



LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 10 NOVEMBER 2014**

LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Monday 10 November 2014

Pursuant to regulation 4(2) of the *Local Government (Meeting Procedures) Regulations 2005* notice is hereby given that the first Ordinary Meeting of the Launceston City Council will be held at the Council Chambers -

Date: 10 November 2014

Time: 1.00 pm

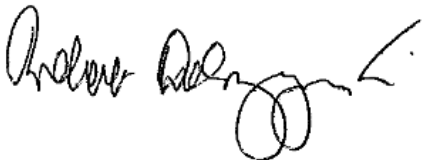
Section 65 Certificate of Qualified Advice

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

LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Monday 10 November 2014

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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 27 October 2014 be confirmed as a true and correct record.

4 DEPUTATION

Nil

5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME

Meeting Date and Item No.	Question	Answer	Officer Responsible
27 October 2014 10.2	<p>Alderman D C Gibson asked:</p> <p>Can Council provide a status report on the Charlton Street Playground and when will the matter be brought up to date?</p>	<p>Charlton Street Playground is currently listed in draft 2015/2016 Capital Works. Play Space Strategy recommendations indicate the project is in the order of \$70,000 - \$100,000. Assuming the project is ultimately funded by Council the proposed works include</p> <ul style="list-style-type: none"> a) adding an adventurous moving item for older children such as a climbing net, b) additions to the existing playground including double swing frames (Junior & Senior), c) path networks upgraded to link with the existing hard-court area to improve wheelchair accessibility and d) additional seating. 	<p>Harry Galea (Director Infrastructure Service)</p>

6 PUBLIC QUESTION TIME

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items 7.1 - 7.2

7 PLANNING AUTHORITY

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and associated car and bicycle parking and landscaping, pedestrian connections to adjoining public open space; construction of a structure; signage**

FILE NO: DA0423/2014

AUTHOR: Leon Murray (Development Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Planning Development Services (Consultancy)
Property:	81- 95 Lindsay Street, Crown land and Tarooma Street road reserve, Invermay
Zoning:	Dispensation L6/2013, Open Space, Environmental Management
Receipt Date:	17/09/2014
Validity Date:	17/09/2014
Further Information Request:	25/09/2014
Further Information Received:	13/10/2014
Deemed Approval:	16/11/2014
Representations:	0

PREVIOUS COUNCIL CONSIDERATION:

N/A

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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RECOMMENDATION:

That the Council approves DA0423/2014 for Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility & Vehicle Parking; Construction of a Building & associated car & bicycle parking and landscaping, pedestrian connections to adjoining public open spaces; Construction of a Structure; signage at 81-95 Lindsay Street, Crown land and Taroon Street road reserve, Invermay subject to the following conditions:

ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Council unless modified by a condition of the Permit:

- a. Level 2-9 floor plan - Alternate Option, prepared by Artas Architects Drawing No. A654/A1, Project name north bank silos redevelopment, dated 12/09/2014
 - b. Level 10 floor plan - Alternate Option, prepared by Artas Architects Drawing No. A655/A1, Project name North bank silos redevelopment, dated 12/09/2014
 - c. North elevation plan, prepared by Artas Architects Drawing No. A670/DA1, Project name North bank silos redevelopment, dated 12/09/2014
 - d. Floor section plan, prepared by Artas Architects Drawing No. A674/DA1, Project name North bank silos redevelopment, dated 12/09/2014
 - e. 3D perspectives plan, Prepared by Artas Architects Drawing No. A699/DA1, Project name north bank silos redevelopment, dated 12/09/2014
 - f. Pontoon office floor, elevations and 3D perspective plan, prepared by Artas Architects Drawing No. A801/P2, Project name Pontoon Office, dated 14/04/2014
 - g. Northern silos redevelopment engineering project brief, prepared by AJL Consulting Pty Ltd, Report 13189 - EPB// Version 03, dated 15/09/2014
 - h. Launceston silos traffic impact assessment, Prepared by GHD Pty Ltd, dated 04/09/2014
 - i. North bank silo redevelopment - 'Review of floating pontoon - pleasure boat facility' report, prepared by Burbury Consulting, dated 12/08/2014
-

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

AMENDED PLANS REQUIRED

Before the use or development commences, the submitted plans must be amended to show the following requirements:

- a. The relocation of the 'proposed booster pump and sprinkler control valves room' so as to be located within the area defined by the projection of a line from the 'inside' face of the levee footings (consistent with the subdivision plan approved under DA0165/2014);
 - b. The relocation of the '25,000L tank' so as to be located within the area defined by the projection of a line from the 'inside' face of the levee footings (consistent with the subdivision plan approved under DA0165/2014); and
 - c. All consequential alterations to the following plans to facilitate the requirements above.
 - i. Site plan, prepared by Artas Architects, Drawing No. A650/DA3, Project name North bank silos redevelopment, dated 10/10/2014
 - ii. Ground floor plan, prepared by Artas Architects, Drawing No. A651/DA3, Project name North bank silos redevelopment, dated 10/10/2014
 - iii. Level 1 floor plan - alternate option, prepared by Artas Architects, Drawing No. A652/DA1, Project name North bank silos redevelopment, dated 12/09/2014
 - iii. Level 1 Floor plan - alternate option, Prepared by Artas Architects, Drawing No. A653/DA, Project name North bank silos redevelopment, dated 12/09/2014
 - d. The site plan must be amended to reflect the two amended pedestrian linkages from the silos development to the public open space on the eastern and western side of the silos development. The linkages must be designed to the satisfaction of the planning authority.
 - e. Reconfiguration of the car parking to ensure that the motorcycle parking is contained wholly within the site and not the Lindsay Street road reserve.
 - f. Replacement of the proposed kerb returns for the vehicle accesses with standard kerb laybacks
 - g. Relocation of the pedestrian path along the frontage of the site to be at the back of kerb.
 - h. The sewerage and reticulated water layout for the office associated with the pontoon which is fully separated from the hotel's internal drainage.
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7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

The amended plans must be drawn to scale with dimensions and four copies must be provided. When approved by the planning authority, the plans will be endorsed and will then form part of the permit and will supersede the original plans.

PROTECTION OF EXISTING TREES

Existing trees identified for retention (including the native riparian melaleucas) must be retained and must not be damaged, removed, destroyed or lopped without the written consent of the planning authority. Such trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees.*

REVEGETATION OF DISTURBED AREAS

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

LANDSCAPING PLAN

Site

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the planning authority. Once approved by the planning authority, it will form part of this permit. The approved landscaping of the site must be complete prior to the sealing of the final plan of survey (refer to permit DA0165/2014).

Street and Public Land

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the planning authority. The landscape plan is to mark the existing peppercorn at the street frontage of the site for removal. Once approved by the planning authority, it will form part of this permit. The approved landscaping of the site must be complete prior to the sealing of the final plan of survey (refer to permit DA0165/2014).

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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STREET LANDSCAPING

The landscaping must:

- b. Be completed within 3 months of the commencement of the use. Provide Peppercorn trees (*Schinus molle*) along the Lindsay Street nature strip with a minimum planted height of 3 metres, a minimum caliper of 50mm and at an average spacing of one per 16m of frontage.
- c. Have each street tree provided with a means of irrigation and an anti-vandalism tie down to prevent removal.
- d. Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each street tree.

AMENDED EMERGENCY MANAGEMENT PLAN

Prior to the commencement of the use an amended emergency management plan must be submitted to and endorsed by the planning authority. The details of the plan must consider (but may not be limited to):

- a. The risks to life;
- b. The likely impact on the use or development;
- c. How the risk associated with the use or development will be managed to tolerable levels, including clear trigger points for:
 - i. Evacuation of the silos development (in conjunction with advice from the Department of Police and Emergency Management and the planning authority); and
 - ii. Removal of the pleasure boat facility ticket office and pontoon, where they would be stored during flood events, the persons responsible for their removal and who bears the cost of their removal. The flood level trigger point for removal of the pontoon and ticket office is as soon as practicable after the first low level flood warning issued by the Bureau of Meteorology (BOM) for a flood event that is likely to reach 1810 cumecs.

The plan must consider the performance of the building during an overtopping event or a breach of the levee in the vicinity. It must consider the likely characteristics of the flood in these scenarios and ensure that these have been effectively considered in the design of the building taking into account any mitigation measure proposed for the site or in the vicinity.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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CAR PARKING CONSTRUCTION - PLEASURE BOAT FACILITY

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, AS 2890.3 Bicycle parking facilities 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 drained to the planning authority's requirements. This includes runoff being diverted to an interceptor trap or gross pollutant trap before discharging to the river;
- d. Be line-marked or otherwise delineated to indicate each car space and access lanes;
- e. 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; and
- f. 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; and
- g. Within 24 months of the hotel use commencing the car park must be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers which is capable of withstanding periodic inundation;

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

CAR PARKING CONSTRUCTION - SILOS HOTEL

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, AS 2890.2 Off-street commercial vehicle facilities (for the nominated design vehicles), AS 2890.3 Bicycle parking facilities 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;
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7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

- c. Be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers;
 - d. Be drained to the planning authority's requirements;
 - e. Be line-marked or otherwise delineated to indicate each car space and access lanes;
 - 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; and
 - h. Have a discreetly directional sign of not more than 0.3m² must be provided at the entrance to the site indicating the availability of off-street visitor parking.
- Parking areas and access lanes must be kept available for these purposes at all times.

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.

WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed traffic management plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742.

The explicit permission of Council's Roads & Hydraulics Department is required prior to undertaking works where the works:

- a. Requires a road or lane closure;
 - b. Are in nominated high traffic locations;
 - c. Involve opening or breaking trafficable surfaces; or
 - d. Require occupation of the road reserve for more than one week at a particular location.
-

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Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works must form the explicit approval.

All works that involve the opening or breaking of trafficable surfaces within the road reserve must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with Council as a "Registered Contractor".

TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

VEHICULAR CROSSINGS

Before the commencement of the use, two new vehicular crossovers must be provided to service this development. An application for such work must be lodged on the approved form. All unused crossovers and driveways must be removed prior to the occupation of the development.

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

The new crossing must be constructed to council standards by a contractor to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (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.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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SECTION 71 AGREEMENT

The owner, under Section 71 of the *Land Use Planning and Approvals Act 1993*, must enter into an agreement with the City of Launceston to the effect that:

- a. The proposed hotel as the predominant user of the recommissioned Taroona Street sewer pump station will be responsible for the day to day operation of the shared infrastructure including the pump station and pipelines connecting to the TasWater public sewer.
- b. The proposed hotel will be responsible for scheduling and all routine maintenance
- c. Council will transfer ownership of the pump station to the proposed hotel and consent to the creation of all necessary easements required for the gravity and rising mains and the pump station.
- d. Upon completion of the proposed amenities block associated with the Northbank Development which will connect to the pump station, Council will reimburse:
 - i. The annual sewer charges levied by TasWater; and
 - ii. Routine maintenance costsat a rate *proportional* to the equivalent tenements (ET) calculated by TasWater for the hotel and amenities block.
- e. Costs associated wilful or negligent damage by the Council to the shared infrastructure will be borne by the Council; and
- f. The agreement should provide for the ability for the parties to review the financial arrangements contained in the agreement from time to time or upon request, with appropriate mechanisms for dispute resolution specified.

Such agreement must be placed on the certificate of title in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*. All reasonable costs associated with the preparation and registration of the agreement must be met by the applicant.

NO POLLUTED RUNOFF

No polluted or sediment laden runoff is to be discharge directly or indirectly into the Council's drains or watercourses during or after development.

HOURS OF OPERATION FOR PLEASURE BOAT FACILITY

The pleasure boat facility must only operate between the hours of 6.00 am and 12.00 am.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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EXHAUST SYSTEM

The exhaust canopy must comply with AS/NZS 1668.1991. The exhaust canopy must operate to ensure that no environmental nuisance is caused as a result of noise, odours or fumes emitted from the exhaust canopy to the exterior of the building.

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.

EXTERIOR AND SECURITY LIGHTING

Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.

NO BURNING OF WASTES

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

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

WASTE DISPOSAL BINS - COMMERCIAL

Commercial waste disposal bins must be provided on the site. The bins provided must not occupy or obstruct access to any car parking or loading area indicated on the endorsed plan or be visible from any public road or place unless being serviced.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
-

NOISE

All compressors, air conditioning units and heating or refrigeration systems to be installed within an area which is so constructed as to prevent noise emissions affecting occupiers of other premises and to operate in accordance with the requirements of the EPA.

MECHANICAL PLANT

- a. All mechanical plant and equipment (e.g. air conditioning, heat pumps or the like) above 10m high on the southern silos wall must not be visible from public viewpoints or from publicly accessible areas on the land.
- b. All mechanical plant and equipment on the ground floor must be screened from public view.

PYLON SIGN

The pylon sign must not be illuminated.

HOURS OF CONSTRUCTION

Construction works must only 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.

LEGAL TITLE

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

LAPSING OF PERMIT

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

NotesGeneral

This permit was issued based on the proposal documents submitted for DA0423/2014. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

This permit takes effect after:

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

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.

Restrictive Covenants

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

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

Access for People with a Disability

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

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.

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.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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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.

Food Business to Register

Prior to the commencement of operation the applicant is required to register as a food business in accordance with section 86 of the Food Act 2003. Food Premises must comply with National Construction Code TAS Part H102 and AS 4674 "Design, Construction and Fit-out of Food Premises."

Place of Assembly to Licence

Prior to the occupation of the premises the applicant is required to attain registration for any Place of Assembly activity in accordance with the Public Health Act 1997.

Appeal Provisions

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

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

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

Permit Commencement.

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

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REPORT:**1. THE PROPOSAL**

The applicant seeks approval to allow adaptive re-use of the silos, associated works and signage. Approval is also sought for a pleasure boat facility (including a pontoon). The proposal comprises:

Change of Use*Silos Development*

It is proposed to establish the following within the disused silos structure:

- A 79 bedroom hotel with associated lounge, gym and vacant tenancy to service guests;
- Hotel Industry (bar), food services (restaurant and café) to be available to the public; and
- Community meeting and entertainment use to provide for meeting rooms, functions etc.

Two illuminated wall signs are proposed for the east and west elevations of the silos development and a non-illuminated pylon sign are proposed near the frontage of the site.

Pleasure Boat Facility

It is proposed to utilise the existing wheat wharf as a pleasure boat facility and construct 19 associated car parking spaces on adjacent Crown land. The facility would incorporate a ticket office on the wheat wharf and a pontoon to extend into the river. On the advice of the Launceston Flood Authority, the pontoon has been designed to be detachable as it would be located in an area subject to storm surge and flows from the North and South Esk Rivers

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located at the end of Lindsay Street, Invermay. It is part of the North Bank area which is of strategic importance to Council as this area is earmarked for public open space and conversion of industrial land for commercial and recreation use. It is on the southern side of Lindsay Street, across from the former Gunns land that will eventually be developed for a range of uses that are compatible with the North Bank Master Plan. The silos development site is irregular in shape and 5092m² in area and the area used for the pleasure boat facility is ~ 1340m² (Attachment 2).

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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3. PLANNING SCHEME REQUIREMENTS

3.1 Purpose of Development Control Plan

- 1.1 Purpose of standards that apply to the land
- 1.1.1 To provide for redevelopment of the existing silos for visitor accommodation, hotel industry, food services, community meeting and entertainment and other supporting uses.
- 1.2 Local Area Objectives
- 1.1.2 To allow for the adaptive reuse of the existing silos.
 - 1.1.3 To ensure development of the land contributes positively to the river edge location and respects the form and scale of the existing structures.
- 1.3 Desired Future Character Statements
- 1.14 Re-development of the land should seek to promote interaction between Lindsay Street and the adjoining public parkland.
 - 1.1.5 The existing silos should be retained. Any extensions to the silo structure or new buildings should allow the original form and function of the silos to be understood and be designed to reflect the former industrial and port character of the land and adjacent land.
-

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

Clause 8.10.2 of the scheme does not require the purpose of the Development Control Plan, its local area objectives or desired future character statements to be considered for Permitted uses as they are by nature consistent with the zone purpose.

1.1.1 To provide for the sustainable re-development of the North Esk River edge and adjacent land whilst encouraging greater public access and use of the North Esk and Tamar River frontages.

1.1.2 To provide for a range of tourist, recreational and residential uses and associated developments.

1.1.3 To provide for a range of commercial and retail uses in support of the tourism, recreational and residential uses.

1.1.4 To ensure that the off site amenity and environmental impacts of development are avoided, reduced or mitigated to acceptable levels.

N/A

Clause 8.10.2 of the scheme does not require the purpose of the Development Control Plan, its local area objectives or desired future character statements to be considered for Permitted uses

1.1 Use standards

1.5.1 Amenity

Objective

To ensure that mechanical plant and equipment do not cause an unreasonable loss of amenity to user of the site or adjoining public land.

Consistent

The acceptable solution is met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A1 Air conditioning, air extraction, heating or refrigeration systems or compressors for non-sensitive uses must be designed, suitably located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by users of the surrounding public land.

Complies

Air conditioning, air extraction, heating and refrigeration systems would be suitably located and baffled to ensure they would not cause an environmental nuisance.

1.5.2 Light Spill

Objective

To ensure that light spill and levels of illumination from external lighting is not detrimental to the amenity of the surrounding area; and

Consistent

The acceptable solution is met.

A1 Direct light sources from a building above the height of 10 metres must not be emitted outside the land.

Complies

Direct light sources from a building above 10m in height would not be emitted outside the land.

1.5.3 Storage

Objective

To ensure that adequate provision is made for storage of goods materials and waste

Consistent

The acceptable solution is met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A1	Storage of goods, materials or waste must not be visible from any road or public place adjoining the land.
Complies	
Storage of goods, materials or waste would be stored internally and would not be visible from any road or public place adjoining the land. To ensure this occurs, it is recommended that, if approved, a condition is placed on the permit to this effect.	

- 1.6 Development standards
- 1.6.1 Building height, siting and design

Objective	
Objective	
<ul style="list-style-type: none"> (a) To provide for re-development of the land and reuse of the silos to ensure that the visual impacts of any development are managed and that the form of development respects the original silo structures; and (b) To ensure the re-development and re-use of the silos allows for the efficient use of the land. 	
Consistent	
The performance criteria are met.	
A1	<p>Building height must not exceed</p> <ul style="list-style-type: none"> (a) 10.0m; and (b) 42.0m, provided the building is contained within an envelope formed by: <ul style="list-style-type: none"> (i) a line 16m to the north of, and parallel to, the northern façade of the existing silos; (ii) a line 2.0m to the south of, and parallel to, the southern façade of the existing silos; and (iii) lines projecting at 90 degrees to the line of the northern and southern facades of the existing silos, drawn at the eastern and western extremities of the building; <p>as shown in Figure 1.</p>
Does not comply	
The eastern extent of the building would be located ~3.7m outside the building envelope, as would the roof overhang on the eastern and western side of the building, which would protrude past the outer edges of the building by 900mm.	

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

<p>P1 Building height must be complementary to the existing silos structure, having regard to:</p> <ul style="list-style-type: none"> (a) the scale, forms, and design of the buildings proposed; (b) the level of articulation of the proposed new development; (c) the visual impacts of the development when viewed from adjoining land and other parts of the city; (d) the relationship of the proposed buildings with the existing silos structures; and (e) the level of shading to the road, public places or adjoining land.
<p>Complies</p> <p>The extra length on the eastern side of the building would equate to 7% of the total building length (~53m) and would be similar in design to the stairwells on either side of the building that would be re-clad in a similar material to the extension. The roof overhang would be ~900mm wide and in the context of the overall length of the building its visual impacts would be negligible. As the magnitude of encroachments is minor in the context of the entire building, their visual impacts are negligible above the components of the building that meet the acceptable solution. The level of articulation on the protrusion is the same as the other extensions to the silos structure and would complement the existing silos structure.</p>
<p>A2.1 Buildings must be setback a minimum of 5.5m from a frontage. A2.1 Buildings may be built to the side and rear boundaries.</p>
<p>Complies</p> <p>The buildings would be setback at least 5.5m from the front boundary and would be built to the side and rear boundaries.</p>
<p>A3 Site coverage must not exceed 55%.</p>
<p>Complies</p> <p>Site coverage is defined as the portion of the site covered by roofed area. As the silos is the only roofed building on the site (and this site coverage is less than 55%) the acceptable solution is met.</p>

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

<p>A4 A wall of a habitable floor higher than 10m with an area of more than 40m² and a minimum dimension of 3.0m must be broken by:</p> <p>(a) a window with a minimum dimension of 500mm; or</p> <p>(b) a balcony; or</p> <p>a change in the vertical plane of more than 500mm.</p>
<p>Complies</p> <p>All walls higher than 10m high would be broken by windows (larger than the minimum required), a balcony or a change in the vertical plan of more than 500mm.</p>
<p>A5 The southern external wall of the existing silos structure higher than 10m must not have mechanical plant and equipment, such as air conditioning units or heat pumps, visible from public view points or from publicly accessible areas on the land</p>
<p>Complies</p> <p>The southern external wall of the existing silos structure would not have mechanical plant such as air conditioning units, heat pumps or the like visible from public viewpoints or from publicly accessible areas on the land. It is recommended that, if approved, a condition is placed on the permit to this effect</p>

1.6.2 Active ground floors

<p>Objective</p> <p>To ensure that building facades at ground floor level promote and maintain high levels of pedestrian interaction and amenity.</p>
<p>Consistent</p> <p>The acceptable solution is met.</p>

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

<p>A1.1 New buildings on ground floors must:</p> <ul style="list-style-type: none"> (a) have clear glazing, display windows or glass doorways for not less than a total of 50% of all ground floor facades; and (b) screen mechanical plant or equipment. <p>A1.2 New buildings must provide at least one accessible entry point to connect the building to the levee walkway to the south of the land</p>
<p>Complies</p> <p>The ground floor would have clear glazing to meet the acceptable solution and mechanical plant would be screened. However, it is recommended that, if approved, mechanical plant or equipment on the ground floor is screened.</p> <p>Whilst the applicant has provided two accessible entry points to connect the building to the levee walkway, the City Architect has stated the entry points (on Council-owned land) require alterations to improve functionality and accessibility. The amended plans condition has been recommended to deal with this.</p>
<p>P1.1 New buildings must be designed to maximise interaction between the use of the building and pedestrians and other users of the road, having regard to:</p> <ul style="list-style-type: none"> (a) maximising the level of glazing, openness and transparency on all ground floor facades to the frontage and public open space; (b) minimising the potential for intrusive security devices to reduce the amenity of the building or reduce levels of interaction with the public; and (c) screening or obscuring all mechanical plant or equipment such as air conditioning units or heat pumps, so they are not recognisable or visible from ground level public viewpoints. <p>P1.2 New buildings or extensions to the existing silos building must provide adequate opportunities for public access and interaction from adjoining public open space.</p>
<p>N/A</p>

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A2	Alterations on ground floors must: (a) have clear glazing, display windows or glass doorways for not less than a total of 50% of all ground floor facades; and screen mechanical plant or equipment.
N/A	
	The proposal would be for new development in front of the silos structure.
P2	Alterations on ground floors must be designed to maximise interaction between the use of the building and pedestrians and other users of the road, having regard to: (a) maximising the level of glazing, openness and transparency on all ground floor facades to the frontage and public open space; (b) minimising the potential for intrusive security devices to reduce the amenity of the building or reduce levels of interaction with the public; and screening or obscuring all mechanical plant or equipment such as air conditioning units or heat pumps, so they are not recognisable or visible from ground level public viewpoints.
N/A	

1.6.3 Landscaping

Objective	To ensure that new development provides acceptable levels of landscaping.
Consistent	
	The acceptable solution is met.
A1.1	A minimum of 5% of any uncovered car park is to be landscaped.
A1.2	A minimum of 1 tree (capable of growing to a minimum of 5.0m in height) per 250m ² of the land must be provided.
Complies	More than 5% of the uncovered car park would be landscaped. Twenty one trees would be required and 21 would be provided.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

3.1 Zone Purpose

19 - Open Space Zone

19.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.

Consistent

The proposed pleasure boat facility use is consistent with the zone purpose as it would facilitate passive recreation uses in the zone and adjoining Environmental Management zone. The utilities use would not conflict with the zone purpose as it would involve re-establishing use of the abandoned pump station in the Taroon Street road reserve in order to service the silos development (it should be noted it is likely the pump station would service future amenities in the North Bank park).

Local Area Objectives - There are no local area objectives

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

19.3 Use Standards

19.3.1 Amenity

Objective

To ensure that uses do not adversely impact upon the occupiers of adjoining and nearby uses.

Consistent

The acceptable solutions or performance criteria of the standard are met.

A1 Operating hours must be between:

- a) 8.00 am and 10.00 pm where adjoining residential use; and
- b) 6.00 am and 12.00 am midnight where not adjoining residential use.

Complies

The pleasure boat facility would not operate outside the prescribed hours above.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A3 If for permitted or no permit required uses.
Does Not Comply The pleasure boat facility is a discretionary use.
P3 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour and dust.
Complies The pleasure boat facility is not likely to cause an environmental nuisance. This is because of its primary use being a boat loading/unloading area for customers and the public in general. The ticket office would be light weight in construction, could be moved if there is an impending flood and the services (water, sewer etc.) would be capped should the office require removal. On this basis, the performance criterion is met.

19.3.2 Open Space Character

Objective To ensure that uses are of an appropriate scale and type for the zone, and to support the local area objectives, if any.
Consistent The acceptable solution is met.
A1 The use must: a) be for natural and cultural values management or passive recreation; or b) not exceed a combined gross floor area of 250m ² over the site.
Complies The pleasure boat facility would not be for natural or cultural values management. The gross floor area of the use (the ticket office is the only component that contributes to floor area) equates to 75m ² . The utilities use would primarily be underground, with the existing (disused) pump station remaining the same in terms of its size and height.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A3 Goods or materials storage for discretionary uses must not be outside in locations visible from adjacent properties, the road or public land.

Complies

There would be no storage of materials associated with the pleasure boat facility.

19.4 Development Standards

19.4.1 Building Design and Siting

Objective

To ensure that the design and siting of buildings:

- a) responds appropriately to the open space and natural values of the site; and
- b) has minimal disturbance to the environment and any adjoining sensitive uses.

Consistent

The acceptable solutions or performance criteria of the standard are met.

A1 Building height must not exceed 5m.

Complies

The ticket office height would be 3.6m high.

A2 Buildings must be set back 10m from all boundaries.

Does Not Comply

The ticket office would be located within 10m of the boundary.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

<p>P2 Building setbacks must:</p> <p>a) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking; and</p> <p>b) conserve the open space and natural values of the area, having regard to existing uses and developments on the site and in the area.</p>
<p>Complies The ticket office would not overshadow or overlook any dwellings. Due to the low building height and small building footprint, the open spaces and natural values of the area would not be compromised. Therefore, the performance criteria are met.</p>
<p>A3 The site coverage must not exceed 20%.</p>
<p>Complies The 75m² ticket office would have site coverage far less than 20%.</p>

19.4.2 Landscaping

<p>Objective</p> <p>To ensure that the open space and natural values of the site are retained in a manner that contributes to the broader landscape of the area.</p>
<p>Consistent The performance criteria are met.</p>
<p>A1 If for natural and cultural values management or passive recreation.</p>
<p>Does Not Comply The pleasure boat facility and utilities use do not meet the acceptable solution.</p>

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

P1 Applications must demonstrate how the open space, natural and landscape values of the site and area will be managed by a landscape and site management plan that sets out:

- a) any retaining walls; and
- b) retaining any existing native vegetation where it is feasible to do so or required to be retained by another provision of this scheme; and
- c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and
- d) any fencing; and
- e) vegetation plantings to be used and where; and
- f) any pedestrian movement paths; and
- g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.

Not Applicable

The utilities use would not require a landscape and site management plan as the infrastructure would be underground and the pump station already exists.

The applicant has submitted a landscape plan for the pleasure boat facility. However, as re-vegetation of the foreshore is a separate process (between City of Launceston and Crown Land) a landscape and site management plan is not required.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

29 - Environmental Management Zone

29.1.1 To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.

29.1.2 To only allow for complementary use or development where consistent with any strategies for protection and management.

Consistent

The acceptable solutions or performance criteria of the zone are met.

Local Area Objectives - There are no local area objectives

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

29.3 Use Standards

29.3.1 Reserved Land

Objective

To ensure that development recognises and reflects relevant values of land reserved under the National Parks and Reserves Management Act 2002 or Nature Conservation Act 2002.

Consistent

The acceptable solutions or performance criteria of the zone are met.

A1 Use on reserved land is in accordance with a Reserve Activities Assessment approved under the National Parks and Reserves Management Act 2002 or Nature Conservation Act 2002.

Complies

The Department of Parks and Wildlife (DPW) have provided an approved Reserve Activities Assessment for the pleasure boat facility.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

29.4 Development Standards

29.4.1 Building Design and Siting

Objective

To ensure that the design and siting of buildings responds appropriately to the natural values of the site and causes minimal disturbance to the environment.

Consistent

The acceptable solutions or performance criteria are met.

A1 The curtilage for development must:

- a) not exceed 20% of the site; or
- b) be in accordance with a Reserve
- c) Activities Assessment approved under the National Parks and Reserves Management Act 2002 or Nature Conservation Act 2002.

Complies

The DPW has provided an approved RAA for the pleasure boat facility.

A2 Building height must:

- a) not exceed 6m; or
- b) be in accordance with a Reserve
- c) Activities Assessment approved under the National Parks and Reserves Management Act 2002 or Nature Conservation Act 2002.

Complies

The DPW has provided an approved RAA for the pleasure boat facility.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A3 Buildings must be set back

a) a minimum of 10m to all boundaries; or

b) in accordance with a Reserve

c) Activities Assessment approved under the National Parks and Reserves Management Act 2002 or Nature Conservation Act 2002.

Complies

The DPW has provided an approved RAA for the pleasure boat facility.

29.4.2 Landscaping

Objective

To ensure that the natural values of the site are retained in a manner that contributes to the broader landscape of the area.

Not Applicable

Any landscaping of the area has been undertaken as a separate process in conjunction with City of Launceston and Crown Land.

A1 If for permitted or no permit required uses.

Not Applicable

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(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.

Consistent

The applicant has submitted a Traffic Impact Assessment (TIA) that demonstrates compliance with the performance criteria of the Code.

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.

Consistent

The site is not adjacent to 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 development would generate more than 40 vehicle trips per day.

- 7.1 **87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**

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

The TIA demonstrates that sufficient parking can be provided on-site for the proposed use. It also states the level of traffic generated by the proposed uses would not compromise the safety of all road users, including pedestrians and cyclists.

E4.7 Development Standards

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.

Consistent

The performance criteria are met.

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.

Does Not Comply

The eastern access would provide both entry and exit and the western access would be exit only.

P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

Complies

The proposed use of the accesses would maintain an acceptable level of safety for all road users. This is because of the amount of vehicles entering and leaving the site and the low level of potential conflict between other vehicles, pedestrians and cyclists using the road network. Therefore, the performance criterion is met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

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

Objective

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.

Consistent

The acceptable solution is met.

A1 Sight distances at

a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and

b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or

c) If the access is a temporary access, the written consent of the relevant authority has been obtained.

Complies

The sight distances of proposed accesses meet the acceptable solution.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

E6 - Car Parking and Sustainable Transport Code

E6.1.1 The purpose of this provision is to:

- 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) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and
- ii) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and
- iii) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and
- iv) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and
- v) provide for the implementation of parking precinct plans.

Consistent

The submitted documentation demonstrates the level of on-site car parking proposed for the silos development is adequate, based on the nature of the uses and how they would interrelate with each other. Moreover, due to the location of the development and its proximity to the North Bank development, it is likely users of the open space would also be patrons of the restaurant/cafe at the silos. On this basis, the parking is appropriate for the use and will be augmented by the increased provision of bicycle parking. Therefore, the code purpose is met.

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

Consistent

The performance criteria are met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(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.

Does Not Comply

Hotel Industry, Food Services and Community Meeting and Entertainment

The scheme requires between 100-111 spaces. Eighty seven are proposed and the acceptable solution is not met.

Pleasure Boat Facility

The pleasure boat facility requires two parking spaces per three berths. One berth is proposed and 15 parking spaces are proposed. This is more than 10% above what is required and does not meet the acceptable solution.

P1 The number of car parking spaces provided must have regard to:

a) the provisions of any relevant location specific car parking plan; and

b) the availability of public car parking spaces within reasonable walking distance; and

c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and

d) the availability and frequency of public transport within reasonable walking distance of the site; and

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and

f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and

g) an empirical assessment of the car parking demand; and

h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and

i) the recommendations of a traffic impact assessment prepared for the proposal; and

j) any heritage values of the site; and

k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:

i) the size of the dwelling and the number of bedrooms; and

ii) the pattern of parking in the locality; and

iii) any existing structure on the land; and

l) The performance criteria contained within a relevant parking precinct plan.

Complies

The applicant's TIA has demonstrated how the number of spaces proposed can successfully serve the proposed uses. The number of spaces required is based on the retention of persons on the site (e.g. persons who stay at the hotel using the café, restaurant or function centre component of the development), the magnitude of traffic generation for the proposed uses and their anticipated peak demand time. On this basis, the 87 parking spaces for the hotel industry, cafe/restaurant and community meeting and entertainment meet the performance criteria.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

As previously mentioned, two of the parking spaces are located in the General Industrial zone. As the parking is associated with the pleasure boat facility (a prohibited use in the General Industrial zone) the two parking spaces cannot lawfully be provided on this land and the plans are recommended to be amended to reflect this. The seventeen remaining spaces are sufficient to provide parking opportunities for the pleasure boat facility to service its customers, as these parking spaces would be predominantly used during the day time and be commensurate with the anticipated number of persons boarding any boat. Therefore, the parking area for the pleasure boat facility meets the performance criteria.

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.

Consistent

The acceptable solution is met.

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

Permanently accessible bicycle parking racks would be provided throughout the site and in convenient locations. Therefore, the acceptable solution is met.

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

Consistent

The acceptable solution is met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(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).

Complies

The proposal would require two taxi bays and two would be provided in front of the building.
--

E6.6.4 Motorbike Parking Provisions

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

Consistent

The acceptable solution is met.

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

Complies

Five motorcycle spaces would be required and six would be provided on-site. Therefore, the acceptable solution is met.
--

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.
--

Consistent

The acceptable solution can be met by permit condition.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

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.

Does Not Comply

The parking spaces for the silos development would be sealed, line marked and drained. It is not proposed to seal or drain the car parking spaces for the pleasure boat facility.

P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.

Complies

Complies by permit condition.

The standard condition for car parking construction would ensure the silos development car parking spaces would be constructed adequately. The applicant does not propose to seal the pleasure boat facility car park. It is standard practice to seal, line mark and drain car parking spaces in an urban area and universal access would be more difficult on a gravel car park as opposed to a sealed one and for this reason a condition has been recommended to require an appropriate seal on the car park. It is also considered reasonable to require sealing, line marking and draining (to an interceptor trap or gross pollutant trap) for the car park due to its proximity to the river. This is conditional on the car park being sealed as an unsealed car park would likely not meet the performance criteria.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

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.

Consistent

The performance criteria are met or the standards are not applicable.

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

Does Not Comply

More than four parking spaces would be provided in front of the building line.

P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:

- a) the layout of the site and the location of existing buildings; and
- b) views into the site from the road and adjoining public spaces; and
- c) the ability to access the site and the rear of buildings; and
- d) the layout of car parking in the vicinity; and
- e) the level of landscaping proposed for the car parking.

Complies

Location of parking for the silos development is dictated by the existing silos structure itself and the re-located flood levee. The only practical location (other than behind the silos structure for the undercover parking) is in front of the building. Due to its location at the end of Lindsay Street and the adjacent flood levee (on properties to the east) the parking would not have a detrimental impact on the streetscape; particularly as there would be a large amount of landscaping, including medium sized trees to soften the visual impacts of the car park. On this basis, the performance criteria are met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(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.

Complies

The parking and manoeuvring spaces meet the acceptable solution.

E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.

Consistent

The acceptable solution is met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A1 Car parking areas with greater than 20 parking spaces must be:

- a) secured and lit so that unauthorised persons cannot enter or;
- b) lit and visible from buildings on or adjacent to the site during the times when parking occurs.

Complies

The car parking spaces in front of the building line would be lit.

E6.7.4 Parking for Persons with a Disability

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

Consistent

The acceptable solutions are met.

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

Complies

Parking for persons with a disability has been provided as close as practicable to the main entry point of the building.

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

As 87 spaces are proposed, four disabled spaces are required. These would be provided in front of the building line.

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.

Consistent

The acceptable solution is met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

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.

Complies

One loading bay would be provided in the storage area on the western side of the building. The dimensions of the loading bay meet the requirements of Table E6.4.

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.

Consistent

The performance criteria are met.

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.

Does Not Comply

One shower facility would be provided on the ground floor for staff.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

P1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, end of trip facilities must be provided at adequate level to cater for the reasonable needs of employees having regard to:

- a) the location of the proposed use and the distance a cyclist would need to travel to reach the site; and
- b) the users of the site and their likely desire to travel by bicycle; and
- c) whether there are facilities on the site for other reasons that could be used by cyclists; and
- d) the opportunity for sharing bicycle facilities by multiple users.

Complies

Whilst one shower would be provided for staff on the ground floor, it is considered this is sufficient to service the projected number of staff. Should greater demand be generated for shower facilities, vacant hotel rooms could be used for shower/change facilities. On this basis, the performance criteria are met.

E6.8.2 Bicycle Parking Access, Safety and Security

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

Consistent

The acceptable solutions are met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

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

Bicycle parking would be provided to meet these standards.

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

Bicycle parking would be provided to meet the acceptable solution.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development.

Consistent

The acceptable solution is met.

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

Complies

Separate pedestrian access would be provided for the parking spaces in front of the building line. Therefore, the acceptable solution is met in this regard.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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E9 - Water Quality Code

E9.1.1 The purpose of this provision is to:

- a) consider the impacts of development to limit adverse effects on the following:
- b) wetland and watercourse ecosystems; and
- c) flow regimes, water levels, biological activity and physical characteristics; and
- d) the variety of flora and fauna; and
- e) the role of wetlands and watercourses for water supply, flood mitigation, environmental protection, water regulation and nutrient filtering, as resources for recreational activities and as attractive features in the landscape; and
- f) improve the sustainable management of surface water through development.

E9.5 Use Standards

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

E9.6 Development Standard

Objective

To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.

Consistent

The acceptable solutions or performance criteria of the code can be met.

E9.6.2 Water Quality Management

Objective

To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.

Consistent

The acceptable solution can be met.

A1 All stormwater must be:

- a) connected to a reticulated stormwater system; or
- b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or
- c) diverted to an on-site system that contains stormwater within the site.

Complies

Complies by condition

The stormwater runoff generated by the sealed car park would require an interceptor trap or gross pollutant trap prior to discharging into the river. This has been recommended in the condition for car parking construction for the pleasure boat facility.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A2.1 No new point source discharge directly into a wetland or watercourse.

A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.

Does Not Comply

Stormwater discharge from the pleasure boat facility would increase by more than 10%.

P2.1 New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge:

- a) do not give rise to pollution as defined under the Environmental Management and Pollution Control Act 1994; and
- b) are reduced to the maximum extent that is reasonable and practical having regard to:
- c) best practice environmental management; and
- d) accepted modern technology; and
- e) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the State Policy for Water Quality Management 1997.

P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

Complies

The runoff generated by the sealed pleasure boat facility car park could be conditioned to run to a gross pollutant trap prior to discharging into the river. This would ensure the runoff would not constitute pollution as defined in the *Environmental Management and Pollution Control Act 1993*. The difference between the nature of the existing material of the proposed car park and any sealed surface would not be significantly different in terms of the volume of runoff reaching the river. Therefore, the performance criteria are met based on the quality and volume of water that would discharge into the river.

E9.6.3 Construction of Roads

Objective

To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.

Consistent

The performance criteria can be met.

A1 No acceptable solution

Does Not Comply

The acceptable solution cannot be met.

Road and private tracks constructed within 50m of a wetland or watercourse must comply with the *Wetlands and Waterways Works Manual*, particularly the guidelines for siting and designing stream crossings.

Complies

The pleasure boat facility car park could be constructed in accordance with the *Wetlands and Waterways Works Manual*. The condition for the facility's car parking construction includes recommendations setting what construction standards must be met for the car park construction to ensure protection of the river.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

E9.6.4 Access

Objective

To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.

Consistent

Access to the river already exists from the wheat wharf. Any pathways proximate to the river could be constructed to meet the performance criteria.

A2 No acceptable solution.

Does Not Comply

The acceptable solution cannot be met.

P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.

Complies

The pathways linking to the pleasure boat facility car park would be constructed to ensure erosion, sedimentation and siltation would not occur. Moreover, should the associated car park be sealed and drain into a GPT, sedimentation and siltation from the pathways would not occur.

E14 - Coastal Code

E14.1.1 The purpose of this provision is to:

- a) consider the impacts of use and development within the coastal environment and limit:
 - i) the risk to human life and the built environment as a result of sea level rise, storm surge, shoreline recession and coastal inundation; and
 - ii) the adverse effects of use and development on the coastal environment; and
 - iii) the adverse impacts of vegetation removal.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
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Consistent

The applicant has submitted a report that demonstrates how the relevant acceptable solutions or performance criteria of the Code are met. Moreover, the approved Reserve Activities Assessment (RAA) provided by the Department of Parks & Wildlife provides further evidence that the proposal is minor in nature due to its low impact and the standards of the Code are met.

E14.5 Use Standards**E14.5.1 Risk to sensitive use****Objective**

To minimise risk of unnecessary loss of life or damage within the coastal environment as a result of natural coastal processes and hazards such as storm surge, erosion, landslip, littoral drift, dune mobility and sea-level rise.

Consistent

The acceptable solutions are met or the standards are not applicable.

A2 Non-sensitive use must be for:

- a) allowing public access to the coast, especially beaches; or
- b) conservation, maintenance of scenic amenity, to allow natural coastal processes to operate or conserve habitat for coastal species.

Complies

The proposed pleasure boat facility would not decrease existing access to the coast as it would utilise the existing wheat wharf area and provide a pontoon which would decrease the public's access to the Tamar River.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

E14.6 Development Standards

E14.6.1 Coastal Hazards

Objective

To protect life and property from unnecessary risk of loss of life or damage within the coastal environment as a result of natural coastal processes and hazards such as storm surge, erosion, landslip, littoral drift, dune mobility and sea-level rise.

Consistent

The acceptable solution is met.

A1 Development must not occur:

- a) within the surf zone, swash zone, beach berm, incipient dune or fore dune of a coastal dune system as shown in Figure E14.1; or
- b) on land identified as vulnerable or prone to recession.

Complies

The development would be within the nearshore zone.

A2 Development must not occur on hind dunes or within 30m of the seaward edge of any coastal cliff or bluff.

Complies

The proposed pontoon would not be located on hind dunes or within 30m of the seaward edge of any coastal cliff or bluff.

E14.6.2 Coastal Reserves

Objective

To maintain the integrity of coastal reserves and ensure that development does not dominate the natural values of foreshore areas.

Consistent

The acceptable solutions are met.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A1 Development within coastal reserves must be for public infrastructure or public facilities that are reliant on a coastal location.
Complies The proposed pontoon would be publicly available. Any lease issued for the pontoon from Crown Land would contain a clause for the wharf and pontoon to be publicly available.
A2 Development in coastal reserves must not be located on any coastal headland, bluff or on a ridgeline or skyline that is visible from public beaches or public open spaces accessible to the general public.
Complies The pontoon would not be located on a coastal headland, bluff, ridgeline or skyline.

E14.6.3 Public Access

Objective To ensure that development does not restrict public access to coastal and foreshore reserves.
Consistent The acceptable solution is met.
A1 Existing public access points must not be removed.
Complies The existing wharf structure would remain publicly available as a requirement of any lease granted by Crown Land.
A2 Infrastructure must not impede public access to and along the coastal environment.
Complies The pontoon would not impede public access along the coastal environment.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

E14.6.5 Development of the intertidal area

Objective
To consider the impacts of development within the marine environment.
Consistent The performance criteria are met.
A1 Development must not occur at or below the high water mark
Does Not Comply The development would be below the high water mark.
P1 Where development is proposed at or below the high water mark, an assessment report prepared by a suitably qualified person must demonstrate how the preparation works, design and siting of structures will allow full tidal flushing and minimise changes to coastal processes including: a) the natural patterns of movement; and b) supply of marine sediments; and c) sand movement; and d) wave action.
Complies The pontoon would be floating and secured to two new pylons, both of which would be below the high water mark. Due to the small scale of the development (e.g. two pylons) and a floating pontoon, the impacts on tidal flushing would be minimal and the performance criteria are met.
A2 Development must not disturb any intertidal area.
Complies The intertidal area (e.g. mudflats) is not accessible by the proposed development and would not be impacted by it.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

A4 Deposition of sand, shingle or other natural material must not be used to combat beach or shoreline erosion or improve the amenity value of the foreshore.

Complies

There would be no deposition of sand, shingle or other natural material to combat erosion or to improve the amenity of the foreshore.

E14.6.6 Specific Development Provisions

Objective

To consider the impacts of development associated with the marine environment.

Consistent

The standards are not applicable or the performance criteria are met.

A4 No acceptable solution.

Does Not Comply

P4 Jetties must:

- a) be constructed to allow full tidal flushing; and
- b) not result in significant disturbance of wetlands, seagrasses or other significant habitats; and
- c) not adversely impact on visual landscape values; and
- d) not impede public access to and along Crown land; and
- e) not create a navigational hazard; and
- f) not cause significant adverse impacts on the coastal environment or coastal process, including changes in wave action or behaviour.

- 7.1 **87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**

Complies

The jetty/pontoon would be constructed to allow full tidal flushing. As it would be a floating pontoon (secured by two pylons) it would not result in significant disturbance of wetlands, seagrass or other significant habitats. Moreover, due to the relatively small scale of the pontoon it would not adversely impact on landscape values and would not impede public access to Crown land. It would not create a navigational hazard and would not have a detrimental impact on any coastal processes.

E16 - Invermay/Inveresk Flood Inundation Area Code

E16.1.1 The purpose of this provision is to reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area and in particular:

- a) to limit development that increases the potential flood damage to residential property subject to inundation;
- i) to limit land uses that create unacceptable levels of risk for residents in the event of inundation; and
- ii) to ensure that consideration is given to community, infrastructure and environmental impacts of development on land subject to flood inundation.

Consistent

The relevant acceptable solutions or performance criteria of the Code are met.

E16.6 Use Standards

E16.6.1 To prevent inappropriate use

Objective

To prevent inappropriate uses from establishing in areas subject to, or seriously affected by, flood inundation.

Consistent

The acceptable solution is met.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

<p>A1 Must not be:</p> <ul style="list-style-type: none"> a) Education and occasional care; or b) Emergency services; or c) Hospital Services.
<p>Complies None of the uses outlined above are proposed.</p>
<p>A3 Must not be Community Meeting and Entertainment in the Riverside Industrial or Inveresk Residential precincts.</p>
<p>Complies The community meeting and entertainment use is proposed but the site is not located in the Riverside Industrial or Inveresk Residential precincts.</p>

E16.7 Development Standards

E16.7.2 Flood Impact

<p>Objective</p> <p>To ensure that new buildings and infrastructure are sited and designed to avoid or mitigate the risk and minimise the impact of flooding.</p>
<p>Consistent The relevant acceptable solutions or performance criteria are met.</p>
<p>A2 No acceptable solution</p>
<p>Does Not Comply The acceptable solution cannot be met.</p>

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

P2 Buildings for residential purposes within the Inveresk Cultural Precinct must be sited and designed in accordance with a hydrological report and an emergency management plan prepared by a suitably qualified engineer.

The report and plan must detail the risks and likely impacts of a 1:20 year, 1:50 year, and 1:100 year annual exceedance probability flood event on the site, the building and its occupants and how the development will be designed and how the use will be managed to avoid, mitigate or remedy the impacts to take account of:

- a) the risk of levee failure in the vicinity of the site;
- b) the likely velocity of flood waters and depth of inundation;
- c) the need to locate electrical equipment and other fittings above the 1:100 year annual exceedance probability flood level;
- d) the likely affect of the use or development on flood characteristics;
- e) the safety of the occupants of the development, potential evacuation routes and whether there is a flood free access to the land;
- f) the ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing or protection measures in the development.

Not Applicable

The buildings would not be used for residential purposes and would not be located in the Inveresk Cultural Precinct.

A3 Floor levels of all buildings not in the residential use class must be at least 3.4m AHD

Does Not Comply

The floor level of the silos building would be less than 3.4m AHD.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

P3 Buildings not in the residential use class must be sited and designed in accordance with a hydrological report and an emergency management plan prepared by a suitably qualified engineer.

The report and plan must detail the risks and likely impacts of a 1:20 year, 1:50 year, and 1:100 year annual exceedance probability flood event on the site, the building and its occupants and how the development will be designed and how the use will be managed to avoid, mitigate or remedy the impacts to take account of:

- a) the risk of levee failure in the vicinity of the site;
 - b) likely velocity of flood waters and depth of inundation;
 - c) the need to locate electrical equipment and other fittings above the 1:100 year annual exceedance probability flood level;
 - d) the likely affect of the use or development on flood characteristics;
 - e) safety of the occupants of the development, potential evacuation routes and whether there is a flood free access to the land;
 - f) ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing or protection measures in the development.
-

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
-

Complies

Complies by condition.

The applicant has submitted a hydrological report and emergency management plan to demonstrate compliance with the performance criteria. However, during the advertising period, the Department of Police and Emergency Management (DPEM) contacted the Council seeking clarification on some matters and offering to assist in the development of the emergency management prior to the use commencing. On this basis, it is recommended a condition of approval be required to facilitate the involvement of the DPEM with a view to revising the emergency management plan. This plan would be submitted to the DPEM for their approval prior to the planning authority officially endorsing it.

E18 - Signs Code

E18.1.1The purpose of this provision is to:

- a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity;
 - i) promote the use of well designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality;
 - ii) ensure signs on places of cultural significance are responsive to the cultural heritage values and the significance of the building or place, both in terms of impact and by means of attachment, by protecting and enhancing those values; and
 - iii) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.
-

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

Consistent

The signage component of the application includes two illuminated wall signs and one pylon sign. The new wall signs consist of individual lettering - *Silo Hotel* placed vertically on wall of the silo building, one on the west facing wall and one on the east facing wall. The new pylon sign would be placed at the entrance to the car park and will identify the entry to the hotel and the facilities within it. The three proposed signs are well designed and are considered essential to support the operation of the hotel. They would not contribute to visual clutter or detract from the streetscape and the City due to the way they would integrate into the development and streetscape and would not compromise pedestrian or vehicular safety. Therefore, the code purpose is met.

E18.5 Development Standards

E18.5.1 Inappropriate signage

Objective

To prevent inappropriate signage.

Consistent

The proposed signs meet the relevant performance criteria and standard objectives.

A1 Must not be a:

- a) Third Party Sign
- b) Roof Sign
- c) Sky Sign
- d) Bunting (Flag and Decorative Elements)
- e) Flashing Lights

Complies

The applicant has not applied for the above signage.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
-

E18.5.2 Design and siting of signage

Objective

To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.

Consistent

The wall signs, which are vertical in profile, are designed to complement the vertical nature of the silos to which they are attached and are considered appropriate for the building and surrounding environment based on the size of the building itself and commensurate signage dimensions.

The pylon sign, placed at the entry to the car park will direct patrons to the various services within the hotel site. The simple design and placement of the sign is considered appropriate to serve its function.

A1 A sign must:

- a) meet the requirements for the relevant sign type set out in E.18.6; and
 - b) be located within the applicable zone set out in E18.6
-

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
-

Does Not Comply

Wall signs and pylon signs are allowed in the Open Space zone as set out in E18.6.

Wall sign requirements:

- Maximum area 4.5m²;
- Must not extend beyond the height or width of the wall to which it is attached; and
- Must not occupy more than 25% of the wall to which it is attached.

The wall signs exceed the maximum area requirements. Assessment against the performance criteria is required.

Pylon sign requirements:

- Maximum height of 5m;
- Minimum clearance of 2.7m above natural ground level;
- Maximum area of 5m² with respect to each face if double sided;
- Maximum length 2.5m;
- Maximum width 0.3m; and
- No part is to project beyond the boundary of the site.

The pylon sign exceeds the maximum height requirement. Assessment against the performance criteria is required.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

P1 A sign must

- a) be within an applicable zone for the sign type as set out in table E18.6;
- b) be sympathetic to the architectural character and detailing of the building;
- c) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;
- d) not result in loss of amenity to neighbouring properties;
- e) not involve the repetition of messages or information on the same frontage;
- f) not contribute to or exacerbate visual clutter; and
- g) not cause a safety hazard or obstruct movement of pedestrians on a footpath.

Complies

Wall signs and pole signs are allowed in the Open Space zone as set out in E18.6.

Wall sign assessment

One wall sign would be placed on the east facing side and one on the west facing side of the building so that no repetition would occur on the same side of the building. The vertical nature and the larger size of the wall signs is suited to the elongated profile and height (39m) of the silos building to which they are attached. The wall signs would be illuminated; however there are no sensitive uses in the near vicinity. Their soft illumination would ensure they would be sympathetic to the modern architectural detail of the east and west elevations of the building and would be dimensioned commensurate to the size of the building and setback far enough from the street so as they would not dominate the streetscape.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

Pylon sign assessment:

The pylon sign is of appropriate dimensions (6m high x 2m wide) when considering the size of the site and the size of buildings in the area. There would be 2.7m clearance underneath the sign for pedestrians to pass under. The design of the pylon sign is understated and free of clutter. One message only would be displayed on the face of the sign and would direct patrons to the hotel, restaurant, cafe and conference facility.

On these bases, the performance criteria are met.

A2 A sign must be a minimum distance of 2m from the boundary of any lot in the Residential Zone.

Complies

The signs are more than 2m from the nearest boundary of any lot in a residential zone.

A3 A maximum of one of each sign type per building or tenancy unless otherwise stated in E18.6

Does Not Comply

Two wall signs are proposed. Assessment against the performance criteria is required.

P3 A sign must:

- a) where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;
- b) engage in the repetition of messages or information on the same frontage.

Complies

There are no other signs present on the site. One wall sign would be on the eastern and western elevations of the building. Therefore any signage repetition on the site would be minimal and the performance criteria are met.

- 7.1 **87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
-

A4 A sign must not be illuminated or contain; flashing lights, animation, moving parts and moving or changing messages or graphics.

Does Not Comply

The wall signs would be illuminated. Therefore, the acceptable solution is not met.

P4 A sign must not result in loss of amenity to neighbouring properties or cause undue distraction to drivers of motor vehicles.

Complies

The signage would not result in loss of amenity or distraction to drivers of motor vehicles. The wall signs would easily display the site of the silos development (a key site on the North Bank) from afar in a sympathetic manner and would be easily legible. The sign illumination would be of a level that does not detrimentally impact on the future North Bank park or the residential properties in Trevallyn and they would not be easily seen from commercial properties to the north or to the south at Seaport. The pylon sign would provide a suitable visual cue from the eastern end of Lindsay Street and, due to the 50km/h speed limit, would not cause a vehicular safety issue for drivers of motor vehicles. Therefore, the performance criterion is met.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	<p>Conditional consent provided. Conditions were recommended in relation to:</p> <ul style="list-style-type: none"> • Maintenance agreement for the Tarooma Street pump station. It is recommended the applicant bears the largest responsibility for its maintenance etc. and City of Launceston would contribute a proportional amount should the North Bank park facilities use the pump station; • Trench re-instatement; • Works within the road reserve; • Amended plans to re-locate the private infrastructure away from the levee footings; • Car parking construction; and • Vehicle crossovers.
Environmental Health	<p>Conditional consent provided. Conditions recommended relating to:</p> <ul style="list-style-type: none"> • Amenity; • Exterior lighting; • Amenity; • No burning of wastes; • Noise; • Demolition; and • No polluted runoff. <p>Advisory notes regarding registration of food businesses and a place of assembly license were also recommended.</p>

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

REFERRAL	COMMENTS
Parks and Recreation	Conditional consent provided. Parks recommend timing requirements for landscaping on the site and also for street landscaping and public open space areas associated with the proposal. Standard conditions for protection of existing trees have also been recommended.
Heritage/Urban Design	Comments have been made and are reflected in the Signage Code assessment. There were no comments in terms of the built form of the silos development.
Building and Plumbing	Noted building and plumbing permits would be required.
City Architect	The City Architect has stated the proposed pedestrian linkages from the silos to the adjoining public open space could be improved for universal access and functionality. The applicant is aware of this and is willing to work with City of Launceston to alter the linkages to the property. It has also been stated that City of Launceston will construct the linkages once a design has been agreed and would maintain the portion of linkages on public land, including the bicycle racks on the western side of the silos development.

7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued Submission to Planning Authority Notice (SPAN) TWDA 2014/00925 - LCC.
DIER	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	Crown Land have given consent to lodge the application. It has been stated a lease is likely to be granted over the wheat wharf and the associated car park for the pleasure boat facility. Should the lease be granted, it would contain a clause requiring the wharf to be available for public access.
TasRail	N/A
EPA	N/A
Aurora	N/A
Marine and Safety Tasmania (MAST)	MAST has no concerns with the proposed pleasure boat facility. However, it was outlined the applicant may have to provide a navigation light at the end of the pontoon (at the applicant's expense) in the future.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)

REFERRAL	COMMENTS
Launceston Flood Authority (LFA)	The LFA provided comments throughout the assessment period. The main concerns were installation of private services (e.g. water tanks and sprinkler system service rooms) over the flood levee footings. Advice was also given on construction methods for the eastern pedestrian linkage and timing triggers for the removal of the pleasure boat facility pontoon and ticket office. It has been recommended that the trigger point for removing these structures is as soon as practicable after the first low level warning (issued by the Bureau of Meteorology - BOM) of a flood likely to reach 1810 cumecs, which, at the time of writing this report is akin to a 1 in 20 year flood event. Once the low level flood warning is given, there would be ~3-4 days before the anticipated flood level would be reached. Therefore, there would be sufficient time to remove the pontoon and ticket office and re-locate them; most likely at Seaport for the pontoon and the ticket office could easily be re-located by a truck.

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 13 October 2014 month year to 28 October 2014. No representations were received.

- 7.1 **87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)**
-

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.

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.

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and ass...(Cont'd)
-

BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Plan
 2. Plans (circulated separately)
-



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81-95 Lindsay Street, Crown land and Taroona Street road reserve, Invermay - DA0423/2014



Scale: This Map Is Not to Scale

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed**FILE NO:** DA0326/2014**AUTHOR:** Jacqui Tyson, (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Mathinna Design Studio
Property:	21 West Street and 14 North Street, South Launceston
Zoning:	Inner Residential
Receipt Date:	1/08/2014
Validity Date:	1/08/2014
Further Information Request:	12/08/2014
Further Information Received:	30/09/2014
Extension of time granted:	10/11/2014
Representations:	3

PREVIOUS COUNCIL CONSIDERATION:

There are no records of previous Council decisions for the subject properties.

RECOMMENDATION:

That Council refuse DA0326/2014 for Residential - single dwelling; subdivision and adhesion of title and construction of a new outbuilding on land located at 21 West Street and 14 North Street, South Launceston on the following grounds:

1. The development application does not comply with Clause 11.4.4.2 of the Launceston Interim Planning Scheme 2012 on the basis that the proposed lot for 14 North Street, South Launceston is not of sufficient size to satisfy the performance criteria.
-

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

2. The development application does not comply with the intent of the Inner Residential zone of the Launceston Interim Planning Scheme 2012 on the basis that the proposed use and development:
- does not provide for increased residential densities;
 - is not in character with the historically established area;
 - does not enhance the inner city residential areas; and
 - does not provide a high standard of residential amenity and streetscape contribution.
-

REPORT:

1. THE PROPOSAL

The applicant is seeking planning approval for the construction of an outbuilding and a subdivision to adjust the boundaries of two adjoining properties located at 21 West Street and 14 North Street, South Launceston. Each of the subject properties is currently developed with a single dwelling and 14 North Street is listed on the Tasmanian Heritage Register.

Under the subdivision proposal approximately 200m² of land will be transferred from the rear of 14 North Street to 21 West Street to allow for the construction of the proposed outbuilding on that property. This would make the site area of 14 North Street and 21 West Street approximately 217m² and 646m², respectively.

The proposed outbuilding is sited to the rear of both dwellings and would be accessed by extending the existing driveway at 21 West Street. The outbuilding is of a barn style with the roof elevated to an apex height of 7m at the centre and the walls on each side reaching 4m. The outbuilding is 12m long and 10m deep, with three bays at ground level and a storage loft. The outbuilding would also contain a bathroom.

The walls of the outbuilding will be clad in weatherboard cement sheeting painted a neutral colour 'Evening Haze' and the roof will be clad in Colorbond in 'Woodland Grey'. The three roller doors and window frames will be finished in gloss 'Pearl White'.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

The proposed outbuilding is sited 1.1m from the south western side boundary (currently the rear boundary of 14 North Street), 1.35m from the south eastern boundary (proposed rear boundary of 21 West Street) and 1m from the proposed side boundary between the properties. It is proposed to extend an existing retaining wall at a height of approximately 1m back along the north eastern boundary of 21 West Street and across the proposed boundary with 14 North Street. Solid fences to a height of 1.8m will be constructed around the side and rear boundaries of 21 West Street adjoining the proposed outbuilding.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject properties are located in South Launceston which is an older inner city residential area to the south of the city centre and just south of the Launceston General Hospital. The residential area is bordered by Howick Street to the north and the commercial area around Wellington Street to the west. To the east residential development extends up the hillside to High Street. The predominant form of residential development in the area is weatherboard clad single dwellings, a number of which are listed on the Tasmanian Heritage Register.

21 West Street is located on the southern side of the street and has a site area of 446m². 14 North Street is located on the western side of the road, has an area of 417m² and extends back to adjoin 21 West Street. There is one residential property between the two subject sites, located on the corner of North and West Streets. A commercial property fronting Galvin Street adjoins the subject sites to the south.

Each of the subject properties has an existing access from their respective street frontage with driveway access to the rear yards. Topographically, the area slopes gently from north west to south east.

The properties are each developed with single dwellings and don't contain any significant trees or other vegetation. There are several outbuildings in the rear of 21 West Street that don't appear to have any formal approval. There are a relatively large number of vehicles kept in the rear yard of both properties.

Both of the subject properties are connected to reticulated services.

- 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)**
-

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

11 - Inner Residential Zone

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

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

11.1.3 To allow increased residential densities where it would not significantly affect the existing residential amenity or historic character of the area, lead to increased on-road parking or reduce traffic safety.

11.1.4 To maintain and develop the residential functions within the inner city areas and to ensure that commercial uses do not displace residential uses or dominate neighbourhoods.

11.1.5 To protect and enhance the inner city residential areas and to recognise their major contribution to the city's character and tourist potential.

11.1.6 To encourage residential development that provides a high standard of residential amenity and streetscape contribution.

Not Consistent

The proposal relates to a subdivision that will transfer land between two existing titles in South Launceston that are developed with single dwellings to facilitate the development of a large outbuilding at the rear of 21 West Street. The proposed subdivision would create a sub minimum lot at 14 North Street with an area of around 217m². The construction of a 120m² outbuilding is not considered to provide sufficient justification to create a sub minimal lot in the Inner Residential zone with the inherent restrictions that will create for the future of that house and title.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

While there is no conclusive evidence at this time to suggest that the proposed outbuilding will be used for anything other than domestic purposes it is considerably larger and higher than a standard domestic shed or garage, particularly in the closely developed inner residential area of South Launceston. The applicant has provided information to support the domestic nature of the outbuilding to house cars, boats and to undertake car repairs. The installation of a car hoist in the outbuilding indicates a more intensive level of use than is generally seen in a domestic setting. This has implications for the amenity of neighbours, which is raised as an issue in all of the representations received in relation to the application. Into the future an outbuilding of this size may encourage undesirable and possibly illegal uses to establish, such as a mechanic business or unapproved habitation and the burden of enforcement of these issues would fall on the Council. Additionally, the proposed outbuilding would discourage investment in the development of the area for higher density residential use.

Further comments are provided below in relation to the individual purpose statements for the zone:

11.1.1.1

The inner residential area of South Launceston is a historically established area characterised by a development pattern of cottage style single dwellings typically on small lots with narrow streets between. Properties in the area generally have small outbuildings, if any and limited off street parking. The proposed outbuilding is 120m², which is as large as or larger than many houses in the immediate area. It is considered that this building does not respect the established character in these terms.

11.1.1.2

The proposal is residential in nature and this statement is not directly relevant to the assessment.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

11.1.1.3

The proposed subdivision and development does not support increased residential density in accordance with this purpose statement. The rear yard of 14 North Street (that would be transferred to 21 West Street for construction of the outbuilding) adjoins a similar sized portion of vacant land that is part of 92 Galvin Street. Together or separately this land could be used for infill residential development in a highly sought area close to services. This opportunity would be severely inhibited and possibly lost entirely by the development of a large outbuilding on the proposed site, which is directly north of the vacant land at 92 Galvin Street. Conversely, a significant shed used for car repairs (albeit domestic in nature) may discourage adjoining properties from investing and developing in a way that is more in keeping with the intent of the zone.

11.1.1.4

As discussed above, the proposed outbuilding may be intended for domestic purposes at this time but the size and installation of a car hoist could encourage and certainly be attractive to commercial uses in the future. This could become an ongoing amenity and compliance issue for Council.

11.1.1.5

It is considered that the size and character of the outbuilding in terms of the height and roof profile does not enhance and protect the character of this inner city residential area.

11.1.1.6

It is considered that the proposed subdivision and outbuilding will not contribute to a high standard of residential amenity and character. Creating a sub minimum lot around 14 North Street would severely inhibit any future restoration and improvement, diminishing the likelihood of investment to update this heritage listed house.

The representations raise existing amenity issues and it is of concern that the outbuilding development may further exacerbate problems by facilitating a more intensive level of car repairs with the provision of a covered space with a hoist, power and lighting. A hobby of this level would be more suitably accommodated on a larger lot outside the inner city area without impacting on the amenity of neighbours.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

11.4.1 Clauses 11.4.1.1 – 11.4.1.6 only apply to development within the Residential Use Class which is a single dwelling

11.4.1.1 Setback from a frontage for single dwellings

Objective

To ensure that the setback from frontages:

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

Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard. The existing front setback will be retained for both of the subject properties.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

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

- a) a minimum 4.5m from primary frontage; and
- b) a minimum 3m to a frontage other than primary frontage; or
- c) a distance which is not more or less than the maximum and minimum setbacks of the dwellings on immediately adjoining lots; or
- d) not less than the existing dwelling setback if less than 4.5m; or
- e) for development on land that abuts a road specified in the planning scheme to be a road to which this paragraph is to apply, be the minimum setback specified in the planning scheme in respect of that road.

Complies

The proposed development will not alter the existing front setback of either 21 West Street or 14 North Street. This complies with part d) of the acceptable solution.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

11.4.1.2 Site coverage and rear setback for single dwellings

Objective

To ensure that the location and extent of building site coverage:

- a) facilitates the provision of open space, gardens and other outside areas on the site that contribute to residential amenity; and
- b) assists with the management of stormwater; and
- c) provides for setback from the rear boundary; and
- d) has regard to streetscape qualities or is consistent with the statements of desired future character.

Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard.

A1 A maximum site coverage of 50% excluding building eaves and access strips where less than 7.5m wide

Complies

21 West Street

In accordance with the proposed subdivision the site area of 21 West Street would be increased to approximately 646m². The existing dwelling has a floor area of approximately 106m² and the proposed outbuilding has a floor area of 120m². The total site cover is therefore calculated as 34.9% (226m²/645m²). This complies with the acceptable solution.

14 North Street

In accordance with the proposed subdivision the site area of 14 North Street would be reduced to approximately 217m². The existing dwelling has a floor area of approximately 90m². The total site cover is therefore calculated as 41.4% (90m²/217m²). This complies with the acceptable solution.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

P2 The location of buildings in relation to the rear boundary must:

- a) allow for adequate visual separation between neighbouring dwellings; and
- b) maximise solar access to habitable rooms; and
- c) facilitate provision of private open space.

Complies

The proposed outbuilding is situated to the rear of 21 West Street and 14 North Street. In this location the outbuilding will be partially visible from both streets, particularly along the driveways of each of the subject properties. However this is not considered to be a considerable impact on the visual separation of the dwellings as the outbuilding is located behind them both.

In regard to solar access, the outbuilding would be located to the south of the dwellings on the subject properties and those of the immediate neighbours. The southern side of the outbuilding would adjoin the car park of a commercial property fronting Galvin Street and would therefore not impact the solar access of any habitable rooms.

Private open space for 21 West Street would be retained between the dwelling and the proposed outbuilding and would not be reduced by the proposal. The private open space for 14 North Street would be reduced as part of the back yard will be transferred to 21 West Street and developed. However there would still be an area of private open space behind the dwelling with a minimum width of at least 5m, which is reasonable for a single dwelling.

It is considered that the performance criteria are satisfied.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

11.4.1.3 Building envelope for single dwellings

Objective

To ensure that the siting and scale of single dwellings:

- a) allows for flexibility in design to meet contemporary dwelling requirements; and
- b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and
- c) has regard to streetscape qualities or is consistent with the statements of desired future character.

Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.

A1 All single dwellings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes:

- a) determined by a minimum setback of 3m from side boundaries and minimum 4m from the rear boundary and maximum building height of 5.5m; or
- b) determined by projecting at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and at a distance of 4m from the rear boundary to maximum building height of 8.5m above natural ground level (see figures 11.4.1.3A and B); and walls are setback:
 - i) a minimum of 1.5m from a side boundary; or
 - ii) less than 1.5m provided the wall is built against an existing boundary wall or the wall or walls have a maximum total length of 9m or one third of the boundary with the adjacent property, whichever is the lesser.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

Does Not Comply

The proposed outbuilding is not contained within the building envelope because it does not meet the rear setback of 4m as required to satisfy A1 b). Additionally, the wall of the outbuilding will be sited within 1.5m of the new boundary to 14 North Street for a distance of more than 9m which does not meet the requirement of b) ii). Further assessment against the performance criteria is therefore necessary.

P1. The siting and scale of single dwellings must be designed to:

a) ensure there is no unreasonable loss of amenity on adjoining lots by:

- i) overshadowing and reduction of sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21 or by increasing existing overshadowing where greater than above; and
- ii) overlooking and loss of privacy; and
- iii) visual impacts when viewed from adjoining lots: and

b) take into account steep slopes and other topographical constraints; and

c) have regard to streetscape qualities or be consistent with the statements of desired future character.

Complies

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

The proposed outbuilding generally complies with the elements of the performance criteria.

The outbuilding is located to the south of surrounding dwellings and the shadow diagrams submitted with the application demonstrate that there is no unreasonable loss of amenity to residential properties by overshadowing. The adjoining site to the south of the outbuilding is a commercial property that will not be negatively impact by the overshadowing of a car park.

In relation to privacy issues, the window in the rear façade of the outbuilding that is off the mezzanine loft would be opaque to prevent overlooking issues. The other windows in the outbuilding are one window for light above the central roller door in the front façade and a window in each of the side elevations. The side windows would be separated by a reasonable distance to prevent impacts on the privacy of adjoining residents.

The main impact of the outbuilding on the amenity of adjoining lots will be the visual impact when viewed from the dwellings to the south and east of the site (particularly 16 North Street, 92 and 94 Galvin Street). The vacant section of 92 Galvin Street is located immediately to the south east of the area that the proposed outbuilding is sited on and this provides some visual separation to the existing dwellings. However it is also relevant to an extent to consider that this portion of 92 Galvin Street would be capable of supporting infill residential development in the future. The proposed outbuilding is sited to the north of this land with a setback of 1.35m and a minimum wall height of 4m rising to 7m at the apex; this would severely constrain any proposal in terms of overshadowing and visual amenity.

In regard to b), slope and topographical constraints are not relevant considerations for this application as the site is relatively flat.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

In relation to c), the impact on streetscape is of some concern. The outbuilding will be visible from both North Street and West Street, particularly along the driveway of each property. The outbuilding will be higher than many of the dwellings in the area and the barn style roof form is not consistent with the typical character of the area which would contribute to an overall impact on the streetscape. The outbuilding would be finished in muted colours which would go some way to mitigating the streetscape impact. If the outbuilding was approved some change to the roof form and maximum height would assist in reducing the impact further. There are no statements of desired future character for this zone.

Overall it is considered that the impact on existing residences on adjoining lots is limited to an extent that satisfies the performance criteria.

11.4.4 Subdivision

11.4.4.1 Lot Diversity and Distribution

Objective

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

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

Not Consistent

The proposed subdivision is designed to facilitate the construction of a large outbuilding behind 21 West Street, leaving 14 North Street with a sub minimal lot of approximately 217m².

While both of the subject titles are already developed with single dwellings it is considered that the proposal would not contribute to achieving higher density housing in this desired location that is close to essential services. The area of land where the outbuilding would be constructed is around 200m² and adjoins a similarly sized vacant area that is part of 92 Galvin Street. This land would be ideal for infill residential development and this would be inhibited by the proposed development of a large outbuilding to be used for car repairs. Further, the proposal would discourage surrounding properties from investing to improve and expand the residential housing stock in the area.

A1 Subdivision is for:

- a) 5 lots or less; or
- b) the consolidation of a lot with another lot with no additional titles created; or
- c) the subdivision is to align existing titles with zone boundaries and no additional titles are created.

Complies

The proposed subdivision will transfer approximately 200m² from 14 North Street to 21 West Street and will not create any additional lots. This satisfies the acceptable solution.

11.4.4.2 Lot Area, Building Envelopes and Frontage

Objective

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

Not Consistent

The proposed subdivision will create a sub minimal lot of 217m² around the existing house at 14 North Street. It is considered that this outcome does not further the attainment of this objective. Refer to the assessment against the relevant provisions of the standard for further discussion.

A1.1 Lots must:

- a) have a minimum area of at least 300m²; or
- b) where average slope of a proposed lot is 15% or greater, have a minimum area of 600m²; and
- c) A lot with an area between 300m² and 500m²:
 - i) is capable of containing a rectangle measuring 10m by 12m; or 8m by 12m if a boundary wall is nominated as part of the building envelope, the siting of which satisfies the relevant acceptable solutions for setbacks; and
 - ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or
- d) A lot greater than 500m²:
 - 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

A1.2 Lots must be:

- a) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or
 - b) for the provision of utilities; or
 - c) for the consolidation of a lot with another lot with no additional titles created; or
 - d) to align existing titles with zone boundaries and no additional lots are created.
-

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

Does Not Comply

The proposed subdivision will create a lot with an area of approximately 217m² for 14 North Street. A lot of this size does not meet part a) of the acceptable solution.

The proposed lot for 21 West Street has an area of 646m² and therefore must be assessed against part d) of the standard. The proposed lot is capable of containing a rectangle measuring 10m x 15m in compliance with d) i). The new side boundary with 14 North Street will be sited 1m from the side of the proposed outbuilding. This does not comply with the requirements of Clause 11.4.1.3 b) i) in relation to the setback and building envelope and d) ii) is therefore not satisfied.

Further assessment against the performance criteria is necessary.

P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:

- a) a dwelling to be erected in a convenient and hazard-free location; and
 - b) on-site parking and manoeuvrability; and
 - c) adequate private open space.
-

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

Does Not Comply

The proposed subdivision seeks to transfer 200m² from 14 North Street to 21 West Street to allow for the construction of a large outbuilding. This would result in a sub minimal lot of around 217m² at 14 North Street and the proposed outbuilding at 21 West Street could not be sited to meet the setbacks required by the acceptable solution of the relevant standard.

The proposed lot at 21 West Street will meet the performance criteria as the site is already developed with a single dwelling in a convenient location, has adequate room onsite for parking and adequate private open space will be retained between the house and the proposed outbuilding.

Currently the dwelling at 14 North Street has a driveway on the southern side of the dwelling that can accommodate parking for at least two cars in accordance with the applicable standards in the Car Parking and Sustainable Transport Code. The subdivision will leave a private open space area behind the dwelling that has a minimum width of 5m and is partially orientated to the north for solar access. Part b) and c) of the performance criteria are considered to be satisfied for these reasons.

While the proposed lots are concurrently owned at this time the reduction of the site area of 14 North Street by almost half (417m² to 217m²) is a considerable change that must be carefully considered with the regard to the long term future of the site and the neighbourhood. In regard to part a) of the performance criteria, the house at 14 North Street was constructed in 1880 and is listed on the Tasmanian Heritage Register. In modern terms the cottage is very small with a floor area of less than 80m². It is currently in relatively poor repair and does not appear to be inhabited. At some point in the future it can be expected, and would be desirable in terms of the intent of the Inner Residential zone, for this house to be renovated and inhabited. It is likely that any renovation may include extensions to the rear of the dwelling to satisfy a modern standard of living. This will be very difficult to achieve while also retaining parking and private open space with a lot of only 217m². For these reasons it is considered that the proposed lot does not allow for a sufficient useable area to allow for the existing dwelling to be maintained and improved in a convenient manner, which conflicts with part a). Allowing for a large outbuilding to be constructed on the neighbouring property is considered to be a questionable reason to create a sub minimal lot with the inherent restrictions that will create for the future of that house and title.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

A4 Each lots must have a frontage or right of way to a road of at least 4m.
<p>Complies Each of the proposed lots would retain their existing frontage to West and North Streets, which exceed 4m.</p>
<p>11.4.4.3 Provision of Services</p>
<p>Objective To provide lots with appropriate levels of utility services.</p>
<p>Consistent The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.</p>
<p>A1 Each lot must be connected to a reticulated:</p> <ul style="list-style-type: none"> a) water supply; and b) sewerage system.
<p>Complies Each property is already developed with a dwelling and is connected to reticulated services in accordance with this standard.</p>
<p>A2 Each lot must be connected to a reticulated stormwater system.</p>
<p>Complies Each property is already developed with a dwelling and is connected to the reticulated stormwater system in accordance with this standard.</p>

11.4.4.4 Solar Orientation of Lots

<p>Objective To provide for solar orientation of lots and solar access for future dwellings.</p>
<p>Consistent The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

<p>A1 At least 50% of lots must have a long axis within the range of:</p> <ul style="list-style-type: none"> a) north 20 degrees west to north 30 degrees east; or b) east 20 degrees north to east 30 degrees south.
<p>Complies The proposed lot for 21 West Street has a long axis within the range of north 20 degrees west to north 30 degrees east. As one of the two lots (50%) will comply with a) or b) the acceptable solution is satisfied.</p>
<p>A2 The long axis of residential lots less than 500m², must be within 30 degrees east and 20 degrees west of north.</p>
<p>Does Not Comply The long axis of the proposed lot for 14 North Street is not located within 30 degrees east and 20 degrees west of north. Further assessment against the performance criteria is necessary.</p>
<p>P2 Lots less than 500m² must provide adequate solar access to future dwellings, having regard to the:</p> <ul style="list-style-type: none"> a) size and shape of the development of the subject site; and b) topography; and c) location of access way(s) and roads.
<p>Complies The subdivision will transfer the rear section of 14 North Street to 21 West Street. The lot is already developed with a single dwelling. The orientation of the lot and solar access of the dwelling will not be affected by the proposed subdivision.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

E6 - Car Parking and Sustainable Transport Code

E6.1.1 The purpose of this provision is to:

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) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and

ii) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and

iii) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and

iv) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and

v) provide for the implementation of parking precinct plans.

Consistent

Adequate access and parking are provided to service the use and development.

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

Consistent

An appropriate level of car parking is provided to service the use and development in accordance with the standard.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(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

Table E6.1 requires 2 parking spaces for a single dwelling with more than 2 bedrooms.

Each of the subject properties can currently provide 2 parking spaces in a tandem arrangement in their driveway. The proposed development would not reduce the parking available on either site. The standard is therefore satisfied.

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.

Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

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

Under the application the driveway to 21 West Street would be upgraded and sealed with concrete to provide suitable access for the proposed outbuilding. The proposed driveway meets the acceptable solution.

The existing access to 14 North Street constitutes a sealed crossover leading to a gravel/earth driveway. This is a suitable level of construction to service a single dwelling in accordance with the standard.

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.

Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.

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

There is no provision for turning vehicles within the front setback of either property.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(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.

Complies

The proposed car parking and manoeuvring areas will have a gradient of less than 10%. The design and form of the existing and proposed driveways is adequate to meet the requirements of the standard.

E6.8 Provisions for Sustainable Transport

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development.

Consistent

The sites have adequate pedestrian access to service a residential need.

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

Complies

Separate pedestrian access is not necessary for a use which requires less than 11 parking spaces. Shared access is appropriate.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

E13 - Local Historic Heritage Code

E13.1.1 The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and
- c) discourage the deterioration, demolition or removal of buildings and items of assessed heritage significance; and
- d) ensure that new use and development is undertaken in a manner that is sympathetic to, and does not detract from, the cultural significance of the land, buildings and items and their settings; and
- e) conserve specifically identified heritage places by allowing a use that otherwise may be prohibited if this will demonstratively assist in conserving that place

Not Consistent

The proposed development is in two parts and includes:

1. The subdivision of the heritage listed property at 14 North Street, excising a significant portion of this lot, to the rear of the listed dwelling; and
2. The construction of a large shed on the part of the listed lot to be excised.

It is considered that the overall proposal:

- a) does not protect and enhance the historic cultural heritage significance of the local heritage place.
 - b) does not encourage and facilitate the continued use of the item for beneficial purposes.
 - c) does not discourage the deterioration, demolition or removal of buildings.
 - d) is not to be undertaken in a manner that does not detract from, the cultural significance of the land, building or its setting.
 - e) N/A. The proposal does not include a change of use.
-

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

E13.5 Use Standards

E13.5.1 Alternative Use of heritage buildings

Objective
To ensure that the use of heritage buildings provides for their conservation.
Consistent There is no change proposed to the use of the heritage building.
A1 No acceptable solution
Does Not Comply As there is no acceptable solution the proposal must be assessed against the relevant performance criteria, and the purpose of the code.

E13.6 Development Standards

E13.6.2 Subdivision and development density

Objective
To ensure that subdivision and development density does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.
Consistent The proposed subdivision is not considered to impact on the historic heritage significance of local heritage place.
A1 No acceptable solution.
Does Not Comply As there is no acceptable solution the proposal must be assessed against the relevant performance criteria, and the purpose of the code.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

P1 Subdivision must:

- a) be consistent with and reflect the historic development pattern of the precinct or area; and
- b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and
- c) not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and
- d) not require the removal of vegetation, significant trees or garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and
- e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Does Not Comply

- a) Complies. While the proposed subdivision does not result in a lot size or pattern which is entirely consistent with, or reflective of, the historic development pattern of the area, this pattern has been significantly varied over the years and the proposal may now be considered not to be in conflict with the surrounding pattern and density of development.
 - b) Does not comply. The proposed subdivision is intended to facilitate the construction of a building and subsequently a building pattern which is considered to be unsympathetic to the character and layout of buildings and lots in the area.
 - c) Complies. The proposal does not result in the separation of building or structures from their original context where this is considered to lead to a loss of historic heritage significance.
 - d) Complies. The proposal does not require the removal of vegetation or significant trees from a garden setting which is considered to be detrimental to conserving the historic heritage significance of the place.
 - e) N/A. The site is not located within an identified heritage precinct.
-

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

E13.6.3 Site Cover

Objective

To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.

Consistent

The proposed site coverage is considered not to be in conflict with the historic heritage significance of the local heritage place.

A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in TableE13.1: Heritage Precincts, if any.

Does Not Comply

The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.

P1 The site coverage must:

- a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and
- b) not detract from meeting the management objectives of a precinct identified in TableE13.1: Heritage Precincts, if any.

Complies

- a) The proposed change to site coverage is considerable, however in this inner suburban residential area, neighbouring a commercial area, the site coverage alone is not considered to be inappropriate to maintaining the character and appearance of the building and the appearance of adjacent buildings and the area.
- b) N/A. The site is not located within an identified heritage precinct.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

E13.6.4 Height and Bulk of Buildings

Objective

To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Not Consistent

The proposed structure is of a relatively large scale and is not considered to be consistent with the historic heritage significance of the local heritage place.

A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in TableE13.1: Heritage Precincts, if any.

Does Not Comply

The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.

P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and

P1.2 Extensions proposed to the front or sides of an existing building must not detract from the heritage significance of the building; and

P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of an precinct identified in TableE13.1: Heritage Precincts, if any.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

Does Not Comply

P1.1 The height and bulk of the proposed building is considered to have the capacity to adversely affect the perceived importance, character and appearance of the listed building and place, and the appearance of adjacent buildings. The proposed shed is higher than the listed dwelling and will be visible from many surrounding properties and streets identified as being of valued heritage character, as documented as part of the Galvin Street Precinct in the Launceston Heritage Study 2007. The management policy proposed to conserve the significance and heritage values of this precinct and to provide for new development that is commensurate with that significance includes the following statement.

7. Where infill buildings are proposed, material selections and forms should relate to the predominant streetscape pattern. Replication of historic forms is not encouraged in new work, however new designs must demonstrate a scale, form and materials relationship to the precinct.

There is an existing large commercial development to the south-west of the subject properties, however this is much further removed from the listed building and the North Street frontage, and there does not appear to be sufficient justification for a workshop and storage shed of the scale and purpose proposed by this application in the rear yard of a dwelling in this dense urban residential location.

P1.2 N/A. There are no extensions proposed to the front or sides of the existing building.

P1.3 N/A. The site is not located within an identified heritage precinct.

E13.6.5 Fences

Objective

To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of, local heritage places and the ability to achieve management objectives within identified heritage precincts.

Consistent

The only fences proposed are rear and side boundary fences which are not considered to detract from the historic heritage significance of the local heritage place.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

<p>A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in TableE13.1: Heritage Precincts, if any.</p>
<p>Does Not Comply The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.</p>
<p>P1 New fences must:</p> <ul style="list-style-type: none"> a) be designed to be complementary to the architectural style of the dominant buildings on the site or b) be consistent with the dominant fencing style in the heritage precinct; and c) not detract from meeting the management objectives of an precinct identified in TableE13.1: Heritage Precincts, if any.
<p>Complies</p> <ul style="list-style-type: none"> a) Complies. As side and rear fences only, the timber palings proposed are considered to be appropriate and not uncomplimentary to the architectural style of the dominant buildings on the site. b) Complies. As side and rear fences only, the timber palings proposed are considered to be consistent with the dominant fencing style in the area. c) N/A. The site is not located within an identified heritage precinct.

E13.6.6 Roof Form and Materials

<p>Objective</p> <p>To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>
<p>Consistent</p> <p>The proposed roof form and materials are considered to be designed to be somewhat sympathetic to, and not to detract from the historic heritage significance of the local heritage place.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

<p>A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in TableE13.1: Heritage Precincts, if any.</p>
<p>Does Not Comply The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.</p>
<p>P1 Roof form and materials for new buildings and structures must:</p> <ul style="list-style-type: none"> a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and b) not detract from meeting the management objectives of a precinct identified in TableE13.1: Heritage Precincts, if any.
<p>Complies</p> <ul style="list-style-type: none"> a) While differing in form from the existing roof forms surrounding the site, the proposed roof for the new shed appears to be intended to minimise the perceived scale of the large shed structure, and thus, at least in part, to be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the subject sites. Only the central bay has been raised to provide for cover over the mezzanine level and the Colorbond steel roof sheeting specified is consistent with that used elsewhere on the site. b) N/A. The site is not located within an identified heritage precinct.

E13.6.7 Wall materials

<p>Objective</p> <p>To ensure that wall materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>
<p>Consistent</p> <p>The proposed wall materials are considered to be designed to be sympathetic to, and not to detract from the historic heritage significance of the local heritage place.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

<p>A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in TableE13.1: Heritage Precincts, if any.</p>
<p>Does Not Comply The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.</p>
<p>P1 Wall material for new buildings and structures must:</p> <ul style="list-style-type: none"> a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in TableE13.1: Heritage Precincts, if any.
<p>Complies</p> <ul style="list-style-type: none"> a) The wall material proposed is cement sheeting with a weatherboard profile which has clearly been proposed to attempt to fit the character of the area. Though not authentic weatherboards, the intent is appreciated on such a large scale outbuilding, and when viewed from a distance, this material is not considered to be un complementary to wall materials of the dominant building on the site. b) N/A. The site is not located within an identified heritage precinct.

E13.6.9 Outbuildings and Structures

<p>Objective</p> <p>To ensure that the siting of outbuildings and structures does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>
<p>Consistent</p> <p>On its own, the proposed siting of the outbuilding is not considered to detract from the historic heritage significance of the local heritage place. It is only when paired with scale, form and use that the siting becomes an issue in this case.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

<p>A1 Outbuildings and structures must be:</p> <ul style="list-style-type: none"> a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.
<p>Does Not Comply</p> <ul style="list-style-type: none"> a) Complies. The proposed outbuilding is set back an equal or greater distance from the principal frontage than the principal buildings on the site. b) Does not comply. The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.
<p>Complies</p> <ul style="list-style-type: none"> a) The proposed outbuilding is not considered to be designed and located to be subservient to the primary buildings on the site. The siting to the rear of the site is positive, however the scale and form of the structure in such close proximity to the small, single storey listed dwelling is considered to have the capacity to detract from the historic heritage significance of the local heritage place. b) N/A. The site is not located within an identified heritage precinct.

E13.6.10 Access Strips and Parking

<p>Objective</p> <p>To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>
<p>Consistent</p> <p>The access and parking on 21 West Street largely exists and is not considered to detract from the historic heritage significance of local heritage place.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	<p>Conditions were applied by Infrastructure Services. However, due to the refusal no conditions have been included within the recommendation.</p> <ul style="list-style-type: none"> • Damage to Council Infrastructure • Filling of land • Works within/occupation of the Road Reserve • Basic - Soil and Water Management Plan • Construction of retaining walls
Environmental Health	<p>Conditions were applied by Environmental Health Services. However, due to the refusal no conditions have been included within the recommendation.</p> <ul style="list-style-type: none"> • Amenity • Demolition
Parks and Recreation	No referral required.
Heritage/Urban Design	Assessment of the application against the Local Historic Heritage Code has been completed by the Heritage/Urban Design officer.
Building and Plumbing	Standard notes were applied by Building Services. However, due to the refusal no notes have been included within the recommendation.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

EXTERNAL	
TasWater	TasWater has issued an exemption with no conditions in Development Certificate of Consent TWDA2014/00702-LCC.
DIER	No referral required.
TasFire	No referral required.
Tas Heritage Council	<p>The Tasmanian Heritage Council have approved the proposal in Notice of Heritage Decision (THC Application No. 4551) dated 24 October 2014. If the application is approved the following condition must be attached to the permit:</p> <p><i>1. The colour(s) and finish(es) of the new building be subdued and complementary to the adjacent heritage buildings.</i></p> <p><u>Reason for condition</u> To minimise the prominence of the new building in the streetscape and ensure that it does not detract from the setting and appearance of adjacent heritage places.</p> <p><u>Advice</u> It is recommended that the new building be detailed in a manner that uses traditional barge, fascia and gutter profiles to match the appearance and character of adjacent heritage places.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

REFERRAL	COMMENTS
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 4 October 2014 to 20 October 2014. Three (3) representations were received.

ISSUE	COMMENTS
Purchased an investment property in North Street 12 months ago with the intention to rent to hospital staff and also live in the area. Since purchasing the property have witnessed and received many complaints regarding the number of vehicles coming and going from 21 West Street at all hours, disturbing the peaceful enjoyment of the area. This is of great concern as my intention is to rent to professionals and disturbance could lead to extended vacancy and shorter lease terms.	Comment noted. House values/rental market are not directly relevant under the Launceston Interim Planning Scheme 2012 (the Scheme), however amenity issues are addressed in the body of this report.

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

ISSUE	COMMENTS
<p>Believe that the application to develop an excessively large workshop/shed will encourage to applicant to house even more vehicles and work on them for longer periods of time into the night as there will be access to power and lights. The applicant currently has several run down vehicles taking up the full block of his North Street residence, driveway in West Street and several of the limited on street parking bays, meaning other residents have no parking available for visitors.</p>	<p>The intended use of the proposed outbuilding is of concern, as discussed in the body of this report. The use of on street parking is not regulated by the Scheme.</p>
<p>I have witnessed and had complaints that the applicant works mechanically on the vehicles in the street and his driveway to all hours under torch lights. While having a shed for the purpose of working on and housing vehicles and tools may seem a good idea, I fear it will only encourage more of the same. The applicant has substantially more off street parking than the majority of neighbouring homes but he still takes up 4-5 on street spaces plus an overgrown block full on them.</p>	<p>Amenity issues have been addressed in the body of this report. Existing issues have been referred to the Environmental Services department for consideration.</p>
<p>In my view the applicant has no regard for the neighbours right to enjoy peace in their own homes. If he were to work on the vehicles at sensible times and make allowance for others to park in the street, this may have led to more support of his proposed development.</p>	<p>Amenity issues have been addressed in the body of this report. Existing issues have been referred to the Environmental Services department for consideration.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

ISSUE	COMMENTS
<p>I am a local property investor and have a number of residential and commercial properties in Launceston. I have never objected to any development before as I support high density living and diversity, however Council should also consider the overall impact and aesthetics of such a large structure amongst heritage listed homes in a compact residential area. The size of the proposed shed is more suitable to an industrial site or rural block.</p>	<p>Comment noted. The scale of the proposed outbuilding is of concern and is discussed further in the assessment sections of this report.</p>
<p>I am also concerned about the change to the titles (subdivision) as I believe this will increase the traffic flow to West Street which is already a problem to residents with hospital staff taking up parking and coming and going.</p>	<p>Comment noted.</p>
<p>The applicant also has several young men who assist him in working on vehicles who also bring more traffic into the area, take up parking and create more noise.</p>	<p>Comment noted. Amenity issues are addressed in the body of this report.</p>
<p>Objects to the proposed development of a substantial workshop and subdivision. Have only resided in the area for a short time and have witnessed constant traffic flow and mechanical repairs being carried out on the applicant's vehicles and others.</p>	<p>Comment noted.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

ISSUE	COMMENTS
<p>On two occasions already have needed to approach the applicant to address the constant noise and disturbance caused by working on cars throughout the day and into the night with complete disregard for neighbours. My residence is double glazed and insulated and the noise of tuning cars and voices of those working on them is still audible in living and bedroom spaces until late at night.</p>	<p>Amenity issues are addressed in the body of this report.</p>
<p>My main concern is that the proposed workshop and installation of a commercial mechanics hoist will exacerbate the flow of traffic in and out of this driveway and enable even greater scope to conduct mechanical repairs at the property and increase the disturbance to neighbours.</p>	<p>The nature of the use of the proposed outbuilding is of concern given the size and existing situation on the site.</p>
<p>The proposal is inappropriate in terms of scale and size within its immediate environment as well as conflicting visually with the neighbouring heritage listed properties and is not suited to this high density neighbourhood. I understand the applicant's desire for garaging, however the proposal is inappropriate for the surroundings and a smaller domestic sized single storey garage on one of the existing titles would be more appropriate.</p>	<p>Comment is supported. The proposed outbuilding is of a scale that is not in keeping with the existing character.</p>

7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

ISSUE	COMMENTS
<p>The current activities and proposed development are not conducive with the type of inner city living that we should be able to enjoy in West Street.</p>	<p>Comment noted. Amenity issues are addressed in the body of this report.</p>
<p>Objects to the development. Main concern is the noise and mess that detracts from the peaceful and attractive ambience of this small and sought after location.</p>	<p>Comment noted. Amenity issues are addressed in the body of this report.</p>
<p>I would like to challenge some of the points raised in the application. The shed being sought for approval is large but not large enough to fit his large boat(s) and his many cars. It also talks of needing cover to restore the cars, which is a large stretch of the imagination to consider any of the cars as being restorable. He just keeps buying more old junky cars.</p>	<p>Comment noted.</p>
<p>Whatever the reason for this development the applicant has irritated most of his neighbours with his recent behaviour. I am worried this project will end up the way most have, half-finished and rotting away while he moves on to some other good idea.</p>	<p>Comment noted.</p>

- 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)**
-

6. CONCLUSION

Following the assessment, it has been determined that the proposal does not comply with the Scheme and it is appropriate to recommend refusal.

ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2012

COUNCIL AGENDA

Monday 10 November 2014

- 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)
-

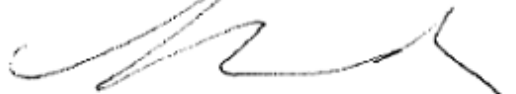
BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Map
 2. Plans to be advertised (circulated separately)
 3. Representations
-



Launceston City Council
A Leader in Community & Government



LOCALITY MAP - DA0326/2014 21 West Street and 14 North Street, South Launceston



Locality Map

Scale: This Map Is Not to Scale

Attachment 3 - Representations

21 West Street and 14 North Street South Launceston (Pages = 3)

For the attention of the General Manager / Planning Manager / Planning Department

Application	DA0326/2014
Address	21 West Street South Launceston TAS 7249
Description	Residential - single dwelling; subdivision and adhesion of title; construction of a new shed
Name of commenter	[REDACTED]
Address of commenter	[REDACTED]

Comment

I would like to object to this application at 21 West Street. My main objection is the noise and the mess that detracts from the peaceful and attractive ambience of this small and very sought after location. [REDACTED]

First of all, I would like to challenge some of the points raised in the applicants letter. This shed being sought for approval is large but not large enough to fit his large boat(s) he talks about and his many cars

Secondly he talks about needing cover for the purpose of restoring these cars. It would need a large stretch of the imagination to consider any of his cars as being restorable. He just keeps buying more and more of these old junky cars, some of them have even been in smashes. He parks many of these cars on the street, most of the time four at a time even though he has plenty of room in the two properties he owns.

He also attracts young men around these cars and together they tinker with these vehicles mostly with the ones on the street and often at night, they bang and rev up the motors until late.

Whatever the reason for this development, Tim has irritated most of his neighbours. with his recent behaviour. This is such a shame. In the past Tim has been a wonderful neighbour always being considerate and helpful. I am worried that this development will end up the way all Tim's projects have, half finished, and rotting away while he moves on to some other good idea...

To the General Manager,
Launceston City Council

█ I write in opposition to the proposed development of a substantial workshop and subdivision of 21 West Street.

█ witnessed constant traffic flow and mechanical repairs being carried out on the applicants own vehicles and others throughout the building process.

█ on two occasions it has been necessary to address the constant noise and disturbance of the applicant and other occupants of the house working on cars throughout the day and late into the night with complete disregard for his neighbours. This is something we were reluctant to do █

According to local residents this has been a long term point of contention with the applicants numerous vehicles (twelve by his own admission) congesting the street where parking is at a premium whilst he has more accessible off street parking than anyone else.

The narrow single driveway access to 21 West Street which is the proposed access to the proposed workshop █ The mechanical work constantly being carried out on the street and at the premises on both the applicants many vehicles and also 'visiting' vehicles is a constant disturbance both audibly and visually.

█, the reverberation from the tuning of cars and voices of those congregating around them █ audible in our living and bedroom spaces often until very late at night.

The occupants and those who regularly frequent the property in their vehicles accelerate to and fro without due regard for the noise they create or the safety of others.

My main concern is that the proposed workshop and installation of a commercial mechanics hoist will exacerbate the flow of traffic in and out of this driveway and enable an even greater scope to conduct mechanical repairs at the property in turn increasing the disturbance to myself and other residents.

It is also my opinion that the proposal is inappropriate in terms of scale and size with its immediate environment as well as conflicting visually with the neighboring Heritage Listed properties and is not suited to this high density neighborhood where we all live in very close proximity to one and other.

Whilst I understand the applicants desire for garaging, and I could never be accused of being anti progress, the current proposal is inappropriate for its surroundings. A smaller 'domestic' sized single storey garage on one of the existing titles would be more palatable.

The current and proposed activities of this development are not conducive with the type of inner city living that we should all be able to enjoy hear in West Street.

Yours sincerely
█

- > To whom it may concern,
- >
- > I am writing to respectfully object to the development application made in respect to 21 West Street, South Launceston DA 0326.
- >
- > [REDACTED] which was purchased over 12 months ago as an investment property, currently tenanted until January 2015. I also live in the area.
- >
- > I purchased this investment with a view to rent the property fully furnished to nursing staff/Doctors from the LGH (given the very close proximity).
- >
- > Since purchasing the property, I have witnessed and received many complaints in relation to the number of vehicles coming and going from 21 West Street at all hours day and night, disturbing the peaceful enjoyment of area. On the basis that it is my intention to rent this property to professionals, naturally this is of great concern to me on the basis that it will likely lead to extended vacancy and shorter lease terms.
- >
- > I believe the application made to develop an excessively large workshop "shed" will encourage the applicant to house even more vehicles and work on them for longer periods of time into the night having access lights and power. The applicant currently has several old/run down vehicles taking up a full block in his North Street residence, his driveways in West Street and several of the limited on street parking bays, meaning residence have no parking available for visitors.
- >
- > I have had complaints and have witnessed that the applicant works mechanically on these vehicles on the street and in his driveway to all hours of the night under torch lights. While it may seem a good idea to allow the applicant to have a shed for the purpose of working on and housing vehicles and tools, based on the current situation I fear this will only encourage more of the same but on a larger scale. The basis of my assumption is that, even though the applicant has substantially more off street parking than the majority of the neighbouring homes, he still takes up 4-5 public spaces in a very small narrow street, plus an overgrown block full of them around the corner.
- >
- > In my view the applicant has no regard for the neighbours right to enjoy peace in their own homes, if he were to work on these vehicles at sensible times and make allowances for others to park in the street, this may have led to more support of his proposed development.
- >
- > I am a local property investor and have a number of residential and commercial developments across Launceston. I have never made an objection to any development as I am very much and advocate for high density living and diversity. however based on my own experience the council should also consider the overall impact and the aesthetics of such a large structure amongst heritage listed homes in a compact residential area. The size of the proposed shed in my opinion is only suited to a industrial site or rural block.
- >
- > I am also concerned about the change in respect to the title. I believe this will increase the traffic flow into West Street which is already a problem to residents with a high number of hospital staff taking up parking and coming and going. The applicant also has several young men who assist him with working on these vehicles who also bring more traffic and take up more parking.
- >
- > In closing I would like to confirm my strong objection to this development and trust the local council will decline the individual request and consider the consequence of a decision to approve the subdivision and structure.
- >
- > Sincerely
- >
- > [REDACTED]
- >
- > Sent from my iPad

COUNCIL AGENDA

Monday 10 November 2014

- 8 ANNOUNCEMENTS BY THE MAYOR
 - 9 ALDERMEN'S/DELEGATES' REPORTS
 - 10 QUESTIONS BY ALDERMEN
-

11 COMMITTEE REPORTS**11.1 Tender Review Committee Meeting - 20 October 2014****FILE NO:** SF0100**AUTHOR:** Raj Pakiarajah (Manager Projects)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council receive the report from the Tender Review Committee meeting held on 20 October 2014.

REPORT:**1. Invermay Park Redevelopment (Design and Construct) - CD.016/2014**

The Tender Review Committee accepted the revised tender submitted by Baker Civil Contracting for the Invermay Park Redevelopment, at a cost of \$1,871,250.00 (excl. GST).

2. Golconda Road (Hextalls Road to Clover Hill Road) Road Asset Upgrade - Stage 2 - CD.021/2014

The Tender Review Committee accepted the tender submitted by Andrew Walter Constructions Pty Ltd for the Golconda Road (Hextalls Road to Clover Hill Road) Road Asset Upgrade - Stage 2, at a cost of \$115,395.95 (excl. GST).

3. Telephone System Replacement - 2014 - CD.013/2014

a) The Tender Review Committee accepted that Aerus (Communications Statewide Pty Ltd) and the ShorTel system for the Telephone System Replacement at an indicative capital cost in the range of \$230,000 to \$250,000 and annual operating (excluding call) costs of \$19,000 (all prices excl. GST).

b) The Tender Review Committee accepted that the recommendation is subject to final negotiation by management of configuration and acceptable pricing.

11.1 Tender Review Committee Meeting - 20 October 2014...(Cont'd)

The Tender Review Panel also agreed that if the final negotiated Capital cost exceeds \$250,000 a further recommendation will be provided to the Tender Review Committee for acceptance.

ECONOMIC IMPACT:

The economic impact has been considered in the development of these projects.

ENVIRONMENTAL IMPACT:

The environmental impact has been considered in the development of these projects.

SOCIAL IMPACT:

The social impact is considered in the development of these projects.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Budget 2014/2015.

BUDGET & FINANCIAL ASPECTS:

The projects are funded in accordance with the approved 2014/2015 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

COUNCIL AGENDA

Monday 10 November 2014

12 COUNCIL WORKSHOPS

Nil

13 PETITIONS

Nil

14 NOTICES OF MOTION - FOR CONSIDERATION

Nil

15 DEVELOPMENT SERVICES

No Reports

16 FACILITIES MANAGEMENT

No Reports

17 QUEEN VICTORIA MUSEUM AND ART GALLERY

No Reports

COUNCIL AGENDA

Monday 10 November 2014

18 INFRASTRUCTURE SERVICES

18.1 Council Fees - Launceston Waste Centre 2014/15

FILE NO: SF6082

AUTHOR: Rachael Eberhardt (Acting Senior Waste Management Officer)

DIRECTOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider disposal fees for the Launceston Waste Centre and pensioner concession entries between 1 January 2015 to 30 June 2015.

PREVIOUS COUNCIL CONSIDERATION:

Council Item 17.2 - 9 December 2013

Approval of landfill and transfer station fees to achieve full cost recovery and approval of final design and construction of the resale shop and recycling centre.

SPPC Workshop - 18 November 2013

Further discussion, questions and answers on:

- sustainable waste fee review
- resale shop and recycling centre operator
- construction of resale shop and recycling centre
- peer review undertaken by Resource Recovery Australia.

SPPC Workshop - 7 October 2013

Briefing on the status of the:

- sustainable waste fee review
 - resale shop and recycling centre operator
 - construction of resale shop and recycling centre.
-

18.1 Council Fees - Launceston Waste Centre 2014/15...(Cont'd)

RECOMMENDATION:

1. That Council set the following fees under Section 205 of the Local Government Act 1993. The new fees will apply for 1 January 2015 through to ending of financial year 30 June 2015.

Details	GST Status	2014/15 GST Inclusive
Launceston Waste Transfer Station		
Domestic Entry - (\$10 minimum charge (0.185t)) per tonne Car/Wagon/Dual cab ute/Ute/Van/Single axle trailer/Tandem axle trailer/small truck (up to 3.0 T GVM) Includes Regional Waste Levy of \$5.00 per tonne or part thereof. The Levy is exempt from GST. GST is included in the remainder of the waste disposal charge. (Domestic Entry - means service provided at waste transfer station for non-commercial users and where ≤ 0.75 tonnes)	Mixed	\$54.00
Refrigerators/air conditioners - (\$10 minimum charge (0.185t)) per tonne Includes Regional Waste Levy of \$5.00 per tonne or part thereof. The Levy is exempt from GST. GST is included in the remainder of the waste disposal charge.	Mixed	\$54.00
Mattress Disposal (All mattress sizes) Includes \$0.90 Regional Waste Levy. The Levy is exempt from GST. GST is included in the remainder of the waste disposal charge.	Mixed	\$10.00

2. That Council provide 6 tickets per pensioner for the period 1 January 2015 to 30 June 2015 distributed in accordance with 12-PI-014 Concessional Entry to Council's Waste Disposal Facilities Policy. Each ticket is for Domestic Entry valued at the \$10 minimum fee or the equivalent weight of 185kg (or part thereof).

18.1 Council Fees - Launceston Waste Centre 2014/15...(Cont'd)

REPORT:

Previous Council Decision

At the Council meeting on 9 December 2013, Council approved that a disposal rate of \$88 a tonne (including GST and excluding a carbon price) is applied to the Launceston Waste Centre (both the transfer station and landfill) for disposal of waste, with a minimum charge of \$10 per entry. The disposal rate (including CPI increases) will be implemented incrementally to apply in full in:

- 2016/17 for commercial customers and for domestic customers at the waste transfer station where weight ≥ 0.75 tonne
- 2022/23 for domestic customers at the waste transfer station (i.e. full cost transition over eight years for domestic customers)

From 1 January 2015 the Launceston Waste Centre will be operating under a weight based charging policy. This means that all users must now pay fees based on the weight of the waste they are disposing.

The new weight based charges will also result in the current vehicle type pensioner concession tickets no longer being valid. A new method of determining an appropriate value and a new system for providing pensioner concessions must be implemented.

The new fee structure for weight based charging for all vehicles disposing of waste at the transfer station or landfill will commence on 1 January 2015 as per Table 1 and Table 2 below:

Table 1: Fee Structure as of 1 January 2015

Facility	Current (\$/tonne)	Ultimately proposed (\$/tonne)	Amount increase (%)	Years increase implemented	Annual increase (\$)
Transfer Station	54	88	63	8	4.20
Landfill	75.5	88	16	2	6.00

18.1 Council Fees - Launceston Waste Centre 2014/15...(Cont'd)

Table 2: Annual Fee Increase over the Implementation Period *¹

Year	Transfer station (\$/tonne) GST Inclusive	Landfill (\$/tonne) GST Inclusive
13/14	54.00	75.50
14/15	54.00	75.50
Year 1 (15/16)	58.25	81.75
Year 2 (16/17)	62.50	88.00
Year 3 (17/18)	66.75	
Year 4 (18/19)	71.00	
Year 5 (19/20)	75.25	
Year 6 (20/21)	79.50	
Year 7 (21/22)	83.75	
Year 8 (22/23)	88.00	

*¹ Rate to also include CPI increases

The current vehicle charge will no longer apply after 31 December 2014 when the weight-base charging of \$54.00 per tonne commences for all domestic entries. Lilydale and Nunamara Waste Transfer Stations will remain as vehicle type base charging given weight base charging is uneconomical to implement.

Please note that fees for commercial entries will remain the same for the remainder of this financial year.

Under the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*, the Council has an obligation to ensure that all refrigerators and air conditioners are degassed of harmful refrigerants prior to recycling/disposal. The Council currently employs and pays for a contractor to undertake the degassing with no costs being passed on to the customer. This report proposes a charge for the handling and degassing of refrigerators the same as the domestic disposal rate.

Mattresses have previously been disposed to landfill with no charge causing operational issues with landfill compaction. The new recycling operations at the LWC now provide the opportunity to strip mattresses and recycle the components. The fee recommended in this report is to cover the cost of the mattress stripping and recycling.

18.1 Council Fees - Launceston Waste Centre 2014/15...(Cont'd)

Pensioner concession

In the 2013/14 financial year 7,000 booklets consisting of 12 tickets each or 84,000 individual tickets in total were distributed to pensioners. Each individual ticket provided free entry for one domestic vehicle (car/wagon) to the Launceston Waste Centre. The standard cost of entry for a car/wagon is currently \$8.00 including GST. 84,000 tickets would be worth \$672,000 including GST for a full year with the actual amount presented totalling \$217,415.

This financial year (14/15) pensioners were provided with a book of 6 tickets to the value of one car/wagon entry per ticket with use valid until 31 December 2014. After this time the ticket will become invalid.

For the remainder of this financial year it is recommended that books of 6 tickets will be provided per pensioner for the period 1 January 2015 to 30 June 2015. Each ticket is valued at the \$10 minimum fee or the equivalent weight of 185kg (or part thereof).

The period of 1 January 2015 to 30 June 2015 would equate to \$420,000 if all pensioner concession tickets are redeemed which is \$84,000 more than 1 July 2014 to 31 December 2014.

This concessional entry for pensioners allows them to dispose of 1.1 tonnes per person in the six month period in addition to a hard waste collection and a free entry day.

Council officers have undertaken research obtaining data from the Australian Bureau of Statistics, waste data from other jurisdictions and waste data from the Launceston municipality. The results demonstrated the average quantity of waste generated per Australian household per year is 1.6 tonnes. Of this 1.6 tonnes per household, in Launceston 0.75 tonnes per household is processed through the current kerbside collections. This leaves 0.85 tonnes of waste material per household to be processed through an alternative system, such as the waste transfer stations. Council are providing pensioners 2.2 tonnes allowance to the waste transfer station.

A further report will be provided to the Council in the new year to present a comprehensive review of all concessional entries into the Launceston Waste Centre including the hard waste collection, the two free entry days and pensioner concessions.

18.1 Council Fees - Launceston Waste Centre 2014/15...(Cont'd)

ECONOMIC IMPACT:

The net economic impact to the community is considered to be positive:

- by moving to a weight base as charges will be user pays
- as the operations of the LWC (and associated transfer stations) will be financially sustainable.

ENVIRONMENTAL IMPACT:

The extent to which some fee changes impact behaviour through reduction in waste disposal is likely to have a positive environmental impact.

SOCIAL IMPACT:

There is the potential to have some impact on household's budgets but this is considered to be marginal given the spread of the impact of fees across the broader community. It will also ensure that the public will utilise the free recycling centre opportunities prior to paying to dispose of residual waste.

STRATEGIC DOCUMENT REFERENCE:

Priority Area 5: Governance Services

Goal: Engaging our community and delivering responsible management.

5.4: Ensure the City is managed in a financially sustainable manner.

BUDGET & FINANCIAL ASPECTS:

The Launceston Waste Centre currently generates around \$5 million (exc GST) in revenue a year, which will need to increase to \$6.8 million (exc GST) to allow the service to be financially sustainable.

The desired fee to achieve financial sustainability is \$88/t (inc GST). To achieve a fee of \$88/tonne Council resolved to implement the increase over eight years for domestic customers at the transfer station otherwise over two financial years.

Director Corporate Services and Manager Finance have been consulted in the preparation of this item.

18.1 Council Fees - Launceston Waste Centre 2014/15...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Harry Galea: Director Infrastructure Services

18.2 Council Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001)**FILE NO:** SF0762**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider the scheduled review of Council's Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001).

PREVIOUS COUNCIL CONSIDERATION:

Item 13.2 Council - 5 September 2005

RECOMMENDATION:

That Council's existing Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001) be reaffirmed as set out below with minor changes as underlined in the definitions.

Contribution to Boundary Fences (Non Road Reserves) Policy:***PURPOSE:***

To define under what circumstances Council will contribute to the construction or repair of boundary fences adjoining Council property.

SCOPE:

All side boundaries adjoining Council owned property. Does not apply to fence boundaries adjoining a road as defined in the Boundary Fences Act 1908.

POLICY:

1. Council will contribute to the replacement and/or repair of common boundary fencing up to the extent of one half of the ruling rate per metre for the construction of a 3 rail 1.5 metre high timber paling fence with galvanised iron posts set in concrete.
 2. If a fence of a lesser standard is required the level of contribution will be equal to half the costs of construction.
-

18.2 Council Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001)...(Cont'd)

3. If a fence of a higher standard is required the level of contribution will not exceed half the set ruling rate per metre for a 1.5 metre fence described in 1 above.
4. Council will not retrospectively pay for boundary fencing work.
5. No contribution will be made:
 - a) Where the fence bounds a road as defined in the Boundary Fences Act 1908.
 - b) Where the fence is in sound condition (as determined by an Accredited Building Practitioner) but the owner wishes to upgrade it or alter its style.
 - c) Where the negligent actions of the owner/occupier have caused unnecessary damage to the fence.
6.
 - a) Where the Council requires a fence type higher than 1.5 metres for amenity reasons Council will pay the difference between the standard set ruling rate for a 1.5 metre fence and the higher fence.
 - b) Where the land owner and Council agree that a best solution is a fence higher than 1.5 metres then the cost will be shared equally.
7. Where a fence is required as a result of any new roads being formed by Council the cost of this work shall be borne fully by Council.

PRINCIPLES:

The Council's Organisation Values apply to all activities.

RELATED POLICIES & PROCEDURES:

N/A.

RELATED LEGISLATION:

Boundary Fences Act 1908.

REFERENCES:

N/A.

DEFINITIONS:

Ruling rate per metre is to be calculated by the Manager Parks and Recreation every second financial year by averaging quotations from 3 contractors.

18.2 Council Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001)...(Cont'd)

REVIEW:

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council approval.

REPORT:

The Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001) has been reviewed with a minor change as underlined.

ECONOMIC IMPACT:

N/A

ENVIRONMENTAL IMPACT:

N/A

SOCIAL IMPACT:

N/A

STRATEGIC DOCUMENT REFERENCE:

N/A

BUDGET & FINANCIAL ASPECTS:

N/A

18.2 Council Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001)...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Harry Galea: Director Infrastructure Services

19 CORPORATE SERVICES

No Reports

COUNCIL AGENDA

Monday 10 November 2014

20 GENERAL MANAGER

20.1 Council Meeting Frequency & Commencement Times 2015

FILE NO: SF0095

AUTHOR: Leisa Hilkmann (Committee Clerk / Administration Officer)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider and endorse the commencement times and dates for the ordinary Council and Strategic Planning & Policy Committee meetings for the remainder of 2014 and 2015.

Pursuant to regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2005*, this decision requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

Item 17.3 - Council - 19 November 2007

Item 17.2 - Council - 30 November 2009

Item 18.2 - Council - 13 December 2010

Item 18.1 - Council - 14 November 2011

RECOMMENDATION:

That Council consider and endorse the 2014 (remainder) and 2015 meeting schedule for ordinary Council and Strategic Policy and Planning Committee (SPPC) meetings, as follows:

1. ordinary Council meetings to occur on the second and fourth Monday of each calendar month (or Tuesday in the case of a public holiday), commencing at 1.00pm
 2. Strategic Planning & Policy Committee Meetings be held on the first and third Monday of each month (or Tuesday in the case of a public holiday), excluding January, commencing at 10.00am
 3. the final ordinary Council meeting for 2014 be held on 8 December 2014, recommencing on Tuesday 27 January 2015 (following the Australia Day public holiday).
-
-

20.1 Council Meeting Frequency & Commencement Times 2015...(Cont'd)

REPORT:

Regulation 6 of the *Local Government (Meeting Procedures) Regulations 2005* states:

(1) A meeting is not to start before 5.00pm unless otherwise determined by the council by absolute majority or by the council committee by simple majority.

(2) After each ordinary election, a council and a council committee are to review the times of commencement of meetings.

The proposed commencement time for ordinary meetings of Council is 1pm. The proposed commencement time for SPPC meetings is 10am.

The meeting schedules for the remainder of 2014 and for 2015 are provided at Attachments 1 and 2.

Both Council and SPPC meetings are open to the public (excluding closed items). In order to facilitate further public engagement with ordinary Council meetings, they are audio-streamed live via Council's web page. In accordance with regulation 33(1) of the *Local Government (Meeting Procedures) Regulations 2005*, recordings of Council meetings are also kept on record.

The commencement of previous ordinary Council meetings at 1pm and previous SPPC meetings at 10am takes into consideration various factors, including:

- improved public access to meetings via live audio-streaming and availability of audio recordings of meetings
- readily available agendas and minutes via the Council website
- staff availability after-hours
- security, after hours parking and safety
- availability of IT support for live streaming and minuting
- facilitating catering requirements and associated expenses.

The current Council Meetings Policy (Frequency & Commencement Time) 14-PI-001 is provided at Attachment 3. This policy will be subsequently updated following the consideration of the schedule of meetings for 2014 (remainder) and 2015.

ECONOMIC IMPACT:

N/A

20.1 Council Meeting Frequency & Commencement Times 2015...(Cont'd)

ENVIRONMENTAL IMPACT:

N/A

SOCIAL IMPACT:

Council and SPPC meetings are open to the public.

STRATEGIC DOCUMENT REFERENCE:

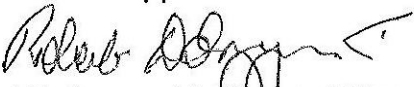
Regulation 6, *Local Government (Meeting Procedures) Regulations 2005*
Council Priority Area 5: Governance Services

BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

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


Robert Dobrzynski: General Manager

ATTACHMENTS:

1. Draft 2014 Council and SPPC meeting schedule (remainder of 2014 meetings) - 1 page
 2. Draft 2015 Meeting Schedule - 2 pages
 3. 14-PI-001 Council Meetings Policy (Frequency & Commencement Time) - 2 pages
-

ATTACHMENT 1

Meeting Schedule for the remainder of 2014

NOVEMBER			
Monday 3 November - PUBLIC HOLIDAY - Recreation Day			
Tuesday	4 November	Strategic Policy & Planning Committee	10.00am
Monday	10 November	Council	1.00pm
Monday	17 November	Strategic Policy & Planning Committee	10.00am
Monday	24 November	Council	1.00pm
DECEMBER			
Monday	1 December	Strategic Policy & Planning Committee	10.00am
Monday	1 December	AGM	6.30pm
Monday	8 December	Council	1.00pm
Monday	15 December	Strategic Policy & Planning Committee	10.00am

ATTACHMENT 2

2015 Meeting Schedule

DAY	DATE	MEETING	TIME
Council in recess from 9 December 2014 to 26 January 2015			
JANUARY			
Monday 26 January - PUBLIC HOLIDAY - Australia Day			
Tuesday	27 January	Council	1.00pm
FEBRUARY			
Monday	2 February	Strategic Policy & Planning Committee	10.00am
Monday	9 February	Council	1.00pm
Monday	16 February	Strategic Policy & Planning Committee	10.00am
Monday	23 February	Council	1.00pm
MARCH			
Monday 9 March - PUBLIC HOLIDAY - 8 Hours Day			
Monday	2 March	Strategic Policy & Planning Committee	10.00am
Tuesday	10 March	Council	1.00pm
Monday	16 March	Strategic Policy & Planning Committee	10.00am
Monday	23 March	Council	1.00pm
Monday	30 March	NO MEETING	
APRIL			
Friday 3 April to Tuesday 7 April - PUBLIC HOLIDAY - Easter			
Monday	6 April	Strategic Policy & Planning Committee	10.00am
Monday	13 April	Council	1.00pm
Wednesday	20 April	Strategic Policy & Planning Committee	10.00am
Monday	27 April	Council	1.00pm
MAY			
Monday	4 May	Strategic Policy & Planning Committee	10.00am
Monday	11 May	Council	1.00pm
Monday	18 May	Strategic Policy & Planning Committee	10.00am
Monday	25 May	Council	1.00pm
JUNE			
Monday 8 June - PUBLIC HOLIDAY - Queen's Birthday			
Monday	1 June	Strategic Policy & Planning Committee	10.00am
Tuesday	9 June	Council	1.00pm
Monday	15 June	Strategic Policy & Planning Committee	10.00am
Monday	22 June	Council	1.00pm
Monday	29 June	NO MEETING	

JULY			
Monday	6 July	Strategic Policy & Planning Committee	10.00am
Monday	13 July	Council	1.00pm
Monday	20 July	Strategic Policy & Planning Committee	10.00am
Monday	27 July	Council	1.00pm
AUGUST			
Monday	3 August	Strategic Policy & Planning Committee	10.00am
Monday	10 August	Council	1.00pm
Monday	17 August	Strategic Policy & Planning Committee	10.00am
Monday	24 August	Council	1.00pm
Monday	31 August	NO MEETING	
SEPTEMBER			
Monday	7 September	Strategic Policy & Planning Committee	10.00am
Monday	14 September	Council	1.00pm
Monday	21 September	Strategic Policy & Planning Committee	10.00am
Monday	28 September	Council	1.00pm
OCTOBER			
Thursday 8 October - PUBLIC HOLIDAY - Royal Launceston Show			
Monday	5 October	Strategic Policy & Planning Committee	10.00am
Monday	12 October	Council	1.00pm
Monday	19 October	Strategic Policy & Planning Committee	10.00am
Monday	26 October	Council	1.00pm
NOVEMBER			
Monday 2 November - PUBLIC HOLIDAY - Recreation Day			
Tuesday	3 November	Strategic Policy & Planning Committee	10.00am
Monday	9 November	Council	1.00pm
Monday	16 November	Strategic Policy & Planning Committee	10.00am
Monday	23 November	Council	1.00pm
Monday	30 November	NO MEETING	
DECEMBER			
Monday	7 December	Strategic Policy & Planning Committee	10.00am
Monday	14 December	Council	1.00pm

ATTACHMENT 3

Launceston City Council
Reference No. 14-Plx-001
Version: 14/11/2011
Approved By: Council

Council Meetings Policy (Frequency & Commencement Time)***PURPOSE:***

To set the commencement time and frequency of Council Meetings as required by the Local Government Act 1993 and the Local Government (Meeting Procedures) Regulations 2005.

SCOPE:

This policy applies to ordinary Council Meetings, Strategic Policy and Planning Committee Meetings and the Annual General Meeting.

POLICY:

1. Ordinary Council meetings are held on the second and fourth Monday of each calendar month, excluding January, commencing at 1.00 pm;
2. Council meetings in December are only held on the second Monday;
3. The January Council meeting is held on the last Monday in January;
4. Strategic Policy and Planning Committee meetings are held on the first and third Monday of each calendar month, excluding January, commencing at 10.00 am;
5. Council and Strategic Policy and Planning Committee meetings that clash with a Monday public holiday are held on the following Tuesday;
6. The Annual General Meeting is held on the first Monday of December commencing at 6.30pm.

PRINCIPLES:

The Council's organisational values apply to all activities.

RELATED POLICIES & PROCEDURES:

N/A

RELATED LEGISLATION:

Local Government Act 1993
Local Government (Meeting Procedures) Regulations 2005

REFERENCES:

N/A

DEFINITIONS:

N/A

Launceston City Council
Reference No. 14-Plx-001
Version: 14/11/2011
Approved By: Council

Council Meetings Policy (Frequency & Commencement Time)

REVIEW:

The starting times of meetings will be reviewed after each Council election, in accordance with *Local Government (Meeting Procedures) Regulations 2005*.

This Policy will be reviewed after 4 years.

21 URGENT BUSINESS

Pursuant to regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2005*

22 INFORMATION / MATTERS REQUIRING FURTHER ACTION

23 CLOSED COUNCIL

No Reports

24 MEETING CLOSURE
