory outcomes without the dispensation. The blocks could still be built, albeit larger, the new grand entrance can still be built, and selective maintenance of existing trees and new plantings and the consideration for the protected flora species can be maintained. The only person that benefits if this dispensation is approved is the property owner. Residents, according to the contents of this report, have nothing to gain; in fact the Launceston Community lose their amenity as well as the introduction of additional traffic problems, changes in surface water flow and the inadequacy of water pressure for residents. Not forgetting long term issues during the construction stage of the division and then again as each of the residential dwellings are constructed.

This development will take an estimated 10-15 years to settle through the construction process. In addition landscape and horizon values are compromised during these years compromising skyline and scenic preservation values over a period much longer and with greater impact than GHD's report suggests. It is not simply a matter of Photo-shopping out a scenic skyline as seen in Appendix A. One could look to the north west of this area to see that the removal of vegetation at the Ben Lomond Estate behind Prospect Street to see an example of a similarly numbered subdivision and the skyline impact and the reduction in scenic amenity.

We have lived at 93 Normanstone Road for over 12 years. We purchased the home in this location due to its natural setting; properties surrounding both boundaries were diverse with a mix of natural trees and shrubs as well as established varieties of introduced species. The area located on the prominent South Launceston hill has been known for its rich green aesthetic, visible throughout Launceston. During our time here we have been fortunate to experience a diversity of Fauna e.g.; Owls, Ringtail possums, echidnas, lizards, skinks, snakes, brown hawks, as well as varieties of native birds. We are passionate advocates of maintaining and enhancing green values in residential areas.

On occasion we have appealed other developments in this area to retain this amenity through tree retention and environmental harm minimisation incurred as a result of building developments. We have made four applications. An application we made regarding 99 Normanstone Road was validated by professional council staff, yet the councillors as a planning authority rejected their own internal reports, choosing to ignore ours and council officers concerns. It is worth while noting that in the last 3 years we have seen a decline in green values and scenic skyline amenity, in the surrounding properties, loosing in excess of 25 large trees and uncounted illegally removed trees from this area. On another two development applications, #95-97 Normanstone Road and 2-4 Eureka Street, the planning conditions set out in planning approvals were not met.eg. Prevention of damage to established trees and the prevention of water runoff on to neighbouring properties.

As a result we believe the enforcement of storm water runoff on to our property needs to be managed effectively. We have written to council and advised them of water issues from hard areas and excessive water flows on to our property from neighbouring properties as a result of new developments. Now some 3 years on, nothing has been done to enforce the current legislative requirements to ensure the management of these water runoff issues.

This development at 123 Westbury Road, sits higher than the other two properties which affect our home with water, therefore the potential for more water runoff on to our property is extremely high.

As a result, our researched concerns as well as the detrimental effects to the structures on our property and the amenity of the environment we live in remain unrectified.

- Based on our experiences it is our concern that if dispensation is given to this development, the planning regulations and the responsibilities set down in them to ensure any mediated and agreed conditions attached to this project if they are to be managed efficiently and effectively is undeterminable. It is these 'conditions' that are intended to keep the confidence and benefits afforded to residents of Launceston and the immediate environs, in agreement with this proposal.
- It is our concern that water runoff issues have not been dealt with in the past & therefore there is an existing problem which to date has not been rectified. Due to the immediate proximity, topographical and geological location of this proposal, our property will be subject to additional issues and an exacerbation of the water issues as discussed.

- Stormwater from council mainlines has 'backed up' into our property, indicating the incapacity of the current system to manage the current flows of stormwater at this elevation.

These existing issues should be rectified before considering this application.

GHD's report states that DEIR and LCC have identified an option to improve access to Westbury Road. This option does not fully consider the impact on Normanstone Road traffic which stagnates to the west of the Eurella street intersection at peak times. It is our belief that this proposal will exacerbate traffic retention at the Eurella street intersection. Eurella Street is an active intersection, servicing Kings Meadows shopping centre from Prospect, South Launceston and Westbury Road. Coming from the west, Normanstone Road services Ambulance traffic from the Launceston Ambulance Station in Lithgow Street, and diverts on to Westbury Road. At present Normanstone Road traffic is able to flow and merge with west bound Westbury Road traffic, bringing regular breaks in the traffic to access Eurella Street. At present, there is already a high retention of traffic at this intersection which during peak times of the day extends 100m east of Eurella Street intersection. We have two accesses to our property, one off Normanstone Road, and the other off Eurella Street. We believe under the current modelling, access to our home will be impossible to access from Normanstone Road and severely restricted in Eurella Street due to an increase in congested traffic blocking the Eurella street access.

Based on previous attempts to improve traffic on Normanstone Road, e.g.: bike lanes, past modelling and design attempts were proven ineffective, inefficient, costly and impracticable.

We suggest the proposal;

- Does not contain modelling which considers the Eurella Street/ Normanstone Road Intersection.
- The report does not consider high traffic flows in conjunction with events at The Launceston Velodrome.

We trust that our concerns are taken into consideration when making a determination on this proposal.

We request that our details be kept confidential due to commercial and business interests.

Regards



**Representation to Dispensation  
LAU D2/2013 - 123 Westbury Road  
Launceston**

Prepared for:

Date: September 2013  
Rev 00

transport | community | industrial & mining | carbon & energy



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| R. JAMESON            |                        |         |  |



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Prepared by: Kate Jones Date: 25 September 2013

Reviewed by: [Signature] Date: 25 September 2013

Authorised by: . Date: 25 September 2013

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## 1. Introduction

This representation is being made against the dispensation (LAU D2/2013) to set aside the provisions of the Low Density Residential zone to apply the General Residential zone and to remove the Scenic Management and Priority Habitat Overlays at 123 Westbury Road, Launceston.

The Launceston Interim Planning Scheme 2012 (LIPS) has recently been declared as an interim planning scheme. This process consisted of thorough assessment from both the Launceston City Council and the Tasmanian Planning Commission, with site specific overlays applied to the subject site. This process included a representation to the Draft LIPS covering these very same issues applied to be exempt through this current dispensation application, which were investigated through the hearing process and dismissed.

The dispensation is seeking a fundamental change to the land provisions that will impact the broader community that ideally requires consultation with community members effected and a detailed investigation into a range of complex issues. The main issues of concern are in relation to:

- The removal of the Priority Habitat Overlay
- The rezoning from Low Density Residential to General Residential zone
- The removal of the Scenic Management Overlay
- Changes proposed to traffic conditions at the Westbury Road/Normanstone Road intersection

The Dispensation is directly conflicting with Section 30E (6) (contents of interim planning schemes) of the *Land Use Planning and Approvals Act 1993* (LUPAA).

The Dispensation is not consistent with, and is not likely to, further the objectives and outcomes of, the regional land use strategy as discussed in further detail within this document.

The Dispensation Report draws conclusions that are not comparable with those of the detailed reports that are attached as appendices to the dispensation.

## 2. Representation

### 2.1 Priority Habitat Overlay

The areas shown on the planning scheme maps as priority habitat are subject to the LIPS Biodiversity Code. Section E8.2 of the Biodiversity Code outlines the application of the code as:

- E8.2.1 This code applies to use or development of land:*
- a) within the area identified as priority habitat on the planning scheme maps; or*
  - i) for the removal of native vegetation.*

Part of the subject site is shown in Figure 1 below (green hatching) as being priority habitat. This area has clearly and intentionally been identified as having a priority over all other general habitat areas.

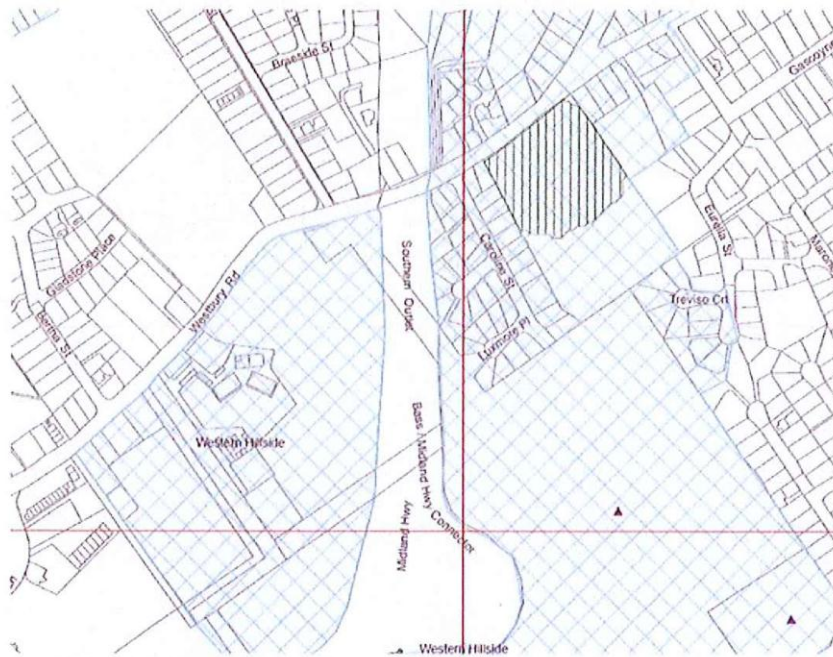


Figure 1. Shows the Scenic Management Overlay in blue hatching and the Priority Habitat Areas in green hatching.

Regardless of the areas highlighted as priority habitat on the planning scheme maps, the application of the Biodiversity Code is still applicable under the current Low Density Residential Zoning for the removal of native vegetation as stated in the application of the code.

Native vegetation is defined as follows:

*Native Vegetation - means plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes.*

This definition indicates that the removal of vegetation (extensive list of native species identified within the Flora and Fauna Assessment found at Appendix B of the dispensation report submitted by GHD<sup>1</sup>) upon the subject site would be subject to the Biodiversity Code regardless of the priority habitat overlay depicted on the maps.

Section 5.1.3 of the dispensation report submitted by GHD<sup>2</sup> suggests that the priority habitat overlay should be removed with the following statement made:

*5.1.3 Removal of Priority Habitat Overlay*

<sup>1</sup> GHD (Richardson, F), July 2013. Mount Pleasant - Flora and Fauna Assessment.

<sup>2</sup> GHD (Lyon, C), July 2013, Report for Kreglinger Australia - Mt Pleasant Rezoning - Low Density Residential to General Residential.



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*It is proposed to remove the Priority Habitat Overlay given there is no priority habitat on the subject site. The proposed overlay amendment would require a change to map sheet 34 on the overlay plans as depicted in Figure 5.*

There is no further justification offered for removing this overlay.

To simply state that there is no priority habitat on the subject site is inadequate, particularly given that the subject site is clearly shown in Figure 1 as having priority habitat upon the site.

Attention should also be drawn to the fact that this priority habitat overlay would have been reconsidered and reassessed by both the Launceston City Council and the Tasmanian Planning Commission at the time of the Draft Interim Planning Scheme hearing process as a similar representation was stated to have been submitted and investigated at that time. It can be assumed that the map shown in Figure 1 above is not a mistake and was in fact assessed in great detail to intentionally depict priority habitat.

Nevertheless, an assessment of the initial rationale behind the application of the priority habitat area upon the scheme maps can be explored through the examination of the vegetation found upon the site.

The Flora and Fauna Assessment submitted at Appendix B of the Dispensation Report identifies a high quality area of native vegetation, being the *Eucalyptus amygdalina* Inland forest and woodland on Cainozoic deposits (DAZ). DAZ is listed as a threatened vegetation community under the *Nature Conservation Act 2002* and listed as 'vulnerable' under the *Regional Forest Agreement 1997*.

Within this high quality area of native vegetation, the threatened flora species of *Arthropodium Stictum* (chocolate lily) was recorded during the field survey. The chocolate lily is listed as rare in Tasmania. It was also stated in the report that, other threatened species of which this vegetation community would be a suitable habitat, could not possibly be detected as the flowering times did not coincide with the time of year that the field survey was undertaken. This suggests that there could potentially be additional threatened flora species upon the site.

The presence of these threatened species is considered to be significant in justifying the continued application of the priority habitat to the site.

## 2.2 Zone

### *Zone Purposes*

A change from Low Density Residential Zone to the General Residential Zone is suggested to be for the purpose of an increased density. Before a change of zone is applied to the site, the purpose of the zones must be assessed. The General Residential Zone purpose is as follows:

#### **10.1 Zone Purpose - General Residential**

**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.

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*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.*

*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.*

Note - the colours above are taken directly from the Planning Scheme and represent the various levels of control found within the Scheme - State, Regional and Local - mandatory and discretionary.

The purpose of the General Residential Zone is not inappropriate to the site, however if the purpose of another zone is a better fit, then that zone should apply. The purpose of the existing Low Density Residential Zone is as follows:

**12.1 Zone Purpose - Low Density Residential**

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

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

*12.1.3 To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.*

The purpose of this zone is a better fit for the subject site in comparison to the General Residential Zone as there are infrastructure and environmental constraints that could potentially limit development on the site, as pointed out within the Dispensation Report. There are constraints surrounding the treatment of traffic conditions with an increased density, the protection of priority habitat upon the site, the ambiguity surrounding the capacity of the Tas Water infrastructure and the value of the retention of the skyline vegetation and visual qualities relative to the Western Hillside Precinct.

The local provisions can be seen in green above, which reflects a specific purpose that has been identified by the Launceston City Council as important to include into the purpose of this zone. This local provision has been added to highlight the importance of respecting the natural and conservation values of land and to protect visual impacts of development, which is highly applicable to the subject site considering that there is both the Biodiversity Code and the Scenic Management Code that apply.

**Exemption in Biodiversity Code - General Residential Zone**

The land use implications of the change in zones should also be examined in the broader context of the LIPS provisions. A fundamental issue that presents in this broader context relates to an exemption that the Biodiversity Code outlines in relation to Native Vegetation Removal in the General Residential Zone. Section E8.4.1 of the Biodiversity Code reads as follows:

**E8.4 Use or Development Exempt from this Code**

*E8.4.1 The following use or development is exempt from this code:*

- a) Native vegetation removal in the general residential zone and inner residential zone for remnant vegetation associated with the residential use or development of land (but not for subdivision or where subject to an agreement under Section 71 of the Act relating to vegetation management).*



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In consideration of the lack of definition of the term 'remnant' within the LIPS, it is unclear as to whether this exemption may be argued to apply to the site. This is a fundamental issue that requires highlighting due to the entirety of the dispensation application requesting not only the change of zone, but also the removal of the priority habitat overlay on the planning scheme maps.

If all of these dispensation requests are granted upon the site, it would result in the full exemption of the application of the Biodiversity Code, which clearly defies the purpose of the code itself as threatened species have been identified as being present upon the site.

The subject site has been specifically identified on the planning scheme maps as incorporating the important feature of priority habitat upon the site, which has been further demonstrated through the identification of vegetation species in the Flora and Fauna Report referred to in section 2.1 above.

### 2.3 Scenic Management Overlay

The purpose of the Scenic Management Overlay is to:

- a) ensure that siting and design of development protects and complements the visual amenity of defined tourist road corridors; and
- b) ensure that siting and design of development in designated scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape.

The Southern Outlet is not classed on the planning scheme maps as a tourist road corridor, the subject area would be classed as a local scenic management area.

The character statement for this precinct is as follows:

*The Western hillside precinct includes the dominant hill face that forms the principle western backdrop from the southern approach along the Midlands Highway to the central Launceston region. Its northern end is characterised by residential development of mixed character set amongst a vegetated setting and interspersed with bands of vegetation and a treed skyline. The southern end of the precinct consists of a band of native vegetation on the western side incorporating the Kate Reed Reserve and cleared agricultural land to the east allowing views to be seen of the mountain regions to the east of the city.*

*It's significant for its key scenic contribution to providing primarily the treed and rural vistas character to the southern approach into Launceston and the central Launceston region.*

The subject site is identified as being within the Western Hillside Precinct which is stated to be significant for its key scenic contribution to providing primarily the treed and rural vistas character to the southern approach into Launceston and the Central Launceston region.

The Landscape and Visual Assessment provided represents a subjective bias toward the developers preference of vegetation removal and the conclusion suggesting that the impacts of the removal of all vegetation on the site would range from 'minor' to 'non significant' displays a severe flaw in the methodology used.

The development provisions within the Scenic Management Overlay are not prohibitive to development, including the removal of vegetation. If the future development to be proposed does in fact present only a minor to non significant impact upon the scenic values of the hillside, then it should be possible for the applicable performance criteria

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to be met. The removal of the Scenic Management Overlay is not required and the intentions of its application should not be ignored.

To remove the Scenic Management Overlay control from this site in isolation would be setting a dangerous precedent for other hillside suburbs of Launceston where residential development and the same Code sit side by side.

**2.4 Traffic Conditions**

The intersection at Westbury Road and Normanstone Road currently services community members from not only the residents at numbers 91-103 Normanstone Road, but also from the broader Sandhill area. Westbury Road carries a high level of traffic into the City from Prospect, Prospect Vale and Blackstone Heights. If vehicles are denied the right turn out of Normanstone Road, onto Westbury Road required to travel north into the City area, they will be forced to travel a considerable direction to the south before they can turn at the next available roundabout in Prospect to then head north again. This is considered to be highly disruptive and not an acceptable solution.

Issues surrounding the already high volumes of traffic on Westbury Road and concerns relating to any increase in development and associated traffic within the Prospect, Prospect Vale and Blackstone Heights area have previously been voiced by the Launceston City Council. The proposed rezoning is suggested to be in anticipation of a 54 lot subdivision, which will substantially increase the amount of traffic on Westbury Road.

Through the dispensation process, the consideration of details such as the sketch plan and traffic impacts are not details that the TPC can consider, however they will inevitably have a considerable impact. The proponent is required to show good cause as to why their development will not adversely impact on the amenity of the surrounding residents. If the impact to the amenity of the surrounding community cannot be clearly shown to be negligible, then status quo should prevail until such time as a more robust process (such as a Section 43A application) can be considered. Like other dispensation cases - it is the detail which cannot be considered under this process which is of greatest concern to the representors.

**3. Strategic Merit**

The Launceston Interim Planning Scheme 2012 has been informed by relevant higher level strategic documents such as the Land Use Planning and Approvals Act 1993, the Northern Regional Land Use Strategy and it is also informed by the objectives of the Interim Planning Scheme itself.

**3.1 Land Use Planning and Approvals Act 1993**

The Land Use Planning and Approvals Act 1993 (LUPAA) provides specific direction on regional land use strategies and interim planning schemes at Division 1A. Section 30E (6) of the LUPAA states the following:

*30E. Contents of interim planning schemes*

*(6) A draft interim planning scheme and an interim planning scheme are to be consistent with, and likely to further the objectives and outcomes of, the regional land use strategy, if any, for the regional area in which the schemes are to apply.*

This request for dispensation is not consistent with, and is not likely to further the objectives and outcomes of the Northern Regional Land Use Strategy as outlined below.



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### 3.2 Northern Regional Land Use Strategy

The Northern Regional Land Use Strategy 2011 is an integral part of the planning reforms being undertaken across the State. It is one of three regional land use plans which will be used to develop the individual planning schemes for each Municipal area.

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

Part B of the RLUS identifies strategic direction for the region. Specific strategic directions are relative to this dispensation as follows:

#### *Strategic Direction 6*

*Value local character by achieving the following strategy objectives:*

- a. Recognise the important role that character has on our economy and sense of place.*
- b. Recognise and protect significant cultural heritage, in particular places significant to the Aboriginal community.*
- c. Promote local identification and protection of unique character.*

#### *Strategic Direction 8*

*Recognise and respond the Region's unique environment by achieving the following strategy objectives:*

- h. Preserve and protect areas of natural environmental significance, particularly:*
  - i. areas of biodiversity value, particularly important flora and fauna communities including threatened species;*
  - ii. lands including coastal areas sensitive to climate change, tidal and storm surges, raising sea levels and other natural hazards (i.e. acid sulphate soils, bushfire and flooding, etc.) and*
  - iii. regionally significant open space, visual (scenic) landscape amenity areas and outdoor recreation reserves.*

The subject site has been identified as being unique in character and worth protecting as it has been identified as a part of the Western Hillside Precinct. The strategic direction 6 outlines the importance of the role that character has in sense of place and states that it should be valued.

Strategic direction 8 recognises that the regions unique environment should be protected and preserved with particular reference to areas of biodiversity value and important flora and fauna communities, of which have been identified to be present on site. This strategic direction also clearly states areas of regionally significant visual or scenic landscape amenity should be preserved and protected.

Part C defines regional planning land use categories. Section 3.5 refers to Regional Natural Environmental Areas. It is considered that the subject area would fall into the broad category of a Regional Natural Environmental Area as it holds landscape values such as biodiversity, scenic amenity and landscape heritage. These values can occur in both urban, semi-urban and rural areas. This section recognises that:

*Regional sustainability and prosperity require understanding and careful management of the interdependencies between people, urban, semi-urban and rural land uses, and regional landscape values. For example, the regional*

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*landscape is being increasingly used to locate major infrastructure that services growing urban communities.*

*Regional planning must help to ensure regional landscape values are resilient to pressures population growth, infrastructure development, known climate variability and future climate change. Planning for resilience requires a better understanding of the current state of landscape values, as well as how to maintain and enhance the capacity of the regional landscape to deliver ecosystem services to all communities in the region. This requires programs that prioritise where, when and how investment can be most effectively targeted to restore and maintain landscape values.*

This section of the RLUS is particularly relevant to the proposed dispensation as the subject site would clearly fall under this category description. It is identified that planning should be resilient to the pressures of population growth and that the retention of these threatened vegetation communities and areas of high scenic values should be reflected through the implementation programs of the RLUS.

### 3.3 Purpose and Objectives of Interim Scheme

The purpose of the *Launceston Interim Planning Scheme 2012* is to further the objectives of the Resource Management and Planning System and the Planning Process as set out in Parts 1 and 2 of Schedule 1 of LUPAA and to achieve the objectives set out in Clause 3. The objectives listed cover the following sub-categories:

- Maintaining the primacy of Launceston City in Tasmania and in the Northern Tasmania Region
- Maintaining Launceston as the business and commercial heart of the region.
- Managing growth for a changing population
- Promoting social inclusion
- Promoting a nationally important heritage city
- Public spaces, public life
- Maximising the effectiveness of transport networks
- Maximising the efficiency of infrastructure
- Maintaining and improving the quality of the natural environment
- Managing natural hazards
- Managing climate change.

Section 3.9 relates to maintaining and improving the quality of the natural environment. It is recognised that Launceston has a high scenic amenity and that the environment is what underpins the economy and is central to the tourism industry.

It is intended that in order to achieve this objective, the planning scheme will:

*a) Ensure that the environmental impacts of development will be identified and avoided, minimised or mitigated. The impacts include:*

- *Loss of Native Vegetation*
- *Loss of habit, biodiversity and rare and threatened species*
- *Air pollution*
- *Threat of Coastal inundation*
- *Loss of water quality*

*b) Protect areas of existing high agricultural production. Where there is identifiable potential for increased production, including current and proposed*



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*irrigation areas, the planning scheme will seek to create favourable conditions.*

*c) Ensure that the management of natural resources requires balancing the impacts of primary industries with environmental protection.*

Points a) and c) are relevant to this dispensation as the dispensation is seeking to go against the objectives of the LIPS through exempting the site of the Scenic Management Code and Biodiversity Code.

#### 4. Conclusion

This representation is being made against dispensation (LAU D2/2013) to set aside the provisions of the Low Density Residential zone to apply the General Residential zone and to remove the Scenic Management and Priority Habitat Overlays at 123 Westbury Road, Launceston.

The Dispensation is not consistent with the Land Use Planning and Approvals Act 1993 (LUPAA) Section 30E (6) as it is not consistent with LIPS objectives or the RLUS.

This representation explains why the Scenic Management Code and Biodiversity Code have been applied and why the application of these codes should remain.

As the application of the Scenic Management Code and Biodiversity Code should remain, the Low Density Zone provides a best fit when considering the intention of the zones and in providing for the constraints presented on site. If the General Residential Zone is applied, an exemption to the provisions of the Biodiversity Code for Native Vegetation Removal would also apply.

The proposed change to the traffic arrangements at the Westbury Road and Normanstone Road intersection will be to the detriment of the surrounding community, which is an issue that requires further consultation with the community members effected and is considered to be a major change, external to the subject site that would more appropriately be dealt with through a Section 43A application once the LIPS is declared a full scheme.

The application for dispensation does not clearly provide validation that the amenity of the surrounding community will not be detrimentally impacted upon as a result of this dispensation being supported. The Dispensation should therefore be rejected.

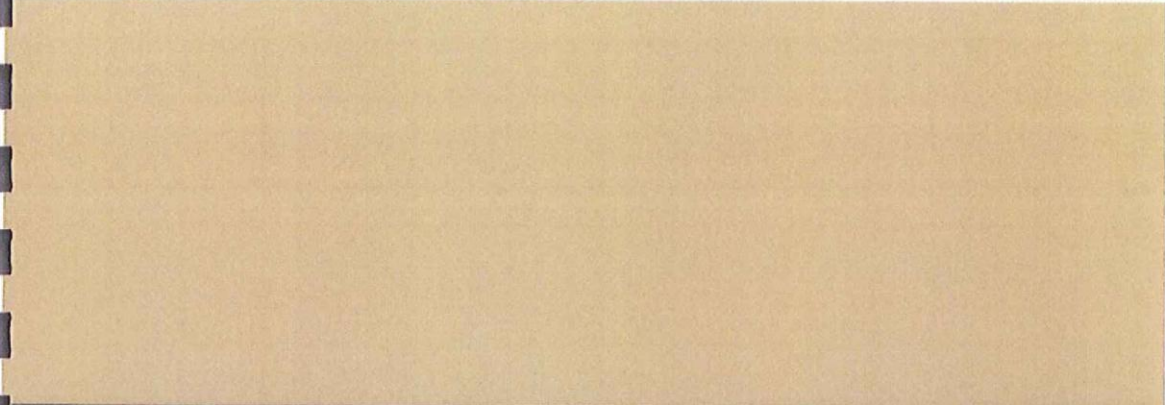
#### 5. References

Farrel, L 2012, *Mt Pleasant Rezoning - Landscape and Visual Impact Assessment*, GHD, Melbourne

Gruber, E 2012, *Report for Mt Pleasant Subdivision - Infrastructure*, GHD, Hobart

Lyon, C 2013, *Report for Kreglinger Australia - Mt Pleasant Rezoning - Low Density Residential to General Residential*, GHD, Launceston

Richardson, F 2013, *Mount Pleasant - Flora and Fauna Assessment*, GHD, Hobart



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Member Firm





ATTENTION.  
JULIA ALLEN

123 WESTBURY RD SUBDIVISION

**Re:** 123 Westbury Road "Mount Pleasant" application: For the dispensation from local provisions of the Launceston Interim Planning Scheme 2012

**What is the reason for the application and who has commissioned it?** The application put to the Tasmanian Planning Commission (TPC), in July this year, is for the removal of the existing Scenic Management and Priority Habitat restrictions and to rezone the above-named land to Urban Residential from its existing Low Density Residential zoning. This is to enable the owner to subdivide the Northern 3.8ha aspect of the property (the area immediately adjacent to Westbury Road), locally known as "Mount Pleasant" with in excess of fifty building blocks.

The application was commissioned by The Australian arm (Kreglinger Australia Pty. Ltd.) of the multinational company based in Antwerp, Belgium known as Kreglinger Pty. Ltd., and was prepared by local firm GHD Pty Ltd.

**Background:**

**2012:** The Interim Planning Commission review and leave unchanged the Scenic Protection and Priority Habitat overlays and the Low Density Residential Zoning existing on the above-named property.

**Dec. 2012:** GHD Pty. Ltd lodges a submission on behalf of Kreglinger Australia Pty. Ltd to the Interim Planning Commission, suggesting that General Residential Zoning is more appropriate for the site in question and also sought to remove the Scenic Management and Priority Habitat overlay. The TPC leave the Low Residential Zoning, Scenic Protection and Priority Habitat overlays in place.

**12<sup>th</sup> March 2013:** Launceston City Council (LCC) endorse the residential re-zoning to urban residential of the property situate 123 Westbury Road and the removal of the Priority Habitat overlay but do not endorse removal of Scenic Protection overlay. All subject to the resolution of traffic management issues surrounding the project.

**Post March meeting:** GHD planners and Council meet "a number of times" to try to resolve the issue of traffic management. Council resolved to postpone concerns over traffic management and access to the subdivision until after dispensations are granted and the project is at subdivision stage. Council elected not to call for public submissions.

**May 31<sup>st</sup> 2013:** The Tasmanian Planning Commission (TPC) decide to recommend to LCC that prior to dispensation being granted for re-zoning and Priority Habitat removal, and in the name of natural justice a formal public exhibition and hearing process should be instigated.

**July 15<sup>th</sup> 2013:** Kreglinger Pty Ltd. formally apply to the TPC for rezoning to urban residential and removal of Scenic Protection and Priority Habitat overlays.

**August 15<sup>th</sup> 2013:** A request is received by LCC from the TPC to respond via its Planning Department a statement of opinion in respect to the application and state that if the LCC do not endorse the plan for 123 Westbury Road then the TPC could not proceed with approvals.

**August 26<sup>th</sup> 2013:** At its August meeting Council again recommend that 123 Westbury Road be re-zoned to General Residential and that the Priority Habitat overlay is also removed. The Scenic Protection overlay is to remain. Council had not yet taken up the TPC's recommendation for public exhibition of the application nor had it called for public representation.

**September 6<sup>th</sup> 2013:** LCC call for public representations to be made regarding the proposed development. Submissions must be forwarded by the 5<sup>th</sup> October.

**What is a dispensation and why is it needed?** A dispensation (also known as a privilege, an exception, an indulgence, a relaxation of the rules) is required for the development to proceed because there currently exists a Scenic Protection Policy, a Priority Habitat policy and Low Density Residential Zoning on the land (all of which were confirmed as appropriate for the property as recently as the 2012 by the Interim Planning Scheme Commission). The developer (Kreglinger Aust. Pty Ltd.) can-not proceed unless the Launceston City Council (LCC) via its Planning Department agrees to remove all of the current restrictions and rezone the land to Urban residential. The re-zoning will enable the developers to subdivide the land into lot sizes of 350 – 700 square metres, with multiple dwellings on the larger blocks. The current low density zoning allows only larger blocks of between 1000 – 3000 square metres. The site will be sub-divided into in excess of 50 blocks.

**Where can the proposal for the subdivision be found.** Google: Launceston City Council Planning Applications and scrolling down the page to "Other Advertised Applications".

Some of the questions raised by the application that we feel require independent investigation:

**Question one:** Following their own "Traffic Flow Analysis", GHD admit that a further study will need to be undertaken to adequately manage traffic issues presented by the subdivision. Why has Council recommended that this work is left until the subdivision stage when clearly, the only intention of the application for removal of Scenic Protection overlay, Priority Habitat overlay and re-zoning to Urban Residential is to clear the way to place a high density subdivision on the site?



**Question two:** Who will be affected by the works and who will pay for upgrades? The application does not specify who will pay for the infrastructure upgrades necessary for the subdivision to go ahead. Nor does it make any reference as to how local residents and users of Westbury Road will be affected during these upgrades.

In particular, the following necessary works are noted in the application;

PLEASE CLARIFY

- ① The installation of traffic lights at Westbury Road and remodelling of same to two lanes with no right turn from Normanstone Rd to Westbury Rd.
- ② The new entrance and road-works for Eureka St to be an access point for the sub-division.
  - The network modelling required to ensure that there will be adequate water supply and water pressure to existing residences once the subdivision is completed?
  - The new storm-water detention basin that will be required to deal with additional run-off from rooves and other hard-surfaces within the subdivision. At present, with heavy rainfall, substantial flow can be seen across Westbury Road at the Normanstone Rd./Westbury Rd. intersection. The existing storm water system does not effectively deal with current run-off.

**Question three:** To what extent will the thousands of drivers and passengers passing the site each day (particularly peak traffic periods) be affected by the heavy vehicles turning off Westbury Road during the construction phase and how will the additional vehicles (up to 100) be accommodated into the already busy traffic way once the subdivision is completed?

**Question four:** How will the safety of pedestrians and cyclists past the "Grand Entrance" be accommodated, particularly during the construction phase?

If you have any comments or further questions, or would like to add to our submission to the Tas. Planning Scheme, please contact Linda or Nige at [lindaandnige@bigpond.com.au](mailto:lindaandnige@bigpond.com.au).

|                       |                                     |         |                                         |
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| FILE No.              | 70010                               |         |                                         |
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| RCVD - 1 OCT 2013 LCC |                                     |         |                                         |
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| Action Officer        | Noted                               | Replied |                                         |
| S. Allen              |                                     |         |                                         |



General Manager  
Launceston City Council  
PO Box 396  
LAUNCESTON Tas 7250

4 October 2013

Dear Sir,

**Representation Dispensation, 123 Westbury Road, South  
Launceston**

**Reference No. SF5990**

We act on behalf of the following concerned residents:

I

We submit to the Launceston City Council a representation in relation to an application for dispensation from a local provision of the Launceston Interim Planning Scheme 2012.

Traffic

Significant concerns are raised in relation to traffic. The information provided limits comment due to lack of detail made available, limitations on an assessment are seen as relating to:

a) Outline Development Plan

The proposal indicates a development specific to the subject land with no indication as to how the development fits to adjoining land. Specific concerns relate to potential for development of the large undeveloped land to the south





and possible linkage to Caroline St i.e ascertain the best junction location and scope of roadworks to link to Westbury Rd or alternative access options. It is not considered the merits and traffic impact of the proposal can be evaluated without this information.

b) Subdivision Concept

No detail is provided as to how the proposal with regard to layout, property access and junction to Westbury Road complies with the Launceston City Council Subdivision Guidelines, casual review of the information suggests likely issues with compliance for the layout as shown. Specific concerns are seen as the:

- Junction layout at Westbury Road with regard to street width, provision for pedestrians and cyclists and road profile
- Street width for the main link through the proposed layout
- Lot access use of ROW`s for combined use

c) Traffic Impact

No traffic assessment has been provided for the proposal as required by section E 4.0 of the Launceston Interim Planning Scheme 2012. This requirement is considered important due to the use of Westbury Road as a main sub - arterial link in the city`s road network carrying heavy traffic relative to the road layout, i.e maintenance of as high a level of service as possible is seen as desirable. A traffic memo outlining a treatment option for the Westbury Rd / Normanstone Rd junction has been provided. However, this location is seen as away from the site with the relevance of this information not indicated.

This proposal could be considered as ad-hoc with no information as to how it may fit into the overall development of the locality.

No details are available as to the road layout conformance and no traffic assessment has been provided for consideration.

We believe that the information provided is not adequate in relation to a number of traffic and safety concerns.

Stormwater/Water Infrastructure

Significant concerns are raised in relation to likely potential problems for new infrastructure, should the site be rezoned to General Residential zoning. The south eastern corner of the site falls towards Eurella Street. Eurella Street already experiences stormwater issues in heavy rainfall in relation to the



subdivision at Gibson Street and a nearby dam, which then overloads the system in Kings Meadows via Eureka Street. The rezoning of the subject site would exacerbate this issue.

Concerns are also raised in relation to the report provided by GHD, (page 4 of the Infrastructure report), which details reliance on a connection to Eureka Street drain connecting across private property where negotiation with the owners of the intervening land is necessary. As Fiona Kernan, owner of 24-26 Eureka Street is one of the only three possible private properties available for such a connection, there is concern that this consent may not be provided in the future, meaning that the eastern portion of the site at 123 Westbury Road could not dispose of stormwater adequately.

This report also considers such a connection for water and sewer to the site via private property in Eureka Street. Without further investigation it is therefore difficult to determine whether the entire site can be connected to full infrastructure services in accordance with the purpose of the General Residential zone. Should no consent be given by any of the three adjacent property owners in Eureka Street, our clients being one of those, it should be reasonable that not all the site is adequate to be rezoned to General Residential. Fiona Kernan has advised that she will not consider any consent over her land.

#### Priority Habitat

Three small areas of threatened communities exist on the site. It is understood that other threatened flora could exist but is unknown without a spring survey occurring to coincide with the flowering season. It would not be wise then to allow the removal of the Priority Habitat Code without further investigation.

Our clients are aware of a range of fauna that utilise the subject site, particularly an owl which seeks refuge in the hollow bearing tree on the site. The site most likely provides food for yellow tailed black cockatoos. The information provided is inadequate without further investigation.

A Tasmanian Devil was recently found as road kill in Bertha Street, located north west of the subject site. Therefore it cannot be discounted that the site may provide habitat for such species. To provide assumptions that the site is not optimal is not adequate in relation to such a significant rezoning.



To ensure safety to future occupiers of the site, it would be necessary to remove the trees in poor health. However, it is the majority of these trees that contribute to the skyline appearance of the site. This is further detailed below.

#### Scenic Management Code

Our clients are concerned that the removal of the Scenic Management Code will detrimentally impact upon the scenic and landscape values of the site, particularly when considering the impacts of vegetation removal, earthworks and physical built form. The site is visible from a number of key public spaces in Launceston and the impact upon these spaces will be significant. It is also considered integral (i.e driveway) to the Mount Pleasant Estate and the visual impact to the Estate may be of concern. Should the removal of the Scenic Management Code be found appropriate then consideration to the adjoining lots also subject to the Code should be considered.

#### Zone

The Low Density Residential zone applies to land where there are limitations on infrastructure or environmental constraints. Given there are obviously still doubts in relation to adequate servicing particularly from the eastern portion and there may be environmental constraints, it would be reasonable that the proposal be rejected by the Launceston City Council.

We ask that Council planning officer's consider this information in the assessment of the dispensation.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Rebecca Green'.

Rebecca Green

General Manager  
Launceston City Council  
PO Box 396  
Launceston Tas 7250

Dear Sir,

Submission to Dispensation: 123 Westbury Road, South Launceston (Ref No SF5990)

As owner(s) of the property at  
I/we authorise Rebecca Green of Planning Development Services to act on our behalf  
to make a submission, raising our concerns in relation to the proposed dispensation.

Sincerely,



Name: FIONA KEENAN

General Manager  
Launceston City Council  
PO Box 396  
Launceston Tas 7250

Dear Sir,

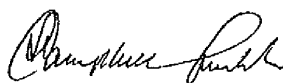
Submission to Dispensation: 123 Westbury Road, South Launceston (Ref No SF5990)

As owner(s) of the property at  
I/we authorise Rebecca Green of Planning Development Services to act on our behalf  
to make a submission, raising our concerns in relation to the proposed dispensation.

Sincerely,



Name:



Date: Richard Campbell-Smith Sally Campbell-Smith

03-10-13;13:00 ;

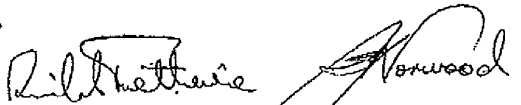
General Manager  
Launceston City Council  
PO Box 396  
Launceston Tas 7250

Dear Sir,

Submission to Dispensation: 123 Westbury Road, South Launceston (Ref No SF5990)

As owner(s) of the property at  
I/we authorise Rebecca Green of Planning Development Services to act on our behalf  
to make a submission, raising our concerns in relation to the proposed dispensation.

Sincerely,



Name: Richard & Samantha Trethewie

Date: 3 October 2013

General Manager  
Launceston City Council  
PO Box 396  
Launceston Tas 7250

Dear Sir,

Submission to Dispensation: 123 Westbury Road, South Launceston (Ref No SF5990)

As owner(s) of the property at  
I/we authorise Rebecca Green of Planning Development Services to act on our behalf  
to make a submission, raising our concerns in relation to the proposed dispensation.

Sincerely,



Name: *ROD & LIZ CAVAHAN*

Date: *30.09.2013*

General Manager  
Launceston City Council  
PO Box 396  
Launceston Tas 7250

Dear Sir,

Submission to Dispensation: 123 Westbury Road, South Launceston (Ref No SF5990)

As owner(s) of the property at [redacted]  
I/we authorise Rebecca Green of Planning Development Services to act on our behalf  
to make a submission, raising our concerns in relation to the proposed dispensation.

Sincerely,



Roger Mies

Name:

1/10/13

Date:



General Manager  
Launceston City Council  
PO Box 396  
Launceston Tas 7250

Dear Sir,

Submission to Dispensation: 123 Westbury Road, South Launceston (Ref No SF5990)

As owner(s) of the property at [redacted]  
I/we authorise Rebecca Green of Planning Development Services to act on our behalf  
to make a submission, raising our concerns in relation to the proposed dispensation.

Sincerely, 

Name: ANDREW REHRMANN

Date: 1.10.2013.


General Manager  
Launceston City Council  
PO Box 396  
Launceston Tas 7250

Dear Sir,

Submission to Dispensation: 123 Westbury Road, South Launceston (Ref No SF5990)

As owner(s) of the property at  
I/we authorise Rebecca Green of Planning Development Services to act on our behalf  
to make a submission, raising our concerns in relation to the proposed dispensation.

Sincerely,



Name: PETER SAVDAL

Date: 2/10/2013

20-22 Enfield St

**Julia Allen**

---

**From:** [redacted]  
**Sent:** Monday, 30 September 2013 4:30 PM  
**To:** records  
**Cc:**  
**Subject:** 123 Westbury Road, South Launceston

Dispensation from local provisions of the Launceston Interim Planning Scheme 2012

File No: SF5990 AO

The General Manager  
Launceston City Council

I am the Owner and Occupier of the dwelling  
on my property.

As the proposed changes may have a direct impact

Following review of the document provided by Julia Allen on Friday 20 September 2013 the following comments require to be clarified:

- The proposed changes to the Southbound lane/s in Westbury Road are unclear as to the impact of traffic entering/exiting from Caroline Street. Information is to be provided which indicates the impact of traffic entering/exiting from this street and the current ability to exit either left or right onto Westbury Road must be maintained. Preferably, it would be beneficial for the developer to purchase a property in Caroline Street to provide an access road into this area. In turn, this would mean a possible upgrade to the Caroline Street intersection rather than installing traffic lights at the intersection of Westbury Road and Normanstone Road.
- The General Residential Zone Development Standard indicates that a building envelope will apply for houses built. Notification must be given to myself when any building is proposed to be built on the two [redacted] [redacted] comment to be made prior to building works.
- Clarification is required to the drainage easement behind the dwellings on Caroline Street to prevent additional water runoff. Currently there appears to be a drainage easement within 3 to 4m of my rear fence line. The document provided indicates the greater water runoff is to Westbury Road and Eureka Street and makes no mention of Caroline Street to which the North Western side of the property falls to this area.

The following is an additional requirement by myself prior to agreeing to this proposal:

- A 2.1m Colourbond fence is to be erected at the rear of my property [redacted] at the whole expense of the developer.

If the above items are clarified and agreed to then I have no objections to the proposal going ahead.

Regards

Michael Watkins

The General Manager  
 Launceston City Council,  
 Town Hall,  
 St. John Street,  
 Launceston.

|                   |                                     |                                     |  |
|-------------------|-------------------------------------|-------------------------------------|--|
| FILE No.          | SF5990                              |                                     |  |
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| RCV'D -7 OCT 2013 |                                     | LCC                                 |  |
| Doc No.           |                                     |                                     |  |
| Action Officer    | Noted                               | Replied                             |  |
| W. J. K. V. G.    |                                     |                                     |  |

E-COPY J. ALLEN

Dear Mr. Dobzynski,

Re: FILE No. SF 5990

Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAO D2/2013) 123 Westbury Road, South Launceston (Mount Pleasant).

I write in relation to the effect and the consequences in relation to the application to set aside the whole provisions of the Low Density Residential zone as they apply to 123 Westbury Road and apply the provisions of the General Residential zone.

The granting of this part of the application would reduce the minimum sized allotment from 1500<sup>2</sup> in the Low Density Residential zone to 500<sup>2</sup> in a General Residential zone. Any sub-division approved on this latter zoning would degrade the ambience of the area and would trouble any traffic problems flowing from the sub-division, unless there was a condition or binding undertaking that allotment areas would be not less than, say, 800<sup>2</sup> or 900<sup>2</sup>.

2.

My other concern is the effect on traffic if this application is granted.

The distance between the junction of Westbury Road and Normanstone Road and Westbury Road and Caroline Street is only 174 metres.

The distance between Westbury Road and Normanstone Road junction and the present driveway into the subject land is only 118 metres.

I contend that it would be contrary to acceptable traffic management standards to permit three separate side access roads to enter such a busy road as Westbury Road over and within a distance of only 174 metres.

Consideration could be given to the subject land having access to Westbury Road via Caroline Street, subject to residents in the Caroline Street area having the opportunity to make submissions.

I am very concerned at suggestions that traffic lights be installed and that west-bound lanes be reduced to one <sup>in Westbury Road</sup>. I shall, however, reserve my right to expand on these suggestions and other traffic matters until a later appropriate time.

Yours sincerely,  
Don Wing  
(DON WING)

**PLEASE NOTE:** If a report on a Planning Application matter goes to Council, the full content of the submission will be included in the report and will be available for public access. It is therefore the responsibility of the author of the submission to make sure that what is written is factual, is fair and reasonable, and is not defamatory against any person.

**Personal Information Protection Statement**  
As required under the *Personal Information Protection Act 2004*

|    |                                                                                                                                                                                                                                                        |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Personal information will be collected from you for the purpose of dealing with your application, and may be used for other purposes permitted by the <i>Local Government Act 1993</i> and regulations made by or under that Act.                      |
| 2. | Failure to provide this information may result in your application not being able to be accepted and processed.                                                                                                                                        |
| 3. | Your personal information will be used for the primary purpose for which it is collected and may be disclosed to contractors and agents of the Launceston City Council.                                                                                |
| 4. | Your basic personal information may be disclosed to other public sector bodies where necessary for the efficient storage and use of the information.                                                                                                   |
| 5. | Personal information will be managed in accordance with the <i>Personal Information Protection Act 2004</i> and may be accessed by the individual to whom it relates on request to Launceston City Council. You may be charged a fee for this service. |

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| File No.       | D20350/2013 |    |                                     |     |                                     |
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| Action Officer |             |    | Date Received                       |     |                                     |
| C. W. RANNEY   |             |    | 26/09/2013                          |     |                                     |
| CGY - J ALLEN  |             |    |                                     |     |                                     |



14 October 2013

Julia Allen  
Launceston City Council  
DX 70127  
LAUNCESTON TAS 7250

Our ref: 32/16904  
Your ref: 60284

Dear Julia,

**Application SF 5990 - 123 Westbury Road  
Response to Representations**

In relation to the above application at 123 Westbury Road, and the matters raised by representors during the recent public notification period, I would like to clarify some of the following points.

**1 Dispensation process**

It was inferred in some of the representations that the application was not appropriate for consideration under the dispensation process, nor did Council call for public input via the notification period in a timely manner. I wish to point out that the process for this dispensation application has been undertaken entirely in accordance with Sections 30P and 30Q of the Land Use Planning and Approvals Act (1993) (LUPAA), thereby ensuring that the process does not prejudice either the applicant or the wider public. The dispensation process itself is the proper statutory process for dealing with live rezonings under the planning scheme legislative framework.

**2 Biodiversity Code and natural values**

With respect to the Priority Vegetation Overlay that currently applies to the site, early discussions with Council confirmed that the application on the site was based on 'regional mapping', and that its accuracy couldn't be guaranteed. In response GHD undertook a detailed Flora and Fauna assessment, which demonstrated that only small pockets of native vegetation existed and it did not warrant the significantly larger area shown in the overlay being retained.

However, as outlined in the recommendations within the Flora and Fauna Assessment, further surveys will be undertaken in spring of this year in order to confirm the presence of any further threatened flora. It is noted that the integrity of the Flora and Fauna Assessment and its conclusions and recommendations were independently verified by a site survey undertaken ecosystem services consultants North Barker on 12 December 2012, with North and Barker's accompanying report supportive of GHD's findings.

Clause E8.2.1 states:

*This code applies to use or development of land:*

- a) within the area identified as priority habitat on the planning scheme maps; or*
- i) for the removal of native vegetation.*

The code at Clause E.8.4.1 then goes on to state:

*The following use or development is exempt from this code:*

*a) Native vegetation removal in the general residential zone and inner residential zone for remnant vegetation associated with the residential use or development of land (but not for subdivision or where subject to an agreement under Section 71 of the Act relating to vegetation management).*

The DAZ community assessed as being of low to moderate quality, with North Barker stating that the long term viability of the remnants were low.

Notwithstanding, given that the vegetation is considered native remnant vegetation, its removal is required to be considered under the Biodiversity Code at the subdivision stage in accordance with the above Clauses. This will allow for subdivision design to take into account the site's remnant vegetation.

### **3 Scenic Management Code**

The Visual Impact Assessment supporting the application for dispensation was undertaken by suitably qualified professionals with extensive experience in undertaking landscape and visual impact assessments. GHD are satisfied with the documentation submitted with the application.

### **4 Traffic**

A full traffic impact assessment will be required at the development application stage, or when the subdivision is applied for. This is a common approach in rezoning applications that are to subsequently followed by a development application, given that the exact number of lots and lay out of lots are not known at this stage.

Notwithstanding it was recognised by GHD and Council that the key issue to be addressed in the first instance was the ability to construct an appropriate access irrespective of whether the current Low Density Residential zoning was retained, or indeed a change of zoning to General Residential was approved. On this basis GHD worked with Council and the Department of Infrastructure Energy and Resources (DIER) to identify and test options. An approach was agreed, and the final solution is now the subject of a 'black spot funding' application by Council.

#### **4.1 Peak Traffic Volumes**

One of the issues raised through the representations was the adequacy of the peak traffic periods that were selected for use in the traffic modelling. GHD undertook traffic surveys at the intersection of Normanstone Road and Westbury Road between 8:00 am and 9:30 am, and between 4:00 pm and 5:30 pm. From this, the most intense morning and evening peak hour of traffic was extracted and used in the modelling.

While traffic volumes on Westbury Road are consistently high for a significant portion of the day, recent data obtained from Launceston City Council (Westbury Road near Rose Lane, March 2012) confirms that the evening peak hour from 4:00 pm to 5:00 pm is the highest traffic volume period on Westbury Road.



It is anticipated that the development would include a subdivision with around 54 lots. Based on the RTA Guide to Traffic Generating Developments, 2002, which provides commonly used guidelines for the estimation of traffic generation rates, the 54 lots would generate approximately 46 vehicle movements per hour (two-way) during peak periods.

The traffic modelling for future traffic conditions was undertaken using a 1.0% p.a. traffic growth rate across the network over 10 years (10% total). It is considered that the anticipated traffic generation of the subdivision (46 vehicle movements per hour) is sufficiently taken into account in the future modelling for the purposes of the preliminary assessment.

A more detailed assessment of the traffic generation of the development, as well as the specific impacts on this junction and other roads, would be required as part of a full Traffic Impact Assessment undertaken at the development application stage of the project.

#### **4.2 Other Concerns**

Several additional issues were raised in the representations which are summarised as follows:

- The impacts of the additional traffic generated by further development on the operation of Westbury Road and other nearby roads. In particular, the following locations were mentioned:
  - Wellington Street/Westbury Road intersection
  - Westbury Road/Normanstone Road intersection
  - Eureka Street and
  - Caroline Street.
- Movement of trucks into and out of the development during the construction period and their impacts on the operation of Westbury Road.
- Pedestrian and cyclist treatments at the site access. It was suggested that surveys of existing pedestrian and cyclist activity be undertaken and provision of a signalised crossing on Westbury Road be investigated.
- Redirection of traffic due to the banning of right turns from Normanstone Road onto Westbury Road and the loss of amenity that may arise.

The issues outlined above would be investigated as part of a full Traffic Impact Assessment, undertaken in accordance with DIER and Council requirements, which would be required at the development application stage of the project.

#### **5 Infrastructure**

An infrastructure assessment report was prepared by suitably qualified engineers. The report assesses the capacity of the proposal to be adequately serviced. The report makes a number of recommendations and concludes that the site is capable of being adequately serviced, including stormwater requirements. The detailed design for such infrastructure and services cannot be determined until the detailed design phase of the project.

## 6 Strategic Justification

On the whole the site is generally more suited to residential development at higher levels. All strategic documentation including the Regional Land Use Strategy, the Launceston Residential Strategy and the Launceston Interim Planning Scheme support infill urban development rather than the creation of new greenfield sites. The site is strategically located in proximity to the CBD and all other services to support this type of development. There are extensive areas across the Launceston municipality that provide for the preservation of significant natural and scenic values, involving appropriate species and communities of adequate quality. Such areas are provided for through formal parks and reserves. The subject land however is under private tenure, and does not comprise significant natural or scenic values. Balanced against the strategic arguments for infill vs urban sprawl, and the environmental benefit associated with infill development, the proposal is clearly supportive of all relevant planning policy and legislation.

Sincerely  
GHD Pty Ltd



**Alex Brownlie**  
Principle Planner  
03 6210 0701

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston****FILE NO:** DA0372/2013**AUTHOR:** Damien Fitzgerald (Town Planner & Urban Designer)**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider a development application to construct two and use three multiple dwellings at 4 Ashleigh Avenue, West Launceston.

**PLANNING APPLICATION INFORMATION:**

|                            |                                       |
|----------------------------|---------------------------------------|
| Applicant:                 | S Group.                              |
| Property:                  | 4 Ashleigh Avenue, West Launceston.   |
| Area of Site:              | 1242m <sup>2</sup> .                  |
| Zoning:                    | General Residential.                  |
| Existing Uses:             | Single dwelling.                      |
| Classification:            | Multiple dwelling.                    |
| Date Received:             | 23 September 2013.                    |
| Date Information Received: | Not applicable.                       |
| Deemed Approval:           | 3 November 2013.                      |
| Representations:           | Five (5) received, one (1) withdrawn. |

**PREVIOUS COUNCIL CONSIDERATION:**

N/A.

**RECOMMENDATION:**

That the Council approves DA0372/2013 for the construction of two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston 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.

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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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**2. AMENDED PLAN REQUIRED**

Before the building permit is issued, amended plans to the satisfaction of the planning authority must be submitted and approved by the planning authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided.

The plans must be modified as follows:

Site plan

- (a) Must provide a clearly identifiable footpath between dwellings unit 1 and 2 and dwellings unit 2 and 3 which is:
  - i) a minimum of 1.5 metre wide,
  - ii) compliant with the separation requirements set out in Table E6.5 of the Car Parking and Sustainable Transport Code of the planning scheme; and
- (b) The location of any retaining walls on the plan if required.

**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 access-way from Ashleigh Avenue.

**4. TAS WATER**

The development is expected to comply with Tas Water Certificate of Consent Number TWDA13-226-N, which is attached to this permit.

**5. DEMOLITION**

The developer must protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary.

**6. 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.

**7. CONSTRUCTION OF RETAINING WALLS**

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

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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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**8. FILLING OF LAND**

Site filling that exceeds a depth of 300 mm must comply with the provisions of AS 3798 "Guidelines on earthworks for commercial and residential developments" 2007. Prior to the use commencing, a Civil Engineer must certify that all the works have been carried out in accordance AS 3798 and the endorsed plan.

**9. SITE LANDSCAPING PLAN**

Before the Building Permit is issued and the commencement of works, a landscape plan must be prepared by a suitably qualified Landscape Architect or competent person and submitted to Planning Authority. The plan must be drawn to scale and two copies provided. The plan must:

- (a) Include at least 6 trees with a mature height of no less than 6m must be planted as part of the development. The species must be prepared in consultation with Council's Parks & Recreation department.

Once approved by the Planning Authority, the plan will be endorsed and will form part of the permit. The landscaping must be installed in accordance with the endorsed plan and:

- (b) Be installed within 3 months from the completion of the building works.
- (c) Be provided with convenient taps or a fixed sprinkler system installed for the purpose of watering all lawns and landscaped areas.
- (d) Be maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Planning Authority.

**10. MULTIPLE DWELLINGS - FENCING**

All side and rear boundaries, behind the building line, must be provided with a new, solid (ie no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed to a height of at least 1.8m when measured from the highest finished level on either side of the common boundaries at the developers cost.

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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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**11. WASTE DISPOSAL BINS - DOMESTIC**

An area on the subject land must be set aside for the purpose of a waste disposal/collection bin and must provide:

- (a) Individual and common bin storage areas must be screen fenced so as not to be visible from any public road or thoroughfare.
- (b) Located in a convenient position that allows ease of access from the dwelling and moving the bin to the internal road on collection days.
- (c) The waste bin area must be provided prior to the commencement of the use permitted by this permit, maintained and used to the satisfaction of the Council and must not be used for any other purpose.

**12. MULTIPLE DWELLINGS - SERVICE FACILITIES**

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

- a) Mail receptacles must be provided and appropriately numbered for each dwelling unit; and
- b) Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.

**13. NON REFLECTIVE EXTERIOR FINISH**

All external cladding and roofing of the building hereby permitted must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Planning Authority.

**14. PRIVACY SCREENS**

Where privacy screens are used, the screens must be:

- (a) Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and
- (b) Permanent, fixed and durable.

**15. PUBLIC, COMMUNAL AND PRIVATE AREAS**

Prior to the sealing of the strata plan, a plan must be submitted to Council in accordance with the site plan identifying public, communal and private areas.

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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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**16. DAMAGE TO COUNCIL INFRASTRUCTURE**

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

**17. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

All works in (or requiring the occupation of) the road reserve must be undertaken by, or under the supervision of a tradesman/contractor who is registered with Council as a "Registered Contractor".

Prior to the commencement of works, the applicant must prepare a detailed Traffic Management Plan specifying the following:

- a) The nature and the duration of the occupation and may include the placement of skips, building materials or scaffolding in the road reserve and time restrictions for the works;
- b) The traffic management works that are to be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles;
- c) Any temporary works required to maintain the serviceability of the road or footpath;
- d) Any remedial works required to repair damage to the road reserve resulting from the occupation.

The Traffic Management Plan must be prepared in accordance with the relevant Australian Standard, codes of practice and guidelines. A copy of the Traffic Management Plan must be maintained on the site while works are being undertaken and all works must be in accordance with the plan. The Traffic Management Plan must be submitted to the Infrastructure Services Directorate for approval two weeks prior to the scheduled commencement of the works. No works may commence until the Traffic Management Plan has been approved.

**18. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with Council specifications and standard drawing G-01 Trench reinstatement. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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**19. VEHICULAR CROSSINGS**

Before the commencement of the use, a new vehicular crossover must be provided to service this development. The design of the vehicular crossing must take into account the location of the access (i.e. abutting the speed hump located in Ashleigh Avenue) and further requires the relocation of the existing power pole. An application for such work must be lodged on the approved form.

No work must be undertaken to construct the new vehicular crossing or to remove the existing driveway outside the property boundary without the prior approval of the works by the Council's Road Assets Department.

The new crossing must be constructed to Council standards by a contractor to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (e.g. TasWater, Telstra, Aurora etc). The construction of the new crossover and driveway, and removal of the unused crossover and driveway will be at the applicant's expense.

**20. SOIL AND WATER MANAGEMENT PLAN**

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites.

No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant.

The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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**21. CAR PARKING CONSTRUCTION**

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

- a) Be designed to comply with the following suite of Australian Standards AS 2890.1 Off-street car parking;
- b) Be properly constructed to such levels that they can be used in accordance with the plans;
- c) Be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers;
- d) Be drained to Councils requirements;
- e) Be line-marked or otherwise delineated to indicate each car space and access lanes (except in the case of residential use);
- f) Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the Planning Authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas;
- g) Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site;
- h) Parking areas and access lanes must be kept available for these purposes at all times.

**22. 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****A. Restrictive Covenants**

*Council does not enforce restrictive covenants that contradict the Launceston Interim Planning Scheme 2012. However, 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.*

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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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**B. Other Approvals**

*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:*

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

**C. Appeal Provisions**

*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 shall be instituted by lodging a notice of appeal with the Clerk of the Resource Management and Planning Appeal Tribunal.*

*A planning appeal shall be instituted within 14 days of the date the Planning Authority serves notice of the decision on the applicant.*

**D. 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.*

**E. Permit Commencement**

*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 withdrawn or determined. If an applicant is the only person with a right of appeal pursuant to section 53(1b) 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.*

**F. Access for People with a Disability**

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

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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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**G. Strata Title Approval**

*The proposal may be Strata titled. If this is to be staged the Strata plan must be accompanied by a Disclosure Statement for a Staged Development Scheme.*

**H. Removal of Construction Waste**

*No burning of any waste materials generated by action on this approval is to be undertaken on-site. Any such waste materials are to be removed to a licensed refuse disposal facility (eg Remount Road Refuse Disposal Centre).*

**I. Blasting**

*Attention is directed to the Explosives Regulations 2012 (S.R. 2012, No. 128) which relates to blasting of rock on the subject land. These provisions should be consulted directly in accordance with Workplace Standards Tasmania.*

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

The proposal is for three multiple dwellings. The development constitutes an existing two bedroom single dwelling (unit 1) which fronts Ashleigh Avenue and the construction of two new three bedroom dwellings (units 2 and 3) located behind the existing dwelling to the rear of the subject site. The new dwelling units are of a contemporary style design and respond directly to the topography of the site.

A new access and driveway is proposed for dwelling units 2 and 3, which is to be constructed to the northern portion of the site outside of an existing lowered speed hump. The driveway will extend nearly the full extent of the western boundary servicing the proposed dwelling units 2 and 3. Access to the existing dwelling will remain. Due to the sites topography, modifications to the site are required which will involve site works prior to construction of the dwellings.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject site is located within an established residential area on the fringe of the West Launceston and the neighbourhood of Prospect. The title lies on the western upper side of Ashleigh Avenue approximately 15m south from the 'Y' junction of Salisbury Crescent and Ashleigh Avenue. Salisbury Crescent is an alternative feeder road that provides commuters from the city access to the surrounding areas of upper West Launceston and Prospect. Dwellings are of a wide variety of forms, density and finished materials.

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## 12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

Currently an existing older style brick veneer dwelling fronts Ashleigh Avenue and is setback approximately 5.5m from the lowest portion of the site. A singular access lawfully exists off Ashleigh Avenue servicing the single dwelling. Off Street parking for this dwelling relies on a singular under dwelling garage and a tandem car parking space.

A service station, takeaway and convenience goods are located on the corner of Vaux and Cambridge Streets approximately 340m south of the site. There is also a small shopping centre located approximately one kilometre north of the site on Brougham Street. A larger shopping precinct in Prospect is located approximately 1.2km south of the site. The Prospect shopping precinct includes a supermarket (IGA), takeaway shop, laundry, bakery, hotel (Old Tudor) and bottle shop, chemist and other smaller tenancies. The precinct also has a number of larger business operators including Statewide Independent Wholesalers. Public transport is readily available with a Metro bus route runs along Ashleigh Avenue, and a bus stop is currently located approximately 50m east of the site.

The site has a natural fall of approximately 10 degrees in a downwards direction to the north east. Established, albeit unmaintained, landscaping exists throughout the site consisting of lawns, small trees and garden beds. There are no easements on the site and the dwelling is currently connected to all maintained reticulated services.

### 3. PLANNING SCHEME REQUIREMENTS

#### 3.1 Zone Purpose

#### GENERAL RESIDENTIAL

|        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.1.1 | <p><i>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.</i></p> <p><b>Consistent.</b></p> <p>It is considered that the proposal for the use and development of 3 multiple dwellings is appropriate in relation to the suburban context.</p> <p>The dwelling development proposal is in accordance with the development standards for multiple dwellings and is only 86m<sup>2</sup> less per lot than the acceptable solution for lot size (subdivision - 500m<sup>2</sup>) in the General Residential zone for a single dwelling development</p> <p>Full services are available in the area and the development will connect to such services.</p> |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

|        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.1.2 | <p><i>To provide for compatible non-residential uses that primarily serve the local community.</i></p> <p><b>Not applicable.</b><br/>The proposal is for a residential use and development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 10.1.3 | <p><i>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.</i></p> <p><b>Not applicable.</b><br/>The proposal is for a residential use and development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 10.1.4 | <p><i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i></p> <p><b>Consistent.</b><br/>The subject site is located within a residential area which is characterised by single dwellings typified by varying lot sizes and architectural styles. It is worth noting that multiple dwellings do exist in the greater context.</p> <p>Although the immediate area is predominately characterised by single dwellings on average sized lots, the subject site and directly adjoining lots are of a larger lot capacity which lends itself to be developed to be in accordance with a smaller lot size consistent with the General Residential lot size of 400m<sup>2</sup> - 500m<sup>2</sup> or as per the 400m<sup>2</sup> density control provision.</p> <p>It is considered that the proposed development respects the neighbourhood character and therefore conforms to Clause 10.1.4.</p> |
| 10.1.5 | <p><i>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.</i></p> <p><b>Consistent.</b><br/>Ashleigh Avenue and the surrounding context are predominately single dwelling developments. A multiple dwelling development does exist 70m to the south east of the site. The inclusion of a multiple dwelling in this location will not greatly deter from the single dwelling character of the context as the two (2) new units are located internally on the site and are reasonably hidden from the existing dwelling along Ashleigh Avenue. It is considered that the two (2) additional dwellings are an appropriate consideration against this provision.</p>                                                                                                                                 |

## 12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

|        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.1.6 | <p><i>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.</i></p> <p><b>Consistent.</b></p> <p>The subject site is located approximately 340m from a local service station/shop on the corner of Cambridge Street. The IGA Supermarket along Brougham Street is approximately 1km north of the subject site. In addition, the Prospect shopping precinct is within approximately 1.2km south of the site. All facilities are within walking distance and can be accessed on the way home from the city.</p> <p>The facilities at the Prospect shopping precinct include an IGA Supermarket, take away shops, hairdresser, hotel and bottle shop, laundry, bakery, chemist, florist and other small businesses. As stated, this activity centre is considered to be in reasonable proximity to the site. Moreover, the location of a bus stop outside 7 Ashleigh Avenue provides easy access to public transport if needed.</p> <p>The site is not within an area of recognised character, cul-de-sac or affected by natural hazards. The subject site is therefore in accordance with this provision.</p> |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### 3.2 Use Standards

The Multiple Dwelling use in the General Residential zone has a Discretionary status: *Residential - If not a single dwelling* (Use Table 10.2) of the scheme.

|               |                                                                                                                                             |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>10.3.1</b> | <b>AMENITY</b>                                                                                                                              |
|               | <i>To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.</i>           |
|               | <b>Not applicable.</b><br>This intent does not apply at the proposal is for a residential use and development (multiple dwelling).          |
| A1            | <i>If for permitted or no permit required</i>                                                                                               |
|               | <b>Not applicable.</b><br>The proposal is for a residential use and development (multiple dwelling).                                        |
| A2            | <i>Commercial vehicles for discretionary uses must only operate between 7am and 7pm Monday to Friday and 8am to 6pm Saturday and Sunday</i> |
|               | <b>Not applicable.</b><br>The proposal is for a residential use and development (multiple dwelling).                                        |
| A3            | <i>if for permitted or no permit required</i>                                                                                               |
|               | <b>Not applicable.</b><br>The proposal is for a residential use and development (multiple dwelling).                                        |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

|                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>10.3.2</b>                                                                                                                                                                                                                                          | <b>RESIDENTIAL CHARACTER - DISCRETIONARY USES</b><br><i>To ensure that discretionary uses support:</i><br>a) <i>the visual character of the area; and</i><br>b) <i>the local area objectives, if any.</i>              |
| A1                                                                                                                                                                                                                                                     | <i>Commercial vehicles for discretionary uses must be parked within the boundary of the property</i>                                                                                                                   |
| <b>Complies.</b><br>There are no commercial vehicles associated with the multiple dwelling residential use.                                                                                                                                            |                                                                                                                                                                                                                        |
| A2                                                                                                                                                                                                                                                     | <i>Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public</i>                                                                   |
| <b>Complies.</b><br>There will be no goods or materials requiring storage associated with the multiple dwelling residential use.                                                                                                                       |                                                                                                                                                                                                                        |
| A3                                                                                                                                                                                                                                                     | <i>Waste materials storage for discretionary uses must:</i><br>a) <i>not be visible from the road frontage</i><br>b) <i>use self-contained receptacles designed to ensure waste does not escape to the environment</i> |
| <b>Complies.</b><br>Waste materials are to be stored in either the communal bin storage area located to the front of the property or in the waste bins provided for each individual unit demonstrated by the Architect in accordance with 10.3.1 (A3). |                                                                                                                                                                                                                        |

**3.3 Development Standards**

|                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u><i>Clauses 10.4.2.1 - 10.4.2.14 only apply to development with the Residential Use Class which is not a single dwelling</i></u>                                                                                                |                                                                                                                                                                                                                                                                                                                                                                            |
| <b>10.4.2.1</b>                                                                                                                                                                                                                   | <b>DENSITY CONTROL</b><br><i>To ensure that:</i><br>a) <i>dwellings occur at a density appropriate to the character of the zone; and</i><br>b) <i>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.</i> |
| A1                                                                                                                                                                                                                                | <i>Multiple Dwellings are constructed with a minimum site area per dwelling of 400m<sup>2</sup>.</i>                                                                                                                                                                                                                                                                       |
| <b>Complies.</b><br>The subject site has an area of 1242m <sup>2</sup> and 3 multiple dwellings area proposed. Therefore, the proposed result lot size of 414m <sup>2</sup> per dwelling unit meets this provision 10.4.2.1 (A1). |                                                                                                                                                                                                                                                                                                                                                                            |
| A2                                                                                                                                                                                                                                | <i>Multiple dwellings must not be constructed at a density greater than 25% by lot number, of the number of lots on the same side of the road.</i>                                                                                                                                                                                                                         |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

|                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Complies.</b>                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                     |
| Ashleigh Avenue is approximately 255m in length and is a linking road between Vaux Street and Salisbury Crescent. There are 24 lots (residential) located on this stretch of road. Only one (1) other multiple dwelling exists along Ashleigh Avenue which is located at number 9, on the opposite side of the road. Therefore, the proposed development meets this provision 10.4.2.1 (A2). |                                                                                                                                                                                                                                                                                                     |
| A3                                                                                                                                                                                                                                                                                                                                                                                           | <i>Multiple dwellings must not be constructed on more than 2 adjoining lots.</i>                                                                                                                                                                                                                    |
| <b>Complies.</b>                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                     |
| It is considered that this development is in accordance with provision 10.4.2.1 (A3). No other multiple dwellings adjoin the property.                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                     |
| <b>10.4.2.2</b>                                                                                                                                                                                                                                                                                                                                                                              | <b>STREETSCAPE INTEGRATION AND APPEARANCE</b>                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                              | <ul style="list-style-type: none"> <li>a) <i>To integrate the layout of residential development with the streetscape; and</i></li> <li>b) <i>To promote passive surveillance; and</i></li> <li>c) <i>To provide each dwelling with its own sense of identity.</i></li> </ul>                        |
| A1                                                                                                                                                                                                                                                                                                                                                                                           | <p><i>Multiple dwellings and residential buildings, must</i></p> <ul style="list-style-type: none"> <li>a) <i>have a front door and a window to a habitable room in the building wall that faces a road; or</i></li> <li>b) <i>face an internal driveway or communal open space area</i></li> </ul> |
| <b>Complies.</b>                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                     |
| The existing dwelling (unit 1) faces the road (Ashleigh Avenue). Units 2 & 3 both have a front door and habitable window that faces an internal driveway as demonstrated by the Architect in accordance with 10.4.2.2 (A1).                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                     |
| A2                                                                                                                                                                                                                                                                                                                                                                                           | <i>Dwellings must provide a porch, shelter, awning, recess, or similar architectural features which provides a visible identity, shade and weather protection to the front door.</i>                                                                                                                |
| <b>Complies.</b>                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                     |
| The existing dwelling (unit 1) does provide a sheltered entrance which is clearly identifiable. Both dwelling units 2 & 3 both provide a clearly identifiable entry as demonstrated by the Architect in accordance with 10.4.2.2 (A2).                                                                                                                                                       |                                                                                                                                                                                                                                                                                                     |
| A3                                                                                                                                                                                                                                                                                                                                                                                           | <p><i>Fences on and within 4.5m of the frontage must be no higher than:</i></p> <ul style="list-style-type: none"> <li>a) <i>1.2m if solid; or</i></li> <li>b) <i>1.5m provided that the part of the fence above 1.2m has openings which provide at least 30% transparency.</i></li> </ul>          |
| <b>Complies.</b>                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                     |
| A front fence exists on the subject site in accordance with 10.4.2.2 (A3). There is no change proposed.                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                     |



**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| <b>10.4.2.3</b>                                                                                                                                                                                                                                                                | <b>SITE COVERAGE</b><br><i>a) To ensure that the site coverage of residential development respects the existing neighbourhood character or desired future character statements, if any; and</i><br><i>b) To reduce the impact of increased stormwater run-off on the drainage system; and</i><br><i>c) To ensure sufficient area for landscaping and private open space.</i> |
| A1.1                                                                                                                                                                                                                                                                           | <i>Site coverage must not exceed 50% of the total site; and</i>                                                                                                                                                                                                                                                                                                              |
| A1.2                                                                                                                                                                                                                                                                           | <i>Development must have a minimum of 25% of the site free from buildings, paving or other impervious surfaces.</i>                                                                                                                                                                                                                                                          |
| <p><b>Complies with A1.1.</b><br/>                 The subject site is 1242m<sup>2</sup> and the proposed site coverage equals is 435m<sup>2</sup>, which is approximately 35% site coverage.</p>                                                                              |                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>Complies with A1.2.</b><br/>                 The site is 1242m<sup>2</sup> and 25% equals 310.5m<sup>2</sup>. Total site coverage equals 435m<sup>2</sup>. Therefore, the remainder of the site is approximately 40% (497m<sup>2</sup>) free of impervious surfaces.</p> |                                                                                                                                                                                                                                                                                                                                                                              |
| <b>10.4.2.4</b>                                                                                                                                                                                                                                                                | <b>BUILDING HEIGHT</b><br><i>To ensure that the building height of development respects the existing neighbourhood character or desired future character statements, if any.</i>                                                                                                                                                                                             |
| A1                                                                                                                                                                                                                                                                             | <i>Building height must not exceed:</i><br><i>a) 6m on internal lots; and</i><br><i>b) 8m elsewhere</i>                                                                                                                                                                                                                                                                      |
| <p><b>Complies.</b><br/>                 The site is not an internal lot. The proposed dwelling units 2 and 3 do not exceed 8m in height varying between 3.76m-6.75m (unit 2) 4.28m-7.25m (unit 3) in accordance with provision 10.4.2.4 (A1).</p>                             |                                                                                                                                                                                                                                                                                                                                                                              |
| A2                                                                                                                                                                                                                                                                             | <i>Building heights of dwellings not adjacent to a frontage must not exceed 6m.</i>                                                                                                                                                                                                                                                                                          |
| <p><b>Does not comply (A2).</b><br/>                 Assessment against zone intent, objective of standard and performance criteria is required against 10.4.2.4 (P2).</p>                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                              |
| P2                                                                                                                                                                                                                                                                             | <i>Building height of dwellings not adjacent to a frontage must respect the prevailing or preferred neighbourhood character having regard to:</i><br><i>a) the size and layout of lots; and</i><br><i>b) the form and style of housing; and</i><br><i>c) the proximity and density of adjoining development.</i>                                                             |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

**Complies.**

This provision is difficult in this particular case because of the slope of the site. If the lot was relatively flat the proposed heights could be designed accordingly to meet this requirement. However, due to the nature of the slope and the provision of appropriate off street parking and manoeuvrability, the heights vary and reflect the topography constraints.

As indicated in 10.4.2.4 A1, proposed dwelling units 2 and 3 vary in height between 3.76-7.25m. The topography of the site has an approximate fall of 18% (10 degrees or a ratio of 1:5.5). It is considered that the design of the dwelling units takes particular attention to the placement and orientation of the dwellings in response to the sites terrain to allow a double storey form at the front and a more singular form to the rear. As the dwellings follow and respond to the contours, it is difficult for the development to comply with the setbacks without tapering the development rather than being adjacent to the boundary in question. It would not make for good use of the site if the dwelling were pushed further into the site and would not allow for suitable manoeuvrability for vehicles egress to the garage areas.

Although the adjoining larger lots do not have this type of development (multiple dwelling) and the character is not consistent with the predominant use of single dwellings, it does have the same size footprint and approach to the slopes of West Launceston and replicates the single to double storey form response to the terrain.

The lot size and configuration does allow such a development to be established in this area. The architectural form is of a contemporary nature which is distinct from the existing older style dwelling located to the front. However, the street character is being retained to the front whilst the new insertion of the two new dwellings to the rear of the lot is a clear delineation of old and new. The use of parapet roof forms also assists in reducing the overall height within the context.

It is considered that the proposed development will not have a detrimental effect on the adjoining properties as dwelling units 2 and 3 are adequately separated from all adjoining development. The double storey element is reflective of the existing single dwelling development in the vicinity albeit in modern design and materials. The proposal meets the required density provisions which will ensure the neighbourhood character is respected and is in accordance with provision 10.4.2.4 (P2).

**10.4.2.5 FRONTAGE SETBACKS**

*To ensure that the setbacks of buildings from the frontage respects the existing neighbourhood character or desired future character statements (if any) and makes efficient use of the site.*

12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

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| <p>A1 .1</p>    | <p>The primary frontage setback must be:</p> <ul style="list-style-type: none"> <li>a) a minimum of 5m; or</li> <li>b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 10.4.2.5 below; and</li> </ul> <div data-bbox="316 674 834 1025" data-label="Diagram"> <p>The diagram illustrates a street frontage with three lots. On the left and right, there are existing buildings. The middle lot is an 'Infill Lot'. A hatched area between the two existing buildings indicates the setback range for the infill lot. The entire row of lots is situated behind a 'Road'.</p> </div> <p>Figure 10.4.2.5 – Primary Frontage Setback for Infill Lots</p> |
| <p>A1.2</p>     | <p>Other frontage setbacks must be a minimum of 3m</p> <p><b>Not applicable.</b><br/>There are no other frontages to this site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>10.4.1.6</p> | <p><b>REAR AND SIDE SETBACKS</b><br/>To ensure that the height and setback of buildings from a boundary respects the existing neighbourhood character and limits unreasonable adverse impacts on the amenity and solar access of adjoining dwellings.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>A1</p>       | <p>Buildings must be set back from the rear boundary:</p> <ul style="list-style-type: none"> <li>a) 4m if the lot has an area less than 1000m<sup>2</sup>; or</li> <li>b) 5m if the lot has an area equal to or greater than 1000m<sup>2</sup></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>P1</p>       | <p><b>Does not comply point A1 b).</b><br/>Assessment against zone intent, objective of standard and performance criteria 10.4.1.6 (P1) is required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>P1</p>       | <p>Building setback to the rear boundary must be appropriate to the location, having regard to the:</p> <ul style="list-style-type: none"> <li>a) ability to provide adequate private open space for the dwelling; and</li> <li>b) character of the area and location of dwellings on lots in the surrounding area; and</li> <li>c) impact on the amenity solar access and privacy of habitable room windows and private open space of existing dwellings; and</li> <li>d) size and proportions of the lot.</li> </ul>                                                                                                                                                                                                                       |

## 12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

**Complies.**

The application seeks to vary the rear setback of dwelling unit 3. The proposed rear setback variation of 1m for the dwelling and a variation of 3.1m for a small deck area located in the open space to south are considered appropriate within its context. The deck is 5.2m<sup>2</sup> and used for rear access for the dwelling into to the grassed area (not visually intrusive).

It is considered that the reduced rear setback is unlikely to negatively impact on the amenity of the adjoining dwellings to the rear on larger lot sizes (Low Density residential lots). The dwellings located on these lots front Craiglands Court which provides sufficient separation between the proposed dwelling unit 3 and the adjoining dwellings situated along Craiglands Court due to larger rear yards.

Private open space has not been affected as the development still meets the minimum setback requirements stated by the scheme. In addition, the development will not impact on the amenity solar access and privacy of habitable room windows of the proposed and existing dwellings and is in accordance with 10.4.1.6 (P1).

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| A2.1 | <i>Buildings must be set back from side boundaries:</i><br>a) a minimum of 3m with maximum building height of 5.5m; or<br>b) determined by projecting at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries to a maximum building height of 8.5m above natural ground level, and |
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| A2.2 | <i>Buildings must be set back from side boundaries a minimum of 1.5m from a side boundary or built to the side boundary provided the:</i><br>a) wall is built against an existing boundary wall, or<br>b) wall or walls have a maximum total length of 9m or one third of the boundary with the adjacent property, whichever is the lesser |
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**Does not comply.**

Assessment against zone intent, objective of standard and performance criteria 10.4.1.6 (P2) is required.

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| P2 | <i>Building setbacks to the side boundary must be appropriate to the location, having regard to the:</i><br>a) ability to provide adequate private open space for the dwelling; and<br>b) character of the area and location of dwellings on lots in the surrounding area; and<br>c) impact on the amenity, solar access and privacy of habitable room windows and private open space of existing dwellings; and<br>d) size and proportions of the lot. |
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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| <p><b>Complies.</b><br/>The application seeks variation to the side setback for dwelling units 2 and 3. The proposed dwellings' south eastern corners comply with the acceptable solution as they are of a singular storey form. However, due to the slope, the north eastern corner of both dwellings does not meet the acceptable solution. As demonstrated by the architect, it is considered that both dwelling units 2 and 3 provide adequate private open space for the dwellings. In addition, the dwellings mimic the character of the area in a contemporary way by the built form that responds to the sloped terrain (singular forms to the rear and a double storey forms further down the site) which provides a garage underneath. Moreover, the setback of both dwellings is considered reasonable and will have minimal impact on the amenity, solar access and privacy of habitable room windows and private open space of existing dwellings. It is considered that the minor variance to the side setback is in accordance with 10.4.1.6 (P2).</p> |                                                                                                                                                                                                                                                                                                                 |
| <b>10.4.2.7</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>LOCATION OF CAR PARKING</b><br/>a) <i>To provide convenient parking for resident and visitor vehicles; and</i><br/>b) <i>To avoid parking and traffic difficulties in the development and the neighbourhood; and</i><br/>c) <i>To protect residents from vehicular noise within developments.</i></p>     |
| A1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><i>Shared driveways or car parks of other dwellings and residential buildings must be located at least 1.5m from the windows of habitable rooms.</i></p>                                                                                                                                                     |
| <p><b>Complies.</b><br/>In dwelling units 2 and 3, all habitable rooms are elevated on the upper level and are setback a minimum of 1.5m from the shared driveway in accordance with 10.4.2.7 (A1). Dwelling unit 1 lawfully exists and meets this provision.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                 |
| A2.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p><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; and</i></p> |
| A2.2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p><i>A tandem car space may be provided in a driveway within the setback from the frontage; and</i></p>                                                                                                                                                                                                        |
| A2.3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p><i>Provision for turning must not be located within the front setback</i></p>                                                                                                                                                                                                                                |
| <p><b>Complies.</b><br/>As demonstrated by the architect, car manoeuvrability within the site allows for the vehicles to leave in a forward direction for dwelling units 2 and 3. Provision for additional tandem car parking is also available. The vehicle turning is not located in the front setback and the development is in accordance with this provision 10.4.2.7 (A2.1, A2.2 and A2.3). Dwelling unit 1 lawfully exists.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                 |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| A3                                                                                                                                                                                                                                                                                                                                                                                         | <p><i>A garage or carport must be located:</i></p> <ul style="list-style-type: none"> <li><i>a) within 10m of the dwelling it serves; and</i></li> <li><i>b) At least 5.5m from a frontage; and</i></li> <li><i>c) With a setback equal to or greater than the setback of the dwelling to the frontage; or</i></li> <li><i>d) in line with or behind the front façade where the dwelling is facing an internal driveway</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>Complies.</b><br/>As demonstrated by the architect, the development meets this provision. The garage areas are located within 10m of the dwelling (underneath living spaces), at least 5.5m from the frontage and located behind the building in line with or behind the front façade where the dwelling is facing an internal driveway in accordance with Clause 10.4.2.7 (A3).</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| A4                                                                                                                                                                                                                                                                                                                                                                                         | <p><i>The total width of the door or doors on a garage facing a road frontage must:</i></p> <ul style="list-style-type: none"> <li><i>a) be not more than 6m; or</i></li> <li><i>b) the garage must be located within the rear half of the lot when measured from the frontage</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>Complies.</b><br/>There are no garage doors which are wider than 6m in accordance with Clause 10.4.2.7 (A4).</p>                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>10.4.2.8</b>                                                                                                                                                                                                                                                                                                                                                                            | <p><b>OVERLOOKING</b><br/><i>To minimise:</i></p> <ul style="list-style-type: none"> <li><i>a) overlooking into private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites; and</i></li> <li><i>b) any adverse impact on the amenity of the adjoining and the subject site.</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| A1.1                                                                                                                                                                                                                                                                                                                                                                                       | <p><i>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio must be:</i></p> <ul style="list-style-type: none"> <li><i>a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or</i></li> <li><i>b) have sill heights of at least 1.7m above floor level; or</i></li> <li><i>c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or</i></li> <li><i>d) have permanently fixed external screens to at least 1.8m above floor level; and</i></li> <li><i>e) obscure glazing and screens must be no more than 25% transparent.</i></li> </ul> <p><i>Views must be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above floor level, indicated in Figure 10.4.2.8; or</i></p> |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| A1.2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><i>New habitable room windows, balconies, terraces, decks or patio's that face a property boundary must have a visual barrier at least 1.8 metres high and the floor level of the habitable room, balconies, terraces, decks or patio's is less than 0.6m above the ground level at the boundary.</i></p>                                                                                                                                                                                                                                                                                                                 |
| <p><b>Complies with A1.1.</b><br/>                 It is considered that the window placement on the dwellings has been considered to retain privacy to habitable rooms and private open space areas to each dwelling and the adjoining properties. Sufficient distances have been provided between the dwellings and there is no loss of privacy. Due to the height of the living areas, the slope and placement of the dwellings, direct overlooking is limited and the deck areas have adequate separation to the adjoining properties. In addition, a form of solid screening has been applied to the balustrade to ensure overlooking is limited.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>Does not comply with A1.2.</b><br/>                 Assessment against zone intent, objective of standard and performance criteria 10.4.2.8 (P1) is required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| P1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><i>Buildings must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to the:</i></p> <ul style="list-style-type: none"> <li><i>a) setback of the existing and proposed building; and</i></li> <li><i>b) location of windows and private open spaces areas within the development and the adjoining sites; and</i></li> <li><i>c) level and effectiveness of physical screening by fences or vegetation; and</i></li> <li><i>d) topography of the site; and</i></li> <li><i>e) characteristics and design of houses in the immediate area.</i></li> </ul> |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

**Complies.**

It is considered that the dwelling units 2 and 3 are appropriately positioned on the site. The Architect has consciously placed the dwellings to ensure that the setbacks between the existing dwellings and the proposed dwellings consider any potential loss of amenity.

The location of habitable windows and private open spaces to the subject site and adjoining properties are carefully considered as demonstrated by the Architect. All windows facing the eastern boundary onto 6 Ashleigh Avenue are highlight windows as depicted on the drawings and will limit any direct looking to this property. The distance from the proposed unit dwellings to the adjoining dwelling at 2 Ashleigh Avenue is separated approximately 14m. The proposed vegetation along the boundaries will also ensure that the dwellings are appropriately screened. No vegetation is proposed along the western boundary to allow the capturing of sunlight to the private open spaces.

As mentioned throughout this report, the site is constrained by the slope and by default does limit and restricts the achievement of total privacy. The application needs to be considered on these grounds. The deck areas do provide solid screening of the height of the balustrade, but if 1.8m screening was applied, solar gain will be affected and provision of privacy is compromised on this occasion. It is considered that the proposed development is in accordance with this provision as it does provide sufficient offset and separation between all existing and proposed dwellings and the Architect has adequately addressed any potential privacy concerns where possible.

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| A2 | <p><i>Screens used to obscure a view must be:</i></p> <p>a) <i>perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and</i></p> <p>b) <i>permanent, fixed and durable.</i></p> |
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**Complies by condition.**

A condition for privacy screens will ensure that the screens meet the requirements of this acceptable solution.

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| <b>10.4.2.9</b> | <p><b>PRIVATE OPEN SPACE</b></p> <p><i>To provide adequate and useable private open space for the reasonable recreation and service needs of residents.</i></p> |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|



**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| <p>A1</p>                                                                                                                                                     | <p><i>Each multiple dwelling must have private open space:</i></p> <ul style="list-style-type: none"> <li>a) <i>with a continuous area of 40m<sup>2</sup> and a minimum dimension of at least 4m; and</i></li> <li>b) <i>directly accessible from, and adjacent to, a habitable room, other than a bedroom; and</i></li> <li>c) <i>with a gradient not steeper than 1:16; and</i></li> <li>d) <i>located on the side or rear of the dwelling; or</i></li> <li>e) <i>that is not provided within the setback from a frontage; or</i></li> <li>f) <i>where all bedrooms and living areas are wholly above ground floor, a balcony of 8m<sup>2</sup> with a minimum dimension of 2m; or a roof-top area of 10m<sup>2</sup> with a minimum width of 2m and direct access from a habitable room other than a bedroom.</i></li> </ul> |
| <p><b>Does not comply.</b><br/>                 Assessment against zone intent, objective of standard and performance criteria 10.4.2.9 (P1) is required.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>P1</p>                                                                                                                                                     | <p><i>Multiple dwellings must be provided with sufficient private open space to meet the reasonable recreational needs of the residents having regard to the:</i></p> <ul style="list-style-type: none"> <li>a) <i>useability of the private open space, including its size and accessibility; and</i></li> <li>b) <i>availability of and access to public or communal open space; and</i></li> <li>c) <i>orientation of the lot to the road; and</i></li> <li>d) <i>the ability of the private open space to receive adequate solar access.</i></li> </ul>                                                                                                                                                                                                                                                                     |

## 12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

**Complies.**

A variation is sought for dwelling unit 2 as the private open space is limited to 25m<sup>2</sup> on the upper deck area. The other area indicated associated with dwelling unit 2 at ground level does not meet the acceptable solution requirements. The remainder of the dwellings meet the acceptable solution as the construction of large retaining walls provides private open space areas with a gradient of less than 1:16, areas of at least 40m<sup>2</sup> and minimum dimensions of 4m.

Although dwelling unit 2 does not meet the acceptable solution for 40m<sup>2</sup> (15m<sup>2</sup> variance) private open space, provision has been made for grassed areas to the western and northern portion of the unit. The first floor decks are oriented to the north and receive a sufficient amount of direct sunlight. It can be argued that the private open space will be appropriately used on the deck areas as they have direct access to the living spaces. In addition, privacy and separation can be achieved by the elevation of the deck area away from the common property of the internal driveway.

It is considered that a variance to the private open space for dwelling unit 2 is appropriate at 25m<sup>2</sup>. It is worth noting, Woods Estate Reserve (park) is located approximately 250m north of the subject site. In addition, there are other parks and reserves within walking distance in the area. With these points taken into consideration, it is considered that the private open space provided on site is reasonable area for a sloped site and is in accordance with 10.4.2.9 (P1)

|      |                                                                                                                                                                                                                                 |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A2.1 | <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; or</i>                                                                                  |
| A2.2 | <i>The southern boundary of private open space must be set back from any wall 2m high or greater on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall as indicated in Figure 10.4.2.9.</i> |

**Complies with A2.1.**

It is considered that the Architect has provided drawings that demonstrate compliance with A2.1. The shadow diagrams provided indicate that all dwellings receive a minimum of 4 hours direct sunlight on 21 June to 50% of the designated private open spaces. The upper level deck areas and the western portions of the ground level area where available do receive a minimum of 4 hours sunlight.

**Does not comply with A2.2.**

Assessment against zone intent, objective of standard and performance criteria 10.4.2.9 (P2) is required.

## 12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

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| P2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p><i>Private open space must receive adequate solar access having regard to:</i></p> <ul style="list-style-type: none"> <li><i>a) topography of the site; and</i></li> <li><i>b) site constraints including orientation and shape of the site; and</i></li> <li><i>c) location and size of buildings on adjoining sites.</i></li> </ul>                                                                                                                                                                                                       |
| <p><b>Complies.</b><br/>                 Dwelling unit 3 receives 4 hours of sunlight to 50% of the private open space on 21 June, which is a result of the topography of the site and the placement and orientation of the dwelling. The living areas and deck areas (POS) of dwelling unit 2 and 3 are orientated directly north to ensure that sunlight is received into the habitable rooms for more than 4 hours on 21 June. As these dwellings have suitable access to sunlight and the site is restricted by the topographic constraints, it is considered that the development meets this provision 10.4.2.9 (P2).</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10.4.2.10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b>NORTH-FACING WINDOWS</b><br/> <i>To allow adequate solar access to existing north-facing habitable room windows.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                 |
| A1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p><i>If a north-facing habitable room window of an existing dwelling is within 3.0m of a boundary on an abutting lot, a building must be setback from the boundary, 1.0m plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1.0m for every metre of height over 6.9m for a distance of 3.0m from the edge of each side of the window as indicated in figure 10.4.2.10.</i></p> <p><i>A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</i></p> |
| <p><b>Complies.</b><br/>                 The existing dwelling (unit 1) is located to the north and is separated 9.88m from dwelling unit 2 and is in accordance with Clause 10.4.2.10 (A1). The dwelling located at 6 Ashleigh Avenue is located to the east and is separated from dwelling unit 2 by approximately 3.5m. The architect has consciously left a gap between dwelling unit 1 and 2 to ensure sufficient daylight and sunlight penetrates the northern elevation.</p>                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10.4.2.11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b>LANDSCAPING</b><br/> <i>To provide adequate storage facilities for each dwelling.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| A1.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p><i>Landscaping must be provided to the frontage and within the development including:</i></p> <ul style="list-style-type: none"> <li><i>a) the retention or planting of vegetation; and</i></li> <li><i>b) the protection of any predominant landscape features of the neighbourhood; and</i></li> <li><i>c) pathways, lawn area or landscape beds.</i></li> </ul>                                                                                                                                                                          |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| A1.2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <i>No landscaping is required for outbuildings, decks and other ancillary structures.</i>                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>Complies by condition.</b><br/>                 Landscaping exists along the frontage which is to be retained for unit dwelling 1. Removal of vegetation is required for dwelling units 2 and 3, and the access driveway. The Architect has sought advice from a qualified Horticulturalist who has provided advice in relation to the removal and replacement of appropriate vegetation. New pathways, lawn areas and landscaping are proposed for dwelling unit 2 and 3.</p> <p>A revised landscape plan has been provided to the satisfaction of Council's Park and Recreation Department. In order to ensure the protection of the scenic management landscape features of the neighbourhood a condition has been recommended and included to resubmit the revised landscape plan to be endorsed and that a pathway be included between dwelling unit 2 and 3 to meet this provision.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>10.4.2.12</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><b>STORAGE</b><br/> <i>To ensure that communal open space, car parking, access areas and site facilities are easily identified.</i></p>                                                                                                                                                                                                                                                                                                                          |
| A1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <i>Each dwelling must have access to at least 6 cubic metres of secure storage space.</i>                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>Complies.</b><br/>                 As demonstrated by the Architect, all dwelling units provide 6m<sup>3</sup> of secured storage space in accordance with 10.4.2.12 (A1).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>10.4.2.13</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><b>COMMON PROPERTY</b><br/> <i>To ensure:</i><br/>                 a) <i>that outbuildings do not detract from the amenity or established neighbourhood character; and</i><br/>                 b) <i>that dwellings remain the dominant built form within an area; and</i><br/>                 c) <i>earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties.</i></p> |
| A1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p><i>Development must clearly delineate public, communal and private areas such as:</i><br/>                 a) <i>driveways; and</i><br/>                 b) <i>landscaping areas; and</i><br/>                 c) <i>site services, bin areas and any waste collection points.</i></p>                                                                                                                                                                           |
| <p><b>Complies by condition.</b><br/>                 As demonstrated by the Architect, the site plan does provide a level of identification for private and communal areas. However, it is considered that further clarification is needed.</p> <p>A condition is recommended that prior to the sealing of the strata plan; a plan must be submitted to Council in accordance with the site plan identifying public, communal and private areas.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| <b>10.4.2.14</b>                                                                                                                      | <b>OUTBUILDINGS AND ANCILLARY DWELLINGS</b><br><i>To ensure that:</i><br>a) <i>site services can be installed and easily maintained; and</i><br>b) <i>site facilities are accessible, adequate and attractive.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| A1                                                                                                                                    | <i>Outbuildings for each dwelling must have a:</i><br>a) <i>combined gross floor area not exceeding 45m<sup>2</sup>; and</i><br>b) <i>wall height no greater than 2.7m; and</i><br>c) <i>maximum height not greater than 3.5m.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Not applicable.</b><br>There are no outbuildings proposed as part of this application.                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A2                                                                                                                                    | <i>A swimming pool for private use must be located:</i><br>a) <i>behind the setback from a primary frontage; or</i><br>b) <i>in the rear yard.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Not applicable.</b><br>No swimming pool is proposed.                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A3                                                                                                                                    | <i>Earthworks and retaining walls must:</i><br>a) <i>be located at least 900mm from each lot boundary, and</i><br>b) <i>if a retaining wall:</i><br>i) <i>be not higher than 600mm (including the height of any batters) above existing ground level, and</i><br>ii) <i>if it is on a sloping site and stepped to accommodate the fall in the land—be not higher than 800mm above existing ground level at each step, and</i><br>iii) <i>not require cut or fill more than 600mm below or above existing ground level, and</i><br>iv) <i>not redirect the flow of surface water onto an adjoining property, and</i><br>v) <i>be located at least 1.0m from any registered easement, sewer main or water main.</i> |
| <b>Does not comply.</b><br>Assessment against zone intent, objective of standard and performance criteria 10.4.2.14 (P3) is required. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| P3                                                                                                                                    | <i>Earthworks and retaining walls associated with residential buildings and multiple dwellings must be designed and located to ensure that:</i><br>a) <i>no structural issues are caused for adjoining structures; and</i><br>b) <i>groundwater and stormwater are dealt with appropriately to eliminate any nuisance for adjoining properties; and</i><br>c) <i>the potential for loss of topsoil or soil erosion are adequately dealt with; and</i><br>d) <i>the potential visual impact on neighbouring properties including any increased potential for overlooking or overshadowing are adequately addressed.</i>                                                                                            |

## 12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

### Complies by condition.

Due to the topography of the site, a level of excavation will be required for both dwelling units 2 and 3, and the internal access servicing both unit dwellings. There is no provision for the use of external retaining walls. A condition will be recommended to ensure that all works are required to be designed and certified by a suitably qualified person to ensure there are no structural issues.

The Soil and Water Management condition will ensure that ground and storm water is discharge appropriately and there is no soil erosion. The boundary fences will limit any visual impacts from overlooking adjoining properties. The proposal is therefore considered to meet the performance criteria.

### 10.4.2.15 SITE SERVICES

*To ensure that all non residential development undertaken in the Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.*

A1.1 *A minimum of 2.0m<sup>2</sup> per dwelling must be provided for bin and recycling enclosures and be located behind a screening fence.*

A1.2 *Provision for mailboxes must be made at the frontage.*

### Complies.

As demonstrated by the Architect, a minimum of 2m<sup>2</sup> per dwelling for bin and recycling enclosures has been provided in accordance with A1.1. In addition, letterboxes are to be located on the front boundary in accordance with A1.2 of this provision. To ensure that the required facilities are provided, it is recommended that a condition be included requiring site facilities.

## 3.4 Overlays and Codes

### 3.4.1 Road and Railway Assets Code (E4.0)

#### E4.2 APPLICATION OF CODE

E4.2.1 *This code applies to use or development of land that:*

- a) *requires a new access, junction or level crossing; or*
- b) *intensifies the use of an existing access, junction or level crossing; or*
- c) *involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:*
- d) *a future road or railway; or*
- e) *a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.*

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| <b>E4.6</b>    | <b>USE STANDARDS</b>                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>E.4.6.1</b> | <b>USE OF ROAD AND RAIL INFRASTRUCTURE</b>                                                                                                                                                                                                                                                                                                                                                             |
| A1             | <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>                                                                                                               |
|                | <b>Not applicable.</b><br>Ashleigh Avenue is not a category 1 or 2 road.                                                                                                                                                                                                                                                                                                                               |
| A2             | <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>                                                                                                                                                                                                                                                       |
|                | <b>Complies.</b><br>The proposed development will generate on average 9 car movement per dwelling. This equates to 27 movements throughout the day for urban residential areas. Therefore a Traffic Impact Assessment is not required on this occasion.                                                                                                                                                |
| A3             | <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>                                                                                                                                                                                                               |
|                | <b>Not applicable.</b><br>The speed of Ashleigh Avenue is less than 60km/h.                                                                                                                                                                                                                                                                                                                            |
| <b>E4.7</b>    | <b>DEVELOPMENT STANDARDS</b>                                                                                                                                                                                                                                                                                                                                                                           |
| <b>E4.7.1</b>  | <b>DEVELOPMENT ON OR ADJACENT TO EXISTING AND FUTURE ARTERIAL ROADS AND RAILWAYS</b>                                                                                                                                                                                                                                                                                                                   |
| A1             | <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><br>a) <i>new road works, buildings, additions and extensions, earthworks and landscaping works; and</i><br>b) <i>building envelopes on new lots; and</i><br>c) <i>outdoor sitting, entertainment and children's play areas</i> |
|                | <b>Complies.</b><br>The site is more than 50m from a railway, future road or railway and category 1 or 2 roads.                                                                                                                                                                                                                                                                                        |
| <b>E4.7.2</b>  | <b>MANAGEMENT OF ROAD ACCESSES AND JUNCTIONS</b>                                                                                                                                                                                                                                                                                                                                                       |
| A1             | <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>                                                                                                                                                                                                                   |
|                | <b>Does not comply.</b><br>Assessment against zone intent, objective of standard and performance criteria E4.7.2 (P1) is required.                                                                                                                                                                                                                                                                     |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| P1            | <i>For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|               | <p><b>Complies.</b></p> <p>The proposal requires two separate access points (one existing for unit dwelling 1 and one new crossover to service dwelling unit 2 and 3). Both access points propose an inwards and outwards direction (not a separate entry and exit).</p> <p>The existing driveway for dwelling unit 1 is established and will continue to be used in conjunction with Ashleigh Avenue. The new access point will not be a safety issue as all traffic will be able to manoeuvre internally on the site prior to entering Ashleigh Avenue and will have sufficient sight to oncoming vehicles and pedestrians. Therefore it is considered that this development meets this provision.</p> |
| A2            | <i>For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|               | <p><b>Complies.</b></p> <p>Ashleigh Avenue is not more than 60km/h.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>E4.7.3</b> | <b>MANAGEMENT OF RAIL LEVEL CROSSINGS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| A1            | <i>Where land has access across a railway:</i><br><i>a) development does not include a level crossing; or</i><br><i>b) development does not result in a material change onto an existing level crossing.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|               | <p><b>Not applicable.</b></p> <p>The site does not have access to a railway.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>E4.7.4</b> | <b>SIGHT DISTANCE AT ACCESSES, JUNCTIONS AND LEVEL CROSSINGS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| A1            | <i>Sight distances at</i><br><i>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</i><br><i>b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or</i><br><i>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</i>                                                                                                                                                                                                                                                                       |
|               | <p><b>Not applicable.</b></p> <p>The site is not within 50m of a railway line.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |



## 12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

### 3.4.2 Car Parking and sustainable Transport Code

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| <b>E6.2</b>                                                                                                                                                                                                                                      | <b>APPLICATION OF CODE</b>                                                                                                                                                                                                                                                                                                                                                                          |
| E6.2.1                                                                                                                                                                                                                                           | This code applies to all use or development of land.                                                                                                                                                                                                                                                                                                                                                |
| <b>E6.6</b>                                                                                                                                                                                                                                      | <b>USE STANDARDS</b>                                                                                                                                                                                                                                                                                                                                                                                |
| <b>E6.6.1</b>                                                                                                                                                                                                                                    | <b>CAR PARKING NUMBERS</b><br><i>To ensure that an appropriate level of car parking is provided to service use.</i>                                                                                                                                                                                                                                                                                 |
| A1                                                                                                                                                                                                                                               | <i>The number of car parking spaces:</i><br>a) <i>will not be less than 90% of the requirements of Table E6.1; or</i><br>b) <i>will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater; or</i><br>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> |
| <b>Complies.</b><br>Each dwelling unit requires two (2) car parking spaces which equates to six (6) car parking spaces on the site. It is considered that the development does provide six (6) car parking spaces in accordance with Table E6.1. |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>E6.6.2</b>                                                                                                                                                                                                                                    | <b>BICYCLE PARKING NUMBERS</b><br><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>                                                                                                                                                                                                                                           |
| <b>Complies.</b><br>Each unit is capable of safely and securely storing a bicycle in their secured garage.                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>E6.6.3</b>                                                                                                                                                                                                                                    | <b>TAXI DROP-OFF AND PICK UP</b><br><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>                                                                                                                                                                                                                                                                |
| <b>Not applicable.</b><br>A Taxi bay is not required for this development (only six car parking spaces are required).                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>E6.6.4</b>                                                                                                                                                                                                                                    | <b>MOTORBIKE PARKING PROVISIONS</b><br><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>                                                                                                                                                                                                                                                                                  |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| <b>Not applicable.</b><br>A motorbike parking space is not required for this development (only 6 car parking spaces required).                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>E6.7</b>                                                                                                                                                                                                                                     | <b>DEVELOPMENT STANDARDS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>E6.7.1</b>                                                                                                                                                                                                                                   | <b>CONSTRUCTION OF CAR PARKING SPACES AND ACCESS STRIPS</b><br><i>To ensure that car parking spaces and access strips are constructed to an appropriate standard.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| A1                                                                                                                                                                                                                                              | <i>All car parking, access strips manoeuvring and circulation spaces must be:</i><br>a) <i>formed to an adequate level and drained; and</i><br>b) <i>except for a single dwelling, provided with and impervious all weather seal; and</i><br>c) <i>except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Complies.</b><br>The access strips and car parking spaces are proposed to be constructed in bitumen and all run off water will be drained to grated pits which will flow into the reticulated stormwater system.                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>E6.7.2</b>                                                                                                                                                                                                                                   | <b>DESIGN AND LAYOUT OF CAR PARKING</b><br><i>To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| A1.1                                                                                                                                                                                                                                            | <i>Where providing for 4 or more spaces, parking areas must be located behind the building line; and</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| A1.2                                                                                                                                                                                                                                            | <i>Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Complies.</b><br>All parking on site is located behind the building line other than dwelling unit 1, which lawfully exists. Turning provisions on the site are not located within the front setback for the multiple dwelling units 2 and 3. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| A2.1                                                                                                                                                                                                                                            | <i>Car parking and manoeuvring space must:</i><br>a) <i>have a gradient of 10% or less; and</i><br>b) <i>where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</i><br>c) <i>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><br>d) <i>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><br>i) <i>there are three or more car parking spaces; and</i><br>ii) <i>where parking is more than 30m driving distance from the road; or</i><br>iii) <i>where the sole vehicle access is to a category I, II, III or IV road; and</i> |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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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><b>Does not comply.</b><br/>                 Assessment against the objective of standard and performance criteria E6.7.2 (P2) is required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| P2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p><i>Car parking and manoeuvring space must:</i></p> <ul style="list-style-type: none"> <li><i>a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and</i></li> <li><i>b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic</i></li> </ul> |
| <p><b>Complies by condition.</b><br/>                 The internal driveway servicing dwelling units 2 and 3 will have a gradient that exceeds 10% in sections (1:4, 25% and 1:8, 12% transitions). The manoeuvring of vehicles onto the internal driveway with a gradient exceeding 10% is considered adequate as the site allows for the ability to manoeuvre with limited traffic before safely exiting the site in a forward direction. However, it is important to note that the Architect has had previous discussions with Council's Infrastructure department about the transitions provided in the internal driveway and confirmed that the distances and space allocated for manoeuvrability should be adequate and is in accordance with E6.7.2 (P2).</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>E6.7.3</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>CAR PARKING ACCESS, SAFETY AND SECURITY</b><br/> <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><b>Not applicable.</b><br/>                 This development only requires 6 car parking spaces.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>E6.7.4</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>PARKING FOR PERSONS WITH A DISABILITY</b><br/> <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>                                                                                                                                                                                                                                                                                                                   |
| <p><b>Not applicable.</b><br/>                 This development only requires 6 car parking spaces.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A2                                                                             | <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>                                                                                                                                                                                                                                                                                                                                            |
| <b>Not applicable.</b><br>This development only requires 6 car parking spaces. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>E6.7.6</b>                                                                  | <b>LOADING AND UNLOADING OF VEHICLES – DROP-OFF AND PICK UP</b><br><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>                                                                                                                                                                                                                                                                                                               |
| A1                                                                             | <i>For retail, commercial, industrial, service industry or warehouse or storage uses:</i><br>a) <i>least one loading bay at must be provided in accordance with Table E6.4; and</i><br>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>                                                                                                                                                                 |
| <b>Not applicable.</b><br>Not required for residential use.                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>E6.8</b>                                                                    | <b>PROVISIONS FOR SUSTAINABLE TRANSPORT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>E6.8.1</b>                                                                  | <b>BICYCLE END OF TRIP FACILITIES</b><br><i>To ensure that cyclists are provided with adequate end of trip facilities.</i>                                                                                                                                                                                                                                                                                                                                                                                                          |
| A1                                                                             | <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>                                                                                                                                                                                                                                                                                       |
| <b>Not applicable.</b><br>This provision is for commercial uses only.          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>E6.8.2</b>                                                                  | <b>BICYCLE PARKING ACCESS, SAFETY AND SECURITY</b><br><i>To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</i>                                                                                                                                                                                                                                                                                                                                                                            |
| A1.1                                                                           | <i>Bicycle parking spaces for customers and visitors must:</i><br>a) <i>be accessible from a road, footpath or cycle track; and</i><br>b) <i>include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and</i><br>c) <i>be located within 50m of and visible or signposted from the entrance to the activity they serve; and be</i><br>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> |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| A1.2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <i>Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</i>                                                                                                                                                                        |
| <b>Complies.</b><br>Bicycles can be securely stored in the garages provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                              |
| A2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <i>Bicycle parking spaces must have:<br/>a) minimum dimensions of:<br/>i) 1.7m in length; and<br/>ii) 1.2m in height; and<br/>iii) 0.7m in width at the handlebars; and<br/>b) 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> |
| <b>Complies.</b><br>The garages can accommodate a bicycle within the specified dimensions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                              |
| <b>E6.8.5</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>PEDESTRIAN WALKWAYS</b><br><i>To ensure pedestrian safety is considered in development</i>                                                                                                                                                                                                                |
| A1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <i>Pedestrian access must be provided for in accordance with Table E6.5.</i>                                                                                                                                                                                                                                 |
| <b>Does not comply.</b><br>Assessment against zone intent, objective of standard and performance criteria E6.8.5 (P1) is required.                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                              |
| P1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <i>Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</i>                                                                                                                                                                                          |
| <b>Complies by condition.</b><br>While there has been an attempt to provide a footpath through the site between the road and the existing dwelling unit 1, the design does not meet the requirements of Table E6.5. The layout presented has no clear path of travel for pedestrians from dwelling unit 1 through to dwelling unit 3. Adopting a footpath between the dwellings would assist in delineating safe movement throughout the site. A condition is recommended to require the site plan to be amended to provide pedestrians with safe pedestrian access. |                                                                                                                                                                                                                                                                                                              |
| <b>E6.6.1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>PRECINCT 1 – LAUNCESTON CBD PARKING EXEMPTION AREA</b>                                                                                                                                                                                                                                                    |
| E6.6.4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>LOCAL AREAS PROVISIONS</b><br><i>To remove the need for new use or development to provide onsite car parking within the exemption area.</i><br><br><i>To establish parking maximums within the exemption area.</i>                                                                                        |
| A1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <i>No onsite parking provision.</i>                                                                                                                                                                                                                                                                          |
| <b>Not applicable.</b><br>The site is not located within the Launceston CBD Parking Exemption Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                              |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

**3.4.3 Scenic Management Code**

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>E7.6</b>   | <b>DEVELOPMENT STANDARDS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>E7.6.1</b> | <p><b>Scenic Management - Tourist Corridor Objective</b></p> <p><i>a) To enhance the visual amenity of the identified tourist road corridors through appropriate:</i></p> <ul style="list-style-type: none"> <li><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></li> <li><i>ii) location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and</i></li> <li><i>iii) design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and</i></li> <li><i>iv) retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or development; and</i></li> <li><i>v) 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></li> </ul> <p><i>b) To ensure subdivision provides for a pattern of development that is consistent with the visual amenity objectives described in (a).</i></p> |
| A1            | <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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|               | <p><b>Not applicable.</b><br/>The site is not located on a tourist road corridor.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| A2            | <i>Subdivision must not alter any boundaries within the areas designated as scenic management – tourist road corridor.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|               | <p><b>Not applicable.</b><br/>The application does not propose a subdivision.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| <b>E7.6.2</b>                                                                                                                              | <p><b>Local Scenic Management Areas Objective</b></p> <p><i>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</i></p> <p><i>b) To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area.</i></p>                                                                                                                                                                                                                                                                  |
| A1                                                                                                                                         | <p><i>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.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>Complies.</b><br/>See assessment as follows - responses to the Western Hillside Precinct management objectives.</p>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| A2                                                                                                                                         | <p><i>Subdivision is in accordance with</i></p> <p><i>a) a specific area plan; or</i></p> <p><i>b) a subdivision plan or acceptable development criteria under Table 7.1, if any.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>Not applicable.</b><br/>The application does not propose a subdivision.</p>                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| A3                                                                                                                                         | <p><i>No vegetation is proposed to be removed</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b>Does not comply.</b><br/>Assessment against zone intent, objective of standard and performance criteria E7.6.2 (P3) is required.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| P3                                                                                                                                         | <p><i>The visual impact of removal, destruction or lopping of trees or the removal of vegetation should:</i></p> <p><i>a) be consistent with maintaining the character and precinct objectives; and</i></p> <p><i>b) be minimised through:</i></p> <p><i>i) consideration of the design and location of buildings to facilitate retention of trees,</i></p> <p><i>ii) a preference for management of trees through pruning rather than removal; and</i></p> <p><i>iii) the desirability of replanting of vegetation when the impact of vegetation removal is unavoidable; and</i></p> <p><i>f) not result in an unacceptable impact on threatened species and/or wildlife habitats/corridors.</i></p> |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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**Complies.**

It is considered that the proposed use and development meets this provision for the following reasons:

- The revised landscaping plan ensures that the character of the areas will be enhanced by the way of appropriate planting. This plan has been supported by Council's Parks and recreation department;
- The proposed dwelling units 2 and 3 are located to the rear of the property which is screened mainly by the existing dwelling (unit 1). Once the landscaping is complete and established, the result will be a better outcome to what is currently on site.
- Although some trees will be removed to the rear of the property to allow for the development, it has been identified by a relevant consultant that some of the established vegetation is of desperate need of removal due to the condition. More vegetation is proposed that what is currently on site.
- The replanting of the proposed landscaping will be a far better outcome to what is currently on site. The removal of select vegetation to allow for this development can be justified and is supported. There are not large trees that will be removed on the Skyline.

**E7.5.3 Schedule 1 - Local Scenic management Areas****3 Western Hillside Precinct****Existing character statement - description and significance**

*The Western hillside precinct includes the dominate hill face that forms the principle western backdrop from the southern approach along the Midlands Highway to the central Launceston region. Its northern end is characterised by residential development of mixed character set amongst a vegetated setting and interspersed with bands of vegetation and a treed skyline. The southern end of the precinct consists of a band of native vegetation on the western side incorporating the Kate Reed Reserve and cleared agricultural land to the east allowing views to be seen of the mountain regions to the east of the city.*

*It's significant for its key scenic contribution to providing primarily the treed and rural vistas character to the southern approach into Launceston and the central Launceston region.*

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**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

**Management Objectives**

- 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.*
- b) *Development within the precinct must minimise its visual intrusion on the hillside by its location, form, scale, exterior materials, colours and landscaping particularly when seen from major public vantage points. Visually dominating or obtrusive development, particularly along the skyline must not be approved.*
- 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.*
- d) *In the southern part of the precinct encourage only sympathetic development that will retain the rural character of the precinct.*

**Complies.**

It is considered that the proposed use and development meets this provision for the following reasons:

- The proposed landscaping is a vast improvement to what currently exists once established. The character although will not be immediately consistent, once established will be in conformity to the overall scenic character of the area. The site does not adjoin a reserve or local native species.
- Visual intrusion will be lessened by the introduction of thirteen (13) additional trees throughout the development. The site is not located on the skyline and is not located within a major public vantage point.
- The proposal is not for subdivision and is not applicable.
- That the site is not located in the rural setting of this precinct.

**4. REFERRALS**

| <b>INTERNAL</b>       |                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Infrastructure Assets | <p><b>Conditional consent provided.</b></p> <p>Standard conditions recommended in relation to damage to council infrastructure, works within/occupation of the road reserve, trench reinstatement for new/alterred connections, vehicular crossings, soil and water management works, soil and water management plan and car parking construction.</p> |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Environmental Health  | <b>Conditional consent provided.</b><br>Standard conditions recommended relating to amenity, and demolition (burning and removal of rubbish)                                                                                                                                                                            |
| Building Control      | <b>Conditional consent provided.</b><br>Recommended standard notes pertaining to a building permit, plumbing permit and occupancy permit is required.                                                                                                                                                                   |
| Parks and Recreation  | <b>Conditional consent provided.</b><br>A revised landscape plan has been prepared and referred to Park and Recreation for comment and have confirmed that the revised plan is sufficient.<br><br>A condition has been recommended on the permit requiring the submission of this landscape plan to Planning Authority. |
| Heritage/Urban Design | N/A.                                                                                                                                                                                                                                                                                                                    |
| Strategic Planning    | N/A.                                                                                                                                                                                                                                                                                                                    |
| <b>EXTERNAL</b>       |                                                                                                                                                                                                                                                                                                                         |
| TasWater              | <b>Conditional consent provided.</b><br>TasWater has issued a Development Certificate of Consent TWDA13-226-N.                                                                                                                                                                                                          |
| 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 28 September 2013 to 14 October 2013. Five (5) representations were received and one (1) was withdrawn.

It is worth noting that a meeting was conducted on 15 October with two (2) Council Planning officers and two (2) of the representors to discuss the issues raised in more detail. It has been clearly identified that the majority of concerns raised by all of the objectors are related to Infrastructure and building related issues. Both of the representors clearly outlined that they do not oppose the development; rather they are concerned about the impacts that could be endured during the construction phase of the development.

## 12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

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

| ISSUE                                                                                                                                                                                            | COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Building, Infrastructure &amp; Blasting Related</b>                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Concern to deterioration to own dwelling caused by new development - increase of cracks.                                                                                                         | It is acknowledged that there are issues pertaining to development and will be some disruption during the construction period. However, this is not a matter for planning and is not related to this development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>Concern to earth to be removed and the vibration of heavy machinery and constant flow of trucks.</p> <p>Concern to the extent of building noises for months and potential damages caused.</p> | <p>It is acknowledged that there are some potential issues pertaining to the development and there will be some disruption during the construction period.</p> <p>As identified by the soil report prepared by Tasman Geotechnics, it is likely that a 1m deep excavation will encounter bedrock or boulders. It is confirmed that bedrock is present in the footprint of the proposed dwellings units 2 and 3, footings may be designed and no popping of rocks may be required.</p> <p>To limit and ensure that all works during the construction period are addressed sufficiently, it is recommended that a series of standard infrastructure conditions be recommended to ensure that the development addresses a number of the concerns raised. The conditions relate to Amenity, Building Report, Blasting and Works within/Occupation in the Road Reserve.</p> |

## 12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)

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| <p>Are the developers prepared to pay due compensation to residents in the surrounding area for repairs to walls etc if blasting is required.</p> <p>Who will be legally responsible if own property is damaged or destroyed caused by the development.</p> <p>The area is very rocky and explosives may have to be used in the removal of ground materials.</p> | <p>If a building report is prepared, it will be the responsibility of the builder to ensure that all works on site are managed appropriately. If damages occur during the construction period, then it will be the responsibility of the builder and it becomes a civil matter, not a planning matter.</p> <p>It is acknowledged that there may be some blasting and vibrations involved with this development once site works commence. Unfortunately, it's an unknown quantity with rock and it cannot be fully determined until such time as the work has commenced.</p> <p>It is worth noting that blasting is regulated and enforced by Workplace Standards and not Council, in particular it is not a valid planning issue.</p>                                                                                   |
| <p>Telegraph pole located outside the proposed driveway will need relocating - further noise, traffic, vehicles and power blackouts.</p>                                                                                                                                                                                                                         | <p>The relocation of the telegraph pole will form part of the building works. Unfortunately, this matter will be addressed at the building process stage and is not a valid planning concern.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>Access, Traffic and Car Parking Related</b></p>                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>The proposed driveway is only a few metres from the corner of Salisbury Crescent and Ashleigh Avenue - difficult to see any traffic. Dangerous corner.</p>                                                                                                                                                                                                    | <p>It has been determined by Council's Infrastructure department that the placement of the crossover and driveway is appropriate. The site allows for vehicles to manoeuvre internally and then enter in a forward direction (safer option).</p> <p>It is considered that the proposed development will result in an increase in traffic. However, the increase of movements would result in less than 40 movements per day (calculated on 9 movements per dwelling) and is considered a low impact. Moreover, the capability of the road and the access on Ashleigh Avenue is sufficient to cater for the minor increase of residential car movements.</p> <p>In relation to the illegal movements of cars entering into Salisbury Crescent, these matters are for the Police and are not a valid planning matter.</p> |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

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| <p>Limited access via a one way street system and limited parking, the increase of traffic would place additional strain on an already overstretched system.</p>                                                                                    | <p>Please see comments above.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Reduction of car spaces as there are no spaces on the left hand side of Ashleigh Avenue - issues with parking.</p> <p>There will be a lot of builders with cars, where are they going to park? Even now there are difficulties with parking.</p> | <p>The interim planning scheme (Car Parking and Sustainable Transport Code) requires 6 car parking spaces for 3 x 3 bedroom dwelling units. 6 spaces have been provided. In addition, further parking can be provided in tandem on site if required for visitors which is adequate off street parking for this size development. Therefore, car parking should not be an issue in relation to the introduction of this development.</p> <p>Car parking on the left hand side of Ashleigh Avenue is prohibited and any parking along this section of the road is a matter for the police.</p> <p>It is acknowledged that the contractor parking will be difficult in the first instance due to the limitations along Ashleigh Avenue. This is a temporary problem which is not a valid land use planning consideration. It should be noted that a standard condition is recommended to ensure that all traffic management is appropriately managed. A plan will need to be submitted to the Director of Infrastructure Services prior to the commencement of works.</p> <p>In relation to the comment stated in the representation "Council does not care about parking", this was not the case. What was actually discussed and stated was that the proposal catered for sufficient off street parking. Based on this, on street parking technically would not be a concern as there is sufficient parking onsite for visitors and the like.</p> |

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(Cont'd)**

|                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>A Council sign is directing cyclists down Vaux Street into Ashley Avenue onto Salisbury Crescent - illegal activity and an increase in traffic.</p> | <p>This is not a matter for planning and is not related to this development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>Density Related</b></p>                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Very large amount of construction for the size of the site - almost no green space left at all - it should be just one additional dwelling.</p>     | <p>It is considered that the proposed development density meets the relevant provisions of the scheme that are questioned. Although the private open space is not reliant on grassed areas, it does however meet the performance criteria's of the scheme. It is worth noting that the proposed landscaping will be an improvement to the existing vegetation on the site.</p>                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Overdevelopment of the site - established residential area - proposed design is not in keeping with the surrounding residences.</p>                 | <p>The subject site is 1124m<sup>2</sup> which equates to a density lot size of 414m<sup>2</sup> per dwelling unit which is only slightly below the minimum lot size for a single dwelling in the General Residential zone (500m<sup>2</sup>) and meets the acceptable solutions for multiple dwellings.</p> <p>The development is designed to provide a high level of residential amenity and the included additional vegetation to ensure that the character is maintained where possible. It is considered that the proposed development respects the neighbourhood character as the dwelling fronting Ashleigh Avenue is remains and all development will be contained to the rear where it cannot be clearly visible from the street.</p> |

**6. CONCLUSION**

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

**12.3 Construct two and use of three multiple dwellings at 4 Ashleigh Avenue, West Launceston...(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**

**ATTACHMENTS:**

The following attachments have been distributed separately and includes.

1. Location Map
  2. Plans
  3. Copy of representations
-

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training****FILE NO:** DA0350/2013**AUTHOR:** Julia Allen (Town Planner)**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider an application for a change of use to a dog boarding and training centre.

**PLANNING APPLICATION INFORMATION:**

Applicant: Yours in Paws Dog Daycare & Training  
Property: Volume 160097 Folio 1  
Area of the Site: 1.183 ha  
Zone: Light Industrial  
Codes: Car parking and sustainable transport code  
TP Classification: Domestic Animal Breeding, Boarding or Training  
Date Received: 9 September 2013  
Deemed Approval: 28 October 2013 (by agreement)  
Representations: Three

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council approves DA0350/2013 to operate an Animal Boarding and Training Centre at 61 Cypress Street, Newstead, subject to the following conditions:

**1. ENDORSED PLANS**

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

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**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

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**2. HOURS OF OPERATION**

The use is limited to the following opening hours:

- Monday to Friday 7.30am to 6pm
- Saturday 9am to 5pm
- Sundays and Public Holidays closed

**3. DOGS KEPT ONSITE**

No dogs are to be kept on the premises outside of opening hours.

**4. NOISE CONTROL**

All practical and reasonable measures including building treatments, business practises and animal behavioural measures, are to be used to manage noise generated by the business.

No external address or sound system must be used by the business except one which is audible only from within the building/s.

**5. 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 bins must be emptied on a regular basis to ensure they do not cause an environmental nuisance.

**6. OUTDOOR STORAGE**

Storage of goods and waste outdoors must be sited or screened so that it is not visible from Cypress Street and stored in a manner that it will not cause an environmental nuisance by attracting vermin or producing dust or odour.

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**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

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**7. CAR PARKING AND ACCESS AREAS**

Before the use commences, the car parking and access areas shall be upgraded (where required) and maintained to have:

- i. Car parking spaces and manoeuvring areas to Australian/New Zealand Standard AS/NZS 2890.1 2004 Off-street Car Parking
- ii. Areas to be used by vehicles shall have an impervious surface (asphalt, bituminous seal, concrete or square edged pavers) constructed on a base as recommended by the manufacturers of the impervious surface.
- iii. Stormwater discharged from the impervious areas (including vehicle areas, paving and building roofed areas) shall be connected into an underground stormwater drainage system which shall discharge directly to the Council underground public network. Kerbs, channels or spoon drains shall be constructed along the low side of paved and vehicle areas to collect and divert overland stormwater flow into the stormwater drainage system.
- iv. Exterior lighting to illuminate pathways and car parking areas shall be controlled by a sensor and shielded to prevent direct light being emitted outside the site.
- v. Measures must be undertaken to prevent damage by vehicles to fences or landscaped areas.
- vi. Parking areas and access lanes must be kept available for these purposes at all times.

**8. SIGNAGE**

The signs permitted must not be illuminated, flashing or animated and must be constructed and maintained in good condition to the satisfaction of the Planning Authority.

**9. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with the damage to Council infrastructure resulting from no compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with conditions, bylaws and legislation relevant to the development activity on the site.

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**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

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**10. 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*

**Nuisance**

B. *During the operation of the use, the best practical means shall be undertaken to prevent nuisance or annoyance to any person not associated with the use. Air (including odour), noise and water pollution matters will be subject to the provisions of the Environmental Management and Pollution Control Act 1994 and Regulations there under of the Dog Control Act 2000.*

**Objections to Proposal**

C. *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**

D. *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 shall be instituted by lodging a notice of appeal with the Clerk of the Resource Management and Planning Appeal Tribunal.*

*A planning appeal shall be instituted within 14 days of the date the Planning Authority serves notice of the decision on the applicant.*

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## **12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

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### Permit Commencement

*E. 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 withdrawn or determined. If an applicant is the only person with a right of appeal pursuant to section 53(1b) 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. THE PROPOSAL**

The proposal is for a dog boarding and training centre use to operate within two buildings (an office and shed) within an existing industrial complex at 61 Cypress Street, Newstead. The proposed use will operate 7.30am to 6pm Monday to Friday. On Saturday training classes will be held 9am to 12 noon, and functions when required until 5pm. No trading is proposed on Sunday.

The building will retrofitted to provide play and training areas, secure enclosures for dogs and a separate wet area for grooming and washing. The building will be fitted with sound insulation on the walls and roof to manage noise. The product proposed to be used is Acoustifoam.

The proposal also includes signage.

#### **2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject land consists of a single level 1.183 ha battle block located at the eastern end of Cypress Street. The site contains a complex of sheds that are typically sited near the boundaries of the property. Current uses onsite include wood joinery, cabinet making, an earthmoving business, truck mechanic, and crane hire. The buildings where the use is proposed are vacant.

The site adjoins residential along Cypress Street. To the east is the Tasrail depot, to the north is an open area associated with the Toll transport depot and to the west is a sports oval.

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**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

**3. PLANNING SCHEME REQUIREMENTS**

The Launceston Interim Planning Scheme 2012 applies. The relevant provisions are:

**3.1 Zone Purpose**

The property is zoned Light Industry. The zone provisions are:

| <b>LIGHT INDUSTRIAL ZONE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ZONE PURPOSE</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 24.1.1                       | <p><i>To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.</i></p> <p>The use is listed as discretionary within the zone. Whilst it is not a typical light industrial use, it is compatible with existing adjacent light industrial uses that involve distribution, manufacturing and repair.</p> |
| 24.1.2                       | <p><i>To focus industrial use and development into appropriate areas suitable for its needs.</i></p> <p>The use is best suited to being sited within an industrial area due to the area required and type of emissions the use produces that need to be managed.</p>                                                                                                                                                                                                 |
| 24.1.3                       | <p><i>To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.</i></p> <p>The proposal doesn't directly support, supply or facilitate industrial development however it does provide a boarding and training service that maybe beneficial for businesses that use guard or security dogs or employees of industrial businesses that have dogs.</p>                                                                    |
| 24.1.4                       | <p><i>Local Area Objectives</i></p> <p>There are no local area objectives</p>                                                                                                                                                                                                                                                                                                                                                                                        |
| 24.1.5                       | <p><i>Desired Future Character Statements</i></p> <p>There are no desired future character statements</p>                                                                                                                                                                                                                                                                                                                                                            |

## 12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)

### 3.2 Use Standards

The applicable use standards are:

|             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>24.3</b> | <b>USE STANDARDS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 24.3.1      | <p><b>EMISSIONS</b><br/> <i>To ensure that emissions to air, land and water are reduced to the greatest extent practicable in consideration of proximity to sensitive uses.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| A1          | <p><i>Use or development not listed in Clause E12.6.2 or E12.6.3 must be set back from residential uses a minimum distance of 100.0m.</i></p> <p>Does not comply. The reference in the standard is incorrect, it should be Table E11.1 or E11.2, however the use is not listed in those tables. The site is located within 15 metres of residential development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| P1          | <p><i>The use must not cause or be likely to cause an adverse impact to the amenity of sensitive uses through emissions including noise, smoke, odour, dust and illumination.</i></p> <p>The potential emissions from the proposed use are noise and odour. Both emissions need to be managed well, particular given the sites proximity to residential development.</p> <p>The main noise source likely to cause a nuisance is from dogs barking. The building where dogs will be housed is 43m from the nearest house.</p> <p>The reasonable level for noise, in this case dogs barking, is not to preclude any sounds from being heard, since dog's barking periodically is a noise that is part of any residential area, but rather to minimise noise to a level and intensity that is acceptable for that residential interface.</p> <p>Noise is proposed to be controlled by the business by:</p> <ul style="list-style-type: none"> <li>• Operating hours being kept within typical hours for uses in a light industrial area.</li> <li>• Installing 50mm thick noise insulation in the building. The product proposed is Acoustifoam. Dog barks cover a wide frequency range with the dominant range being 160 - 2630 Hz. Typically the mean frequency during play is 840Hz, in isolation 860 Hz and when disturbed is 686 Hz. The product proposed has the best sound absorption characteristics above 315 Hz.</li> <li>• Management of dog behaviour.</li> </ul> |

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

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|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        | <p>This business is also a training institution which will aim to manage the dogs and when coupled with the building control treatments, the noise emissions are capable of being managed. Additionally any potential nuisance dog noise can be controlled by the requirements specified in the <i>Dog Control Act 2000</i>.</p> <p>The main source of potential odour is from urine, faeces and vomit. The applicant has detailed that these would be removed immediately with the affected surface cleaned and the waste bagged and binned. The bins will be emptied weekly. This approach is considered acceptable.</p> <p>Conditions are recommended to address these potential emissions.</p> |
| A2     | <p><i>All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of:</i></p> <p><i>a) by a licensed waste removal operator; or</i></p> <p><i>b) in accordance with a management plan approved by the Environment Protection Authority.</i></p> <p>Complies. All solid waste is proposed to be stored in appropriate bins and removed once a week by a licensed contractor.</p>                                                                                                                                                                                                                                                               |
| P2     | <p><i>No performance criteria</i></p> <p>Prohibited</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 24.3.2 | <p><b>STORAGE OF GOODS</b></p> <p><i>To ensure that adequate provision is made for storage of goods materials and waste.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A1     | <p><i>Storage of goods, materials or waste, other than for retail sale, must not be visible from any public road or public place.</i></p> <p>Complies by condition. This site is an internal lot, where outdoor storage is not likely to be visible from a public place or road. No outdoor storage has been indicated in application, however a condition is recommended.</p>                                                                                                                                                                                                                                                                                                                     |
| P1     | <p><i>Storage of goods, materials or waste, other than for retail sale must located or screened to minimise its impact on views into the site from any public road or public place.</i></p> <p>N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

## 12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)

### 3.3 Development Standards

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| <b>24.4</b> | <b>DEVELOPMENT STANDARDS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 24.4.1      | <i>BUILDING DESIGN AND SITING</i><br>To ensure that the site and layout, building design and form is visually compatible with surrounding development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| A1          | Building height must not exceed:<br>a) 10.0m; or<br>b) the average of the building heights on immediately adjoining titles.<br>N/A. Existing building, building form will remain unchanged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| A2          | Buildings must be set back a minimum distance of 5.5m from a frontage.<br>N/A. Existing building will be used.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A3          | Buildings can be built up to the side and rear boundaries of the site.<br>N/A. Existing building will be used.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A4          | Where the subject site is located on the boundary of a residential zone new buildings or alterations to existing buildings must be setback a minimum distance of 3.0m from the zone boundary; and have solid fencing at least 1.8m high on all boundaries with residential properties.<br>N/A. Existing building will be used.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 24.4.2      | <i>STREETSCAPE</i><br>To ensure that buildings have an acceptable impact on the streetscape.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| A1          | Excepting walls built to the lot boundary, new buildings or extensions to existing buildings must:<br>a) have external walls constructed of a minimum of 50% brick, concrete, masonry or glass. Unless brick or glass, external walls must be painted or finished with a texture coat; and<br>b) have a minimum of 50% glazing to the external walls of offices component of the buildings; and<br>c) be designed and orientated to ensure the main pedestrian entrance into the primary building is visible from the road; and<br>d) incorporate a protected (by curb, landscaping, bollards or similar device) pedestrian pathway must be provided from the road to the main entrance to the building.<br>N/A. Existing building will be used. |
| A2.1        | Where employee car parking is proposed it must be located behind or to the side of the principal buildings on the site; and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| A2.2        | Car parking spaces for visitors and people with a disability must be located as close as practicable to the main entrance to the building.<br>Complies. Staff parking is proposed to the side of the office building and visitor parking is located in front of the office building.                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

|        |                                                                                                                                                                                                                                                                                                                                                                                                |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 24.4.3 | <p><b>TURNING AND ACCESS</b><br/> <i>To ensure that service vehicles can safely and effectively deliver to the site.</i></p>                                                                                                                                                                                                                                                                   |
| A1     | <p><i>It must be demonstrated that a standard rigid truck (10.0m) can enter, turn, unload and exit the site in a forward direction without impact or conflicting with areas set aside for parking or landscaping.</i></p> <p>Complies. Whilst the use does not require a vehicle of that size, the site already contains uses that utilise those vehicles and onsite turning is available.</p> |
| 24.4.4 | <p><b>SITE LANDSCAPING</b><br/> <i>To ensure that new development provides acceptable levels of site landscaping.</i></p>                                                                                                                                                                                                                                                                      |
| A1.1   | <p><i>Unless a building is built to the boundary of the lot, a landscaped area with a minimum width of 3.0m must be provided along the frontage of the property (excluding vehicle crossover); or</i></p>                                                                                                                                                                                      |
| A1.2   | <p><i>A minimum of 50% of the area within the frontage setback is to be landscaped; and</i></p>                                                                                                                                                                                                                                                                                                |
| A1.3   | <p><i>A minimum of 1 tree (capable of growing to a minimum of 10.0m in height) per 250m<sup>2</sup> of lot area must be provided. Trees must be located, within a minimum</i></p>                                                                                                                                                                                                              |
| A1.4   | <p><i>3.0m diameter landscaped area; and</i></p> <p><i>All security fencing over 1.5m high must be located a minimum of 1.0m back from the frontage and the space between the fence and the boundary must be landscaped.</i></p>                                                                                                                                                               |
|        | <p>Does not comply. The proposed area onsite has little landscaping but also has limited opportunity for landscaping.</p>                                                                                                                                                                                                                                                                      |
| P1     | <p><i>Landscaping must be provided at a level that enhances the appearance of the site, softens and screens the views of commercial buildings and provides shade for occupants of the site and car parking areas.</i></p>                                                                                                                                                                      |

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

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Complies. The use will occupy an existing premises within an existing light industrial complex. The site is an internal block. The buildings that the use will occupy are located behind existing buildings and so are not visible from Cypress Street.

The site has no landscaping other than a strip on either side of the main driveway into the complex. Within the main site, there is no landscaping.

For internal site aesthetics, the introduction of landscaping would be beneficial, particularly to some of the storage areas located adjacent to residential boundaries. However incorporating good landscaping into the existing layout would be difficult due to the extensive parking, circulation and storage areas on the site and areas onsite that would benefit most from landscaping are not associated with this proposed use.

For the area that this use will occupy, the opportunities are very limited. Potentially a narrow strip beside the office and warehouse could occur however this strip is only likely to be able to accommodate some shrubs.

Landscaping for shade will be of limited benefit since the use is based indoors and customer parking is short term. Staff parking would benefit from shading, although incorporating trees for that purpose is problematic since there is little room available to do so without interfering with circulation and parking areas.

Given that the site already contains landscaping that provides a pleasing entrance to the site from Cypress Street and the buildings that this use will occupy are already largely screened from Cypress Street by adjacent development and vegetation it is considered that the existing landscaping provided in this context is acceptable.

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## 12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)

### 3.2 Overlays and Codes

The codes that apply to the proposed use are the Car Parking and Sustainable Transport Code and the Signs Code.

### E6.0 Car Parking and Sustainable Transport Code

|        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E6.2   | APPLICATION OF CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| E6.2.1 | <i>This code applies to all use or development of land.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| E6.6   | USE STANDARDS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| E6.6.1 | CAR PARKING NUMBERS<br><i>To ensure that an appropriate level of car parking is provided to service use.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| A1     | <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. The interim scheme requires one space per staff member plus two visitor spaces. The proposed use will have eight staff, therefore nine spaces are required. Eight existing spaces will be dedicated for the use. Assessment against the performance criteria is required.</p>                                                                                                                                                                                                                                                                                                                                                               |
| P1     | <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> </ul> |

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                      | <ul style="list-style-type: none"> <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:             <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> </i></li> <li><i>l) the performance criteria contained within a relevant parking precinct plan</i></li> </ul>                                                                                                                                                                                                                           |
|                      | <p>Complies. The proposed use will have eight car spaces. Three spaces are intended to be dedicated or staff and the remainder for clients.</p> <p>The use receives clients during the course of the day with two distinct peak periods. Parking occupation is generally short term whilst clients are dropping off or picking up dogs.</p> <p>Whilst the business employees eight people, only three staff are present onsite at any given time. Also, some staff car pool thereby reducing the number that will be occupied by staff.</p> <p>The site is located off the street, down a long drive. The complex contains parking throughout the site, with opportunities for sharing parking.</p> <p>At their current premises, the site has seven spaces and this has adequately catered for the use during that time.</p> <p>Given the attributes of the site and the nature of the use a variation of one space is considered acceptable.</p> |
| <p><b>E6.6.2</b></p> | <p><b><i>BICYCLE PARKING NUMBERS</i></b><br/> <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></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>A1.1</b></p>   | <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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>A1.2</b></p>   | <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></p> <p>No bicycle parking is required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

|        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E6.6.3 | <b>TAXI DROP-OFF AND PICK UP</b><br><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><br>The use does not trigger the requirement for taxi parking.                                                                                                                                                                                                                                                                 |
| E6.6.4 | <b>MOTORBIKE PARKING PROVISIONS</b><br><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><br>The use does not generated the requirement for motorbike parking.                                                                                                                                                                                                                                                                            |
| E6.7   | <b>DEVELOPMENT STANDARDS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| E6.7.1 | <b>CONSTRUCTION OF CAR PARKING SPACES AND ACCESS STRIPS</b><br><i>To ensure that car parking spaces and access strips are constructed to an appropriate standard.</i>                                                                                                                                                                                                                                                                                              |
| A1     | <i>All car parking, access strips manoeuvring and circulation spaces must be:</i><br>a) <i>formed to an adequate level and drained; and</i><br>b) <i>except for a single dwelling, provided with and impervious all weather seal; and</i><br>c) <i>except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</i><br>Complies by condition. A condition is recommended to ensure compliance with the standard. |
| E6.7.2 | <b>DESIGN AND LAYOUT OF CAR PARKING</b><br><i>To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</i>                                                                                                                                                                                                                                                                                                           |
| A1.1   | <i>Where providing for 4 or more spaces, parking areas must be located behind the building line; and</i>                                                                                                                                                                                                                                                                                                                                                           |
| A1.2   | <i>Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</i><br>Complies. All parking is contained behind the building.                                                                                                                                                                                                                                         |

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

|        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A2.1   | <p><i>Car parking and manoeuvring space must:</i></p> <ul style="list-style-type: none"> <li>a) <i>have a gradient of 10% or less; and</i></li> <li>b) <i>where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</i></li> <li>c) <i>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>d) <i>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>ii) <i>where parking is more than 30m driving distance from the road;</i><br/><i>or</i></li> <li>iii) <i>where the sole vehicle access is to a category I, II, III or IV road;</i><br/><i>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>Complies by condition. A condition is recommended to ensure compliance with this standard.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| E6.7.3 | <p><b>CAR PARKING ACCESS, SAFETY AND SECURITY</b></p> <p><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> <p>N/A.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| E6.7.4 | <p><b>PARKING FOR PERSONS WITH A DISABILITY</b></p> <p><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> <p>N/A.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 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> <p>N/A.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

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|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E6.7.6 | <i>LOADING AND UNLOADING OF VEHICLES – DROP-OFF AND PICK UP</i><br><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>                                                                                                                                                                                                                                                                                                               |
| A1     | <i>For retail, commercial, industrial, service industry or warehouse or storage uses:</i><br>a) <i>least one loading bay at must be provided in accordance with Table E6.4; and</i><br>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><br><br>Does not comply. Further assessment against the performance criteria is required.                                                                        |
| P1     | <i>For retail, commercial, industrial, service industry or warehouse or storage uses, adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.</i><br><br>Complies. The use does not require dedicated loading/unloading facilities for the operation of the use. Deliveries come via a van or 2 tonne truck. These vehicles are capable of utilising existing car parking.                           |
| E6.8   | <b>PROVISIONS FOR SUSTAINABLE TRANSPORT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| E6.8.1 | <b>BICYCLE END OF TRIP FACILITIES</b><br><i>To ensure that cyclists are provided with adequate end of trip facilities.</i>                                                                                                                                                                                                                                                                                                                                                                                                          |
| A1     | <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><br><br>N/A.                                                                                                                                                                                                                                                                           |
| E6.8.2 | <b>BICYCLE PARKING ACCESS, SAFETY AND SECURITY</b><br><i>To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</i>                                                                                                                                                                                                                                                                                                                                                                            |
| A1.1   | <i>Bicycle parking spaces for customers and visitors must:</i><br>a) <i>be accessible from a road, footpath or cycle track; and</i><br>b) <i>include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and</i><br>c) <i>be located within 50m of and visible or signposted from the entrance to the activity they serve; and be</i><br>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> |
| A1.2   | <i>Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</i><br><br>N/A.                                                                                                                                                                                                                                                                                                                                                                                   |

## 12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)

|        |                                                                                                                                                                                                                                                                                                                                                                       |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A2     | <p><i>Bicycle parking spaces must have:</i></p> <p>a) <i>minimum dimensions of:</i></p> <p>i) <i>1.7m in length; and</i></p> <p>ii) <i>1.2m in height; and</i></p> <p>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> |
|        | N/A.                                                                                                                                                                                                                                                                                                                                                                  |
| E6.8.5 | <p><b>PEDESTRIAN WALKWAYS</b></p> <p><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>                                                                                                                                                                                                                                                                                   |
|        | N/A.                                                                                                                                                                                                                                                                                                                                                                  |
| E6.6.1 | <b>PRECINCT 1 – LAUNCESTON CBD PARKING EXEMPTION AREA</b>                                                                                                                                                                                                                                                                                                             |
| E6.6.4 | <p><b>LOCAL AREAS PROVISIONS</b></p> <p><i>To remove the need for new use or development to provide onsite car parking within the exemption area.</i></p>                                                                                                                                                                                                             |
|        | <i>To establish parking maximums within the exemption area</i>                                                                                                                                                                                                                                                                                                        |
| A1     | <i>No onsite parking provision.</i>                                                                                                                                                                                                                                                                                                                                   |
|        | N/A.                                                                                                                                                                                                                                                                                                                                                                  |

### E18.0 Signs Code

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E18.1.1 | <p><b>PURPOSE</b></p> <p><i>To provide opportunities for appropriate business advertising and information essential to support and encourage business activity;</i></p> <p>a) <i>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></p> <p>b) <i>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></p> <p>c) <i>Ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.</i></p> |
|         | <p>a) Consistent. The signs proposed are located on the building that is visible from within the site only. None of the signs will be visible from Cypress Street.</p> <p>b) N/A. The buildings are not heritage listed.</p> <p>c) Consistent. The signs are located on the building and will identify the business and designated parking areas.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                 |



**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E18.5   | <i>DEVELOPMENT STANDARDS</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| E18.5.1 | <i>INNAPPROPRIATE SIGNAGE</i><br><i>To prevent inappropriate signage</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| A1      | <p><i>Must not be a:</i></p> <ul style="list-style-type: none"> <li><i>a) Third Party Sign</i></li> <li><i>b) Roof Sign</i></li> <li><i>c) Sky Sign</i></li> <li><i>d) Bunting (Flag and Decorative Elements)</i></li> <li><i>e) Flashing Lights</i></li> </ul> <p>Complies. Building fascia signs are not listed above.</p>                                                                                                                                                                                                                                                                                                                                                                                                                 |
| E18.5.2 | <i>DESIGN AND SITING OF SIGNAGE</i><br><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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| A1      | <p><i>A sign must:</i></p> <ul style="list-style-type: none"> <li><i>a) Meet the requirements for the relevant sign type set out in E.18.6; and</i></li> <li><i>b) Be located within the applicable zone set out in E18.6</i></li> </ul> <p>Does not comply.</p> <ul style="list-style-type: none"> <li><i>a) All the signs comply other than the main business sign. Further Assessment against the Performance Criteria is required.</i></li> <li><i>b) Complies.</i></li> </ul>                                                                                                                                                                                                                                                           |
| P1      | <p><i>A sign must</i></p> <ul style="list-style-type: none"> <li><i>a) Be within an applicable zone for the sign type as set out in table E18.6;</i></li> <li><i>b) Be sympathetic to the architectural character and detailing of the building;</i></li> <li><i>c) Be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;</i></li> <li><i>d) Not result in loss of amenity to neighbouring properties;</i></li> <li><i>e) Not involve the repetition of messages or information on the same frontage;</i></li> <li><i>f) Not contribute to or exacerbate visual clutter; and</i></li> <li><i>g) Not cause a safety hazard or obstruct movement of pedestrians on a footpath.</i></li> </ul> |

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | <p>Complies. The sign will be located on a double storey building and will convey the business name and logo. Its size and proportions are compatible with the size of the building. Other signage proposed is primarily for information purposes. The building is screened from the road and so will not be readily visible from the street thereby having no impact on the residential character of the street.</p> <p>Given the attributes of the building and site, the size is considered acceptable.</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 signs face other industrial development. The nearest residential property is about 15m away.</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>Does not comply. Further assessment against the performance criteria is required.</p>                                                                                                                                                                                                                                                                                                             |
| P3 | <p><i>A sign must:</i></p> <p><i>a) Where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;</i></p> <p><i>b) Not engage in the repetition of messages or information on the same frontage.</i></p> <p>Complies. Four signs are proposed. Three signs are small and are to convey primarily information. This approach is considered acceptable.</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>Does not comply. The sign will be illuminated. Further assessment against the Performance Criteria is required.</p>                                                                                                                                                                                                                                          |
| P4 | <p><i>A sign must not result in loss of amenity to neighbouring properties or cause undue distraction to drivers of motor vehicles.</i></p> <p>Complies. None of the signs will be illuminated.</p>                                                                                                                                                                                                                                                                                                            |

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

**4. REFERRALS**

| <b>INTERNAL</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Department</b>       | <b>Comments</b>                                                                                                                                                                                                                                                                                                                                                                                                   |
| Infrastructure Services | The department requires a condition that protects Council infrastructure from damage. The department otherwise has no concerns with the proposal.                                                                                                                                                                                                                                                                 |
| Environmental Services  | <p>Any potential noise nuisance associated with the development can be controlled by the requirements specified in the <i>Dog Control Act 2000</i>.</p> <p>Generation of solid wastes cannot be avoided, therefore solid wastes will need to be collected and disposed of in a waste bin which is regularly emptied.</p> <p>The department recommends a nuisance control condition and solid waste condition.</p> |
| Building Control        | A building permit will be required prior to occupying the building.                                                                                                                                                                                                                                                                                                                                               |
| <b>EXTERNAL</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                   |
| TasWater                | Referral not required.                                                                                                                                                                                                                                                                                                                                                                                            |
| Tasrail                 | No concerns.                                                                                                                                                                                                                                                                                                                                                                                                      |

## 12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)

### 5. REPRESENTATIONS

The application was advertised for a 14 day period from the 18 September 2013 to the 1 October 2013. Three representations were received. The issues are summarised in the table below. Whilst the summary attempts to capture the essence of each issue raised, these should be read in conjunction with the entire representations attached to this report.

| Issue                                                                             | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Noise concerns from dogs barking and proximity to housing.                        | Noise is a concern given the proximity of the site to residential properties and the demographics of the area, where there are people at home during business hours. However the applicant proposes to manage this issue through a combination of building alterations, operating hours and management practises. Conditions are recommended to set acceptable parameters for the use to manage this issue.                                                                                                                                                                                                 |
| How will chemicals used for cleaning be stored and how will the waste be managed? | The proposed use does not require storage of dangerous goods or chemicals on the site, only cleaning products.<br><br>Cleaning products will be stored in a storage area for cleaning equipment.                                                                                                                                                                                                                                                                                                                                                                                                            |
| Traffic generated by the use will degrade residential amenity.                    | The site is part of a light industrial complex that uses Cypress Street as its primary access. A mix of heavy and light vehicles currently visit the site and also nearby at Newstead College.<br><br>This use typically has between 10 - 20 clients per day, depending on the day. Clients typically arrive by car. Arrivals and departures are staggered during the day with most clients visiting between 7.30am to 10am and 3pm to 6pm.<br><br>The use does not use heavy vehicles. The only deliveries not done in a van is a 2 tonne truck for dog food deliveries which will occur once a fortnight. |

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(Cont'd)**

|                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                             | The peak traffic periods of this business are likely to coincide with the peak periods of the Newstead College and possibly other non-residential uses onsite as well as working residents in the area. Existing traffic along Cypress Street may already be impacting on residential amenity during peak times. Any amenity impact from this use is not going to be significantly worse than existing traffic impacts. |
| Odour concerns                                                                              | Odour will be addressed by regular cleaning of the facility and appropriate disposal of dog wastes. Conditions are recommended to address this issue.                                                                                                                                                                                                                                                                   |
| Concerned there will be an increase of Faeces in nature strips from dogs visiting the site. | This is not a planning matter. The Dog Control Act 2000 deals with this issue.                                                                                                                                                                                                                                                                                                                                          |

**6. CONCLUSION**

The key concerns with the proposal are the potential for emissions, being primarily noise from dogs barking and to a lesser extent odour, affecting nearby residences. It is considered that these emissions can be managed to a level appropriate for the site's context. Therefore, it is recommended that the proposal for a change of use to a domestic animal boarding and training centre at 61 Cypress Street, be approved subject to conditions to managed noise and odour emissions.

**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.

**12.4 61 Cypress Street, Newstead - Change of Use to Animal Boarding and Training...(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.



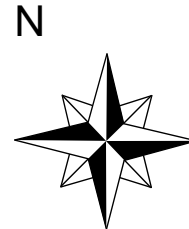
**Michael Stretton: Director Development Services**

**ATTACHMENTS:**

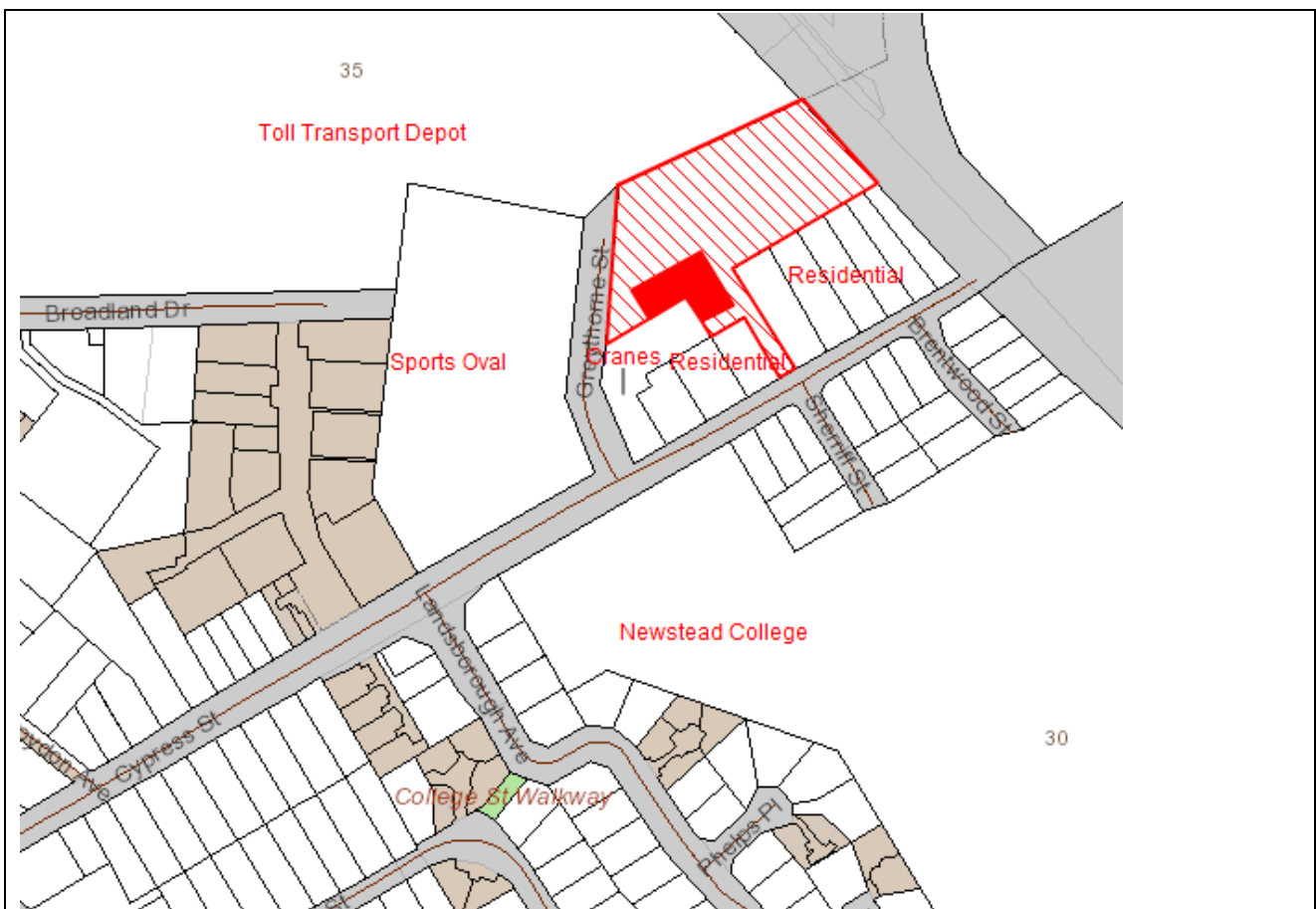
1. Location Map
  2. Plans and submitted documentation
  3. Copy of representations
-



Launceston City Council  
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## 61 Cypress Street, Newstead - Change of Use to Domestic Animal Boarding and Training.



## Locality Map

Key:

 Approximate area of subject use.

 Subject land.

Scale: This Map Is Not to Scale



acoustica

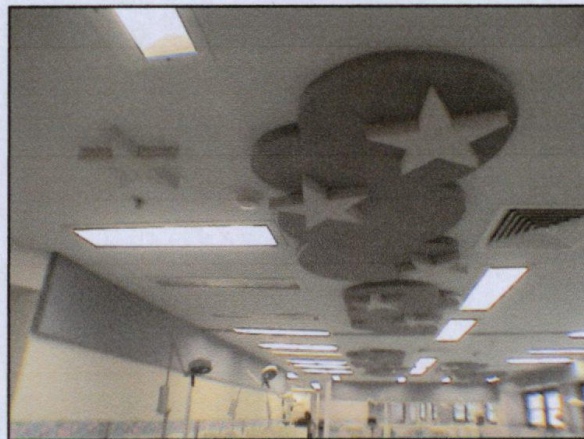


acoustica®  
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### ACOUSTIFOAM® EU70

Acoustifoam® EU70 is a flat sheet Polyester foam offering excellent sound absorption characteristics in the mid and high frequency range.

Acoustifoam's cell count and size maximises sound absorption performance for a thin wall material.



*Acoustifoam® EU70 at the Royal Prince Alfred Hospital, Sydney*

Acoustifoam® is a fibre-free economical alternative for fibreglass or rockwool; It is easy to cut to shape and is ideal for irregular surfaces and curves.

In Industry Acoustifoam® EU70 is used extensively in machinery enclosures for generators and compressors, engine compartments, fan ducting, blowers and air-conditioners.

For Architectural applications Acoustifoam® EU70 is available in a range of surface and colour finishes suitable for ceilings, walls or as a baffle, including custom 'sculpted' ceiling mounted baffle.

Grd Fir 6A Nelson St  
Annandale NSW 2038  
Australia

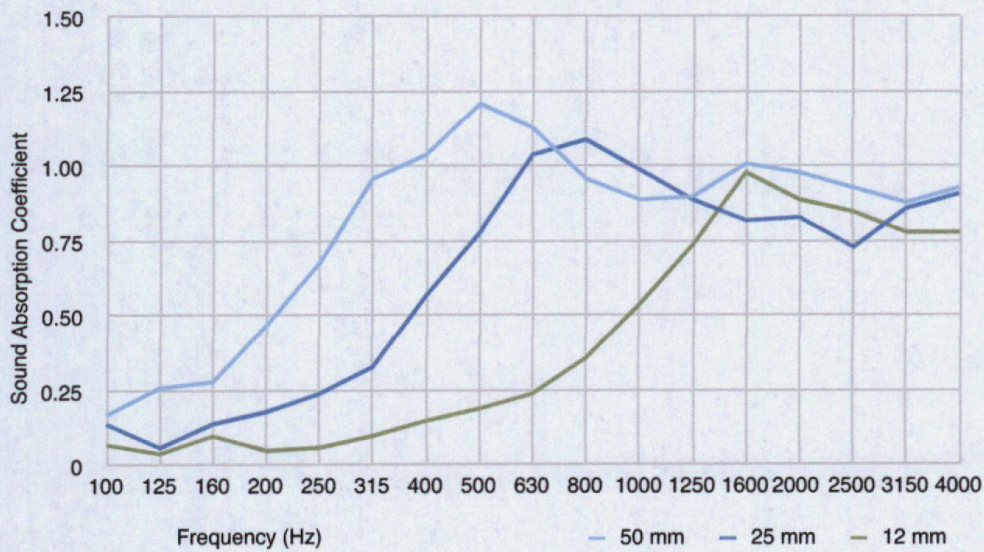
Tel: 1300 722 825  
+61 2 9550 2900  
Fax: +61 2 9550 5665

info@acoustica.com.au  
www.acoustica.com.au

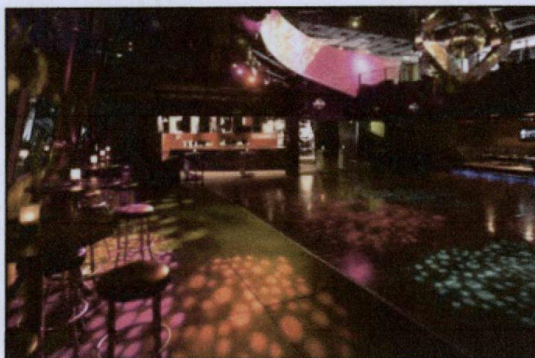


# Acoustifoam EU70

Sound Absorption



| Frequency (Hz) | 125  | 250  | 500  | 1000 | 2000 | 2500 | 4000 | NRC  |
|----------------|------|------|------|------|------|------|------|------|
| 12 mm          | 0.04 | 0.06 | 0.19 | 0.54 | 0.89 | 0.85 | 0.78 | 0.51 |
| 25 mm          | 0.06 | 0.24 | 0.78 | 0.99 | 0.83 | 0.73 | 0.91 | 0.78 |
| 50 mm          | 0.26 | 0.68 | 1.21 | 0.89 | 0.98 | 0.93 | 0.93 | 1.00 |



Acoustifoam® EU70 installed in Home Nightclub, Cockle Bay Wharf, Sydney

Acoustifoam® EU70 is fire-rated to international and Australian standards. Tested to AS 1530.3, Acoustifoam® EU70 has the following results:

- Flammability = 0
- Spread of Flame = 0
- Heat Evolved = 0
- Smoke Developed = 0-1

**Disclaimer:**

It is the responsibility of specifier to check the BCA requirements and other authority regulations when considering the use of this product.



**Panel Properties**

| Thickness (mm)                                 | 50   | 75   | 100  | 125  | 150  | 200  | 250  |
|------------------------------------------------|------|------|------|------|------|------|------|
| Mass Kg/m <sup>2</sup>                         | 11.3 | 11.6 | 12.0 | 12.3 | 12.7 | 13.3 | 14.0 |
| <b>Thermal Performance (Properties at 6°C)</b> |      |      |      |      |      |      |      |
| 'U' Value (W/m <sup>2</sup> K)                 | 0.76 | 0.51 | 0.38 | 0.30 | 0.25 | 0.19 | 0.15 |
| 'R' Value (m <sup>2</sup> K/W)                 | 1.32 | 1.92 | 2.63 | 3.29 | 3.95 | 5.26 | 6.58 |

**Fire Hazard Properties**

| AS 1530.3 Indices     |     | AS/ISO 9705 - BCA Group Number (Spec C1.10a)                            |         |
|-----------------------|-----|-------------------------------------------------------------------------|---------|
| Ignitability Index    | 0   | 150mm or thinner with aluminum fixings                                  | Group 2 |
| Spread of Flame Index | 0   | 250mm or thinner with steel fixings                                     | Group 2 |
| Heat Evolved Index    | 0   | 250mm or thinner with steel fixings & steel rivets at 1200mm in ceiling | Group 1 |
| Smoke Index           | 2-3 |                                                                         |         |

**Acoustic Properties**

Rw value for BondorPanel® is 24 to 25.  
Refer to Bondor® for your specific application.

**BONDOR® NATIONAL NETWORK**

**BRISBANE /EXPORT**  
111 Ingram Road  
Acacia Ridge QLD 4110  
T: 07 3323 8500  
F: 07 3323 8501

**PERTH**  
17 Gauge Circuit  
Canning Vale WA 6155  
T: 08 9256 0600  
F: 08 9256 0620

**ADELAIDE**  
70 - 72 Rundle Road  
Salisbury South SA 5106  
T: 08 8282 5000  
F: 08 8282 5099

**MELBOURNE**  
329A St Albans Road  
Sunshine VIC 3020  
T: 03 8326 8000  
F: 03 8326 8099

**LAUNCESTON**  
7 Connector Park Drive  
Kings Meadows TAS 7249  
T: 03 6335 8500  
F: 03 6335 8544

**SYDNEY**  
49 - 53 Newton Road  
Wetherill Park NSW 2164  
T: 02 9609 0888  
F: 02 9729 1114

To connect to your nearest  
Bondor® branch simply call 1300 300 099  
[www.bondor.com.au](http://www.bondor.com.au)

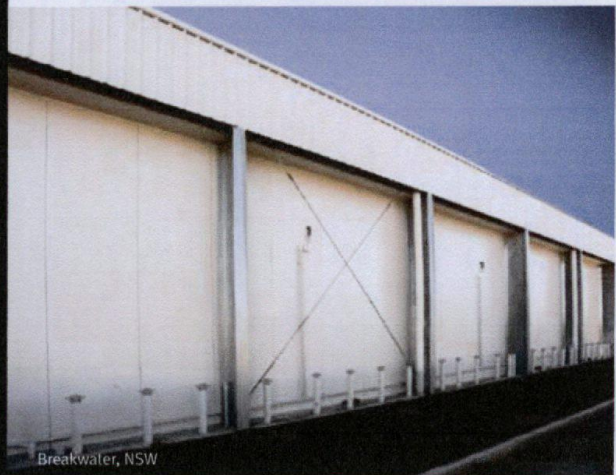
Metecno Pty Limited trading as Bondor® - ABN 44 096 402 934  
Bondor®, Metecno®, BondorPanel®, MetecnoPanel®,  
MetecnoSpan®, Equideck®, Equilt®, Flameguard®, Purline®,  
Solarspan® are registered trademarks of Metecno Pty Limited.

COLORBOND® and Permaguard™ are registered trademarks  
of BlueScope Steel Limited. Microban® is a registered trade mark  
of the Microban Products Company.  
Specifications subject to change without notice.  
Refer to Bondor® Website for latest version.  
Consult Bondor® for your application.

EPS PANELS > PIR PANELS > MINERAL FIBRE PANELS > BONDOR > EPS PANELS > PIR PANELS > MINERAL FIBRE PANELS



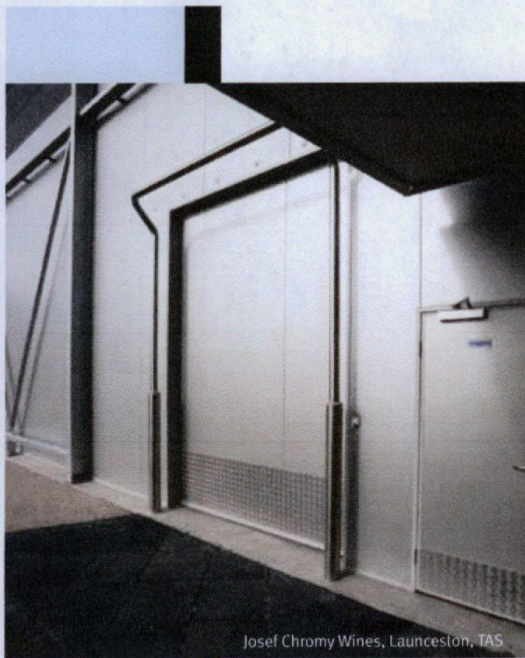
National Foods, Campbellfield, VIC



Breakwater, NSW







Josef Chromy Wines, Launceston, TAS

**BondorPanel® Technical Data**

**Product Description**

BondorPanel® is a lightweight, non ozone-depleting structural panel made with an insulating EPS core and strong COLORBOND® facings; it comes in a range of skin thickness and EPS core types with 0.6/0.6 and SL grade as standard.

|                                        |                                                                                           |
|----------------------------------------|-------------------------------------------------------------------------------------------|
| <b>Core</b>                            | SL, M, H, VH grade EPS (with fire retardant additive).                                    |
| <b>Steel Thickness</b>                 | 0.6, 0.5 and 0.4mm                                                                        |
| <b>Surface Profile</b>                 | Rib, Plain or Satinline                                                                   |
| <b>Panel Facings External/Internal</b> | 0.6mm CRP grade COLORBOND® pre-painted galvanized steel, off white 25% gloss as standard. |
| <b>Colour</b>                          | Standard: Permagard® White. Other colours available: Contact Bondor.                      |
| <b>Length</b>                          | Supplied to suit application. Limited by handling, transport and design considerations    |
| <b>Width</b>                           | 1200mm                                                                                    |
| <b>Thickness</b>                       | 50mm – 250mm                                                                              |

**SPAN TABLE – NON-CYCLONIC REGION A&B (WALL APPLICATIONS ONLY)**

SL Grade EPS Core / 0.6mm Steel Skins  
Maximum uniformly distributed ULS design wind load (kPa) for the given span:

| Span (mm) | Multi-span, wind pressure acting inwards/outwards |      |      |      |      |      |      |
|-----------|---------------------------------------------------|------|------|------|------|------|------|
|           | 50                                                | 75   | 100  | 125  | 150  | 200  | 250  |
| 1500      | 2.72                                              | 4.07 | 5.43 | 6.79 | 8.15 | 9.92 | 9.92 |
| 1800      | 2.26                                              | 3.39 | 4.53 | 5.66 | 6.79 | 8.27 | 8.27 |
| 2700      | 1.51                                              | 2.26 | 3.02 | 3.77 | 4.53 | 5.51 | 5.51 |
| 3600      | 1.13                                              | 1.70 | 2.26 | 2.83 | 3.39 | 4.13 | 4.13 |
| 4500      | 0.79                                              | 1.18 | 1.57 | 1.97 | 2.36 | 3.15 | 3.31 |
| 5400      | 0.55                                              | 0.82 | 1.09 | 1.37 | 1.64 | 2.18 | 2.73 |
| 6300      | 0.40                                              | 0.60 | 0.80 | 1.00 | 1.20 | 1.60 | 2.01 |
| 7200      | 0.31                                              | 0.46 | 0.61 | 0.77 | 0.92 | 1.23 | 1.54 |
| 8100      | 0.24                                              | 0.36 | 0.49 | 0.61 | 0.73 | 0.97 | 1.21 |
| 9000      | 0.20                                              | 0.29 | 0.39 | 0.49 | 0.59 | 0.79 | 0.98 |
| 9900      | 0.16                                              | 0.24 | 0.32 | 0.41 | 0.49 | 0.65 | 0.81 |

**NOTES:**

1. Pressures specified are for wind gusts only per AS1170.
2. Deflection limit of span/150 applies, and in accordance with Serviceability Limit State criteria per AS1170.0 – TABLE C1.
3. Fixing with 14g tek screws (x4 off) or mushroom head bolts (x2 off) minimum per fixing point are required.
4. Extended span tables including cyclonic regions C&D, single span and 300mm thick panel are also available. Refer Bondor.

**SPAN TABLES – INTERNAL COLD STORAGE ROOMS**

| Thickness (mm)                           | 50   | 75   | 100  | 125  | 150  | 200  | 250   |
|------------------------------------------|------|------|------|------|------|------|-------|
| <b>Panel Spans (0.6mm)</b>               |      |      |      |      |      |      |       |
| Walls (mm) (supporting ceilings & doors) | 3600 | 4800 | 5600 | 6200 | 6800 | 7900 | 8800  |
| Walls (mm) (not supporting ceilings)     | 4400 | 5500 | 6400 | 7100 | 7700 | 9000 | 10000 |
| Ceilings (mm)                            | 3600 | 4500 | 5200 | 5700 | 5900 | 6700 | 7500  |

**NOTES:**

1. Panel thicknesses of not less than 75mm are recommended for chillers and not less than 150mm are recommended for freezers, depending on structural considerations.
2. The above table applies for cold storage rooms constructed wholly within a larger enclosed building. Pressure relief porting is to be provided for a freezer in accordance with Bondor® recommendations.
3. Fixing with 14g tek screws (x4 off) per fixing point or mushroom head bolts (x1 off at end support and x2 off at intermediate supports) minimum are required.



EPS PANELS > PIR PANELS > MINERAL FIBRE PANELS > BONDOR > EPS PANELS > PIR PANELS > MINERAL FIBRE PANELS > BONDOR



acoustica

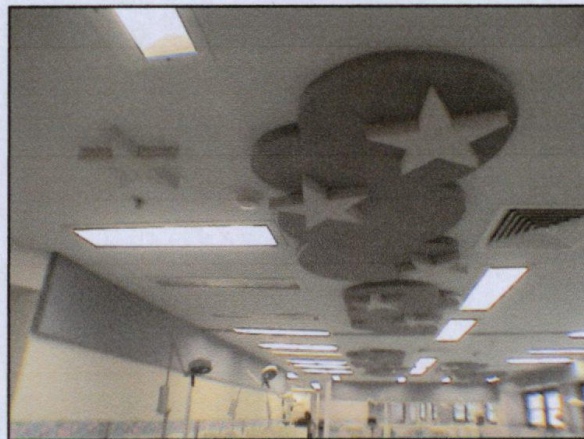


acoustica®  
the quiet Australian

### ACOUSTIFOAM® EU70

Acoustifoam® EU70 is a flat sheet Polyester foam offering excellent sound absorption characteristics in the mid and high frequency range.

Acoustifoam's cell count and size maximises sound absorption performance for a thin wall material.



*Acoustifoam® EU70 at the Royal Prince Alfred Hospital, Sydney*

Acoustifoam® is a fibre-free economical alternative for fibreglass or rockwool; It is easy to cut to shape and is ideal for irregular surfaces and curves.

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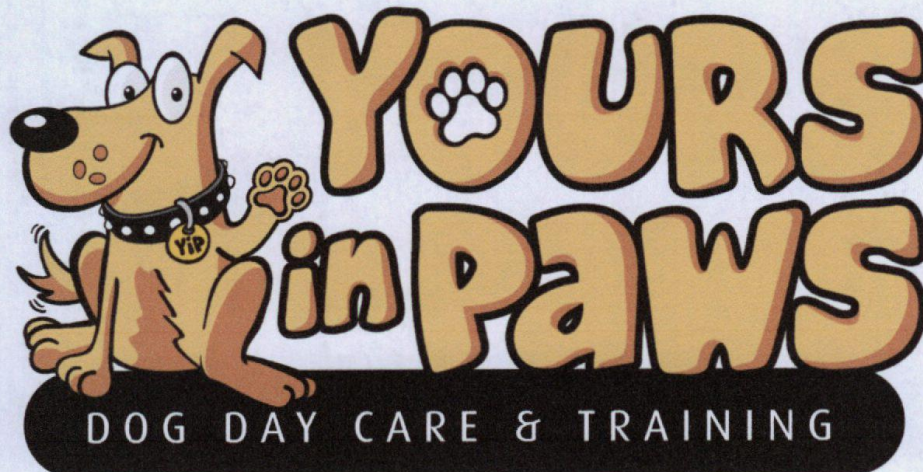
For Architectural applications Acoustifoam® EU70 is available in a range of surface and colour finishes suitable for ceilings, walls or as a baffle, including custom 'sculpted' ceiling mounted baffle.

Grd Fir 6A Nelson St  
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Australia

Tel: 1300 722 825  
+61 2 9550 2900  
Fax: +61 2 9550 5665

info@acoustica.com.au  
www.acoustica.com.au





**Documents List**

1. Planning Permit Application.
2. Yours In Paws advertising brochure.
3. Facility operation plan, waste removal protocols and references.
4. Survey plan of 61 Cypress Street, Newstead Tasmania.
5. Proposed floor plan of 61 Cypress Street. Additional A2 size in post tube provided.
6. BondorPanel technical data sheets.
7. Acoustica foam insulation material data information sheets.

Yours In Paws Dog Day Care & Training  
Fun For Furry Friends

108 Gladow Street  
Inveresk. TAS. 7248  
P: (03) 63344662  
E: [jillian@yoursinpaws.com](mailto:jillian@yoursinpaws.com)  
W: [www.yoursinpaws.com](http://www.yoursinpaws.com)

 A small version of the cartoon dog logo from the main image is positioned to the right of the contact information.



## The Bones of the Business.

**Yours In Paws provide a premium care and training facility that enriches the lives of Tasmania's canine companions by providing a safe, enjoyable, interactive, stimulating and educational environment.**

Yours in Paws Dog Day Care and Training has been owned and managed by Jillian Dawson (nee Hamer) for the past 3 years, growing into a reputable business with over 400 canine members.

Jillian has 8 years experience in veterinary nursing, including animal handling, canine behaviour training, pet grooming, customer service and human resource management.

Additional staff includes four qualified senior and four junior canine carers along with an experienced groomer and a canine chauffeur for any transportation needs.

The hours of operation are from 7.30am until 6.00pm Monday to Friday with training classes held between 9am and 12 noon on Saturdays. Functions are catered for on Saturday afternoons until 5pm if required. No trading is held on Sundays.

### **Facility Structure and Operation**

In consultation with council and the land owner, a separate reception area will ensure that our canine playing friends are not distracted by clients coming and going therefore making their play and rest times less interrupted, also providing the clients with a place to complete any paperwork and discuss any requirements or special needs for their best furry friends. Various forms of merchandise such as dog toys, accessories, locally made treats, apparel and super premium food will be available for purchase.

All daily attending canine members are placed into groups in the playgrounds according to age, size and temperament and enjoy activities that include treat treasure hunts, flavoured bubble chasing, agility exercises, paw print painting and appropriate rest times.

The playgrounds within the warehouse building will consist of three separate sound reduced areas (see attached proposed floor plans) The walls will be insulated with 50mm thick Bondor panels and the roof space with high density acoustic foam sheeting to extensively reduce noise emissions to the outside environment. This will also help to regulate the temperature inside. The play and lounge areas will be divided by premium grade fencing and gates so the carers have visual contact with all of the dogs at all times. A minimum of two canine carers will be in the playgrounds at any one time. These areas can be opened together to create one large yard.



Along side these playgrounds will be an observation area for dogs that may not be comfortable at first going into the main playgrounds. A monitored lounge area will accommodate very young pups or older dogs that need more rest periods than others. A separate wet area for grooming will house a purpose built stainless steel bath, grooming table, washing machine and grooming equipment. A hair trap will be attached to the existing plumbing externally and will be regularly serviced. This trap will take waste water from the bath and the washing machine.

### **Waste disposal procedures**

Disposable gloves will be worn whenever dealing with these situations.

#### **Faeces.**

Faecal matter will be removed immediately into a biodegradable waste bag, tied closed then placed into another heavy-duty garbage bag. The affected area will be sprayed with a hospital grade disinfectant, then wiped clean with paper towel, which will be disposed of with the gloves and faeces into another tied bag. On a daily basis, the garbage bags will be placed into secure bins so as not to contaminate the environment in any way or release a smell into the building or neighbourhood. These bins will be emptied by an independent contractor weekly.

#### **Urine, vomit, blood and saliva.**

Urine, vomit, blood and saliva will be soaked up with paper towel immediately and disposed of in the same way as the faecal matter. The affected area will then be sprayed with a hospital grade disinfectant and mopped dry. The dirty mop water will be discarded according to the safety data instructions per chemical.

#### **Quarantine**

In the event of a dog displaying any symptoms of illness (e.g. coughing, vomiting, diarrhoea, etc) they will be housed in a separate fully enclosed area (ventilated Bondor cool room) well away from the other dogs until the owner can collect them as soon as possible. Once empty, this area will then be sanitised thoroughly with a hospital grade disinfectant.

#### **Recyclables collection**

Recyclable paper, plastic, glass and cardboard will be stored in a secure bin and collected by an independent contractor weekly.

#### **Aggressive/disruptive dogs**

Dogs that show aggression towards people or other dogs will be removed from the playgrounds immediately and placed into a separate time out area until the dogs' owner can collect them. Constant barking will not be tolerated either and will be dealt with in the same manner. Elasticised Husher muzzles will be used if necessary. Private training sessions will be offered to the client to help deal with these behavioural issues before the dog is allowed to return to day care.



## **Unique Features**

This business has the unique advantage of being the only one of its type and size in Northern Tasmania, having veterinary nurses and professional dog trainers at the helm with the ability to contact industry colleagues and professionals for any advice or help. We have been providing the city of Launceston and surrounding suburbs with much needed services for their canine companions for the past three years and look forward to an equally prosperous future.

We welcome you to contact us anytime for more information regarding this application.

## **References**

Mr Stuart Alps- Owner and Landlord of the current building housing Yours In Paws Dog Day Care & Training. 108 Gleadow Street. Inveresk. 7248  
P: 0418 369 328

Dr. Deborah Tooley- Valued client and friend of Yours In Paws Dog Day Care & Training.  
P: 0488 066 754

Dr. Malcolm Waterston- Principal partner of the Animal Medical Centre and former employer of Jillian Dawson (nee Hamer) 266 Charles Street. Launceston. 7250  
P: 6331 9405



## Yours in Paws Dog Day Care & Training



108 Gleadow Street,  
Inveresk. Tasmania. 7248  
(Kings Wharf end)

P: (03) 6334 4662  
E: [jillian@yoursinpaws.com](mailto:jillian@yoursinpaws.com)  
W: [www.yoursinpaws.com](http://www.yoursinpaws.com)

Monday to Friday  
7.30am - 6.30pm

**Bookings essential.  
Call for membership  
today!**

Fun for Furry Friends

Would you like to have your dog cared for by experienced professionals in a secure, educational and fun environment while you are at work or out for the day?

Does your dog have any behavioural issues you would like help with?

Does your furry friend need to be supervised after surgery in a quiet and secure space?

Do you have a new puppy?  
Would you like them to grow up happy, healthy and well behaved?

Does your dog need a bath, nail trim or a full makeover?

Would you like to host a furry function for your dog and all of their buddies?

Yours in Paws are here to help.  
Call us today.



Who are we?

Management and staff at Yours in Paws include qualified veterinary nurses, a master canine behaviour therapist, experienced groomers and dedicated carers who love nothing more than playing with dogs all day. You can be confident leaving your furry friends in our care.

We are proud members and avid supporters of the Pet Industry Association of Australia, the RSPCA, WSPA, AACT and the Veterinary Nurses Council of Australia.

We believe that as a team we can provide you with the best products and services for you and your dog, so why not call us today to see how we can help you?

Phone: (03) 6334 4662  
 Email: [jillian@yoursinpaws.com](mailto:jillian@yoursinpaws.com)  
 or visit us at [www.yoursinpaws.com](http://www.yoursinpaws.com)

It's Fun for Furry Friends!

What can we do for you?

Day Care available from 7.30am until 6.30pm Monday to Friday. (excluding public holidays)

Secure indoor and outdoor playgrounds spanning over 450<sup>2</sup>m.

Pick up, deliver home or vet visit canine chauffeur service.

Day hospice care for post surgery, epileptic or convalescent canines.

Bathing, grooming and clipping whilst in day care.

Puppy Playschool classes for 10 to 20 week old pups.

Individual training whilst in day care or after hours.

Party playgrounds for furry functions or meetings of canine clubs.

A range of dog food, treats, apparel, toys and merchandise.

Multi-visit passes available for 10 or 20 visits at a discounted rate.



Membership.

To ensure the health and safety of our furry friends, our qualified staff will introduce your dog gradually to the playgrounds on their first visit. Current C5 vaccination proof is required to be eligible for membership.

For a full list of our services and prices, check out our website [www.yoursinpaws.com](http://www.yoursinpaws.com)

**Half Day Care** - 1 dog \$28  
 (up to 5 hours) - \*2 dogs \$44

**Full Day Care** - 1 dog \$44  
 (up to 11 hours) - \*2 dogs \$66

\*Multiple dogs must be registered with the same owner.

Discounted multi-visit passes available.

Wheelchair friendly.  
 10% discount for pension card holders.

**Bookings essential.**  
**Call for membership today!**

Development Application Representation Letter

18-Fmx-018 - Version 21/11/2012

Development Application Number DA 3502013.

Address of Development

61 Cypress st  
Newstead.

Details of Representor

Title Given Name/s MARK Andrew

Surname

Unit/Street No Street

Suburb State Postcode

Phone H B M

Email

Reason for Representing

I am objecting to proposed shed. And the noise of 40+ dogs would be no good - Every day of the week and week ends would not be acceptable. I have dogs and this would cause my dogs to start barking all the time. My neighbour has dogs as well and they would be barking all the time. AND the amount of traffic this would create would be incredible as we already have an over amount of vehicles with trucks semi-trailers buses school kids cranes in the street and trains

Smell  
Banging  
All  
Day  
AND  
Night

Representor's Signature

Date



Town Hall St John Street Launceston Tasmania  
PO Box 396 Launceston Tasmania 7250

T 03 6323 3000 F 03 6323 3001 TTY 03 6323 3003

E council@launceston.tas.gov.au www.launceston.tas.gov.au



**Julia Allen**

---

**From:** Julia Allen  
**Sent:** Sunday, 29 September 2013 10:10 PM  
**To:** records  
**Subject:** DA No: DA0350/2013

I strongly object to a residential city dwelling being turned into a domestic animal boarding and training. My concerns are the impact a high amount of noise which would be generated from barking dogs kept in close proximity to each other and so close to residential property.

My other concern having used dog kennels located in appropriate rural locations which currently cater for the needs of Launceston dog owners is seeing large quantities of chemicals in use to keep the environment germ free; where would that waste go?

I also wonder about the animal waste and how this can be effectively managed.

Receiving this request was a shock and is a huge concern if the planning permit was to proceed. It would harm the quality of the residential area and neighborhood which is less than a kilometer to Launceston city.

Please let me know what other options I can take to object to the approval of this planning permit!

Kind regards

Judy Doughty

**Julia Allen**

---

**From:** [REDACTED]  
**Sent:** Wednesday, 18 September 2013 2:09 PM  
**To:** records  
**Subject:** Re: Development 61 Cypress Street.

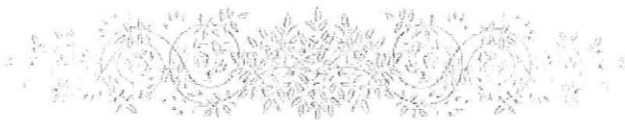


To the manager.  
Robert Dobrinsky

Dear sir,

We wish to lodge an objection to the proposed development of a dog training and lodging kennels at 61 Cypress Street, Newstead, by Yours in Paws Daycare and Training, application number DA0350/2013. This is a residential area with many families with children as well as elderly people such as ourselves, not to mention the people in this area that have to work. We feel we have enough to contend with, with the businesses already on these premises and the trucks that come and go from 61, Cypress Street at all hours of the day and night without the added stress of barking dogs and the odours that will no doubt be emanating from such premises. We are dog lovers even though we do not have a dog any more but we have a couple of questions that need to be answered. Will the building be soundproofed? ? Where will the dogs feces be washed to when the kennels are cleaned?? Will we be cleaning said feces from the nature strips and footpaths?? Please consider our objections re: this proposed development.

Sincerely  
John Broad (Mr)



## COUNCIL AGENDA

Monday 28 October 2013

---

### 13 NOTICES OF MOTION - FOR CONSIDERATION

#### 13.1 Notice of Motion - Alderman Ball - Launceston - White Water Capital of Australia

**FILE NO:** SF5547

**AUTHOR:** Alderman Ball

**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

---

#### **DECISION STATEMENT:**

To consider a Notice of Motion from Alderman Ball in regards to exploring opportunities to hosting white water events at the Gorge.

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **RECOMMENDATION:**

That Council enter into discussions with Hydro Tasmania to explore the opportunities for the Gorge provided by the proposed automation of the Trevallyn Dam valve system, with specific reference to the economic, environmental, recreational and social opportunities presented by scheduled white water events occurring in the Gorge and engages with stakeholders to prepare a case outlining those opportunities in the lead-up to any discussions.

---

#### **REPORT:**

Alderman Ball will speak to this item.

#### Background information provided by Alderman Ball:

*"The Cataract Gorge is to kayakers what Pipeline is to surfers in Hawaii"* according to a leading member of the Tasmanian kayaking community. This statement captures the type of national and international attention and benefit that Launceston could receive if there were predictable and sizeable water releases down the Cataract Gorge.

---

## **13.1 Notice of Motion - Alderman Ball - Launceston - White Water Capital of Australia...(Cont'd)**

---

The benefits would not only be for tourism, fitness, sport, health and events however; there is a growing opinion that best practice management for rivers with in-stream impoundments or dams, is to replicate the small and medium sized floods that used to occur in those waterways before the dams went in.

In the context of the Cataract Gorge these small to medium sized floods would not only provide environmental benefits to the Gorge but would also allow for freshwater flushing of the Tamar Basin which could assist with the water contamination issues that are present at the moment. Such a flushing event was used to make the waters safe for an Australian youth sailing event in the Tamar Basin some years back when contamination levels were found to be too high for the event to proceed.

In the race for regional Australia your comparative advantage, your 'point of difference' is key to your success. The Gorge presents an enormous asset to Launceston as a unique reason to visit here and experience it and as such it is a fantastic foundation upon which to build the area as an adventure sports destination.

The prospect of scheduled water releases down the Gorge has gained the attention of Australia's top body Australian Canoeing (see attached letter of support from Richard Fox their National Performance Director)

Australian Canoeing (AC) is linked in with the International Canoe Organisation that runs Canoeing World Cups while Australian Canoeing is responsible for National Championships.

I have also had a supporting email from Mr Jason Dicker who is Chairman of Education and Safety Committee of Australian Canoeing Inc.

At a recent meeting with kayakers from around the state I spoke with a young man who had emigrated from New Zealand because of the white-water kayaking to be had here.

As I understand it Hydro Tasmania is preparing to upgrade their manual valve system at Lake Trevallyn to an automated system in 2015 and this presents a golden opportunity for Launceston to reassess the role that lake Trevallyn might play in releasing the internationally significant adventure sports opportunities of the Cataract Gorge.

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**13.1 Notice of Motion - Alderman Ball - Launceston - White Water Capital of Australia...(Cont'd)**

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With the Launceston Cataract Challenge coming up on October 27 we are seeing a fresh event aimed at accessible adventure sport using the Gorge as its setting and these events are hugely popular world-wide.

It is certainly not out of the question to envisage an event with an international viewing audience being designed for the Gorge as it offers a location and natural attributes that are world class.

This motion sets out to start the ball rolling; to meet with key stakeholders, prepare a case for the volumes and duration of time that water is required and look to assess the wider opportunities presented by a water release to assist with any discussion with Hydro Tasmania.

There are a number of people keen to contribute their expertise to assist with the compilation of any information so it would be more a matter of Council facilitating the collation of that information and presenting to Hydro with assistance from key stakeholders who can speak to the specifics of each angle.

Everyone I have spoken with has supported this concept to the full and I seek the support of my fellow aldermen to see us at least begin talks with Hydro Tasmania to see what the opportunities are.

---



## 13.1 Notice of Motion - Alderman Ball - Launceston - White Water Capital of Australia...(Cont'd)

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### Officer Comments - Harry Galea (Director Infrastructure Services)

*In the recent years Hydro undertook a process to determine the environmental flow requirement for the Cataract Gorge. This was an extensive process that resulted in the Hydro raising the minimum environment flows from along the Gorge from 1.5 cubic metres per second (cumec) to 2.5 cumec. The legislated environmental flows are 0.4 cumec.*

*Over the past year the Duck Reach Power station group have sought to guarantee this amount to provide security for restoration of the power station. Achieving additional flows from Hydro will take significant persuasion particularly where water is regularly diverted from Hydro's core function of hydro-generation. Hydro have previously said that water diversions beyond reasonable community obligations should be paid by the proponent at the same rate as manufacturing electricity.*

*There have been times where Hydro have supported rafting events and have released a 25-30 cumec flow to facilitate the event. Over the past years this has averaged once every 2 years. I presume that for white water events that the flows along the Gorge would have to be controlled to produce the most favourable result.*

*Any development of a business case would heavily involve Council staff involved in tourism and events. A comment received from the Hydro is that the scale of users and spectators is directly related to rarity of white water rafting events - as evidenced at Cataract Gorge and other Hydro rivers. On the converse having scheduled releases may encourage more user visitation but likely to make the release less of an attraction to spectators.*

### STRATEGIC DOCUMENT REFERENCE:

N/A

### BUDGET & FINANCIAL ASPECTS:

N/A

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**13.1 Notice of Motion - Alderman Ball - Launceston - White Water Capital of Australia...(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 Ball
  2. Letter from John Borojevic regarding increased Cataract Gorge Water Releases
-

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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FILE NO: SF5547 / SF0846 / SF0289  
JB  
DATE: 14 October 2013

TO: Robert Dobrzynski                      General Manager  
Cc        Committee Clerks

FROM: Jeremy Ball                              Alderman

**SUBJECT: Notice of Motion - Launceston White Water Capital of Australia**

---

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 28 October 2013.

#### Motion

That Council enter into discussions with Hydro Tasmania to explore the opportunities for the Gorge provided by the proposed automation of the Trevallyn Dam valve system, with specific reference to the economic, environmental, recreational and social opportunities presented by scheduled white water events occurring in the Gorge and engages with stakeholders to prepare a case outlining those opportunities in the lead-up to any discussions.

#### Background

*"The Cataract Gorge is to kayakers what Pipeline is to surfers in Hawaii"* according to a leading member of the Tasmanian kayaking community. This statement captures the type of national and international attention and benefit that Launceston could receive if there were predictable and sizeable water releases down the Cataract Gorge.

The benefits would not only be for tourism, fitness, sport, health and events however; there is a growing opinion that best practice management for rivers with in-stream impoundments or dams, is to replicate the small and medium sized floods that used to occur in those waterways before the dams went in.

In the context of the Cataract Gorge these small to medium sized floods would not only provide environmental benefits to the Gorge but would also allow for freshwater flushing of the Tamar Basin which could assist with the water contamination issues that are present at the moment. Such a flushing event was used to make the waters safe for an Australian youth sailing event in the Tamar Basin some years back when contamination levels were found to be too high for the event to proceed.

In the race for regional Australia your comparative advantage, your 'point of difference' is key to your success. The Gorge presents an enormous asset to Launceston as a unique reason to visit here and experience it and as such it is a fantastic foundation upon which to build the area as an adventure sports destination.

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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The prospect of scheduled water releases down the Gorge has gained the attention of Australia's top body Australian Canoeing (see attached letter of support from Richard Fox their National Performance Director)

Australian Canoeing (AC) is linked in with the International Canoe Organisation that runs Canoeing World Cups while Australian Canoeing is responsible for National Championships.

I have also had a supporting email from Mr Jason Dicker who is Chairman of Education and Safety Committee of Australian Canoeing Inc.

At a recent meeting with kayakers from around the state I spoke with a young man who had emigrated from New Zealand because of the white-water kayaking to be had here.

As I understand it Hydro Tasmania is preparing to upgrade their manual valve system at Lake Trevallyn to an automated system in 2015 and this presents a golden opportunity for Launceston to reassess the role that lake Trevallyn might play in releasing the internationally significant adventure sports opportunities of the Cataract Gorge.

With the Launceston Cataract Challenge coming up on October 27 we are seeing a fresh event aimed at accessible adventure sport using the Gorge as its setting and these events are hugely popular world-wide.

It is certainly not out of the question to envisage an event with an international viewing audience being designed for the Gorge as it offers a location and natural attributes that are world class.

This motion sets out to start the ball rolling; to meet with key stakeholders, prepare a case for the volumes and duration of time that water is required and look to assess the wider opportunities presented by a water release to assist with any discussion with Hydro Tasmania.

There are a number of people keen to contribute their expertise to assist with the compilation of any information so it would be more a matter of Council facilitating the collation of that information and presenting to Hydro with assistance from key stakeholders who can speak to the specifics of each angle.

Everyone I have spoken with has supported this concept to the full and I seek the support of my fellow aldermen to see us at least begin talks with Hydro Tasmania to see what the opportunities are.

#### Attachments

Letter from Richard Fox National Performance Director Australian Canoeing.



**Alderman Jeremy Ball**



6A Figtree Drive, Level 2, Sports House,  
Sydney Olympic Park NSW 2127  
PO Box 6805 Silverwater NSW 2128  
T +61 2 8116 9727 F +61 2 8732 1610 E info@canoe.org.au

To: Deputy Mayor Jeremy Ball  
Via email to [jeremy.ball@launceston.tas.gov.au](mailto:jeremy.ball@launceston.tas.gov.au)

14 October 2013

**Re Cataract Gorge release flows**

Dear Jeremy,

I am writing in support of the proposed controlled water releases through Cataract Gorge in Launceston.

The Cataract Gorge is an iconic stretch of whitewater that has great national and international significance.

Australian Canoeing organised World Cup events in Launceston for Canoe Slalom (1992) and Wild Water Racing (2009) with great success and international appreciation.

There is no doubt that scheduled flows and access agreements would contribute to the rounded development of our athletes across all whitewater disciplines through new high quality training and competition opportunities.

Please do not hesitate to contact me if you have any questions or require further information.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Richard", written over a white background.

**National Performance Director**  
Australian Canoeing Inc.  
M 0413 628 882



ABN 47 792 526 420  
C/- GPO Box 25, Hobart, Tasmania, 7001  
[www.tas.canoe.org.au](http://www.tas.canoe.org.au)

Chairperson:  
John Borojevic  
Ph: 03 6228 2237 (H) 0409 329 868  
03 6220 5800 (W)  
[john.borojevic@regional.gov.au](mailto:john.borojevic@regional.gov.au)

Development Officer:  
Su Sprott  
Ph: 03 6267 1335 0408 671 335  
[canoetas@canoe.org.au](mailto:canoetas@canoe.org.au)

20 October 2013

Canoe  
Tasmania is  
supported by



Deputy Mayor Jeremy Ball  
Launceston City Council

Via email to: [jeremy.ball@launceston.tas.gov.au](mailto:jeremy.ball@launceston.tas.gov.au)



## **Re: Increased Cataract Gorge Water Releases**



Dear Deputy Mayor Ball,

I am writing in support of the proposed controlled water releases through Cataract Gorge in Launceston.



Cataract Gorge is magnificent stretch of whitewater. Nowhere in Australia, (and few places in the world) has such an asset running almost through the heart of a city. Unfortunately, for most of the year it is almost dry – reducing its tourism, recreation and sporting potential.

I was fortunate to be part of the organising team for the *1992 World Cup Slalom* held at Cataract Gorge on behalf of the International Canoe Federation. This canoe slalom saw some 6000 spectators attending on each competition day. This was in addition to a number of *Tasmania Day* canoe slaloms held in the early 1990s which saw special releases from Trevallyn Dam bring large numbers of paddlers and spectators to Cataract Gorge.

More recently the three Cataract Xtreme Races and the 2009 International Canoe Federation Wildwater Racing World Cup have attracted paddlers and spectators to the Cataract Gorge and attracted international attention for Launceston.

However, these events have been irregular due to the difficulty of obtaining a suitable water release. Regular, scheduled flows at a level suitable for canoeing and rafting would contribute to the development of Launceston as a whitewater centre across all whitewater disciplines, and provide significant recreation, competition and tourism opportunities.

Water releases sufficient for paddling would also provide a more regular environmental flush of the river below Trevallyn dam, mimicking to a greater extent the increased flows and minor floods which would have occurred naturally in the previously un-dammed river, and providing greater benefit than the constant very low environmental release regime currently in place.

The following *youtube* link to the *2009 Cataract Gorge Xtreme Race* provides good coverage of the type of exciting competition paddling such releases allow. In addition to the large local contingent, the race included approximately 40 of the world's best wildwater paddlers who rated Cataract Gorge as amongst the best courses on earth – both for its rapids, natural beauty and its location in the heart of Launceston. (Please excuse the video's soundtrack – it wasn't my choice.)

<http://www.youtube.com/watch?v=LuPSjMhZAaM>

I commend the initiative of Tamar Canoe Club and of Canoe Tasmania Board Member Adam Dickenson in promoting improved recreational flow releases from Cataract Gorge. Such an initiative has the full support of Canoe Tasmania, of whitewater canoeists across Australia and I'm sure of all international paddlers who have experienced the magnificence of paddling Cataract Gorge.

We look forward to your support in making regular releases a reality.

Please do not hesitate to contact me if you have any questions or require further information.

Yours sincerely,

(signed)

John Borojević  
Chair – Canoe Tasmania Inc.

**13.2 Notice of Motion - Alderman McKendrick - Third Party Advertising Signage****FILE NO:** SF5547 / SF3854**AUTHOR:** Alderman McKendrick**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider a Notice of Motion from Alderman McKendrick for a review to be undertaken regarding third party advertising conditions in Launceston City Council's Interim Planning Scheme.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That a review of third party advertising conditions in our Interim Planning Scheme be undertaken by the Director and appropriate staff and to include two Alderman and consult with Launceston Chamber of Commerce and Cityprom and offer opportunity for Signwriters Organisation to submit suggestions.

---

**REPORT:**

Alderman McKendrick will speak to this item.

**Background information provided by Alderman McKendrick:**

Under our existing scheme no third party signs can be erected. This I believe is:

1. Detrimental to property owners to earn extra money to assist in earning a return on investment.
2. Could assist other business's increase revenue through direction to business/promote business etc.
3. provide job/revenue for signwriters/fabricators etc.

This is not designed to be open slather but with appropriate conditions to make our city more vibrant and assist business's if appropriate to be more viable.

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**13.2 Notice of Motion - Alderman McKendrick - Third Party Advertising Signage...(Cont'd)**

---

This of course should also recognise the heritage value, but should work in tandem, working together with common sense and performance standards.

***Officer Comments - Michael Stretton (Director Development Services)***

***The Council endorsed the current Signs Code as part of the Interim Launceston Planning Scheme 2012. The Code currently prohibits third party signage in Launceston and some of the reasons for this prohibition include:***

- ***Launceston City has a layout and architectural legacy that is recognised as being central to the city's identity, largely defining the character of the city and greatly valued by the community. The unspoilt heritage character of the city gives a key competitive advantage and contributes to the economy, the lifestyle, and the sense of community among the city's residents. Billboard advertising at the gateways to our city and through its centre is not consistent with these values. It is felt that Launceston's gateways should be clutter-free and signage should be reserved for navigational purposes only at these locations. It is important that priority be given to reinforcing the regions strengths and tourist experiences.***
- ***Good signing practise recognises that it is better to have fewer, well designed signs in locations where people would expect them to be. If advertising signs are placed at remote locations from their businesses, it leads to confusion, clutter, and importantly, can distract motorists' attention from the legitimate task of navigation.***
- ***Good signing practise also recognises that signage should be the last link in the communication chain between the business and their customer. The operator of a business can effectively communicate with customers through information and marketing material such as brochures, radio, social media, television and newspapers to name a few.***

***It is considered that little has changed to alter the Council's position in respect of third-party signs since the approval of the Interim Scheme in 2012 and, therefore, it is not considered that a review is necessary at this time.***

**STRATEGIC DOCUMENT REFERENCE:**

N/A

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## COUNCIL AGENDA

Monday 28 October 2013

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### 13.2 Notice of Motion - Alderman McKendrick - Third Party Advertising Signage...(Cont'd)

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#### **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**

#### **ATTACHMENTS:**

1. Notice of Motion - Alderman McKendrick
-

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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FILE NO: SF5547 / SF3854  
RMc  
DATE: 14 October 2013

TO: Robert Dobrzynski                      General Manager  
Cc        Committee Clerks

FROM: Robin McKendrick                      Alderman

**SUBJECT: Notice of Motion - Third Party Advertising Signage**

---

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 28 October 2013.

#### Motion

That a review of third party advertising conditions in our Interim Planning Scheme be undertaken by the Director and appropriate staff and to include two Alderman and consult with Launceston Chamber of Commerce and Cityprom and offer opportunity for Signwriters Organisation to submit suggestions.

#### Background

Under our existing scheme no third party signs can be erected. This I believe is:

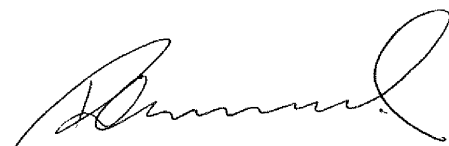
1. Detrimental to property owners to earn extra money to assist in earning a return on investment.
2. Could assist other business's increase revenue through direction to business/promote business etc.
3. provide job/revenue for signwriters/fabricators etc.

This is not designed to be open slather but with appropriate conditions to make our city more vibrant and assist business's if appropriate to be more viable.

This of course should also recognise the heritage value, but should work in tandem, working together with common sense and performance standards.

#### Attachments

Nil



Alderman Robin McKendrick

## COUNCIL AGENDA

Monday 28 October 2013

---

### 13.3 Notice of Motion - Alderman McKendrick - Deputation by John Kirwan

**FILE NO:** SF5547 / SF0125

**AUTHOR:** Alderman McKendrick

**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

---

#### **DECISION STATEMENT:**

To consider a Notice of Motion from Alderman McKendrick to invite Mr John Kirwan to SPPC of 18 November 2013 at 10am

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **RECOMMENDATION:**

That Mr John Kirwan be invited to attend and present an update of Launceston General Hospital health care situation including current capital works and proposed future needs for Launceston General Hospital, 18 November 2013, 10.00 am.

---

#### **REPORT:**

##### Background information provided by Alderman McKendrick:

The Launceston General Hospital is a major and vital "business" in our city. One could nearly say all ratepayers will need the expertise and facilities some time.

We need to not only be aware of the current health care and facilities but future needs of the LGGH.

We need to assist wherever possible to ensure that the LGH reputation, high standards etc. of health care are secure for the future.

The LGH is also a huge economic driver for our city.

It is important to understand the next important projects the LGH are requiring.

---

## COUNCIL AGENDA

Monday 28 October 2013

---

13.3 Notice of Motion - Alderman McKendrick - Deputation by John Kirwan...(Cont'd)

---

### 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.

  
Robert Dobrzynski: General Manager

### ATTACHMENTS:

1. Notice of Motion - Alderman McKendrick
-

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

---

FILE NO: SF5547 / SF0125  
RMc  
DATE: 14 October 2013

TO: Robert Dobrzynski                      General Manager  
Cc                      Committee Clerks

FROM: Robin McKendrick                      Alderman

**SUBJECT: Notice of Motion - Deputation by John Kirwan**

---

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 28 October 2013.

#### Motion

That Mr John Kirwan be invited to attend and present an update of Launceston General Hospital health care situation including current capital works and proposed future needs for Launceston General Hospital, 18 November 2013, 10.00 am.

#### Background

The Launceston General Hospital is a major and vital "business" in our city. One could nearly say all ratepayers will need the expertise and facilities some time.

We need to not only be aware of the current health care and facilities but future needs of the LGGH.

We need to assist wherever possible to ensure that the LGH reputation, high standards etc. of health care are secure for the future.

The LGH is also a huge economic driver for our city.

It is important to understand the next important projects the LGH are requiring.

#### Attachments

Nil

  
Alderman Robin McKendrick

**DIRECTORATE AGENDA ITEMS****14 DEVELOPMENT SERVICES****14.1 Northbank Land Use Study**

**FILE NO:** SF5950, SF30689

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

---

**DECISION STATEMENT:**

To endorse in principle the Northbank Land Use Study for the purpose of release for public consultation.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop Presentations - 13 May 2013 & 2 September 2013.  
SPPC - 21 October 2013

**RECOMMENDATION:**

That the Council endorse in principle the Northbank Land Use Study, dated October 2013 (ECM Reference 3029818) and release for a period of public consultation.

---

**REPORT:**

In recognition of significant land use changes within the Northbank study area such as the sale of the former Gunns site, the approval of the Bunnings development, the sale of the silos and the Council's Northbank Masterplan, the Council commissioned consultants David Lock and Associates to undertake a Northbank Land Use Study ('the study') to develop a planning framework for the area to:

- Identify opportunities for public and private investment to facilitate and transform the area into a vibrant riverfront precinct;
  - Articulate a clear vision and desired future character for the future development of the area;
  - Outline potential key development sites and options for their redevelopment; and
  - Deliver the desired future character, including recommended changes to zoning, design guidelines and ordinance changes.
-

## **14.1 Northbank Land Use Study...(Cont'd)**

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The study, which involved a comprehensive analysis of the Northbank area to identify its opportunities and constraints, has identified the area comprises six precincts: 1) Open Space and Public Purpose Precinct; 2) River Edge Precinct; 3) Bulky Goods and Service Industry Precinct; 4) Industrial Precinct; 5) Inner Residential Precinct and 6) Commercial Precinct.

The Study outlines the following land use strategies for the area:

- Develop regionally significant open space and community activities lining the river bank, including shared cycle/bicycle paths, a rowing precinct, events space centred on the former wool sheds and improved connections (both visual and physical) back to the Launceston Central Area (Also refer to the Northbank Masterplan);
- Support development of a tourist/river edge precinct providing opportunity for adaptive re-use of the existing silo building for 5 star accommodation or serviced apartments, function rooms, café and restaurant together with new tourist accommodation overlooking the Tamar River;
- Encourage the land owner of the former Gunns Mill site to facilitate the development of a regionally significant 'homemaker centre' to consolidate bulky goods retailing and service industries and integrate with the approved Bunnings Warehouse development;
- Encourage relocation of existing 'land hungry' car yards and services industries from within the Central Area to the new 'homemaker centre' bulky goods precinct;
- Encourage clustering of existing concrete batching plant facilities in the study area to Gleadow Street;
- Retain the character of the existing residential precinct east of Goderich Street and improve the amenity by investigating future opportunities with landowners of commercial premises to redevelop for residential use overlooking North Bank park; and
- Retain the commercial precinct fronting Invermay Road and Dry Street.

The study was workshopped with Aldermen on 13 May 2013 & 2 September 2013 and the issues raised have been addressed. Additionally, consultation has been carried out with Bunnings and other land owners/developers within the Study area. Following Council endorsement it is proposed to undertake a public consultation process for the Study with any identified issues to be reported back to the Council prior to its final endorsement.

---



**14.1 Northbank Land Use Study...(Cont'd)**

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It should be noted that while the North Bank Land Use Study is related to the North Bank Masterplan, it is a separate strategic planning document which will undergo a separate public consultation and implementation process.

**ECONOMIC IMPACT:**

The Study will stimulate economic activity by identifying opportunities for public and private investment in the study area to facilitate to transform the Northbank area into a vibrant riverfront precinct.

**ENVIRONMENTAL IMPACT:**

In concert with the Northbank Masterplan, the Study will have a positive environmental impact through the development of a regionally significant open space and community activities lining the river bank, including shared cycle/bicycle paths, a rowing precinct, events space centred on the former wool sheds and improved connections (both visual and physical) back to the Launceston Central Area.

**SOCIAL IMPACT:**

The proposed regionally significant open space along the river will have a positive social impact through the encouragement of community interaction and exercise.

**STRATEGIC DOCUMENT REFERENCE:**

Strategic Plan Priority Area 1: Natural Environment - Goal: Sustainable management of natural resources, parks and recreational areas.

Strategic Plan Priority Area 2: Built Environment - Goal: Managing and enhancing Council and community assets, including buildings, roads and other above and below ground infrastructure.

Strategic Plan Priority Area 3: Social and Economic Environment - Goal: Promoting a healthy, prosperous and positive community.

---

## 14.1 Northbank Land Use Study...(Cont'd)

---

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

Endorsement of the Study will have little impact upon the Council's budget. It will be necessary to undertake work to amend the Launceston Planning Scheme and this would be accommodated within existing resources.

### **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:**

1. Northbank Land Use Study (October 2013) (ECM Reference 3029818). Circulated separately.
-

## COUNCIL AGENDA

Monday 28 October 2013

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### 19 GENERAL MANAGER

#### 19.1 Tamar Lake Inc. Proposal

FILE NO: SF5732 / SF0696 / SF4493

GENERAL MANAGER: Robert Dobrzynski (General Manager)

---

#### DECISION STATEMENT:

To discuss the request for assistance from Tamar Lake Inc.

#### PREVIOUS COUNCIL CONSIDERATION:

N/A

#### RECOMMENDATION:

That the Council respond to the correspondence from the President of Tamar Inc. in the following manner:

1. The implications of the Launceston City Council indicating its support for the proposed \$200m Tamar Barrage proposal are significant. In effect, due to the \$200m capital cost, the Council would be communicating to the Federal and State Government that this project is a priority above all other projects in the region and will continue to be so for many years.
  2. The legal responsibility for the Tamar River lies with the Tasmanian State Government. Accordingly, from a strategic, policy and financial perspective the Council would not be able to consider the proposal from Tamar Inc. further without advice of a formal commitment to the project by the Tasmanian State Government.
  3. Notwithstanding the matters raised in (1) and (2) above, the Council does not have before it sufficient information upon which to rigorously consider the proposal by Tamar Inc. for a \$200m barrage project, in particular relating to:
    - i. The business case for the proposed project based on clearly defined financial parameters including the benefit / cost ratio.
    - ii. The environmental impact of the proposed project.
-

**19.1 Tamar Lake Inc. Proposal...(Cont'd)**

---

- iii. The scale and source of Government funding required.
  - iv. The responsibility, cost and source of funding to maintain the proposed project following completion.
  - v. Advice from the Launceston Flood Authority on the implications of the barrage project proposal on management of the Council's \$62m flood protection levees and on the level of silt in the river systems.
  - vi. An independent peer review by recognised technical experts reviewing the research, data, analysis, conclusions and costings upon which the project proposal is based, in order to independently assess the project's economic, environmental and technical viability.
4. In light of the foregoing the Council cannot agree to the request from Tamar Inc. for grant funding of \$500,000 to be directed by the Council to the proposal.
- 

**REPORT:**

A deputation led by Mr Robin Frith presented their proposal for Tamar Lake to the Strategic Planning and Policy Committee on 16 September 2013. Following the presentation a letter was sent from Council asking the group to articulate in writing their request of Council. A response has been received and is attached (attachment 1) for the information of Aldermen.

Aldermen considered the response at a Workshop on Monday 21 October 2013.

This project is a large and ambitious concept to turn the upper reaches of the Tamar estuary into a fresh water lake. There are many complex social, environmental and financial issues to be addressed in delivering this project.

These matters require detailed investigation before sufficient information is available for informed decisions to be made.

---

**19.1 Tamar Lake Inc. Proposal...(Cont'd)**

---

The legal responsibility for the Tamar River lies with the Tasmanian State Government. Accordingly, from a strategic, policy and financial perspective the Council would not be able to consider the proposal from Tamar Inc. further without advice of a formal commitment to the project by the Tasmanian State Government.

**ECONOMIC IMPACT:**

Addressed in the report.

**ENVIRONMENTAL IMPACT:**

Addressed in the report.

**SOCIAL IMPACT:**

Addressed in the report.

**STRATEGIC DOCUMENT REFERENCE:**

Priority Area: 5 Governance Services  
5.1 Engaging our community and delivering responsible management  
5.1.4 Ensure the city is managed in a financially sustainable manner

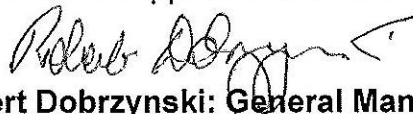
**BUDGET & FINANCIAL ASPECTS:**

Request is for \$500,000 of grant funding to be directed by the Council to the proposal.

**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. Response - Tamar Lake Inc Support - Tamar Lake Inc
  2. Public Release - Tamar Lake Inc
-



## Tamar Lake Inc.

Incorporation Number IA 10501

Postal Address: 101 Cameron Street, Launceston, Tasmania 7250

Telephone: 0419 176 096 Email: [john@tamarlake.com.au](mailto:john@tamarlake.com.au)

[www.tamarlake.com.au](http://www.tamarlake.com.au)

24 September 2013

Mr. Rod Sweetman  
Acting General Manager  
Launceston City Council  
P. O. 396  
Launceston, Tasmania 7250

SF5732

|                      |                                        |       |                                         |
|----------------------|----------------------------------------|-------|-----------------------------------------|
| FILE No.             | SF696 / SF4493                         |       |                                         |
| EO                   | <input checked="" type="checkbox"/> OD |       | Box <input checked="" type="checkbox"/> |
| RCVD 26 SEP 2013 LCC |                                        |       |                                         |
| Doc No.              |                                        |       |                                         |
|                      | Action Officer                         | Noted | Replied                                 |
|                      | R. Sweetman                            |       |                                         |

### Tamar Lake Inc. Support

Dear Rod,

I refer to your letter SF0696/SG4493 of 17<sup>th</sup> September, and I am pleased to respond with the following areas that Council may be able to help Tamar Lake in its endeavours.

#### **General Public Support**

As Tamar Lake Inc will be seeking community support for a Social License for the project as a component of the State Planning process, it is critical that Council shows its support for this process upfront with a statement to the Press and perhaps joining our sponsors with the Council logo on our information documents and web site.

#### **Clean up Tamar River Funds**

Tamar Lake Inc has made a request to the Federal Member for Bass for an allocation of \$500k from the Federal Government committed \$2.5m Clean up Tamar River funding.

We would ask that Council support this request in its discussions with the Federal Member for Bass.

The funds will be applied to the next stage of feasibility planning leading to a submission to Infrastructure Australia for Federal funds for implementation.

This planning phase will include the development of a 3D hydrodynamic model of the Tamar River from the existing 2D Tuflow model, originally developed for the Council by BMT WBM, and the application of this model to determine the quantity of silt deposition in the river below the proposed barrage at Point Rapid.



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## Launceston City Council – Tamar Lake Inc Support

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If Federal funds are provided as requested, the 3D modelling tool will be made available for application by the other Tamar River stakeholders including the three Councils.

The funds will also pay for an accurate costing of the construction of the barrage at Point Rapid by CDM Smith, the designers and constructors of the Marina Barrage in Singapore.

### ***Sewage Treatment and Water Quality Standards***

In our discussions with TasWater, we have made it clear that for the Tamar Lake project to proceed, the sewage treatment process in Zone 1 must be upgraded to meet EPA standards in about the same time frame as the possible implementation of Tamar Lake.

TasWater have assured us that their current planning calls for the upgrade to be completed in the 5 to 10 year time frame, which is consistent with Tamar Lake's time frame.

While the current TasWater EPA target is for discharge into an estuarine environment, we have stressed that the target EPA standards should be for discharge into a freshwater environment.

They has estimated that there is a cost premium of 10% to meet the higher standards.

Tamar Lake have submitted that, after 50 years or more of not meeting EPA requirements, and whether Tamar Lake goes ahead or not, shooting for the higher target would be very positively received by the community and may help soften the impact of any price rises needed to pay for the upgraded sewage plant.

Tamar Lake requests Council's support for this position in their discussions with TasWater.

### ***Greater Launceston Plan***

The Tamar Lake project is not currently in the final draft Greater Launceston Plan.

Without understanding what is involved, Tamar Lake Inc submits that the transformative Tamar Lake strategy should be included in the Greater Launceston Plan if it proceeds down the path of assessment as a Tasmanian Project of State or Regional Significance.

Tamar Lake Inc welcomes the offer of support from the Council, and trust that these requests are consistent with the aims of the Council.

Yours sincerely,



Robin Frith  
President

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**Attachment 2 - Public Release Document**



**Tamar Lake Inc.**

Incorporation Number IA 10501

Postal Address: 101 Cameron Street, Launceston, Tasmania 7250

Telephone: 0419 176 096 Email: [robin@robinfrith.com.au](mailto:robin@robinfrith.com.au)

Web [www.tamarlake.com.au](http://www.tamarlake.com.au)

10 October 2013

## Public Release

### Global Engineering Firm offers experience to Tamar Barrage Design

CDM Smith, the design and project managers of the Marina Barrage in Singapore, have offered their services, pro bono, to work with Tamar Lake Inc in the development of an on-site construction cost estimate for the barrage and to develop an approvals process strategy for local, state and federal approvals for the project.

This offer has been accepted by the management team of Tamar Lake Inc with work to commence immediately with results expected early November.

Robin Frith,

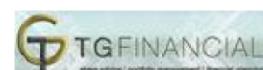
President 0419 176 096

### Members

|                |               |                |               |               |
|----------------|---------------|----------------|---------------|---------------|
| Ross Ambrose   | Scott Anthony | Charles Booth  | Errol Stewart | Kevin French  |
| Phil Leersen   | Ralph Norton  | Ted Pedley     | Mike Steele   | David Vautin  |
| David Youngman | Jack Bain     | Tim Dowling    | Tony Gray     | Andrew Lovitt |
| Bob Ruddick    | Alec Purves   | Stu Cottrell   | Denis Tucker  | Bill Woolcock |
| Phil Frith     | Robin Yates   | Richard Matson |               |               |



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**20 URGENT BUSINESS**

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

**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:** Daniel Gray (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 - 28 October 2013
-

MATTERS ARISING FROM COUNCIL - REQUIRING FURTHER ACTION - AT 28 OCTOBER 2013

| Meeting Date, Item & File #                                | Outstanding Items & Action Requested                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Officer Responsible & Officer Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Due Date                                                                                              |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 13 March 2012<br>Item 14.1<br>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><b>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.</b></p> <p><b>The MoU will be presented to Council for consideration.</b></p> <p><b>Finalisation of the MOU will allow the business case analysis to proceed.</b></p> <p><b>The draft MoU has been sent to Hydro Tasmania for review and comment prior to report to Council.</b></p> <p><b>Awaiting formal response to the draft MoU as presented. This includes a binding agreement on water supply.</b></p> <p><b>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.</b></p> <p><b>Report to be presented to SPPC in August 2013.</b></p> <p><b>Further information had been requested from Hydro Tasmania. This has now been received and the report will be made to SPPC in September 2013.</b></p> <p><b>Report presented to Alderman via a workshop on 16 September 2013.</b></p> | <p>Nov 2012</p> <p>Dec 2012</p> <p>July 2013</p> <p>August 2013</p> <p>Sep 2013</p> <p>March 2014</p> |
| 9 Sept 2013<br>Item 13.1<br>SF5547 /<br>SF0595 /<br>SF0594 | <p><b>Notice of Motion - Alderman Peck - WiFi in Brisbane Street Mall</b></p> <p><u>Resolution at Council Meeting 09/09/2013:</u></p> <p>That Launceston City Council investigate the installation of Wi-Fi in the Brisbane Street Mall and report back to Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Michael Tidey - Director Corporate Services</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>Nov 2013</p>                                                                                       |

23    **ADVICE OF FUTURE NOTICES OF MOTION**

24    **REPORTS BY THE MAYOR**

25    **REPORTS BY THE GENERAL MANAGER**

**26 CLOSED COUNCIL ITEM(S)****26.1 Rate Recovery Sales - Debts 1 - 37****FILE NO:** SF3161**AUTHOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commence of Rate Recovery proceedings against property owners.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.2 Rate Debt 1

**FILE NO:** SF 3161 / 15383

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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#### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.3 Rate Debt 2

**FILE NO:** SF 3161 / 17335

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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#### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.4 Rate Debt 3****FILE NO:** SF 3161 / 42840**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.5 Rate Debt 4****FILE NO:** SF 3161 / 74210**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.6 Rate Debt 5****FILE NO:** SF 3161 / 13589**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.7 Rate Debt 6****FILE NO:** SF 3161 / 17011**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.8 Rate Debt 7****FILE NO:** SF 3161 / 16873**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.9 Rate Debt 8****FILE NO:** SF 3161 / 16910**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.10 Rate Debt 9

**FILE NO:** SF 3161 / 15922

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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#### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.11 Rate Debt 10****FILE NO:** SF 3161 / 22506**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.12 Rate Debt 11

**FILE NO:** SF 3161 / 23784

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.13 Rate Debt 12****FILE NO:** SF 3161 / 55210**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.14 Rate Debt 13

**FILE NO:** SF 3161 / 17396

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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#### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.15 Rate Debt 14

**FILE NO:** SF 3161 / 4810

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.16 Rate Debt 15

**FILE NO:** SF 3161 / 92900

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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#### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.17 Rate Debt 16

**FILE NO:** SF 3161 / 68630

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.18 Rate Debt 17

**FILE NO:** SF 3161 / 18609

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.19 Rate Debt 18****FILE NO:** SF 3161 / 24925**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.20 Rate Debt 19

**FILE NO:** SF 3161 / 14460

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.21 Rate Debt 20****FILE NO:** SF 3161 / 2722**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

---

**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.22 Rate Debt 21

**FILE NO:** SF 3161 / 16804

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.23 Rate Debt 22****FILE NO:** SF 3161 / 16794**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

---

**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

---

**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.24 Rate Debt 23****FILE NO:** SF 3161 / 14072**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

---

**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

---

**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.25 Rate Debt 24

**FILE NO:** SF 3161 / 83590

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

---

### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

---

### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.26 Rate Debt 25

**FILE NO:** SF 3161 / 83580

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.27 Rate Debt 26****FILE NO:** SF 3161 / 41560**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

---

**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.28 Rate Debt 27**

**FILE NO:** SF 3161 / 14458

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.29 Rate Debt 28

**FILE NO:** SF 3161 / 29823

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.30 Rate Debt 29

**FILE NO:** SF 3161 / 73600

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.31 Rate Debt 30****FILE NO:** SF 3161 / 45950**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.32 Rate Debt 31

**FILE NO:** SF 3161 / 4946

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.33 Rate Debt 32****FILE NO:** SF 3161 / 34500**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.34 Rate Debt 33****FILE NO:** SF 3161 / 6617**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.35 Rate Debt 34**

**FILE NO:** SF 3161 / 44810

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.36 Rate Debt 35

**FILE NO:** SF 3161 / 14459

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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## COUNCIL AGENDA

Monday 28 October 2013

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### 26.37 Rate Debt 36

**FILE NO:** SF 3161 / 4237

**AUTHOR:** Jacqueline Dunn (Rates Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### **DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

### **REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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### **ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**26.38 Rate Debt 37****FILE NO:** SF 3161 / 37760**AUTHOR:** Jacqueline Dunn (Rates Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider whether to formally authorise commencement of Rate Recovery proceedings against property owner.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(j) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM TO BE DEALT WITH IN CLOSED COUNCIL**

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**27 MEETING CLOSURE**

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