



**LAUNCESTON CITY COUNCIL**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
TUESDAY 10 JUNE 2014**

# LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Tuesday 10 June 2014

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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: 10 June 2014

Time: 1.00 pm

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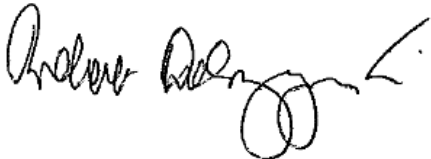
## Section 65 Certificate of Qualified Advice

### 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

COUNCIL AGENDA

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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 26 May 2014 be confirmed as a true and correct record.

**4 DEPUTATION**

Nil

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

Nil

**6 PUBLIC QUESTION TIME**

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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 item 7.1

## 7 PLANNING AUTHORITY

7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal

**FILE NO:** DA0148/2014

**AUTHOR:** Ashley Brook (Consultant Planner, GHD Pty Ltd)

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

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### DECISION STATEMENT:

To consider and determine a development application pursuant to the *Land use Planning and Approvals Act 1993*.

### PLANNING APPLICATION INFORMATION:

Applicant:	JMG Consultants
Property:	304 Penquite Road and 308 Penquite Road Norwood
Zoning:	General Residential
Receipt Date:	14/04/2014
Validity Date:	23/04/2014
Further Information Request:	01/05/2014
Further Information Received:	05/05/2014
Deemed Approval:	7/06/2014 (Extension granted until 10 June 2014)
Representations:	5

### PREVIOUS COUNCIL CONSIDERATION:

The following recent applications have been considered for the subject properties:

#### DA0183/2010:

Combined planning scheme amendment and development application. The scheme amendment entailed the rezoning of the subject property from Particular Use 5.1 Place of Assembly to Closed Residential under the Launceston Planning Scheme 1996. The amendment was subsequently approved by the Tasmanian Planning Commission;

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**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

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The development application entailed a subdivision - consolidation of four (4) titles; demolition of two (2) sheds and two (2) dwellings; construct and use 21 multiple dwellings and convert existing church into four (4) multiple dwellings. It was subsequently refused by the Tasmanian Planning Commission.

**DA0375/2012:**

- The development application entailed a subdivision - consolidation of four (4) titles; demolition of two (2) sheds and two (2) dwellings; construct and use 21 multiple dwellings and convert existing church into four (4) multiple dwellings;
- The development application was subsequently withdrawn on the basis that the application was deemed to be invalid.

**DA0416/2012:**

- The development application entailed a subdivision - consolidation of four (4) titles; demolition of two (2) sheds and two (2) dwellings; construct and use 21 multiple dwellings and convert existing church into four (4) multiple dwellings;
- The development application was subsequently withdrawn on the basis that the application was prohibited by a clause within the planning scheme.

**DA0033/2013:**

- The development entailed the subdivision - consolidate two (2) titles; demolish two (2) sheds and two (2) dwellings; construct and use twenty one (21) multiple dwellings and convert the existing church into four (4) multiple dwellings; modifications to the site levels and vehicle access;
  - The development was recommended for approval by Council Officers but was refused by Council acting as a planning authority. The reasons cited related to concerns about the building height of certain dwellings, overlooking mainly between dwellings within the proposed development and the impact of the level of development on the private open space for some dwellings;
-



**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

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- The applicant appealed Council's decision. The Tribunal upheld Council's refusal (TASRMPAT 104). The two main issues for the Tribunal were the lack of usable private open space for three (3) of the dwellings proposed within the former church (Townhouses 6, 7 and 8) and inadequate solar access for the private open space associated with Townhouses 10, 11, 16 and 17. A third issue was a lack of detail for the landscaping proposed within the frontage to ameliorate, although the Tribunal indicated that this could be overcome with a more comprehensive landscaping proposal including retention of existing vegetation.

**RECOMMENDATION:**

That the Council approves DA0148/2014 for Residential - multiple dwellings; amalgamation of two (2) titles, demolition of two (2) sheds, 2 (two) dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal on land located at 304 and 308 Penquite Road, Norwood 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. The endorsed plans are as identified in Annexure A.

**2. AMENDED PLAN REQUIRED**

Prior to the commencement of the development and use, amended plans must be submitted for approval by the Manager Planning Services Department. 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 show:

Pedestrian Access and Internal Road

- (a) A continuous footpath from the pedestrian gate on the frontage around one side of the internal loop road which is:
- a minimum of 1.5 metre wide between townhouses 6 and 12,
  - provided with a concrete kerb with a minimum height of 150mm to provide vertical separation,
-

**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

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- visually differentiated from the loop road and the driveways from the loop road to the parking areas/garages i.e. contrasting pavement colours or surface treatment or material type,
  - handrails where retaining walls create differences in level exceeding 1.00 metre
- (b) Provision of hand rails and wheel stops in parking areas where retaining walls create differences in level exceed 1.00 metre or pose a hazard to vehicles or people,
- (c) Provision of signage to indicate the direction of traffic flow around the loop road.

Private Open Space – Townhouses 6 and 7

- (a) The identification of the boundary and fence between Townhouses 6 and 7 on all plans shall be as it is shown on Drawing No. PD13202-01, Revision 3.

Parking

- (a) Deletion of the taxi parking space.
- (b) Provision of one (1) additional car parking space, to increase the overall provision to 54 spaces.
- (c) Provision of one (1) addition parking space for persons with a disability, to increase the overall supply to three (3) disability spaces.

The amended plans must be drawn to scale with dimensions and four copies must be provided. When approved by the Manager Planning Services Department the plans will be endorsed and will then form part of the permit and shall supersede the original endorsed plans.

**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 from Penquite Road.

**4. HOURS OF CONSTRUCTION**

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

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- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**
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**5. DEMOLITION**

The Developer must:

- a. 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.
- b. not undertake any burning of waste materials on site.
- c. remove all rubbish from the site for disposal at a licensed refuse disposal site.

Dispose of any asbestos found during demolition in accordance with the Workplace Tasmania's 'Code of Practice for the Safe Removal of Asbestos.

**6. CONSTRUCTION WASTE**

All waste materials produced must be removed from the site and disposed of in accordance with the relevant Australian Standards, Acts and in such a manner as to avoid nuisance, pollution or loss of amenity to the surrounding area. Waste materials should not be disposed of by burning unless approved by the Planning Authority.

**7. NO BURNING OF WASTES**

No burning of solid wastes is to be carried out on the site in such a manner so as to become a proven environmental nuisance to the occupiers of properties nearby.

**8. REMOVAL OF ASBESTOS**

Asbestos removal is to be in accordance with The Code of Practice for the Safe Removal of Asbestos [NOHSC:2002(1988)] Also, a Notice Of Intention To Remove Asbestos as required by Workplace Health and Safety Regulations 1998 Division 9 should be made to; Director Workplace Standards

**9. EXTERIOR AND SECURITY LIGHTING**

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

**10. AMENITY**

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

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- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**
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**11. 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.

**12. MULTIPLE DWELLINGS - FENCING**

The side and rear boundaries of the property and the boundaries between the individual approved dwellings shall 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.

**13. REFUSE & RECYCLING COLLECTION ARRANGEMENT**

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

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

**14. 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.

**15. 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.

**16. 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.

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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.

## **17. CONSOLIDATION OF TITLES**

Prior to the issue of Certificates of Occupancy for the development, the titles which comprise the subject site must be consolidated in accordance with under the Local Government (Building and Miscellaneous Provisions) Act 1993. This permit provides approval for the consolidation under the terms of the *Land Use Planning and Approvals Act 1993* and the *Launceston Interim Planning Scheme 2012*.

Prior to the adhesion being endorsed the provision of a single stormwater connection point located so as to drain the lowest part of the lot with all other stormwater connections removed at the main. Where connections are installed in the kerb, these are to be removed and the kerb and channel reinstated to match the existing construction.

Application for stormwater connection is to be made on the approved form and accompanied by the requisite fee. The developer must nominate the contractor who will perform the work to install the new connection and remove all redundant connections. All work is to be carried out in accordance with the Council standard drawings.

## **18. WORKS TO EXISTING PENQUITE ROAD RETAINING WALL**

The existing retaining wall located at the back of the footpath along Penquite Road is to be continued along the existing alignment to fill the voids created by the removal of the redundant vehicular crossings. The new sections of the wall shall be constructed of a like material as the existing wall and shall be designed so as to create a continuous structure.

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- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**
- 

## **19. VEHICULAR CROSSINGS**

Before the commencement of the use all unused crossovers and driveways must be removed. An application for such work must be lodged on the approved form

No work must be undertaken to remove the existing driveway outside the property boundary without the prior approval of the works by the Council's Road & Hydraulic Assets Department.

The work must be completed 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 (eg TasWater, Telstra, and 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. 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.

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- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**
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**21. 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 reserve is to be reinstated in accordance with IPWEA-LGAT Tasmanian Standard Drawing specifications and standard drawing TSD-G-01 Trench reinstatement. Asphalt patching 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.

**22. GEOTECHNICAL REQUIREMENTS**

The design of the proposal including retaining walls, buildings and drainage and the construction works are to be consistent with the recommendations of the Geoton Pty Ltd Geotechnical Report for 304 - 312 Penquite Road, Norwood dated 31st July 2009. Where the design or works are not consistent, a supplementary report must be submitted that demonstrates that there will not be an increased landslip risk.

Where required, a copy of the supplementary report must be submitted to Council before the works proceed. Deviation from the approved plans may require further approval.

**23. CONSTRUCTION OF RETAINING WALLS**

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

**24. 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 and AS 2890.6 Off-street parking for people with disabilities.
  - 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,
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**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

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- 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,

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

**25. TAS WATER**

The development is expected to comply with TasWater Certificate of Consent Number TWDA14/111 - N, which is attached to this permit.

**Notes**

**A. Building Permit Required**

*Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

**B. Occupancy Permit Required**

*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2000. Section 93. A copy of this planning permit should be given to your Building Surveyor.*

**C. Plumbing Permit Required**

*Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

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- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**
- 

D. Restrictive Covenants

*The granting of this permit takes no account of any covenants applicable to the land that contradict the Launceston Planning Scheme. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is effected, restricted or prohibited by any such covenant. If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.*

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**REPORT:**

**1. THE PROPOSAL**

The Development Application is to amalgamate the two (2) existing titles which comprise the subject site into a single lot, demolish the existing buildings on-site including two (2) sheds, two (2) dwellings and the former church, and construct and use twenty-four (24) multiple dwellings including a mix of single-storey and two-storey buildings. The proposed development involves modifications to the site levels including the construction of retaining walls. The proposed access will utilise an existing crossover near the southern end of the frontage, with the remaining three (3) crossovers to be removed. A new internal loop driveway will provide access to each dwelling.

The key difference to the previous application DA033/2013 is that the former church building is now proposed to be demolished to make way for three (3) new detached dwellings (Townhouses), resulting in a net reduction of one (1) dwelling. The other dwellings are numbered according to the previous application, so there is no longer a Townhouse 8. There have also been significant modifications to the building designs for Townhouses 11, 20, 21 and 23. The siting of the Townhouse 17 has also been modified to increase the width of its private open spaces in proximity to Townhouse 16.

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- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**
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## **2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject site is comprised in two titles (CT 165249/1 & CT 19533/3) with a combined area of 1.15 ha. It is rectangular in shape with a 99.98 m frontage to Penquite Road and a depth of approximately 115 m from the frontage. The general slope across the is 15.5%, falling towards the south-east corner. There is also an 8% fall along the frontage toward the south.

The land within 304 Penquite Road contains a single dwelling at the rear of the lot which is screened by mature vegetation at the frontage. 308 Penquite contains a single dwelling and a small number of landscape trees and plantings within the frontage setback. The property also contains a former church in the south-west corner on land formerly known as 310-312 Penquite Road (prior to a recent amalgamation of titles).

The adjoining property upslope to the north at 302 Penquite Road contains a dwelling near the centre of the lot. The property to the south at 316 Penquite Road is a corner lot with a secondary frontage to Quarantine Road. It contains a two-storey weatherboard dwelling. The view of the subject site and adjoining properties along Penquite Road is dominated by a large retaining wall, which is located in the road reservation, and mature vegetation above. The retaining wall is interrupted by driveways, including the four (4) crossovers along the frontage of the subject site.

The subject site also adjoins the Charlton Street Reserve (public park and walking track) to the rear (west) and a property at 165 Quarantine Road to the south-west which contains a single dwelling.

The broader surrounding area, at the edge of the residential suburb of Norwood, is broadly characterised by detached dwellings developed at a medium density. Dwellings are of a wide variety of forms and materials. Penquite Road is an important feeder road that provides southern commuters access to surrounding community services and to the city. There is also a small shopping area located approximately 1 km to the north along Penquite Road, which contains a supermarket, community hall and a takeaway shop. A metro bus route passes along Penquite Road, with a bus stop currently located on Penquite Road outside the subject site.

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- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

### 3. PLANNING SCHEME REQUIREMENTS

The effect of the recent introduction of Planning Directive 4, after previous application DA033/2013 was determined, is that different zone provisions and standards now apply to the proposed use and development.

Firstly, multiple dwellings are now categorised as a permitted (with permit) use in the General Residential zone. The new standards are contained in Clause 10.4. A specific car parking space requirement applicable to dwellings in the zone has also been added in the parking code.

Notwithstanding the use categorisation which ordinarily applies, the proposed use and development triggers discretions in relation to a number of use and development standards identified in this report.

#### **10.0 - General Residential Zone**

##### **10.1.1 Zone Purpose Statements**

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

**Consistent.**

The proposed development will provide range of dwelling types at a medium density. It is ordinarily at permitted (with permit) use in the Zone.

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

**Not applicable.** The application does not involve a non-residential use.

*10.1.1.3 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.*

**Not applicable.** The application does not involve a non-residential use.

*10.1.1.4 To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.*

**Consistent.**

The density of the development will be higher than the adjoining properties however is consistent with the (acceptable solution) standards for the zone.

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)
- 

**Local Area Objectives - There are no local area objectives**

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

## 10.3 Use Standards

### 10.3.1 Amenity

*Objective: To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.*

**Not applicable.** The application does not involve a non-residential uses.

### 10.3.2 Residential Character – Discretionary Uses

*Objective: To ensure that discretionary uses support:*

- a) the visual character of the area; and*
- b) the local area objectives, if any.*

**Not applicable.** The application is for multiple dwellings which are a permitted use in the zone.

## 10.4 Development Standards

### 10.4.1 Residential Density for Multiple Dwellings

*Objective: To provide for suburban densities for multiple dwellings that:*

- (a) make efficient use of suburban land for housing; and*
- (b) optimise the use of infrastructure and community services.*

**Not applicable** because the proposed development complies with A1 below (it is deemed to satisfy the objective).

*A1 Multiple dwellings must have a site area per dwelling of not less than:*

- (a) 325 m<sup>2</sup>; or*
- (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.*

(a) **Complies.** The proposed multiple dwellings have a site area per dwelling of 479 m<sup>2</sup> (i.e. 1.15 ha ÷ 24 dwellings)

(b) **Not applicable.**

### 10.4.2 Setbacks and Building Envelope for all Dwellings

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- 7.1 **304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

<p><i>Objective: To control the siting and scale of dwellings to:</i></p> <p>(a) <i>provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and</i></p> <p>(b) <i>assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and</i></p> <p>(c) <i>provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and</i></p> <p>(d) <i>provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</i></p>
<p><b>Not applicable</b> because the proposed development complies with A1-A3 below (it is deemed to satisfy the objective).</p>
<p><i>A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:</i></p> <p>(a) <i>if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</i></p> <p>(b) <i>if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</i></p> <p>(c) <i>if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</i></p> <p>(d) <i>if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</i></p>
<p><b>Complies</b> with (a). The minimum frontage setback of the proposed development is 4.52 m (Townhouses 23 and 24). A1 (b)-(d) do not apply.</p>
<p><i>A2 A garage or carport must have a setback from a primary frontage of at least:</i></p> <p>(a) <i>5.5 m, or alternatively 1 m behind the façade of the dwelling; or</i></p> <p>(b) <i>the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</i></p> <p>(c) <i>1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</i></p>
<p><b>Complies</b> with (a). The proposed garages will be orientated towards the internal driveway. The minimum frontage setback for a garage within the proposed development will be 9.9 m (Townhouse 1).</p>

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

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

*(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:*

*(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and*

*(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and*

*(b) only have a setback within 1.5 m of a side boundary if the dwelling:*

*(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or*

*(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).*

**Complies.**

(a) The 3D Building Envelope (Drawing No. PE13202-13) included with the application shows that the proposed development will be wholly contained within the required building envelope over the entire site. Compliance has been verified with reference wall heights for all dwellings scaled from the elevation drawings and the dimensions provided on site plan Drawing No. PD13202-05.

(b) Townhouse 22 will have a deck setback within 1.5 m of the northern side boundary however satisfies (ii) because the deck will have a length of 5 m (i.e. less than 9 m).

**10.4.3 Site coverage and private open space for all dwellings**

*Objective: To provide:*

*(a) for outdoor recreation and the operational needs of the residents; and*

*(b) opportunities for the planting of gardens and landscaping; and*

*(c) private open space that is integrated with the living areas of the dwelling; and*

*(d) private open space that has access to sunlight.*

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

**Complies.**

The Private Open Space Plan (Drawing No. PD13202-04) included with the application delineates areas of 'private outdoor space (POS)' which are proposed to satisfy the scheme standards, and further areas of (non-designated) outdoor space which will contribute to the total private open space for each dwelling. Given the development density, the amount of outdoor space available generally will be relatively generous. Notwithstanding, the size, location and orientation of designated space does not comply with Acceptable Solution A2 in all respects (Townhouses 1, 6, 18, 23-25). However, the POS for the dwellings has been assessed as compliant with the relevant performance criteria.

*A1 Dwellings must have:*

- (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and*
- (b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and*
- (c) a site area of which at least 25% of the site area is free from impervious surfaces.*

**Complies.**

- (a) The proposed site coverage by roofed buildings is 35% (i.e. 4,015 m<sup>2</sup> ÷ 1.15 ha).
- (b) The 'smallest' total private open space area will be associated with Townhouse 18 (101.4 m<sup>2</sup>). The total private open space for all dwellings will therefore exceed 60 m<sup>2</sup>.
- (c) The application states that 3,611 m<sup>2</sup>, or 31.4%, of the site area will be free from impervious surfaces.

- 7.1 **304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*A2 A dwelling must have an area of private open space that:*

*(a) is in one location and is at least:*

*(i) 24 m<sup>2</sup>; or*

*(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and*

*(b) has a minimum horizontal dimension of:*

*(i) 4 m; or*

*(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and*

*(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and*

*(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and*

*(e) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north; and*

*(f) has a gradient not steeper than 1 in 10; and*

*(g) is not used for vehicle access or parking.*

**Does not comply.**

The requirements in A2 are addressed separately below.

(a) Does not comply in respect of Townhouse 18 which will have a designated POS area of 21.4 m<sup>2</sup>. The POS area for all other dwelling exceeds 24 m<sup>2</sup>.

(b) Complies. The POS areas identified for each dwelling have a minimum horizontal dimension of 4 m.

(c) Does not comply in respect of Townhouse 1 because the relevant habitable room accesses an outdoor space which is located to the south of the dwelling and therefore not included in the designated POS.

(d) Complies. It is noted that whilst the POS for Townhouses 5 and 6 is located to the south-east of the dwellings, the shadow diagrams indicate that a 12 m<sup>2</sup> area within each POS (i.e. 50% of 24 m<sup>2</sup>) will satisfy the sunlight test above.

(e) Does not comply. POS is located between the dwelling and frontage (at least in part) for Townhouses 1, 23-25, and the frontage is orientated more than 30° east of north.

(f) Complies. The Private Open Space Plan included with the application indicates that the gradient for each POS area will be less than 1:10.

(g) Complies. The designated POS areas do not include vehicle access or parking areas.



- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)
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*P2 A dwelling must have private open space that:*

*(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:*

- (i) conveniently located in relation to a living area of the dwelling; and*
  - (ii) orientated to take advantage of sunlight.*
-

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**
- 

**Complies.**

Assessment against the performance criteria is required in relation to the POS areas for Townhouses 1, 18, 23-25.

**Townhouses 1 POS**

The POS for the dwelling does not satisfy A2 because it will not be directly accessible from a habitable room and will be located within a frontage that is orientated more the 30° east of north. The area will be accessed from the deck and adjoining outdoor space extending from the south of the open plan living space in the dwelling. It is therefore conveniently located. Despite the orientation of the frontage, the shadow diagrams indicate that the POS in the frontage will receive sunlight throughout most of the day on 21 June. It is therefore considered to comply with the performance criteria.

**Townhouse 18 POS**

The designated 21.4 m<sup>2</sup> POS area is a covered deck which will provide a level connection between the internal open plan living space and another outdoor space to the rear (west). The (non-designated) outdoor space does not have a 4 m minimum dimension and has an upward slope towards the south. Notwithstanding, the Landscaping Plan (Drawing No. PD 13202-06) indicates that the area will be landscaped with grass and plantings and will contain a clothes line. It will therefore serve as a conveniently located extension of the designated POS. The shadow diagrams indicate that most of the non-designated area will receive unobstructed sunlight from mid-morning to mid-afternoon on 21 June. The provision of the additional area is therefore considered to provide compliance with the performance criteria.

**Townhouse 23-25 POS**

The POS for the dwellings satisfies the acceptable solution requirements relating to size, minimum dimension, accessibility and gradient. Therefore, they are considered to be capable of serving as an extension of the living space within their respective dwellings. They will each have northerly orientation, although will be located within a frontage that is orientated more the 30° east of north. Notwithstanding, the shadow diagrams indicate that the outdoor spaces generally within the frontage will receive unobstructed sunlight across most of their area throughout the day on 21 June. The areas for dwellings 24 and 25 are covered decks however as the sun will be low in the sky on the 21 June, it is expected that these areas will receive adequate solar access. It is therefore considered to comply with the performance criteria.

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***10.4.4 Sunlight and overshadowing for all dwelling***

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- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

<p><i>Objective: To provide:</i>                  (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and                  (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p>
<p><b>Consistent.</b>                  The application indicates that there will be adequate sunlight access for habitable rooms, in accordance with the scheme standards below.</p>
<p><i>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</i></p>
<p><b>Does not comply.</b>                  Townhouses 5, 16-20 have external walls, which will include at least one habitable room (other than a bedroom), orientated within the specified range. The other proposed dwellings are orientated to be generally square with the site boundaries. Therefore, their north facing walls will be oriented more than 30° east of north and 30° west of north.</p>
<p><i>P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</i></p>
<p><b>Complies.</b>                  The living spaces for the proposed Townhouses 1, 3-4, 6-7, 9-15 and 21-25 are located in the northern sectors of the dwellings and provided with north-east and/or north west facing windows. The living space for the proposed Townhouse 2 is located in the south east sector although will have north-east facing windows. The shadow diagrams provided with the application indicate that the north-east and/or north west facing walls with these windows will receive unobstructed sunlight for at least part of the day. This demonstrates that sunlight will be capable of entering at least one habitable room within each dwelling. The proposed development therefore complies with the performance criteria.</p>

**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):*

*(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):*

*(i) at a distance of 3 m from the window; and*

*(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.*

*(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.*

*(c) That part, of a multiple dwelling, consisting of:*

*(i) an outbuilding with a building height no more than 2.4 m; or*

*(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.*

**Complies.**

Out of the windows oriented between 30° east of north and 30° west of north, those associated with Townhouses 16 and 18 will have another dwelling within the proposed development located to the north. The separation distance is less than the 3 m required in (a)(i). The affected windows are associated with the open plan living/dining/kitchen spaces associated with both proposed dwellings. Each space will also include other windows which face east. The shadow diagrams included with the application indicate that the east facing window associated with Townhouse 16 will receive unobstructed sunlight on most of its surface until at least 1 pm. In the case of Townhouse 18, the window at the eastern end of the north facing wall will received on most of its surface between 10 am and 1 pm. Its east facing window will receive unobstructed sunlight until the early afternoon. The open plan living spaces within each dwelling will therefore be capable of receiving sunlight between 9 am and 3 pm on 21 June.

*A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):*

*(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):*

*(i) at a distance of 3 m from the northern edge of the private open space; and*

*(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.*

*(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.*

*(c) That part, of a multiple dwelling, consisting of:*

*(i) an outbuilding with a building height no more than 2.4 m; or*

*(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.*

- 7.1 **304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

**Does not comply.**

Compliance not demonstrated in relation to Townhouse 18. The designated POS areas for Townhouses 1-7, 9-10, 12, 16 and 18 will have another dwelling within the proposed development located to the north. The shadows diagrams submitted with the application indicate that the POS areas for Townhouses 1-5, 12 and 16 will receive adequate sunlight in accordance with the test in the acceptable solution. The proposed Townhouses 9-10 include other designated POS areas to the north east which satisfy the test. The dwellings adjacent to the designated areas associated with Townhouses 6, 7 and 18 are located within 3 m. However, the shadow diagrams indicate that more than 50% of the 24 m<sup>2</sup> areas associated with Townhouses 6 and 7 will receive 3 hours sunlight between 9 am and 3 pm on 21 June. The shadow diagrams indicate that Townhouse 19 will partly overshadow the designated POS of Townhouse 18 although the extent cannot be verified.

*P3 A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3.*

**Complies.**

Dwelling 18 POS

The designated 21.4 m<sup>2</sup> POS area is a covered deck which will form an outdoor extension of the open plan living space in the dwelling. It is elevated approximately 2.5 m higher than the adjoining Townhouse 19 and is therefore unlikely to be significantly overshadowed by that dwelling. Additionally, as indicated in the assessment against Clause 10.4.3, P2 the designated POS is complemented by an additional outdoor area which is conveniently located to the east. The shadow diagrams indicate that most of the non-designated area will receive unobstructed sunlight from mid-morning to mid-afternoon on 21 June. The provision of the additional area is therefore considered to provide compliance with the performance criteria.

*10.4.5 Width of openings for garages and carports for all dwellings*

*Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.*

**Not applicable** because the proposed development complies with A1 below (it is deemed to satisfy the objective).

*A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).*

**Complies.** The garage for Townhouse 1 is located partly within 12 m of the frontage. The width of the garage opening, which will face the internal driveway rather than the frontage, is 5.1 m.

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

10.4.6 Privacy for all dwellings

Objective: To provide reasonable opportunity for privacy for dwellings.
<p><b>Consistent.</b> The proposed development has been assessed as compliant with the standards below.</p> <p><i>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</i></p> <p><i>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</i></p> <p><i>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</i></p> <p><i>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</i></p> <p><i>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</i></p> <p><i>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</i></p>
<p><b>Complies.</b></p> <p>(a) Proposed decks have been sited to be at least 3 m from the side boundaries.</p> <p>(b) Proposed decks have been sited to be at least 4 m from the rear boundary.</p> <p>(c) The application indicates that each dwelling will be separated by a 1800 mm paling fence. This is not reflected on the plans in all instances and is therefore recommended to be included as a permit condition. Townhouse 25 includes an elevated deck within 6 m of a habitable room window in Townhouse 24 (to the north). The proposed development includes provision for a fixed privacy screen on the northern side of the deck to a height of 1.7 m with no more than 25% transparency.</p>

**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

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

*(a) The window or glazed door:*

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

*(b) The window or glazed door:*

- (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or*
- (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or*
- (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.*

**Complies.**

(a) In relation to (i) and (ii), proposed windows and glazing have been sited to be at least 3 m from the side boundaries and 4 m from the rear boundary. In relation to (iii), upper level windows within Townhouse 12 and 24 will be within 6 m of designated POS (deck) areas associated with Townhouses 11 and 25 respectively.

(b) The Privacy Protection Plan (Drawing No. PD13202-08) included with the application shows provision for a fixed privacy screen on the northern side of the decks associated with Townhouses 11 and 25 to a height of 1.7 m with no more than 25% transparency. This satisfies requirement (iii).

*A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:*

*(a) 2.5 m; or*

*(b) 1 m if:*

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

**Does not comply.**

The shared driveway will be located within a 1 m horizontal distance from habitable room (bedroom) windows at each level in Townhouse 18.

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

*P3 A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.*

**Complies.**

The Privacy Protection Plan (Drawing No. PD13202-08) included with the application shows provision for an 1800 mm privacy fence to the south east of the window at ground floor level. The upper floor level will have a sill height of 3.1 m. It is considered that these measures will provide a level of protection which is reasonable.

*10.4.7 Frontage fences for all dwellings*

*Objective: To control the height and transparency of frontage fences to:*

- (a) provide adequate privacy and security for residents; and*
- (b) allow the potential for mutual passive surveillance between the road and the dwelling; and*
- (c) provide reasonably consistent height and transparency.*

**Not applicable** because the proposed development complies with A1 below (it is deemed to satisfy the objective).

*A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:*

- (a) 1.2 m if the fence is solid; or*
- (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).*

**Complies.** The Landscaping Plan (Drawing No. PD13202-06) shows provision for a 1.2 m solid fence within 4.5 m along the frontage.

*10.4.8 Waste storage for multiple dwellings*

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

**Not applicable** because the proposed development complies with A1 below (it is deemed to satisfy the objective).



**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:*

*(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or*

*(b) in a communal storage area with an impervious surface that:*

*(i) has a setback of at least 4.5 m from a frontage; and*

*(ii) is at least 5.5 m from any dwelling; and*

*(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.*

**Complies** with (a). The Landscaping Plan (Drawing No. PD13202-06) indicates that provision for the storage for waste and recycling bins has been provided in the outdoor space at the rear for each dwelling. The areas are therefore greater than 1.5 m<sup>2</sup>.

#### *10.4.9 Storage for Multiple Dwellings*

*Objective: To provide adequate storage facilities for each multiple dwelling.*

**Not applicable** because the proposed development complies with A1 below (it is deemed to satisfy the objective).

*A1 Each multiple dwelling must have access to at least 6 cubic metres of secure storage space.*

**Complies.**

Each dwelling will have a minimum of 6 m<sup>3</sup> of storage space within their respective garages.

#### *10.4.10 Common Property for Multiple Dwellings*

*Objective: To ensure that communal open space, car parking, access areas and site facilities for multiple dwellings are easily identified.*

**Not applicable** because the proposed development complies with A1 below (it is deemed to satisfy the objective).

*A1 Development for multiple dwellings must clearly delineate public, communal and private areas such as:*

*a) driveways; and*

*b) site services and any waste collection points.*

**Complies.**

The delineation is shown on the 'Private and Communal Spaces' Plan (Drawing No. PD13202-07). The proposed communal areas include the internal driveway and footpaths, visitor parking and the walkway to Charlton Street Reserve. The will be delineated from private areas with fencing.

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling

Objective: To ensure:

- a) that outbuildings do not detract from the amenity or established neighbourhood character; and
- b) that the dwellings remain the dominant built form within an area; and
- c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties.

The application has been assessed as compliant with the standards below.

A1 Outbuildings for each multiple dwelling must have a combined gross floor area not exceeding 45m<sup>2</sup>.

**Not applicable.**

A2 A swimming pool for private use must be located:

- a) behind the setback from a primary frontage; or
- b) in the rear yard.

**Not applicable.**

A3 Earthworks and retaining walls (other than for a single dwelling) must:

- a) be located at least 900mm from each lot boundary, and
- b) if a retaining wall:
  - i) be not higher than 600mm (including the height of any batters) above existing ground level, and
  - ii) 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
  - iii) not require cut or fill more than 600mm below or above existing ground level, and
  - iv) not redirect the flow of surface water onto an adjoining property, and
  - v) be located at least 1.0m from any registered easement, sewer main or water main.

**Does not comply.**

- (a) The retaining wall associated with Townhouse 5 will be setback slightly less than 900 mm from the southern boundary of the site. All other retaining walls comply.
- (b) (i)-(iii) The proposed development involves earthworks and retaining walls which will be stepped down the slope. Most of the retaining walls will be over 800 mm in height (measured from existing ground level). (iv) A stormwater design for the proposed development is included in the application. It will be required to ensure that surface water is not redirected onto adjoining properties. (v) The retaining walls though the centre of Townhouses 16-20 will be located within 1 m of a sewer easement.

- 7.1 **304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*P3 Earthworks and retaining walls associated with residential buildings and multiple dwellings must be designed and located to ensure that:*

- a) no structural issues are caused for adjoining structures; and*
- b) groundwater and stormwater are dealt with appropriately to eliminate any nuisance for adjoining properties; and*
- c) the potential for loss of topsoil or soil erosion are adequately dealt with; and*
- d) the potential visual impact on neighbouring properties including any increased potential for overlooking or overshadowing are adequately addressed.*

**Complies.**

Each requirement in the performance criteria is addressed below.

- (a) The Geotechnical Assessment included with the application recommends that the retaining walls be designed by a structural engineer. It is recommended that this be reflected in the permit conditions.
- (b) Not relevant; addressed in relation to A3 (b)(iv).
- (c) It is recommended that a condition be included on the permit to require the developer to install all necessary soil and water management works prior to the commencement of construction.
- (d) The retaining walls will be constructed for the building development. The proposed development will be sited within the building envelope required in Clause 10.4.3 A3. It therefore will not result in unreasonable levels of overlooking or overshadowing of adjoining properties.

*10.4.12 Site services for dwellings*

*Objective: To ensure that:*

- a) site services for dwellings can be installed and easily maintained; and*
- b) site facilities for dwellings are accessible, adequate and attractive.*

**Not applicable** because the proposed development complies with A1 below (it is deemed to satisfy the objective).

A1.1 Provision for mailboxes must be made at the frontage.

Complies. Mailboxes are proposed at the frontage adjacent to the driveway.

*10.4.13 Location of Car Parking*

*Objective:*

- a) To provide convenient parking for resident and visitor vehicles; and*
- b) To avoid parking and traffic difficulties in the development and the neighbourhood; and*
- c) To protect residents from vehicular noise within developments.*

**Not applicable** because the proposed development complies with the relevant acceptable solution (A2) below (it is deemed to satisfy the objective).

*A1 Shared driveways or car parks of residential buildings (other than dwellings) must be located at least 1.5m from the windows of habitable rooms.*

**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

<b>Not applicable</b> (does not apply to dwellings).
<i>A2.1 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>
<b>Complies.</b> The internal driveway provides for the forward entry and exit of vehicles to and from the site.
<i>A2.2 A tandem car space may be provided in a driveway within the setback from the frontage; and</i>
<b>Not applicable.</b> Tandem parking within the frontage setback is not proposed.
<i>A2.3 Provision for turning must not be located within the front setback.</i>
Complies (as per A2.1).
<i>A3 A garage or carport (other than for dwellings) must be located at least 5.5m from a frontage.</i>
<b>Not applicable</b> (does not apply to dwellings).
<i>A4 The total width of the door or doors on a garage facing a road frontage (other than for dwellings) must:</i> <i>a) be not more than 6m; or</i> <i>b) the garage must be located within the rear half of the lot when measured from the frontage.</i>
<b>Not applicable</b> (does not apply to dwellings).

**10.4.14 Clauses 10.4.14.1 - 10.4.14.9 only apply to development within the Residential Use Class which is not a dwelling**

**Not applicable.**

*10.4.15 Non Residential Development*

*Objective: 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.*

**Not applicable.**

**10.4.16 Subdivision**

*10.4.16.1 Lot Diversity and Distribution*

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*Objective:*

- a) To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.*
- b) to provide higher housing densities within walking distance of activity centres.*
- c) To achieve increased housing densities in designated growth areas.*
- d) To provide a range of lot sizes to suit a variety of dwelling and household types.*

*A1 Subdivision of 10 lots or less.*

**Complies.**

#### 10.4.16.2 Lot Area, Building Envelopes and Frontage

*Objective: To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.*

*A1 Lots must:*

- a) have a minimum area of at least 500m<sup>2</sup> which:
 
  - i) is capable of containing a rectangle measuring 10m by 15m; and*
  - ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or**
- b) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or*
- c) for the provision of utilities; or*
- d) for the consolidation of a lot with another lot with no additional titles created; or*
- e) to align existing titles with zone boundaries and no additional lots are created.*

**Complies** (area of 1.15 ha).

*A2 Each lot must have a frontage of at least 4.0m.*

**Complies.**

#### 10.4.16.3 Provision of Services

*Objective: To provide lots with appropriate levels of utility services.*

*A1 Each lot must be connected to a reticulated:*

- a) water supply; and*
- b) sewerage system.*

**Complies.** The site currently has multiple connections to water supply and sewerage system. TasWater requires a single connection per title.

*A2 Each lot must be connected to a reticulated stormwater system.*

**Complies.** The site currently has multiple stormwater connections. It is recommended that the permit be conditioned to require rationalisation to a single connection.

#### 10.4.16.4 Solar Orientation of Lots

*Objective: To provide for solar orientation of lots and solar access for future dwellings.*

**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

**Not applicable.** The consolidation will not affect the solar orientation of lots.

*10.4.16.5 Interaction, Safety and Security*

*Objective: To provide a lot layout that contributes to community social interaction, personal safety and property security.*

*A1 Subdivisions must not create any internal lots.*

**Complies.**

*A2 Internal lots must be:*

a) for subdivisions of 10 lots or more; and

b) less than 10% of the total lots created by the whole subdivision.

**Not applicable.**

*10.4.16.6 Integrated Urban Landscape*

*Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:*

*a) character and identity of new neighbourhoods and urban places; or*

*b) to existing or preferred neighbourhood character, if any.*

*A1 The subdivision must not create any new road, public open space or other reserves.*

**Complies.**

*10.4.16.7 Walking and Cycling Network*

*Objective:*

*a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and*

*b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.*

*c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.*

*A1 The subdivision must not create any new road, footpath or public open space.*

**Complies.**

*10.4.16.8 Public Transport Network*

*Objective:*

*a) To provide an arterial road and neighbourhood road network that supports a direct, efficient and safe public transport system.*

*b) To encourage maximum use of public transport.*

*A1 No lot in the subdivision is more than 400m walking distance from a bus stop.*

**Complies.** A bus stop is located directly adjacent to the subject site.

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*10.4.16.9 Neighbourhood Road Network*

<p><i>Objective:</i></p> <p><i>a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and</i></p> <p><i>b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.</i></p>
<p><i>A1 The subdivision must not create any new road.</i></p>
<p><b>Complies.</b></p>

**E3 - Landslip Code**

<p><i>E3.1.1 The purpose of this provision is to:</i></p> <p><i>a) ensure that use and development subject to risk from land instability is appropriately located and that adequate measures are taken to protect human life and property; and</i></p> <p><i>b) ensure that use and development does not cause, or have the cumulative potential to cause an increased risk of land instability.</i></p>
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**E3.6 Development Standards**

*E3.6.1 Development on Land Subject to Risk of Landslip*

<p><i>Objective</i></p> <p><i>To ensure that development is appropriately located through avoidance of areas of landslip risk, or where avoidance is not practicable, suitable measures are available to protect life and property.</i></p>
<p><i>A1 No acceptable solution.</i></p>
<p><i>P1 Development must demonstrate that the risk to life and property is mitigated to a low or very low risk level in accordance with the risk assessment in E3.6.2 through submission of a landslip risk management assessment.</i></p>
<p><b>Complies.</b></p> <p>A geotechnical report was submitted as part of the application. The Geotechnical investigation was carried out by Geoton Pty Ltd in 2009. The report found that the risk level with development of the site is LOW which is defined in the report as 'Usually acceptable to regulators. Where treatment has been required to reduce the risk to this level, ongoing maintenance is required. It is recommended that a condition be attached to the permit which requires that any development at the site is to be conducted in accordance with the recommendations of the Geoton Report.</p>

**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*E 4 - Road and Railway Assets Code*

*E4.1.1 The purpose of this provision is to:*

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and*
- b) maintain opportunities for future development of road and rail infrastructure; and*
- c) reduce amenity conflicts between roads and railways and other use or development.*

**E4.6 Use Standards**

*E4.6.1 Use of road or rail infrastructure*

*Objective*

*To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.*

*A1 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%.*

**Not applicable.** Penquite Road is not a category 1 or 2 road.

*A2 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.*

Does not comply. The proposed use will generate more than 40 vehicle movements per day.

*P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.*

**Complies.**

A Traffic Impact Assessment (TIA) was prepared by Milan Prodanovic in 2010 for the original proposed development. The report author has prepared a letter dated 26 February 2014 indicating that the TIA findings are still applicable notwithstanding a reduction in the number of proposed dwellings for 28 to 24. The anticipated traffic generation for the (original) development was 160 vehicle movements per day (it would now be less). The existing access will be modified to a width of 6.1m which provides for two way traffic. The TIA states that the traffic generated by the proposed development is unlikely to have any noticeable impact on the road network and overall traffic on Penquite Road



- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

*A3 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%.*

**Not applicable.**

## E4.7 Development Standards

### *E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways*

**Objective**

*To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:*

- a) ensure the safe and efficient operation of roads and railways; and*
- b) allow for future road and rail widening, realignment and upgrading; and*
- c) avoid undesirable interaction between roads and railways and other use or development*

*A1 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:*

- a) new road works, buildings, additions and extensions, earthworks and landscaping works; and*
- b) building envelopes on new lots; and*
- c) outdoor sitting, entertainment and children's play areas*

**Complies.**

The site is more than 50m from a railway, future road or railway and category 1 or 2 roads.

### *E4.7.2 Management of Road Accesses and Junctions*

**Objective**

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

*A1 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.*

**Complies.**

The proposed development will only have one access which will provided both entry and exit to the site.

*A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.*

**Not applicable.**

### *E4.7.3 Management of Rail Level Crossings*

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

<p><i>Objective</i>  <i>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</i></p>
<p><b>Not applicable.</b></p>

*E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings*

<p><i>Objective</i>  <i>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</i></p>
<p><i>A1 Sight distances at</i>  <i>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</i>  <i>b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or</i>  <i>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</i></p>
<p><b>Complies.</b>                  The TIA demonstrates that sight distances will be adequate.</p>

**E6 - Car Parking and Sustainable Transport Code**

<p><i>E6.1.1 The purpose of this provision is to:</i>  <i>a) ensure that an appropriate level of car parking facilities are provided to service new land use and development having regard to the operations on the land and the nature of the locality; and</i>  <i>i) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and</i>  <i>ii) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and</i>  <i>ii) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and</i>  <i>iv) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and</i>  <i>v) provide for the implementation of parking precinct plans.</i></p>
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**E6.6 Use Standards**

*E6.6.1 Car Parking Numbers*

<p><i>Objective: To ensure that an appropriate level of car parking is provided to service use.</i></p>
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- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*A1 The number of car parking spaces:*

- a) will not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or*
- b) will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone); or*
- c) will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone); or*
- d) If for dwellings in the General Residential Zone, not less than 100% of the requirements of Table E6.1.*

**Complies by condition.**

For multiple dwellings with 2 or more bedrooms, Table E6.1 required 2 spaces per dwelling plus 1 dedicated space per 4 dwellings. This generates a requirement for 54 spaces. The proposed development shows formal provision of 42 garage spaces (i.e. Townhouses 3-6 and 9 will have single garages) plus 8 communal spaces and 2 disability spaces. This gives 52 formal spaces. The application indicates that tandem spaces could be provided for Townhouses 6-7, 11, 21-22 and 24-25, however all except Townhouse 6 already have double garages. Notation 2 to Table E6.1 indicates that tandem parking can be provided for individual units only. Taking account of the tandem space which can be counted for Townhouse 6 the total provision becomes 53 spaces, which is a shortfall of 1 space. The shortfall is able to be overcome by an additional space adjacent to the module of 4 visitor spaces in place of the taxi space (which is not required under Clause E6.6.3). A condition has been recommended to this effect.

**E6.6.2 Bicycle Parking Numbers**

*Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.*

- A1.1 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*
- A1.2 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.*

**Complies.**

Table E6.1 requires 1 space per dwelling unit. Each dwelling is capable of safely and securely storing a bicycle in either their respective shed or garage.

**E6.6.3 Taxi Drop-off and Pickup**

*Objective: To ensure that taxis can adequately access developments.*

**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).*

**Not applicable** due to the exception for dwellings in the General Residential zone.

*E6.6.4 Motorbike Parking Provisions*

*Objective: To ensure that motorbikes are adequately provided for in parking considerations.*

*A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.*

**Complies.**

The standard requires provision of 3 taxi spaces. 4 spaces are proposed.

**E6.7 Development Standards**

*E6.7.1 Construction of Car Parking Spaces and Access Strips*

*Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.*

*A1 All car parking, access strips manoeuvring and circulation spaces must be:*

- a) formed to an adequate level and drained; and*
- b) except for a single dwelling, provided with an impervious all weather seal; and*
- c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.*

**Complies.**

The proposed car parking and driveway areas will sealed with concrete. Outdoor spaces will be drained to the reticulated system. Line marking will be provided where two or more outdoor spaces adjoin one another.

*E6.7.2 Design and Layout of Car Parking*

*Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.*

*A1.1 Where providing for 4 or more spaces, parking areas (other than for dwellings in the General Residential Zone) must be located behind the building line; and*

*A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.*

**Complies.**

All parking on site is located behind the building line fronting Penquite Road and turning provisions on the site are not located within the front setback for the multiple dwellings.

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

*A2.1 Car parking and manoeuvring space must:*

- a) have a gradient of 10% or less; and*
- b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and*
- c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and*
- d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:*
  - i) there are three or more car parking spaces; and*
  - ii) where parking is more than 30m driving distance from the road; or*
  - iii) where the sole vehicle access is to a category I, II, III or IV road; and*

*A2.2 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.*

**Does not comply.**

A2.1 Car parking and manoeuvring space must:

- a) The proposed main driveway will exceed 10% in sections (up to 20%).
- b) The internal driveway provides for the forward entry and exit of vehicles to and from the site (complies).
- c) Table E6.2 requires a minimum access width of 5.5 m and 3 m for one-way operation. The maximum widths under the acceptable solution are 6.05 m and 3.3 m respectively. The proposed driveway is 6 m for the initial two-way section (complies) and 3.8-4 m beyond that for the one-way section (does not comply).
- d) A number of outdoor 90 degree car parking spaces to not satisfy the 6.4 m manoeuvring space required under Table E6.3.

A2.2 The Australian Standard specifies a minimum aisle width of 5.8 m for 90 degree Class 1A spaces. The outdoor spaces satisfy this requirement.

P2 Car parking and manoeuvring space must:

- 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
- 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.

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

**Complies.**

The manoeuvring of vehicles onto the internal driveway with a gradient exceeding 10% is considered acceptable in the case of the proposed development because it will provide the ability for vehicles to manoeuvre with limited traffic before safely exiting the site in a forward direction. There is a concern about the safety of having changes in the site level in the car parking areas as there are no barriers or fencing shown on top of the retaining walls. Conditions are recommended to be applied to address this issue with the installation of hand rails and wheel stops.

The proposed parking aisle widths are considered adequate because they will satisfy AS 2890.1 – 2004.

**E6.7.4 Parking for Persons with a Disability**

**Objective:** To ensure adequate parking for persons with a disability.

A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.

**Complies.**

The proposed development includes multiple buildings though each does not require a disability space. The disability spaces will be provided on a shared basis to service the use overall. They will be located centrally along the driveway.

A2 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.

**Complies by condition.**

3 disability spaces are required however only 2 are proposed. The standard is not capable of being varied because there is no performance criteria. It is recommended that a third space be required as a permit condition.

**E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup**

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

A1 For retail, commercial, industrial, service industry or warehouse or storage uses:  
 a) at least one loading bay must be provided in accordance with Table E6.4; and  
 b) loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use the site.

**Not applicable.**

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

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## **E6.8 Provisions for Sustainable Transport**

### **E6.8.1 Bicycle End of Trip Facilities**

Objective: To ensure that cyclists are provided with adequate end of trip facilities.

A1 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.

#### **Complies.**

Each dwelling will have individual bathrooms. As the proposed use will not have employees, additional shower facilities are not proposed.

### **E6.8.2 Bicycle Parking Access, Safety and Security**

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

A1.1 Bicycle parking spaces for customers and visitors must:

- a) be accessible from a road, footpath or cycle track; and
- b) include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and
- c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and
- d) be available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and

A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.

#### **Complies.**

Provision for bicycle parking has been made within the internal garages, which will be secure areas.

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**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

A2 Bicycle parking spaces must have:  
 a) minimum dimensions of:  
     i) 1.7m in length; and  
     ii) 1.2m in height; and  
     iii) 0.7m in width at the handlebars; and  
 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.

**Complies.**

The garages can accommodate bicycles within the dimensions specified.

**E6.8.5 Pedestrian Walkways**

Objective: To ensure pedestrian safety is considered in development.

A1 Pedestrian access must be provided for in accordance with Table E6.5.

**Does not comply.**

For the proposed development, Table E6.5 requires a 1 m wide footpath separated from the driveway and parking aisles and at crossing points. The exception to the width is that where parking areas contain disability spaces, a 1.5 m footpath with a maximum gradient of 1:14 is required. In terms of the separation requirements under either scenario, this can be achieved either by providing a horizontal distance of 2.5 m, or protective devices (bollards, guard rails or planters) to comply with the table. Signs and marking are required at crossing points including driveways and parking aisles. The proposed development does not comply with Table E6.5 in three (3) respects; it does not incorporate a 1.5 m footpath, the footpath will be separate from the driveway by barrier kerbs (as opposed to the protective devices described in the table) and line marking is not indicated at all crossing points.

*P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.*



- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

**Complies by condition.**

The relevant issues are discussed separately below.

Footpath width

Due to the slope of the site, the driveway and footpath will have a gradient of up to 20%. The disability spaces will be provided in a relatively level however, regardless of the width the footpath is unlikely to be used by persons with a disability. Residents, or visitors to the use and development, with a disability are likely to park in or adjacent to the garage spaces. Taking this into account, the width of the proposed footpath is considered acceptable.

Protective devices

Council's preference is to use a conventional subdivision technique using kerb and channel to not only provide a drainage function, but also to provide a vertical barrier. Conditions are included in the recommendation in this regard. Handrails will be required where level differences exceed 1 m.

Crossing points

The main concern is where the walkway will cross secondary driveways and (informal) tandem car spaces. The footpath should therefore be visually differentiated to highlight the area where pedestrians are to be given priority. Conditions are included in the recommendation in this regard.

E6.6.4 Local Area Provisions

Objective: To remove the need for new use or development to provide onsite car parking within the exemption area.

To establish parking maximums within the exemption area.

**Not applicable.**

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)

## 4. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Assets	Conditional consent provided.
Environmental Health	Conditional consent provided.
Parks and Recreation	No referral required.
Heritage/Urban Design	No referral required.
Building and Plumbing	Building notes apply to the permit.
<b>EXTERNAL</b>	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA14-111-N.
DIER	No referral required.
TasFire	No referral required.
Tas Heritage Council	No referral required.
Crown Land	No referral required.
TasRail	No referral required.
EPA	No referral required.
Aurora	No referral required.

## 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 10 May 2014 to 23 May 2014. Five (5) representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

ISSUE	COMMENTS
Excessive housing density.	The proposed density is one dwelling per 479 m <sup>2</sup> of site area, whereas the 'permitted' standard is for one per 325 m <sup>2</sup> . It is therefore significantly less than what the standard might otherwise allow.
Road safety and congestion	The Traffic Impact Assessment provided indicates that the additional traffic generated by the proposed use and development will be within the road capacity.

**7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

ISSUE	COMMENTS
Lack of open space	The amount of outdoor space associated with the proposed development is larger than the scheme allows. An area of public open space exists to the rear of the subject site.
Impact on property values	Not a relevant matter for planning consideration.
Crime and violence	Not ordinarily a relevant matter for planning consideration.
Noise, dust and machinery during construction	The recommended draft conditions include a limitation on the hours of construction.
Approval only able to be achieved as a result of past manipulation of the titles	This is understood to be a reference to a scheme standard requiring that multiple dwellings must not be constructed on more than 2 adjoining lots, and a previous adhesion of 3 titles associated with the subject site into one to overcome it. It is noted that the scheme standard no longer exists following implementation of Planning Directive PD4.1.
Poor amenity for residents of the development	The development satisfies the relevant scheme standards, including those for density, privacy, overshadowing and private open space for instance.
Concern that the development will be leased/sold for social housing	Not a relevant matter for planning consideration.
Noise nuisance from air conditioners, heat pumps and vehicle movement	Noise emissions from these sources are not out of character in a residential environmental. In the case of any excessive or unreasonable emissions other legislative provisions would apply, such as the Environmental Management and Pollution Control Act. Standard conditions dealing with nuisance and amenity are recommended for inclusion in the permit.
Restrictive covenants	Council is not a party to the covenants.
Lack of clarity regarding the presence of a gate	The applicant has clarified that a gate is not proposed.
Lack of clarity regarding rubbish and recycling areas	The applicant has clarified that rubbish and recycling will be collected from within the site by a contractor. A condition has been recommended to reflect this.

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**

<b>ISSUE</b>	<b>COMMENTS</b>
Townhouse 18 non-compliant with Clause 10.4.6	The proposed development has been assessed as compliant with the relevant performance criteria in this regard.
Impact of mailboxes at the frontage upon traffic	The mailboxes will be accessed from the internal footpath and are not considered to represent a traffic safety issue.
Inconsistency with the character of the locality	Landscaping (including retention of some existing vegetation) is an improvement upon the previous application and will assist in integrating the proposed development into the streetscape. Otherwise, the proposed development complies with the relevant standards for the zone.
Loss of amenity for adjoining properties	The proposed development complies with the scheme standards which seek to protect the amenity of adjoining properties, including the building envelope requirement in particular.

## 6. CONCLUSION

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

## ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 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.

- 7.1 304 & 308 Penquite Road, Norwood - Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal...(Cont'd)**
- 

**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:**

1. Planning Report Development Application (circulate separately)
  2. Annexure A to condition 1 of the recommended conditions
  3. Representations
-

Annexure A

Endorsed plans and documents for planning permit DA0148/2014

1. The following plans prepared by Prime Design:

Title	Project No.	Sheet No.	Revision	Date
TH1	PD13202	01-07	01	28/02/2014
TH2	PD13202	01-06	01	03/03/2014
TH3	PD13202	01-06	01	28/02/2014
TH4	PD13202	01-06	01	28/02/2014
TH5	PD13202	01-06	01	28/02/2014
TH6	PD13202	01-06	01	03/03/2014
TH7	PD13202	01-06	01	28/02/2014
TH9	PD13202	01-07	01	03/03/2014
TH10	PD13202	01-06	01	03/03/2014
TH11	PD13202	01-07	01	03/03/2014
TH12	PD13202	01-07	01	03/03/2014
TH13	PD13202	01-07	01	03/03/2014
TH14	PD13202	01-06	01	03/03/2014
TH15	PD13202	01-07	01	27/03/2014
TH16	PD13202	01-06	01	03/03/2014
TH17	PD13202	01-06	01	03/03/2014
TH18	PD13202	01-07	01	28/02/2014
TH19	PD13202	01-06	01	28/02/2014
TH20	PD13202	01-07	01	28/02/2014
TH21	PD13202	01-07	01	03/03/2014
TH22	PD13202	01-06	01	28/02/2014
TH23	PD13202	01-06	02	20/03/2014
TH24	PD13202	01-07	02	20/03/2014
TH25	PD13202	01-07	02	20/03/2014
Site Plan	PD13202	01	03	27/03/2014
Site Analysis Plan	PD13202	02	04	27/03/2014

Demolition Plan	PD13202	03	04	27/03/2014
Private Open Space Plan	PD13202	04	03	27/03/2014
Site Set Out Plan	PD13202	05	04	07/05/2014
Landscaping Plan	PD13202	06	04	14/04/2014
Private and Communal Spaces	PD13202	07	03	27/03/2014
Privacy Protection Plan	PD13202	08	03	27/03/2014
Existing/Untouched Units	PD13202	09	03	27/03/2014
Cut and Fill Volumes	PD13202	10	03	27/03/2014
Site Sections	PD13202	11	03	27/03/2014
Site Section	PD13202	12	03	27/03/2014
3D Building Envelope	PD13202	13	03	27/03/2014
Civil Services	J1430054CL	C01	P1	14/04/2014
Road 1 Long Section	J143005PH	C02	P1	14/04/2014
Road 2 Long Section	J143005PH	C03	P1	14/04/2014
X Sections Road 1 Chainage 0.00 to 50	J143005PH	C04	P1	14/04/2014
X Sections Road 1 Chainage 60 to 104	J143005PH	C05	P1	14/04/2014
X Sections Road 1 Chainage 85 to 105	J143005PH	C06	P1	14/04/2014
X Sections Road 2 Chainage 0 to 120	J143005PH	C07	P1	14/04/2014
X Sections Road 2 Chainage 130 to 136	J143005PH	C08	P1	14/04/2014
Shadow Diagram 9am June 21st	PD13202	SD01	03	27/03/2014
Shadow Diagram 10am June 21st	PD13202	SD02	03	27/03/2014
Shadow Diagram 11am June 21st	PD13202	SD03	03	27/03/2014
Shadow Diagram 12pm June 21st	PD13202	SD04	03	27/03/2014
Shadow Diagram 1pm June 21st	PD13202	SD05	03	27/03/2014

Shadow Diagram 2pm June 21st	PD13202	SD06	03	27/03/2014
Shadow Diagram 3pm June 21st	PD13202	SD07	03	27/03/2014
Shadow Diagram 4pm June 21st	PD13202	SD08	03	27/03/2014
Shadow Diagram 5pm June 21st	PD13202	SD09	03	27/03/2014

2. Development Application Planning Report Project No. J143005PH prepared by JMG Engineers & Planners dated 7 May 2014;
3. Services Report Project No. J143005PH prepared by JMG Engineers & Planners dated 11 April 2014;
4. Geotechnical Investigation Project No. GL090129b prepared by Geoton Pty Ltd dated 31 July 2009;
5. Traffic Impact Assessment prepared by Milan Prodanovic Traffic Engineering and Safety dated April 2010 inclusive of the cover letter dated 26 February 2014;
6. Addendum to the Traffic Impact Assessment prepared by Milan Prodanovic Traffic Engineering and Safety dated May 2014;



18/5/2014

To: PLANNING ADMINISTRATION OFFICE  
LCC.

Re: DAP 148/2014 304-312 DENBY RD.

Dear Sir,

Regarding the above development, I have the following concerns:

- ① HOUSING DENSITY EXCESSIVE
- ② ROAD SAFETY AND TRAFFIC CONGESTION SO CLOSE TO ROUNDABOUT.
- ③ NO OPEN SPACE IN THE DEVELOPMENT  
(SUGGEST <sup>ALL</sup> LAND INSIDE ACCESS CIRCULAR ROAD TO BE FOR PLANTING AND COMMON SPACE)

Yours faithfully

FILE No.	DAP 148/2014		
EO	OD	<input checked="" type="checkbox"/>	Box <input checked="" type="checkbox"/>
RCVD 20 MAY 2014 LCC			
Doc No.			
Action Officer	Noted	Replied	
W. R. WALKER			

E COPY S WALKER

To General Manager  
19/05/2014

PO Box 396 Launceston TAS 7250

To Whom It May Concern, I am writing to you in regards to the proposed building application in Norwood, building no: DA0148/2014.

The reason I write to you is I'm deeply concerned about the building proposal. I believe the proposal of 24 dwellings is far or dense for the area.

It will greatly affect the re-sale value of our property and all properties and land in the close area.

I believe it will harm the infrastructure of the area, e.g. roads, noise, traffic. Traffic in the area at peak times is already challenging.

With the increased residential population crime and violence is a major concern or my family and I.

Whilst under construction Noise, dust and heavy machinery will be a great Burdon to the neighbourhood.

Regards

FILE No.	DA 0148/2014		
EO	1	OD	Box
		✓	✓
RCV'D		20 MAY 2014	LCC
Doc No.			
Action Officer	Noted	Applied	
C. Walker			

E COPY G. WALKER

Dear Sirs

I submit this letter as my objection to the proposed development on 312 Penquite Rd.

Only through manipulation of block titles could it achieve approval.

Nowhere else in Norwood will you find such a high number of units in one cramped space (nursing homes not included)

As a development it offers nothing to the future residents but a remote cramped life style

Can assurance be given that this development will not be leased or sold as Government housing

FILE No.	DFK143/2014		
EO	OD	✓	Box ✓
RCVD 20 MAY 2014 LCC			
Doc No.			
Action Officer	Noted	Replied	
C Winkmore			

E-Copy G. WALKER

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Applicant Jmg Consultants  
Location 304 and 308 Penquite Road Norwood Tasmania  
Your contact – George Walker

Dated 21st May 2014

We hereby lodge an objection to the above proposed development on the grounds -  
1) we consider the density of this proposed development is in no way compatible with current existing development in this area- developments should be designed to respect the scale and form of adjacent and adjoining development to enhance and compliment the prevailing character of the area.  
2) we are concerned as to the noise nuisance of air conditioners and heat pumps and vehicle movement.

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**From:**  
**To:**  
**Date:**  
**Subject:** Objection Letter DA0148/2014

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To the General Manager,

Please find attached our written representation regarding development application DA0148/2014.

Kind regards

23 May 2014

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

**Objection – Development application DA0148/2014 – Property: 304 and 308 Penquite Rd, Norwood, Tasmania. (“the Application”).**

We refer to the aforementioned Application and take this opportunity to communicate our objection to the development application for the amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwelling; site works and vegetation removal. Our reasons for objection are outlined below. Our objection is primarily based on two key grounds. These are:

1. the existence of restrictive covenants on the Certificates of Title to the properties at 304 Penquite Rd and 308 Penquite Rd being the subject site, which inhibit the proposed development; and
2. the inconsistency of the Application with the state and local policies and the zoning controls in the *Launceston Interim Planning Scheme 2012*.

## **1. Restrictive Covenants**

The Certificates of Title for the properties at 304 and 308 Penquite Rd Norwood, to which the Application relates have restrictive covenants, which inhibit the proposed development. The covenants extend to titles 300, 302, 304 and 308 Penquite Rd, of which we are a party.

Firstly the proposal for alteration of titles breaches the covenant at (h) *“Not to subdivide the said Lot into small lots nor alter nor amend the subdivision plan as it relates to such Lot in any way without the Vendor’s consent first had and obtained”*

Further the Application breaches the covenant at (d) *“That not more than one main building shall be erected on such Lot”*.

On this basis, Council cannot legally assess the Application.

Additionally, we submit the following grounds of objection to the Application as it responds to the *Launceston Interim Planning Scheme 2012*:

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**2. Inconsistency with the Planning Scheme:**

We believe there are some issues relating to this development application including:

- **Lack of clarity regarding presence of a gate:**

Page 18 of the development application states that “a front gate fence will limit access to the site”. On page 31 there is a statement that “The main access will be secured by a gate”

We are concerned that there is no mention of the gate in the Traffic Impact Assessment and we question how this might affect the flow of traffic on Penquite Road. This could potentially be an issue if there is a line-up of cars in either direction waiting for a gate to open for access to the site.

We have raised this question in each of our previous objections to past applications, each time we have been assured that there is no gate, however it keeps reappearing in the documentation, though we note that it is not apparent in any of the design drawings. Clarification regarding this matter is required, and if, indeed there is going to be a gate, it is necessary to fully understand the impact this will have on Penquite Road.

- **Lack of clarity regarding rubbish and recycling collection within the proposed development:**

The current application states that “*the internal loop road has been designed to allow for waste collection vehicles to access and move through the site.*” We have previously been informed that the Council's waste disposal truck would not enter the site (relating to the previous applications). We believe it is necessary to be certain regarding this matter as, it is our opinion that 48 bins lined up on Penquite Road for rubbish and recycling collection is not acceptable. We feel that clarification is required to be certain that waste disposal vehicles will indeed collect waste from within the proposed development. It is well and good for the loop road to be designed to allow for waste collection, however this is not a guarantee that such will occur.

- **Town-house 18 non-compliant with 10.4.6 of the Launceston Interim Planning Scheme 2012:**

The proposed plan for Town-house 18 includes 2 bedrooms which are 0.6 metres from the internal loop road. The application states that discretion could be applied to mitigate this by utilising double glazing and a 1.8 metre privacy screen. Although these measures will be somewhat effective at reducing the problem, we believe they will not reduce it to an acceptable level. Particularly given that this town-house is at the entrance to such a large development and as such will have considerable traffic volumes at all hours and significant engine noise as vehicles ascend the steep hill. It is our opinion that this issue is a symptom of over-development. Given the amount of land involved in this development application, we believe that it should be possible to design housing that does not have these sorts of issues which present when dwellings are located so close together.

- **Access to mailboxes and impact on traffic movement inside the development and on Penquite Road:**

We have noted that the development application has made provision for all mailboxes to be located on the south of the loop road, just inside the entrance to the development. Although this may appear to make sense, we wonder how it will operate functionally for residents of the development. Given the topography and size of the site, it is unlikely that residents will want to walk down to collect the mail. Also, there are likely to be a number of residents who may be physically unable to walk over this distance and terrain. As such, it is reasonably expected that residents will check their mail boxes when they are entering or

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exiting the development in their vehicle. We note that there is no provision of a parking bay or similar near the mailbox area, so any vehicle stopping to collect mail will be forming an obstruction to traffic flow. This presents safety concerns not only to other vehicles and pedestrians within the development but also to vehicles on Penquite Road as cars may not be able to turn in, forming further obstruction. This issue has not been addressed in the Traffic Impact Assessment. We believe that this issue should be considered and appropriate provisions made for safe, functional and easy collection of mail.

**Inconsistency of proposed development with the character of the locality**

The *Tasmanian Planning Commission* stated in their determination dated 14/12/2011 that the area in question is “characterised by single dwellings on spacious sites, enhanced by substantial vegetation”. Despite many changes along the way, the current development proposal is still not in keeping with this.

Item 10.1.1.4 of the Interim Planning Scheme states that the purpose of the planning scheme is “to encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity...” We believe this development application not only disrespects the character of the area, it openly opposes its surroundings, with its vast visual bulk, minimal setbacks on all boundaries, minimal space between dwellings and minimal open space.

**Loss of amenity for ourselves, neighbours and residents of the proposed development**

The Interim Launceston Planning Scheme 2012 defines amenity: “amenity means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable”. We believe the application in its current form is deficient in amenity for both residents and neighbours of the proposed development. We acknowledge that improvements have been made since the previous applications particularly for residents within the development who may choose this style of living, however the impact on our amenity and that of other surrounding neighbours remains seriously compromised.

We feel that our amenity will certainly be negatively affected by the very close proximity of 5 dwellings with minimal setbacks not to mention the remainder of the 24 dwellings in the proposed development. Our loss of amenity will include a significant reduction in the privacy of our residence, privacy of our private open space particularly and significantly increased noise levels from the large number of residents living in the proposed development. We moved to this area expressly due to its privacy, large blocks, plentiful vegetation and low density all of which will be severely compromised as a result of this development proposal.

The proposed development also obstructs our rural views : y  
s in our house where we spend large proportions of our time.

Sincerely,

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**8 ANNOUNCEMENTS BY THE MAYOR****8.1 Mayor's Announcements****FILE NO:** SF2375

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**Monday 26 May**

Attended Relationships Tasmania Exhibition Launch for Responsible Gambling Awareness Week

**Tuesday 27 May**

Attended UTAS launch of 2014 Season of Student directed performances

**Wednesday 28 May**

Attended Northern Suburbs Community Centre Cancer Council morning tea  
Attended Deloitte Celebration for the career of Steven Heryk  
Attend Uni Revue Opening Night performance of "The Habbit"

**Thursday 29 May**

Attended Bunnings Warehouse North Launceston Official Opening Ceremony  
Officiated at Northern Hospice Celebration for National Palliative Care Week  
Officiated at Book launch - "Dorothy Edwards: A Life Well Lived"

**Friday 30 May**

Officially opened Tasmanian Beekeepers Association 69th Annual Conference  
Attended UTAS luncheon with the Provost  
Attended LCCI Premier's Cocktail Party

**Saturday 31 May**

Attended Australian Navy Cadets Ceremonial Parade  
Attended Launceston Medical Centre Opening

**Sunday 1 June**

Attended Boer War Commemorative Day Ceremony  
Attended Pre-Game Function and NTFA Aboriginal Round Football Match

**Wednesday 4 June**

Attended Beacon Foundation 20th Annual Positive Futures Charter Signing at Brooks High School  
Attended Fred Smith "Dust of Uruzgan" concert at Princess Theatre

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**8.1 Mayor's Announcements...(Cont'd)**

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**Thursday 5 June**

Attended launch of the 2014 CGU Business Excellence Awards

**Friday 6 June**

Officiated at Hawks Exhibition Opening at QVMAG

**Saturday 7 June**

Attended AFL Hawthorn v West Coast match at Aurora

Presentation Junior Trophy at Launceston Competitions (Music Section)

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**9 ALDERMEN'S/DELEGATES' REPORTS**

**10 QUESTIONS BY ALDERMEN**

**11 COMMITTEE REPORTS****10.1 Tender Review Committee Meeting - 19 May 2014****FILE NO:** SF0100**AUTHOR:** Raj Pakiarajah (Manager Projects)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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**DECISION STATEMENT:**

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

**RECOMMENDATION:**

That the report from the Tender Review Committee meeting held on 19 May 2014 be received.

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**REPORT:**

## 1. Major Plant Replacement - Street Sweeper 9372 - SF6129

The Tender Review Committee accepted the tender submitted by Macdonald Johnston Pty Ltd for the replacement of Street Sweeper 9372, at a changeover cost of \$261,282.74 (excl. GST.)

**ECONOMIC IMPACT:**

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

**ENVIRONMENTAL IMPACT:**

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

**SOCIAL IMPACT:**

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

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**10.1 Tender Review Committee Meeting - 19 May 2014...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

Launceston City Council Budget 2013/2014.

**BUDGET & FINANCIAL ASPECTS:**

The projects are funded in accordance with the approved 2013/2014 Budget.

**DISCLOSURE OF INTERESTS:**

The officers have no conflict of interest in this item.

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



**Shane Eberhardt: Acting Director Infrastructure Services**

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**10.2 Audit Committee Meeting - 22 May 2014****FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Audit Committee following the meeting on 22 May 2014.

**RECOMMENDATION:**

That the report from the Audit Committee meeting held on 22 May 2014 be received.

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**REPORT:**

The following is a precis of the substantive agenda items dealt with at the meeting.

**6.2 Internal Audit**

**Details** The Internal Auditors attended and discussed progress in closing out internal audit issues.

**Action** Resolved that the reports be noted.

**7.2 External Audit**

**Details** The External Auditors attended and discussed the Audit Strategy for the year ending 30 June 2014 as well as particular areas that they will focus on.

**Action** Resolved that the reports be noted.

**9.1 - 9.3 Operations Summary**

**Details** Reports presented on the Council's operations for the period ended 31 March 2014. The result shows a favourable variance, the projected year end result is to be in line with budget.

**Action** Noted.

**9.2 - 9.5 Capital Works**

**Details** Reviewed program status, budget reallocations and adjustments.

**Action** Noted.

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**10.2 Audit Committee Meeting - 22 May 2014...(Cont'd)**

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**10.1 - 10.5 Financial Reports and KPI's**

Details Considered reports on debts, investments and the loan balance.

Action Noted.

**10.6 Directorate (Performance) Report - Facilities Management Services**

Details The Facilities Management Services presented an overview of the directorate.

Action Noted.

**11.1 Audit Committee Policy**

Details A brief discussion occurred regarding necessary changes to the Council's Audit Committee Policy (1-PI-010) as a consequence of the new legislation and guidelines contained in the Local Government Audit Panels - A Leading Practice Guide.

Action It was resolved that the policy would be reviewed in light of the new guidelines and comments will be provided to the Director Corporate Services out of session.

**11.2 Budget Management Policy**

Details The Committee discussed the draft Budget Management Policy detailing the process for handling budget changes.

Action It was resolved that comments would be provided to the Director Corporate Services out of session and the policy will come back to the Audit Committee.

The Balance Sheet and Income Statement are included with the Quarterly Financial Report agenda item.

**ECONOMIC IMPACT:**

No economic impact

**ENVIRONMENTAL IMPACT:**

No environmental impact

**SOCIAL IMPACT:**

No social impact

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**10.2 Audit Committee Meeting - 22 May 2014...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

Priority Area 5: Governance Services

5.1.4 Ensure the city is managed in a financially sustainable manner

**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 Tidey; Director Corporate Services



**DIRECTORATE AGENDA ITEMS****14 DEVELOPMENT SERVICES****14.1 Pathfinder Program - Request for Funding****FILE NO:** SF0489**AUTHOR:** Leanne Hurst (Manager Community Tourism & Events)**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider a \$20,000 funding request for the Pathfinder program in context of the Council's current policy position and strategic operations.

**PREVIOUS COUNCIL CONSIDERATION:**

SPPC - 2 June 2014 -Item 4.2

**RECOMMENDATION:**

That the Council defer consideration of the matter until negotiations, mediation and/or arbitration with TasWater is concluded regarding the annual cost to be borne by ratepayers as payment to TasWater for the stormwater component of the combined sewerage and stormwater system

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**REPORT:**

The Council has received an ad-hoc funding request of \$20,000 for a new collaborative program called Pathfinder that aims to re-engage at-risk young people into education and training.

The funding request, received via six separate letters of request from organisations involved in developing the program, follows a presentation and tour of Milton Hall to Aldermen on 28 April organised by the Pathfinder steering committee.

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## **14.1 Pathfinder Program - Request for Funding...(Cont'd)**

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Council officers are aware of the program through the Council's Youth and Community Officer attending early meetings of the steering committee. Initial assessment is that Pathfinder is a good model to address re-engagement of young people into education and training, and also in developing life, work and psych-social skills, which are often needed before young people can re-engage. The multi-agency, whole-of-community, early-intervention approach fits within best practice and aligns with the Council's Antisocial Behaviour Framework endorsed in 2010.

However, Pathfinder is currently in the development stage, with a pilot program due to commence shortly. Information provided to the Council suggests that it will initially engage a small cohort of up to ten participants, some who may be outside the municipality. It is difficult to fully endorse a model that has not yet commenced or demonstrated positive results.

As the Council's strategic role is in youth development and capacity building, rather than service provision, approval of this request would be a departure from the Council's current policy position and strategic operations.

A community capacity building approach ensures that resources are directed generally to non-government agencies to strengthen the work they do in community-led solutions, and ensures 'funding for success' for programs that have been evaluated and proven to provide positive outcomes for young participants.

As an example of how the Council currently successfully works in partnership to build capacity, the Council provided:

- \$4,000 funding for National Joblink's Kulture Konnect program, which has connected young migrants to local services and activities, and recently was commended for a Human Rights Award. All 20 participants have successfully re-engaged in training, education and employment; and
- \$4,000 to the headspace pop-up youth space, which, together with other agencies, provides ongoing outreach education and support services to schools, neighbourhood houses, and other hard-to-reach areas.

The Council also resources and administers the Northern Youth Coordinating Committee to enable better resource-sharing and collaboration between service providers in the region. These three examples demonstrate the Council's successful early-intervention, multi-agency approach and strategic direction in youth development and capacity building.

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**14.1 Pathfinder Program - Request for Funding...(Cont'd)**

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Funding the Pathfinder program would be a change in strategic direction for this Council and would set a precedent for funding government agencies that are already funded to specifically deliver services to at-risk youth. It would also result in fewer resources for community capacity building at a time when the current financial climate and as yet undetermined effects from the Budget may put financial strain on other youth programs that may be seeking funding from other sources.

Latest information from the Pathfinder steering committee is that they will be seeking significant funding from the Tasmanian Community Fund for the program through the latest round, which offers up to \$300,000 for up to three years of funding and is specifically targeting programs such as this that aim to re-engage the at-risk youth cohort. Council officers believe it is prudent not to approve the request at this time.

**ECONOMIC IMPACT:**

Consideration contained in report.

**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

Consideration contained in the report.

**STRATEGIC DOCUMENT REFERENCE:**

Strategic Plan 2008/13

**BUDGET & FINANCIAL ASPECTS:**

Consideration contained in the report.

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**14.1 Pathfinder Program - Request for Funding...(Cont'd)**

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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

  
**Michael Stretton: Director Development Services**

**ATTACHMENTS:**

The following attachments were circulated separately.

1. Pathfinder program description
  2. Pathfinder budget
-

**14.2 Greater Launceston Plan****FILE NO:** SF5732**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider the endorsement of the Greater Launceston Plan together with the proposed governance arrangements for the Plan's implementation.

**PREVIOUS COUNCIL CONSIDERATION:**

28 November 2011 - Item No. 18.1 - endorsement of the Greater Launceston Plan Regional Framework Plan.

7 October 2013 - Strategic Planning and Policy Committee workshop.

19 May 2014 - Strategic Planning and Policy Committee workshop.

**RECOMMENDATION:**

That the Council:

1. endorse the final draft Greater Launceston Plan (GLP) (ECM Reference 3198326); and
2. work with all Northern Councils to develop and implement a governance arrangement for the implementation of the GLP in accordance with the following points :
  - a. The GLP governance to be located within the broader Regional Planning Framework as illustrated in Figure 1;
  - b. In relation to the projects, that Councils be asked to advise on
    - i. Priority council projects
    - ii. Priority regional projects
    - iii. New Projects that should be included
    - iv. Projects that should be omitted
    - v. Projects currently within the GLP that should be expanded to regional projects
    - vi. Other priority projects for the region;
  - c. That GLP Councils consider a joint letter to the Minister (subject to Council consideration of the GLP) appraising him of;
    - i. In principle support for the GLP
    - ii. Proposed governance
    - iii. Whether/how Government wishes to be involved
    - iv. Process from here e. Possible alignment between GLP and government priorities;

14.2 Greater Launceston Plan...(Cont'd)

- d. That Northern Tasmania Development be responsible for the regional co-ordination component of projects, co-ordination of stakeholder engagement and monitoring of GLP implementation; and
- e. That a 'filter' be developed to help Councils assess the GLP projects so that there is a consistent methodology used by all Councils to prioritise projects.

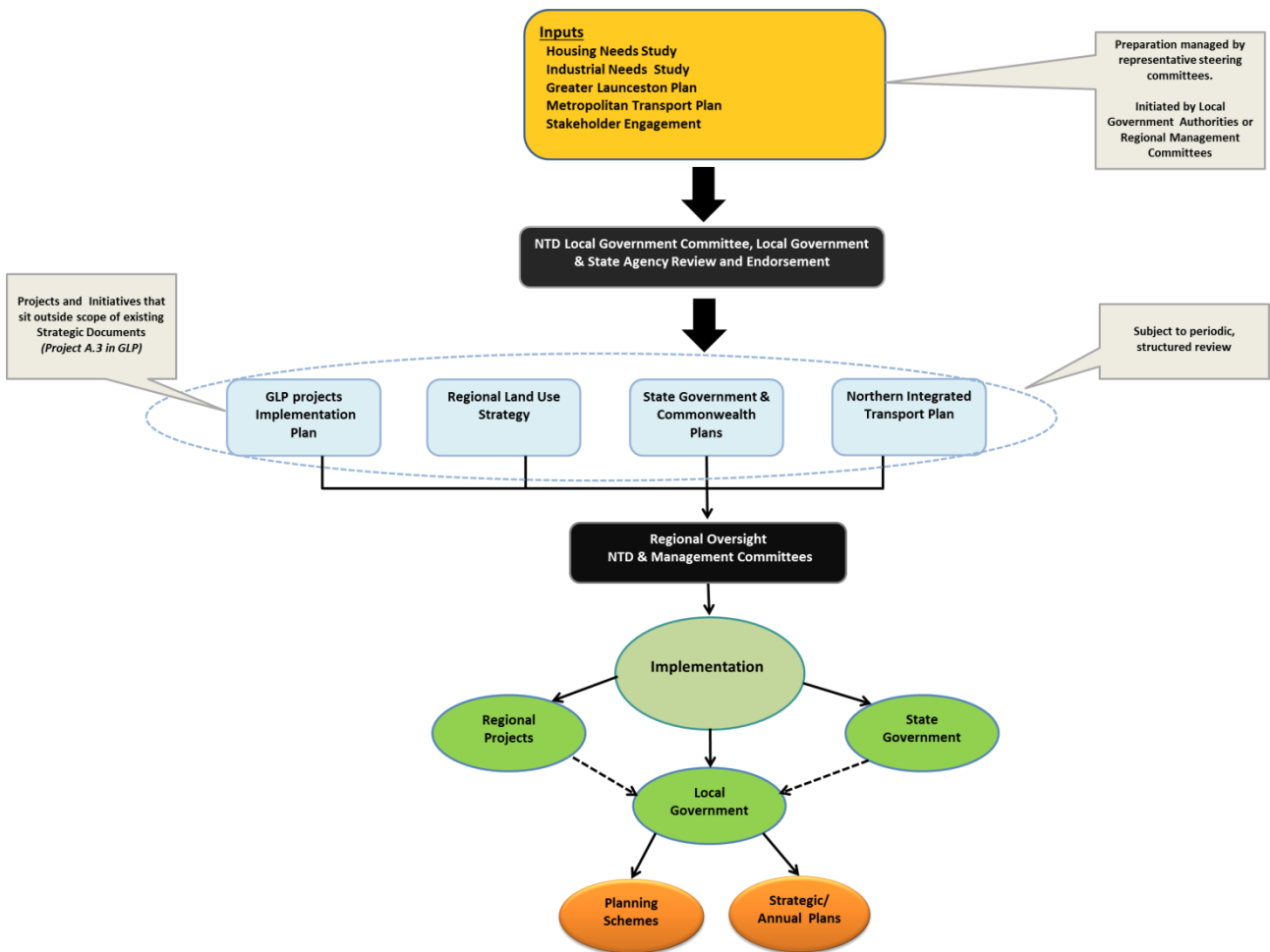


Figure 1

**14.2 Greater Launceston Plan...(Cont'd)**

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**REPORT:**

The Greater Launceston Plan (GLP) is a community vision and evidence-based framework for the sustainable development of Launceston and surrounding areas over the next 20 years. It has been developed under the guidance of the GLP Management Group, chaired by Alderman Tony Peck, following substantial research on the future of the region, data analysis and consultation with the community.

The GLP comprises the following key components:

- a vision and strategic pathway for the preferred future of greater Launceston;
- a policy framework to achieve the vision;
- metropolitan structure principles which set out the logic and rationale for the physical structuring, planning and development of the greater Launceston area;
- a strategic framework plan which provides an overarching physical framework to guide the sustainable development of the greater urban area over the next 20 years and beyond;
- an implementation framework to provide guidance on the staging, monitoring and progressive implementation of the GLP; and
- the identification of 41 key projects. These are planning, development and investment initiatives identified to be of regional and state significance. The key projects have been identified to support the timely implementation of the GLP and to facilitate new major sources of sustainable investment for the city and region.

The GLP is strongly evidence-based. The evidence assembled is comprehensive and substantial and represents the most significant analytical and empirical basis for any strategy undertaken in the greater Launceston area or in the wider Northern Tasmania region. The cumulative evidence base for the GLP includes the following:

- Resource Analysis, prepared by Geografia (November 2012) for the Greater Launceston Plan. The document comprises:
    - detailed economic assessment of the greater Launceston area within the wider North Tasmania region;
    - mapping, resource analysis and land use suitability analysis for the greater Launceston area;
    - economic based employment and population projections for various development scenarios;
    - highlights of key regional resources, strengths and constraints which the Strategy should take into account.
-

**14.2 Greater Launceston Plan...(Cont'd)**

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- Community Statement, prepared by Geografia (November 2012) for the Greater Launceston Plan. The document comprises:
    - detailed suburban based analysis of a range of social indicator measures;
    - state of the housing market;
    - population and housing projections;
    - highlights of social development issues to inform the development of the GLP.
  - Community Visioning – Consultation Documentation, prepared by Geografia (December 2012), for the Greater Launceston Plan. The visioning process encompassed significant stakeholder and community consultations and provided:
    - cross-section of community and stakeholder views on a wide range of issues;
    - perceived resources and constraints of greater Launceston;
    - elements of the vision and supporting community and stakeholder values;
    - social, economic and environmental indicator measures to assess future progress of the greater Launceston area.
  - Detailed peer review papers, prepared for a series of workshops co-ordinated by the City of Launceston for the Greater Launceston Plan in April 2013. The papers build on and further develop the assessments prepared by Geografia and encompass the following:
    - Economic Issues, prepared by Dr Jeff Wolinski, Renaissance Planning;
    - Social Policy, prepared by Professor David Adams, University of Tasmania (UTAS);
    - Environmental Issues, prepared James McKee in association with Andrew Baldwin and Amanda Locatelli, NRM North;
    - Infrastructure Issues, prepared by Ian Abernethy, Pitt & Sherry;
    - Development Industry, prepared by Dr Jeff Wolinski, Renaissance Planning;
  - Significant contemporary studies, completed within the last two years. These include:
    - Launceston Retail Audit and Activity Centres Strategy, Renaissance Planning (2011) for the City of Launceston;
    - Regional Land Use Strategy, JMG (2011) for Northern Tasmania Development (NTD);
    - Industrial Land Use Study, SGS Economics and Planning (May 2013) for NTD;
-



## **14.2 Greater Launceston Plan...(Cont'd)**

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- Transport strategy planning and supporting studies being undertaken in the greater Launceston area and the North Tasmania region. The work encompasses:
  - Northern Integrated Transport Plan (November 2013) Department of Infrastructure, Energy and Resources (DIER) in liaison with the Councils of the north Tasmania region. This is a strategy and supporting regional access, main roads and freight analysis encompassing assessments of future requirements;
  - Launceston Traffic Study, prepared by DIER in liaison with Launceston City Council (2014);
  - Greater Launceston Metropolitan Passenger Transport Plan, under preparation by DIER, in liaison with the Councils of the greater Launceston area (2012-2013, ongoing). At this time (April 2014) the draft report has been completed. The strategy encompasses public transport, cycling and pedestrian travel.

The draft GLP underwent a final community consultation process over a 6 week period between February and March 2014. A total of 448 community members participated in the consultation process. These community members included local residents, businesses, government stakeholders, and community services organisations.

There was general agreement with the Draft Vision developed for the region, with 67% of respondents indicating that they agreed or strongly agreed with the Draft vision. This compares to less than 9% that disagreed or strongly disagreed. In general, the community believes that the Draft GLP will improve the lifestyle and prosperity of the community, with 62% of respondents answering that the proposed priority project would 'improve the lifestyle and prosperity of local residents'. Only 11% of respondents disagreed with the statement.

The final draft plan was considered by the GLP Management Group at its meeting on Friday 25 May 2014. The Management Group unanimously passed the follows resolution:

1. That the Project Management Group forward the final version of the Greater Launceston Plan to member Councils for decision, with its in principle support.
  2. That the Project Management Group authorise the Chair of the Group to write to member Council regarding points 1- 4 raised at the Mayors meeting on Wednesday 21 May 2014, as follows:
    - (1) The GLP governance be located within the broader Regional Planning Framework and a schematic of what that looks like be developed.
-

**14.2 Greater Launceston Plan...(Cont'd)**

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- (2) In relation to the Projects Councils be asked to advise on
  - a. Priority council projects
  - b. Priority regional projects
  - c. New Projects that should be included
  - d. Projects that should be omitted
  - e. Projects currently within the GLP that should be expanded to regional projects
  - f. Other priority projects for the region
  
- (3) GLP Councils may consider a joint letter to the Minister (subject to Council consideration of the GLP) appraising him of;
  - a. In principle support for the GLP
  - b. Proposed governance
  - c. Whether/how Government wishes to be involved
  - d. Process from here
  - e. Possible alignment between GLP and government priorities
  
- (4) That NTD be responsible for the regional co-ordination component of projects, co-ordination of stakeholder engagement and monitoring of GLP implementation.
  
- (5) That a 'filter' be developed to help Councils assess the GLP projects so that there is a consistent methodology used by all Councils to prioritise projects.

In providing its in-principle support for the GLP, the Management Group identified the following changes which are to be included in the final document:

- 1. Include an action in the GLP to investigate a bridge linking the West Tamar Highway to the northern suburbs of Launceston;
  - 2. Include an action in the GLP to consider the impacts of the broader regional traffic network including the Batman Bridge; and
  - 3. Ensure that the maps in the GLP include notation of all the symbols on the map in the map legend (e.g. Figure 5.2 shows blue stars but they are not explained in the legend).
-

## **14.2 Greater Launceston Plan...(Cont'd)**

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### **ECONOMIC IMPACT:**

The GLP policy framework includes economic development as one of the overarching directions. The key directions are:

- Maximise regional advantage and competitiveness by focusing on strategic development and investment that builds on the greater city's strengths and opportunities.
- Support planning and investment decisions that optimise greater Launceston's regional role and attraction.
- Provide a framework for future investment and development within a co-ordinated physical framework.
- Support the ongoing development of key services that best promote regional growth and exports and economic and employment diversity.
- Support ongoing investment and the longer term consolidation and advancement of the region's gateways.
- Support opportunities for new regional employment and logistics development collocated with existing and future regional arterial routes. Facilitate migration to promote population growth in greater Launceston.

In the GLP, economic development will be promoted through a number of projects including:

- A.1: Regional Leadership, Engagement and Co-operation
  - A.2: Regional Marketing and Intelligence
  - A.3: Co-ordinated Implemented and Marketing
  - B.1: Regional Infrastructure Co-ordination Strategy
  - B.2: Metropolitan Pathways Network
  - B.3: Launceston Connector Route
  - B.4: Public Transport Corridors
  - B.6: South Perth Strategy
  - C.1: Bell Bay Investment Strategy
  - C.2: Launceston Gateway Precinct
  - C.4: Multi-Purpose Regional Precincts
  - D.3: Research Park Project
  - D.4: UTAS Newnham Campus: Community Plan
  - C.4: Business Conference Centre: Demand Facilitation
  - E.1: Sustainability Working Group
  - E.2: Tamar Estuary and Esk River Program: Action Plan
  - E.3: Greater Launceston Urban Salinity Working Strategy: Action Plan
  - E.4: Greater Launceston: Natural Heritage and Biodiversity Management Project
  - F.1: Launceston City Heart: CBD Revitalisation Project
  - F.2: North Bank Precinct
-

**14.2 Greater Launceston Plan...(Cont'd)**

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- F.3: Inveresk Precinct
- F.4: Charles Square Southbank
- F.5: Willis Street Precinct
- G.1: Living in the City
- G.2: Northern Suburbs Strategy
- G.3: St Leonards - Waverley Corridor Strategy
- G.4: South - West Corridor Strategy
- G.5: Legana - Riverside Strategy
- G.6: Mowbray Precinct Plan
- G.7: Kings Meadows Precinct Plan
- G.8: George Town Strategy
- G.9: Ravenswood Review Strategy
- G.10: Relbia Review Strategy

**ENVIRONMENTAL IMPACT:**

The GLP policy framework includes environmental sustainability as one of the overarching directions. The key directions are:

- Engage the community and stakeholders to ensure a high level of understanding of environmental issues and implications for settlement policy,
  - energy and water use, and lifestyle behaviour patterns, and to build a coalition of support for responsible environmental management and practice.
  - Work with all levels of government and the community to sustain and effectively manage the Tamar Estuary and Esk rivers.
  - Investigate urban salinity issues in the greater Launceston area and wider Tamar-Esk rivers catchment area, and provide advice to Councils
  - on potential options and on a co-ordinated preferred strategy.
  - Protect and manage biodiversity, remnant vegetation and high value habitat areas.
  - Facilitate a review by the member Councils of the greater Launceston area of environmental planning guidelines for urban development to ensure consistently high environmental standards and a high amenity approach is achieved for future development. The review should take full account of community needs and aspirations,
  - environmental best practice and the needs and constraints of the development industry.
  - Undertake a review by the member Councils for the greater Launceston area of current procurement practices and facilitate an innovation and development strategy to jointly direct future purchases that foster low carbon emissions technology and maximise opportunities for local innovation, investment and employment.
-

## **14.2 Greater Launceston Plan...(Cont'd)**

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In the GLP, environmental sustainability will be advanced through a number of initiatives encompassing:

- Project E.1: Sustainability Working Group;
- Project E.2: Tamar Estuary and Esk River Program: Action Plan;
- Project E.3: Greater Launceston Urban Salinity Strategy: Action Plan;
- Project E.4: Greater Launceston Natural Heritage and Biodiversity Management Project;
- Project B.1: Regional Infrastructure Co-ordination Strategy;
- Project B.2: Metropolitan Pathways Network;
- Project B.3: Launceston Connector Route (LCR);
- Project B.4: Public Transport Corridors.

### **SOCIAL IMPACT:**

The GLP policy framework includes social inclusion and equity as one of the overarching directions. The key directions are:

At the core of promoting inclusive communities is the importance of “shifting from a deficit to an assets model for people and places” (Adams, 2009). In other words socially inclusive communities will view individuals, families and communities through the lens of their inherent potentials or strengths, rather than deficits. David Adams (2009) has outlined a number of strategies and actions to adopt in order to strengthen social inclusiveness. These encompassed:

- Access to the basics,
- Accessible services,
- Diversity and skills training,
- Building supportive networks,
- Social enterprises,
- Volunteering,
- Building local capacity,
- Digital inclusion,
- Planning and liveability,
- Governance.

In the GLP social inclusion and equity will be promoted through a number of inter-related projects encompassing:

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**14.2 Greater Launceston Plan...(Cont'd)**

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- Project B.2: Metropolitan Pathways Network;
- Project B.4: Public Transport Corridors;
- Project D.2: Whole of Life Development Program;
- Project G.2: Northern Suburbs Strategy;
- Project G.1: Living in the City Project.

**STRATEGIC DOCUMENT REFERENCE:**

The GLP is a community vision and evidence-based framework for the sustainable development of Launceston and surrounding areas over the next 20 years, which, once endorsed by the Council, will replace Vision 2020 and will guide the Council's next Strategic Plan 2014-2024.

**BUDGET & FINANCIAL ASPECTS:**

Implementation of the GLP will be funded and delivered in accordance with Council's annual planning and budget processes. It is expected that Federal and State Government funding will be sought for many of the projects included in the Plan.

**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. Greater Launceston Plan (circulated previously)
-

**15 FACILITY MANAGEMENT AND GOVERNANCE SERVICES****15.1 Launceston Municipal Emergency Risk Register****FILE NO:** SF0031**AUTHOR:** Bev Allen (Emergency Management Officer)**DIRECTOR:** Rod Sweetnam (Director Facilities Management)

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**DECISION STATEMENT:**

To present Council with an updated Municipal Emergency Risk Register for adoption.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That following a period of Public Consultation Council endorse the Municipal Emergency Risk Register (attachment 1) Doc No. 3187044 and the Register be included as an annexure in the Municipal Emergency Management Plan.

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**REPORT:**

Natural disasters are increasing globally and in Australia. This in turn sees an increase in disaster costs to government organisations at all levels. The economic cost of the five most significant events in Australia in 2008 exceeded \$2.49 billion.

In response to the increasing trend in natural disasters, the Council of Australian Governments (COAG) undertook a review of Australia's approach to dealing with disaster mitigation, relief and recovery arrangements due to concerns about increases in the frequency of severe weather events.

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## **15.1 Launceston Municipal Emergency Risk Register...(Cont'd)**

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The review determined that a new approach to natural disasters in Australia was needed to create safer, more sustainable communities by reducing risk, damage and losses from natural disasters. The report commissioned provided 66 recommendations to create safer, more sustainable communities by reducing risk, damage and losses from natural disasters in the future, and called for a '*systematic and widespread national process of disaster risk assessment*'. In 2007 the Australian Emergency Management Committee endorsed a National Risk Assessment Framework to support the development of effective risk management decisions. The National Emergency Risk Assessment Guidelines 2010 (NERAG) were developed as one of the outputs of the implementation plan and were prepared to improve the consistency and rigour of emergency risk assessments.

Due to the development of the NERAG and the time that had elapsed since the last major risk assessment project (2003), the Tasmanian State Emergency Management Committee considered it timely to review and update the State Emergency Risk Assessment. In turn Councils were encouraged to review and update their Risk Assessments in line with the new guidelines and reviews of Municipal Emergency Management Plans.

In May 2013 the first of two workshops was conducted by Launceston City Council officers together with representatives from the West Tamar Council, George Town Council and State Emergency Service. The process involved identifying, analysing, evaluating and determining treatments of risks for the Launceston municipality. The methodology of the NERAG was utilised while also complying with *AS/NZS ISO 31:000:2009 Risk Management - Principles and Guidelines*. George Town and West Tamar Council were included in these workshops due to identified synergies with some risks in the Tamar Valley. A second workshop was undertaken to finalise the risk assessment and the final outcome was the development of Council's Municipal Emergency Risk Register.

Following these workshops and the development of the Municipal Emergency Risk Register, community input and consultation was undertaken utilising 'Your Voice Your Launceston'. The community were invited to contribute and have input into the risk register and identify any gaps which may not have been considered by the assessing team members. No significant gaps were identified by the Community throughout this consultation phase.

There were a total of 644 people who viewed 'Planning to Manage our Risks', with 75 responses to the questionnaire. The nature of the comments ranged from the consideration of fire risk in Council managed parks and reserves, landslides through to terrorist attacks. As a consequence of the feedback Officers included the risk of landslide in the register due to community concerns raised regarding landslide potential within the municipality.

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**15.1 Launceston Municipal Emergency Risk Register...(Cont'd)**

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The Municipal Emergency Committee was consulted throughout the Risk Assessment process and their input provided throughout, including some members attending the initial Risk Assessment workshop.

23/05/13	Initial Risk Assessment Workshop
05/06/13	Final Risk Assessment Workshop
25/10/13	Municipal Emergency Management Committee - approval for Community Consultation
07/01/14	Your Voice Your Launceston Community Consultation commenced
25/02/14	Your Voice Your Launceston Community Consultation closed
11/04/14	Municipal Emergency Management Committee - endorsed and approved for Council resolution

The Register will now be utilised for mitigation of the risks in conjunction with State Government agencies and neighbouring councils.

**ECONOMIC IMPACT:**

Not relevant to this item

**ENVIRONMENTAL IMPACT:**

Not relevant to this item

**SOCIAL IMPACT:**

The Local Government Act 1993 requires Councils *provide for the health, safety and welfare of the community*, while the Emergency Management Act 2006 requires that Councils have an Emergency Management Plan.

**STRATEGIC DOCUMENT REFERENCE:**

5.1.9 Enhance efficient delivery of services to our Community

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## 15.1 Launceston Municipal Emergency Risk Register...(Cont'd)

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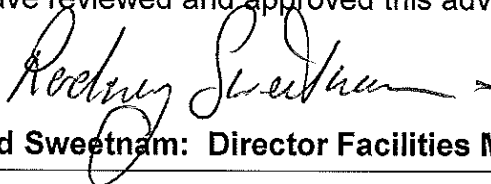
### BUDGET & FINANCIAL ASPECTS:

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.



**Rod Sweetnam: Director Facilities Management**

### ATTACHMENTS:

1. Launceston Municipal Emergency Risk Register (distributed electronically)
-

**15.2 Notice of Motion from Council's Annual General Meeting 2013****FILE NO:** SF0098**AUTHOR:** Andrew Frost (Manager Parking Operations and Carr Villa Memorial Park)**DIRECTOR:** Rod Sweetnam (Director Facilities Management)

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**DECISION STATEMENT:**

Consideration of a Notice of Motion from Council's Annual General Meeting in 2013 seeking the establishment of a Controlled Vehicle Loading Zones available on Sundays in the CBD.

**PREVIOUS COUNCIL CONSIDERATION:**

Item 19.1 - Council meeting 9 December 2013 - Acknowledgement of motions passed at the AGM

Min No 6.2 - Annual General Meeting - 2 December 2013 - *Motion carried*

Item 19.1 Notices of Motion from Council's Annual General Meeting 2013 - Minutes from Launceston City Council meeting 28 January 2014

Min No 19.1 That the Manager Parking Operations and Carr Villa Memorial Park discusses the proposal to "Make a Controlled vehicle Loading Zone available on Sundays in the CBD" with the Executive Officer at Cityprom with a view to surveying CBD businesses to ascertain if the outcomes of this discussion will be brought back to Council for consideration.

**RECOMMENDATION:**

1. That Council does not establish a controlled vehicle loading zone available on Sundays in the CBD as the results of a survey undertaken of Cityprom members to ascertain the need for such a zone indicated it is not supported.
  2. That Council, as a policy, resolve to refer any motions passed at the Council AGM regarding parking or allied issues to Cityprom and, if required, the Launceston Chamber of Commerce.
- 

**REPORT:**

At the Annual General Meeting of the Launceston City Council held 9 December 2013, a Notice of Motion was passed requesting that Council "make a Controlled vehicle Loading Zone available on Sundays in the CBD".

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**15.2 Notice of Motion from Council's Annual General Meeting 2013...(Cont'd)**

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At the meeting of the Launceston City Council held 28 January 2014, it was decided "That the Manager: Parking Operations and Carr Villa Memorial Park discusses the proposal to "Make a Controlled vehicle Loading Zone available on Sundays in the CBD" with the Executive Officer at Cityprom with a view to surveying CBD businesses to ascertain if the outcomes of this discussion will be brought back to Council for consideration."

The Manager Parking Operations and Carr Villa Memorial Park discussed the issue of making a controlled vehicle loading zone available on Sundays in the CBD with the Executive Officer at Cityprom. The Executive Officer agreed to survey Cityprom members to ascertain the need to create such a zone.

The survey results revealed that:

- There were 15 respondents;
- 87% did not want a loading zone to operate on Sundays in the CBD; and
- 13% did want a loading zone to operate in the CBD.

On the information presented above, the case is not strong enough to create a controlled vehicle loading zone that operates in the CBD on Sundays.

The second recommendation in this report states "that Council as a policy resolve to refer any motions passed at the Council AGM regarding parking or allied issues to Cityprom and, if required, the Chamber of Commerce." The intent of this recommendation is to ensure members of Cityprom and the Launceston Chamber of Commerce are provided with the opportunity to give feedback on such issues.

**ECONOMIC IMPACT:**

This decision will have a minimal economic impact.

**ENVIRONMENTAL IMPACT:**

This decision will not have an adverse environmental impact.

**SOCIAL IMPACT:**

There is no social impact on the community because of this decision.

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## 15.2 Notice of Motion from Council's Annual General Meeting 2013...(Cont'd)

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### STRATEGIC DOCUMENT REFERENCE:

Nil

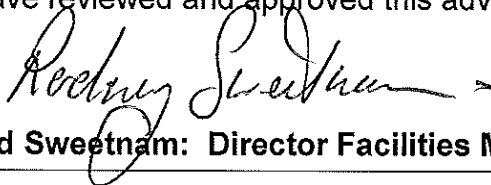
### BUDGET & FINANCIAL ASPECTS:

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.



**Rod Sweetnam: Director Facilities Management**

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**17 INFRASTRUCTURE SERVICES****17.1 Launceston 'Transport Futures'****FILE NO:** SF4624 SF1556**AUTHOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider the public consultation process for various transport related strategies.

**PREVIOUS COUNCIL CONSIDERATION:**

SPPC Workshop - 3 March 2014

Workshop to determine priority road projects to address traffic congestion and vehicle type conflict.

SPPC Workshop - 16 December 2013

Discussion on the Kings Meadows Traffic Management Report and Launceston Traffic Study for public consultation

SPPC Workshop - 17 December 2012

Discussed Launceston & Kings Meadows Traffic Study

SPPC Workshop - 16 December 2013

Discussed Launceston Traffic Study

Council Item 17.1 - Monday 10 December 2012

To consider the outcomes of the Issues Report being part of the Launceston Traffic Study.

Council Item 6.2.1 Annual General Meeting - 5 December 2011

Confirmation that DIER and Council jointly undertaking Launceston Traffic Study.

**RECOMMENDATION:**

That Council, in respect to the Launceston Transport Futures (and the transportation strategies covering pedestrians, bicycles and motor vehicles), resolves to:

1. Endorse the Safer Roads Strategy as suitable for community consultation
  2. Endorse the Bike Strategy as suitable for community consultation
  3. Endorse the Launceston Traffic Futures as suitable for community consultation
-

**17.1 Launceston 'Transport Futures'...(Cont'd)**

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4. Release the Launceston Traffic study report prepared by GHD Pty Ltd for community consultation and inform the community that Council proposes to undertake the following projects:
  - Address east/west traffic congestion in the context of the City Heart Project.
  - Undertake design and seek funding for improvements to the Goderich Street/Lindsay Street junction to improve capacity
  - Undertake design and works to remove the traffic lights and changes to access at the Lower Charles Street/Esplanade junction, while maintaining or improving pedestrian safety and amenity.
5. Release the Kings Meadows Traffic Management Report for community consultation and inform the community that Council proposes to undertake the following projects:
  - Provide signage to encourage use of the Southern Outlet
  - Alter the Wellington Street/Southern Outlet junction to promote use of the Southern Outlet
  - Support provision of a roundabout at the Midland Highway/Kings Meadows Connector junction
  - Alter the Kings Meadows Connector/Hobart Road junction to promote use of Kings Meadows Connector
  - Alter the Hobart Road/Riseley Street/Innocent Street junction to increase capacity and improve safety.
6. Undertake the public consultation over a six week period and also include a focus workshop with community members.

---

**REPORT:**

A workshop was held following the 3 March 2014 SPPC meeting to discuss priority projects that are likely to be supported by Council emanating from the Launceston Traffic Study and the Kings Meadows Traffic Management Report. The results of the workshop are reflected in this report.

The Launceston 'Transport Futures' is a strategy that combines various transport related strategies developed over the past 2 years - these include:

- Pedestrian Strategy (adopted by Council at its 10 December 2012 meeting)
  - Safer Roads Strategy (supported by the Road Safety Consultative Committee at its meeting on 29 July 2013)
-

## **17.1 Launceston 'Transport Futures'...(Cont'd)**

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- Bike Strategy (a complete revision of the 2005-2010 Bike Plan)
- Traffic strategies resulting from the Launceston Traffic study and the Kings Meadows Traffic Management Report.

A condensed summary and outcomes of each of the strategies/studies is provided as Attachment 1 (Pedestrian Strategy), Attachment 2 (Safer Roads Strategy), Attachment 3 (Bike Strategy) and Attachment 4 (Launceston Traffic Study) and Attachment 5 (Kings Meadows Traffic Management Report).

To this stage the Council have adopted the Pedestrian Strategy (which followed a community consultation phase). Over the past 12 months it has been a deliberate decision of Infrastructure Services to not undertake the community consultation until all of the transport related strategies are complete and thus allowing the preparation of the Transport Futures - all strategies would then be consulted simultaneously with the community which provides a better understanding with how they fit together.

It is considered appropriate that the consultant's report on the Launceston Traffic Study and the Kings Meadows Traffic Management Report be placed on public exhibition to clearly inform the community of the options considered by Council in arriving at Council's priority road projects.

It is expected that the *Your Voice Your Launceston* website will be used in consulting with the community which will remain open for a 6 week period. Given that the different modes of transportation are of fundamental importance to the community, it is proposed to use the following techniques to encourage more active participation during the consultation period. These are:

- Inform the community of the consultation process using radio advertisements on local radio
- Direct mail to every community group on Council's database (including educational establishments)
- Media releases and
- Paid advertisements in The Examiner.

In addition it is considered appropriate to undertake a focus workshop invited to represent the broad community. The focus group will consist of 20 community members who nominate following an invitation to the 1000 who are registered on the Your Voice Your Launceston website.

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**17.1 Launceston 'Transport Futures'...(Cont'd)**

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Included with this report are:

- Attachment 6 - Safer Roads Strategy
- Attachment 7 - Bike Strategy
- Attachment 8 - Traffic Futures
- Attachment 9 - Launceston Traffic Study Summary Report
- Attachment 10 - Kings Meadows Traffic Management Report for Public Consultation

**ECONOMIC IMPACT:**

- Traffic safety and congestion have real economic impacts. This report proposes ways to address these issues on Hobart Road to ensure the continual economic wellbeing of the Kings Meadows shopping centre.
- Congested transport routes have a negative impact on freight movement. Increased efficiency results in lower transport costs and thereby increased competitiveness.

**ENVIRONMENTAL IMPACT:**

Traffic congestion has a negative environmental impact and is particularly detrimental to residential environments.

**SOCIAL IMPACT:**

Congested and unsafe roads limit the ability of residents to access shops and amenities. A second but equally important element in reducing congestion is the corresponding increase in the amenity of motorists and abutting property owners (to ease egress to their property).

**STRATEGIC DOCUMENT REFERENCE:**

The goals within Council's strategic plan 2008-2013 which are relevant to this report are:

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

**BUDGET & FINANCIAL ASPECTS:**

N/A

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**17.1 Launceston 'Transport Futures'...(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.



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. Pedestrian Strategy Summary
  2. Safer Roads Strategy Summary
  3. Bike Strategy Summary
  4. Launceston Traffic Study Summary
  5. Kings Meadows Traffic Management Report Summary
  6. Safer Roads Strategy (distributed electronically)
  7. Bike Strategy (distributed electronically)
  8. Transport Futures (distributed electronically)
  9. Launceston Traffic Study (distributed electronically)
  10. Kings Meadows Traffic Management Report (distributed electronically)
-

## **Attachment 1 - Pedestrian Strategy Summary**

### ***VISION: more people walking in Launceston***

The Pedestrian Strategy aims to increase walking because it is part of the community's culture and because the city's infrastructure encourages people to walk more often – for example, walking is complemented by public transport, cycling and other sustainable modes of travel. The Strategy aspires to a city where walking forms part of people's journey to home, work, events, activities, services they want to frequent and where they feel a sense of connection to their neighbourhoods because they experience them at a walking pace.

Principles of universal accessibility, safety and good design have been adopted in the development of the Pedestrian Strategy. More specifically:

- Council will actively support walking by creating an urban environment and developing infrastructure that encourages walking.
- The safety of pedestrians will be a high priority.
- All footpaths and walkways will be clear, accessible and barrier-free.
- Developments and projects in Launceston, both public and private, provide opportunities to creating an environment that is conducive to walking.
- Tools for navigating the city on foot (signage, maps and art) will make walking more attractive.
- Pedestrian-focussed projects and initiatives will be coordinated across all Council divisions and departments.
- Areas that are not well designed for walking will be transformed - neighbourhood by neighbourhood, suburb by suburb - into places where people want to walk.

Council has articulated a system of infrastructure that encourages more pedestrian activity. This entails a prescribed method for infrastructure provision and improvements that involves categorising and systematically auditing every pedestrian pathway. The categories will then be used to provide levels of service using relevant standards.

### **Pedestrian Strategy Status**

Adopted by Council - 10 December 2012 (ECM document No 2835460)

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## **Attachment 2 - Safer Roads Strategy Summary**

### **VISION: reducing injuries by raising the inherent safety and quality of road networks for all road users**

Council has been involved in road safety initiatives for many years however this is the first time these efforts have been documented in a formal plan. Council's inaugural Safer Roads Strategy is based on the Safe System Principles, a conceptual framework for road safety management.

For Council, safer roads means raising the inherent safety and quality of road networks for the benefit of all road users, especially the most vulnerable (pedestrians, cyclists and motorcyclists). This will be achieved through the implementation of road infrastructure assessment and improved safety-conscious planning; design; construction; and operation of roads.

The Safer Roads Strategy outlines the road safety challenges in Launceston; the process for ongoing identification of road safety projects and measures to address road safety issues; and a multi-year program of works either funded from Council's resources or through external finance and partnerships.

The Safe System framework uses four main themes to promote a reduction in road crashes and the incidence and severity of associated road trauma.

Although the theme that this Strategy focuses on is safer roads and road environments, it also discusses elements of the remaining three themes as far as Council can influence.

#### *Safer roads and road environments*

This principle is concerned with improving the safety of road networks and surrounding environments for the benefit of all road users. Activities include safety-conscious planning, design, regular road safety assessments and encouraging relevant authorities to consider all forms of transport and types of safe infrastructure when they respond to the mobility needs of road users.

#### *Safer people*

This principle focuses on developing comprehensive programs to improve road user behaviour. Activities include encouraging the development of model safety legislation and enforcement of road safety laws and standards. These efforts are combined with public awareness and education, working through the Community Road Safety Partnerships.

#### *Safer speeds*

This principle relies on speed limits complementing the road environment to manage crash impact forces to within human tolerance; and all road users complying with the speed limits.

In road safety, the preferred intervention is to invest in safety upgrades but speed limit reductions can provide an alternative effective-measure.

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Setting of speed limits is a state responsibility but Council has a role in negotiating appropriate limits for its road network. Council can also influence speeds through road design and traffic management measures.

### *Safer vehicles*

This principle addresses the need for improved vehicle safety by encouraging relevant global standards and mechanisms to increase uptake of new technologies such as collision avoidance systems that impact on safety.

Vehicle specifications and standards is a Federal government responsibility, and enforced by the state. Local government does not have a direct role apart from being responsible for its own fleet, and promoting the uptake of enhanced safety features and personal protective gear.

### **Safer Roads Strategy Status**

Draft supported by Road Safety Consultative Committee and ready for community consultation (copy provided as Attachment 6).

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## Attachment 3 Bike Strategy Summary

### ***VISION: more people cycling in Launceston more often***

The Bike Strategy establishes a vision for cycling in Launceston and sets out principles and recommendations regarding cycling infrastructure as well as safety, education and promotional programs.

Council aspires for Launceston to be known as a bicycle-friendly city where cycling is a desirable and mainstream transport option because it is safe, convenient, comfortable and fun for people of all ages and riding abilities.

### ***Primary goals***

The primary goals within this Strategy are:

#### ***Goal 1***

***More cycling:*** a material increase in the number of bike trips, including an increase in cycling trips made by females

#### ***Goal 2***

***Safer cycling:*** bike riding feels safer and is safer with fewer people injured while cycling

Launceston has a history of commitment to cycling dating back to the 1970s. The initial focus has been on developing suitable and safe cycling infrastructure before Council could start promoting and attracting people to take up bike riding or to cycle more often.

Over the years, bike route networks and facilities have been progressed resulting in safer commuter routes, and improved safety and amenity of streets for cycling.

The Bike Strategy will guide the further development and maintenance of cycling infrastructure and programs. It will also take into account new residential and retail developments and other land use changes, as well as aspirations for an increase in the number of people taking up cycling for recreation and commuting.

The recommended Strategy Actions are centred on progressing environments that support active living and creating a culture of increased physical activity into people's daily routines. They include integrating networks, infrastructure and facilities; influencing travel behaviour and promoting a culture of bike riding; and focussing on priority areas for cyclists in locations with significant activity and potential for growth.

### **Bike Strategy Status**

Draft prepared ready for community consultation (copy provided as [Attachment 7](#)).

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## **Attachment 4 - Launceston Traffic Study Summary**

The Launceston Traffic Study is a joint initiative of Council and Department of Infrastructure, Energy and Resources. As owners and managers of the Launceston road network, they are collaborating to understand how transport can be more effective; make the city easier to get around; and contribute to economic growth.

The development of the Launceston Traffic Study began with a review of the movement of freight and traffic in Launceston to provide a quantitative base for potential transport infrastructure projects. The review focused on technical assessments of existing traffic conditions and an analysis of information such as traffic volumes, crash data, travel time data, congestion data and freight demand.

The recommended priorities from the Launceston Traffic Study are:

- Pursue bypass options to, reduce congestion in the city centre, facilitate freight movement and reduce crash rates;
- Improve safety at intersections with high reported crash rates;
- Investigate alternative routes to busy corridors;
- Monitor travel time; and
- Conduct traffic modelling to determine impacts of vehicle movements, junction modifications, and any bypass options.

### **Launceston Traffic Study Status**

Consultant's report finalised under the direction of steering group consisting of Department of Infrastructure, Energy & Resources and Council officers. Study able to be distributed for community information (copy provided as Attachment 9).

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## **Attachment 5 - Kings Meadows Traffic Management Report Summary**

The Kings Meadows Traffic Management Report was commissioned by Council to investigate ways to reduce existing congestion on Hobart Road through Kings Meadows and because of concerns regarding the traffic implications of a proposed Discount Department Store (DDS) in the suburb.

The report assesses the current congestion levels and predicts the additional traffic that would be generated by the DDS and the effect that this would have as well as the background growth in traffic.

A number of projects are proposed to reduce congestion by encouraging through traffic to transfer to the Southern Outlet and the Kings Meadows Connector. The projects are divided into:

- On line projects designed to reduce the attractiveness of Hobart Road as a through route.
- Off line projects designed to promote the use of the alternative route through greater junction efficiencies.

### **Kings Meadows Traffic Management Report Status**

Consultant's report finalised and report able to be distributed for community information (copy provided as Attachment 10).

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**17.2 Lease - Northern Tasmanian Netball Association Incorporated****FILE NO:** SF0897**AUTHOR:** Andrew Smith (Parks and Recreation Manager)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider leasing the Tasmanian Netball Centre and Fred White Netball Centre at Hobblers Bridge (part Folio 211006/1, 66364/2 and 7678404) to the Northern Tasmanian Netball Association Incorporated as marked on the attached map.

This decision requires an absolute majority of Council.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**RECOMMENDATION:**

That Council, in respect to a proposal received seeking the leasing of public land at Hobblers Bridge known as the Tasmanian Netball Centre and Fred White Netball Centre (part Folio 211006/1, 66364/2 and 7678404) for five years with an option for a further five years to Northern Tasmanian Netball Association Incorporated (NTNA), resolves to:

- 1) advertise the proposed lease of land on the public land register for a 21 day period in accordance with S178 (4) Local Government Act 1993; and
  - 2) consider any public submissions received and further determine lease terms and conditions if appropriate at a future Council meeting.
- 

**REPORT:**

Council has leased the Tasmanian Netball Centre and the Fred White Netball Centre at Hobblers Bridge to the Northern Tasmanian Netball Association Incorporated (NTNA) for over twenty five years. The Fred White Centre commenced in the mid 1960's and was the home of the NTNA for a number of years until the current site was developed. The current site at Hobblers Bridge opened in 1987 and continues to provide members with a place to play the game of Netball.

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**17.2 Lease - Northern Tasmanian Netball Association Incorporated...(Cont'd)**

---

Their current lease expired on 31 December 2010 and to date the NTNA have continued to occupy the premises under the holding over clause on a month by month basis.

The NTNA has requested a twenty year lease with Council to commence from 1 July 2014. Council currently has a twenty year lease agreement with State Government over PID 7678404 which ends on 1 November 2028 which precludes a twenty year agreement with the NTNA. After consideration of the proposed investment by the NTNA in court re-surfacing next year, a ten year lease is recommended as an appropriate lease term to cover the investment. The draft lease policy (yet to be approved by Council) recognises that where a club or sporting group intends to contribute more than \$50,000 in capital an additional term of 5 years on top of the original 5 year lease term is recommended. One of the lease policy objectives is to ensure consistency in lease terms and conditions across Council facilities.

The leased area has changed slightly and is different from the current lease agreement. A section of the Fred White Centre which currently includes the playground is being removed from the lease as it is required for current and future playground provision in this suburb. Whereas at the Tasmanian Netball Centre an additional unused area has been added to the lease area for the potential future expansion of the NTNA. Overall both areas are the same in size (approximately 2110 sq metres) therefore there has been no change in the total lease area (Attachment 1).

A rental valuation report obtained from Opteon recommends that the current market rental value is \$12,000 per annum where as currently the rent is \$10,699 per annum. In recent years the NTNA has had additional costs such as Tas Water, Council rates, land tax and building insurance to cover. These additional costs have always been part of the original lease terms but were never charged. Therefore the NTNA has requested that their payment of the fees be phased over a six year period that in the long term will see Council receive full payment (Attachment 2). The NTNA has proposed that in relation to the rental fee, water rates, council rates, land tax and building insurance that the following scale is applied:

- Year 1 - 15% be applied
  - Year 2 - 30% be applied
  - Year 3 - 50% be applied
  - Year 4 - 65% be applied
  - Year 5 - 80% be applied
  - Year 6 - 100% be applied
-

**17.2 Lease - Northern Tasmanian Netball Association Incorporated...(Cont'd)**

---

While a phase in period of six years is longer than desired the amount of additional charges to be covered by the NTNA is such that a six year phase in period is recommended.

It is also recommended that under the terms and conditions of a new lease that Council require the lessee to provide a quarterly written report in September, December, March and June of each year, consisting of participation data.

Section 178 of the *Local Government Act 1994* requires that leases of public land that exceed five years be advertised. After the advertised comment period has expired a report will be presented to Council for consideration of comments received and if it determines to proceed with the leasing, lease terms will be considered at that time.

**ECONOMIC IMPACT:**

There is no economic impact with this proposal.

**ENVIRONMENTAL IMPACT:**

There is no environmental impact with this proposal.

**SOCIAL IMPACT:**

There is no social impact with this proposal other than to allow successful tenants to continue operating a valuable resource for Launceston.

**STRATEGIC DOCUMENT REFERENCE:****Launceston Community Plan**

Preferred Future Five: Healthy and Active People - Strategy Three : Encourage physical activity

**BUDGET & FINANCIAL ASPECTS:**

Year 1 of lease - 15% of total charges per annum income for the Parks and Recreation Department budget.

Year 2 - 30%, Year 3 - 50%, Year 4 - 65%, Year 5 - 80 %, Year 6 - 100%

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**17.2 Lease - Northern Tasmanian Netball Association Incorporated...(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.



**Shane Eberhardt: Acting Director Infrastructure Services**

**ATTACHMENTS:**

1. Map - area to be leased by Northern Tasmanian Netball Association Inc.
  2. Letter of lease proposal from NTNA
-



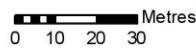
Created: 29/5/2014 CRM

NOTE:

While all reasonable care has been taken to ensure the accuracy of the information portrayed on this plan its purpose is to provide a general indication of the location of Council services. The information provided may contain errors or omissions and the accuracy may not suit all users. A site inspection and investigation is recommended before commencement of any project based on this data. This note forms an integral part of this plan. Launceston City Council 2014

Tasmanian Netball Centre Lease

Scale : 1:1,500 (at A4)



Parks & Recreation



## Attachment 2.



**P O Box 64  
Newstead 7250  
Phone: 03 6334 2099  
Fax: 03 6334 9970  
Email: [ntna@ntna.org.au](mailto:ntna@ntna.org.au)**

Tricia De Leon – Hillier  
Administration Officer  
Parks & Recreation  
Launceston City Council

10 April 2014

Dear Tricia

On behalf of the Board of the Northern Tasmania Netball Association (NTNA) we wish to thank the Council Officers for their open and cooperative approach to receiving input from myself and our Chairman regarding the operations of the NTNA at the Hoblers Bridge Road site over recent times.

I reference the numerous discussions held, during 2013 and now 2014, in regard to a number of clauses associated with the expired lease agreement (1<sup>st</sup> January 2011) that Northern Tasmanian Netball Association had with the Launceston City Council (LCC) for the premises located at Hoblers Bridge and Fred White Netball Centres, Newstead with the goal to achieving a new lease agreement with LCC that is workable for both parties..

The NTNA has been operating under a month by month clause that exists within the expired lease agreement and recognises the need to establish a current lease agreement.

The NTNA has a new Board of Management that wishes to foster a strong and cooperative relationship with LCC to ensure that the sport of Netball is provided to its members and asks that the initial letter sent to LCC and the proposed payment scale be considered going forward.

In fostering the relationship with LCC the NTNA hopes to be able to work towards a number of developments on the current site and is seeking to establish a long-term lease agreement. The NTNA is putting a commitment to its members to spend approximately \$60,000 this financial year to resurface and upgrade all courts on the main site.

Whilst the NTNA has paid the full levies applied by LCC, this has had significant impact on the bottom line of the association, reducing our funds considerably (extract from auditor provided). The NTNA has absorbed the initial 18 months through accumulated funds and a small increase in membership numbers.

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The NTNA is under considerable pressure from its members to keep membership levies at a minimum to ensure the sport is both attractive to families and affordable. The Hoblers Bridge Road venue is utilised 100% by Junior competitors (our Senior competitors play at the Silverdome – a more expensive option) and we understand that the Council makes a 50% cost reduction to Junior sporting bodies – we are not aware if this has been applied to our cost structure at any stage in the past.

The NTNA has absorbed registration increases applied through its governing body and CPI increases from other service providers for the past several years without impacting on its members, but feels this will not be maintained going forward.

If the full impact of LCC costs are continued to be applied to the NTNA, the NTNA will be required to pass on these charges to its members. This creates a spiral effect, as costs to membership increases, membership declines. As an example, existing costs have seen one of the clubs not register with the association this year, stating cost as one of the reasons. This is the first time in a measurable time that the participation within our sport has declined – this is despite the increased public awareness of the sport and promotion by our Association. This is a significant issue and now places pressure on our future development plans.

One of the largest cost burdens on our membership is the need to hire a facility (Silverdome) to conduct our senior roster. The athletes that play at the highest level of our sport are required to play on an appropriate surface which the facility at Hoblers Bridge does not provide. This limits the activity that the NTNA can offer at Hoblers Bridge, primarily using the facility for the junior roster and training purposes for some clubs. In addition the NHSSA utilises Hoblers Bridge for conducting their roster between terms 2 and 3. Again, school aged children.

The NTNA is also aware that a considerable amount of revenue in hiring the facility is lost to its member clubs as they prefer to train indoors given the season is conducted during the winter months of the year. The majority of these facilities charge \$30 - \$40 per hour with a minimum of 3 hours required in most cases. When the facility was initially established the NTNA enjoyed the benefit of having all members play and train at the facility. Unfortunately this is no longer the case as the NTNA has not been able to develop the site to the appropriate level to accommodate a large portion of its members.

The NTNA is reviewing options to increase activity at the Hoblers Bridge site and identifying opportunities to develop the site to increase revenue to meet increase costs. The NTNA also have a number of courts that need to be resurfaced within the next year so as to keep the facility at the expected level of its membership clubs.

In reviewing the requirement for a current lease agreement the LCC has already imposed a number of costs on the NTNA. Whilst these costs are outlined within the expired lease agreement, custom and practise has seen these charges not applied to the NTNA for the life of the previous agreements.

These costs relate to:

- TAS Water; and

- LCC Rates.

As mentioned above, the NTNA asks that these costs do not have a detrimental impact on the NTNA to continue to provide a premium facility to its clubs and Northern High Schools Sports Association that use the facility at Hoblers Bridge.

To allow the NTNA to continue to grow the sport of Netball within the North of Tasmania and remain a viable entity, the NTNA asks the LLC to take into consideration the following proposed points.

1. In reference to LCC fees, the NTNA asks that these be phased in over a period of time that will in the long term see council receive the full payment.  
The NTNA asks these include Rental, Government Taxes including land tax, Council Rates and Building Insurance.
  2. NTNA asks that the following scale be applied;
    - Year 1 - 15% of rates be applied
    - Year 2 - 30% of rates be applied
    - Year 3 - 50% of rates be applied
    - Year 4 - 65% of rates be applied
    - Year 5 - 80% of rates be applied
    - Year 6 - 100% of rates applied.
  3. NTNA has been making payment for TASWater accounts and acknowledges this is the responsibility of the NTNA. However as agreed in initial discussions in 2013, water charges will be separated for grounds and building and NTNA will be responsible for usage within the building facility. Costs being borne by NTNA relate to numerous shower fixtures which are not operable, used or relevant to our operations. These need to be removed from service so that NTNA is not paying for historical operations.
  4. NTNA is seeking a 10 x 10 year lease agreement, with the opportunity to discuss with LCC possible development projects.
  5. NTNA is unsure of why it is responsible to maintain or be invoiced for insurance costs on the premises. Does the NTNA receive the Cheque if the building is destroyed?
  6. NTNA is not responsible for any structural maintenance of the site.
  7. LCC is responsible for maintaining main pipes, sewerage and drains including the structure of the building and the services to the premises.
  8. LCC will maintain cleaning of rubbish bins and arrange for emptying of rubbish in skip bins as per schedule of once per month.
  9. LCC will be responsible for the maintenance and upkeep of grounds, including play grounds, gardens, grandstands, lawns and fencing at both FJW and Hoblers Bridge.
-



10. LCC to repair damage to courts caused by trees planted by LCC.
11. NTNA requests LCC fence the FJW Centre to provide a secure location for clubs to train and minimise damage. The entire area should be contained and the playground should be relocated to a more appropriate location on the Soccer Fields ground. A playground within the already fenced areas should also be removed and combined at the new location.
12. Hoblers Bridge site is primarily used for junior competition and ask the LCC to take into consideration its policy on junior sports and associated charges for junior sporting premises. We understand this entitles the NTNA to a 50% reduction in rates and charges under the LCC policy to foster junior sport.
13. The NTNA is looking to invest in considerable projects over the term of the lease agreement.
  - A number of Netball courts need to be resurfaced. Expected cost \$60,000
  - Provide appropriate shade coverage at Hoblers Bridge – Quote to be obtained
  - Provide shelter for volunteers on NTNA gate duty – Estimated cost \$2,000
  - Provide coverage over Centre Courts 1 & 2 – estimated cost \$850,000 - \$990,000
  - Long-term view to provide an appropriate indoor facility for all NTNA Members.
  - Develop the NTNA site into the premier Netball Centre within Tasmania.

The NTNA is looking forward to future discussions with the LCC on planning the future of Netball within the city of Launceston and its outlying areas to support the greater community of Launceston and Northern Tasmania.

Kind regards

Rick Sargent  
Operations Manager

Northern Tasmania Netball Association  
Email: [ntna@ntna.org.au](mailto:ntna@ntna.org.au)  
Phone: 03 6334 2099

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**17.3 Lease - South Launceston Football Club****FILE NO:** SF0899**AUTHOR:** Andrew Smith (Manager, Parks and Recreation)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

---

**DECISION STATEMENT:**

To consider leasing the buildings situated at 21 Highgate Street (Folio 50364/1) adjacent to Youngtown Oval as marked on the attached map to the South Launceston Football Club.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**RECOMMENDATION:**

That Council, in respect to a proposal received seeking the leasing of public land situated at 21 Highgate Street (Folio 50364/1) adjacent to Youngtown Oval to the South Launceston Football Club for five years with an option for a further five years, resolves to:

- 1) advertise the proposed lease of land on the public land register for a 21 day period in accordance with S178 (4) Local Government Act 1993; and
  - 2) consider any public submissions received and further determine lease terms and conditions if appropriate at a future Council meeting.
- 

**REPORT:**

The South Launceston Football Club (SLFC) was originally formed in 1879 when it was known as Cornwall, the club changed its name to City the following year and in 1883 it broke through for its first NTFA premiership. Council has leased the land situated at 21 Highgate Street (Folio 50364/1) adjacent to Youngtown Oval to the South Launceston Football Club as shown on the attached plan for over fifty years to the South Launceston Football Club ([Attachment 1](#)).

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**17.3 Lease - South Launceston Football Club...(Cont'd)**

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The SLFC has requested that Council renew the lease of this facility to enable them to continue as an established club. Their proposal is for a lease term of ten years where as the draft lease policy (yet to be approved by Council) indicates that as there is no proposed investment in capital works a five year term would be recommended. In this case a 10 year term is recommended because the current agreed debt repayment plan is over the next ten years (Attachment 2).

A rental valuation report was obtained from Opteon and it recommends that the market rental value is \$8,000 per annum where it is currently \$6,535 per annum. In recent years the SLFC has had additional costs such as Tas Water, Council rates, land tax and building insurance to cover in addition to paying rent. These additional costs have always been part of the lease agreement but have not been charged. The SLFC has requested that their rent be phased in by paying \$6359.60 in the first year of the lease and scaling up to the full rental of \$8000 per annum in year five (plus CPI increases). In regards to the payment of Council rates, land tax, building insurance, water & power usage the club have proposed a different percentage for the various components over the term of the lease (Attachment 2).

The terms and conditions of a new lease will require the lessee to provide a quarterly written report in September, December, March and June of each year, consisting of participation data.

Section 178 of the *Local Government Act 1994* requires that leases of public land that exceed five years be advertised. After the advertised comment period has expired a report will be presented to Council for consideration of comments received and if it determines to proceed with the leasing, lease terms will be considered at that time.

**ECONOMIC IMPACT:**

There is no economic impact with this proposal.

**ENVIRONMENTAL IMPACT:**

There is no environmental impact with this proposal.

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**17.3 Lease - South Launceston Football Club...(Cont'd)**

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**SOCIAL IMPACT:**

There is no social impact with this proposal other than to allow successful tenants to continue to provide an important recreational opportunity for Launceston.

**STRATEGIC DOCUMENT REFERENCE:****Launceston Community Plan**

Preferred Future Five: Healthy and Active People - Strategy Three : Encourage physical activity

**BUDGET & FINANCIAL ASPECTS:**

1st Year - \$6, 359.60 - income in the Parks and Recreation Department budget scaling up to \$8,000 in year 5 plus CPI increases.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Shane Eberhardt: Acting Director Infrastructure Services**

**ATTACHMENTS:**

1. Map - area to be leased by South Launceston Football Club
  2. Letter of lease proposal from South Launceston Football Club
-



Created: 15/5/2014 CRM

**NOTE:**

While all reasonable care has been taken to ensure the accuracy of the information portrayed on this plan its purpose is to provide a general indication of the location of Council services. The information provided may contain errors or omissions and the accuracy may not suit all users. A site inspection and investigation is recommended before commencement of any project based on this data. This note forms an integral part of this plan. Launceston City Council 2014

### South Launceston Football Club Lease

Scale : 1:1,000  
(at A4)



Parks & Recreation



## Attachment 2.

### LEASE PROPOSAL -- YOUNGTOWN OVAL AND FOOTBALL CLUB ROOMS

#### Principal terms and conditions

Lessee	South Launceston football club inc.										
Demised premises	South Launceston Football Club Rooms at the Youngtown Oval including the fixtures thereto, and Show on the attached plan "A"										
Lease term	5 years										
Options	5 years										
Commencement	1 <sup>st</sup> May 2014										
Rent	<table> <tr> <td>year 1</td> <td>\$ 6359.60</td> </tr> <tr> <td>2</td> <td>\$ 6769.70</td> </tr> <tr> <td>3</td> <td>\$ 7179.80</td> </tr> <tr> <td>4</td> <td>\$ 7589.90</td> </tr> <tr> <td>5</td> <td>\$ 8000.00</td> </tr> </table>	year 1	\$ 6359.60	2	\$ 6769.70	3	\$ 7179.80	4	\$ 7589.90	5	\$ 8000.00
year 1	\$ 6359.60										
2	\$ 6769.70										
3	\$ 7179.80										
4	\$ 7589.90										
5	\$ 8000.00										
Payment of rent:	<p>It is proposed that the annual rent be paid in 7 equal payments during the "peak trading period" of the football club being 1<sup>st</sup> of May to 30 November of each year</p> <p>This will enable the club to manage its cash flow in a timely and business like manner .</p>										
Rent reviews	<p>The rent for the first year of the 5 year option term Shall be the rent payable in year 5 of the first term Adjusted by the annual C P I to march of that year For the city of (Hobart ) and annual C P I adjustments For the remaining 4 years will apply</p>										
Ground use	<p>The South Launceston Football is to be granted "Principal licensee " status, giving it first right of use Via the councils booking system</p>										
Other users	<p>The South Launceston Football Club are prepared to work closely with other ground users and make the club Canteen/kitchen available ( subject to financial viability)</p>										



**17.4 Proposed Street Names - Jinglers Drive, Bevel Court and Ebba Place****FILE NO:** DA0225/2013; DA0422/2013; SF0621**AUTHOR:** Sonia Smith (Engineering Officer - Development)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

---

**DECISION STATEMENT:**

To approve three new street names for urban streets in Kings Meadows.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That pursuant to the provisions of the *Local Government (Highways) Act 1982* and *Survey Co-ordination Act 1944* Council resolves to approve:

1. The name Jinglers Drive for the new urban road off Techno Park Drive
  2. The name Bevel Court for the new urban road off Jinglers Drive
  3. The name Ebba Place for the new urban road off Jinglers Drive
- 

**REPORT:**

Council issued two permits for the subdivision of land to the south of the land identified as Techno Park in multiple stages. The two permits have been enacted concurrently and result in the construction of three new streets.

The developer has proposed the name Jinglers Drive for the new street off Techno Park Drive given the proximity to Jinglers Creek and the unnamed creek which flows through the site, discharging to Jinglers Creek.

The developer has proposed the name Bevel Court for the new cul de sac off Jinglers Drive, serving 15 lots.

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**17.4 Proposed Street Names - Jingers Drive, Bevel Court and Ebba Place...(Cont'd)**

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The developer has proposed the name Ebba Place for the cul de sac in Stage 2 which provides frontage to 6 lots. The proposed name is to recognise a former employee who has undertaken civil design work on many projects within Launceston, including this current subdivision.

The neighbouring councils have advised that there is no conflict with the proposed names.

**ECONOMIC IMPACT:**

This decision has no economic impact.

**ENVIRONMENTAL IMPACT:**

This decision has no environmental impact.

**SOCIAL IMPACT:**

This decision has no social impact.

**STRATEGIC DOCUMENT REFERENCE:**

The goal within Council's Strategic Plan (2008-2013) which is considered relevant is:

Goal 2.1 - Facilitate a sustainable approach to enhanced access to and within the municipality

**BUDGET & FINANCIAL ASPECTS:**

N/A

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**17.4 Proposed Street Names - Jinglers Drive, Bevel Court and Ebba Place...(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.



**Shane Eberhardt: Acting Director Infrastructure Services**

**ATTACHMENTS:**

1. Location plan: Proposed road names - Jinglers Drive, Bevel Court and Ebba Place
-

Location plan: Jinglers Drive, Bevel Court and Ebba Place



**17.5 Proposed Street Names - Emerald Drive and Cartiere Place****FILE NO:** DA0146/2009; SF0621**AUTHOR:** Sonia Smith (Engineering Officer)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

---

**DECISION STATEMENT:**

To approve two new street names for urban streets in Newstead

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That pursuant to the provisions of the *Local Government (Highways) Act 1982* and *Survey Co-ordination Act 1944* Council resolves to approve:

1. The name Emerald Drive for the new urban road off Marion Avenue, and
  2. The name Cartiere Place for the new urban road off Emerald Drive.
- 

**REPORT:**

Council issued a permit for the subdivision of land formerly known as Eastman Oval on Penquite Road Newstead in 2009 in multiple stages resulting in the creation of four new streets. Two of these four streets have previously be constructed and named; Marion Avenue and Kachina Court.

The developer has proposed the names Emerald Drive and Cartiere Place.

**ECONOMIC IMPACT:**

This decision has no economic impact.

---

## 17.5 Proposed Street Names - Emerald Drive and Cartiere Place...(Cont'd)

---

### ENVIRONMENTAL IMPACT:

This decision has no environmental impact.

### SOCIAL IMPACT:

This decision has no social impact.

### STRATEGIC DOCUMENT REFERENCE:

The goal within Council's Strategic Plan (2008-2013) which is considered relevant is:

Goal 2.1 - Facilitate a sustainable approach to enhanced access to and within the municipality

### 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.

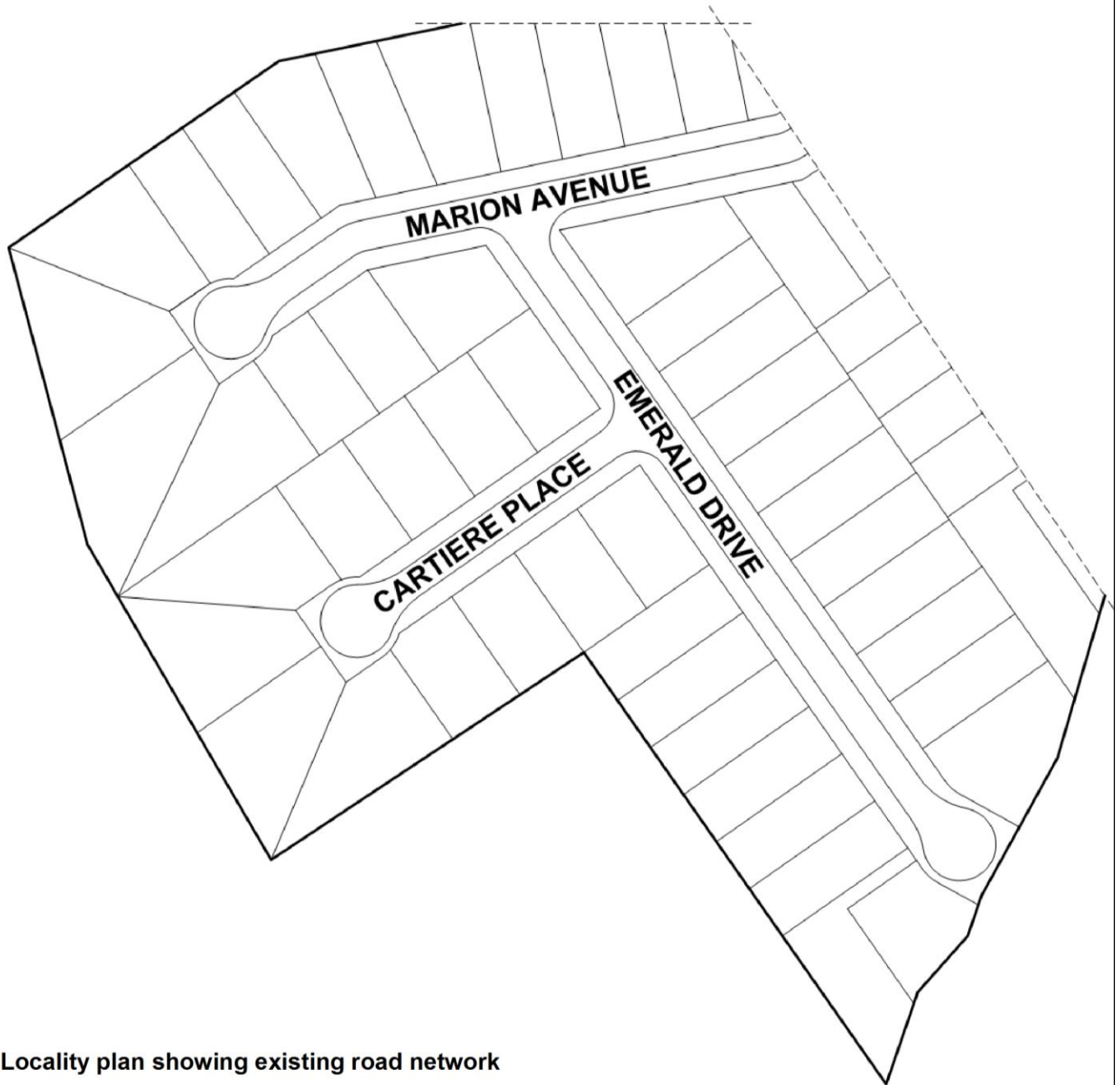


**Shane Eberhardt: Acting Director Infrastructure Services**

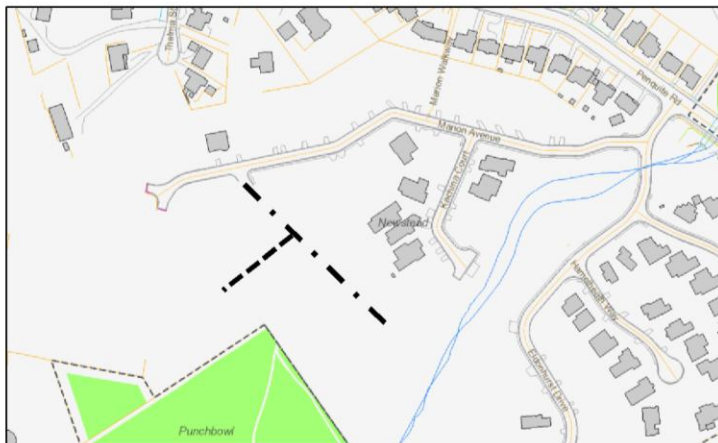
### ATTACHMENTS:

1. Location plan: Proposed road names - Emerald Drive and Cartiere Place
-

Location plan: Emerald Drive and Cartiere Place



Locality plan showing existing road network



## COUNCIL AGENDA

Tuesday 10 June 2014

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### 17.6 Proposed Street Names - Board Mill Drive and Kiln Court

**FILE NO:** SF0621

**AUTHOR:** Sonia Smith (Engineering Officer - Development)

**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

---

#### **DECISION STATEMENT:**

To approve two new street names for urban streets in St Leonards.

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

N/A

#### **RECOMMENDATION:**

That pursuant to the provisions of the *Local Government (Highways) Act 1982* and *Survey Co-ordination Act 1944* Council resolves to approve:

1. The name Board Mill Drive for the new road off St Leonards Road, and
  2. The name Kiln Court for the new urban road off Board Mill Drive.
- 

#### **REPORT:**

Council issued a permit for the subdivision of the former Gunns Board Mill site located at 42 St Leonards Road in 2013 in multiple stages. As a result of the subdivision three new roads are to be constructed with the first two in the initial stage of construction.

The developer has proposed the names Board Mill Drive and Kiln Court in recognition of the sites former used as a timber mill.

The neighbouring councils have advised that the proposed names do not conflict with names used in their respective areas and the Nomenclature Board has raised no objections to the names.

#### **ECONOMIC IMPACT:**

This decision has no economic impact.

---

## 17.6 Proposed Street Names - Board Mill Drive and Kiln Court...(Cont'd)

---

### ENVIRONMENTAL IMPACT:

This decision has no environmental impact.

### SOCIAL IMPACT:

This decision has no social impact.

### STRATEGIC DOCUMENT REFERENCE:

The goal within Council's Strategic Plan (2008-2013) which is considered relevant is:

Goal 2.1 - Facilitate a sustainable approach to enhanced access to and within the municipality.

### 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.



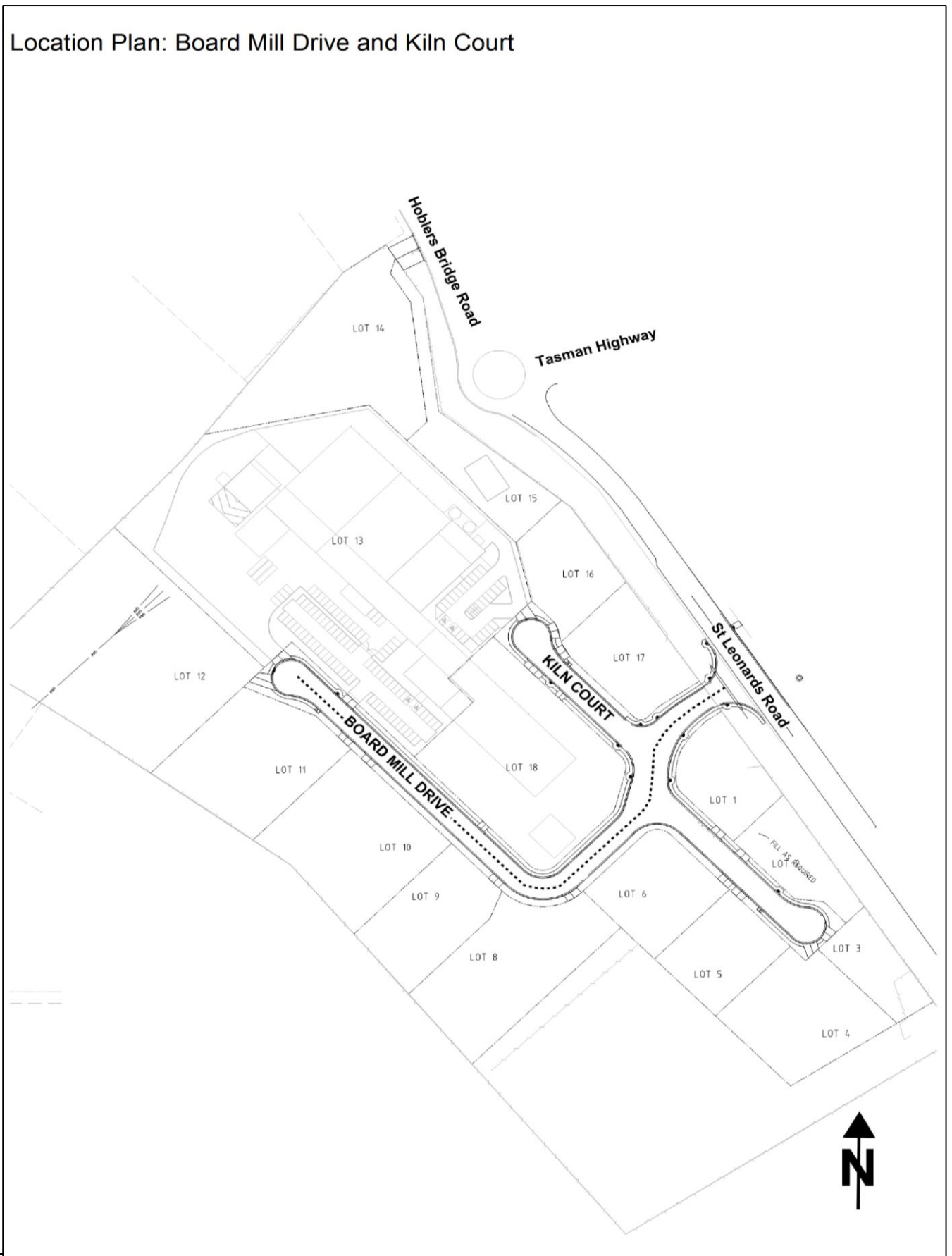
**Shane Eberhardt: Acting Director Infrastructure Services**

### ATTACHMENTS:

1. Location plan: Proposed road names - Board Mill Drive and Kiln Court.
-



Location Plan: Board Mill Drive and Kiln Court



## COUNCIL AGENDA

Tuesday 10 June 2014

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### 17.7 198-206 Lilydale Road, Rocherlea - Unconstructed and unmaintained road reserve

**FILE NO:** SF1678

**AUTHOR:** Harry Galea (Director Infrastructure Services) & Michael Stretton (Director Development Services)

---

#### **DECISION STATEMENT:**

To inform Council of the status and history of an unconstructed road reservation off Lilydale Road on the outskirts of Rocherlea.

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

SPPC Item 4.5 - 2 June 2014

Aldermen discussion on requests within petition being to accept the formation as a Council maintained road.

#### **RECOMMENDATION:**

That Council determines:

1. Residents of the unconstructed road located adjacent to Barnards Creek be responsible for constructing a road in accordance with Tasmania Standard Drawing TSD-RO2-v1 Code S2 (sealed road to cater for 30-100vpd) which includes a four metre wide seal, one metre shoulders and appropriate drainage.
  2. If the above road construction occurs then Council will accept responsibility for the care and maintenance of the newly constructed Reserve Road (shown on Central Plant reference 146r-36r and extending southward).
- 

#### **REPORT:**

Correspondence has been received from MLC Ivan Dean (which includes a petition) seeking that the Council accept responsibility for a *Reserve Road* for a substantially unconstructed road located adjacent to Barnards Creek being on the outskirts of Rocherlea with access off Lilydale Road. Enclosed as:

- Attachment 1 - letter from Ivan Dean MLC and petition (Attachment 2) submitted by land owners adjacent to the said road.
  - Attachment 3 is a plan showing the location and extent of the *Reserve Road*.
-

**17.7 198-206 Lilydale Road, Rocherlea - Unconstructed and unmaintained road reserve...(Cont'd)**

---

The petition is not considered a valid petition as it only contains eight signatures. Ten signatures are required for a valid petition.

This report lists the current status and the condition of the track within the reserve road as well as the land use planning controls to facilitate discussion and form an opinion enabling a future report to be prepared and presented to Council.

**Condition and Road Status** (prepared by Infrastructure Services)

The parent land was first declared a State forest by gazette on 9 May 1932 and following that the Town of Melcombe Regis was created. Subdivision was by the Crown or an agency of the Crown.

It has been established that the first part of road was created under the *Roads and Jetties Act 1935* most probably as a country road. Under the *Roads & Jetties Act 1935* by definition country roads "do not include a street in any town". We have sought clarification but to no avail as to the status of the "Town of Melcombe Regis" - it could be that it existed in concept only and might not have ever been officially declared a town. Declaration was usually at the request of the local Council at the time being Lilydale Council. By the date it seems likely that the *Towns Act 1934* may have some bearing on things although the difficulty will be that the division of land was by the crown or an agency of the crown.

At the end of the reservation on an otherwise land locked parcel is the Bouchers Creek conservation area. ISD have checked with Parks & Wildlife about the ability of members of the public to have free access to the conservation area. Because of its conservation area status members of the public utilise the reserved areas to gain access and do not need a permit. Their only access is via the Reserved Road which could add weight to a conclusion that the road in question is one which the general public has a permanent rite of passage. However that is entirely different to the question of whether Council maintains the road. The Crown do not consider the Reserved Road to have a general public right given they issue licences to abutting property owners to access the Reserved Road and conditions are contained on the licences that licensees are responsible for maintaining the trafficable pavement.

The Reserved Road is not a road that has been maintained by Launceston City Council or its predecessors - a current employee of 55 years who started with Lilydale Council has confirmed this understanding. Consequently the road is NOT shown on Council's Section 205 map (being the statutory plan showing roads which are under the care and maintenance of Council).

---

**17.7 198-206 Lilydale Road, Rocherlea - Unconstructed and unmaintained road reserve...(Cont'd)**

---

A previous offer made to one of the current landowners that should the owners construct the road with a sealed pavement that meets Council standards (for a 30 - 100 vpd traffic) then officers will recommend to accept the road as a public road under the care and maintenance of Council. The current construction (up to chainage 880m) is reasonable for a private driveway but lacks pavement depth, no provisions for stormwater, unsealed and narrow width to be acceptable as a public road. The total length of the Reserved Road is 1420m to provide access to all separate lots in this locality.

**Land Use Planning** (prepared by Development Services)

The area in question is zoned Rural Resource under the Launceston Interim Planning Scheme 2012 ('the interim scheme') and in order for a dwelling to be approved in the zone it must be demonstrated that a lot has frontage to a road which is maintained by a road authority (i.e. Council or DIER). A frontage cannot currently be achieved by a Right of Way (ROW) or licence and therefore, because these properties are serviced by a private road which does not provide a frontage to a road, the Council cannot approve a dwelling on these properties under the Interim Scheme.

It should be noted that in the past the property owners of 198 Lilydale Road were required to construct a private road along a ROW over the Crown Reserve to service their property in accordance with a Planning Permit issued under the previous Planning Scheme. The permit specified that the construction of the ROW needed to be in accordance with *LCC drawing R-01* which is for a single lane rural road (unsealed). This is not, and has never been a public road. Whilst the road was constructed and inspected in compliance with the planning permit condition it remains a private road which is not maintainable by the Council.

The Council has consistently maintained its policy that where new housing development is approved, the road works are the responsibility of the developers. Accordingly, it would be inconsistent and inequitable for the Council to provide funding to upgrade this private road. Equally, it has always been a policy of the Council to take over the maintenance of roads to service new development once constructed to a satisfactory standard. The road in question is a private road which would require significant upgrading in order for the Council to take over its maintenance.

**ECONOMIC IMPACT:**

The proper formation and use of the reserved road will provide opportunity for the development of the adjacent private land.

---

## COUNCIL AGENDA

Tuesday 10 June 2014

---

### 17.7 198-206 Lilydale Road, Rocherlea - Unconstructed and unmaintained road reserve...(Cont'd)

---

#### **ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

#### **SOCIAL IMPACT:**

Not considered relevant to this report.

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

Priority Area 2: Built Environment

Goal - Managing and enhancing Council and community assets, including buildings, roads and other above and below ground infrastructure.

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

The *Reserved Road* is approximately 1,420m long (hatched section to southern boundary of #206). The cost for construction is estimated at \$398,000 which residents would be responsible to undertake. The annual operating cost of \$7,900 (includes maintenance and depreciation), on the assumption Council accepts care and maintenance responsibilities, is not included in Infrastructure Services budget.

#### **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**

#### **ATTACHMENTS:**

1. Letter from Ivan Dean MLC
  2. Petition
  3. Plan
-

**Attachment 1**

16 April 2014

Robert Dobrzynski  
General Manager  
Launceston City Council  
PO Box 396  
LAUNCESTON TAS 7250



**IVAN DEAN MLC**

Independent Member for Windermere  
Legislative Council

Dear Robert,

I forward this report for your information and attention, please.

This report and attachments relate to the properties and property holders along Bouchers Creek in Lilydale Road. I understand there are 8 properties along this section of gravel road which is in the ownership of the Crown. Some properties hold right of way licences/permits with the crown to access their properties. They now seek to petition the Launceston City Council to consider finishing the construction of the road and taking it over.

While it is fitted with a boom gate the area remains open and provides for public access and has frequent use.

Discussion around the ongoing road condition and ownership has been occurring since about 2004 on my advice and with the Launceston City Council (LCC) and Crown Land Services (CLS) taking a position of accepting no responsibility for developing and maintaining the road.

Initially one land owner, Mrs Betty Fidler was told by Council that if she was to develop the road into her properties (she has since sold one) to council standards that Council *may* take over that section of road and maintain it to the similar standard. Since this initial correspondence Mrs Fidler was told that Council has absolutely no intentions of taking the road over. After meeting with Council Mrs Fidler was then told that if she upgraded the road, that she would be responsible for the maintenance of that piece of the road. Mrs Fidler went ahead and developed this road, at a cost of \$20,000 and it was accepted by council as meeting their standard.

I am further advised that the property owners have been paying rates on their properties to LCC for 'ever and a day' and for the privilege of receiving no property services in exchange. It is accepted they enjoy 'other' Council amenities.

I don't intend to go into the full history of the circumstances surrounding this area and I think in the circumstances it suffices to make reference to the attached document, headed 'History of the Land'

The area has historical value and it would also appear that it is suitable or could be considered for development under the new planning scheme if the plan is accepted, as discussed and suggested at the planning meeting – I think in about March this year.

There is a certain amount of sympathy for the land owners as was brought out of the meeting in that an 'authority' should step in and complete the road which would be in the vicinity of about 800 meters in length. Advice was given to Mrs Fidler from an authority (perhaps informally) that the land owners should consider petitioning the LCC to develop the road and that they should also consider receiving legal advice on the subject.

I am aware of three landowners who are considering developing their properties and another who is considering developing an orienteering course on their own and other land. The questions currently are;

- Will the new and revised planning scheme provide for development of the area?
- And if so; having regard to the history of the area, what support if any will be likely provided by the council?

I understand that the council has previously discussed a housing development in the area under the current scheme and have supported it that is, provided the road was developed to the necessary standards and all other conditions met.

I believe the petition does not meet the criteria as a formal document as it contains less than 10 signatures of ratepayers. However, having regard to the history involved and the fact that it is an area ready for development the signatories are calling on LCC to now consider completing the road construction and maintaining it.

I recall Mrs Fidler addressing a Council Planning and Policy Committee meeting several years ago on this similar subject and gaining the sympathetic ear of the Alderman of the time and staff. I don't recall the whole outcome from that exchange but suffice to say there was positive support from around the table for her development.

It has had a torrid time over many years and it has been brought to my attention that 'not only has it taken a toll on the land owners but also on council staff. I am also aware of the involvement of CLS and the impact on that department.

I am unsure of costs here but it is inevitable that the area will see development in the future and that council will be compensated for any costs they incur over time.

---

I raised this matter recently with council and referred to the sub division costs being picked up by developers. However, this is a different scenario because we already have a road giving access to the area and there is currently 8 (I think that is right) separate title holders. It is not similar to the normal new sub division where there is one owner or company and nor is it similar to a person who builds in an area of one landowner. It is, to my knowledge, quite unique but having said that, I suspect there may be others.

Two of the property owners are BORAL and the Crown, but there could conceivably be at least 6 developments in this area if the road was developed to a suitable standard. It seems unfair to me that any roadwork expenses should fall on one or two property owners only at this time. Council does have a means of recouping its costs.

As I said, I am fully aware of the past history regarding the area. However we should be moving on and considering what is in the best interests of Launceston and its people and the area, and avoiding any personal issues that have arisen during that time. In saying this, I do not cast any aspersions on any one person and certainly not on Elected Members or Council staff.

I reiterate it is fair to say that Council employees along with Crown Land Services have had a difficult time dealing with this matter for over a decade and therefore it would be in the best interests of all parties to finalise construction of the road and ownership.

My constituents in this case are pleading for some support and if Council was to consider the completion of the road construction over say 2 budget years and commencing in the 2015/16 financial year, it would give these property owners some hope. It would also allow them to start planning their futures for the area.

In the circumstances I do feel justified in putting the position as referred, to the Launceston City Council for consideration.

Yours sincerely



**Ivan Dean MLC**

Independent Member for Windermere

CC: Mayor Albert van Zetten, Deputy Mayor Jeremy Ball, Alderman Annette Waddle, Alderman Tony Peck, Alderman Robin McKendrick, Alderman Ted Sands, Alderman Rosemary Armitage, Alderman Ian Norton, Alderman Rob Soward, Alderman Hugh McKenzie, Alderman Jim Cox, Alderman Danny Gibson.  
Crown Land Services (For information only)



**Attachment 2**

(Template)

**Statutory Informal Petition - Lodgement Form**

*Please complete this form and attach it to the first page of the Petition(s)  
Only one form is required for the entire petition*

I/We the proposer(s) of the petition, being residents/electors of the Launceston Municipal area, declare:

There are 8 signatories to the petition.  
(number of signatories)

To the knowledge of the proposer(s), the signatories are residents/electors of the Launceston Municipal area.

The petition was signed between 27/3/2014 and 17/4/14  
(Commencement Date) (Completion Date)

The petition is proposed by (please print):

Full Name of Proposer	Address	Signature
ENID MAVIS HILL	31 LUMLEY STREET UPPER MT-GARVATT 4122	<i>E Hill</i>
Betty Evelyn FIDLER	13 EDWARD STREET PERTH, TAS, 7300	<i>B Fidler</i>
Cynthy Shapiro	19 Moore St Invermay Tas 7248	<i>C Shapiro</i>

(Template)

## Statutory Informal Petition

Please read Council's "How to Lodge a Petition with Council" information sheet first.

Lilydale Road.	PETITION
(Please print the title of petition on the above line. E.g. "New bench seat in Reserve")	

To the Aldermen of Launceston City Council:

We, the electors of the Launceston Municipal Area, petition the Aldermen in accordance with section 57 of the Local Government Act 1993 to:

(Please clearly state the purpose of your petition and the action you require of Council in the space provided below)

For council to give consideration to taking over the road on historical grounds + completing the remaining sections that hasn't been constructed to Council standards -  
Please see attached.

Petitioners, please PRINT your full name and address, and then sign. Thank you.

Full Name	Address	Signature
ENID MAVIS HILL	31 LUMLEY STREET UPPER MT. GRAVATT Q. 4122	E Hill
EDWARD JOHN HILL	31 LUMLEY ST UPPER MT GRAVATT 4122	E Hill
Betty Evelyn Fidler	200 Lilydale Road.	B Fidler
Joseph Clive Fidler	200 Lilydale Rd	J Fidler
Cynthia Shropshire	206 Lilydale Rd Rochlea	C Shropshire
Justin Cooper	198 Lilydale rd	J Cooper
CHRISTINE TARRANT	204 LILYDALE RD ROCHERLEA	C Tarrant
LEONARD THOMPSON	204 LILYDALE RD ROCHERLEA	L Thompson

Note: A valid petition requires at least 10 signatures.

## HISTORY OF THE LAND

When Alexander Birch, Mr & Mrs Squire's and others purchased the land over 100 years ago, all were clearly provided with access to the main Lilydale Road. In the research I conducted on the blocks within the lane, the Reserve Road & the Esplanade have been present since the beginning & I found no documentation that stated that the owners were responsible for maintaining the road— in fact what I did find was that the road was gazetted in the early 1900's which would indicate that at the time they would have been in expectations that the properties, would in due course, increase in value by logical expectations and based on the map information. They would have also expected their rights as landowners to be protected by responsible approach of governing local Council, especially as to road access and encroachment of their land rights. They would not have expected to see it whittled away by time, new ideas, new legislature &/ or council regulations, and different concepts, primarily based on financial consideration.

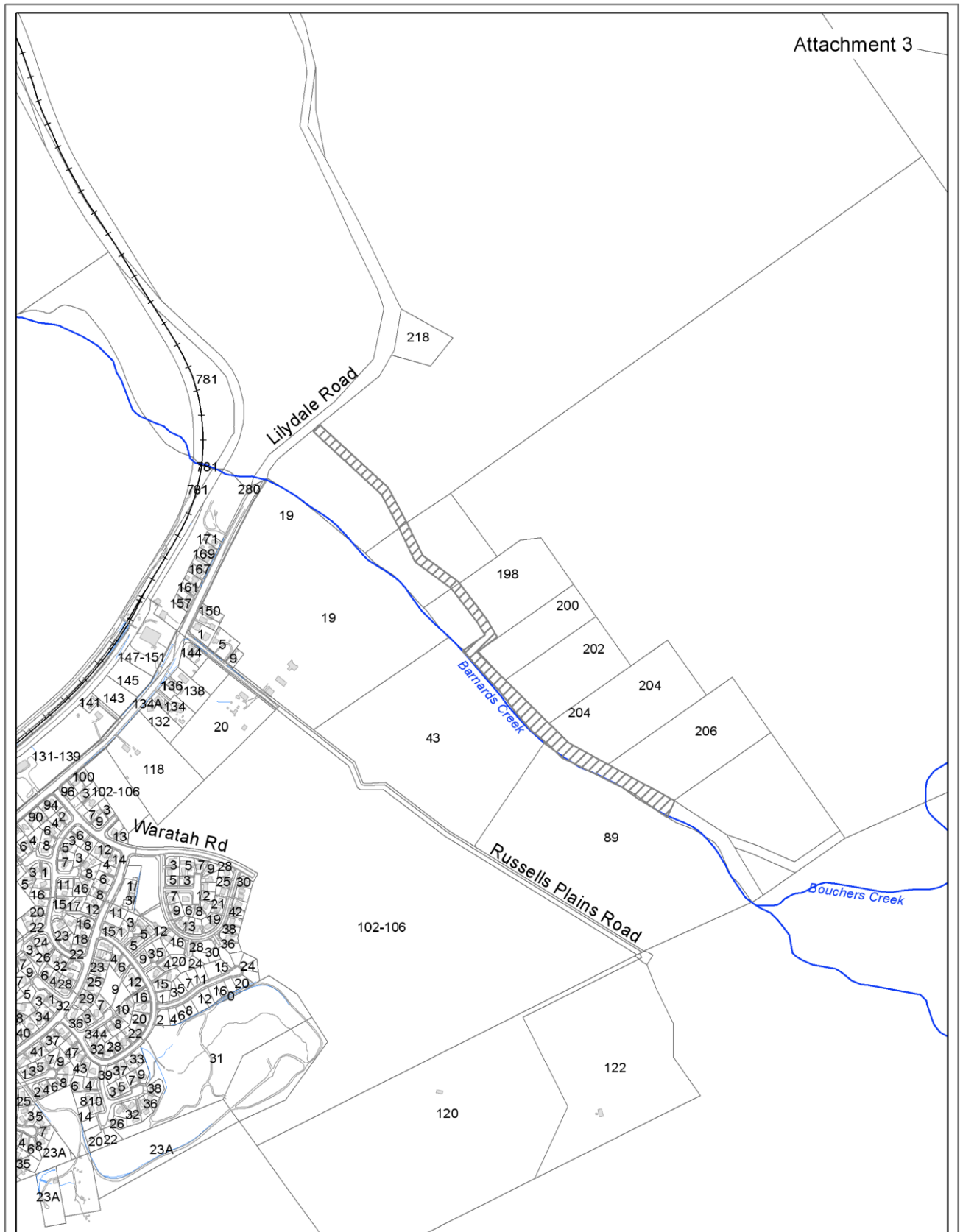
Forestry leased out their land to a chap named Faulkner who operated a sawmill on the land in the early 1900's and the caretakers house still exists – Mr Barker took over the saw mill and worked it until around 2000/2001 which would have generated quite a bit of traffic accessing the mill via the road - According to Mr Barker he only ceased operation as big business had taken his work – Merv, Mr Barker's caretaker, resided in the cottage until 2005 and the power was turned off at the mill when it was dismantled in 2010 -

The land in question isn't just rural land, nor is it land that some one has just decided to subdivide, it's land that people continued living and raising their families on well before any planning scheme. Also in this area can be found remnants of stone cottages and railway lines used in the mill, all of which have historical value. The squires also had a hat factory on one of the blocks. The land is of very little or no agricultural value, due to the nature of the soil, topography and size of the blocks and with out the advantage of a suitable dwelling upon the properties, as others enjoyed in the past, is neither reasonable nor realistic. It is conceivable that the historic value of this land could be developed as a tourism venture in the future which would obviously require road access -

The injustices that have occurred to the land owners in relation to this particular land over the years, has only served to cause them great anguish, and to lose sense of a realistic valuation of the land especially now with what the council are proposing under the new Launceston Interim Planning Scheme which is pending—

Given that the land owners have continued to pay rates and taxes on the land over the years never receiving any services, and as a part of the road has now been constructed to councils specifications at some cost, we are hoping that council will give consideration to taking over the road on historical grounds and complete the remainder so we are all in a position to develop our land which is less than a kilometre from the built up area of Rocherlea -

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Printed: 20/05/2014

**NOTE:**  
While all reasonable care has been taken to ensure the accuracy of the information portrayed on this plan its purpose is to provide a general indication of the location of Council services. The information provided may contain errors or omissions and the accuracy may not suit all users. A site inspection and investigation is recommended before commencement of any project based on this data. This note forms an integral part of this plan.  
©Launceston City Council 2014

### Unconstructed Reserve Road

Scale at A4 :

1:10,000

0 200 Metres



Spatial Sciences



## COUNCIL AGENDA

Tuesday 10 June 2014

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### 18 CORPORATE SERVICES

#### 18.1 2013/14 Budget Amendments

**FILE NO:** SF5899

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

---

#### **DECISION STATEMENT:**

To approve budget amendments relating to various expenditure, capital and revenue estimates and thereby amending the Operations budget to a \$0.903m deficit and the Capital budget to \$17.894m for 2013/14.

This decision requires an absolute majority vote of Council in accordance with Section 82(4) of the Local Government Act 1993.

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

Audit Committee - 22 May 2014 - *It was resolved that the report go to Council for a decision*

#### **RECOMMENDATION:**

That the Council:

1. Pursuant to Sections 82(2) and (4) of the Local Government Act 1993, approve the budget transfers as follows.

a) Reallocate funding relating to transfers from Capital to Operations in the amount of \$50,000.

• QVMAG Future Directions	50,000
	<u>50,000</u>

b) Reallocate funds relating to accounting treatment changes between Operations and Capital in the amount of \$47,200.

• Browns Road (Segment 1030 - 1330)	47,200
	<u>47,200</u>

---

## 18.1 2013/14 Budget Amendments...(Cont'd)

c) Adjust the 2013/14 budget to reflect the net result of external funds granted in the amount of \$125,000.

• Dover Village to Remount Road Trail	100,000
• Tennis Centre Grandstand	25,000
	<u>125,000</u>

2. Notes the revised

a) Underlying Operating Budget Deficit	\$1.707m
b) Operating Budget Deficit	\$0.903m
c) Capital Budget	\$17.894m

### REPORT:

The budget amendments are changes to budget estimates that require a Council decision. The major change comes from external funding that affects both the Capital and Operations budgets.

The following table summarises the amendments.

	<b>Operations \$'000</b>	<b>Capital \$'000</b>
Statutory Budget	(7,095)	14,496
Adjustments approved by Council 30/09/2013	1,548	1,548
Adjustments approved by Council 31/12/2013	4,522	1,628
<b>Balance as at 31/01/2014</b>	<b>(1,025)</b>	<b>17,672</b>
Capital to Operations	(50)	(50)
Operations to Capital	125	125
External Funding Changes	47	47
NTCA Link Building (Council decision 28/01/2014)	-	100
<b>Balance at 31/03/2014</b>	<b>(903)</b>	<b>17,894</b>
Add back Financial Assistance Grants for 2013/14	2,036	
Deduct Capital Grants and Contributions	(2,840)	
<b>Underlying Operating Budget Deficit</b>	<b>(1,707)</b>	

**18.1 2013/14 Budget Amendments...(Cont'd)**

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The following table is an alternative summary showing the opening Underlying Operating Budget Deficit and the movements for the 2013/14 financial year.

	<b>Operations \$'000</b>
Statutory Budget	(7,095)
Add back Financial Assistance Grants 2013/14	2,036
Deduct Capital Grants and Contributions	(1,443)
<b>Original Underlying Operating Budget Deficit</b>	<b>(6,502)</b>

The QVMAG Future Directions projects are made up as follows:

• Carriage and Wagon Shop Throughway Capital Project	(50,000)
• Recent Security Review	6,000
• Architects Fees - Carriage and Wagon Throughway	5,000
• Door and Window Costs (strengthening)	4,000
• Inveresk Cafe Alterations	15,000
• Energy Efficiency Programs	11,000
• General Maintenance	3,000
• Repairs to Royal Park Roof	6,000

**ECONOMIC IMPACT:**

Not applicable to this report

**ENVIRONMENTAL IMPACT:**

Not applicable to this report

**SOCIAL IMPACT:**

Not applicable to this report

**STRATEGIC DOCUMENT REFERENCE:**

Not applicable to this report

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**18.1 2013/14 Budget Amendments...(Cont'd)**

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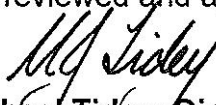
**BUDGET & FINANCIAL ASPECTS:**

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

**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 Tidey; Director Corporate Services**

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## 18.2 Quarterly Financial Report to Council

**FILE NO:** SF5899

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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### DECISION STATEMENT:

To consider Council's financial performance for the nine months ended 31 March 2014.

### PREVIOUS COUNCIL CONSIDERATION:

Audit Committee 22 May 2014 - *The quarterly financial review for the period ended 31 March 2014 was noted.*

### RECOMMENDATION:

That the Council adopt the financial reports for the nine months ended 31 March 2014 which discloses:

	<b>2013/14 Actual \$'000</b>	<b>2013/14 Budget \$'000</b>
<b>Operating Summary</b>		
Revenue	66,543	65,847
Less Expenses	66,495	67,739
Operating Surplus/(Deficit)	<u>48</u>	<u>(1,892)</u>
Add Capital Grants	2,953	2,740
Comprehensive Result Surplus/(Deficit)	<u><u>3,001</u></u>	<u><u>848</u></u>

---

## 18.2 Quarterly Financial Report to Council...(Cont'd)

	2013/14 Actual \$'000	2012/13 Actual \$'000
<b>Financial Position</b>		
Equity	<u>1,447,916</u>	<u>1,451,045</u>
Assets		
Current	64,867	64,935
Non-Current	<u>1,419,477</u>	<u>1,433,600</u>
	<u>1,484,344</u>	<u>1,498,535</u>
Liabilities		
Current	14,246	14,873
Non-Current	<u>22,182</u>	<u>32,617</u>
	<u>36,428</u>	<u>47,490</u>
Net Assets	<u><u>1,447,916</u></u>	<u><u>1,451,045</u></u>

### REPORT:

Detailed annual financial reports have been reviewed in the Audit Committee meeting on 22 May 2014 with all Aldermen receiving copies of the agenda and detailed papers. The purpose of this item is for Aldermen to formally review the Council's financial position and the Council's performance for the first nine months of 2013/14.

This report provides an overall summary of the operations for the first nine months of the 2013/14 financial year. The key issues arising from the period ended 31 March 2014 are:

#### Operations

Based on the latest forecast the operating result is expected to be in line with the budget for the 2013/14 year.

The operating result for the nine months to 31 March 2014 is \$2.15m ahead of the budget. This favourable outcome is attributable to:

- Revenue
  - Rates, Fees and Revenue Grants being ahead of the budget.
  - Interest and Other Income is behind budget.

**18.2 Quarterly Financial Report to Council...(Cont'd)**

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- Expenses
  - Maintenance and Provision of Services is less than the year to date budget.
  - Depreciation is more than the budget.

The detailed review that has just been undertaken to review the forecast year end results indicates the final position will be in line with budget as amended during the year.

**Capital Works**

As at 31 March 2014, 20 percent in value have reached practical completion and 49 percent in value are in progress. Another 24 percent by value are in preliminary design.

Careful project management will need to continue to ensure that the capital program is completed by 30 June 2014.

Advice from management is that programs are broadly in line with budget with some exceptions where better outcomes will be achieved by delayed completion.

**Financial Position**

- Overall - The Council's balance sheet and cash reserves continue to be in accordance with current and long term budgets.
- Loan balances are in accordance with budget.
- Cash balances remain in accordance with long term strategy and are consistent with budgeted project requirements.

At the end of 31 March 2014 the Council is in a positive operating position compared to budget.

**ECONOMIC IMPACT:**

No economic impact

**ENVIRONMENTAL IMPACT:**

No environmental impact

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## 18.2 Quarterly Financial Report to Council...(Cont'd)

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### **SOCIAL IMPACT:**

No social impact

### **STRATEGIC DOCUMENT REFERENCE:**

Priority Area 5: Governance Services

5.1.4 Ensure the city is managed in a financially sustainable manner

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

As per report

### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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

  
Michael Tidey; Director Corporate Services

### **ATTACHMENTS:**

1. Income Statement to 31 March 2014
  2. Balance Sheet as at 31 March 2014
-

<b>LAUNCESTON CITY COUNCIL</b> <b>Quarterly Statement of Comprehensive Income</b> <b>For Period ended 31 March 2014</b>		
	<b>2013/14</b> <b>YTD</b> <b>Actual</b> <b>\$</b>	<b>2013/14</b> <b>YTD</b> <b>Budget</b> <b>\$</b>
<b>REVENUES FROM ORDINARY ACTIVITIES</b>		
Rates	43,370,585	42,891,659
Fees and Charges	14,045,527	13,787,294
Grants and Contributions		
- Revenue Purposes	3,857,068	3,478,295
Interest	1,734,045	2,017,328
Interest Committed	232,980	-
Other	3,302,920	3,672,274
	<u>66,543,123</u>	<u>65,846,850</u>
<b>EXPENSES FROM ORDINARY ACTIVITIES</b>		
Maintenance of Facilities and Provision of Services	47,243,670	48,386,409
Borrowing Costs	556,398	610,625
Depreciation and Amortisation	13,567,484	13,510,040
State Government Fire Levy	4,554,029	4,554,029
Rate Remissions and Abatements	573,724	678,027
	<u>66,495,304</u>	<u>67,739,128</u>
<b>OPERATING SURPLUS / (DEFICIT)</b>	47,819	(1,892,278)
<b>Other Comprehensive Income</b>		
Capital Grants	2,952,923	2,740,353
<b>Comprehensive Result</b>	<u>3,000,742</u>	<u>848,075</u>

UNAUDITED - COUNCIL USE ONLY

<b>LAUNCESTON CITY COUNCIL</b> <b>QUARTERLY STATEMENT OF FINANCIAL POSITION</b> <b>As at 31 March 2014</b>			
	YTD 2013/14	YTD 2012/13	YTD 2011/12
	\$	\$	\$
<b>EQUITY</b>			
Capital Reserves	153,662,206	150,070,241	136,413,132
Revenue Reserves	863,726,764	853,407,859	853,327,420
Asset Revaluation Reserves	425,562,965	442,388,835	416,303,930
Trusts and Bequests	1,963,816	1,590,011	1,504,251
Operating Surplus	3,000,742	1,793,939	8,386,225
<b>TOTAL EQUITY</b>	<b>1,447,916,494</b>	<b>1,451,044,824</b>	<b>1,424,321,183</b>
<i>Represented by:-</i>			
<b>CURRENT ASSETS</b>			
Cash at Bank and on Hand	4,329,972	983,130	1,462,681
Rate and Sundry Receivables	13,916,908	16,110,279	42,750,878
Less Rates not yet Recognised	(14,326,333)	(13,610,195)	(12,976,120)
Short Term Investments	60,258,240	60,777,221	36,814,971
Inventories	688,390	674,736	672,582
	<u>64,867,177</u>	<u>64,935,171</u>	<u>68,724,992</u>
<b>NON-CURRENT ASSETS</b>			
Deferred Receivables	229,607	230,639	234,082
Investments	282,303,000	257,388,000	255,800,000
Employee Benefits	-	-	-
Intangibles	4,349,667	4,327,975	-
Infrastructure and Other Assets	920,357,392	939,739,961	914,268,056
Museum Collection	232,237,706	231,913,206	231,913,206
	<u>1,419,477,372</u>	<u>1,433,599,781</u>	<u>1,402,215,344</u>
<b>TOTAL ASSETS</b>	<b>1,484,344,549</b>	<b>1,498,534,953</b>	<b>1,470,940,336</b>
<b>CURRENT LIABILITIES</b>			
Deposits and Prepayments	960,912	1,907,925	7,827,067
Employee Provisions	5,995,493	6,210,012	5,788,481
Interest-bearing Liabilities	2,706,541	2,572,853	2,335,882
Sundry Payables and Accruals	4,583,030	4,182,414	3,796,133
	<u>14,245,977</u>	<u>14,873,203</u>	<u>19,747,564</u>
<b>NON-CURRENT LIABILITIES</b>			
Employee Provisions Non Current	836,215	772,082	781,954
Superannuation Obligation	2,550,080	9,559,664	3,623,027
Interest-bearing Liabilities Non Current	8,727,000	11,500,704	11,655,223
Sundry Provisions	10,068,781	10,784,476	10,811,385
	<u>22,182,075</u>	<u>32,616,926</u>	<u>26,871,589</u>
<b>TOTAL LIABILITIES</b>	<b>36,428,052</b>	<b>47,490,129</b>	<b>46,619,153</b>
<b>NET ASSETS</b>	<b>1,447,916,494</b>	<b>1,451,044,824</b>	<b>1,424,321,183</b>

UNAUDITED - COUNCIL USE ONLY

## COUNCIL AGENDA

Tuesday 10 June 2014

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### 18.3 2013/2014 Annual Plan Progress Report Period Ending 30 April 2014

**FILE NO:** SF5910 / SF5652

**AUTHOR:** Leanne Purchase (Corporate Planning Administration Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To receive the report on progress against Council's 2013/2014 Annual Plan for the period ending 30 April 2014.

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

Item 19.1 - Council - 24 June 2013 - *Launceston City Council Annual Plan 2013/14 approved*

#### **RECOMMENDATION:**

That Council notes the progress against 2013/2014 Annual Plan actions for the period ending 30 April 2014.

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#### **REPORT:**

This report provides an update on the progress of Actions from Council's Annual Plan 2013/14.

Progress is summarised in the following table:

Action status	Actions	Cum %
Completed	17	27
On target (on track) - at least 90% of target achieved	31	76
In progress - between 70% and 90% of target achieved	5	84
Off target (off track)* - less than 70% of target achieved	8	97
Not started*	2	100
<b>Total number of actions</b>	<b>63</b>	

\* see information supplied in Report

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**18.3 2013/2014 Annual Plan Progress Report Period Ending 30 April 2014...(Cont'd)**

The attached document provides additional detail on progress against actions, which are listed in order of Priority Areas taken from the Strategic Plan 2008-2013. (Council's Strategic Plan was extended by Council on 26 November 2012, to expire on 30 June 2014) and also contains the relevant Goals for each Priority Area.

Strategies and Actions in the document are listed in tables following on from their relevant Priority Area. The table includes the following information: the status of each action, progress comments on actions, which Directorate is responsible for each action, percentage complete for each action and the progress against targets set for each action.

Progress against targets set for each action is indicated with one of the following icons:

	At least 90% of target achieved
	Between 70 and 90% of target achieved
	Less than 70% of target achieved

The following eight (8) actions are currently off track:

**Action:** Construct/widen boardwalk at 'Seaport' (Action No. 1.1.2.1 ISD Projects)

**Responsible Director:** Harry Galea

**Comments:** Completed detailed design and construction tenders called. It is anticipated that a contract will be awarded by 2 June 2014.

It is anticipated the work will be completed by 15 September 2014, subject to the existing marina and associated attachment to the existing boardwalk being removed by the owner by early June 2014.

The delay is due to resolving planning issues, community engagement and acceptance and decking material selection process.



## COUNCIL AGENDA

Tuesday 10 June 2014

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### 18.3 2013/2014 Annual Plan Progress Report Period Ending 30 April 2014...(Cont'd)

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**Action:** Complete Civic Square Precinct Plan (Action No. 1.1.3.3 ISD Parks and Recreation)

**Responsible Director:** Harry Galea

**Comments:** A prioritised order of projects associated with the Central Area revitalisation works (identified in the Greater Launceston Plan/Central Area Plan) will be formulated prior to the end of the 2013/14 Financial year. This will include the Civic Square Masterplan project, and outline timeframes for design, community consultation and commencement of capital works. The delay is as a result of fitting in the timetable of the Greater Launceston Plan and a reprioritisation of actions. The project is anticipated to be completed by the end of the 2014 calendar year.

**Action:** Complete a business plan covering the social, environmental and economic aspects of a kerbside organics collection service (Action No. 1.1.4.1 ISD Management)

**Responsible Director:** Harry Galea

**Comments:** Council has received the Development Proposal and Environmental Management Plan (DPEMP) requirements from the Environmental Protection Agency (EPA). Officers are developing a project plan to complete the DPEMP. Officers are also progressing with the business case, which officers aim to complete by June 2014. The delay has been caused by the higher workload required to progress the development of the recycling centre and reuse shop and the sustainable fee strategy at the Launceston Waste Centre.

**Action:** Development of Heritage Precinct provisions in consultation with the Heritage Advisory Committee (Action No. 2.1.4.1 DSD Management)

**Responsible Director:** Michael Stretton

**Comments:** Public consultation is complete. No significant comments were made. The draft is being reviewed by the Tasmanian Planning Commission (TPC) prior to finalisation.

Work commenced on three additional precincts: West Launceston, Lime Avenue and Newstead Crescent.

**Action:** Undertake Stage 1 of a 3 year program to analyse the Council's urban stormwater systems to identify areas at risk of flooding and appropriate mitigation works (Action No. 2.1.6.1 ISD Infrastructure Assets)

**Responsible Director:** Harry Galea

**Comments:** The action was put on hold because the priority focus was to investigate flooding issues from wet weather events. This project is now continuing, with a current focus on the stormwater system in Prospect.

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## COUNCIL AGENDA

Tuesday 10 June 2014

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### 18.3 2013/2014 Annual Plan Progress Report Period Ending 30 April 2014...(Cont'd)

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**Action:** Review the Regional Planning Framework following the development of the Greater Launceston Plan (Action No. 3.1.3.2 DSD Planning Services)

**Responsible Director:** Michael Stretton

**Comments:** This action will commence following the completion of the Greater Launceston Plan. Council staff are currently working with NTD to develop a project framework for the review of the Regional Land Use Strategy (RLUS).

**Action:** Implement a commercial composting program that involves:

- Facilitating agreements with regional local governments and TasWater for the supply of organic materials
- Call expressions of interest for a contractor to establish a composting facility and
- Commence planning and environmental approval processes (Action No. 3.1.8.1 ISD Management)

**Responsible Director:** Harry Galea

**Comments:** This action is progressing; it is anticipated the business case will be presented to SPPC in June/July 2014, as the SPPC agenda permits. The delay is as a result of additional workload to develop new services and sustainable fee strategy at the Launceston Waste Centre.

**Action:** Develop an online application process for events held in the Launceston Municipal Area (Action No. 4.1.3.5 DSD Community, Tourism and Events)

**Responsible Director:** Michael Stretton

**Comments:** Process mapping of the events application process has been carried out. The electronic processes to facilitate an electronic events application process is currently being developed in collaboration between the Council's IT Department and Development Services.

The following two (2) actions are not started:

**Action:** Complete a water quality management plan for Newnham Creek (Action No. 1.1.2.2 ISD Infrastructure Assets)

**Responsible Director:** Harry Galea

**Comments:** This project will not be delivered in 2013/2014 due to staff vacancies and a change in priorities to flooding related issues.

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## COUNCIL AGENDA

Tuesday 10 June 2014

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### 18.3 2013/2014 Annual Plan Progress Report Period Ending 30 April 2014...(Cont'd)

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**Action:** Implement actions arising from the Greater Launceston Plan which influence economic prosperity in the City and the Region (Action No. 3.1.2.1 GSD General Manager)

**Responsible Director:** Robert Dobrzynski, General Manager

**Comments:** Implementation of the plan has not yet commenced. Notwithstanding, a number of the projects within the Greater Launceston Plan are current priority projects for the Launceston City Council, with funding secured from both the State and Federal Government in a number of incidents.

Incidentally, the Greater Launceston Plan will significantly influence the 2014-2024 Launceston City Council Strategic Plan which is currently under preparation. The Strategic Plan will then be reflected in the Council Annual Plan and the Council Budget which determines the annual operations and financing of Council activities.

#### **ECONOMIC IMPACT:**

The actions contained in the Annual Plan arise from the Community's *Vision 2020* goals - supporting Launceston as a place to invest, developing tourism, marketing of the city, and supporting strategies for the region.

#### **ENVIRONMENTAL IMPACT:**

'Natural Environment' actions in the Annual Plan address the Strategic Plan 2008-2014 goals of *Sustainable management of natural resources, parks and recreational areas*.

#### **SOCIAL IMPACT:**

'Social and Economic Environment' and 'Cultural Environment' actions in the Annual Plan address the Strategic Plan 2008/2014 goals of *Promoting a healthy, prosperous and positive community* and *Supporting and developing arts and cultural activities*.

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

Council's Annual Plan 2013/2014 details the major actions Council will work towards achieving in the Strategic Plan 2008-2014.

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

N/A

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## COUNCIL AGENDA

Tuesday 10 June 2014

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18.3 2013/2014 Annual Plan Progress Report Period Ending 30 April 2014...(Cont'd)

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### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

  
Michael Tidey, Director Corporate Services

### ATTACHMENTS:

1. 2013/2014 Annual Plan Progress on Actions for the Period Ending 30 April 2014 (distributed electronically)
-

## COUNCIL AGENDA

Tuesday 10 June 2014

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### 18.4 Budget 2014/15 - Statutory Estimates

**FILE NO:** SF6082

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider the adoption of Council's Statutory Estimates for the financial year ending 30 June 2015.

This decision, pursuant to Section 82(3)(a) of the Local Government Act 1993, must be adopted by absolute majority.

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

N/A

#### **RECOMMENDATION:**

1. That Council pursuant to Section 82 of the Local Government Act 1993 adopts the Statutory Estimates for the financial year ending 30 June 2015. The Statutory Estimates are set out in full in attachment 1.
  2. That Council pursuant to Section 82(2) of the Local Government Act 1993 adopts:
    - a) Estimated revenue \$ 105.20m
    - b) Estimated expenditure
      - Operating \$ 95.12m
      - Capital \$ 26.25m
    - c) Estimated borrowing
      - Loans \$ -
      - Scheduled Repayments \$ 2.79m
    - d) Estimated capital works
      - Council funded \$ 16.20m
      - Grant funded \$ 10.05m
- 

#### **REPORT:**

The budget preparation process for 2015 has involved:

- Community consultation prior to the preparation of the draft budget
  - Preparation of draft budget
-

**18.4 Budget 2014/15 - Statutory Estimates...(Cont'd)**

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- Determination of proposed statutory estimates which was released for community comment.

The development of the process of consulting on the Council's budget continued with the opportunity for the community to comment on the budget prior to the release of the proposed budget again occurring. Only two submissions were made prior to the preparation of the draft budget.

The consultation process extended over nine weeks after being advertised in the local newspaper and radio. The process involved a survey using the Council's online engagement tool, 'Your Voice. Your Launceston' as well as the opportunity for individuals to comment directly on any matters. 'Your Voice. Your Launceston' has nearly 1,300 registered participants that were also invited to complete the survey.

Key points to note from the survey response are:

- 213 quick poll responses.
- 127 survey responses to general questions.
- 52% are happy to very happy with another 30% neutral. These satisfaction ratings are similar to last year.

There was a final opportunity to make a submission to the 2014/15 Proposed Statutory Estimates during the period 29 April 2014 to 9 May 2014 however there were no further submissions received.

The Proposed Statutory Estimates, after consideration of the input and submissions, is now presented to Council for adoption. A critical outcome of this budgeting process is the determination of the rating requirement. The next agenda item gives effect to this through the rating resolution.

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## 18.4 Budget 2014/15 - Statutory Estimates...(Cont'd)

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The summary comparative information is as follows.

<b>Estimates</b>	<b>2015</b>	<b>2014</b>
	<b>\$m</b>	<b>\$m</b>
Revenue	105.20	90.37
Excluding Capital Funds	95.15	89.43
Expenditure		
Operating	95.12	97.47
Excluding Depreciation	76.31	76.02
Capital	26.25	14.50
Borrowing		
Loans	-	-
Repayments		
Scheduled	2.79	2.90
Discretionary	4.50	2.82
Capital Works		
Council Funded	16.20	13.55
Grant Funded	10.05	0.95

### **ECONOMIC IMPACT:**

Council has a significant economic impact in the region through its revenue raising and spending.

### **ENVIRONMENTAL IMPACT:**

The budget contains specific projects and ongoing programs to improve environmental outcomes.

### **SOCIAL IMPACT:**

The budget contains specific projects and ongoing programs to improve social outcomes.

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## 18.4 Budget 2014/15 - Statutory Estimates...(Cont'd)

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### STRATEGIC DOCUMENT REFERENCE:

Priority Area 5: Governance Services

5.4 Ensure the City is managed in a financially sustainable manner

### BUDGET & FINANCIAL ASPECTS:

As per the estimates.

### 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 Tidey, Director Corporate Services

### ATTACHMENTS:

1. 2014/15 Proposed Statutory Estimates (distributed separately)
-



**18.5 Budget 2014/15 - Rating Framework****FILE NO:** SF6082 / SF0521**AUTHOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the adoption of the Council's Rating Framework for the financial year ending 30 June 2015.

This decision, pursuant to Part 9 of the Local Government Act 1993, must be adopted by absolute majority.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council pursuant to Part 9 of the Local Government Act 1993 adopts the following Rating Framework for the financial year ending 30 June 2015.

**Resolutions:****1. General Rate:**

1.1 Pursuant to Sections 90 and 91 of the Local Government Act 1993, the Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the municipal area of Launceston for the period commencing 1 July, 2014 and ending 30 June, 2015, which consists of two components as follows:

- (a) A rate of **8.0770** cents in the dollar on the assessed annual value of the land; and
- (b) A fixed charge of **\$138.00**.

1.2 That pursuant to Section 107(1)(c) of the Local Government Act 1993, by reason of the location of any land which is within the following parts of the municipal area, namely:

- (a) That portion of the City of Launceston as is bounded by Wellington, Cameron, George and York Streets;
-

### 18.5 Budget 2014/15 - Rating Framework...(Cont'd)

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- (b) Those properties having a frontage on the Eastern side of George Street from numbers 37 to 115 (both inclusive);
- (c) Those properties having a frontage on the Southern side of York Street from numbers 45 to 123 (both inclusive);
- (d) Those properties having a frontage on the Northern side of Cameron Street from numbers 44 to 70 (both inclusive) and on the Southern side of that Street from numbers 41 to 93 (both inclusive);
- (e) Those properties having a frontage on the Eastern side of St John Street from numbers 119 to 153 (both inclusive) and on the Western side of that Street from numbers 116 to 128 (both inclusive);
- (f) Those properties having a frontage on the Eastern side of Charles Street from numbers 179 to 205 (both inclusive) and on the Western side of that Street from numbers 126 to 156 (both inclusive); and
- (g) Those properties having a frontage on the Northern side of Brisbane Street from numbers 36 to 60 (both inclusive) and those having a frontage on the Southern side of that Street from numbers 43 to 65 (both inclusive),

the Council declares, by absolute majority, that component (a) of the general rate in clause 1.1 is varied in respect of such land by increasing it by **1.5000** cents in the dollar of assessed annual value to **9.5770** cents in the dollar of assessed annual value of the land.

- 1.3 Pursuant to Section 129(4) of the Act, the Council, by absolute majority, grants a remission to the class of ratepayers liable to pay the general rate as varied in accordance with clause 1.2 by reducing the general rate payable by **1.5000** cents in the dollar of the assessed annual value to **8.0770** cents in the dollar of assessed annual value of the land where the land in respect of which the general rate is payable;
- (a) Is predominantly used for private residential purposes; or
  - (b) Is owned and occupied as a private member's club.
- 1.4 Pursuant to section 88A of the Act, the Council, by absolute majority sets the following maximum percentage increase in component (a) of the general rate in clause 1.1 of 200% and then declares by absolute majority that the maximum percentage is varied under section 107 of the Act according to the use or predominate use of land, by decreasing the maximum percentage to **20%** for all land which is used or is predominately used for residential purposes.
-

**18.5 Budget 2014/15 - Rating Framework...(Cont'd)**

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**2. Service Charges – Onsite Disposal System Services:**

Pursuant to Section 94 of the Local Government Act 1993, the Council makes a service charge for the period commencing 1 July, 2014 and ending on 30 June, 2015, as follows:

- (a) For the supply by the Council of a service which comprises the management, maintenance, monitoring and auditing of each on-site waste water management system within the meaning of the Building Act 2000;
- (b) Which is installed on rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which the Council does not supply this service):
- (c) Of:
  - (i) **\$600.00** for a system designed to cater for up to 10 people;
  - (ii) **\$620.00** for a system designed to cater for 11 to 15 people; and
  - (iii) **\$660.00** for a system designed to cater for 16 or more people.

**3. Service Charges – Waste Management Service:**

Pursuant to Section 94, of the Local Government Act 1993, the Council makes the following service charges on all rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which the Council does not supply any of the following services) for the period commencing 1 July, 2014 and ending on 30 June, 2015, namely:

3.1 Service charges for waste management in respect of all land to which the Council supplies different waste management services comprising:

- (i) The supply of mobile garbage bins;
- (ii) The supply of a recycling service;
- (iii) The collection of garbage bags purchased by owners or occupiers of land from the Council

as follows:

- (a) (i) **\$111.00** for an 85 litre mobile garbage bin and 1 recycle bin;
  - (ii) **\$141.00** for a 140 litre mobile garbage bin and 1 recycle bin;
  - (iii) **\$233.00** for a 240 litre mobile garbage bin and 1 recycle bin; and
-

### 18.5 Budget 2014/15 - Rating Framework...(Cont'd)

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- (b) **\$2.40** per bag for the collection of prepaid garbage bags purchased by owners or occupiers from the Council for collection within the area that this service is supplied to.
- 3.2 Pursuant to Section 94(3) of the Local Government Act 1993, and by absolute majority, the Council varies each of the charges at clause 3.1(a) within different parts of the municipal area for land used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreational facilities and/or quarrying and mining purposes as follows:
- (i) **\$111.00** for a 85 litre mobile garbage bin;
  - (ii) **\$141.00** for a 140 litre mobile garbage bin;
  - (iii) **\$233.00** for a 240 litre mobile garbage bin.
- 3.3 In respect of the service charges for waste management:
- (a) If any land to which the waste management service is supplied is the subject of separate rights of occupation which are separately valued in the valuation list prepared under the Valuation of Land Act 2001, then the charge applies to each such separate occupation;
  - (b) Pursuant to Section 94(3) of the Local Government Act 1993 and by absolute majority, the Council declares that the service charge varies within different parts of the municipal area by reference to the use or predominant use of land as follows:
    - (i) For all land used for residential purposes where there is more than 1 separate right of occupation which is separately valued in the valuation list prepared under the Valuation of Land Act 2001 and where the rate payer has elected by notice in writing delivered to the General Manager on or before the 1st day of July 2014 not to have a waste management service, then the service charge is varied to **Nil**;
    - (ii) For all land which is used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities and where the rate payer in respect of that land elects by notice in writing delivered to the General Manager on or before the 1st day of July 2014 not to have a waste management service, then the service charge is varied to **Nil**;
-

**18.5 Budget 2014/15 - Rating Framework...(Cont'd)**

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**4. Service Rates - Fire Service:**

- 4.1 Pursuant to Section 93A of the Local Government Act 1993 the Council makes the following service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the municipal area for the period commencing 1 July, 2014 and ending on 30 June, 2015, as follows:

<b>District</b>	<b>Cents in the dollar of Assessed Annual Value</b>
Launceston Permanent Brigade Rating District	<b>1.2970</b>
Lilydale Volunteer Brigade Rating District	<b>0.3800</b>
General Land	<b>0.3100</b>

- 4.2 Pursuant to Section 93(3) of the Local Government Act 1993, the Council sets a minimum amount payable in respect of this service rate of **\$36.00**.

**5. Separate Land:**

- 5.1 Except where it is expressly provided to the contrary, for the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

**6. Adjusted Values:**

- 6.1 For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Sections 89 and 89A of the Local Government Act 1993.

**7. Instalment Payment:**

- 7.1 Pursuant to Section 124 of the Local Government Act 1993, the Council:

- (a) Decides that all rates are payable by all rate payers by four instalments which must be of approximately equal amounts.
  - (b) Determines that the dates by which instalments are to be paid shall be as follows:
-

**18.5 Budget 2014/15 - Rating Framework...(Cont'd)**

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- (i) The first instalment on or before 31 August, 2014;
  - (ii) The second instalment on or before 30 November, 2014;
  - (iii) The third instalment on or before 31 January, 2015; and
  - (iv) The fourth instalment on or before 30 April, 2015.
- (c) If a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

**8. Penalty and Interest:**

8.1 Pursuant to Section 128 of the Local Government Act 1993, if any rate or instalment is not paid on or before the date it falls due then:

- (a) There is payable a penalty of **3.0%** of the unpaid rate or instalment; and
- (b) There is payable a daily interest charge of **0.02054795% (7.5% per annum)** in respect of the unpaid rate or instalment for the period during which it is unpaid.

**9. Words and Expressions:**

Words and expressions used both in these resolutions and in the Local Government Act 1993 or the Fire Service Act 1979 have in these resolutions the same respective meanings as they have in those Acts.

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**REPORT:**

This resolution has the purpose of translating budgeted rate revenue into rates and charges.

**ECONOMIC IMPACT:**

Council has a significant economic impact in the region through its revenue raising and spending.

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**18.5 Budget 2014/15 - Rating Framework...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

The budget contains specific projects and ongoing programs to improve environmental outcomes.

**SOCIAL IMPACT:**

The budget contains specific projects and ongoing programs to improve social outcomes. The structure distributes the rates accordingly to property values.

**STRATEGIC DOCUMENT REFERENCE:**

Priority Area 5: Governance Services  
5.4 Ensure the City is managed in a financially sustainable manner

**BUDGET & FINANCIAL ASPECTS:**

As per the estimates.

**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 Tidey: Director Corporate Services

**18.6 Review of Local Government (Meeting Procedures) Regulations 2005****FILE NO:** SF0095**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider possible amendments to the Local Government (Meeting Procedures) Regulations 2005

**PREVIOUS COUNCIL CONSIDERATION:**

SPPC Workshop - 2 June 2014

**RECOMMENDATION:**

That the Council:

1. Makes the following submission for amendment to the Local Government (Meeting Procedures) Regulations 2005, Regulation 19: "If a motion to overturn a Council decision is lost, the time-period restriction regarding when the same motion can be brought again to the Council should be six (6) months."
  2. Notes the comments within the Discussion Paper regarding possible changes to the regulations
  3. Forwards this advice to the Department of Premier and Cabinet for their consideration in the preparation of the new draft Regulations.
- 

**REPORT:**

The Local Government (Meeting Procedures) Regulations 2005 (Regulations) (Attachment 1) will expire on 29 June 2015 and DPAC have requested comments on a discussion paper that they have prepared based upon feedback received over the life of the current regulations (Attachments 2 and 3). An information sheet explaining these procedures has also been distributed (Attachment 4).

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## COUNCIL AGENDA

Tuesday 10 June 2014

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### 18.6 Review of Local Government (Meeting Procedures) Regulations 2005...(Cont'd)

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Aldermen were invited to provide input into this process by responding to the 16 items in the discussion paper and raising any additional concerns with the current regulations that may require review.

The discussion paper was presented to the SPPC meeting on 2 June 2014 and one recommendation regarding Regulation 19 was agreed upon. Under item 11. *Motion to overturn a decision* it was agreed that:

*If a motion to overturn a Council decision is lost, the time-period restriction regarding when the same motion can be brought again to the Council should be six (6) months*

Should Council agree to this addition to the discussion paper, DPAC will be advised accordingly.

#### **ECONOMIC IMPACT:**

N/A

#### **ENVIRONMENTAL IMPACT:**

N/A

#### **SOCIAL IMPACT:**

N/A

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

Strategic Plan Priority Area 5: Governance Services

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

N/A

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## COUNCIL AGENDA

Tuesday 10 June 2014

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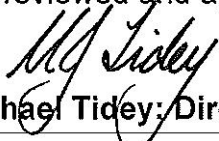
### 18.6 Review of Local Government (Meeting Procedures) Regulations 2005...(Cont'd)

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#### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

  
Michael Tidey: Director Corporate Services

#### ATTACHMENTS:

1. Local Government (Meeting Procedures) Regulations 2005 (Distributed separately)
  2. Letter from DPAC to LGAT outlining the review process
  3. Review of Local Government (Meeting Procedures) Regulations 2005 - Discussion Paper (Distributed separately)
  4. Council Meeting Procedures - Information Sheet
-

**Department of Premier and Cabinet**

Executive Building, 15 Murray Street, HOBART TAS 7000 Australia  
GPO Box 123, HOBART TAS 7001 Australia  
Ph: 1300 135 513 Fax: (03) 6233 5685  
Web: [www.dpac.tas.gov.au](http://www.dpac.tas.gov.au)

**12 MAY 2014**

Mr Allan Garcia  
Chief Executive Officer  
Local Government Association of Tasmania  
GPO Box 1521  
HOBART TAS 7001

Dear Mr Garcia

I am writing to provide the Local Government Association of Tasmania with the opportunity to comment on the review of the *Local Government (Meeting Procedures) Regulations 2005* (the Regulations).

The Regulations, a copy of which is enclosed, expire on 29 June 2015 and must be replaced or remade by this time.

This review provides a good opportunity to consider any issues the local government sector may be aware of with regards to the operation of the Regulations.

Enclosed is a Discussion Paper, the purpose of which is to stimulate discussion regarding the effectiveness of the Regulations and explore options for amendment and improvement.

You may also wish to refer to the enclosed 'Council Meeting Procedures Information Sheet', which provides guidance to councils on the key meeting procedure requirements contained within the Regulations.

It would be appreciated if you could forward any comments you may have to Mr Phillip Hoysted, Director of Local Government, Local Government Division, Department of Premier and Cabinet, by **27 June 2014**. Your comments can be emailed to [lgd@dpac.tas.gov.au](mailto:lgd@dpac.tas.gov.au) or mailed to GPO Box 123, Hobart TAS 7001.

If you have any queries in relation to the review, please contact Ms Jane Colton, Policy Analyst, Local Government Division. Ms Colton can be contacted by email at [jane.colton@dpac.tas.gov.au](mailto:jane.colton@dpac.tas.gov.au) or by telephone on (03) 6232 7022.

Yours sincerely

A handwritten signature in black ink, appearing to read "Greg Johannes".

 Greg Johannes  
**Secretary**

Attachments

14/22855

# COUNCIL MEETING PROCEDURES

INFORMATION SHEET  
APRIL 2014

## The Local Government (Meeting Procedures) Regulations 2005

The *Local Government (Meeting Procedures) Regulations 2005* (the Regulations) provide a uniform and comprehensive set of rules for the conduct of council meetings.

The Regulations are available at:  
<http://www.thelaw.tas.gov.au/>

This information sheet focuses on the key meeting procedure requirements contained within the Regulations. It is the obligation of councillors to obtain the Regulations and become familiar with their content.

## Types of meetings (Reg. 4)

There are three types of council meeting covered in the Meeting Regulations:

- an ordinary meeting;
- a special meeting; and
- a committee meeting.

## Ordinary meeting (Reg's 4 & 6)

An ordinary meeting is the regular meeting of council which is to be held at least once a month. The general manager convenes the first ordinary meeting after an election and the mayor convenes subsequent meetings.

Most councils agree on a regular schedule of meetings for the next 12 months. The general manager is to convene an ordinary meeting where a meeting has not been held in the previous month.

## Special meeting (Reg. 4)

A special meeting is convened for a particular purpose and can be requested by a majority of councillors, or by a council meeting.

The request must be in writing and include the subject matter and any motions to be considered. The request must be signed by the councillors and lodged with the mayor.

## Council committee meeting (Reg. 5)

A council committee is essentially a sub-committee of council that meets to perform a specific function, for example:

- finance;
- planning;
- community services; or
- health and environmental services.

## Chairperson

The mayor is the chairperson of an ordinary or special council meeting. In his/her absence the deputy mayor is the chairperson. If both are absent, councillors present are to elect one of their number to be chairperson for the meeting.

A committee is convened by the chairperson of the committee. As per regulation 5, the chairperson of a council committee meeting may either be nominated by the council or elected by the members of the committee. If the chairperson is absent from the meeting the members present elect one of their number to be the chairperson.

## Notice of meetings (Reg. 7)

The general manager is to give councillors written notice of a council meeting.

Notice for an ordinary meeting is to be given at least four days, but not more than 14 days prior to the meeting.

Notice for a special meeting is to be given at least two days, but not more than 14 days prior to the meeting.

The general manager is also to publish a notice in a daily newspaper, with circulation in the municipal area, advertising the time and place of the meeting. For a special meeting, the notice is to state whether any part of the meeting is to be closed and include any details of the matters to be discussed in any part of the meeting that is not to be closed.

## Open meetings

A meeting is to be open to the public unless closed under regulation 15.

## Closed meetings (Reg. 15)

A council may decide to close all or part of a meeting to the public. If it is a council meeting, the decision must be made by an absolute majority<sup>1</sup>.

If a council committee decides to close a meeting, it may do so by simple majority<sup>2</sup>.

A meeting may be closed to the public only for the reasons outlined in regulation 15(2) of the Regulations. These reasons include:

- matters relating to commercial in confidence;
- personnel;
- industrial; or
- security issues.

Under subregulation 15(3), a meeting cannot be closed when council is acting as a planning authority, considering planning permits or dealing with matters relating to the sale of

public land under section 178 of the *Local Government Act 1993* (the Act).

The only instance in which a council may discuss matters under subsection 15(3) in closed session is where the matters to be considered relate to actual or possible legal action to be taken by or involving the council.

## Agendas (Reg. 8)

The general manager is to prepare an agenda for each meeting along and provide councillors with the agenda and any associated documents.

For an ordinary meeting, the agenda and associated documents are to be made available at least four days beforehand. For a special meeting, the agenda and associated documents are to be made available at least two days beforehand.

The general manager is also required to ensure that the agenda is publicly available, as per regulation 9.

An agenda for an ordinary meeting is to provide, but is not limited to, the following:

- attendances and apologies;
- confirmation of the minutes;
- the date and purpose of any workshop held since the last meeting;
- applications for leave of absence;
- declarations of pecuniary interest;
- public question time;
- reports; and
- matters for discussion.

The general manager is to arrange the agenda to ensure that planning matters are dealt with sequentially. Other business is to be dealt with in the order set out in the agenda, unless the council, by absolute majority, determines otherwise.

1."absolute majority" more than half the elected councillors, whether or not any of them are present at a council meeting

2."simple majority" the majority of councillors present and able to vote at a council or committee meeting

### **Discussion of matters not on the agenda (Reg. 8)**

A matter not specifically listed on the agenda may not be discussed at a council meeting. The council may decide by absolute majority (for ordinary meeting) or simple majority (council committee) to deal with such a matter if the general manager reports:

- the reason it was not possible to put the matter on the agenda;
- that the matter is urgent; and
- that advice from a qualified person, as required under section 65 of the Act, has been provided;

### **Motions (Reg. 16)**

Council decisions are made by agreement of councillors to a proposition, referred to as a motion. If a motion is successful it becomes a decision of the council. The chairperson may require a motion to be put in writing either during or following the meeting at which it was moved.

A motion cannot be debated unless it is moved by a councillor and seconded by another. However the chairperson of a council committee may waive the requirement for a motion to be seconded.

In most cases a motion will need to relate to a matter on the meeting agenda.

### **Notice of motion**

A councillor may give written notice of a motion, and any relevant information, to the general manager for inclusion on the agenda of the next meeting, at least seven days before the meeting.

After consulting with the chairperson, the general manager may refuse to accept a written motion that is defamatory, contains offensive language or is unlawful.

The chairperson may refuse to accept a motion of which written notice has not been given, if

that motion is defamatory, contains offensive language or is unlawful.

A motion for the adjournment of debate on a motion should include the reasons for adjournment.

If the councillor does not move the motion at that meeting, the motion will lapse.

### **Content of motions**

Meeting regulations do not specify the content or style of a motion except to prohibit certain motions.

### **Amendments to motions (Reg. 17)**

A councillor may move a motion to amend a motion, unless that councillor has moved or seconded the original motion.

A motion to amend a motion cannot be moved while a previous motion to amend that motion is being considered.

If a motion to amend a motion is accepted, the original motion, as amended, becomes the motion before the meeting.

The chairperson may refuse to accept more than two motions to amend a motion.

### **Motions to overturn decisions (Reg. 18)**

A council or council committee cannot overturn a decision passed at a previous meeting held since the last ordinary election, except by the resolution of an absolute majority (for council) or simple majority (for council committee).

Any advice given to a council in respect of a proposed motion to overturn a resolution is to specify if the original motion directed certain action be taken, and whether that action has been wholly or substantially carried out.

### Discussions on resolved motions (Reg. 19)

The chairperson may only allow discussion regarding a previously resolved motion made earlier at the same meeting if:

- the motion was misunderstood, leading to a vote that did not accurately reflect the views of the meeting;
- new information has come to hand; or
- vital information has been overlooked

A separate vote on whether a matter should be discussed for a second time is to be taken before the discussion can take place.

### Procedural motions (Reg. 20)

Procedural motions relate to matters of procedure and can be very significant to a meeting.

A procedural motion is to be moved and seconded as with any other motion, but is not to be discussed.

The chairperson is to consider a procedural motion over any other business and may accept or reject a procedural motion.

If a procedural motion is rejected, the chairperson is to give reasons why.

A councillor must not move a motion of dissent against the chairperson's decision to accept or reject a procedural motion.

If a procedural motion is accepted, the motion must be put to the vote immediately, with no discussion.

Procedural motions either in their positive or negative form include that the:

- motion be now put;
- matter be deferred;
- matter of the motion be put to a committee;
- meeting be now adjourned; or
- meeting be closed to the public

If a procedural motion is rejected or lost, discussion on the original motion is to resume.

The chairperson is not to accept any further similar procedural motions until at least one councillor has spoken to the original motion being considered.

### Debate (Reg. 22)

A councillor should not digress from the subject matter of the motion and may speak to a motion only once.

A councillor is not to speak on a motion for more than five minutes, except where granted leave by the council to speak for an additional three minutes.

The mover of a motion has a right of reply for three minutes but is not to introduce any new material in the reply.

Once a motion that the motion be put is passed, there is no right of reply even if the mover has not exercised that right.

The general manager, or other council employee, may, on the invitation of the chairperson, provide further qualified advice on any agenda matter.

The council may decide to suspend the rules of debate.

### Points of order (Reg. 23)

A councillor may raise a point of order for the following reasons:

- irrelevance;
- interruptions or distractions;
- a meeting procedure is contrary to the Act or the Regulations
- misrepresentation; or
- an offensive statement.

If a councillor is interrupted by the taking of a point of order, they are to cease speaking.

The chairperson is to make a ruling on a point of order as soon as it is raised. The

chairperson's ruling is binding on the meeting and is not to be questioned or challenged by a councillor.

### **Acting as a planning authority (Reg. 25)**

The chairperson is to advise the meeting where the council or committee intends to act as planning authority under the *Land Use Planning and Approvals Act 1993*.

The general manager is to ensure that the reasons for any decision made by a council or council committee when acting as a planning authority are recorded in the minutes.

### **Questions without notice (Reg. 29)**

A councillor at a meeting may ask a question without notice of the chairperson or, through the chairperson, of another councillor or the general manager.

A question without notice must not be debated. When putting a question without notice a councillor must not offer an argument or opinion, draw any inferences or make any imputations, except as far as necessary to explain the question.

A chairperson, councillor or general manager who is asked a question without notice may decline to answer.

Furthermore, a chairperson may refuse to accept a question if it does not relate to the activities of the council.

Questions without notice, and the answer, do not need to be recorded in the minutes of the meeting.

A chairperson may require a councillor to put a question without notice in writing.

### **Questions on notice (Reg. 30)**

A councillor may give seven days' written notice of an intention to ask a question at the next ordinary council meeting or council committee.

An answer to a question on notice must be in writing.

### **Public question time (Reg. 31)**

The chairperson at an ordinary council meeting must ensure that at least 15 minutes is made available so members of the public may ask questions about council activities.

Written notice of questions from a member of the public that may be addressed by the chairperson at an ordinary meeting may be given to the general manager at least seven days prior to the meeting.

Neither a member of the public's question nor its answer is to be debated.

During the 15 minutes available for public question time, a chairperson may address questions on notice submitted by the public and invite members of the public to ask questions without notice from the floor.

The chairperson may refuse to accept a question or may require the question to be put on notice in writing for answering at a later meeting. Where a question is not accepted, the chairperson is to give reasons.

### **Voting (Reg's 26, 27 & 28)**

At a council meeting, each councillor, including the chairperson, has one vote.

At a council committee, the chairperson and a councillor who is a member of the committee has one vote.

The chairperson is to put a motion to the vote as soon as discussion on it is finished.

The question is to be put first in the affirmative and if necessary in the negative.

A motion is to be determined by a simple majority, unless an absolute majority is required.

If a councillor abstains from voting it is to be recorded as a negative vote.



Tied votes are treated as a motion being determined in the negative.

The vote of each councillor on a motion is to be recorded in the minutes.

Voting may be conducted by secret ballot if the purpose is to select a person to represent the council on a committee or other body.

### Minutes

The minutes of any closed meeting are to be kept confidential unless otherwise determined by a council.

A council must consider privacy and confidentiality issues before releasing any minutes of a closed meeting.

### Circulation of minutes (Reg. 32)

Minutes are to be circulated to all councillors as soon as is practical after the meeting but at least at the next ordinary meeting.

At the next ordinary meeting, the minutes are to be corrected and confirmed as a true and accurate record by resolution of the meeting and by the signature of the chairperson.

### Open meetings (Reg. 32)

The general manager is responsible for recording and keeping minutes.

The general manager is to ensure copies of minutes are kept as council records, are available to all councillors, and are available for public inspection/purchase.

The general manager is to ensure the minutes of each meeting record the attendance of councillors and any:

- absence during the meeting, including the time of leaving and returning;
- matter discussed at a meeting;
- motions moved at the meeting;
- decision of a meeting and where required by the Act, whether or not the decision was by absolute majority;

- deputation made under regulation 38;
- question on notice asked by a councillor and the answer; and
- question put in writing during public question time and at least a summary of the answer.

### Closed meetings (Reg. 34)

The general manager should record in the minutes of the open meeting only the fact that a matter was discussed in a closed meeting, and not include details of the outcomes, although the council may determine otherwise.

The requirements with regard to what a general manager is to record in the minutes of a closed meeting are the same as for open meetings.

Where a general manager is excluded from a closed meeting, the chairperson is to direct a person to record the minutes of that closed meeting.

### Council workshops

Council workshops are informal meetings, held for the purpose of providing councillors with information on specific matters. Workshop procedure is not governed by the Act or Regulations.

The Regulations require that a meeting agenda include the date and purpose of any council workshop held since the last council meeting.

Councils and councillors need to clearly distinguish between workshops and formal council meetings. No decisions can be made or foreshadowed at council workshops. They are for information purposes only and councillor attendance at workshops is not compulsory.

Individual councils are entitled to hold workshops as and when they deem it necessary. Workshops are generally closed to the public, although a council may invite the public or individuals to attend if it wishes to do so.

### **Leave of absence from council meetings (Reg. 39)**

A councillor, or the mayor on behalf of a councillor, may request leave of absence in respect of one or more council meetings.

A council may decide to grant a request for leave of absence, but leave must not be granted retrospectively.

The purpose of the leave and the period involved are to be recorded in the minutes.

### **Suspension of a councillor from meeting**

The chairperson may suspend a councillor from part or all of a meeting if the councillor:

- makes a personal reflection about another councillor or council employee and refuses to apologise;
- interjects repeatedly; or
- disrupts the meeting and disobeys a call to order by the chairperson.

If a councillor does not leave the meeting after being suspended, he/she may be fined.

**Disclaimer: Information on legislation contained in this document is intended for information and general guidance only. Such information is not professional legal opinion.**

**19 GENERAL MANAGER****19.1 Launceston Flood Authority Quarterly Report****FILE NO:** SF4493**GENERAL MANAGER:** Robert Dobrzynski

---

**DECISION STATEMENT:**

To receive the Launceston Flood Authority Quarterly Report.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council formally receives the Launceston Flood Authority Quarterly Report for the period ending 31 March 2014.

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**REPORT:**

See attached quarterly report.

**ECONOMIC IMPACT:**

Consideration contained in the report.

**ENVIRONMENTAL IMPACT:**

Consideration contained in the report.

**SOCIAL IMPACT:**

Consideration contained in the report.

---

## 19.1 Launceston Flood Authority Quarterly Report...(Cont'd)

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### STRATEGIC DOCUMENT REFERENCE:

Priority Area 2: Built Environment  
Strategy 2.2 Facilitate enhanced flood protection for the Invermay and Inveresk Precinct


### BUDGET & FINANCIAL ASPECTS:

Consideration contained in the report.

### DISCLOSURE OF INTERESTS:

The officer is a Director of the Launceston Flood Authority Board appointed by Council.

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

  
**Robert Dobrzynski: General Manager**

### ATTACHMENTS:

1. Launceston Flood Authority Quarterly Report (Distributed separately)
-

**20 URGENT BUSINESS**

Nil

**21 INFORMATION / MATTERS REQUIRING FURTHER ACTION**

Nil

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**22 CLOSED COUNCIL ITEM(S)****22.1 Write off of Non Recoverable, Non-Rating Debts - 30 June 2014****FILE NO:** SF0520 / SF5967**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

---

**DECISION STATEMENT:**

To consider the write off uncollectable Council debts in accordance with Section 76 of the Local Government Act 1993.

**PREVIOUS COUNCIL CONSIDERATION:**

Presented to Council annually

**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 WILL BE DEALT WITH IN CLOSED COUNCIL**

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**22.2 Annual Write Off of Infringement Debts - 30 June 2014****FILE NO:** SF0520 / SF5977**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To receive a report regarding the write off of MPES (Monetary Penalties Enforcement Service) and Interstate Infringements for the year ending 30 June 2014.

This decision is pursuant to Section 22(2)(ba) of the Local Government Act 1993 (Delegation by Council) and in accordance with Policy 12-PI-017.

**PREVIOUS COUNCIL CONSIDERATION:**

Presented to the Council annually.

**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 WILL BE DEALT WITH IN CLOSED COUNCIL**

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**22.3 Leave of Absence Application - Alderman****FILE NO:** SF4240**AUTHOR:** Liz Lynch (Administration Officer General Manager)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To seek leave of absence from Council for an Alderman pursuant to S39 of Local Government (Meeting Procedures) Regulations 2005.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(i) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

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

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**ITEM WILL BE DEALT WITH IN CLOSED COUNCIL**

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**22.4 Combined System - Mediation with TasWater****FILE NO:** SF5729, SF6086**GENERAL MANAGER:** Robert Dobrzynski

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**DECISION STATEMENT:**

Consideration of providing the General Manager with delegated authority to negotiate an outcome in relation to the contribution payable by Launceston City Council to TasWater annually for the provision of stormwater services as part of the combined system, pursuant to the provisions of the Urban Drainage Act 2013.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(c) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

(c) as it concerns contracts for the supply and purchase of goods and services.

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**ITEM WILL BE DEALT WITH IN CLOSED COUNCIL**

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**22.5 Report from General Manager's Contract and Performance Review Committee****FILE NO:** SF5695/POS0136**AUTHOR:** Mayor Albert van Zetten (Chair of General Manager's Contract and Performance Review Committee)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider a report from the General Manager's Contract and Performance Review Committee.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**REASON FOR CLOSED COUNCIL:**

This item is **CONFIDENTIAL** in accordance with Section 15(2)(a) of the Local Government (Meeting Procedures) Regulations 2005, which permits the meeting to be closed to the public for business relating to the following: -

(a) as it concerns personnel matters.

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**ITEM WILL BE DEALT WITH IN CLOSED COUNCIL**

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**23 MEETING CLOSURE**

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