



**LAUNCESTON CITY COUNCIL**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 28 JULY 2014**

# LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Monday 28 July 2014

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

Date: 28 July 2014

Time: 1.00 pm

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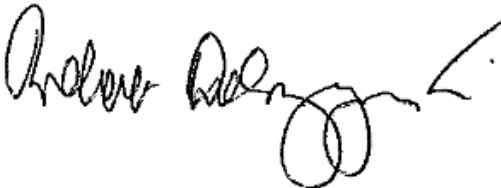
## Section 65 Certificate of Qualified Advice

### Background

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

### Declaration

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



**Robert Dobrzynski**  
General Manager

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# LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

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# LAUNCESTON CITY COUNCIL

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Monday 28 July 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 14 July 2014 be confirmed as a true and correct record.
2. That the Minutes of the meeting of the Launceston City Council held on 14 July 2014 in closed session be confirmed as a true and correct record.

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

<b>Meeting Date &amp; Item No.</b>	<b>Question</b>	<b>Answer</b>	<b>Officer Responsible</b>
14 July 2014  Item 10.1	Ald Gibson asked:  Regarding an advertisement for a Northern Conference and Events person to be appointed by Business Events Tasmania, Tourism Northern Tasmania and Launceston City Council have expressed interest in housing this position. It is understood that funding has been secured and budget allocations made. Has there been any correspondence or discussions regarding this issue thus far and is there potentially and opportunity for this position to be full time?	Response:  Business Events Tasmania has established a new position based in the north, the hours for which was determined by the level of available funding - through its own budget and with contributions from the Meander Valley Council, West Tamar Council and an increased contribution (an additional \$5,000 to \$25,000 in 2014/15) from the Launceston City Council. The CEO of Business Events Tasmania has advised that a decision on where the officer will be accommodated has not been finalised.	Michael Stretton (Director Development Services)

**6 PUBLIC QUESTION TIME**

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

**7 PLANNING AUTHORITY**

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility**

**FILE NO:** DA0213/2014

**AUTHOR:** Claire Fawdry (Town Planner)

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Fred French Nursing Home Inc
Property:	6 Flowers Court, 1 Arundel Street and 9-17 Amy Road, Newstead
Zoning:	Community Purpose
Receipt Date:	26/05/2014
Validity Date:	13/06/2014
Further Information Request:	23/06/2014
Further Information Received:	27/06/2014
Deemed Approval:	28/07/2014
Representations:	2

**PREVIOUS COUNCIL CONSIDERATION:**

DA0036/2012 Demolition - demolish existing units (two buildings); Construction of a building - eight units; Redevelop part of building for use as a community activity centre associated with Retirement Village

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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**RECOMMENDATION:**

That the Council approves DA0213/2014 for Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility at 6 Flowers Court and 1 Arundel Street, Newstead 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. Site Plan Existing prepared by Artas Architects, Drawing No. A612/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 13-06-14;
  - b. Site Plan prepared by Artas Architects, Drawing No. A601/A2, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 16-06-14;
  - c. Part Site Plan prepared by Artas Architects, Drawing No. A600/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - d. Site Demolition Plan prepared by Artas Architects, Drawing No. A613/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 16-06-14;
  - e. Ground Floor Demolition Plan prepared by Artas Architects, Drawing No. A614/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 16-06-14;
  - f. Basement Floor Plan prepared by Artas Architects, Drawing No. A602/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - g. Lower Ground Floor Plan prepared by Artas Architects, Drawing No. A603/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14 (Plan to be Amended);
  - h. Ground Floor Plan prepared by Artas Architects, Drawing No. A604/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
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**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

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- i. Robinson Wing Elevation 1, New Robinson & Wilkinson Wing, Robinson Elevation 2, Wilkinson Wing Elevation 1, Wilkinson Wing Elevation 2, Arundel St Wing South, Arundel St Wing North, Elevation 11 prepared by Artas Architects, Drawing No. A605/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14 (Plan to be Amended);
  - j. Arundel St / Amy Rd Wing Western Elevation prepared by Artas Architects, Drawing No. A606/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - k. Existing Sun Shade Diagrams - March 21st and Proposed Sun Shade Diagrams - March 21st prepared by Artas Architects, Drawing No. A607/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - l. Existing Sun Shade Diagrams - June 21st and Proposed Sun Shade Diagrams - June 21st prepared by Artas Architects, Drawing No. A608/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - m. Existing Sun Shade Diagrams - September 21st and Proposed Sun Shade Diagrams - September 21st prepared by Artas Architects, Drawing No. A609/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - n. Existing Sun Shade Diagrams - December 21st and Proposed Sun Shade Diagrams - December 21st prepared by Artas Architects, Drawing No. A610/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - o. Planning Submission prepared by PDS, Project Name: Alterations and Additions to Existing Nursing Home and Associated Car Parking; Subdivision - Boundary Adjustment and Consolidation; Demolition of Dwelling for Fred French Nursing Home, 9-17 Amy Road and 6 Flowers Court and 1 Arundel Street, Newstead (Artas Architects);
  - p. Traffic Impact Assessment prepared by GHD Pty Ltd, Project Name: Fred French Masonic Nursing Home for Artas Architects, Dated April 2014.
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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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## **AMENDED PLANS REQUIRED**

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager Planning Services to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. External louvers/screening permanently affixed to the three windows on the New Arundel St Wing North Elevation to minimise overlooking and loss of privacy into the private open space of 19 Amy Road.

### Lower Ground Floor Car Parking off Arundel Street:

- b. The supporting columns for the upper level are to be relocated to be in accordance with the requirements of Australian Standard AS2890.1 and particularly Figure 5.1 and Figure 5.2;
- c. Minimum headroom clearance for all undercover parking shall be 2200mm as specified in Clause 5.3 of AS2890.1;
- d. Spaces abutting a wall or obstruction greater than 150mm high are to be increased in width by 300mm, including parking spaces 40, 42 and 45;
- e. Installation of a bollard in the shared space associated with the parking space for persons with a disability, parking space 12, in accordance with AS2890.6;
- f. Widening of the parking spaces 13 and 14 located in the car park off Amy Road to be 2500mm wide as required for User Class 2 parking;
- g. Sufficient space for the manoeuvring of the deliveries vehicles within the areas designated as loading and deliveries and turning bay for the nominated delivery vehicle, demonstrated by the provision of swept paths;
- h. Reconfiguration of the bicycle parking layout to accordance with the requirements of AS2890.3; and
- i. All consequential changes required to facilitate the above requirements.

## **LEGAL TITLE**

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

## **LAPSING OF PERMIT**

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

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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## **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.

## **TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2014/00421-LCC) (Attachment 2).

## **SITE LANDSCAPING**

The landscaping must be:

- a. Installed in accordance with the endorsed plan; and
- b. Completed within 3 months of the use commencing; and
- c. Maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Council.

## **FENCING**

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (i.e. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:

- a. 1.2m within 4.5m of the frontage; and
- b. between 1.8m and 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.

## **ADHESION OF TITLES**

Prior to the issuing of the Occupancy Certificate, or the commencement of the works, Volume 147605 Folio 2 and Volume 13953 Folio 23 must be consolidated into a single title under the *Local Government (Building and Miscellaneous Provisions) Act 1993*. The plan must be certified by the Council and lodged with the Land Titles Office for approval.

## **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.

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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## **WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

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

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

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

The Traffic Management Plan must be prepared in accordance with the relevant Australian Standard, codes of practice and guidelines. A copy of the Traffic Management Plan must be maintained on the site while works are being undertaken and all works must be in accordance with the plan.

## **TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

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

## **VEHICULAR CROSSINGS**

Before the commencement of the use, a new vehicular crossover 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 the Council's Road Assets Department.

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**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

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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.

### **CAR PARKING CONSTRUCTION**

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

- a. Be designed to comply with the following suite of Australian Standards AS 2890.1 Off-street car parking, AS 2890.2 Off-street commercial vehicle facilities, 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 surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers,
- d. Be drained to Councils requirements,
- e. Be line-marked or otherwise delineated to indicate each car space and access lanes,
- f. Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the Planning Authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas;
- g. Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site,
- h. Have a discreetly directional sign of not more than 0.3m<sup>2</sup> 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.

### **EASEMENTS**

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

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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## **SEALING PLANS OF SUBDIVISION**

The Plan of Survey specified in the Permit shall not be sealed until the following matters have been completed to the satisfaction of the Director Infrastructure Services:

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

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

## **DISPOSAL OF GAS CYLINDERS**

Gas cylinders are to be decommissioned by a suitably qualified person in accordance with Workplace Tasmania and AS/NZC 1596:2002.

## **PROPOSED NEW/REFURBISHED KITCHEN**

The new/refurbished kitchen must comply with the Building Code of Australia TAS H102 and AS/NZS 4674 Design, construction and fit out of food premises.

## **COMPRESSORS / MOTORS / FANS**

All compressors / motors / fans associated with the refurbishment must be installed within an area which is so constructed as to prevent noise emissions affecting occupiers of other premises.

Details of any new exhaust structures or mechanical plant and equipment proposed on the exterior of the building must be submitted to and approved by the Manager Planning Services prior to erection. Separate planning approval may be required for new structures which are not shown on the endorsed plans.

## **AMENITY**

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

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- 7.1 **6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
- 

## **DEMOLITION**

The Developer must:

- a. protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary.
- b. not undertake any burning of waste materials on site.
- c. remove all rubbish from the site for disposal at a licensed refuse disposal site.

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

## **Notes**

### 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.*

### 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.*

### General

*This permit was issued based on the proposal documents submitted for DA0213/2014. 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).*

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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*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.*

#### 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) <<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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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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**REPORT:****1. THE PROPOSAL**

The proposal is for the partial demolition of existing buildings to facilitate extensions and additions to the Fred French Nursing Home at 6 Flowers Court, Norwood (and 1 Arundel Street). The proposal also involves consolidation of title and a boundary adjustment. Four new wings are proposed as part of the redevelopment. One dwelling on a separate title at 1 Arundel Street will be demolished to facilitate the development of a new wing which will be for high care residents. This separate title will be consolidated with the balance title as the building will be constructed across the title boundary.

The four new wings are described below:

**Robinson and Wilkinson Wings:**

Partial demolition of the southern buildings which form part of the existing facility will allow for development of the new Robinson and Wilkinson Wings. These wings are single storey and provide access out into private open space areas which will be appropriately landscaped. These two wings extend parallel from the south eastern facade and contain 8 bedrooms per wing (16 collectively) each bedrooms with its own ensuite. The communal lounge room is located within the existing building and services the Robinson, Wilkinson and New (Arundel Street) Wings. Communal sitting/library areas are located at the southern end of each wing. These wings allow for greater sunlight into the bedrooms when compared to the existing curved building facade which is south facing.

**New North Wing:**

A New North Wing is also proposed adjacent to the existing visitor car park off Amy Road. The wing extends from the eastern facade and is double storey. The wing will incorporate visitor car parking on the ground level with 4 bedrooms on the upper level with a sitting/sun room and balcony which faces north east. A communal lounge room forms the connection to the existing building. The frontage setback of this wing is 3.55m. The wing will be setback 12.75m to the south western boundary with 19 Amy Road.

**New Arundel St Wing:**

This wing will be developed in place of the existing dwelling at 1 Arundel Street. The wing will be double storey - similar to the New North Wing with parking on the ground floor and bedrooms on the first floor. The wing will have 13 bedrooms, each with its own ensuite, and a sitting/sun room at the end of the wing facing east.

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The new wings will be clad in FC sheet wall cladding with a paint finish, precast concrete with an exposed finish, aluminium framed windows and Colorbond custom orb roof sheeting and flashings.

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

The site is located on the southern side of Amy Road on a block between Flowers Court and Arundel Street. The Fred French Nursing Home is located closest to Amy Road with the Peace Haven retirement village (unit complex) to the south with a central access road (Ashlar Court) running through the site from Arundel Street to Flowers Court. The subject site is located within the Community Purpose Zone with mainly General Residential zoning in the surrounding streets. The titles on the southern side of Amy Road immediately adjacent to the subject site are zoned Inner Residential with a spot Local Business zoning of a small shopping complex on the corner of Penquite and Amy Roads.

The site is formally described in Certificate of Title Volume 147605 Folio 2 which is the substantive title which the Fred French Nursing Homey operates from (title area of 6272m<sup>2</sup>), Certificate of Title Volume 13953 Folio 23 which is the unit to be demolished for the New Wing (title area of 609m<sup>2</sup>) and Certificate of Title Volume 147605 Folio 1 which is the title for the Peace Haven retirement village (title area of 8750m<sup>2</sup>).

Access to the site is directly off Flowers Court, Amy Road and Arundel Street over sealed crossovers. Amy Road, Flowers Court and Arundel Street are sealed and drained to Council standard. The site is connected to reticulated water, sewer and Council's stormwater infrastructure.

The site rises to the south east from Amy Road and is not mapped as Landslip in the Launceston Interim Planning Scheme 2012 maps, nor is it shown to be class 4 landslip. The closest watercourse is the North Esk River adjacent to the Queechy Lake on the eastern side of Penquite Road which is located some 375m from the site.

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### 3. PLANNING SCHEME REQUIREMENTS

#### 3.1 Zone Purpose

##### 17 - Community Purpose Zone

17.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.

17.1.2 To provide for a range of health, educational, government, cultural and social facilities to serve the function of settlements and local communities.

##### **Consistent**

The proposal is for demolition and construction of additions to an existing aged care facility. The development also includes consolidation of title and a boundary adjustment (refer to proposal plans). The use of the site is most accurately defined as Residential (aged care facility) which is a Discretionary use in the zone. The use is existing on the site and the applicant has advised that the proposed extensions are largely to bring the facility into greater conformity with the relevant standards for aged care facilities.

The Fred French Nursing Home is a key aged care facility in Norwood and the wider Launceston area and the zoning of the site to Community Purpose in the Launceston Interim Planning Scheme 2012 from Particular Use / Closed Residential in the Launceston Planning Scheme 1996 reinforces that the site is an important facility for the municipality.

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

#### 17.3 Use Standards

##### 17.3.1 Zone Character

##### Objective

To ensure that all uses accord with the objectives for the zone or a community facility.

##### **Consistent**

The proposed demolition and extensions to the existing Fred French Nursing Home facility are to an existing Residential (aged care facility) use which has been approved for the site. The use meets the objectives of the zone which is to provide a range of health, educational, government, cultural and social facilities to serve the function of settlements and local communities.

**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

A1 Storage of materials or equipment external to a building must not be visible from the road to which the lot has frontage.
<p><b>Complies</b></p> <p>The New North Wing will be an upper level extension with car park and garden below. The rubbish area, loading dock hoist area and AC plant is to be located in place of where the existing LPG gas enclosure (to be demolished) is currently located. Note that Council's Environmental Services Department has recommended a permit condition to manage the demolition and removal of these gas enclosures.</p> <p>These areas for storage of materials and equipment are located to the south of the undercover car park and new landscaped zone. These areas are sufficiently setback from Amy Road and will be screened by the proposed landscaped zone and the upper level New North Wing to minimise visual impact when viewed from the street.</p>
P1 Storage of materials or equipment does not visually detract from the character of the area.
<b>Not Applicable</b>
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.
<p><b>Complies</b></p> <p>The proposal is for extensions and additions to an existing residential aged care facility. Commercial vehicles which may deliver goods or services for the facility would park on-site within the boundaries of the site.</p>
P2 No performance criteria.
<b>Not Applicable</b>

17.3.2 Amenity

Objective
To ensure that the use of land is not detrimental to the amenity of surrounding residential areas in terms of noise, emissions, operating hours or transport/traffic.
<p><b>Consistent</b></p> <p>The proposed extension to the existing residential aged care facility will not be detrimental to the amenity of the surrounding residential areas in terms of noise, emissions, operating hours or traffic.</p>

- 7.1 **6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

A1 For development within 20.0m of a residential zone, the operating hours of the use must be between 6.00am and 10.00pm.

**Does Not Comply**

The site operates as a residential aged care facility 24 hours a day. Assessment against performance criterion is required.

P1 The operating hours must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement and illumination.

**Complies**

The nature of the use is primarily residential, notwithstanding the additional levels of care provided. The New Wing proposed in place of the existing dwelling to be demolished will provide a high level of care to persons who are largely bedridden. This means that vehicle movements from residents in these rooms will be minimal aside for visitors. The level of illumination from bedrooms would be comparable to that of a residential dwelling and is not anticipated to be an environmental nuisance.

The proposed extensions to the existing facility are not anticipated to increase noise. The relocation of the existing kitchen to the basement level of the existing building to the south east of 19 Amy Road will be used as a reheating facility only and cooking of extensive meals is not proposed.

The compressors for the cool stores etc. are to be located under the new extension in the AC plant room area near the new escape stair. These have been located in this location to minimise noise for residents and neighbouring properties

## 17.4 Development Standards

### 17.4.1 Building Design and Siting

**Objective**

To ensure that the siting and design of development;

- a) protects the amenity of surrounding uses; and
- b) furthers the local area objectives and desired future character statements, if any.

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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**Consistent**

The proposed extensions and additions to the Fred French Nursing Home facility will not adversely impact on the amenity of surrounding residential uses. There are no local area objectives or desired future character statements.

A1 Building height must not exceed 8.0m.

**Does Not Comply**

The New North Wing and New Arundel St Wing have a maximum building height of 12.0m which exceeds the 8.0m height restriction. Assessment against performance criterion is required.

P1.1 Buildings must:

- a) be unobtrusive and must not dominate the character of the surrounding landscape and streetscape; or
- b) respond to the site context and the local area objectives, if any, for the provision of community uses; and

P1.2 Building height must protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate for the use, having regard to:

- a) the form of the building; and
  - b) the contours or slope of the land; and
  - c) existing screening or the ability to implement/establish screening.
-

- 7.1 **6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

**Complies**

The New North Wing and New Arundel St Wing will be of similar building height to the existing Fred French Nursing Home buildings. The Robinson and Wilkinson wings will be single storey. The design, materials and colours proposed have been chosen so that the wings do not dominate the character of the area or be visually intrusive from adjoining properties. Vegetation planting along the boundary between 19 Amy Road and the New Arundel St Wing will provide some screening between the properties and the distance between the back door of the dwelling at 19 Amy Road and their rear boundary is in excess of 15m which contributes to the separation.

Shadow diagrams were provided with the lodgement documentation. Discussions on-site with the representors on 11 July clarified that the New North Wing will result in overshadowing (loss of direct sunlight into a habitable room window which faces north east) for approximately 1 hour on 21 June. Direct sunlight will shine into this window after 10/10:30am until the sun reaches a position to the north when the sun to this window is lost. Sunlight to this window is currently between 9am to 1pm (approx.). The New North Wing will result in a reduction in direct sunlight of 1 hour to this window on 21 June which is not considered to be unreasonable.

Overshadowing from the proposed New Arundel St Wing will not occur due to the orientation of the lots with 19 Amy Road to the north of the New Arundel St Wing.

A2 Buildings must be set back from the frontage a minimum distance of 6.0m or for infill lots, within the range of the front setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 17.4.1 below.

**Does Not Comply**

The proposal involves the demolition of the existing dwelling at 1 Arundel Street. The dwelling has a frontage setback of approximately 5m. The frontage setback required must be calculated on the basis that it is an infill lot (vacant) and the distance must be within the range of the front setbacks of buildings on adjoining lots to maintain the existing streetscape character. The frontage setback distance proposed is 1.7m which is between the frontage setback distances of 19 Amy Road (secondary frontage to Arundel Street) of approximately 1.5m and the frontage setback of unit 1 within the Peace Haven unit complex of approximately 4.5m.

The proposed North Wing has a frontage setback of 3.55m. The existing frontage setback of the buildings to Amy Road is approximately 4m to the north east towards Flowers Court. Given that the lot cannot be considered to be an infill lot, the 6.0m frontage setback distance is required for new development. This cannot be achieved and therefore assessment against performance criterion is required.

**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

P2 Building frontage setbacks must:

- a) be unobtrusive and must not dominate the character of the surrounding landscape and streetscape; or
- b) respond to the site context and the local area objectives, if any, for the provision of community uses.

**Complies**

The New North Wing has a proposed frontage setback to Amy Road of 3.55m. This aligns with the existing frontage setback of the existing buildings on the site. The new wing will not be obtrusive when viewed from the street and will not dominate the character of the surrounding streetscape.

There are no local area objectives for this zone.

A3 Buildings must be set back from the side and rear boundaries a minimum distance of 3.0m.

**Does Not Comply**

The side setback distance of the New North Wing is 12.75m to the western title boundary and meets the acceptable solution A3.

The proposed setback distances of the New Arundel St Wing, New Robinson Wing and New Wilkinson Wing however are less than 3.0m. Assessment against performance criterion is required.

P3 Side and rear building setbacks must:

- a) protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate for the use; and
- b) have regard to:
  - i) the form of the building; and
  - ii) the contours or slope of the land; and
  - iii) existing screening or the ability to implement/establish screening.

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**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

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**Complies**

The New Arundel St Wing has a side setback to its northern boundary (shared with 19 Amy Road) of 1.2m and 1.8m to the south.

Similarly, the new Robinson Wing and Wilkinson Wing will have side setbacks of 2.3m to the southern boundary. The proposed boundary adjustment surrounding the Robinson and Wilkinson Wings will increase the setback distances of these wings to the title boundary compared to the existing title boundary location.

Shadow diagrams were provided by the applicant with the lodgement documentation. Given the orientation of the site, the additional overshadowing as a result of the proposed extensions is minimal to the adjacent site to the south. There will be a degree of overshadowing of units 1 and 2 to the south, however given the slope of Arundel Street and the height of the sun above the horizon on 21 June, this will be similar to the overshadowing which currently occurs. Note that the side setback distance of the New North Wing meets the acceptable solution A3 and does not require assessment against performance criterion (P3).

In relation to overlooking from the windows of the New Arundel St Wing into the private open space of 19 Amy Road, discussions with the applicant have been positive in that the applicant is prepared to add permanently fixed external screening to these windows to a height of 1.7m. The screening will still allow light into the rooms, however direct overlooking and loss of privacy for 19 Amy Road will be minimised. A permit condition requiring amended plans showing the screening has been recommended for inclusion in the Planning Permit.

**17.4.2 Subdivision****Objectives**

- a) To facilitate the establishment and continued use of community facilities at a size and scale appropriate to the needs of the community; and
  - b) To ensure that appropriate road access, wastewater, stormwater, energy and communication services are provided as appropriate for the use; and
  - c) To further the local area objectives and desired future character statements for the area, if any.
-



- 7.1 **6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

<p><b>Consistent</b> The proposal includes a minor boundary adjustment and consolidation of title. The proposal can meet the requirements of the performance criteria for the standard.</p>
<p>A1 No Acceptable Solutions;</p>
<p><b>Does Not Comply</b> Assessment against performance criterion is required.</p>
<p>P1 The subdivision must:</p> <ul style="list-style-type: none"> <li>a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a Council, or</li> <li>b) be a combined application for subdivision and subsequent development and use of the land; and</li> <li>c) facilitate the provision or augmentation of public services, utilities or recreational use; and</li> <li>d) have regard to:             <ul style="list-style-type: none"> <li>i) the topographical or natural features of the site; and</li> <li>ii) the pattern of existing development; and</li> <li>iii) the ability of vegetation to provide buffering; and</li> <li>iv) any features of natural, historical or cultural significance; and</li> <li>v) the presence of any natural hazards; and</li> </ul> </li> <li>e) provide sufficient area and dimension having regard to the:             <ul style="list-style-type: none"> <li>i) nature of the proposed use and development; and</li> <li>ii) need to accommodate vehicles on the lot; and</li> <li>iii) proximity of neighbouring residential development; and</li> </ul> </li> <li>f) provide access and services appropriate to the intended use, and;</li> <li>g) have regard to the local area objectives and desired future character statements, if any.</li> </ul>

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
- 

**Complies**

The consolidation of title and boundary adjustment proposed is necessary due to the demolition of the existing dwelling at 1 Arundel Street and the construction of the New Arundel St Wing over the title boundary and also the redevelopment of the new Wilkinson and Robinson wings to the south which will require a minor adjustment of the existing title boundary. The consolidation of titles and boundary adjustment are proposed as part of the wider additions and extensions to the existing facility and will not adversely impact on existing access arrangements to the site, nor the adjoining residential development on adjacent titles. Permit conditions relating to the consolidation of titles and boundary adjustment have been recommended.

**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 proposed access and parking arrangements for the site as a result of the extensions and additions proposed will not compromise the safety and efficiency of the surrounding road network. A Traffic Impact Assessment was provided with the lodgement documentation and demonstrates compliance with the relevant 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.

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**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

<p><b>Consistent</b> A Traffic Impact Assessment was provided with the lodgement documentation and concludes that the proposal will not result in a detrimental impact on the existing traffic network in the area.</p>
<p>A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.</p>
<p><b>Not Applicable</b></p>
<p>P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.</p>
<p><b>Not Applicable</b></p>
<p>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</p>
<p><b>Does Not Comply</b> The total traffic generation for the site will be approximately 40 vehicles per hour during the morning peak period and 35 vehicles per hour during the evening peak period. Assessment against performance criterion is required.</p>
<p>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.</p>
<p><b>Complies</b> Assessment against performance criteria within the Road and Rail Assets Code triggers the requirement for a Traffic Impact Assessment (TIA) pursuant to clause E4.5.1.  The total development provides up to 56 parking spaces (of which 21 are additional spaces). The total traffic generation for the site following full development will be approximately 40 vehicles per hour during the morning peak period and 35 vehicles per hour during the evening peak period. Given the use of the site as an aged care facility, the Traffic Impact Assessment concluded that the requirement calculated as a residential development is considered excessive; and that the majority of the parking would be by staff and visitors.  The Traffic Impact Assessment concludes that based on staffing numbers and visitors, the proposed development provides sufficient on-site car parking to cater for the anticipated parking demand and there is expected to be little impact on on-street parking in the surrounding road network. Eight bicycle parking spaces and five motorbike parking spaces are also proposed on the site. Two dedicated taxi drop-off and pickup spaces are also proposed. Separate pedestrian access is provided to the site.</p>

- 7.1 **6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

## 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 new access arrangements for the new car parking area which will be located on the ground floor of the New Wing off Arundel Street (and redevelopment of the existing car parking area off Amy Road) will not reduce the safety and efficiency of the existing road network.

A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.

### Complies

The access off Amy Road and Arundel Street provides separate entry and exit driveways for the separate car parking areas.

## 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

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.

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
- 

**Complies**

The TIA suggests that the proposed Arundel Street site access is located approximately 50m from the intersection with Amy Road. Arundel Street is a straight street, with a turning circle located approximately 140m south of the access. Arundel Street is lined with trees, however there is a clear line of sight from the proposed access to the Amy Road junction. Therefore, the available sight distance is considered to comply with the relevant standard.

**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 on-site car parking areas and access arrangements for the site are appropriate to meet the requirements of the standards in the Code. Bicycle, motorbike and taxi parking has also been considered and is proposed on the site. Disabled parking spaces located close to entrances have also been proposed. Pedestrian access to the site is appropriate to meet the requirements of the Code and allow persons to access the site on foot safely.

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- 7.1 **6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

## 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 number of car parking spaces is appropriate to service the use.

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**

Table E6.1 requires the following for residential uses in a zone other than the General Residential Zone:

- 1 vehicle space per bedroom or 2 vehicle spaces per 3 bedrooms + 1 vehicle visitor space for every 5 dwellings; and
- 1 bicycle space per unit or 1 bicycle space per 5 bedrooms in other forms of accommodation.

The existing facility contains 84 existing bedrooms with 22 to be demolished. The new wings will add 40 new bedrooms. This means that the facility will have 102 bedrooms. Pursuant to Table E6.1, 68 vehicle parking spaces would be required on-site (based on 2 spaces per 3 bedrooms). Table E6.1 would also require 21 bicycle parking spaces (based on 1 per 5 bedrooms).

The total development provides 56 on-site vehicle parking spaces (of which 21 are new additional spaces) and 8 bicycle parking spaces. Assessment against performance criterion is required.

**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

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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
  - 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.
-

**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

**Complies**

The proposal provides a total of 56 car parking spaces of which 3 are designed for persons with a disability. The proposal will result in 21 new car parking spaces. Table E6.1 requires 89 parking spaces, therefore a variation of 33 spaces is sought. The Traffic Impact Assessment undertaken for the site demonstrates that the total traffic generation for the site following its full development as proposed, will be approximately 40 vehicle movements per hour during the normal peak period and 35 vehicle movements per hour during the evening periods. The existing use of the site as a residential aged care facility means that the majority of traffic movements will be for staff and visitors as the majority of elderly residents will not be driving on a regular basis. The TIA was reviewed by Council's Infrastructure Assets Department and confirmed to be accurate.

**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**

An appropriate number of bicycle parking are proposed and located on the site the service the use.

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.

**Does Not Comply**

The proposed bicycle parking spaces have been appropriately designed, located and dimensioned to meet the requirements of the standard. However, 8 bicycle parking spaces are proposed when 21 are required by Table E6.1. Assessment against performance criterion is required.

P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:

- a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
- b) location of the site and the distance a cyclist would need to travel to reach the site; and
- c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.



- 7.1 **6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

**Complies**

An appropriate number of bicycle parking spaces is proposed to service the anticipated demand for bicycle parking on the site. Given that staff and visitors are the main people to utilise the car parking areas on the site, 8 bicycle parking spaces is considered to be adequate.

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

**Consistent**

An appropriate number of taxi parking spaces are proposed on the site to service the use.

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**

Two dedicated taxi drop-off and pickup spaces are proposed on the site. Table E6.1 required 68 on-site vehicle parking spaces which triggers the requirements for two taxi spaces which have been proposed to meet the standard.

E6.6.4 Motorbike Parking Provisions

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

**Consistent**

An appropriate number of motorbike parking spaces are proposed on the site to service the use.

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

**Complies**

Five motorbike parking spaces are proposed on the site. Table E6.1 required 68 on-site vehicle parking spaces which triggers the requirements for four parking spaces.

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)

## 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 car parking spaces and access strips will be constructed to an appropriate level to meet the relevant Australian Standards. Standard permit conditions in relation to compliance with the Australian Standard have been recommended.

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

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

**Complies**

The car parking areas will be formed, sealed, drained and line marked.

### 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 layout of the car parking and manoeuvring spaces are designed and laid out to an appropriate standard.

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

**Does Not Comply**

The car parks accessed off Amy Road and Arundel Street are not located behind the building line. Assessment against performance criterion is required.

**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

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**

The location of car parking and manoeuvring spaces is not considered to be detrimental to the streetscape or the amenity of the surrounding areas. The existing location of buildings on the site has undoubtedly constrained the ability of the site to accommodate car parking which can be located behind the building line. Landscaped areas have been proposed to minimise the visual impact of parked cars when the site is viewed from the street.

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.

- 7.1 **6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

**Complies**

The car parking areas have a gradient of less than 10% and vehicles can enter and leave the site in a forward direction. The width of vehicular access is appropriate. Council's Infrastructure Assets Department has advised that the car parking layout does not meet the applicable Australian Standard. Parking bays numbered 41 and 45 have not been increased in width to accommodate the screen that surrounds them. Both 41 and 45 should be increased in width by 300mm to allow for door opening. Also, the location of the columns to support the upper storey, impact on the turning manoeuvres in and out of the parking spaces.

An amended plan condition is recommended which requires the applicant to provide a revised car parking plan which meets AS2890.1 as above. The TIA has suggested that the 56 car parking spaces proposed (although less than that which is required by Table E6.1 for Residential - aged care facility) is more than sufficient to cater for the anticipated demand for on-site car parking of staff and visitors.

**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 proposed car parking areas will have adequate access to ensure safety and security for vehicles and deliveries.

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 proposed car parking areas will be adequately lit and visible from the buildings on the site which provides an appropriate level of security.

**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

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

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

**Consistent**

The proposal includes sufficient parking for persons with a disability to meet the requirements of the standards.

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

**Complies**

The three proposed disabled parking spaces are located closest to the entry points of the buildings.

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**

Three disabled car parking spaces are proposed for the site. This number meets the requirement of one space per 20 on the basis that 56 car parking spaces will be provided on the site.

**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.

**Not Applicable**

The proposal is not for a retail, commercial, industrial, service industry or storage use. Delivery and collection of goods is not anticipated.

**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**

Appropriate end trip facilities are available on the site.

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.

**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

**Complies**

The proposal is for a Residential (aged care facility) and an appropriate number of bicycle parking spaces will be accommodated on the site. Shower and change room facilities are incorporated into the design to be used as necessary.

**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**

An appropriate number of bicycle parking spaces are proposed as part of the development to meet the requirements of the standard.

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**

The proposed bicycle parking spaces have been designed to meet the standards for accessibility and storage.

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.

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)

**Complies**

The proposed bicycle parking spaces meet the dimensions requirement

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development.

**Consistent**

Pedestrian safety has been considered in the proposed development in order to meet the requirements of the standard.

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

**Complies**

Pedestrian access is provided throughout the facility in accordance with Table E6.5 which requires separate pedestrian access for uses which require more than 11 parking spaces in Table E6.1.

**4. REFERRALS**

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Assets	Conditional consent provided - Damage to Council Infrastructure  Works within/occupation of the road reserve  Easements  Car Parking Construction  Urban - Vehicular Crossings  Trench Reinstatement for new/altered connections  Sealing plans of subdivision

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Environmental Health	Conditional consent provided - Disposal of gas cylinders  Proposed new/refurbished kitchen  Amenity  Demolition  Compressors/motors/fans
Parks and Recreation	No referral required
Heritage/Urban Design	No referral required
Building and Plumbing	Building, Plumbing and Occupancy Permits will be required
<b>EXTERNAL</b>	
TasWater	Conditional consent provided. TasWater has issued a Submission to Planning Authority Notice which declares that TasWater does not object to the granting of the permit subject to the inclusion of TasWater conditions (TWDA 2014/00421-LCC).
DIER	No referral required
TasFire	No referral required
Tas Heritage Council	No referral required
Crown Land	No referral required
TasRail	No referral required
EPA	No referral required
Aurora	No referral required



- 7.1 **6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

## 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 18 June 2014 to 1 July 2014 - two (2) representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised, it should be read in conjunction with the representations received which are attached to this report.

ISSUE	COMMENTS
Overshadowing	Clause 17.4.1 relates to building design and siting. Shadow diagrams were provided with the lodgement documentation. Discussions on-site with the representors on 11 July clarified that the New North Wing will result in overshadowing (loss of direct sunlight into a habitable room window which faces north east) for approximately 1 hour on 21 June. Direct sunlight will shine into this window after 10am/10:30am until the sun reaches a position to the north when the sun to this window is lost. Sunlight to this window is currently from approximately 9am till 1pm. The New North Wing will result in a reduction in direct sunlight of 1 hour to this window on 21 June which is not considered to be unreasonable. Overshadowing from the proposed New Arundel St Wing will not occur due to the orientation of the lots and that the New Arundel St Wing is to the south of 19 Amy Road.
Loss of privacy	Clause 17.4.1 relates to building design and siting. The New Wing off Arundel Street is setback less than 3m from the shared boundary with 19 Amy Road. Although no screening is shown on the advertised plans, subsequent discussions with the applicant have resulted in their willingness to apply fixed external screening to a height of 1.7m above floor level to minimise potential loss of privacy and overlooking from bedroom windows into the private open space of 19 Amy Road. Although the site is located within the Community Purpose Zone, screening of this type would be considered appropriate to meet the performance criteria of a residential zone to minimise overlooking.

**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

ISSUE	COMMENTS
Potential landslip risk	The site is not located within an area shown on the Launceston Interim Planning Scheme 2012 overlay maps as being landslip, nor is it shown as Class 4 landslip. Assessment against the Landslip Code of the Interim Scheme is not required.
Increased traffic will be dangerous in Amy Road and Arundel Street	A Traffic Impact Assessment was provided with the lodgement documentation and demonstrates compliance with the Car Parking and Sustainable Transport Code and also the Road and Rail Assets Code in relation to traffic generation, access and parking.
Increased noise	The existing Fred French Nursing Home is classified as a residential aged care facility which is inherently residential in nature. The proposed extensions to the existing facility are not anticipated to increase noise. The relocation of the existing kitchen to the basement level of the existing building to the south east of 19 Amy Road will be used as a reheating facility only and cooking of extensive meals is not proposed. The applicant has advised that the existing laundry duct would be used for the kitchen exhaust and a new laundry exhaust will be installed towards the southern end of the western façade. The compressors for the cool stores etc. are to be located under the new extension in the AC plant room area near the new escape stair. These have been located in this location to minimise noise for residents and neighbouring properties.
Decreased land and property value	Not a valid planning consideration.
Environmental concerns - kitchen fumes, noise, hours of operation	The existing kitchen is being relocated from its present location to an area closer to the boundary where the laundry is now. No food preparation/cooking will be undertaken on the site with all food to be brought in from the Masonic Peace Haven and simply reheated. There will be an exhaust canopy which will be used for short periods whilst heating food. Note that there have never been any complaints regarding odour or noise from the existing kitchen. It should be noted that the Food License will be restricted to no cooking on site without prior approval from the Council meaning that only reheating can occur on the site.

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
- 

<b>ISSUE</b>	<b>COMMENTS</b>
Drainage concerns	The proposed car park below the New Wing off Arundel Street will contain sufficient drainage arrangements to limit stormwater run-off from the site towards 19 Amy Road. The application was referred to TasWater who have applied permit conditions relating to water and sewerage and Council has recommended conditions relating to stormwater. It is anticipated that the proposal will in fact improve the existing arrangements relating to drainage and run-off from the site.

## **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.

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)
- 

**STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2012.

**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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

  
Michael Stretton: Director Development Services

**ATTACHMENTS:**

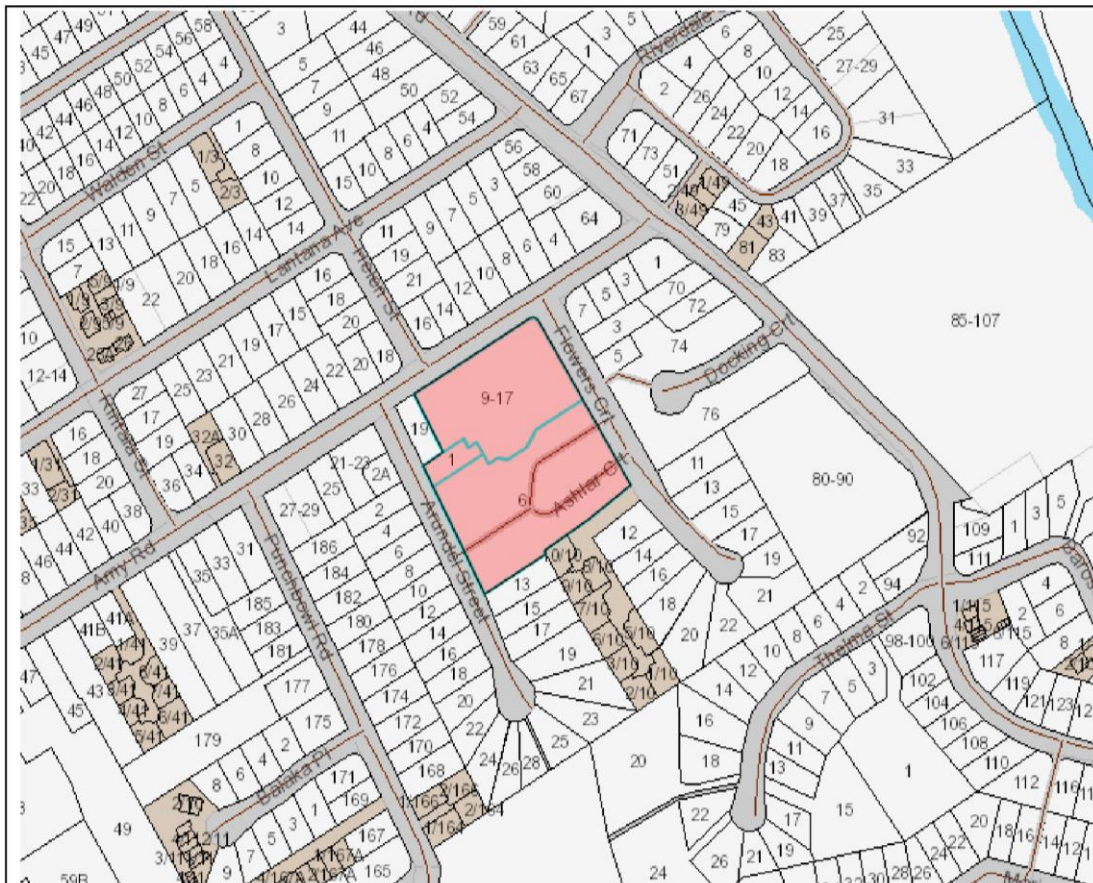
1. Locality Plan
  2. TasWater Submission to Planning Authority Notice
  3. Plans to be amended (not endorsed)
  4. Plans to be endorsed (circulated separately)
  5. Representations
-



Launceston City Council  
*A Leader in Community & Government*



## 6 Flowers Court, 1 Arundel Street and 9-17 Amy Road, Newstead - DA0213/2014



Scale: This Map Is Not to Scale

Phone: 13 6992  
 Fax: 1300 862 066  
 Web: www.taswater.com.au



## Submission to Planning Authority Notice

Council Planning Permit No.	DA2013/2014	Council notice date	16/06/2014
-----------------------------	-------------	---------------------	------------

### TasWater details

TasWater Reference No.	TWDA 2014/00421-LCC	Date of response	24/06/2014
TasWater Contact	David Boyle	Phone No.	6345 6323

### Response issued to

Council name	LAUNCESTON CITY COUNCIL
Contact details	planning.admin@launceston.tas.gov.au

### Development details

Address	6 Flowers Court, Newstead	Property ID (PID)	2719713
Description of development	Residential - Residential aged care facility - demolish building; boundary adjustment, demolition and construction of additions to existing aged care facility		

### Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Date of Issue
Artas Architects	A601/A1, A602/A1, A603/A1, A604/A1, A613/A1		29/04/2014

### Conditions

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

#### CONNECTIONS, METERING & BACKFLOW

1. A suitably sized water supply with metered connections / sewerage system and connections to each for the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. (Demolition of 1 Arundel Street, Norwood)

#### TRADE WASTE CONDITIONS

3. A Certificate for Certifiable Work (Building and/or Plumbing) must be obtained from TasWater and is to be submitted to Council with any associated Building and/or Plumbing permit applications.
4. After all certifiable work has been completed the applicant must obtain a Certificate of Water and Sewerage Compliance (Building and/or Plumbing).
5. The property owner, its successors and/or assigns must ensure that the proprietor of a business operating from the property applies to and obtains from TasWater written consent prior to discharging trade waste to sewer.
6. An application for consent to discharge to TasWater's sewerage system must accompany the application for Certificate for Certifiable Works (Building and/or Plumbing) (see advice below).

Phone: 13 6992  
 Fax: 1300 862 066  
 Web: [www.taswater.com.au](http://www.taswater.com.au)



**Advice:**

The following trade waste requirements apply for this activity:-

**Kitchen area**

- Pre-treatment of kitchen discharge via an appropriately sized grease arrestor; and
- Non-bypassable sink strainers will also be required on all food preparation sinks.  
 Laundry
- 1mm mesh Lint screens (washing machine internal screens are acceptable); and
- A Cooling pit with capacity calculated to reduce wastewater temperature to below 38°C may also be required to ensure compliance with the acceptance limit for temperature.  
 The application must include the following details to assist in assessment of compliance with trade waste requirements:
  - Details of what the kitchen will be used for, including food items that will be prepared and served; and
  - Estimated number of patrons or meals where relevant (maximum per day).  
 Plans must clearly show where all fixtures and fittings are connected to and must include:
    - Location of the pre-treatment device;
    - Schematic drawings and specifications of any proposed pre-treatment device; and
    - An accessible sample point in accordance with the TasWater Trade Waste Flow Meter and Sampling Specifications for sampling discharge.

Application forms and information can be found on the TasWater internet page.

The applicant may seek advice from TasWater as to whether proposed pre-treatment equipment is likely to comply with Trade Waste requirements.

**HEADWORKS**

7. Prior to TasWater issuing a Certificate(s) for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a headworks charge totalling \$64,573.75 to TasWater for sewerage infrastructure for 16.48 additional Equivalent Tenements, indexed as approved by the Economic Regulator from the date of this Submission to Planning Authority Notice until the date it is paid. to TasWater
8. Prior to TasWater issuing a Certificate(s) for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a headworks charge totalling \$19,974.69 to TasWater for water infrastructure for 10.82 additional Equivalent Tenements, indexed as approved by the Economic Regulator from the date of this Submission to Planning Authority Notice until the date it is paid. to TasWater.
9. In the event Council approves a staging plan, prior to TasWater issuing a Certificate(s) for Certifiable Work (Building) and/or (Plumbing) for each stage, the developer must pay the headworks charges commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

**Advice:** If the Certificate for Certifiable Work is applied for in the period 1 April 2014 to 31 March 2016, then the above headworks amount(s) will be waived in line with the prevailing State Government Policy. Please visit [www.development.tas.gov.au](http://www.development.tas.gov.au) for further information.

**DEVELOPMENT ASSESSMENT FEES**

10. The applicant or landowner as the case may be, must pay a development assessment fee to TasWater for this proposal of \$379.20 as approved by the Economic Regulator and the following:
  - a. The fee will be indexed as approved by the Economic Regulator from the date of the Submission to Planning Authority Notice until the date it is paid to TasWater; and
  - b. Payment is required within 30 days from the date of the invoice.

**Advice**

For information on TasWater development standards, please visit <http://www.taswater.com.au/Development/Development-Standards>

Phone: 13 6992  
Fax: 1300 862 066  
Web: [www.taswater.com.au](http://www.taswater.com.au)

# TasWater

For information regarding headworks, further assessment fees and other miscellaneous fees, please visit <http://www.taswater.com.au/Development/Fees--Charges>

For detailed information on how headworks have been calculated for this development please contact the TasWater contact as listed above.

For application forms please visit <http://www.taswater.com.au/Development/Forms>

The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.

## Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

If you need any clarification in relation to this request, please contact TasWater. Please quote the TasWater reference number. Phone: 13 6992, Email: [development@taswater.com.au](mailto:development@taswater.com.au)

## Authorised by



**Jason Taylor**

Development Assessment Manager





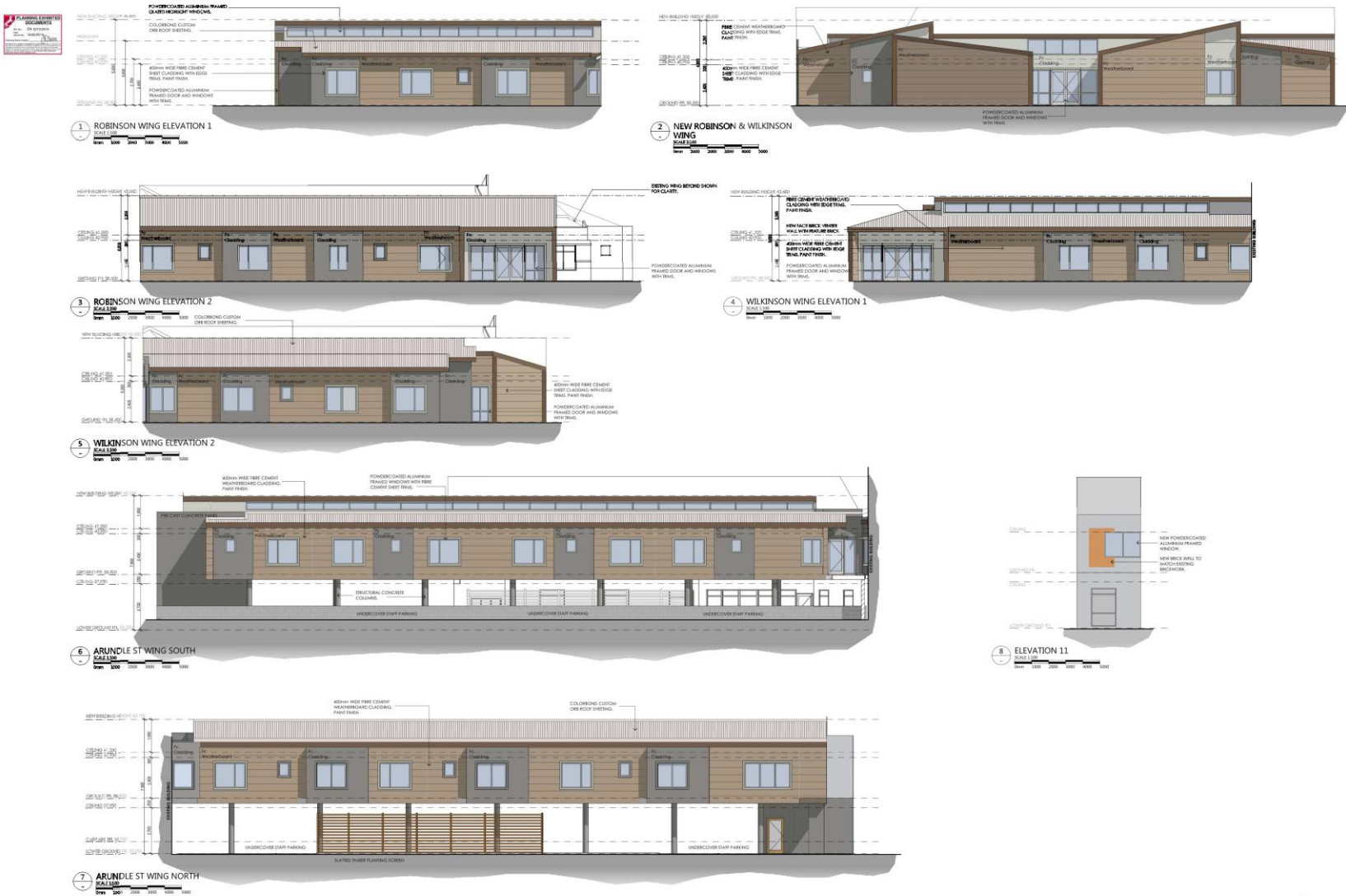
LOWER GROUND FLOOR PLAN  
Scale: 1:100

### ALTERATIONS & ADDITIONS TO FRED FRENCH NURSING HOME FOR FRED FRENCH

DATE	NO.	BY	DA APPROVAL	A603/A1
12/10/13	121075	JM		
SHEET 001 OF 01				

ARTAS  
ARCHITECTS





### ALTERATIONS & ADDITIONS TO FRED FRENCH NURSING HOME FOR FRED FRENCH

REVISION	NO.	DATE	DA APPROVAL	A605/A1
1	1	12/10/13	1231075	
SHEET TITLE AS SHOWN			SHEET TITLE AS SHOWN	

ARTAS ARCHITECTS

REVISIONS THESE CHANGES AND THE GENERAL ARE THE PROPERTY OF ARTAS ARCHITECTS AND MUST NOT BE REPRODUCED OR COPIED WITHOUT WRITTEN PERMISSION FROM ARTAS ARCHITECTS. DRAWN BY: SUE VAN DER WERF

Development Application Representation Letter

18-Fmx-018 - Version 21/11/2012

Development Application Number 0213/2014

Address of Development

1 ARUNDEL STREET NEWSTEAD

Details of Representor

Title MR Given Name/s GARTH

Surname BENNETT

Unit/Street Nr Street

Suburb State TAS Postcode 7250

Phone H B M

Email

Reason for Representing

- OBJECTION FOR DEVELOPMENT ON GROUNDS OF
- DECREASED LAND/PROPERTY VALUE, SALEABILITY,
- PRIVACY (AIR QUALITY)
- ENVIRONMENTAL - KITCHEN FUMES, NOISE, - HOURS OF OPERATION
- VERMIN FROM WASTE FROM KITCHEN
- INCREASED TRAFFIC FLOW ARUNDEL STREET - ALREADY AT
- SHADING - ALREADY SHADED FROM OTHER PROPERTIES HIGH LEVEL TO EAST.
- NEEDS UNDUE NOISE FROM CARS UTILISING CARPARK.
- DANGEROUS AMOUNT OF TRAFFIC.
- LANDSLIDE ZONE CONCERNS - RISK OF SUBSIDANCE - REACTIVE SOILS.

Representor's Signature G. Bennett Date 25/06/14



Town Hall St John Street Launceston Tasmania PO Box 396 Launceston Tasmania 7250

T 03 6323 3000 F 03 6323 3001 TTY 03 6323 3003 E council@launceston.tas.gov.au www.launceston.tas.gov.au

R. Bennett

Kings Meadows, 7249

TAS.

Phone 6

30th June, 2014.

The Manager  
 Launceston City Council  
 Town Hall  
 St. John Street,  
 Launceston, 7250

FILE No.	DA0213/2014		
EO	OD	<input checked="" type="checkbox"/>	Box <input checked="" type="checkbox"/>
RCV'D		30 JUN 2014	LCC
Doc No.			
Action Officer	Noted	Replied	
C WRENMORE			

E COPY TO: C FAUDRY  
 R JAMESON

Dear Sir

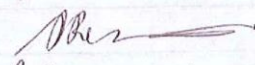
Ref. DA 0213/2014

I wish to lodge an objection to the above building application as follows:

1. Infringement of Privacy
2. Drainage
3. Potential landslide.
4. The wrong residence number mentioned one section of the application
5. Increased traffic
6. Shading of 19 Army Road with potential of decreasing existing outlook
7. Increased noise.

If you wish to discuss this matter any further please contact me on the above telephone number

Yours faithfully

  
 REBINA BENNETT

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

---

**Wednesday 16 July**

Officiated at welcome function for the Australian National Parking Steering Group  
Attended Australian Ballet *"The Dancers Company"*

**Friday 18 July**

Attended Jackson Motor Company - Official Opening of Hobart City Dealership

**Saturday 19 July**

Attended NLFC Reunion and "Back to North Day"  
Attended Stan Siejka Launceston Cycling Classic Cocktail Party

**Sunday 20 July**

Attended Gateway Baptist Church Service of Thanksgiving

**Monday 21 July**

Attended State Funeral for His Excellency, the Honourable Peter Underwood AC

**Friday 25 July**

Attended Self Help Workplace presentation of Employer of Choice Award  
Attended Official Opening SecondBite Launceston by Premier  
Attended Launceston Players opening night performance of "Steel Magnolias"

**Saturday 26 July**

Officiated at Operation Christmas Child Launch  
Attended Encore Theatre Company performance of *"Deception"*

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9 ALDERMEN'S/DELEGATES' REPORTS

10 QUESTIONS BY ALDERMEN

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**11 COMMITTEE REPORTS****11.1 Tender Review Committee Meeting - 7 July 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 the report from the Tender Review Committee meeting held on 7 July 2014 be received.

---

**REPORT:**

## 1. Cleaning of Myrtle Park and Recreation Ground - CD.012/2014

The Tender Review Committee supports the recommendation for Council to accept the tender submitted by W C Cassidy for the cleaning of Myrtle Park Hall and Recreation Ground, at a cost of \$20,088 (excl. GST).

**ECONOMIC IMPACT:**

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

**ENVIRONMENTAL IMPACT:**

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

**SOCIAL IMPACT:**

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

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**11.1 Tender Review Committee Meeting - 7 July 2014...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

Launceston City Council Budget 2013/2014.

**BUDGET & FINANCIAL ASPECTS:**

The project is funded in accordance with the approved 2013/2014 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**

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## COUNCIL AGENDA

Monday 28 July 2014

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### 11.2 Municipal Emergency Management Committee Meeting - 11 July 2014

**FILE NO:** SF3177

**AUTHOR:** Rod Sweetnam (Director Facilities Management)

**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

---

#### **DECISION STATEMENT:**

To receive and consider a report from the Municipal Emergency Management Committee.

#### **RECOMMENDATION:**

That the report from the Municipal Emergency Management Committee meeting held on Friday 11 July 2014 be received.

---

#### **REPORT:**

- Members provided an update on current activities and general discussion took place.
- The Committee were advised that the Risk Register is now attached to the MEM Plan following Council resolution.
- Members were advised of a joint field and desk top exercise to be held 14-16 October 2014.
- Minutes of the meeting to be circulated to Aldermen.

#### **ECONOMIC IMPACT:**

Not relevant for this report.

#### **ENVIRONMENTAL IMPACT:**

Not relevant for this report.

#### **SOCIAL IMPACT:**

Not relevant for this report.

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## COUNCIL AGENDA

Monday 28 July 2014

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### 11.2 Municipal Emergency Management Committee Meeting - 11 July 2014...(Cont'd)

---

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

Not relevant for this report.


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

N/A

#### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



Rod Sweetnam: Director Facilities Management

## COUNCIL AGENDA

Monday 28 July 2014

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**12    PETITIONS**

Nil

**13    NOTICES OF MOTION - FOR CONSIDERATION**

Nil

### DIRECTORATE AGENDA ITEMS

**14    DEVELOPMENT SERVICES**

Nil

**15    FACILITY MANAGEMENT**

Nil

**16    QUEEN VICTORIA MUSEUM AND ART GALLERY**

Nil

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## COUNCIL AGENDA

Monday 28 July 2014

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### 17 INFRASTRUCTURE SERVICES

#### 17.1 Lease - Tamar Yacht Club

**FILE NO:** SF0866

**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)

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

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#### **DECISION STATEMENT:**

To consider the leasing of land situated at 11 Park Street adjacent to Royal Park as marked on the attached map to the Tamar Yacht Club.

Pursuant to Section 178(3) of the *Local Government Act 1993* the lease of public land requires an absolute majority decision of Council.

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

Council Meeting Item 17.1 - 26 May 2014

#### **RECOMMENDATION:**

That Council, pursuant to the provisions of Section 177 *Local Government Act 1993*, land situated at 11 Park Street adjacent to Royal Park as shown on the attached plan Folio 49784/1, 49501/1, 159106/1 and 49745/2 be leased to the Tamar Yacht Club under the following terms:

- the term shall be five years commencing on 1 July 2014 and extended a further five years if the Tamar Yacht Club undertake a capital investment of over \$50,000 into the slip yard within the first five year period.
  - the lease amount shall be \$3,500 per annum plus GST linked to CPI
  - tenant to be responsible for:
    - equivalent Council rates
    - Government taxes (land tax)
    - energy costs (if any)
    - volumetric and connection charges for water
    - sewer charges
  - tenant shall continuously maintain:
    - public liability insurance of at least \$10 million.
-

**17.1 Lease - Tamar Yacht Club...(Cont'd)**

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**REPORT:**

The Tamar Yacht Club (TYC) is a community based organisation and is the oldest yacht club in the southern hemisphere which was first formed in 1837 when the first regatta was held on the occasion of the Queen's birthday. After this event the club went on to establish a clubhouse and jetty at Park Street which resulted in a booming increase in their membership. Council has leased the land situated at 11 Park Street adjacent to Royal Park as shown on the attached plan for over fifty years to the Tamar Yacht Club (Attachment 1).

The TYC has requested that Council renew the lease of this area to enable them to continue housing large and small boats. Their proposal is for a total of ten years with intentions to invest in capital works in the slip yard of over \$60,000 in the next five years as indicated in their letter (Attachment 2).

At the Council meeting, 26 May 2014 Council adopted the following recommendation.

*That Council notifies its intention to lease public land pursuant to Section 178 of the Local Government Act, which requires that the lease of public land that exceeds five years be advertised on at least two separate occasions in a daily newspaper circulating in the municipal area. The advertisement is to advise that objections to the proposed lease may be made to the general manager within 21 days of the date of the first publication. Council is to consider any objection lodged.*

Advertisements were placed in the Examiner Newspaper on Saturday, 7 June, 2014 and again on Saturday, 14 June, 2014. No correspondence regarding the proposed lease was received by the closing date of 28 June, 2014 nor has there been any received subsequently.

Council has fulfilled its obligations with regard to the Local Government Act and can now approve the lease of public land at Royal Park.

A draft policy is being prepared for future consideration by Council. The policy proposes to provide a consistent and equitable framework for leasing and licensing Council controlled land and/or facilities, which achieves an appropriate balance between community needs and commercial requirements. The draft policy adopts many existing/current practices in particular the period for renewal of leases for sport, social and recreation purposes as five years. Longer lease periods are proposed where the club undertakes a capital contribution of \$50,000 (additional five years) or more than \$100,000 (additional 10 years).

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**17.1 Lease - Tamar Yacht Club...(Cont'd)**

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The process for leasing public land complies with the provisions of Section 177 of the *Local Government Act 1993* including obtaining valuation, public notification and (absolute majority) decision by Council. The annual lease fee recommended is consistent with the registered valuation enclosed as Attachment 3.

**ECONOMIC IMPACT:**

There is no economic impact with this proposal.

**ENVIRONMENTAL IMPACT:**

There is no environmental impact with this proposal.

**SOCIAL IMPACT:**

This proposal allow successful tenants to continue operating a valuable resource for Launceston.

**STRATEGIC DOCUMENT REFERENCE:**

Parks and Recreation Mission Statement:

Statement of Purpose:

To encourage and facilitate residents and visitors to the City of Launceston to participate in recreational opportunities.

The goal within Council's Strategic Plan (2008-2013):

Priority Area 3: Social and Economic Environment

Promoting a healthy, prosperous and positive community.

**BUDGET & FINANCIAL ASPECTS:**

\$3,500 per annum income for the Parks and Recreation Department budget.

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**17.1 Lease - Tamar Yacht Club...(Cont'd)**

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. Map - area to be leased by Tamar Yacht Club
  2. Letter of lease proposal from Tamar Yacht Club
  3. Rental Valuation Report (distributed electronically)
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Created: 15/5/2014 CRM

NOTE:

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

Tamar Yacht Club  
Lease

Scale: 1:750  
(at A4)



Parks & Recreation





## Attachment 2.



7 Park Street  
Launceston 7250

**P (03) 6331 8013**  
**F (03) 6331 8005**  
**E janette@tyc.asn.au**  
**www.tyc.asn.au**

8<sup>th</sup> April 2014

Att: Tricia De Leon-Hillier  
Parks Lease Management Officer  
Park & Recreation Launceston City Council  
P.O. Box 396  
LAUNCESTON 7250

FILE No.	102570 / 22298 / 22297		
EO	✓	OD	Box ✓
RCV'D 11 APR 2014 LCC			
Doc No.			
Action Officer	Noted	Replied	
T DeLeon-Hillier			

Dear Tricia

The Committee of the Tamar Yacht Club hereby applies to the Launceston City Council for the renewal of the existing lease for the land covered by the following three Certificates of Title.

CT49752/2 is basically the backyard of 7 Park Street which is the TYC Clubhouse, and includes the BBQ hut known as "Herbies Hutch". This area is used for outdoor club social functions.

CT 49784/1 and CT49501/1 includes the boat Slip yard storage and work area with the main improvement consisting of a rail network used to manoeuvre boat cradles. It also includes the public foreshore access between Kings Park and Royal Park. The public access area is separated from the boat yard by a security fence.

The slip yard is also used for the storage of TYC club rescue boats and member's boats on trailers and to access the small boats rigging area and small boats launching pontoon.

The small boats area is also used by the clubs training officers in the training and assessment of members of the public when undergoing Boat licence testing on behalf of MaST, and junior members and school groups for dinghy training.

The slip cradles can handle pleasure and commercial vessels of up to 20 tonne in weight, whereas the other facility (at Tamar Marine) in the Launceston area with similar multi rail slip yard facilities can only slip vessels up to 12 tonne in weight. As the average size of pleasure vessels is increasing the demand for the larger capacity cradles TYC offers is increasing. There are no other large capacity slips on the Tamar River capable of handling recreational vessels of this size that are convenient to the services offered by local Launceston businesses

The slip yard facility is subject to flooding and the club has been proactive in foreshore maintenance to keep this area safe and tidy with regular removal of flood debris.

The Club intends to commit to Capital works schedule on the slip yard during the next 5 years and has budgeted as follows.

*sailing since 1837*

Regravel between all of the slip rails in 2014/2015 at an expected cost of	\$5000.00
Replace 3 slip cradles with larger cradles in 2015/2016	\$24000.00
Replace rotting timber sleepers to northern end slip rails in 2015/2016	\$12000.00
upgrade electrical supply to boat yard in 2015/2016	\$10000.00
Replace winch wire in 2016/2017	\$3000.00
Build hardstand area in S East Corner of lease area for trailer boat storage 2016/2017	\$12000.00

The Tamar Yacht Club is a community based organisation with volunteer members who are committed to providing sail training and modern sailing facilities for its junior and senior members as well as members of the public and school groups.

A renewal of the lease for 10 years by the Launceston City Council will give the club confidence in committing its member's funds to the continued upgrading of these facilities.

At our recent committee meeting the letter of rental recommendation from the Council was presented to the Committee and the lease amount of \$3,500 was felt to be fair and reasonable.

Many thanks for the opportunity to have ongoing use of this land.

Yours faithfully



DONELDA NILES

COMMODORE

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

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**DECISION STATEMENT:**

That Council considers leasing the Tasmanian Netball Centre and Fred White Netball Centre at Hobblers Bridge (part Folio 66364/2 and 7678404) to the Northern Tasmanian Netball Association Incorporated as marked on the attached map.

Pursuant to Section 178(3) of the *Local Government Act 1993* the lease of public land requires an absolute majority decision of Council.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting Item 17.2 - 10 June 2014

**RECOMMENDATION:**

That Council, pursuant to the provisions of Section 177 *Local Government Act 1993*, agrees to lease the Tasmanian Netball Centre and the Fred White Netball Centre to the Northern Tasmanian Netball Association Incorporated for a period of ten years under the following terms:

- the term shall be five years commencing on 1 July 2014 and extended a further five years if the Northern Tasmanian Netball Association Incorporated undertake a capital investment of over \$50,000 into the court re-surfacing within the first five year period
  - the lease rental shall be \$12,000 per annum plus GST linked to CPI
  - the fees in relation to lease rental, government taxes (land tax), council rates and building insurance are to be phased over six years and applied in the following scale:
    - Year 1 - 15% be applied
    - Year 2 - 30% be applied
    - Year 3 - 50% be applied
    - Year 4 - 65% be applied
    - Year 5 - 80% be applied
    - Year 6 - 100% be applied
-

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

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- tenant to be responsible for:
    - energy costs
    - volumetric and connection charges for water
    - sewer charges
  - tenant shall continuously maintain:
    - building in good and reasonable order
    - contents insurance
    - public liability insurance of at least \$10 million.
- 

**REPORT:**

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

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

The NTNA has requested a twenty year lease with Council to commence from 1 July 2014. Council currently has a twenty year lease agreement with State Government over PID 7678404 which ends on 1 November 2028 which precludes a twenty year agreement with the NTNA. After consideration of the proposed investment by the NTNA in court re-surfacing next year of \$60,000, a ten year lease is recommended as an appropriate lease term to cover the investment.

A draft policy is being prepared for future consideration by Council. The policy proposes to provide a consistent and equitable framework for leasing and licensing Council controlled land and/or facilities, which achieves an appropriate balance between community needs and commercial requirements. The draft policy adopts many existing/current practices in particular the period for renewal of leases for sport, social and recreation purposes as five years. Longer lease periods are proposed where the club undertakes a capital contribution of \$50,000 (additional five years) or more than \$100,000 (additional 10 years).

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

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

Over the past couple of years the member numbers have been increasing until 2013 but have declined by nearly 300 members this year. Up until 2013 the NTNA has shown an increase in junior membership that utilises the Hoblers Bridge facility with numbers of:

2014 - 1320 total members  
2013 - 1630 total members  
2012 - 1540 total members

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

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

Costs associated with TasWater charges and Aurora energy costs will be the full responsibility of the NTNA.

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

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

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

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At the Council meeting, 10 June 2014 Council adopted the following recommendation.

*That Council notifies its intention to lease public land pursuant to Section 178 of the Local Government Act, which requires that the lease of public land that exceeds five years be advertised on at least two separate occasions in a daily newspaper circulating in the municipal area. The advertisement is to advise that objections to the proposed lease may be made to the general manager within 21 days of the date of the first publication. Council is to consider any objection lodged.*

Advertisements were placed in the Examiner Newspaper on Saturday, June 21, 2014 and again on Saturday, June 28, 2014. No correspondence regarding the proposed lease was received by the closing date of 12 July, 2014 nor has there been any received subsequently.

Council has fulfilled its obligations with regard to the Local Government Act and can now approve the lease of public land at Hoblers Bridge.

The process for leasing public land complies with the provisions of Section 177 of the *Local Government Act 1993* including obtaining valuation, public notification and (absolute majority) decision by Council. The lease rental fee is consistent with the independent valuation enclosed as Attachment 3.

**ECONOMIC IMPACT:**

There is no economic impact with this proposal.

**ENVIRONMENTAL IMPACT:**

There is no environmental impact with this proposal.

**SOCIAL IMPACT:**

There is positive social impact with this proposal as it allows a successful tenant to continue operating a valuable Council resource and provide sporting opportunities which is ranked the highest participation sport among women.

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

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

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

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**BUDGET & FINANCIAL ASPECTS:**

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

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

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. Map - area to be leased by Northern Tasmanian Netball Association Inc.
  2. Letter of lease proposal from NTNA
  3. Rental Valuation Report - Opteon (Tasmania) Pty Ltd (distributed electronically)
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## Attachment 2.



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

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

10 April 2014

Dear Tricia

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

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

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

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

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

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

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

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

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

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

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

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

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

These costs relate to:

- TAS Water; and
-

- LCC Rates.

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

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

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

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

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

Kind regards

Rick Sargent  
Operations Manager

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

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**18 CORPORATE SERVICES**

Nil

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## COUNCIL AGENDA

Monday 28 July 2014

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### 19 GENERAL MANAGER

#### 19.1 UTAS 125th Anniversary Advisory Committee

FILE NO: SF2211

GENERAL MANAGER: Robert Dobrzynski

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#### DECISION STATEMENT:

To consider the appointment of representatives to participate in the University Advisory Committee.

#### PREVIOUS COUNCIL CONSIDERATION:

SPPC - 21 July 2014

#### RECOMMENDATION:

That the Council nominate Alderman Danny Gibson to represent the Council on the University of Tasmania Advisory Committee for the celebration of the University's 125<sup>th</sup> Anniversary.

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#### REPORT:

The Council has been requested to nominate a representative(s) to participate in the Advisory Committee working on the plans for the celebration of the University's 125<sup>th</sup> Anniversary. Alderman Gibson has indicated an interest and willingness to be involved.

#### ECONOMIC IMPACT:

N/A

#### ENVIRONMENTAL IMPACT:

N/A

#### SOCIAL IMPACT:

N/A

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**19.1 UTAS 125th Anniversary Advisory Committee...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

N/A

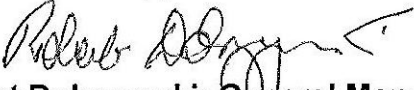
**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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

  
**Robert Dobrzynski: General Manager**

## COUNCIL AGENDA

Monday 28 July 2014

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### 20 URGENT BUSINESS

Nil

### 21 INFORMATION / MATTERS REQUIRING FURTHER ACTION

Nil

### 22 CLOSED COUNCIL

22.1 Museum Governance Advisory Board Special Meeting - 14 July 2014

#### RECOMMENDATION:

That Agenda item 22.1 be considered within Closed Council pursuant to the authority contained within section 15(2) of the *Local Government (Meeting Procedures) Regulations 2005*, which permits the meeting to be closed to the public for business relating to the following:

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

### 23 MEETING CLOSURE

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