



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 10 AUGUST 2015
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 10 August 2015

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

Date: 10 August 2015

Time: 1.00pm

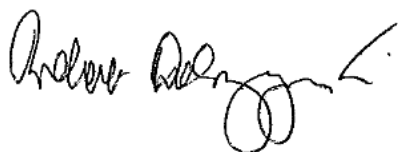
Section 65 Certificate of Qualified Advice

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

ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES	1
2	DECLARATION OF PECUNIARY INTERESTS	1
3	CONFIRMATION OF MINUTES	1
4	DEPUTATION	1
	Nil	
5	ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME	1
	Nil	
6	PUBLIC QUESTION TIME	1
7.1	Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four lots and balance land	2
7.2	123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling	79
8	ANNOUNCEMENTS BY THE MAYOR	110
8.1	Mayor's Announcements	110
9	ALDERMEN'S/DELEGATES' REPORTS	111
10	QUESTIONS BY ALDERMEN	111
11	COMMITTEE REPORTS	112
11.1	Pedestrian & Bike Committee Meeting - 21 July 2015	112

City of Launceston

COUNCIL AGENDA

Monday 10 August 2015

Item No	Item	Page No
11.2	Municipal Emergency Management Committee Meeting - 17 July 2015	114
12	COUNCIL WORKSHOPS	116
12.1	Council Workshops - 27 July 2015	116
13	PETITIONS	118
	Nil	
14	NOTICES OF MOTION - FOR CONSIDERATION	119
14.1	Notice of Motion - Mayor Alderman A M van Zetten - ANZAC Day Commemorations	119
15	DEVELOPMENT SERVICES	123
15.1	Launceston City Heart - Reference Group	123
15.2	Heritage Advisory Committee - Terms of Reference	134
16	FACILITIES MANAGEMENT	139
	No Reports	
17	QUEEN VICTORIA MUSEUM AND ART GALLERY	139
	No Reports	
18	INFRASTRUCTURE SERVICES	140
18.1	Infrastructure Services Directorate - Delegations under Heavy Vehicle National Law (Tasmania) Act 2013	140
19	CORPORATE SERVICES	146
	No Reports	
20	GENERAL MANAGER	146
	No Reports	

City of Launceston

COUNCIL AGENDA

Monday 10 August 2015

Item No	Item	Page No
21	URGENT BUSINESS Nil	146
22	INFORMATION / MATTERS REQUIRING FURTHER ACTION	147
23	CLOSED COUNCIL	149
23.1	Confirmation of the Minutes	149
23.2	Killafaddy Livestock Market Expression of Interest Process	149
23.3	LGAT President By-Election	149
24	MEETING CLOSURE	149

1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES

2 DECLARATION OF PECUNIARY INTERESTS

3 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Open Meeting of the City of Launceston held on 27 July 2015 be confirmed as a true and correct record.

4 DEPUTATION

Nil

5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME

Nil

6 PUBLIC QUESTION TIME

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to Agenda Items in Section 7.

7 PLANNING AUTHORITY

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four lots and balance land

FILE NO: SF6339, DA0227/2015

AUTHOR: Pip Glover (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

1. To determine an application for Amendment 9 to the Launceston Interim Planning Scheme 2015 to rezone part of (1) title identified as Certificate of Title Volume 114487 Folio 1 at 574 Meander Valley Road, Prospect from Rural Resource Zone to Light Industrial Zone and General Industrial Zone under Section 43 (a) of the *Land Use Planning and Approvals Act 1993*.
2. To make a decision on Development Application DA0227/2015 for a subdivision to create four lots at 574 Meander Valley Road, Prospect.

PLANNING APPLICATION INFORMATION:

Applicant:	Integrated Planning Solutions
Property:	574 Meander Valley Road, Prospect
Area of the Site:	196.5 ha
Existing Zone:	Rural Resource Zone
Existing Use:	Resource Development
Receipt Date:	13/05/2015
Validity Date:	13/05/2015
Decision Deadline:	27/07/2015 (Extension granted by TPC)

PREVIOUS COUNCIL CONSIDERATION:

- SF4002/DA0391/2004 - Not initiate Amendment 108 to rezone part of 574 Hobart Road Youngtown from Rural to Rural Residential, refuse Development Application DA0391/2004 to subdivide part of 574 Hobart Road into 26 lots in 2 stages.
-

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

- SF5248/DA0705/2008 - Not initiate Amendment 157 to rezone 574 Hobart Road, Youngtown, Launceston from *Rural* to *Industrial*, refuse DA0705/2008, for Subdivision – subdivide land into 2 lots and use of proposed for lot 1 a Level 1 Activity – Offensive or hazardous industry (Concrete Batching Plant); Construction of a building (offices, amenities and laboratory); Construction of a structure (silo, hoppers and storage bins) at part of “Strathroy”, 574 Hobart Road (south of the Meander Valley Highway roundabout, Prospect).
- DA0143/2013 - approve DA0143/2013 for construction and use of a manufacturing and processing facility (concrete batching plant) and associated building, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign at 574 Meander Valley Road, Prospect. (The development application was later refused by the Tribunal)

RECOMMENDATION:

That the Council:

1. Pursuant to section 33(3) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 9 to the *Launceston Interim Planning Scheme 2015* to rezone 574 Meander Valley Road, Prospect (CT Volume 114487 Folio 1) from Rural Resource Zone to Light Industrial Zone and General Industrial Zone.
 2. Directs Council officers to prepare draft Amendment 9 of the Launceston Interim Planning Scheme 2015.
 3. In accordance with section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under section 35(1) of the Act, for the purposes of Amendment 9 to the Launceston Interim Planning Scheme 2015.
 4. In accordance with section 38(a) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.
 5. Pursuant to Section 43A of the *Land Use Planning and Approvals Act 1993*, approves DA0227/2015 for Subdivision - four lot subdivision at 574 Meander Valley Road, Prospect subject to the following conditions:
-

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

1. 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. 4 Lot Subdivision Context Plan, Prepared by 6ty°, Drawing No. P02, Project no. 14.395, Revision No. Rev C, Dated 5 June 2015.
- b. Lot 1, Prepared by 6ty°, Drawing No. P03, Project no. 14.395, Revision No. Rev B, Dated 5 June 2015.
- c. Lot 2, Prepared by 6ty°, Drawing No. P04, Project no. 14.395, Revision No. Rev B, Dated 5 May 2015.
- d. Lot 3, Prepared by 6ty°, Drawing No. P05, Project no. 14.395, Revision No. Rev B, Dated 5 May 2015.
- e. Lot 4, Prepared by 6ty°, Drawing No. P06, Project no. 14.395, Revision No. Rev B, Dated 5 May 2015.
- f. Western Interface Plan, Prepared by 6ty°, Drawing No. P07, Project no. 14.395, Revision No. Rev B, Dated 5 May 2015.
- g. Indicative Future Layout Services Plan, Prepared by 6ty°, Drawing No. P08, Project no. 14.395, Revision No. Rev C, Dated 5 June 2015.
- h. Indicative Future Subdivision, Prepared by 6ty°, Drawing No. P09, Project no. 14.395, Revision No. Rev C, Dated 5 June 2015.
- i. Streetscape Plan - 574 Meander Valley Road.
- j. Planning Report prepared by Integrated Planning Solutions dated December 2014, amended May 2015.
- k. Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green & Associates dated 3 December 2014 and associated addendum dated 6 May 2015.
- l. Traffic Impact Assessment, prepared by Cardno dated 4 June 2015.
- m. IPD Consulting Memorandum dated 7 May 2015 and 5 June 2015.
- n. Vegetation and Fauna Habitat Assessment dated prepared by AKS Forest Solutions dated November 2014 and associated addendum dated April 2015.
- o. Environmental Impact Assessment prepared by Catherine Murdoch, Certified Environmental Practitioner dated April 2015.
- p. Land Capability Assessment prepared by AK Consultants dated 27 February 2015.

2. SUBMISSION AND APPROVAL OF LANDSCAPE PLAN/STREET TREES

A detailed landscape plan is to be submitted which reflects the information included in the development application in addition to the requirements of the permit conditions. Final detailed landscape plans are to be approved by Council's Parks and Recreation Department. Tree species selection and tree locations are to be finalised in conjunction with the Parks and Recreation Section.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

The landscape plan is to include the following:

- A vegetation screen 5m wide to be planted with Tasmanian native shrubs with a mature height of between 2.1m and 3.0m within the frontage of Lots 1 and 2 which adjoin the Meander Valley Road and Bass Highway off ramp road reserve.
- Street trees along the proposed new internal road network as specified on the Streetscape Plan 574 Meander Valley Road which is endorsed as part of this permit.
- Details of street tree establishment and maintenance programs including watering and monitoring programs. Street tree maintenance is to be carried out by the developer for a period of two years from sealing of the final plan.

3. 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.

4. 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.

5. 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.

6. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2015/00737 - LCC) (attached).

7. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved lots (Lots 1-4) as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the subdivider's expense.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
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8. DESIGN & CONSTRUCTION OF ROAD WORKS - DEPARTMENT STATE GROWTH

The design of the new fourth leg of the Prospect Interchange Roundabout is to be undertaken by a suitably qualified engineer and shall demonstrate compliance with Austroads Design Guidelines and Department of State Growth requirements.

Specific design parameters to be met include:

- Layout geometry to suit a 25.0m B-Double design vehicles, including the provision of design vehicle swept paths;
- Approach grades shall be suitable for heavy vehicle use and shall provide allowance for at least one design vehicle to store at the holding position on a grade not exceeding 4 per cent;
- Provision of a smooth transition to the existing cross-fall of the circulating carriageway on the southern side of the existing roundabout;
- Compliance with the mandatory requirements for sight distance Criteria 1 & 2 detailed in Section 3.2 of Austroads Guide to Road Design: Part 4B - Roundabouts;
- Provision of street lighting for the new roundabout approach to Australian Standard Category V5;
- All necessary stormwater drainage for the new works including details of any stormwater which is directed to the State Road Reserve, including open drains and underground reticulation;
- Provision of all necessary line marking, signage and any other traffic control device required by the above works.

Engineering drawings detailing the above requirements will need to be provided to State Growth at the preliminary design stage for review and acceptance prior to submitting final detail design drawings along with an application for a works permit.

All construction works must be undertaken in accordance with the approved plans and Department of State Growth standard drawings and specifications, under the supervision of a suitably qualified engineer.

9. DEPARTMENT STATE GROWTH PERMITS

The developer shall obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal. Application requirements and forms can be found at www.transport.tas.gov.au/road/permits <<http://www.transport.tas.gov.au/road/permits>>, applications must be submitted at least twenty eight (28) days prior to any scheduled works. In accordance with the Roads and Jetties Act 1935, no works shall be commenced within the State Road reservation until a permit has been issued.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
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10. INSTALLATION OF THIRD PARTY INFRASTRUCTURE WITHIN STATE ROAD RESERVATION - DEPARTMENT STATE GROWTH

The installation of third party infrastructure (ie TasWater pipelines, TasNetworks electrical cables and conduits) within the State Road reservation requires the consent of the Department State Growth.

Preliminary proposal plans to confirm design acceptability are to be submitted for consideration prior to the lodgement of detailed layout plans for approval and the applicant must apply for a Service Works permit in order to undertake the works.

Where underground services are proposed, pipelines and conduits are to be bored under all traffic lanes. Open trenching shall only be permitted in exceptional circumstances. Where it is proposed to affix infrastructure to the bridge structure, approval must be sought from the Bridge Assets Section of State Growth.

11. 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.

12. SOIL AND WATER MANAGEMENT CONTROL PLAN

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

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

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Director Infrastructure Services. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

13. SECTION 71 AGREEMENT - DETENTION BASINS

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

- a. The owner shall construct upon the Balance land Detention Basins for the purpose of limiting the maximum rate of stormwater discharge from the site to that specified in the Permit.
- b. The owner must seek and comply with all necessary approvals from Local and State Government Authorities for the Detention Basin works,
- c. The owner must grant Council all necessary easements and rights of way over the land to provide access to the Detention Basins from a public road,
- d. The owner must not undertake, cause or permit to be undertaken any works or excavation on or to the Detention Basins without the prior written consent of the Council,
- e. Any works undertaken by the owner or with the permission of the owner but without the prior written consent of the Council shall be remediated at the owners cost,
- f. The owner must not interfere with, cause or permit to be interfered with any monitoring or communication equipment installed for the purposes of monitoring the Detention Basins operation,
- g. The owner must not interfere with, cause or permit to be interfered with any penstock, gate valve or other control mechanism used in the operation of the Detention Basins
- h. The Council shall maintain the Detention Basin infrastructure in such a manner as is necessary to maintain the function of the Detention Basins
- i. The Council must provide reasonable notice where it is proposed to access the Balance land with heavy equipment to undertake modification works to the Detention Basins.
- j. The Council must reinstate any damage caused to the land due to access by heavy vehicles for the purpose of modification to the Detention Basins to a fair and reasonable condition at the conclusion of the modification works.

The term Detention Basin shall include infrastructure such as inlet structures, spillways, outlet structures, penstocks, flow and level monitoring equipment, and telemetry as well as the earthen walls.

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

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
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14. RETICULATED SERVICES

Prior to the commencement of the use, reticulated water, sewerage and electricity must be available to each lot shown on the endorsed plans.

15. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting. Street lighting shall use LED luminaires.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

16. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater Reticulation
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
 - ii. The provision of a suitably sized stormwater connection to the lowest point of each lot,
 - iii. Provision of an overland flow path for flows up to a 100 year ARI storm event.
-

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

- b. Stormwater Detention Basins
 - i. Provision of a system of detention basins designed to limit the discharge rate from the developed site to the pre-development flows for a 1:10 year ARI event for the site (4 lots) with detention for up to and including 1:100 ARI event calculated for post development flows,
 - ii. Provision of suitably designed inlet and outlet structures and spillways including all necessary fencing and barriers to prevent unauthorised access by persons, vehicles and stock,
 - iii. Provision of remote monitoring equipment being WaterLOG Radar® water level instrument mounted on a 3.0m tilt up tower with 80W solar panel and antennas and an electronics enclosure containing Campbell 200 logger, Elpro radio, 12 v regulator and 65Ah battery,
 - iv. Provision of an all-weather access road/track 3 metres wide from the public road to the outlet of the detention basins within the Balance land.
 - c. Road - New road off Meander Valley Road Roundabout
 - i. Provision of a fully constructed S5 road with a pavement width of 9000mm comprising 7000mm sealed traffic width, 500mm sealed shoulder and 500 mm verge with all necessary drainage,
 - ii. Provision of a single vehicular crossing for Lot 1, located opposite the road junction with the proposed cul de sac, designed to accommodate heavy vehicle loads,
 - iii. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - iv. Provision of all necessary line marking, signage and other traffic control devices.
 - d. Roads - New cul de sac
 - i. Provision of a fully constructed road 11 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
 - ii. Provision of a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
 - iii. Provision of a single vehicular crossing for Lots 2, 3 and 4 designed to accommodate heavy vehicle loads,
 - iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - v. Provision of all necessary line marking, signage and other traffic control devices.
-

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

- e. Electricity, Communications & Other Utilities
 - i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,
 - ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure,
 - iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority where available.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- a. Construction requirements,
- b. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- c. Construction Audit inspections,
- d. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

17. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
 - b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition,
 - c. A stormwater connection to the public drainage system and all downstream works from that connection point including the construction of the detention basin(s),
 - d. Access to underground electricity and communications infrastructure, and
 - e. Where applicable, reticulated gas infrastructure.
-

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
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18. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide the Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure Services Directorate.
- b. A Closed Circuit Television inspection report for all stormwater pipelines constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. Operation and maintenance manual for each Detention Basin and copies of all other documentation and reports required in relation to any Dam Permit issued for the Detention Basins
- e. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

19. EASEMENTS & RIGHTS OF WAY

General 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 stormwater mains. A greater width will be required in line with the *Tasmanian Subdivision Guidelines* for large diameter pipelines where the depth to invert 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.

Detention Basin Drainage Easements:

Drainage easements are required to be created over the Detention Basins and shall be defined by a line offset from the base of the wall by seven (7) metres.

Rights of Way:

Rights of Way are to be created over access tracks to the Detention Basins from public roads.

20. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall 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.
-

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

- 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.

21. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the Director Infrastructure Services, of the Certificate under Section 10 (7) of the Local Government (Highways) Act 1962. All costs involved in this procedure must be met by the Subdivider.

22. AS CONSTRUCTED PLANS

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure Services Directorate.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0227/2015. 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).

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. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

B. 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.

C. 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.

REPORT:

PART A - APPLICATION FOR PLANNING SCHEME AMENDMENT

1 Introduction

An application is made under Section 43A of the Land Use Planning and Approvals Act 1993 for a combined rezoning and development application. The application requests an amendment to the Launceston Interim Planning Scheme 2015 to rezone part of 574 Meander Valley Road (CT Volume 114487 Folio 1) from the Rural Resource Zone to Light Industrial Zone and General Industrial Zone and development application for a four lot subdivision.

The purpose of the application is to allow the grazing land to be developed primarily for industrial purposes. Industrial use and development within the Rural Resource zone is restricted and prohibits the subdivision of smaller lots.

1.1 The Legislation

The legislation allows for a combined application for a development and a planning scheme amendment to be considered jointly in accordance with Section 43A of the *Land Use Planning and Approvals Act 1993 (the act)*.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Council must decide whether or not to initiate the amendment within 42 days of receipt of the application pursuant to Section 33(3) of the act or other such time as the TPC may allow.

The matters which Council must consider when making a decision whether to reject or initiate the application are listed in Section 32 and 43C of the Act and are set out in detail in section 4 of this report.

Section 38 of the Act sets out that after making a decision on an application made under Section 43A, it is to be publicly advertised for a period of 28 days or longer period if Council requires it.

Post advertising, any representations received are to be considered by Council and the application amended, if required.

The Tasmanian Planning Commission (TPC) then conduct hearings, if required, and make their decision thereafter pursuant to Section 40 of the Act.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

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

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

The adjoining properties to the east, south and south west consist of large rural allotments with similar characteristics to the subject site. The site adjoining to the west is zoned Rural Living and consists of a dwelling and has previously been used for the selling of landscape supplies. To the north east is the industrial precinct of Prospect Vale and further to the north is the residential areas of Prospect Vale. The subject land is 7 km from the Launceston CBD and lies just within the Launceston municipal boundary.

The site has predominately been used for grazing with an existing farm residence located on the site. The land is generally undulating and consists of forested areas throughout the site. The land drains towards the east which branches into the Kings Meadows Rivulet.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
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3. PROPOSAL

3.1 Description of proposal

The proposal is a combined rezoning and development application at 574 Meander Valley Road, Prospect to rezone part of the land from Rural Resource Zone to a mix of Light Industrial Zone and General Industrial Zone.

The proposal includes a Development Application (DA0227/2015) for a subdivision to create four lots. The four lots are considered as super lots which can be further subdivided in the future. The proposal will include a new access onto the Prospect Interchange roundabout and an internal road network that will service the four proposed lots. The road has been designed to consider the proposed Kings Meadows Link Road which will connect the Midlands Highway to the Bass Highway.

The lots are proposed to be connected to reticulated water and sewerage services and two detention basins are proposed to service storm water discharge.

Lot 1 is proposed to be rezoned to Light Industrial, and Lots 2, 3 and 4 are proposed to be rezoned to General Industrial. The balance land will remain as Rural Resource.

The application states that the future use of the subdivision will be marketed as an Agricultural Park for farming and agricultural related industries, although no site specific provisions to secure this intent are proposed.

3.2 Purpose of the Light Industrial Zone and General Industrial Zone

The purposes of the Light Industrial Zone (clause 24.1.1) are:

24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimize conflict or impact on the amenity of any other uses.

24.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

The purposes of the General Industrial Zone (25.1.1) are:

25.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.

25.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

The purposes of the Rural Resource Zone (clause 26.1.1) are:

26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.

26.1.1.3 To provide for uses that add value to primary industries.

26.1.1.4 To provide for uses that support or service rural communities.

The proposal to rezone a portion of the site from Rural Resource to Light Industrial and General Industrial will facilitate the industrial estate for the following reasons:

- Ability to subdivide the site into smaller development lots
- Allowing industrial development to be approved which is consistent with the zone purpose
- Provide the ability to develop the site for industrial uses without the limitations to add value to primary industries and support or service rural communities
- Reducing the scheme requirements for potential conflicts between industrial and resource development uses

3.3 Use Classification Comparison

The Light Industrial Zone and the General Industrial Zone have fewer use classes compared to the Rural Resource Zone. However, the Rural Resource Zone has more classification restrictions in the use table than the uses within the Light Industrial Zone and General Industrial Zone. The advantages are that most industrial uses within the Light Industrial and General Industrial zones can be assessed under a Permitted application rather than going through the Discretionary application process. The Rural Resource Zone provides more restrictions for industrial uses to ensure there are no conflicts with existing agricultural uses. Additionally under the Light Industrial and General Industrial zones there is the ability to subdivide down to 1000m² lots which is not achievable in the Rural Resource Zone. See use table comparison at Appendix 1.

3.4 Landowner Consent

The applicant is the owner of the property. Consent has also been provided by Department of State Growth and Meander Valley Council as the respective owners of the road reserves and for the works that will be required with this land.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

3.5 Infrastructure Capacity

The site is located within an area that is currently not connected to reticulated water, sewer and stormwater system.

The applicant has engaged in discussions with TasWater who have advised that the development requires the provisions of water and sewerage services within the site, installation of new water and sewerage infrastructure beyond the development site and the addition or upgrading of TasWater water and sewerage services to provide capacity for the development. TasWater have no objections to the development and have issued a Submission to Planning Authority Notice (SPAN) subject to conditions.

TasWater has estimated the future water demand and sewer discharge from the development using the Water Services Association of Australia (WSAA) Water and Sewer Codes and amended by the TasWater supplements. This assessment equates to 2600 equivalent tenements based on the 52ha of land proposed to be rezoned. TasWater has estimated 340ETs for the development of Lot 1.

TasWater has provided infrastructure cost estimates on the ultimate development of the 52ha equating to 2600ET and states the total external servicing costs to be approximately \$26.6m based on the existing infrastructure capacities and the cost associated with the development of Lot 1 to be approximately \$5.6m.

An Appendix to the SPAN which is an excerpt from TasWater's Price and Service Plan 2015-18 (p.88) states that *"no charges (other than works internal and works external) would apply for developments that are consistent with TasWater's growth plans but charges would apply for developments that require TasWater to bring forward works ahead of schedule or if development is outside of any growth plan. Developments would be assessed by location, but those developments occurring within planning envelopes (both physical and temporal) would have no charge applies for taking up spare capacity.*

More specifically, it involved removing headworks charges for all development that is consistent with its infrastructure growth plan, introducing "out of sequence charge" for developments that require TasWater to bring forward works ahead of schedule and the introduction of "isolated development charges" if development is outside any growth plan.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

After discussions with TasWater the applicant has provided an assessment of TasWater's costs to service Lot 1 which they have revised to \$3.935m. It is estimated that Lots 1 and 2 of the proposed subdivision will be developed over a 10 year period and Lots 3 and 4 may be development within 10 to 20 years. As TasWater Pricing Services Plan, published June 2015, states that where there is spare capacity in that system that is less than the total required for the development, it can be made available at no additional charge. Additionally, TasWater will develop a Strategic Asset Management Plan (SAMP) which will commence 1 July 2018 and this proposed industrial subdivision is likely to be considered as part of these plans for any future upgrades to TasWater infrastructure. The requirement to increase the capacity to the Casino Reservoir and sewer treatment plant is unlikely to be required for the first two stages of the development. The development of Lot 3 and 4 is likely to be beyond July 2018 when TasWater have their SAMP's in operation. Upon developing Lots 3 and 4, if the works to increase the capacity of the infrastructure have not already been completed by TasWater the developer has an opportunity to bring forward the works ahead of schedule through the "out of sequence charges" policy for the next two stages of the industrial subdivision. This will result in the developer paying a fee based on a percentage of the cost of infrastructure, for TasWater to bring forward the works rather than having to pay the entire costs of undertaking the works.

It is therefore unlikely that the developer will be required to pay the \$26.6m, as the proposed industrial subdivision will be developed over a 20-30 year period and the upgrades of the TasWater infrastructure are most likely have been completed by the time the industrial subdivision will require the additional capacity.

4 STRATEGIC PLANNING

4.1 Consideration of matters applying to assessment of an amendment

There are various sections of the legislation that are required to be considered in the assessment of a planning scheme amendment. These are set out in Section 32 of LUPA 1993. The two key considerations are that the amendment must demonstrate:

- (e) as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and
 - (ea) must not conflict with the requirements of section 30O; and
 - (f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.
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7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

In regard to (e), the proposal to rezone the proposed four lots will allow for the development of an industrial estate. The areas of land to the east, south and west are used for grazing land which will have minimal impacts from the proposed rezoning. The land to the north east is Kate Reed Reserve which has a dense vegetation buffer that will reduce any impacts from the proposed industrial estate. There are residential properties 120m from propose Lot 1 to the north of the site which are located on the other side of the Bass Highway. The application proposes that Lot 1 is zoned Light Industrial to reduce the conflicts that may arise with industrial uses due to the proximity of those residential properties. The land adjoining directly to the south west of the site is zone Rural Living with an existing single dwelling. There are opportunities to provide a dense vegetation buffer within Lot 2 which will reduce any future impacts to the adjoining property.

In regard to (f), it is considered that the rezoning of land to Light Industrial Zone and General Industrial Zone and the subdivision for a future industrial estate will provide strategic advantages due to the highway connectivity and the location within close proximity to rural resource uses which will strengthen the relationship of the estate for farming and agricultural related industries. An Environmental Impact Assessment provided determined that the proposed development will have no significant impacts on vegetation communities, threatened flora and fauna and measures can be taken to ensure there are no impacts on the water quality of the Kings Meadows Rivulet.

Section 300 requires the amendment to have regional consistency

The proposed amendment is for the rezoning of part of one parcel of land, which is considered to be a local provision for the purposes of this assessment. The rezoning will not directly or indirectly be inconsistent with any common provisions or planning directive.

43C. Applications referred to in section 43A

- (1) *In determining an application referred to in section 43A, a planning authority, in its opinion –*
- (a) *must seek to further the objectives set out in Schedule 1; and*
 - (b) *must take into consideration such of the prescribed matters as are relevant to the use or development subject of the application.*

Section 43C(1) (a) requires the objectives set out in Schedule 1 to be considered.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Schedule 1, Part 1 - Objectives of the Resource Management and Planning System of Tasmania

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity

The subject area is located on an area of land that is adjacent to the Bass Highway at the Prospect Interchange and is currently used for grazing purposes. The development footprint has an area of 60.7 ha consisting 16.8 ha of native vegetation. The vegetation and fauna on the site does not consist of any threatened or vulnerable species. The subdivision proposes to connect to reticulated sewerage and water services. Two detention basins are proposed to manage storm water and to ensure the Kings Meadows Rivulet will not be impacted by the development.

(b) to provide for the fair, orderly and sustainable use and development of air, land and water

The proposed rezoning and subdivision application has been located on this site due to the good connectivity to the State's highways and airport and close proximity to Launceston's CBD yet being located outside of urban areas. The impacts on residential areas will be minimal as the rezoning has been designed to locate the Light Industrial Zone closest to the Bass Highway and the urban areas of Prospect which are located on the other side of the highway. The lots to be zoned General Industrial are located further away and therefore will provide adequate separation to prevent impacts. Two detention basins will be required to manage storm water and protect the Kings Meadows Rivulet.

(c) to encourage public involvement in resource management and planning

The public will have the opportunity to comment on this proposal during the exhibition period which will run for 28 days, should the Council decide to exhibit the application. The public has the opportunity to lodge a written representation to the application during the public exhibition period. The Tasmanian Planning Commission may also decide to hold a public hearing to deal with the representations if any are received.

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

A report prepared by Opteon Property Group has stated that with continuing development of irrigation within the broader region there will be growth in the agricultural business industry. This will result in demand for land with good connectivity to highways and in close proximity to Launceston and agricultural areas. The proposal provides industrial land which has a reduced number of limitations compared to the current supply of industrial land within the Greater Launceston Area.

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State

This application was referred to TasWater who provided their conditional consent. The site is not heritage listed and therefore did not warrant referral to the Tasmanian Heritage Council. The Council and the Tasmanian Planning Commission will be involved in the consideration of the application and it will be advertised for public comment.

Meander Valley Council has provided comments in support of the proposed rezoning and subdivision of land for industrial purposes.

Northern Midlands Council have expressed concern that the proposal may undesirably compete with the vacant industrial land available at Westbury and Translink and it is considered the rezoning of the site is premature.

The Department of Primary Industries, Parks, Water and Environment were concerned with the discharge of stormwater and how the unauthorised vehicular access to Kate Reed Reserve through the proposed subdivision will be managed.

The proposed detention basins will be constructed to ensure that stormwater is appropriately managed. The land between the proposed subdivision and Kate Reed Reserve will be privately owned and will continue to be used for grazing purposes. It is likely that the land will be fenced to contain stock and therefore access will be restricted.

4.1.2 Northern Tasmania Industrial Land Strategy (August 2014)

The Northern Tasmania Industrial Land Study was developed to provide availability of suitable vacant industrial land in the region and the projected demand for industrial land for the next 15 to 30 years.

The report states "*In total, the vacant areas in these precincts equate to 48 hectares. Total demand projected for local services industries in Launceston is 16.9 to 21.6 for the next 15 years. This would leave 27 to 31 hectares for potential rezoning and/or other industrial uses including export oriented industries.*"

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

The report suggests *"to identify additional land for future industrial development only if existing industrial supplies are not sufficient or suitable to accommodate strategic or local unmet demand effectively"*.

The information within this report indicates that the existing industrial land throughout Launceston has limitations. A summary of the existing vacant industrial land and limitations are listed below:

- Connector Park - the remaining lots within this subdivision are located close to residential uses and is zoned Light Industrial which has greater limitations.
- George Town Road/ Lilydale Road land is in close proximity to residential uses and there is not a sufficient buffer available.
- Inveresk land - is within a flood prone area and there are residential uses that may not be able to provide a sufficient buffer.
- Youngtown - The remaining lots within this subdivision are located on sloping site which make them difficult to be developed and unsuitable for industrial use.
- Westbury industrial precinct is a greater distance from Launceston which is less desirable for industries servicing Launceston.
- Translink only has a few lots left within the subdivision and these lots have height restrictions from the proximity to the airport and do not have access to natural gas and limited trade waste capacity.
- Legana, Waverley, St Leonards, Killafaddy Road, Prospect and Remount Road industrial land all have limited access to main transport routes.

The report states *"There may be a need to consider a new industrial precinct if the existing sites do not meet the requirements of the businesses relocating. A potential site is a site known as the Haselbros site just west of the Connector Park precinct and adjacent to the Midland Hwy and close to the Bass Hwy."*

It is considered that the proposed rezoning and subdivision will not have unacceptable adverse visual impacts because of the location and topography of the site. The site is located at one of the major gateways to the city and a vegetation strip will be required to reduce the views into the site from the highway. The proposed subdivision will not have unacceptable adverse environmental impact as there were no rare or threatened species within the areas of vegetation that are proposed to be removed. The proposed detention basins for stormwater discharge will ensure the water quality of the Kings Meadows Rivulet is not impacted. The subdivision will be connected to reticulated water and sewerage services.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

The site has convenient access arrangements from the proposed junction onto the Prospect interchange roundabout and state highway network. The new internal road from the Prospect interchange roundabout may in the future be upgraded to the Kings Meadows link road.

The site will not unreasonably have any conflicts with use and development permissible under the proposed zones of the planning scheme when considering the adjacent areas and impacts on residential development within the suburb of Prospect.

Due to the locational advantages of the subject site it is considered that Launceston's long term industrial land supply can be accommodated on the subject site. Over the next 20-30 years this site could see many industrial businesses within restricted locations relocating to this precinct which will enable the consolidation of industrial land throughout Launceston municipality. The site is surrounded by rural land which enables the opportunity for future growth of this industrial precinct.

4.1.3 Launceston Industrial Strategy 2009

The Launceston Industrial Strategy 2009-2029 was developed to ensure Launceston has a co-ordinated supply of industrial land providing a choice of location to service the Launceston regional centre and to establish Launceston as the industrial centre of choice for new and emerging high technology and research and development industries.

This report states "approximately 562ha is identified by Council for industrial use, of which an estimated 184ha is currently vacant. There are also a number of derelict sites, the exact land area of which has not yet been determined. The total amount of potential land available for industrial development might however prove to be less than this, given the desire to relocate some inappropriately located industrial uses. Most such need derives from conflicts with residential uses, in areas such as Wellington Street and South Launceston."

The report states that there is enough industrial land in the short to mid-term for the current demands. It is considered that the vacant land currently available does provide limitations that could be better used for smaller industrial operations. It is considered that the proposed site is strategically well located on the transport network and is setback adequately from sensitive uses which does differentiate this site from other industrial locations.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

4.1.4 Greater Launceston Plan (January 2014)

The Greater Launceston Plan has identified an investigation area for the subject site.

The GLP report states that there is sufficient industrial land stocks to meet prospective demands beyond 2043 and those wide ranging additions to industrial land stocks would not be recommended. However it also states that where there are specific needs to be addressed such as additional employment or special purpose land then additional industrial zone land is likely to be warranted.

The GLP states "A new employment node and industrial area is proposed as part of the proposed extension of the Kings Meadows Link Road to the Westbury Road/Bass Highway interchange (termed Prospect Link Road in this report). A priority investigation area has been identified to resolve site and development planning issues to facilitate a new industrial park and employment node to service the south west corridor. The proposed development will accommodate new industrial activities which may require specific buffer provisions together with transport based activities and environmental management."

"These activities together with a regional sustainable village demonstrating products and service of the building and construction industry will serve as a new regional employment node for the south west corridor and greater Launceston."

"The proposed priority investigate area is located south of the Bass Highway and will be accessed by the future Kings Meadows link road extension. The proposed link road extension will provide regional access and high visibility to the proposed industrial park and employment road."

It is considered that the proposed industrial estate does provide a unique opportunity to provide industrial land that is located in close proximity to the highway network, farming and agricultural related industries and can cater for larger developments requiring larger servicing demands. The proposal is considered to be consistent with the objectives of the GLP.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
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4.1.5 Regional Land Use Strategy of North Tasmania (September 2013)

The Goal 1 and Strategy Direction 3 of this report states that sufficient supply of employment and industrial land should be provided for a variety of innovative commercial businesses and industries in the most appropriate locations. This is achieved through appropriately zoned land that can be serviced with adequate infrastructure. It is considered that the proposed rezoning and subdivision is in accordance with the RLUS for North Tasmania.

4.2 State Policies

4.2.1 State Policy on the Protection of Agricultural Land 2000

This policy has been developed to provide a consistent framework for planning decisions involving agricultural land by ensuring that the capacity of agricultural land is considered in all planning decisions. The policy states that the provisions of public utilities, infrastructure or a proposal of significant economic benefit to the region may cause prime agricultural land to be converted to non-agricultural use. The site has been classified as Land Capability Class 4 and Class 6 which is non-prime agricultural land. The Class 4 land can be used for occasional cropping, and Class 6 land has major limitations for grazing as cultivation to sow improved pasture species is not feasible. It is considered that as the proposal is only for 52ha of land and due to the limitations of the site for agricultural use and the close proximity to the state highway network the conversion of this land will not greatly impact on the continued productive capacity of the State's agricultural land resource.

4.2.2 Tasmanian State Coastal Policy 1996

Does not apply as the land is outside of the defined area.

4.2.3 State Policy on Water Quality Management 1997

The Environmental Impact Assessment prepared by Catherine Murdoch, Certified Environmental Practitioner states *"Water quality leaving the site will be managed by appropriate urban sensitive design for stormwater including sediment control basins. Sediment and erosion controls during construction will minimise water quality impacts by minimising the sediment loads and runoff leaving the site. Riparian vegetation will not be cleared during construction hence identified riparian buffers for the Kings Meadows Rivulet will not be impacted by the development."*

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
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4.2.4 National Environmental Protection Measures

National Environmental Protection Measures (NEPMs) are automatically adopted as state policies. They outline common environmental objectives for managing the environment.

Current NEPMs are:

- National Environmental Protection (Used Packaging Materials) Measure
- National Environmental Protection (Ambient Air Quality) Measure
- National Environmental Protection (Movement of Controlled Waste Between States and Territories) Measure
- National Environmental Protection (National Pollutant Inventory) Measure
- National Environmental Protection (Assessment of Site Contamination) Measure
- National Environmental Protection (Diesel Vehicle Emissions) Measure
- National Environmental Protection (Air Toxics) Measure

The site has no land use history that indicates contamination. It is considered that the NEPMs will have minimal impact on the proposed amendment.

5 COMMENTS BY REFERRAL AGENCIES

The application was referred to TasWater under Section 17 of the *Land Use Planning and Approvals Regulations 2004*. TasWater has issued its Submission to Planning Authority Notice (TWDA 2015/00737-LCC) stating that it does not object to the application for amendment and development application subject to conditions.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
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6. PLANNING SCHEME REQUIREMENTS

6.1 Zone Purpose

24.0 Light Industrial Zone

24.1.1 Zone Purpose Statements

24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimize conflict or impact on the amenity of any other uses.

24.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

Consistent

The application proposes a four lot subdivision with Lot 1 proposed to be rezoned to Light Industrial. The rezoning will allow for the lot to be further subdivided for future Light Industrial uses. This lot has been selected for Light Industrial zoning as the site is approximately 120m from the residential. The potential uses on the site are limited within the zone to ensure there are no impacts or conflicts on the amenity. It is considered the proposed subdivision is consistent with the intent of the zone.

Local Area Objectives - There are no local area objectives

Desired Future Character Statements

- There are no desired future character statements

24.4.5 Lot size and dimensions

Objective:

To ensure:

- (a) the area and dimensions of lots are appropriate for the zone; and
 - (b) adjoining land, especially residential zones, is protected from adverse impacts on amenity.
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7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Consistent

The proposed lot is a large parcel that can be further subdivided in the future to provide appropriate sized lots for Light Industrial development.

A1.1 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) have a minimum area of no less than 1 000m²; and
- (b) be able to contain 20m diameter circle with the centre of the circle not greater than 20m from the frontage; or

A1.2 Each lot, or a lot proposed in a plan of subdivision, must:

- (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 municipality; or
- (b) be required for the provision of public utilities; or
- (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and

A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.

Complies

The proposed lot will have an area of 6.8ha and is capable of containing a 20m diameter circle with the centre of the circle not greater than 20m from the frontage. An indicative plan has been provided detailing 10 future lots which can be accommodated within Proposed Lot 1 which meet the acceptable solutions.

A2 Subdivision must not be located on the boundary of the General Residential, Inner residential, Low Density Residential, Environmental Living, Rural Living, Urban Mixed Use or Village zones.

Complies

The proposed subdivision will adjoin the existing Rural Resource Zone, Utilities Zone and Environmental Management Zone to the north east and north west. The lot will adjoin the proposed General Industrial Zone to the south.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

24.4.6 Frontage and access

<p>Objective:</p> <p>To ensure that lots provide:</p> <ul style="list-style-type: none"> (a) appropriate frontage to a road; (b) safe appropriate access suitable for the intended use of the new lot.
<p>Consistent</p> <p>The proposal includes a new junction onto the Prospect interchange roundabout and an internal road network which has been designed to consider the future Kings Meadows Link Road extension. The road reserves and alignment allow suitable access for the proposed subdivision.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 10m.</p>
<p>Complies</p> <p>The proposed Lot 1 will have a frontage of approximately 450m to the new internal road network which will be a road maintained by Council.</p>
<p>A2 No acceptable solution.</p>
<p>Relies on Performance Criteria</p> <p>There are no acceptable solutions. Assessment against the performance criteria is required.</p>
<p>P2 Each lot is provided with reasonable vehicular access from a carriageway to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic, including pedestrians; (d) the character of the area; and (e) the advice of the road authority.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

The proposed Lot 1 will have frontage to the internal road network that will be constructed to Council standards and a single crossover will be provided to the lot.

24.4.7 Discharge of stormwater

Objective:

To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.

Consistent

The proposal is for the stormwater to be collected into two detention basins which will then be discharged into an existing watercourse.

A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.

Complies

The proposed detention basins will be part of the public stormwater system.

A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.

Relies on Performance Criteria

The subdivision will not be connecting to an existing stormwater system. Two detention basins are proposed and therefore assessment against the performance criteria is required.

P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:

- (a) the location of the discharge point (if any);
- (b) the stormwater flow paths both internal and external to the site;
- (c) the topography of the site;
- (d) the characteristics of the site, including rainfall;
- (e) the development of the site;
- (f) the additional runoff from the subdivision development and likely future development of the land; and
- (g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

There is currently no existing public stormwater system on the site. The proposal includes two detention basins which will have a size and foot print based on the provision of limiting flows to a pre-development 1 in 5 year storm event. The basins will include water sensitive urban design parameters to ensure there is no impact on the water quality when discharged into the Kings Meadows Rivulet. Conditions will be included on the permit to ensure that the stormwater system is designed to Council's satisfaction.

24.4.8 Water and sewerage services

Objective:

To ensure each lot provides for appropriate water supply and wastewater disposal.

Consistent

The application proposes to connect to reticulated water and wastewater services.

A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.

Complies

The subdivision proposes to connect to TasWater reticulated water supply.

A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.

Complies

The subdivision proposes to connect to TasWater reticulated sewerage system.

25.0 General Industrial Zone

25.1.1 Zone Purpose Statements

25.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.

25.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Consistent

The proposed rezoning and subdivision will allow the future development of the sites to be utilised for general industrial purposes and is therefore consistent with the zone purpose.

Local Area Objectives - There are no local area objectives

Desired Future Character Statements

- There are no desired future character statements

25.4.5 Lot size and dimensions

Objective:

To ensure:

- (a) the area and dimensions of lots are appropriate for the zone; and
- (b) adjoining land, especially residential zones, is protected from adverse impacts on amenity.

Consistent

The proposed lots are large parcels of land that can be further subdivided in the future to provide appropriate sized lots for General Industrial development.

A1.1 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) have a minimum area of no less than 1000m² ; and
- (b) be able to contain 20m diameter circle with the centre of the circle be no greater than 20m from the frontage; or

A1.2 Each lot, or a lot proposed in a plan of subdivision, must:

- (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 municipality; or
- (b) be required for the provision of public utilities; or
- (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and

A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

The proposed lots have an area in excess of 1000m². Lot 2 will have an area of 17.5ha, Lot 3 will have an area of 19.7ha and Lot 4 will have an area of 8ha. The lots can contained a 20m diameter circle within the centre of the circle no greater than 20m from the frontage. An indicative plan has been provided which details the ability to further subdivide the lots and comply with the acceptable solutions for lot size and dimensions.

A2 Subdivision must not be located on the boundary of the General Residential, Inner Residential, Low Density Residential, Environmental Living, Rural Living, Urban Mixed Use or Village zones.

Complies

The proposed subdivision will adjoin the existing Rural Resource Zone, Utilities Zone, and proposed Light Industrial Zone to the north east and north west. The lots will adjoin the Rural Resource Zone to the south.

25.4.6 Frontage and access

Objective:

To ensure that lots provide:

- (a) appropriate frontage to a road;
- (b) safe appropriate access suitable for the intended use of the new lot.

Consistent

The proposal includes a new junction onto the Prospect interchange roundabout and an internal road network which has been designed to consider the future Kings Meadows Link Road extension. The road reserves and alignment allow suitable access for the proposed subdivision.

A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 10m.

Complies

The proposed Lot 2 will have a frontage of approximately 662m to the new internal road network. Lot 3 will have a frontage of 399m and Lot 4 will have a frontage of 80m. The new internal road network will be a road maintained by Council.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

A2 No acceptable solution.
<p>Complies There is no acceptable solution. Assessment against the performance criteria is required.</p>
<p>P2 Each lot is provided with reasonable vehicular access from a carriageway to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic, including pedestrians; (d) the character of the area; and (e) the advice of the road authority.
<p>Complies Each of the lots will have a frontage to the internal road network that will be constructed to Council standards and a single crossover will be provided to each lot.</p>

25.4.7 Discharge of stormwater

<p>Objective:</p> <p>To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.</p>
<p>Consistent The application proposes the stormwater to be collected into two detention basins which will then be discharged into an existing watercourse.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.</p>
<p>Complies The proposed detention basins will be part of the public stormwater system.</p>
<p>A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.</p>

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Relies on Performance Criteria

The subdivision will not be connecting to an existing stormwater system. Two detention basins are proposed and therefore assessment against the performance criteria is required.

P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:

- (a) the location of the discharge point (if any);
- (b) the stormwater flow paths both internal and external to the site;
- (c) the topography of the site;
- (d) the characteristics of the site, including rainfall;
- (e) the development of the site;
- (f) the additional runoff from the subdivision development and likely future development of the land; and
- (g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

Complies

There is currently no existing public stormwater system on the site. The proposal includes two detention basins which will have a size and foot print based on the provision of limiting flows to a pre-development 1 in 5 year storm event. The basins will include water sensitive urban design parameters to ensure there is no impact on the water quality when discharged into the Kings Meadows Rivulet. Conditions will be included on the permit to ensure that the stormwater system is designed to Council's satisfaction.

25.4.8 Water and sewerage services

Objective:

To ensure each lot provides for appropriate water supply and wastewater disposal.

Consistent

The application proposes to connect to reticulated water and wastewater services.

A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.

Complies

The subdivision proposes to connect to TasWater reticulated water supply.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
-

A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.

Complies

The subdivision proposes to connect to TasWater reticulated sewerage system.

26.0 Rural Resource Zone

26.1.1 Zone Purpose Statements

26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.

26.1.1.3 To provide for uses that add value to primary industries.

26.1.1.4 To provide for uses that support or service rural communities.

Consistent

The area of land that is not part of the subdivision and rezoning will remain zoned Rural Resource and will continue to be used for grazing purposes.

Local Area Objectives - There are no local area objectives

Desired Future Character Statements

- There are no desired future character statements

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**

26.3 Use Standards

26.3.1 Location and intensity

Objective:

To:

- (a) protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated;
- (b) minimise the conversion of non-prime agricultural land to a non- primary industry uses;
- (c) ensure that non-primary industry uses are located appropriate to the zone;
- (d) discourage non-primary industry uses that can be reasonably located on land zoned for that purpose;
- (e) provide for uses that are co-located with a dwelling and are of similar intensity to a home-based business;
- (f) provide for tourism uses to enhance the experience and promotion of touring routes and natural and cultural features;
- (g) locate uses so that they do not unreasonably confine or restrain the operation of primary industry uses; and
- (h) provide for uses that are suitable in the locality and do not create an unreasonable adverse impact on existing uses or local infrastructure.

Consistent

The area of land that is to remain under the Rural Resource zone will continue to be used for grazing purposes. The rezoning component of the application is not assessed against this provision.

A1 If for permitted or no permit required uses.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

<p>Complies The grazing use is classified under resource development use and is 'no permit required'.</p>
<p>A2 If for permitted or no permit required uses.</p>
<p>Complies The resource development use is 'no permit require'.</p>

26.4.2 Lot size and dimensions

<p>Objective:</p> <p>To ensure that subdivision is only to:</p> <ul style="list-style-type: none"> (a) improve the productive capacity of land for primary industry uses; or (b) enable Resource processing use where compatible with the zone; or (c) facilitate use and development for allowable uses in the zone; and (d) enable natural and cultural heritage protection.
<p>Consistent The proposed subdivision will not limit the ability to facilitate use and development for allowable uses in the zone.</p>
<p>A1.1 Each lot, or a lot on a plan of subdivision, must:</p> <ul style="list-style-type: none"> (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 municipality; or (b) be required for the provision of public utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and <p>A1.2 Lots must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Relies on Performance Criteria

The proposed subdivision requires assessment against the performance criteria.

P1.1 Each lot, or a lot on a plan of subdivision, must have sufficient useable area and dimensions suitable for Resource development use, having regard to:

- (a) not materially diminishing the productivity of the land;
- (b) the capacity of the new lots and the balance lot for productive agricultural use;
- (c) any topographical constraints to agricultural use;
- (d) current irrigation practices and the potential for irrigation; and
- (e) have an area of no less than 35ha and be able to contain a minimum inscribed circle of no less than 100m in diameter; or

P1.2 Each lot, or a lot on a plan of subdivision, must have sufficient useable area and dimensions that comply with a non-Resource development use other than Residential uses, approved under this scheme, having regard to:

- (a) the development area of the approved use; and
- (b) any conditions of approval; or

P1.3 Each lot, or a lot on a plan of subdivision, must have sufficient useable area and dimensions to facilitate the protection of a place of Aboriginal, natural or historic cultural heritage; or

P1.4 A dwelling existing at the effective date, may be excised, where:

- (a) the balance land is no less than 35ha, or through consolidation with adjoining land is no less than 35ha;
- (b) an agreement pursuant to section 71 of the Act is entered into and registered on the title preventing future Residential use where there is no dwelling on the balance lot;
- (c) any existing dwellings must meet the performance criteria for setback standards to new boundaries of clause 26.4.1; and
- (d) excised lots are no greater than 12.5ha; or

P1.5 Subdivision not creating additional lots and not meeting the requirements of clause 9.3 may be approved, having regard to:

- (a) the size, shape and orientation of the lots;
 - (b) the setback to any existing buildings;
 - (c) the capacity of the lots for productive agricultural use;
 - (d) any topographical constraints to agricultural use; and
 - (e) current irrigation practices and the potential for irrigation.
-

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

The proposed subdivision will result in the balanced land having an area of approximately 136.3ha. The land will be access from the new internal road network. As the land has a classification of Land Capability Class 4 and 6, the site is limited to grazing. The subdivision will not restrict the opportunity to continue grazing on the balance land and there is a natural topographical and vegetation buffer between the proposed subdivision and the balance Rural Resource land.

26.4.3 Frontage and access

Objective:

To ensure that lots provide:

- (a) appropriate frontage to a road; and
- (b) safe and appropriate access suitable for the intended use.

Consistent

The proposal includes a new junction onto the Prospect interchange roundabout and an internal road network which has been designed to consider the future Kings Meadows Link Road extension. The road reserves and alignment allow suitable access to the balance land.

A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.

Complies

The proposed balance land will have a frontage to the new internal road network which will be a road maintained by Council. The road frontage will be greater than 3.6m.

A2 No acceptable solution.

Complies

As there is no acceptable solution, assessment against the performance criteria is required.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:

- (a) the topography of the site;
- (b) the distance between the lot or building area and the carriageway;
- (c) the nature of the road and the traffic;
- (d) the character of the area; and
- (e) the advice of the road authority.

Complies

The proposed balance land will have vehicular access from the new internal road network to the boundary of the site.

26.4.4 Wastewater management

Objective:

To ensure each lot provides for appropriate wastewater disposal.

Consistent

The application proposes to connect Lots 1 through to 4 to reticulated waste disposal. There will be either the ability to connect to the wastewater disposal system or the ability to provide an on-site system to the balance land.

A1 No acceptable solution.

Relies on Performance Criteria

As there is no acceptable solutions, assessment against the performance criteria is required.

P1 It must be demonstrated that each lot, or a lot proposed in a plan of subdivision, is capable of accommodating an on-site wastewater management system for the intended use, which does not have adverse environmental impacts.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

Lots 1 through to 4 will be connected to a reticulated wastewater system. The current grazing use of the balance land does not require the connection, however if the balance land is developed in the future there is the opportunity to either connect to the reticulated wastewater system or the site is large enough to accommodate an on-site wastewater management system.

E1.0 Bushfire-Prone Areas Code

E1.1 The purpose of this Code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

Consistent

A bushfire hazard assessment report and a Bushfire Hazard Management Plan (BHMP) prepared by Rebecca Green, Rebecca Green & Associates dated 3 December 2015 demonstrating compliance with the acceptable solutions.

E1.6 Development Standards**E1.6.1 Subdivision**

E1.6.1.1 Subdivision: Provision of hazard management areas

Objective:

Subdivision provides, where appropriate, for hazard management areas that:

- (a) facilitate an integrated approach between subdivision and subsequent building on a lot;
 - (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building site;
 - (c) provide protection for lots at any stage of a staged subdivision.
-

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Consistent

The bushfire hazard management report and BHMP provided by Rebecca Green, Rebecca Green & Associates states that hazard management areas are to be established and maintained between the bushfire prone vegetation and future buildings on the site.

A1

- (a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or
- (b) The proposed plan of subdivision
 - (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions; and
 - (ii) shows the building area for each lot; and
 - (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of 2009 Construction of Buildings in Bushfire Prone Areas. The proposed plan of subdivision must be accompanied by a bushfire hazard management plan certified by the TFS or accredited person demonstrating that hazard management areas can be provided ; and
 - (iv) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

Complies

The submitted bushfire assessment report and BHMP indicates that the proposed lots can provided hazard management areas in accordance with BAL 19 Table 2,4,4 AS3959. An addendum to the bushfire hazard assessment report and BHMP has been provided that has indicated the indicative future subdivision can provide building envelopes to accommodate BAL 19.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

E1.6.1.2 Subdivision: Public Access

Objective:

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access for occupants, fire fighters and emergency service personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under attack and hazard management procedures to be undertaken;
- (c) are designed and constructed to allow for fire fighting vehicles to be manoeuvred;
- (d) provide access to water supplies for fire-fighting vehicles; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Consistent

The bushfire hazard management report and BHMP prepared by Rebecca Green, Rebecca Green & Associates demonstrates compliance with the acceptable solutions.

A1

- (a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in subdivision for the purposes of fire fighting; or
- (b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of private access to building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being consistent with the objective; or
- (c) A proposed plan of subdivision:
 - (i) shows that, at any stage of a staged subdivision, all building areas are within 200m of a road that is a through road; and
 - (ii) shows a perimeter road, private access or fire trail between the lots and bushfire-prone vegetation, which road, access or trail is linked to an internal road system; and
 - (iii) shows all roads as through roads unless:
 - a. they are not more than 200m in length and incorporate a minimum 12m outer radius turning area; or
 - b. the road is located within an area of vegetation that is not bushfire-prone vegetation; and
 - (iv) shows vehicular access to any water supply point identified for fire fighting.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

The bushfire hazard management report and BHMP states the proposed access for all lots is off the new internal road network and then access to the building areas will be over a private driveway. The private driveways will be constructed in accordance with a modified 4C access road all weather driveway. It is likely that a new subdivision application will be proposed for each of the lots before any buildings are constructed on site.

A2 Unless the development standards in the zone require a higher standard, construction of roads must meet the requirements of Table E3.

Not Applicable

The bushfire hazard management report states the standard is not applicable.

E1.6.1.3 Subdivision: Provision of water supply for fire fighting purposes

Objective:

Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.

Consistent

The bushfire hazard management report and BHMP prepared by Rebecca Green, Rebecca Green & Associates demonstrates compliance with the acceptable solutions.

A1 In areas serviced with reticulated water by a Regional Corporation:

- (a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or
- (b) a proposed plan of subdivision shows that all parts of a building area are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa in accordance with Table 2.2 and clause 2.3.3 of AS 2419.1 2005 - Fire hydrant installations.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

The bushfire hazard management report and BHMP states that the lots will be connected to a reticulated water supply and a ground ball fire hydrant is to be provided within 120m hose lay of a future building site on each lot within the new road reserve. The future subdivision of the lots will have bushfire assessments undertaken for the assessment of any future planning application.

A2 In areas that are not serviced by reticulated water by a Regional Corporation or where the requirements of A1 (b) be met:

- (a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures being provided; or
 - (b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient, consistent with the objective, to manage the risks to property and lives in the event of a bushfire; or
 - (c) it can be demonstrated that:
 - (i) a static water supply, dedicated to fire fighting, will be provided and that the water supply has a minimum capacity of 10 000 litres per building area and is connected to fire hydrants; and
 - (ii) a proposed plan of subdivision shows all building areas to be within reach of a 120m long hose connected to a fire hydrant, measured as a hose lay, with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa; or
 - (d) it can be demonstrated that each building area can have, or have access to, a minimum static water supply of 10 000 litres that is:
 - (i) dedicated solely for the purposes of fire fighting; and
 - (ii) accessible by fire fighting vehicles; and
 - (iii) is within 3m of a hardstand area.
-

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
-

Not Applicable

The bushfire hazard management report and BHMP states that the water supply is consistent with the objective. The site will be connected to a reticulated water supply.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

Consistent

The proposed new access from the Prospect interchange roundabout and the internal road network has been designed to provide safety and efficiency onto the road network.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

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

Consistent

The Traffic Impact Assessment prepared by Cardno states the proposed increase in movement to and from the site will not impact in the safety and efficiency of the roads.

A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.

Relies on Performance Criteria

The proposed subdivision will generate an increase of movements by more than 10% or 10 vehicle movements per day and therefore assessment against the performance criteria is required.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

P1 Any increase in vehicle traffic to a category 1 or category 2 road in an area subject to a speed limit of more than 60km/h must be safe and minimise any adverse impact on the efficiency of the road, having regard to:

- (a) the increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;
- (c) the nature of the road;
- (d) the speed limit and traffic flow of the road;
- (e) any alternative access to a road;
- (f) the need for the use;
- (g) any traffic impact assessment; and
- (h) any written advice received from the road authority.

Complies

The proposed subdivision will have access from a new junction onto the Prospect interchange roundabout where traffic can either enter onto the Bass Highway and travel in an easterly direction, cross the Westbury Road bridge and enter onto the Bass Highway and travel in a north west direction or continue along Westbury Road into Prospect. The Traffic Impact Assessment prepared by Cardno demonstrates the capacity of the adjacent road network can accommodate the traffic generated by the proposed subdivision allowing for future underlying traffic volume growth over the next 10 years. The increased traffic from the proposed subdivision will not require the need to undertake any additional external works to the existing road network.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**

E4.6 Development Standards

E4.6.1 Development adjacent to roads and railways

Objective:

To ensure that development adjacent to category 1 or category 2 roads or the rail network:

- (a) ensures the safe and efficient operation of roads and the rail network;
- (b) allows for future road and rail widening, realignment and upgrading; and
- (c) is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network.

Consistent

The proposed subdivision, new access and internal road network will not impact on the future road, realignment or upgrading.

A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:

- (a) new buildings;
- (b) other road or earth works; and
- (c) building envelopes on new lots.

A1.2 Buildings must be:

- (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or
 - (b) an extension which extends no closer than:
 - (i) the existing building; or
 - (ii) an immediately adjacent building.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Relies on Performance Criteria

The proposed subdivision will be located approximately between 16m and 25m from the Meander Valley Road / Bass Highway off ramp and is in excess of 50m from the Bass Highway. As the site is within 50m of the Bass Highway off ramp assessment against the performance criteria is required.

P1 The location of development, from the rail network, or a category 1 road or category 2 road in an area subject to a speed limit of more than 60km/h, must be safe and not unreasonably impact on the efficiency of the road or amenity of sensitive uses, having regard to:

- (a) the proposed setback;
- (b) the existing setback of buildings on the site;
- (c) the frequency of use of the rail network;
- (d) the speed limit and traffic volume of the road;
- (e) any noise, vibration, light and air emissions from the rail network or road;
- (f) the nature of the road;
- (g) the nature of the development;
- (h) the need for the development;
- (i) any traffic impact assessment;
- (j) any recommendations from a suitably qualified person for mitigation of noise, if for a habitable building for a sensitive use; and
- (k) any written advice received from the rail or road authority.

Complies

The proposed subdivision is setback adequately from the Bass Highway, Bass Highway off ramp and Meander Valley Road to ensure the highway will not be restricted with future road widening that may be required in the future. The Cardno report states that the internal road network and access from the Prospect interchange roundabout will be delivered in accordance with relevant design standards and LGAT requirements. The proposed internal road has been designed to align with the future Kings Meadows Link Road which was identified within the GLP. The subdivision is for industrial uses and therefore the close proximity of the highway and subsequent noise, vibrations, light and air emissions will not impact on the future uses of the site. It is considered the proposed subdivision meets the performance requirements.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

E4.6.2 Road accesses and junctions

<p>Objective:</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.</p>
<p>Consistent</p> <p>The proposed new access onto the Prospect interchange roundabout will be designed to ensure the safety and efficiency of the road is not reduced.</p>
<p>A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>
<p>Relies on Performance Criteria</p> <p>The speed limit of traffic through the Prospect interchange roundabout is 100km/h. Assessment against the performance criteria is required.</p>
<p>P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
<p>Complies</p> <p>The Cardno Traffic Impact Assessment states that the traffic generated from the proposed subdivision can be accommodated by the existing road network without substantive impact on the operation of the road network. The speed limit at the Prospect interchange roundabout is 100km/h however an advisory sign states 45km/h and it is difficult to exceed 60km/h through the roundabout. The new junction will be designed to be constructed to LGAT requirements and conditions are also included on the permit from Department of State Growth detailing their requirements.</p>

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.

Complies

The proposed access to the new lots from the internal road network will provide one access providing both entry and exit to the site.

E4.6.4 Sight distance at accesses, junctions and level crossings

Objective:

To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Consistent

The Traffic Impact Assessment prepared by Cardno states that the proposed junction onto the Prospect interchange roundabout and new internal road network can be delivered in accordance the performance criteria.

A1 Sight distances at:

- (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
- (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

Relies on Performance Criteria

Assessment against the performance criteria is required.

P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the frequency of use of the road or rail network;
- (c) any alternative access;
- (d) the need for the access, junction or level crossing;
- (e) any traffic impact assessment;
- (f) any measures to improve or maintain sight distance; and
- (g) any written advice received from the road or rail authority.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

The Traffic Impact Assessment prepared by Cardno states that the proposed junction onto the Prospect interchange roundabout and the internal road network can be delivered in accordance with relevant design standards and LGAT requirements for a 60km/h urban standard road. A concept plan was included within the Traffic Impact Assessment demonstrating the capacity of the proposed subdivision road network to accommodate a 25m B-double vehicle. It is considered the proposed development meets the performance criteria.

E7.0 Scenic Management Code

E7.1 The purpose of this provision is to:

- (a) ensure that siting and design of development protects and complements the visual amenity of scenic road corridors; and
- (b) ensure that siting and design of development in scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape; and
- (c) ensure that vegetation is managed for its contribution to the scenic landscape.

Consistent

An area of land measuring a width of 75m along the Bass Highway frontage is listed as within the Scenic Management Area. This area of land will be located within proposed Lots 1 and 2. The only vegetation within this area of the subdivision is a small area of the vegetation buffer which surrounds the existing house that is proposed to be removed to facilitate the proposed subdivision. Measures can be undertaken to ensure that future development is unobtrusive from public view points and will not impact on the visual amenity of the area.

E7.5 Use Standards

Not used in this Code.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

E7.6 Development Standards

E7.6.2 Scenic management areas

<p>Objective:</p> <p>The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.</p>
<p>Consistent</p> <p>The proposed subdivision is located on an area of land that is predominately cleared of vegetation and is not visually prominent when travelling along the Bass Highway.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p> <p>There are no acceptable solutions, assessment against the performance criteria is required.</p>
<p>P1 Development (not including development that involves only the clearance or removal of vegetation, or subdivision) must have regard to:</p> <ul style="list-style-type: none"> (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3; (b) the impact on skylines, ridgelines and prominent locations; (c) the nature and extent of existing development on the site; (d) the retention or establishment of vegetation to provide screening; (e) the need to clear existing vegetation; (f) the requirements for any hazard management; (g) the need for infrastructure services; (h) the specific requirements of the development; (i) the location of development to facilitate the retention of trees; and (j) design treatment of development, including: <ul style="list-style-type: none"> (i) the bulk and form of buildings including materials and finishes; (ii) any earthworks for cut or fill; (iii) the physical (built or natural) characteristics of the site or area; (iv) the nature and character of the existing development; and (v) the retention of trees.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

<p>Not Applicable The proposal is for a subdivision.</p>
<p>A2 No vegetation is to be removed.</p>
<p>Complies The existing vegetation along the fence line of the dwelling is proposed to be removed. Assessment against the performance criteria is required.</p>
<p>P2 Development that involves only the clearance or removal of vegetation must have regard to:</p> <ul style="list-style-type: none"> (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3; (b) the physical characteristics of the site; (c) the location of existing buildings; (d) the type and condition of the existing vegetation; (e) any proposed revegetation; and (f) the options for management of the vegetation.
<p>Complies The site is not visually prominent from the Bass Highway due to the highway located within the gully. An existing vegetation buffer between the Bass Highway and the residential dwellings in Prospect provides visual protection from the proposed development site. As an extra measure it is recommended that a vegetation strip along the Bass Highway off ramp and Meander Valley Road will be required by a condition on the permit to protect the visual amenity from the future industrial development and street trees along the internal road network will also enhance the visual amenity.</p>
<p>A3 Subdivision is in accordance with a specific area plan.</p>
<p>Relies on Performance Criteria The proposal is not in accordance with a specific area plan.</p>

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

P3 Subdivision must have regard to:

- (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;
- (b) the size, shape and orientation of the lot;
- (c) the density of potential development on lots created;
- (d) the need for the clearance or retention of vegetation;
- (e) the need to retain existing vegetation;
- (f) the requirements for any hazard management;
- (g) the need for infrastructure services;
- (h) the specific requirements of the subdivision;
- (i) the extent of works required for roads or to gain access to sites, including any cut and fill;
- (j) the physical characteristics of the site and locality;
- (k) the existing landscape character;
- (l) the scenic qualities of the site; and
- (m) any agreement under s.71 of the Act affecting the land.

Complies

A section of proposed Lots 1 and 2 and the new junction onto the Prospect interchange roundabout is located with the Western Hillside Precinct of the Scenic Management Area. The proposal will facilitate future development of the super lots and the construction of the internal road network. The site is not visually prominent from the Bass Highway as the highway is located within a gully. The view to the subject site from the residential properties located in Prospect is obscured by existing vegetation that provides a buffer between the houses and the highway. The most prominent view of the site is when taking the off ramp from the Bass Highway or travelling across the Westbury Road bridge to Meander Valley Road. It is recommended that a condition be included on the permit requiring a landscaping plan be provided which includes a vegetation strip along the Bass Highway off ramp and Meander Valley Road and the proposed subdivision which will provide additional measures to ensure there is not loss of visual amenity. It is recommended street trees are also provided along the internal road network which will enhance the visual amenity of the development. A condition will be included on the planning permit specifying the vegetation requirements. Any future development of the lots will require further approval and assessment against the planning scheme provisions.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**

E8.0 Biodiversity Code

E8.1 The purpose of this provision is to:

- (a) support the conservation of biodiversity in the planning scheme area and the northern region, including the extent, condition and connectivity of important habitats and priority vegetation communities, and the number and status of threatened species; and
- (b) consider and manage the impact of use or development on biodiversity through:
 - (i) minimisation of vegetation and habitat loss or degradation; and
 - (ii) appropriate location of development.

Consistent

An Environmental Impact Assessment and Flora and Fauna Habitat Assessment have been provided as part of the application which demonstrates compliance with the provisions.

E8.5 Use Standards

Not used in this Code.

E8.6 Development Standards

E8.6.1 Habitat and vegetation management

Objective:

To appropriately protect or manage vegetation identified as priority habitat and priority vegetation communities.

Consistent

An environmental impact assessment has been prepared demonstrating that there are no priority habitat or priority vegetation communities within the area to be cleared.

A1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Relies on Performance Criteria

A Forest Practices Plan is not required for the clearance of vegetation. Assessment against the performance criteria is required.

P1 Clearance or disturbance of native vegetation within priority habitat or areas identified as priority vegetation communities does not compromise the adequacy of representation of species or vegetation communities, having regard to:

- (a) the quality of the site to provide habitat of significance to the maintenance or protection of biodiversity in the planning scheme area;
 - (b) the need for the clearance or disturbance of the vegetation;
 - (c) the method of clearance or disturbance of the vegetation;
 - (d) the extent and quality of the vegetation or habitats affected by the proposal;
 - (e) the value of the vegetation as a wildlife corridor;
 - (f) the value of riparian vegetation to the protection of habitats and wildlife corridors;
 - (g) any rehabilitation and maintenance measures;
 - (h) the impacts of development and vegetation clearance, in proximity to the priority habitat or priority vegetation communities;
 - (i) any conservation outcomes achieved and the long term security of any offset for the loss of the vegetation, provided in accordance with the General Offset Principles document published by the Department of Primary Industries, Parks, Water and Environment, available at <http://dpiuwe.tas.gov.au/Documents/General-Offset-Principles.pdf> ;
 - (j) any agreement under section 71 of the Act relating to vegetation management;
 - (k) any conservation covenant made under the Nature Conservation Act 2002, that exists on or adjacent to the site of the proposed development; and
 - (l) any recommendations or advice contained in a flora and fauna report.
-

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

There are two small areas on the site that are identified as priority habitat on the planning scheme overlay maps. An Environmental Impact Assessment prepared by Catherine Murdoch, Certified Environmental Practitioner has stated that the vegetation proposed to be removed from the site does not provide habitat for threatened fauna species and there is no vulnerable vegetation within the area. The report states that as the volume of vegetation being cleared is less than 100 tonnes, a Forest Practices Plan is not required for the site.

E9.0 Water Quality Code

E9.1 The purpose of this provision is to:

- (a) manage adverse impacts on wetlands and watercourses.

Consistent

An Environmental Impact Assessment and Flora and Fauna Habitat Assessment have been provided as part of the application which demonstrates compliance with the provisions.

E9.5 Use Standards

Not used in this code.

E9.6 Development Standards

E9.6.1 Development in the vicinity of a watercourses and wetlands

Objective:

To protect watercourses and wetlands from the effects of development and minimise the potential for water quality degradation.

Consistent

The proposed development is within close proximity to the upper reaches of the Kings Meadows Rivulet. Measures have been taken to ensure the effects from the development are minimised.

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

<p>A1 No acceptable solutions.</p>
<p>Relies on Performance Criteria There are no acceptable solutions, assessment against the performance criteria is required.</p>
<p>P1 Development must not unreasonably impact the water quality of watercourses or wetlands, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the potential for erosion; (c) the potential for siltation and sedimentation; (d) the risk of flood; (e) the impact of the removal of vegetation on hydrology; (f) the natural values of the vegetation and the land; (g) the scale of the development; (h) the method of works, including vegetation removal, and the machinery used; (i) any measures to mitigate impacts; (j) any remediation measures proposed; (k) any soil and water management plan; and (l) the requirements of the Department of Primary Industries, Parks, Water and Environment Wetlands and Waterways Works Manual.
<p>Complies The proposed subdivision is within the upper reaches of the Kings Meadows Rivulet. One of the detention basins will be located at the top of the Kings Meadows Rivulet, however the IPD Consulting report states that no base flow from the rivulet was present in this location. The detention basins have been designed to not impact on the water quality and ecological values of the watercourse. Conditions will be included on the permit in relation to the specifications of the detention basins to ensure there is no impact on the Kings Meadows Rivulet. A condition is also recommended requiring a Site Management Plan be submitted before the commencement of construction works. The Site Management Plan will need to detail the management of soil and water during construction and sediment control practices. These measures will ensure that the development does not unreasonably impact on the water quality of the Kings Meadows Rivulet. The Environmental Impact Assessment prepared by Catherine Murdoch states that control methods implemented for the construction and ongoing development will not impact on the water quality.</p>

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

E9.6.2 Development of watercourses and wetlands

<p>Objective:</p> <p>To protect watercourses and wetlands from the effects of development and minimise water quality degradation.</p>
<p>Consistent</p> <p>The development will be required to undertake measures that will minimise water quality degradation.</p>
<p>A1 A wetland must not be altered, modified, filled, drained, piped or channelled.</p>
<p>Complies</p> <p>There is no wetland within the development area.</p>
<p>A2 A pipe or culvert crossing of a watercourse for access purposes.</p>
<p>Not Applicable</p> <p>The proposal does not include a pipe or culvert for the crossing of a watercourse.</p>

E9.6.3 Discharges to watercourses and wetlands

<p>Objective:</p> <p>To manage discharges to watercourses and wetlands so as not unreasonably impact the water quality.</p>
<p>Consistent</p> <p>The proposal includes the two detention basins to appropriately manage the discharge of stormwater into to the Kings Meadows Rivulet.</p>
<p>A1 All stormwater discharge must be:</p> <p>(a) connected to the public stormwater system; or</p> <p>(b) diverted to an on-site system that contains stormwater within the site.</p>

7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)

Complies

The proposal includes the construction of two detention basins for the management of stormwater on the site.

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

A2.2 For existing point source pollution discharges into a watercourse or wetland, there is no more than a 10% increase in the volume or characteristics of the discharge that existed at the effective date.

Relies on Performance Criteria

The proposed detention basins will be discharging directly into the watercourse. Assessment against the performance criteria is required.

P2 New and existing point source pollution discharges must not unreasonably impact on the water quality of watercourses or wetlands, having regard to:

- (a) the characteristics, volume and flow rates of the discharge;
- (b) the characteristics of the receiving waters;
- (c) the impact on hydrology;
- (d) the opportunities to recycle or reuse the discharge;
- (e) any measures to mitigate impacts;
- (f) best practice environmental management; and
- (g) any emission limit guidelines or protected environmental values or water quality objectives issued by the Board of Environment Protection Authority in accordance with the State Policy for Water Quality Management 1997.

Complies

The proposed detention basins will be designed in accordance with water sensitive urban design parameters to ensure no unreasonable impact on the water quality. Conditions will be included on the permit to ensure there is a limit on the discharge rate and the inlet and outlets are suitable designed to ensure there will be no impact on the Kings Meadows Rivulet.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
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E10.0 Open Space Code

E10.1 The purpose of this provision is to:

- (a) Ensure that the location and area of land required for public open space in subdivisions meets the reasonable ongoing needs of the community.

Not Applicable

Council has determined that no land is required for public open space and a cash in lieu payment for public open space will be included as a condition on the planning permit.

7. 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 2015 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 2015 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 2015 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.

- 7.1 Amendment 9 to the Launceston Interim Planning Scheme 2015 - Rezone from Rural Resource to Light Industrial and General Industrial; Subdivision - four lot subdivision. 574 Meander Valley Road, Prospect - Rezoning of land and subdivision to create four...(Cont'd)**
-

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

APPENDIX

1. Comparisons of uses in the current and proposed zoning

ATTACHMENTS:

1. Locality Map
 2. Plans (circulated separately)
 3. Planning Report (circulated separately)
 4. Bushfire Hazard Report (circulated separately)
 5. Traffic Impact (circulated separately)
 6. IPD Consulting - Response to request for information.
 7. Vegetation and Fauna Habitat Assessment (circulated separately)
 8. Summary of Impacts associated with the development of Strathroy Agri Park Development (circulated separately)
 9. AK Consultants - Review of assessment report - Land Capability for Proposed Strathroy Agripark Industrial Subdivision (circulated separately)
 10. Scenic Impact Observations (circulated separately)
 11. Streetscape Plan (circulated separately)
 12. Opteon Property Group - Consulting Report (circulated separately)
-

Appendix 1

The table below includes a comparison of uses in the current and proposed zoning:

Existing Rural Resource Zone	Status	Proposed Light Industrial Zone	Status
Natural and cultural values management	No Permit Required	Natural and cultural values management	No Permit Required
Passive Recreation	No Permit Required	Passive Recreation	No Permit Required
Resource development (If not for: (a) plantation forestry on prime agricultural land; (b) controlled environment agriculture on prime agricultural land, unless dependent on the soil as a growth medium; (c) intensive animal husbandry on prime agricultural land; or (d) a dwelling.)	No Permit Required	Equipment and machinery sales and hire	Permitted
Utilities (If for existing uses: (a) the gross floor area existing at the effective date does not increase by more than 30%; and (b) the development area existing at the effective date does not increase by more than 30%; and (c) not located on prime agricultural land.)	No Permit Required	Research and development	Permitted
Business and professional services (If for a veterinary centre or similar specialist animal breeding or care services and not on prime agricultural land.)	Permitted	Service industry	Permitted
Community meeting and entertainment (If for existing premises used for public purposes)	Permitted	Storage	Permitted
Crematoria and cemeteries (If for crematoria and not on prime agricultural land)	Permitted	Utilities (If for minor utilities)	Permitted

Appendix 1

The table below includes a comparison of uses in the current and proposed zoning:

Existing Rural Resource Zone	Status	Proposed Light Industrial Zone	Status
Domestic animal breeding, boarding or training (If not on prime agricultural land)	Permitted	Bulky goods (If for garden or landscape or hardware supplies)	Discretionary
Extractive industries (If not on prime agricultural land)	Permitted	Community meeting & entertainment	Discretionary
Food services (If for existing uses: (a) the gross floor area existing at the effective date does not increase by more than 30%; and (b) the development area existing at the effective date does not increase by more than 30%.)	Permitted	Crematoria and cemeteries (If for crematoria)	Discretionary
Hotel Industry (If for existing uses: (a) the gross floor area existing at the effective date does not increase by more than 30%; and (b) the development area existing at the effective date does not increase by more than 30%.)	Permitted	Domestic animal breeding, boarding or training	Discretionary
Residential (If for existing uses or if for home-based business in an existing dwelling.)	Permitted	Emergency services	Discretionary
Resource development (If not for: (a) plantation forestry on prime agricultural land; or (b) controlled environment agriculture on prime agricultural land; or (c) intensive animal husbandry on prime agricultural land.)	Permitted	Food services (If not for a restaurant)	Discretionary
Resource processing (If associated with produce from the subject site and not on prime agricultural land)	Permitted	Manufacturing and processing	Discretionary

Appendix 1

The table below includes a comparison of uses in the current and proposed zoning:

Existing Rural Resource Zone	Status	Proposed Light Industrial Zone	Status
Sports and recreation (If for existing uses: (a) the gross floor area existing at the effective date does not increase by more than 30%; and (b) the development area existing at the effective date does not increase by more than 30%.)	Permitted	Recycling and waste disposal (If not for a refuse disposal site)	Discretionary
Visitor accommodation (If for existing uses: (a) the gross floor area existing at the effective date does not increase by more than 30%; and (b) the development area existing at the effective date does not increase by more than 30%.)	Permitted	Resource processing (If not for animal saleyards or abattoir)	Discretionary
Bulky goods sales (If for rural supplies, landscape supplies and timber yard)	Discretionary	Sport and Recreation	Discretionary
Business and professional services (If for a combined gross floor area of no more than 250m ²)	Discretionary	Utilities	Discretionary
Community meeting & entertainment	Discretionary	Vehicle fuel sales and service	Discretionary
Domestic animal breeding, boarding or training	Discretionary	Vehicle parking	Discretionary
Educational and occasional care	Discretionary	All other uses	Prohibited
Emergency services	Discretionary	Proposed General Industrial Zone	Status
Equipment and machinery sales and hire	Discretionary	Natural and cultural values management	No Permit Required
Extractive industries	Discretionary	Passive recreation	No Permit Required
Food services	Discretionary	Bulky goods sales (If for garden or landscape or hardware supplies)	Permitted

Appendix 1

The table below includes a comparison of uses in the current and proposed zoning:

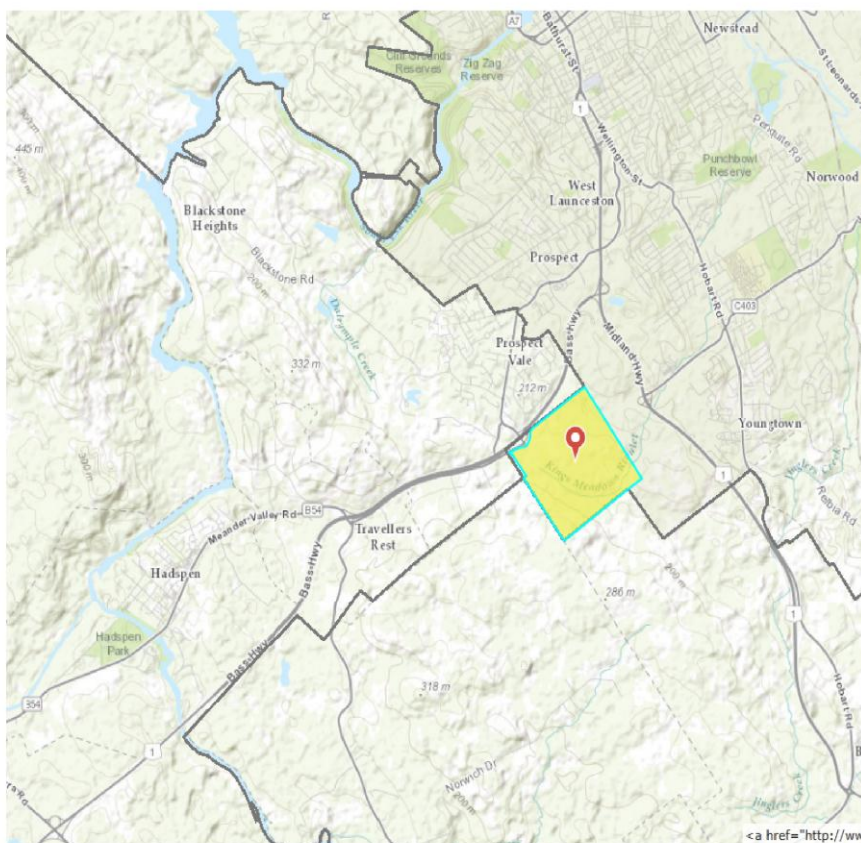
Existing Rural Resource Zone	Status	Proposed Light Industrial Zone	Status
General retail and hire (If for a combined gross floor area of no more than 250m ²)	Discretionary	Equipment and machinery sales and hire	Permitted
Hotel industry	Discretionary	Manufacturing and processing	Permitted
Manufacturing and processing	Discretionary	Port and shipping	Permitted
Motor racing facility	Discretionary	Recycling and waste disposal (If not for a refuse disposal site)	Permitted
Recycling and waste disposal	Discretionary	Research and development	Permitted
Residential (If for a single dwelling)	Discretionary	Resource processing (If not for animal saleyards or abattoir)	Permitted
Research and development (If associated with resource development)	Discretionary	Service industry	Permitted
Resource development (If not for plantation forestry on prime agricultural land)	Discretionary	Storage	Permitted
Resource processing	Discretionary	Transport depot and distribution	Permitted
Service industry	Discretionary	Utilities (If for minor utilities)	Permitted
Sports and recreation	Discretionary	Vehicle fuel sales and service	Permitted
Tourist operation	Discretionary	Vehicle parking	Permitted
Transport depot	Discretionary	Crematoria and cemeteries (If for crematoria)	Discretionary
Utilities	Discretionary	Emergency services	Discretionary
Vehicle fuel sales and service	Discretionary	Food services (If not for a restaurant)	Discretionary
Visitor accommodation	Discretionary	Motor racing facility	Discretionary
All other uses	Prohibited	Resource processing	Discretionary
		Utilities	Discretionary
		All other uses	Prohibited

Attachment 1 - 574 Meander Valley Road, Prospect - DA0227/2015 & SF6339
- Locality Map (Pages = 1)

Launceston City Council
A Leader in Community & Government



LOCALITY MAP - DA0227/2015 & SF6339 574 MEANDER VALLEY ROAD, PROSPECT



Locality Map

Scale: This Map Is Not to Scale



Attachment 6 - 574 Meander Valley Road Prospect
IPD Consulting (Pages = 9)

Memorandum

Date: 7 May 2015
To: Launceston City Council
From: Mark Walkers, IPD Consulting
Subject: Strathroy Agri Park
Our ref: 1334_C

Regarding: Development Application – DA0005/2015, 574 Meander Valley Road, Prospect Launceston City Council Information Request

IPD Consulting has been instructed to draw up the subdivision plans and lot plans for the proposal. We have also undertaken a comprehensive engineering assessment of the proposed subdivision from a services and utilities perspective to ensure that the proposed 4-lot subdivision is functional and practical and meets all relevant standards.

Subdivision Design, Servicing and Planning Scheme Requirements

1. Reticulated Sewerage and Industrial Trade Waste:

Demonstrate that reticulated sewerage can be provided to accommodate the industrial levels of trade waste likely for agricultural processing.

A concept servicing plan has been attached to this memo, which provides a detailed arrangement for a possible sewerage servicing plan based on a concept lot layout. The servicing plan indicates that several sewerage pumping stations are required, however overall the area can be serviced.

At present the area would be pumped to the Blackstone (Prospect vale) WWTP catchment, however during detailed design, TasWater may decide that only a portion of flow goes to the Blackstone WWTP and instead a portion is diverted to the Ti Tree Bend WWTP catchment. We note that this issue is highly dependent on the Greater Launceston Waste Water Treatment Plant Rationalisation strategy which TasWater are currently undertaking. Either option is appropriate, its just a matter of TasWater's preference.

Based on the Water Services Association of Australia, WSA 02 (Sewerage Code), we consider 150EP / Ha can be used for flow estimation for the future industrial land. Based on a EP flow rate of 180L/EP/day, this flow equates to an Average Dry Weather Flow (ADWF) of 16.5 L/s, which indicates that a split sewage flow (ie portion to Blackstone WWTP and portion to Ti Tree Bend WWTP is likely to be required, depending upon the final detailed design approach, to ensure the downstream infrastructure is not impacted adversely.

2. Reticulated Water:

There will be reliable access to sufficient quantities of reticulated water with adequate pressure to provide for industrial processes and firefighting purposes. The industrial processes are based on the highest possible use that would be expected to be located at the site.

Water Supply would come from the Casino Reservoir which is at an elevation of approximately, RL230. The site being developed is generally at RL 180, hence a static head of 50m (500kPa) is available. A industrial development requires a minimum pressure of 250kPa for both water supply and fire fighting purposes. TasWater would need to confirm the minimum available pressures during detailed design, and if the available operating pressures dropped below 250kPa, then a booster pump

Doc ref: 1334_C

station would be required. This is not "special" and a similar situation occurred during the development of the TransLink development (sub division at the Launceston Air Port).

Based on the Water Services Association of Australia, WSA 03 (Water Code) the likely peak water usage is in the order of 0.4L/s/Ha to 2.4 L/s/Ha.

3. Design and Layout relative to the Kings Meadows Rivulet :

The design and layout of the 4-lot subdivision has had much regard to the kings meadows rivulet. Substantial consideration has also been given to the water quality code. In our view stormwater can be managed on the site having regard to the minimum lot size permissible within the proposed zones.

The development is situated at the extreme upper extremity of the Kings Meadows Rivulet, with two key upper reaches being considered close to the development.

Tributary A (See attached plan) is the key tributary in terms of flow and current impact to the downstream environment. Flow from the upper reaches of this tributary is generated from the Lomond View Estate residential area within Prospect, and flows to the tributary with no detention or water sensitive urban design features.

Tributary C discharges to Tributary A within the Kate Reid Reserve area, and then continues on to flow through the reserve prior to being discharged to the Eastern side of the Southern Outlet (Highway).

Tributary B discharges to Tributary A on the Eastern side of the Southern Outlet (Highway).

None of the above tributaries pass through or discharge to a current wetland.

The current water quality code lists a range of key criteria which must be addressed or managed. The following is a commentary of the required design features to ensure the development is in compliance with the water quality code, with specific references to the key clauses:

1. Clause 9.4 – Use or development Exempt from this Code
 - Based on the fact that all development will be connected to reticulated sewer and stormwater, the overall development should in our opinion be assessed only at the areas where the development discharges to the existing Kings Meadows Rivulet upper tributaries and not as a lot by lot basis.
2. Clause E9.6.1 – Development and Construction Practices and Riparian Vegetation
 - No Ben Lomond Water (TasWater) catchment areas are impacted. TasWater does not extract water for reticulation purposes from the Kings Meadows rivulet.
 - Due to the requirement to ensure that post development flows to the tributary are not greater than the equivalent pre development flows up to the 1 in 5 year ARI storm event, it is likely that two stormwater detention basins are required to be constructed in the upper extremity of Tributary B and Tributary C.
 - Prior to construction of these basins, a soil and water management plan is to be prepared and submitted to Council, along with demonstration of the peak design flows being detained.
 - No wetland will be impacted by the development
 - Native vegetation will be retained in the majority of the development within 40m of a water course, except for short sections of the tributaries above the detention basins.

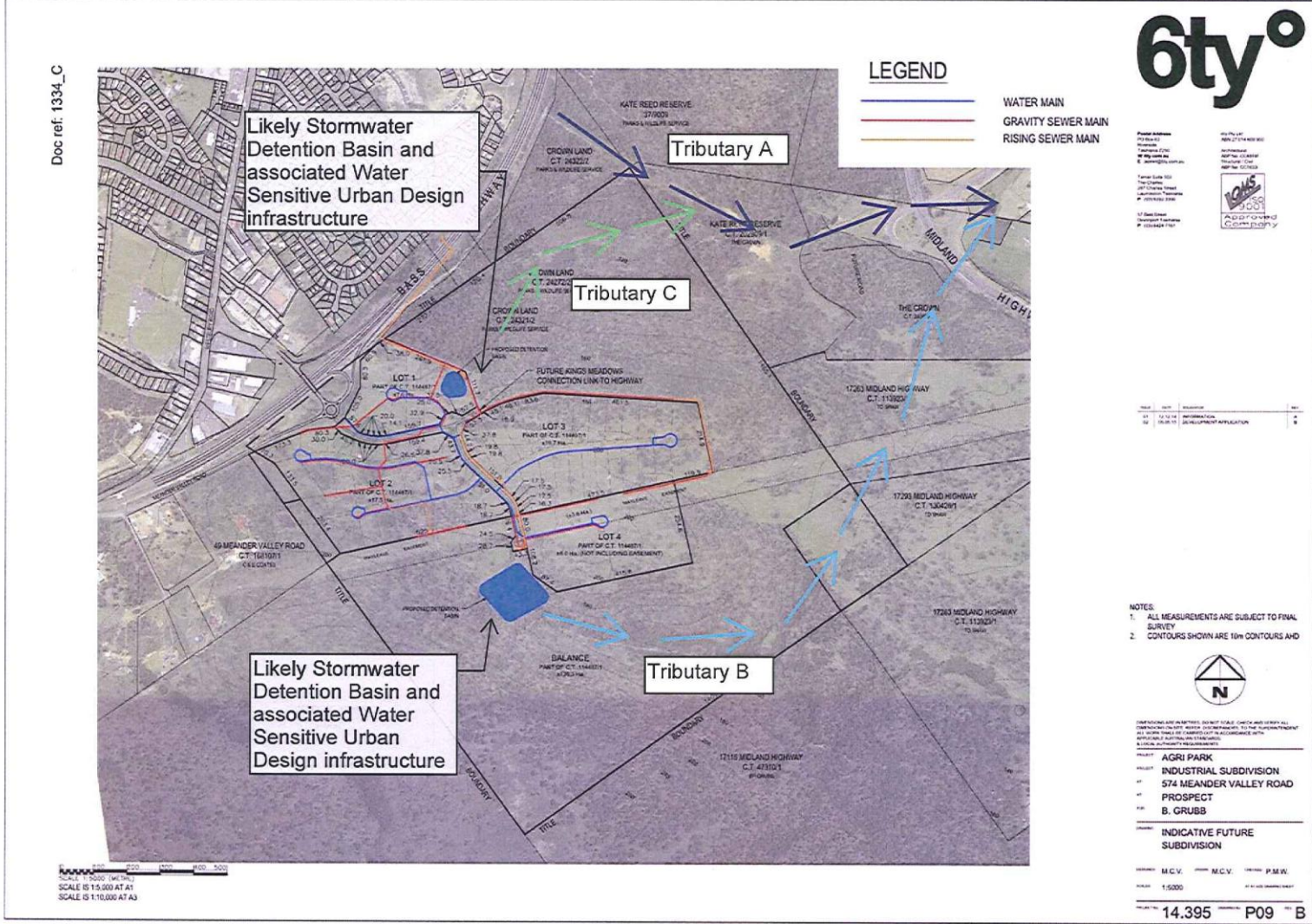
Doc ref: 1334_C

- No water course will be filled, apart for the construction of the detention basins and its noted that this work is being undertaken in the very upper sections of these tributaries.
3. Clause E9.6.2 –Water Quality Management
 - All stormwater from the development will be diverted through the detention basins which will be designed in accordance with Water Sensitive Urban Design principles.
 - No new point sources will be constructed, other than those discharging to the new detention basins.
 4. Clause 9.6.3 Construction of Roads
 - Where roads are constructed within 50m of a water course, the detailed design drawings will be accompanied with a report which demonstrates compliance with the Waterways Works Manual.
 5. Clause 9.6.4 Access
 - Where access is constructed near existing watercourses, the detailed design drawings will be accompanied with a report which demonstrates that the works minimises the disturbance to vegetation and hydrological features.
 6. Clause E9.6.5 Sediment and Erosion Control
 - The development will involve works.
 - The detailed design drawings will be accompanied with a soil and water management plan which demonstrates that dust will be managed and minimised, and erosion and sediment loss from the site will be reduced.
 7. Clause 9.6.6 Ben Lomond Water Catchment Areas
 - The development is not within a Water catchment area for the collection of reticulated water.

If you require any further information or clarification on any aspect of the above please don't hesitate to contact me on, Mob: 0419 574 975 or Email: mwalters@ipdconsulting.com.au

Yours faithfully
IPD Consulting Pty Ltd

Mark Walters





Memorandum

Date: 5 June 2015
To: Launceston City Council
From: Mark Walkers, IPD Consulting
Subject: Strathroy Agri Park
Our ref: 1334

Development Application – DA0005/2015, 574 Meander Valley Road, Prospect Launceston City Council Information Request

The following is a response to the further information requested received by the City of Launceston, dated 27th May 2015. Specific items addressed in this response relate to section 5 of the information request, relating to Infrastructure Requirements.

1.1 Water Quality Code – Launceston Interim Planning Scheme 2015:

E9.6.1 Development in the vicinity of a watercourses and wetlands

The development will create a new point source of pollution which will discharge to a watercourse. The development includes the construction of two new detention basins which will be designed in accordance with water sensitive urban design parameters, to ensure no unreasonable impact to water quality in regard to the following criteria:

- (a) the topography of the site;
- (b) the potential for erosion;
- (c) the potential for siltation and sedimentation;
- (d) the risk of flood;
- (e) the impact of the removal of vegetation on hydrology;
- (f) the natural values of the vegetation and the land;
- (g) the scale of the development;
- (h) the method of works, including vegetation removal, and the machinery used;
- (i) any measures to mitigate impacts;
- (j) any remediation measures proposed;
- (k) any soil and water management plan; and
- (l) the requirements of the Department of Primary Industries, Parks, Water and Environment **Error! Hyperlink reference not valid..**

Doc ref: 1334

E9.6.2 Development of watercourses and wetlands

No wetland will be alternated during the construction of the development.

One of the detention basins is to be constructed at the very top of the Kings Meadows Rivulet watercourse; however in this area of the watercourse, no base flow is present. As the basin will be developed within the watercourse, the basin will be designed to not unreasonably impact on water quality or ecological values of the watercourse, and having regard to:

- (a) the topography of the site;
- (b) the potential for erosion;
- (c) the potential for siltation and sedimentation;
- (d) the potential for dust generation;
- (e) the impact on hydrology;
- (f) the risk of flood;
- (g) the natural values of the watercourse;
- (h) the scale of the development;
- (i) the method of development, including any vegetation removal, and the machinery used;
- (j) the need for the development;
- (k) any measures to mitigate impacts;
- (l) any remediation measures proposed;
- (m) any soil and water management plan; and

- (n) the requirements of the Department of Primary Industries, Parks, Water and Environment Wetlands and Waterways Works Manual.

E9.6.3 Discharges to watercourses and wetlands

It is proposed that all lots are connected to a public stormwater system. This is an acceptable solution in accordance with Clause **E9.6.3 Discharges to watercourses and wetlands** – Launceston Interim Planning Scheme 2015. The indicative servicing plan demonstrates this compliance.

There will be no new point source pollution, discharging to an existing watercourse, however this will be via two new detention basins, which will be designed in accordance with water sensitive urban design parameters, to ensure no unreasonable impact to water quality in regard to the following criteria:

- (a) the characteristics, volume and flow rates of the discharge;
- (b) the characteristics of the receiving waters;
- (c) the impact on hydrology;

Doc ref: 1334

- (d) the opportunities to recycle or reuse the discharge;
- (e) any measures to mitigate impacts;
- (f) best practice environmental management; and
- (g) any emission limit guidelines or protected environmental values or water quality objectives issued by the Board of Environment Protection Authority in accordance with the [Error! Hyperlink reference not valid.](#)

1.2 Servicing Criteria – Light Industrial and General Industrial Zones.

Clause 24.4.7 Discharge of Stormwater – Launceston Interim Planning Scheme

It is proposed that all lots are connected or capable of being connected to a public stormwater system. This is an acceptable solution in accordance with Clause 24.4.7 Discharge of Stormwater – Launceston Interim Planning Scheme 2015. The indicative servicing plan demonstrates this compliance.

Clause 24.4.8 Water and Sewerage Services – Launceston Interim Planning Scheme

It is proposed that all lots are connected to a reticulated water and sewerage system. This is an acceptable solution in accordance with Clause 24.4.8 Water and Sewerage Services – Launceston Interim Planning Scheme 2015. The indicative servicing plan demonstrates this compliance.

Clause 25.4.7 Discharge of Stormwater – Launceston Interim Planning Scheme

It is proposed that all lots are connected or capable of being connected to a public stormwater system. This is an acceptable solution in accordance with Clause 25.4.7 Discharge of Stormwater – Launceston Interim Planning Scheme 2015. The indicative servicing plan demonstrates this compliance.

Clause 25.4.8 Water and Sewerage Services – Launceston Interim Planning Scheme

It is proposed that all lots are connected to a reticulated water and sewerage system. This is an acceptable solution in accordance with Clause 25.4.8 Water and Sewerage Services – Launceston Interim Planning Scheme 2015. The indicative servicing plan demonstrates this compliance.

1.3 Proposed Detention Basins

We confirm that the detention basin size and associated foot print has been based on the provision of limiting flows to a pre-development a 1 in 5 year storm event

Parameters used are as follows:

- Coefficient of runoff (Pre development): C = 0.25
- Coefficient of Runoff (post development) C = 0.8
- 1 in 10 year rainfall intensity = 55mm/hr
- 1 in 100 year rainfall intensity = 60mm/hr (based on additional filling time of the basin of 30mins).

Doc ref: 1334

Based on the above parameters we estimate the basins will require the following storage:

- Basin No.1: 5,500m³ ie at 2m deep the basin needs to have a storage area of 2250m²
- Basin No.2: 2,800m³ ie at 2m deep the basin needs to have a storage area of 1,400m²

The area allowed on the site plans currently are

- Basin No.1: 16,900m². This is to allow for the broader footprint of the basin, embankment walls and likely earthworks required. Additionally, the foot print allowed for, currently makes allowance for moving the basin around to ensure the best environmental outcome, and best siting, once geotechnical investigations have occurred, and draft designs have been completed.
- Basin No.2: 4,200m². This allows for the basin walls, and embankment. This basin is more compact than Basin No.1, as the natural topography is not as steep, hence the issue of "chasing batters" is not present.

The design of the basins will generally be based around an outlet controlled by a penstock, which will be positioned so as to restrict the peak flow rate to the pre development rate. This is in keeping with Councils current major detention basins.

If you require any further information or clarification on any aspect of the above please don't hesitate to contact me on, Mob: 0419 574 975 or Email: mwalters@jpdconsulting.com.au

Yours faithfully
IPD Consulting Pty Ltd

Mark Walters

COUNCIL AGENDA

Monday 10 August 2015

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling

FILE NO: DA0060/2015

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	6ty Pty Ltd
Property:	123 St John Street, Launceston
Zoning:	Central Business
Receipt Date:	11/02/2015
Validity Date:	29/04/2015
Further Information Request:	01/05/2015
Further Information Received:	13/07/2015
Deemed Approval:	21/08/2015
Representations:	4

PREVIOUS COUNCIL CONSIDERATION:

DA0423/2001 - Use part of first floor as Community Services Office

RECOMMENDATION:

That in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0060/2015 - Residential - single dwelling; redevelop the existing first floor as a single dwelling at 123 St John Street, Launceston in accordance with the endorsed plans and subject to the following conditions.

1. 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, Prepared by 6ty^o, Project name 14.392, Drawing no, Ap01, Scale 1:200, Dated 15.02.10.
 - b. Demolition Plans Rev-1, Prepared by 6ty^o, Project name 14.392, Drawing no, Ap02, Rev A. Scale 1:100, Dated 15.02.10.
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7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

- c. Floor Plans Rev-A, Prepared by 6ty^o, Project name 14.392, Drawing no, Ap03, Rev A. Scale 1:100, Dated 15.02.10.
- d. Elevation/Sections Site Plan, Prepared by 6ty^o, Project name 14.392, Drawing no, Ap04, Scale 1:200, Dated 15.02.10.

2. 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.

3. NON REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building(s) must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

4. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:

- a. Monday to Friday - 7am and 6pm
- b. Saturday - 9am to 6pm
- c. Sundays and Public Holidays - 10am to 6pm

5. 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.

6. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

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

7. 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.

8. 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;
- d. Dispose of any asbestos found during demolition in accordance with the Worksafe Tasmania 'How to Safely Remove Asbestos' Code of Practice 2012 or any subsequent versions of the document.

Notes**A. Building Permit Required**

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

B. Occupancy Permit Required

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

C. Plumbing Permit Required

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

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

D. General

This permit was issued based on the proposal documents submitted for DA0060/2015. 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.

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. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

E. 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.

F. 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>>

G. 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.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

H. Strata Title Approval

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

REPORT:**1. THE PROPOSAL**

The applicant seeks Council approval to redevelop the upper floor of the two storey property for use as a single dwelling. Historically the building has been extended and has a structural wall across the width of the building midway through its depth. All but this wall are to be removed to allow for a new fitout of the space. A false floor is proposed to the part of the building to match the front section. The proposed accommodation includes a master bedroom suite, including a roofed section as open space in the south eastern corner, a storage room, two bedrooms, laundry, bathroom and toilet all within the rear, previously extended space. The front section of the upper level is to be redeveloped for a predominantly open plan kitchen, dining and living area. An area of private open space is proposed in the front south western corner section of the building adjoining St John Street. A small lift is also proposed to the front of the premises. It will be centrally positioned with new glazing to the northern side and open space for the private open space to the south.

The only addition to the building is to be a 2.48m wide skylight through the centre of the building, to the rear two thirds of the depth. It will raise the roof of this portion of the building by approximately 700mm.

2. LOCATION AND NEIGHBOURHOOD CHARACTER**Site Location**

The site is located on the eastern side of St John Street just south of the intersection with York Street within the city's central business area. Neighbouring properties are primarily used for services including eateries, a florist, hairdressing and retail purposes. Residential uses are increasing in this area.

Site Description

The site is rectangular in shape with an area of 228m². The upper level has more recently been vacant.

On the lower level is female clothing and accessories outlet, a florist and a massage business. It has an arcade, that has been known as Powells arcade, but following a change of ownership of three properties that had formed the arcade does not have the previous connectivity or legal access rights. Doors at the rear open out onto an area the building has limited rights of access over.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

Part of the building is historically registered as operating as a dry cleaners and has a potential contamination alert to advise that the previous use might cause environmental harm.

Location of existing access to the site

The site does not have any vehicular access. The proposed upper level dwelling is accessible by a set of doors off St John Street.

Site characteristics

The site is flat and is fully developed with buildings and is able to be connected to all reticulated services.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

22.0 Central Business Zone

22.1.1 Zone Purpose Statements

22.1.1.1 To provide for business, civic and cultural, community, food, hotel, professional, retail and tourist functions within a major centre serving the region or sub-region.

22.1.1.2 To enhance the role of Launceston's central city area by encouraging intensive development of the central business district as the major retail, commercial and entertainment centre and the principal activity centre within the Northern Tasmania region.

22.1.1.3 To create:

- (a) activity at pedestrian levels, with active road frontages offering interest and engagement to shoppers; and
- (b) appropriate provision for car parking, pedestrian access and traffic circulation.

22.1.1.4 To encourage a diversity of residential developments, including shop-top housing and tourist accommodation, which support the functions of the central business district.

Consistent

The proposed residential use of the upper floor of the existing building is considered to enhance the use and vibrancy of the central city. Increasing the level of use in the city over the full 24 hours increases the role of the central area, helps to address security concerns and in turn makes the area more inviting to the services, community engagement and entertainment that it provides. Therefore, the zone purpose is met.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

22.3 Use Standards

22.3.1 Hours of operation

Objective: To ensure that uses do not cause unreasonable loss of amenity to nearby sensitive uses.
Consistent Clauses 22.3.1 - 22.3.4 are not applicable to the residential use class.

22.4 Development Standards

22.4.1 Building height, setback and siting

Objective: To ensure that building bulk and form, and siting: (a) is compatible with the streetscape and character of the surrounding area; (b) protects the amenity of adjoining lots; and (c) promotes and maintains high levels of public interaction and amenity.
Consistent The proposal includes a very minor extension to the roof of the building that will be compatible with the building and streetscape character without impacting on persons or property.
A1 Building height must be no greater than: (a) 14.5m; or (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.
Complies The overall height of the building, including the height of the small lift and light well, will be approximately 8.35m.
A2 Setback from a frontage must be: (a) built to the frontage at ground level; or (b) no more or less than the maximum and minimum setbacks of the buildings on adjoining lots.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

<p>Complies The building is constructed to the frontage.</p>
<p>A3 Setback from a side boundary must be:</p> <ul style="list-style-type: none"> (a) built to the side boundaries at ground level; or (b) no more or less than the maximum and minimum setbacks of the buildings on adjoining lots
<p>Complies The building is constructed up to all boundaries.</p>
<p>A4 The facade and entrance of the primary building, must be clearly visible and accessible from a road, for pedestrians and persons with a disability.</p>
<p>Complies The upper floor has its own entry from St John Street but this is to be removed to provide a pedestrian lift to the upper level. Entry to the upper level is to be via the main doors from the street with access off the internal arcade. The main accessible entrance to the building will be maintained.</p>

22.4.3 Active ground floors

<p>Objective:</p> <p>To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.</p>
<p>Consistent The proposal maintains a high level of interaction.</p>
<p>A2 Alterations to ground floor facades of non residential buildings must not:</p> <ul style="list-style-type: none"> (a) reduce the level of glazing on a facade to a road, mall, laneway or arcade that is present prior to alterations; (b) have security grilles or screens that obscure the ground floor facade; (c) introduce new or additional mechanical plant or equipment such as air-conditioning units or heat pumps located on the facade; and (d) increase blank walls, signage panels or blocked out windows, wider than 2m on ground floor facades to roads, malls, laneways or arcades.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

Relies on Performance Criteria

The installation of the pedestrian lift removes the direct street access to the upper level and, as the doors are glass (a), (b) and (c) do not apply. The increase in solid walls is ~2m in width and triggers discretion.

P2 Alterations to ground floor facades of non residential buildings must be designed to maximise interaction between the use of the building and pedestrians, having regard to:

- (a) the level of glazing, openness and transparency on the ground floor facades to roads, malls, laneways or arcades;
- (b) the potential for security grilles or screens to reduce the amenity of the building or reduce levels of interaction with the public;
- (c) screening or obscuring all mechanical plant or equipment such as air conditioning units or heat pumps so as they are not recognisable or visible from ground level public view points; and
- (d) minimising the area of all blank walls, signage panels or blocked out windows on ground floor facades to roads, malls, laneways or arcades.

Complies

The section of glazing being lost currently serves as an entrance to the upper level. As 'shopfront' glazing is not being removed, the level of interaction between operators of the businesses and the public is not impeded. The proposal is therefore not considered to detract from the purpose of the provision. Therefore, the performance criterion is met.

A3 The building must:

- (a) provide a direct access for pedestrians from the road or publicly accessible areas; and
- (b) be orientated to face a road, mall, laneway or arcade, except where the development is not visible from these locations.

Complies

The building currently has direct access to the street and this is not altering.

22.4.5 Pedestrian access to dwellings

Objective:

To ensure pedestrian access to residential development is safe and convenient.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

Consistent

Access to the residential development will be safe and is convenient to the building frontage.

A1.1 New dwellings or residential developments must be provided with a pedestrian access independent of the access to any ground floor use in the building, or tenancies on the same site or within the same building; and

A1.2 Pedestrian access directly onto a road frontage must be no wider than 4m.

Complies

Access to the dwelling is altering from being directly off the street to be from the hallway within the shopping arcade either by lift or by stairs and this access is independent of accesses to other uses on the ground floor. A1.2 is N/A.

22.4.6 Daylight to windows

Objective:

To allow adequate daylight into habitable room windows.

Consistent

Habitable rooms will receive natural daylight.

A1 Where the minimum distance between:

- (a) a new window in a habitable room and an existing building; or
- (b) a new building constructed directly opposite an existing habitable room window,

is less than 3m, a light court with an area of no less than 3m² and dimension of no less than 1m clear to the sky must be provided.

Complies

The building has windows facing south west, proposes the installation of glazed roof over the central rear section of the building and two courtyard type areas. There are no windows within 3m of any existing windows of other buildings.

22.4.7 Private open spaces

Objective:

To provide adequate and useable private open space for the needs of residents.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

<p>Consistent Open space is proposed for the dwelling.</p>
<p>A1 Dwellings must have an area of private open space with direct access from a habitable room other than a bedroom, comprising:</p> <ul style="list-style-type: none"> (a) on the ground floor, 24m² with a horizontal dimension of no less than 3m; or (b) wholly above ground floor, 8m² with a horizontal dimension of no less than 2m; or (c) a roof-top area, 10m² with a horizontal dimension of no less than 2m.
<p>Complies A courtyard is proposed in the south western front corner of the first floor and has an approximate area of 3m deep x 4m wide that is directly accessible from the living room.</p>

22.4.9 Storage

<p>Objective:</p> <p>To provide adequate storage facilities for each dwelling.</p>
<p>Consistent Ample storage is proposed for the dwelling.</p>
<p>A1 Each dwelling must have access to no less than 6 cubic metres of dedicated, secure storage space.</p>
<p>Complies A room with a floor area of approximately 3m x 3m is proposed at the rear of the dwelling.</p>

22.4.10 Common property

<p>Objective:</p> <p>To ensure that common areas are easily identified.</p>
<p>Consistent The common area within the building is clearly identified.</p>
<p>A1 Site drawings must clearly delineate private and common areas, including:</p> <ul style="list-style-type: none"> (a) driveways; (b) parking spaces, including visitor parking spaces; (c) landscaping and gardens; (d) mailboxes; and (e) storage for waste and recycling bins.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

Complies

The common area of the site is the arcade on the ground floor.

E2.0 Potentially Contaminated Land Code

E2.1 The purpose of this provision is to:

- (a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.

Consistent

A report has been provided to indicate that the site is free from matters that may impact on human health.

E2.5 Use Standards

Objective:

To ensure that potentially contaminated land is suitable for the intended use.

Consistent

The land is suitable for the proposed sensitive use.

A1 The Director, or a person approved by the Director for the purpose of this Code:

- (a) certifies that the land is suitable for the intended use; or
- (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.

Complies

A report has been approved, with conditions, to certify the land suitability. (Note the application has been subject to changing requirements of the planning scheme and the EPA.)

E2.6 Development Standards**E2.6.2 Excavation**

Objective:

To ensure that works involving excavation of potentially contaminated land does not adversely impact on human health or the environment.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

Consistent

Any excavation on site will be controlled by conditions although minimal risk is foreseen from the reports provided to accompany the application.

P1 Excavation does not adversely impact on health and the environment, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or
- (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or
- (c) a plan to manage contamination and associated risk to human health and the environment that includes:
 - (i) an environmental site assessment;
 - (ii) any specific remediation and protection measures required to be implemented before excavation commences; and
 - (iii) a statement that the excavation does not adversely impact on human health or the environment.

Complies

The only excavation would be for the installation of the lift. Minimal risk has been identified.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of parking facilities are provided to service use and development;
- (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
- (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;
- (d) ensure that parking does not adversely impact on the amenity of a locality;
- (e) ensure that parking spaces and accesses meet appropriate standards; and
- (f) provide for the implementation of parking precinct plans.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

Consistent

The proposal is located in the car parking exemption area of the CBD and is able to support alternate means of transport throughout the city.

E6.5 Use Standards

E6.5.1 Car parking numbers

A1 The number of car parking spaces must:

- (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
- (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or
- (c) 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
- (d) be in accordance with an acceptable solution contained within a parking precinct plan.

Complies

Car parking is not required in the car parking exemption area.

A2 The number of accessible car parking spaces for use by persons with a disability must be:

- (a) for uses that require 5 or less parking spaces - 1 space; or
- (b) for uses that require 6 or more parking spaces - in accordance with Part D3 of Volume 1 of the National Construction Code 2014.

Complies

Only two spaces would be necessary for the use so accessible spaces need not to be provided for this proposal.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area**E6.7.1.3 Local area provisions****Objective:**

To limit on-site car parking within the Launceston Central Business District Parking Exemption Area.

Consistent

The proposal does not include any car parking.

E13.0 Local Historic Cultural Heritage Code**E13.1 The purpose of this provision is to:**

- (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;
- (b) encourage and facilitate the continued use of these places;
- (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and
- (d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.

Consistent

The proposed development is providing for a use of an otherwise vacant floor space in the heritage listed premises. While minor changes are proposed to the facade of the building that are not considered to significantly impact or be unsympathetic to the character of the place or detract from the historic cultural heritage significance of the places or its setting.

E13.6 Development Standards**E13.6.2 Maintenance and repair****Objective:**

To ensure that maintenance and repair of heritage buildings are constructed and undertaken to be sympathetic to, and not detract from the historic cultural heritage significance of local heritage places.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

Consistent

The proposed works are considered to be sympathetic to and not detract from, the historic cultural heritage significance of the place or its setting. Comments from Council's Heritage Planner included:

Creation of a new residence in the city centre. The benefits of this for the larger community include:

- *urban consolidation*
- *enlivening the city centre*
- *creating a safer city after dark.*

A1 New materials and finishes match or are similar to the materials and finishes that are being replaced.

Complies

External works include windows on the upper level and an alteration to the entrance to the upper level by replacement of the glass doors by a solid panel to allow the installation of a lift. Council's heritage planner offered the following comments:

Lack of impact on the important inner city streetscape. Factors include:

- *Alterations to the façade to allow for an indoor/outdoor area will fit within the existing form of the building and not impact on the predominantly 19th century building character of the surrounding streetscape.*
- *There will be no evident increase in height or bulk of the building or other visual intrusion in the streetscape.*
- *There will be no increase in overshadowing of the street or other properties.*

E13.6.5 Height and bulk of buildings

Objective:

To ensure that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.

Consistent

The proposal involves an existing building with a limited extension to a portion of the building's height for the lift and light well.

P1 The height and bulk of buildings are compatible with the historic cultural heritage significance of a place and its setting, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;
- (b) the character and appearance of the existing building or place;
- (c) the height and bulk of other buildings in the surrounding area;
- (d) the historic cultural heritage significance of adjacent places; and
- (e) the streetscape.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

Complies

The proposed height will increase by approximately 700mm. This increase will not be visible from a public place and so does not impact on the streetscape or surrounding properties.

E13.6.8 Roof form and materials**Objective:**

To ensure that roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.

Consistent

The proposed works to the roof will be compatible with the historic cultural heritage significance of the local heritage place and its setting.

A1 No acceptable solution.

Relies on Performance Criteria

P1 Roof form and materials are compatible with the historic cultural heritage significance of a place and its setting, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;
- (b) the design, period of construction and materials of the dominant building on the site;
- (c) the dominant roofing style and materials in the setting; and
- (d) the streetscape.

Complies

The changes to the roof are primarily to install a roof light through the depth of rear third of the building. It is proposed to be a flat roof and the works will have a minimal impact on the significance of the place.

E13.6.9 Wall materials**Objective:**

To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

Consistent A section of the front facade is to be enclosed over an existing entrance.
A1 No acceptable solution.
Relies on Performance Criteria

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Roads and Hydraulics	Conditional consent provided. Conditions recommended are under the following headings: <ul style="list-style-type: none"> • Damage to Council infrastructure • Works within/occupation of the road reserve.
Environmental Health	Conditional consent provided. The decision on the application has been delayed due to environmental concerns regarding the historical use of the site. Following negotiation with the EPA a contamination report has been endorsed in-principle. Conditions recommended relating the following headings: <ul style="list-style-type: none"> • Amenity - Residential • Demolition
Parks and Recreation	
Heritage/Urban Design	No objection was raised to the proposal. Comments of the proposal are included with the heritage assessment.
Building and Plumbing	Standard notes apply.
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2015/00226-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	The EPA were consulted by Council's Environmental Services Department and the submitted contamination report has been endorsed in-principle.
Aurora	N/A

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(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 29 April 2015 to 12 May 2015. Four 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
No objection to the change of use as such but have concerns about rights of access to the upper floor.	Noted.
The details indicate that a section of the upper level floor is to be raised. This results in a head height for the door of only 2.2m leading into the stairwell. If a change is required will it alter the door frame of the rear? This would require negotiation with the adjoining property owner. The application relies on support of a 'licence' for access to the rear of the building but this is subject to legal dispute so consideration of the application should not require reliance on the licence. The licence is a carry over of access arrangements from the previous ownership of this and the two other adjoining properties.	This matter of the rear access is a civil matter. The upper level has a suitable access off St John Street.
Introduction of a residential element into the property is likely to alter the mix of other uses in the vicinity given that severe restrictions are placed on existing uses. Maybe a Part 5 agreement could be placed on title for the owner to acknowledge that other uses including entertainment may operate on this and surrounding properties and that these will not be impeded by complaints from the tenants.	This is noted. The other uses currently on the ground floor are typically 9-5 type uses and of a nature that will not impact on residential amenity. A mix of uses may require some degree of compromise but not of an unreasonable extent. The acceptable solution for hours of operation is 6am to midnight so there are only limited businesses that would operate beyond those hours. Other environmental conditions facilitate the appropriate conduction of specifically eateries. Each application for a change of use is accepted and assessed on its merits, and a part 5 agreement is not considered necessary.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

<p>As a point of principal residential uses on the upper floor should be separated from the surrounding business and commercial uses. This is particularly to limit security and safety issues especially where dwelling requiring access via common space and other businesses are only open during business hours. Access to the upper level rear toilets via an agreement with the adjoining landowner is also not considered necessary as the owner is installing toilets downstairs and this restricts the future opportunities of the neighbours property,</p>	<p>While the points are noted the planning process is not a means of negotiation of civil matters. A planning permit cannot require locking of a doorway access.</p>
<p>The 'licence' over property at the rear to access upper level toilets for use of the tenants of the building and does not cover access to the upper rear level of the property for a residential use.</p>	<p>The statement of the licence is correct. The proposal does not require access from this point with the use subject of agreement between property owners</p>
<p>The drawings contain errors and do not properly represent existing arrangements. The doors from the rear of the arcade are on the property at the rear not the subject property.</p>	<p>This is noted but the development application does not rely on use of such. This is more of a building consideration.</p>

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 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

7.2 123 St John Street, Launceston - Residential - single dwelling; redevelop the existing first floor office for use as a single dwelling...(Cont'd)

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2015 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 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

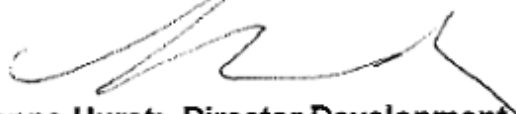
BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

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

Attachment 1 - 123 St John Street, Launceston - DA0060/2015 - Locality Map
(Pages = 1)



Launceston City Council
A Leader in Community & Government



LOCALITY MAP - DA0060/2015 123 ST JOHN STREET, LAUNCESTON



Attachment 3 - 123 St John Street, Launceston - DA0060/2015 - Representations (Pages = 9)

From: Ian Abernethy
Sent: Monday, 11 May 2015 7:10 AM
To: Council
Cc: Instyle
Subject: DA0060/2015 – Change of Use to Apartment
Attachments: LN15118L001 Let 31P Rev00.pdf

Please find attached a representation to the above development.

Our client is more than willing to discuss this matter with a view to resolving the issues raised.

Ian Abernethy Bsc (Hon) Town Planning

Planning Manager, North

pitt&sherry | *sustainablethinking*^o

From: Amanda Smith
Sent: Friday, 8 May 2015 2:37 PM
To: Ian Abernethy
Subject: LN15118: DA0060/2015 – Change of Use to Apartment

8 May 2015

Catherine Mainsbridge
Senior Planner
Launceston City Council
PO Box 396
LAUNCESTON TAS 7250

Dear Catherine

LN15118: DA0060/2015 – Change of Use to Apartment

We act for Mr E Toscan and the Trustees of Toscan Superannuation Fund (our clients) in regard to this matter.

Our clients wish to lodge a representation in regard to the matter of the Change of Use to Apartment on the upper floor of 123-125 St John Street.

From the outset our clients would state that they are not opposed to the concept of converting upper floors of commercial buildings to residential use. They have requested we point out a few legal and technical issues and seek assurances in regard to a number of matters.

Drawing Ap04 rev A indicates that the floor level in the rear section of the upper floor will be raised. The cross section shows a door height of 2.2m leading into the stairwell. Will the raising of the floor require alteration to the door/frame? If so this will require discussion with our client.

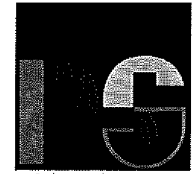
The supporting report discusses access from the rear of the building being secured via a "licence". Our client advises that this is a matter of some on-going legal dispute. Until this matter is resolved little or no weight should be given to this access remaining open for the applicant's use into the future.

There are three titles which went together to form the Powell's Arcade. To function as single entity each relied on the other in some manner for things like access, parking and toilets. On settlement of the Estate of Powell these titles were sold to individual entities. Some of the cross-cooperation arrangements continued and others ceased or were altered.

Why this matter is raised is that when fully functioning Powell's Arcade contained many uses all with some business focus. They had finite hours of trading and could (if required) operate with little restriction.

Introducing a residential element into this landscape changes significantly how other parts of the former Powell's Arcade may or may not be used into the future. There are well documented and publicised cases of where long established business uses are squeezed out of an area (or have severe restrictions placed on their use) by the introduction of residential uses.

pitt&sherry ref: LN15118L001 Let 31P Rev00.docx/IA/as



pitt&sherry

sustainablethinking

transport
community
mining & industrial
carbon & energy

Incorporating
RARE

CONSULT AUSTRALIA

Member Firm



SUSTAINABILITY

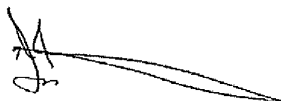
As a point of principle residential uses on the upper floor should be completely separated from the surrounding business and commercial uses. The issue in point here is again the access to the rear of the proposed apartment. There are many safety and security issues thrown up for both the flat and the business tenancies having joint access to this stairwell. There should be no need for the applicant to have access to the toilets in our clients building given that the apartment will have its own facilities and there is a comfort room shown on the ground floor (Drawing Ap02 rev A). Retaining a door from the upper floor into the stairwell restricts any future plans our client may have to redevelop their property.

To protect the commercial amenity of the surrounding business premises we would suggest there needs to be some recognition given to the location of this apartment within the Central Area. After all as retail trading patterns change and the plans of the Council to get more life into the City becomes reality then more uses at ground floor related to entertainment could be envisaged. These uses will not establish in areas where their legitimate trading will be impeded by complaints from residential occupiers on upper floors.

Perhaps a Part 5 agreement on title recognising that surrounding properties may create noise, smells and trade outside of normal retail hours and that the developer/occupier of the residential use has some obligation to set up the property to cater for these possible scenarios may assist.

Our client is more than prepared to discuss these matters further with a hope of resolving the issues of concern.

Yours sincerely



Ian Abernethy
Planning Manager North

CLOCKWISE

Antique Clocks and Watches - Sales, Repairs, Restorations
 ABN 64 746 659 687

11th May 2015

Catherine Mainsbridge
 Launceston City Council
 Town Hall
 St John Street
 Launceston TAS 7250

FILE No.	DA0060/2015		
EO	OD	Box	
RCVD 11 MAY 2015 LCC			
Doc No.			
Action Officer	Noted	Replied	
C WILKINSON			

EC03 - C MAINSBRIDGE

Dear Catherine

Re: Application No. DA0060/2015 - 123 St John Street

Our [redacted] the proposed development and we daily use the back stairwell and storage room.

We wish to express our concerns regarding use of the back entrance for the above proposal:-

1. Use of the back stairwell entrance for this proposal would pass through a common area which is used for business rest rooms and business storage rooms. We have a storage room off the stairwell and use the facilities and are concerned about the security of this area if it is shared with a residential tenancy. We understand from the documented plans that the proposed apartment will have 2 other entrance/exits and question the necessity of a 3rd.
2. The security grill at the bottom of the stairwell is easily opened from the outside but from inside is difficult. This grill is kept locked at all times to ensure security of the building (it is only unlocked and locked when the area is used). We feel this would not be a safe or easy exit for residential tenants.

We generally are supportive of inner city living, but in this case just wish to object to the proposed back entrance to the residential apartment.

Regards,



Graham & Sallie Mulligan

Carolyn Wrankmore

From: Ian Smith
Sent: Monday, 11 May 2015 4:43 PM
To: records
Subject: Representation Re DA 0060/2015 123 St John St
Attachments: scan.pdf

See attached end provide confirmation of receipt. Sent 4:42pm 11/05/15

Regards, Ian Smith

Development Application Representation Letter

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

Development Application Number DA0060/2015

Address of Development

123 ST JOHN ST, LAUNCESTON

Details of Representor

Title MR Given Name/s IAN

Surname SMITH

Unit/Street No Street

Suburb State Postcode

Phone H B M

Email

Reason for Representing

- 1 PRIMARY ACCESS TO APARTMENT IS PROPOSED VIA AN EXISTING COMMERCIAL AREA WHICH OPERATES 9-5. ACCESS AND SECURITY A CONCERN
2 ACCESS TO ST. JOHN ST EXISTS, CONSISTENT TO ADDRESS OF "123 ST JOHN"
3 SECONDARY ACCESS VIA AN EXISTING "LICENCE" IS DUBIOUS. THIS ACCESS IS SUBJECT TO LEGAL CONTENTION; DOES NOT COVER USE OF EXISTING DOOR; AND REQUIRES ACCESS ACROSS TWO SEPARATE PROPERTIES, ACCESS TO WHICH IS VIA A LOCKED GATE
4 ALL DRAWINGS CONTAIN ERRORS WITH REGARD TO LOCATION OF DOORS TO THE MARSHALL PROPERTY (SEE ATTACHED
5 USE AND SALE OF ADJOINING PROPERTIES IS HINDERED BY PROPOSED ACCESS.

Representor's Signature

[Handwritten Signature]

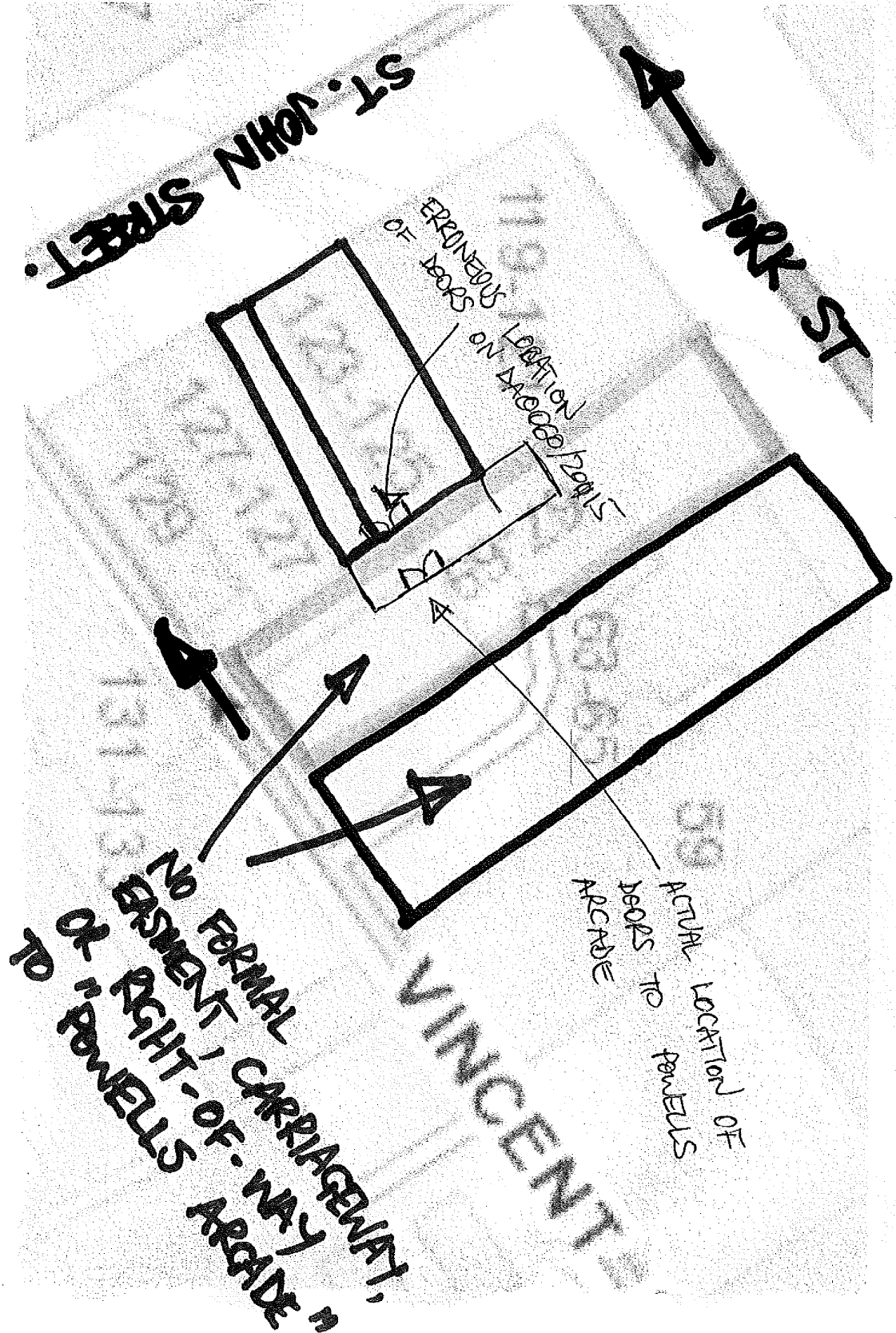
Date 11/05/15

[Handwritten mark]



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



Carolyn Wrankmore

From: Jody Bush
Sent: Monday, 11 May 2015 4:48 PM
To: records
Subject: Development Application Representation Letter - DA0060/2015
Attachments: 20150511164608484.pdf

Hi

Please find attached my development application representation letter for DA0060/2015.

Cheers

Jody

Jody Bush
Senior Spatial Applications Administrator



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Development Application Representation Letter

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

Development Application Number DA0060/2015

Address of Development

123 St John St
Launceston TAS 7250

Details of Representor

Title Ms Given Name/s Jody Anne

Surname Bush

Unit/Street No Street

Suburb State Postcode

Phone H N/A B M

Email

Reason for Representing

- 1 Secondary access via another building and across private property. This access is not covered by a "licence", the access covered by the licence is for use of the toilet facilities and was not intended for residential usage.
2 Secondary access could prove a security risk to the surrounding businesses as the gate and access door need to be locked.
3 The drawings contain errors and are not representative of the existing arrangements.
4 This ~~corner~~ residential property would be in close proximity to two thriving entertainment venues. This ~~is~~ ~~an~~ issue is not addressed in the DA

Representor's Signature [Signature]

Date 11/15/2015



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

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

Monday 27 July 2015

- Attended St Giles & Ability First Australia Dinner

Wednesday 29 July 2015

- Attended Peace Festival Celebration

Thursday 30 July 2015

- Officiated at Netball Tasmania International Netball Match (Wales vs Australia)

Friday 31 July 2015

- Officially welcomed guests at University Art Schools in Tasmania - Growth Change Influence - An exhibition to celebrate the 125 years of the University of Tasmania

Saturday 1 August 2016

- Attended and presented Mayor's Trophy at Charity football match (Rocherlea vs South Launceston)
- Attended St Luke's Health Annual Foundation Cocktail Party

Tuesday 4 August 2015

- Met with Ikeda teachers and students (5)
- Attended opening night performance of Stage Right (formerly PCYC) '*Freckleface Strawberry*'

Thursday 6 August 2015

- Officially launched Junction Arts Festival

Saturday 8 August 2015

- Attended Launceston Legacy Inc Reception in the presence of the Governor, Her Excellency, Professor the Honourable Kate Warner, AM
 - Attended Guan Di Festival Welcome Reception
 - Attended Anderson Morgan Tasmanian Open Dance Sport Championships
-

9 ALDERMEN'S/DELEGATES' REPORTS

10 QUESTIONS BY ALDERMEN

11 COMMITTEE REPORTS**11.1 Pedestrian & Bike Committee Meeting - 21 July 2015****FILE NO:** SF0618**AUTHOR:** Julie Tyres (Administration Officer - Roads & Hydraulics)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider and receive a report and consider a recommendation from the Pedestrian and Bike Committee.

RECOMMENDATION:

That Council receives the report from the Pedestrian and Bike Committee meeting held on 21 July 2015.

REPORT:

The meeting of the Pedestrian and Bike Committee held on 21 July 2015 discussed the following:

1. Pedestrian & Bike Committee will write to St Leonards School re congratulations on Cycling Bus initiative.
2. Note that Bicycle Network has made a submission to the Hobart City Council on its interim planning scheme.
3. The Pedestrian & Bike Committee are looking to prioritise the actions from the Pedestrian Strategy and Bike Strategy to implement over the next two years.
4. Note that we have a representative on the TNT Cycling Strategy for Northern Tasmania project team.

ECONOMIC IMPACT:

N/A

ENVIRONMENTAL IMPACT:N/A

11.1 Pedestrian & Bike Committee Meeting - 21 July 2015...(Cont'd)

SOCIAL IMPACT:

N/A

STRATEGIC DOCUMENT REFERENCE:

The key directions within Council's Strategic Plan (2014-2024) which are considered relevant:

- 2.1.6 To promote active and healthy lifestyles
- 3.1.2 To improve and maintain accessibility within the City of Launceston area, including its rural areas
- 4.1.5 To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities
- 8.5.1 To strategically manage our assets, facilities and services

BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Harry Galea: Director Infrastructure Services

11.2 Municipal Emergency Management Committee Meeting - 17 July 2015**FILE NO:** SF3177**AUTHOR:** Rod Sweetnam (Director Facilities Management)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council receives the report from the Municipal Emergency Management Committee meeting held on Friday 17 July 2015.

REPORT:

The meeting of the Municipal Emergency Management Committee held on 17 July 2015 discussed:

1. Members Reports
Members provided an update on current activities and general discussion took place.
2. Municipal Emergency Management Plan (MEM Plan)
Members were advised that the MEM Plan is due for renewal in 2015. The reviewed plan will include a statement regarding Vulnerable People.

The Committee noted planning for a Continuity Workshop to identify issues needing to be addressed regarding business continuity from City of Launceston and general continuity during and post a major event.
3. Social Recovery Plan
Members were advised that the Social Recovery Plan is due for renewal in 2015 and will be completed early in the financial year. This Plan will sit under the MEM Plan.

ECONOMIC IMPACT:

Not relevant for this report.

ENVIRONMENTAL IMPACT:

Not relevant for this report.

11.2 Municipal Emergency Management Committee Meeting - 17 July 2015...(Cont'd)

SOCIAL IMPACT:

Not relevant for this report.

STRATEGIC DOCUMENT REFERENCE:

2.5 A city where people choose to live.


BUDGET & FINANCIAL ASPECTS:

Not relevant for this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Rod Sweetnam: Director Facilities Management

COUNCIL AGENDA

Monday 10 August 2015

12 COUNCIL WORKSHOPS

12.1 Council Workshops - 27 July 2015

FILE NO: SF4401

AUTHOR: Anthea Rooney (Committee Clerk)

DIRECTOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider Council Workshops held on 27 July 2015.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That Council notes the Council Workshops held on 27 July 2015:

- UTAS Inner City Campus
-

REPORT:

N/A

ECONOMIC IMPACT:

N/A

ENVIRONMENTAL IMPACT:

N/A

SOCIAL IMPACT:

N/A

STRATEGIC DOCUMENT REFERENCE:

N/A

12.1 Council Workshops - 27 July 2015...(Cont'd)

BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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


Michael Tidey; Director Corporate Services

13 PETITIONS

Nil

14 NOTICES OF MOTION - FOR CONSIDERATION**14.1 Notice of Motion - Mayor Alderman A M van Zetten - ANZAC Day Commemorations****FILE NO:** SF5547**AUTHOR:** Mayor Alderman A M van Zetten**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider exploration of venue suitability to accommodate ANZAC Day commemoration crowds.

PREVIOUS COUNCIL CONSIDERATION:

Mayor's Report.

RECOMMENDATION:

That Council collaborates with the State Branch of the RSL to explore the viability of the best available venues to accommodate the increasing attendance at ANZAC Day commemorations.

REPORT:

With the increasing numbers attending the ANZAC Day commemorations each year, consideration should be given as to whether Royal Park in Paterson Street is the best location.

There has been debate over the past years about whether the present site in Royal Park was appropriate, particularly since the construction of the Northern Outlet Road extended on from Bathurst Street, bisecting Royal Park and cutting off the Memorial from parklands that once flowed to the river's edge.

It was reported recently that the Federal Government was expending a very large sum of money to embellish the access to Hobart's War Memorial. That memorial is sitting on the prominent point extending into the Derwent River which leads to one suggestion that Launceston's War Memorial could be relocated to Town Point, our most prominent riverside juncture from where, at the nearby King's Wharf, our soldiers boarded the troop ships heading off to war via interstate training camps, having been brought up to Launceston by train from Brighton Camp and farewelled by their loved ones at the embarkment point.

14.1 Notice of Motion - Mayor Alderman A M van Zetten - ANZAC Day Commemorations...(Cont'd)

OFFICER COMMENT:

H Galea (Director Infrastructure Services)

Over the years suggestions have been raised to move the Cenotaph given the high numbers that congregate at the site and over the road on ANZAC Day. The response from the RSL Sub Branch previously is that they like the current location as the march is very important part of the service (starts at Princes Square) and this would not be possible if the destination was North Bank as the distance is too far away. The Parks and Recreational Manager has discussed compatible uses with returned soldiers who have said that they enjoy seeing students from the college sitting around the current Cenotaph.

ECONOMIC IMPACT:

N/A

ENVIRONMENTAL IMPACT:

N/A

SOCIAL IMPACT:

This is a very important community event.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

4.2 - To plan services and facilities that recognise the changing demographics of our community.

BUDGET & FINANCIAL ASPECTS:


To be determined when possible venues have been identified.

14.1 Notice of Motion - Mayor Alderman A M van Zetten - ANZAC Day Commemorations...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Robert Dobrzynski: General Manager

ATTACHMENTS:

1. Notice of Motion - A M van Zetten - ANZAC Day Commemorations
-

LAUNCESTON CITY COUNCIL

MEMORANDUM

FILE NO: SF5547/0970
AvZ:dp
DATE: 29 July 2015

TO: Robert Dobrzynski General Manager
c.c. Committee Clerks

FROM: Albert van Zetten Mayor

SUBJECT: Notice of Motion - Anzac Day Commemorations

In accordance with Clause 16 (5) of the *Local Government Regulations (Meeting Procedures) 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 10 August 2015.

Motion

That the Council collaborate with the State Branch of the RSL to explore the viability of the best available venues to accommodate the increasing attendance at Anzac Day commemorations.

Background

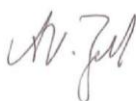
With increasing numbers attending the Anzac Day commemorations each year, consideration should be given as to whether Royal Park in Paterson Street is the best location.

There has been debate over the past years about whether the present site in Royal Park was appropriate, particularly since the construction of the Northern Outlet Road extended on from Bathurst Street, bisecting Royal Park and cutting off the Memorial from parklands that once flowed to the river's edge.

It was reported recently that the Federal Government was expending a very large sum of money to embellish the access to Hobart's War Memorial. That memorial is sitting on the prominent point extending into the Derwent River which leads to one suggestion that Launceston's War Memorial could be relocated to Town Point, our most prominent riverside juncture from where, at the nearby King's Wharf, our soldiers boarded the troop ships heading off to war via interstate training camps, having been brought up to Launceston by train from Brighton Camp and farewelled by their loved ones at the embarkment point.

Attachments

Nil



Albert van Zetten
MAYOR

DIRECTORATE AGENDA ITEMS

15 DEVELOPMENT SERVICES

15.1 Launceston City Heart - Reference Group

FILE NO: SF6160

AUTHOR: Damien Fitzgerald (Launceston City Heart Manager)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider establishment and membership of the Launceston City Heart Project Reference Group.

PREVIOUS COUNCIL CONSIDERATION:

Council 23 March 2015 - item 15.1 - approved the establishment of a Launceston City Heart task force to aid in the delivery of the project.

RECOMMENDATION:

That Council:

1. Establish the Launceston City Heart Reference Group as a Special Committee of Council under section 24 of the Local Government Act (Tas) 1993.
2. Appoint the following representatives to the Launceston City Heart Reference Group for an initial period of twelve months:

External Stakeholder Members:	Representative
City Prom	Vanessa Cahoon
Launceston Chamber of Commerce	Maree Tetlow
Department of State Growth	Peter Kruup
Examiner Newspaper	Dan Ryan
Heritage Tasmania	Chris Bonner
University of Tasmania - School of Architecture	Geoff Clark
Community Members:	Member
Business/Building Owner	Andrew Pitt
Business/Trader	Graeme Tilley
Community Member	Garry Conway-Cooper
Arts & Events	Natalie Di Vito
Access	Gabriel Barnes

15.1 Launceston City Heart - Reference Group...(Cont'd)

City of Launceston Members:	Member
Chairman:	
Chair of the City of Launceston Economic Development Committee	Alderman Darren Alexander
General Manager	Robert Dobrzynski

3. Nominate two Aldermen, in addition to the Chair, as elected member representatives on the Launceston City Heart Reference Group.
4. Approve the Launceston City Heart Reference Group Terms of Reference as follows:

1.0 - PURPOSE

The Launceston City Heart (LCH) Reference Group is focused on identifying and making Launceston a premier mixed use activity hub for the northern region.

The successful delivery of the Launceston City Heart Project will require a focused and committed stakeholder group to ensure that projects and actions are delivered in a timely and coordinated manner.

More importantly, a supporting governance structure is required to support a major commitment to change and create a focus on advocacy, championing for investment and engagement within the Launceston Community.

2.0 - OBJECTIVES

The LCH Reference Group will advise the Council and the LCH Unit in the implementation of the LCH Masterplan Priority Projects and Events which are focused on making Launceston's CBD the premier mixed use activity hub for northern Tasmania.

In particular, the Reference Group will:

1. Advise on the implementation of the LCH project and monitor progress so that the LCH Masterplan objectives are delivered and are consistent with the principles and recommendations of the Action Plan – short term, medium term and long term goals (to be developed);
2. Provide advice on key LCH strategic documents, policies and statutory processes relating to the LCH project;

15.1 Launceston City Heart - Reference Group...(Cont'd)

3. Advise on the development of LCH business incentives, initiatives and programs that could be considered to support the LCH project;
4. Identify events and activities to bring more vitality and activate the LCH area; and
5. Ensure that the LCH project meets an appropriate level of community engagement and consultation.

3.0 - TERMS OF REFERENCE**3.1 - Expected / Definite life of the Reference Group**

- i. Reference Group members appointed from the date as determined by Council will be appointed initially for a period of twelve months to coincide with the short term actions timeframe identified in the LCH project Action Plan or such other period as determined by the Council.
- ii. The term of members may be extended for a further period of 12 months by a decision of the Council following recommendation from the Reference Group.

3.2 - Constituency of the Reference Group

The Reference Group shall consist of representatives from the following external stakeholder groups and internal representatives from the City of Launceston:

Chairman:

- Chair of the City of Launceston Economic Development Committee (Alderman Darren Alexander)

External Stakeholder Members:

- City Prom Senior Representative
- Chamber of Commerce Senior Representative
- UTAS Senior Representative/Representative of the School of Architecture
- State Growth Senior Representative
- Examiner Senior Representative
- Heritage Senior Representative
- Community Representative
- Arts & Events Representative
- CBD Business/Trader Representative
- CBD Building Owner Representative
- Access Representative

City of Launceston Members:

- General Manager (Robert Dobrzynski)
 - Aldermen - 2 elected member representatives
-

15.1 Launceston City Heart - Reference Group...(Cont'd)

Advisors:

- Director of Development Services (Leanne Hurst)
- Director of Infrastructure Services (Harry Galea)
- Launceston City Heart Manager (Damien Fitzgerald)
- Communications Department Representative

A vacancy for a member (not being an Alderman) may occur upon their resignation, death, failure to attend without cause three consecutive meetings, or by removal by resolution of the Council.

The Reference Group may invite observers as it sees fit.

3.3 - Authority of the Reference Group

The Council endorses the establishment and function of the Reference Group as a Special Committee of Council under section 24 of the Local Government Act (Tas) 1993. The powers, duties and functions of the Reference Group are as described in this Terms of Reference document. The Reference Group will have the ability to develop procedures as required to perform its assignment.

3.4 - Appointment to the Reference Group

- i. The following groups shall be invited to nominate a representative on the Reference Group:
 - a. CityProm
 - b. Launceston Chamber of Commerce
 - c. Department of State Growth
 - d. The Examiner Newspaper
 - e. Heritage Tasmania
 - f. University of Tasmania - School of Architecture

- ii. Invitation to nominate for the following community positions on the Reference Group shall be extended through a public Expressions of Interest process:
 - a. Business/Building Owner
 - b. Business Trader
 - c. Arts & Events
 - d. Disability Access
 - e. Community

In the event of a vacancy occurring during the term of the Reference Group, the Council will invite relevant individuals or organisations to nominate a member or members to the Reference Group for the remainder of the term.

Appointment to the Reference Group will be by resolution of the Council.

15.1 Launceston City Heart - Reference Group...(Cont'd)

3.5 - Reference Group Responsibilities and Functions

The Reference Group will be responsible for:

1. Advising on and monitoring the implementation of the LCH Project Action Plan;
2. Advising on and monitoring the development of business incentives and programs that could be considered to support the LCH project; and
3. Identifying events and activities to bring more vitality to the LCH project area.
4. Working in conjunction with the LCH Unit, City Prom, the Chamber of Commerce and City of Launceston Communications to align efforts and activities.
5. Establishing (if required) sub-groups to assist in undertaking the Reference Group's responsibilities to:
 - Guide and inform the implementation of priority actions identified in the LCH Masterplan and Action Plan;
 - Inform policy and strategy development, provide feedback on suggestions and comments or identify collaborative actions;

3.6 - Obligations of Reference Group Members

Reference Group Members, in performing their duties, shall:

1. Act in accordance with Council's Values.
 2. Act honestly and in good faith.
 3. Participate actively in the work of the Reference Group.
 4. Perform their duties in a manner that public trust in the integrity, objectivity, and impartiality of the Reference Group is conserved and enhanced.
 5. Exercise the care, diligence and skill that would be expected of a reasonable person in comparable circumstances.
 6. Comply with the Terms of Reference of the Reference Group.
 7. Comply with Council's Code of Conduct and Meeting Procedures Regulations.
 8. Respect any confidentiality requirements.
-

15.1 Launceston City Heart - Reference Group...(Cont'd)

3.7 - Conflicts of Interest

In the event of a conflict of interest arising for any member of the Reference Group, the conflict must be immediately declared and the member must leave the room and abstain from any discussion or decision making regarding the matter.

3.8 - Meetings and Minutes

The Reference Group will meet at least bi-monthly. Reference Group members must be either physically present at the meeting or participate in the meeting through pre-arranged manner.

Meetings of the Reference Group shall be called by the Chairperson with notice of the meeting being forwarded to members with an agenda with at least seven (7) days' notice.

In the absence of the Chairperson at a meeting, the Reference Group will elect a Chairperson from the members present to chair that meeting.

The quorum for meetings shall be one more than 50% of the appointed members of the Reference Group.

If the Reference Group decides to record a vote, the Chairperson will have a casting vote, as well as an original vote.

Minutes of the meetings of the Reference Group are to be distributed within 10 days of the meeting and confirmed at the next meeting of the Reference Group. The Minutes will be distributed to Reference Group members, Aldermen, the City of Launceston's Executive Management Team and will be available on the City of Launceston's website for general access. Any items of a commercial in-confidence nature will be excluded from the publicly available minutes.

The duration of ordinary meetings of the Reference Group will be 1-2 hours. There is no requirement for members to attend every bi-monthly meeting.

Quarterly Milestones meetings will be held and there is an expectation that all stakeholders will attend these meetings.

3.9 - Reporting

Any advice and recommendations from the Reference Group that relate specifically to the Launceston City Heart project and associated policies will be reported to the Launceston City Council as part of the normal project reporting process.

Any other matters identified by the Reference Group that require a separate decision of Council will be reported to Council by the Launceston City Heart Manager through the City of Launceston Executive Management Committee (EMC).

15.1 Launceston City Heart - Reference Group...(Cont'd)

The Reference Group shall submit a report of its activities to the Council at least twice per annum.

3.10 - Level of Communication

All communication regarding the Launceston City Heart Project and the Reference Group will be guided by the LCH Communications Strategy. For smaller matters and issues, electronic correspondence will be the primary means of communication with the Reference Group.

3.11 - Media Communication

- i. Media communication will be managed through the City of Launceston's Communication department.

- ii. All media communications on behalf of the Reference Group shall be undertaken by the Chairman in relation to policy and by the General Manager in relation to operational matters.

3.12 - Evaluation and Review

A review of the Reference Group will be undertaken every 12 months to ensure that the purpose, membership and operation of the Reference Group is current and to make appropriate changes as required.

The Reference Group must monitor key short term action outcomes, progress on targets and consider any proposed adjustment to priorities or addition of new project actions as appropriate in the context of changing circumstances.

3.13 - Remuneration and Expenses

Participation on the Reference Group is voluntary and will not attract remuneration.

Operating expenses of meetings of the Reference Group will be managed by the Launceston City Heart Project Unit.

No member of the Reference Group will incur any expenses in relationship to his or her activities as a member of the Reference Group, without prior approval.

4.0 - QUALITY RECORDS

Quality records of all Reference Group meetings and activities will be retained by the City of Launceston as corporate records.

15.1 Launceston City Heart - Reference Group...(Cont'd)

REPORT:

At its meeting of 23 March 2015 the Council approved the establishment of a task force to assist with the delivery of the Launceston City Heart Project. In the officer report to Council it was recommended that the group be chaired by the Chair of the Economic Development Committee, and comprise nominated representatives from key stakeholder organisations, plus self-nominated representatives. The following make-up of the group was agreed in workshop:

Chairman:

- Chair of the City of Launceston Economic Development Committee (Alderman Darren Alexander)

External Stakeholder Members:

- City Prom Senior Representative
- Chamber of Commerce Senior Representative
- UTAS Senior Representative/Representative of the School of Architecture
- State Growth Senior Representative
- Examiner Senior Representative
- Heritage Senior Representative
- Community Representative
- Arts & Events Representative
- CBD Business/Trader Representative
- CBD Building Owner Representative
- Access Representative

City of Launceston Members:

- General Manager (Robert Dobrzynski)
- Aldermen - 2 elected member representatives

Advisors:

- Director of Development Services (Leanne Hurst)
- Director of Infrastructure Services (Harry Galea)
- Launceston City Heart Manager (Damien Fitzgerald)
- Communications Department Representative

In order to facilitate the recruitment process, a draft Terms of Reference and selection criteria for membership was prepared by Council officers in consultation with Alderman Alexander and the General Manager. Following a review of how similar projects have been supported by stakeholder groups elsewhere (including the City of Greater Geelong) it

15.1 Launceston City Heart - Reference Group...(Cont'd)

was considered that the term 'Reference Group' better reflected the intended role than the previously proposed 'Task Force', and letters of invitation, advertisements and the draft Terms of Reference were prepared on that basis.

Representatives of the identified stakeholder organisations were nominated directly by each organisation by formal invitation. It is therefore recommended that the following organisation representatives be appointed to the Launceston City Heart Reference Group for an initial term of twelve months (consistent with the proposed Terms of Reference):

Organisation Nominees:	Representative
City Prom	Vanessa Cahoon
Launceston Chamber of Commerce	Maree Tetlow
Department of State Growth	Peter Kruup
Examiner Newspaper	Dan Ryan
Heritage Tasmania	Chris Bonner
UTAS - School of Architecture	Geoff Clark

A public expression of interest process was advertised for the remaining positions on 20 June 2015 for a period of two weeks. A total of nine expressions of interest were received for the five available community positions. Nominations were assessed against the following selection criteria by the Chair of the Economic Development Committee, the Director of Development Services, and the Launceston City Heart Manager:

1. Have direct links to the CBD.
 2. Have extensive networks in Launceston.
 3. Focused and determined to improve and activate the CBD.
 4. Experienced and capable of providing sound advice on the relevant discipline.
 5. Commitment and dedication to attendance and associated advice required for the Reference Group.
-

15.1 Launceston City Heart - Reference Group...(Cont'd)

Whilst it is considered that every nominee would make an excellent contribution, taking into account the selection criteria, it is recommended that following nominees be appointed to the Launceston City Heart Reference Group for an initial term of twelve months (consistent with the proposed Terms of Reference):

Community Nominees:	Member
Business/Building Owner	Andrew Pitt
Business/Trader	Graeme Tilley
Community Members	Garry Conway-Cooper
Arts & Events	Natalie Di Vito
Access	Gabriel Barnes

ECONOMIC IMPACT:

The Launceston City Heart Project represents one of the most significant capital works and strategic project undertakings for the City of Launceston in a long time. The focus of the Reference Group will be on securing the City's future as the premier mixed use activity hub for the northern region.

ENVIRONMENTAL IMPACT:

N/A

SOCIAL IMPACT:

A key focus for the Launceston City Heart project is to reinforce the City as a place for people. In order to achieve that aim it will be important to maintain community and stakeholder engagement throughout the implementation stages. An important role for the Reference Group will be to advocate, champion and promote awareness of and buy-in to the strategic aims and delivery of priority projects.

STRATEGIC DOCUMENT REFERENCE:

The Launceston City Heart Project is a Greater Launceston Plan priority project.

15.1 Launceston City Heart - Reference Group...(Cont'd)

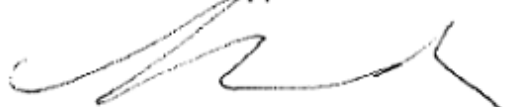
BUDGET & FINANCIAL ASPECTS:

There will be significant capital and recurrent budget investment in the Launceston City Heart Project over the next five years. At this time it is not proposed that the Reference Group would have a separate budget allocation as it would be largely resourced from existing recurrent budget allocations for the City Heart Project.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

15.2 Heritage Advisory Committee - Terms of Reference**FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Urban Design & Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider the changes proposed to the Terms of Reference of the Heritage Advisory Committee.

PREVIOUS COUNCIL CONSIDERATION:

Council 24 October 2011 - Item 13.2

RECOMMENDATION:

That Council approves the revised Terms of Reference of the Heritage Advisory Committee (the Committee).

Terms of Reference - Revised June 2015**Purpose**

The primary purpose of the Launceston City Council Heritage Advisory Committee is to provide advice to the Council on heritage matters and to promote the value of heritage places within the Municipality in line with the definitions of significance in the Burra Charter and the Launceston Interim Planning Scheme 2015 (the Scheme).

Role

The role of the Heritage Advisory Committee is to:

- Provide advice and recommendations on the development of Council policy relating to heritage matters;
 - Provide advice on and participate in the overview of heritage studies undertaken by Council;
 - Provide advice and recommendations on applications made by Council for heritage funding;
 - Consult with stakeholders to determine community aspirations relating to heritage places and objects;
 - Promote Council's objectives and the principles of reuse of heritage assets in the City;
 - Promote community participation in and awareness of heritage activities; and
-

15.2 Heritage Advisory Committee - Terms of Reference...(Cont'd)

- Consider and provide advice to Council on development proposals involving and/or impacting on heritage values on properties either heritage registered or covered by heritage precinct or overlay.*

Membership

The Heritage Advisory Committee will consist of the following positions:

- Up to two Aldermen
- A representative from Heritage Tasmania
- A representative from the National Trust of Australia (Tasmania)
- A representative from the UTAS School of Architecture and Design
- A representative from the Real Estate Institute of Tasmania
- A representative from the Launceston Historical Society
- Community Representation with relevant experience to promote the ideals of the Committee to be nominated by the Committee and approved by Council

The Chairperson and Deputy Chairperson are to be elected by the Committee at the beginning of each new Council cycle.

Council Officers will be provided as required for the efficient operation of the Committee.

Meetings

The Heritage Advisory Committee will generally meet six times per year (and at other times as required).

Protocol

Unless otherwise specified, the Meeting Procedures adopted by the Launceston City Council will prevail over the working of this Committee.

Resources

A nominated Council Officer will act as the support resource.

* The Committee's role regarding Development Applications (DAs) involving heritage properties is as follows.

1. **Pre-lodgement** - Where an applicant requests or is offered the opportunity to air ideas and intentions prior to submission of a DA to investigate issues and/or the likelihood of support from heritage interested bodies, the applicant may be invited to a meeting of the Committee.
-

15.2 Heritage Advisory Committee - Terms of Reference...(Cont'd)

2. **During advertising period** - Committee members will be individually notified that a DA may be of interest and individuals or the groups represented may make representations during the allotted time (for or against) for the consideration of the assessing officers and the Council. The Committee shall not collectively form a view on individual DAs.
3. **Post-assessment** - The Committee may be notified that a DA is going to Council and the Agenda report may be sent out for the information of member organisations.

In regard to Pre-lodgement Meetings:

- This is the most effective means of input and Council officers will endeavour to facilitate this process when it appears to be useful.
 - Meetings dealing with advice in regard to future proposals should be chaired by City of Launceston officers to avoid potential for conflicts of interest.
 - The content of these meetings are confidential, and not to be used outside the meeting.
-

REPORT:

The City of Launceston's Heritage Advisory Committee was established in February 2008. The current Terms of Reference were revised in October 2011.

The following amendments are proposed to the Terms of Reference in order to clarify the existing and future operation of the Committee.

- (a) Inclusion of reference to the Launceston Interim Planning Scheme 2015 and the Burra Charter definitions of significance in assessing the value of heritage places within the Municipality.
- (b) Replacement of the term 'delegated' with the term 'nominated' in regard to the Council Officer support resource.
- (c) Inclusion of guidelines to clarify the role of the Committee regarding Development Applications (DAs) involving heritage properties.

The altered or additional text (shown underlined) below is therefore proposed to be incorporated into the revised Terms of Reference.

15.2 Heritage Advisory Committee - Terms of Reference...(Cont'd)

- (a) **Purpose** - Addition of definition of heritage significance

The primary purpose of the Launceston City Council Heritage Advisory Committee is to provide advice to the Council on heritage matters and to promote the value of heritage places within the Municipality in line with the definitions of significance in the Burra Charter and the Launceston Interim Planning Scheme 2015 (the Scheme).'

- (b) **Resources** - Correction of terminology

A nominated Council Officer will act as the support resource.

- (c) **Role** - Addition of guidelines in regard to Development Applications

** The Committee's roles regarding planning matters involving heritage properties are as follows.*

- 1. **Pre-lodgement** - Where an applicant requests or is offered the opportunity to air ideas and intentions prior to submission of a development application to investigate issues and/or the likelihood of support from heritage interested bodies, the applicant may be invited to a meeting of the Committee.*
- 2. **During advertising period** - Committee members will be individually notified that a development application may be of interest and individuals or the groups represented may make representations during the allotted time (for or against) for the consideration of the assessing officers and the Council. The Committee shall not collectively form a view on individual development applications.*
- 3. **Post-assessment** - The Committee may be notified that a development application is going to Council and the Agenda report will be sent out for the information of member organisations.*

In regard to Pre-lodgement Meetings:

- This is the most effective means of input and Council officers will endeavour to facilitate this process when it appears to be useful.*
 - Meetings dealing with advice in regard to future proposals should be chaired by City of Launceston officers to avoid potential for conflicts of interest.*
 - The content of these meetings are confidential, and not to be used outside the meeting.*
 - Aldermen shall be mindful of conflict of interest provisions in relation to their role on the Committee in receiving information on future planning decisions.*
-

15.2 Heritage Advisory Committee - Terms of Reference...(Cont'd)

ECONOMIC IMPACT:

The proposed clarification of the scope and role of the Heritage Advisory Committee may contribute to positive outcomes in regard to the conservation of local historic cultural heritage assets and the valued character of the broader cityscape so as to preserve the City of Launceston's marketing advantage as a 'boutique heritage city' attracting visitors and residents alike.

ENVIRONMENTAL IMPACT:

The proposed clarification of the scope and role of the Heritage Advisory Committee may contribute to positive outcomes in regard to the conservation of local historic cultural heritage assets, the character of the broader cityscape, and long-term environmental sustainability through the retention of existing structures.

SOCIAL IMPACT:

The proposed clarification of the scope and role of the Heritage Advisory Committee may assist in the productive involvement of member organisations and the broader community in matters of local cultural heritage interest.

STRATEGIC DOCUMENT REFERENCE:

N/A

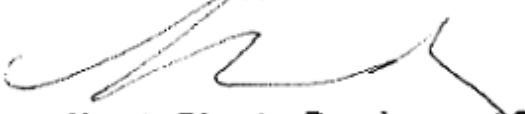
BUDGET & FINANCIAL ASPECTS:

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.



Leanne Hurst: Director Development Services

16 FACILITIES MANAGEMENT

No Reports

17 QUEEN VICTORIA MUSEUM AND ART GALLERY

No Reports

18 INFRASTRUCTURE SERVICES**18.1 Infrastructure Services Directorate - Delegations under Heavy Vehicle National Law (Tasmania) Act 2013****FILE NO:** SF0113**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider delegations to officers in the Infrastructure Services Directorate within the *Heavy Vehicle National Law (Tasmania) Act 2013*.

PREVIOUS COUNCIL CONSIDERATION:

Council Item 18.4 - 27 July 2015

Changes to the previous approval of 'Authorised Officers' in the Infrastructure Services Directorate.

RECOMMENDATION:

1. That Council, pursuant to the provision of the section and Act of Parliament or By-Law as specified in column 3 in The Schedule below, resolves to appoint or grant power as indicated in column 4 to persons holding the positions identified in column 5 of the function described in column 6 but subject to the conditions identified in column 7.
 2. That the Instrument of Delegation, if required by the Act, be the schedule within the Minutes of the meeting certified as a true and correct record by the Council to the Officer(s) given Functions and/or Power but subject to the Conditions as specified in columns 5, 6 and 7 respectively.
-

18.1 Infrastructure Services Directorate - Delegations under Heavy Vehicle National Law (Tasmania) Act 2013...(Cont'd)

The Schedule

1	2	3		4	5	6		7
#	Short Title	Enabling Legislation		Authority Bestowed	Officer(s)	Description of Function and/or Power		Conditions
		Section	Act			Section	Description	
1	Authorised Officer	41(1)	<i>Local Government (Highways) Act 1982</i>	Appointment	<ul style="list-style-type: none"> • DIS • MTS • MO • RHM • RAE 	41	... as an Authorised Officer to administer the provisions where traffic is likely to cause damage to a highway.	Nil
2	Authorised Officer	46(2)	<i>Local Government (Highways) Act 1982</i>	Appointment	<ul style="list-style-type: none"> • DIS • MTS • MO • RHM • EO-D • RSS • RAE 	46(1)	... as an Authorised Officer enabled to grant permission for a person to do various works within a highway.	Nil
3	Authorised Person	43(1)	<i>Traffic Act 1925</i>	Appointment	<ul style="list-style-type: none"> • DIS • MTS • MO • RHM • CSS • RSS • RAE 	43	... as an Authorised Person enabling the removal of things obstructing public streets.	Nil
4	Corporation's Engineer		<i>Local Government (Highways) Act 1982</i>	Appointment	DIS	All	... to the position of the Corporation's Engineer or 'engineer' for purposes under the Act	Nil
5	Authorised Officer	20 A	<i>Local Government Act 1993</i>	Appointment	<ul style="list-style-type: none"> • DIS • MTS • MO • RHM • EO-R • RSS • CSS 	20 A	...a person authorised to enter land.	for the purposes of the <i>Urban Drainage Act 2013</i>
6	Authorised Officer	4	Kerbside Refuse Collection By-Law No 8 of 2003	Appointment	<ul style="list-style-type: none"> • DIS • MO • SWMO 	All	... as an Authorised Officer for the purposes of enforcing the provisions of the By-Law.	Nil
7	Authorised Officer	3	Refuse Disposal Area By-Law No 21 of 2004	Appointment	<ul style="list-style-type: none"> • DIS • MO 	All	... as an Authorised Officer for the purposes of enforcing the provisions of the By-Law.	Nil
8	Public Open Space Payment	64	<i>Local Government Act 1993</i>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS 	E10.4.1	... determine that no land is required for public open space, or payment is required instead of public open space.	Nil
9	Heavy Vehicle Permit System	64	<i>Local Government Act 1993</i>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S16(b) Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Road Manager.	Nil

18.1 Infrastructure Services Directorate - Delegations under Heavy Vehicle National Law (Tasmania) Act 2013...(Cont'd)

1	2	3		4	5	6		7
#	Short Title	Enabling Legislation		Authority Bestowed	Officer(s)	Description of Function and/or Power		Conditions
10	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S156 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council if the Regulator asks for the Council's consent to the grant of a mass or dimension authority, decide to give or not to give the consent.	Nil
11	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S158 Heavy Vehicle National Law (Tas) Act 2013	...to perform the duties of the Council if the consultation with the other entity is not yet completed, to, as far as practicable, deal with the request for consent and decide to give or not to give the consent (even though the consultation with the other entity is not completed).	Nil
12	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S159 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to form the opinion a route assessment is necessary for deciding whether to give or not to give the consent and notify the Regulator.	Nil
13	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S160 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to impose road conditions.	Nil
14	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S161 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to impose travel conditions.	Nil
15	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S162 Heavy Vehicle National Law (Tas) Act 2013	...to perform the duties of the Council to impose vehicle restrictions.	Nil
16	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S167 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to expedite the Road Manager's consent for renewal of mass or dimension authority.	Nil

18.1 Infrastructure Services Directorate - Delegations under Heavy Vehicle National Law (Tasmania) Act 2013...(Cont'd)

1	2	3		4	5	6		7
#	Short Title	Enabling Legislation		Authority Bestowed	Officer(s)	Description of Function and/or Power		Conditions
17	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S169 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to grant limited consent for trial purposes.	Nil
18	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S170 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to renew limited consent for trial purposes.	Nil
19	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S172 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to issue a statement explaining adverse decision of the Road Manager.	Nil
20	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S173 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to issue an amendment or cancellation on the Regulator's initiative.	Nil
21	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S174 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to issue an amendment or cancellation on request of the relevant Road Manager.	Nil
22	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S176 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to issue an amendment or cancellation on application by the permit holder.	Nil
23	Heavy Vehicle Permit System	64	<u>Local Government Act 1993</u>	Grant power to act on behalf of the Council	<ul style="list-style-type: none"> • DIS • MTS • RHM • EO-T • E-TD 	S178 Heavy Vehicle National Law (Tas) Act 2013	... to perform the duties of the Council to issue an amendment or cancellation on the request of the Road Manager	Nil

18.1 Infrastructure Services Directorate - Delegations under Heavy Vehicle National Law (Tasmania) Act 2013...(Cont'd)

LEGEND:

CSS	City Services Supervisor	MTS	Manager Technical Services
DIS	Director Infrastructure Services	MO	Manager Operations
EO-D	Engineering Officer - Development	RHM	Road and Hydraulics Manager
EO-R	Engineering Officer - Roads	RAE	Road Assets Engineer
<u>EO-T</u>	<u>Engineering Officer - Traffic</u>	RSS	Road Services Supervisor
<u>E-TD</u>	<u>Engineer - Traffic and Development</u>	SWMO	Senior Waste Management Officer

REPORT:

(NOTE: Amendments to delegations and authorised officers were presented to the Council at its meeting dated 27 July 2015. Unfortunately information on delegations within the recently assented *Heavy Vehicle National Law (Tasmania) Act 2013* was not received until after finalising of the agenda for the Council meeting on 27 July 2015.)

Legislation relating to a range of infrastructure services tasks require that Council or the General Manager to appoint officers as an Authorised Officer or delegate to fulfil the powers and functions of the Acts.

At a national level the permit system to allow over dimensioned vehicles to access public roads has been consolidated into one permit system and since 2013 controlled by the National Heavy Vehicles Regulator.

In June 2015, the State Government announced that they have allocated \$1.7m towards assisting councils in developing a state-wide network of strategic roads that can be given pre-approval for over-dimensioned vehicles and thereby reduce delays in heavy vehicle road access. Although the pre-approved route will assist in a more efficient process there will be numerous permits that will still need to be assess and issued. The road owners consent will be a vital component of this system.

Advice has been received that under the Tasmania Act [Heavy Vehicle National Law (Tasmania) Act 2013] that the Council are listed in a significant number of decisions processes rather than listing the operational areas of the Council. The system is cumbersome and an administrative burden to many of the stakeholders and to refer every minor decisions to a Council meeting would become an administration nightmare. It is considered appropriate for the Council to delegate these operational matters to ISD officers.

All changes following the approved 27 July 2015 delegations are shown underlined.

18.1 Infrastructure Services Directorate - Delegations under Heavy Vehicle National Law (Tasmania) Act 2013...(Cont'd)

ECONOMIC IMPACT:

Not relevant to this motion.

ENVIRONMENTAL IMPACT:

Not relevant to this motion.

SOCIAL IMPACT:

Not relevant to this motion.

STRATEGIC DOCUMENT REFERENCE:

The goals within Council's Strategic Plan 2014-2024 which are considered relevant:

- 6.1 To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions.
- 6.1.2 To develop and take a strategic approach to development sites to maximise public benefits of development.
- 8.3 To ensure decisions are made in a transparent and accountable way.

BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Harry Galea: Director Infrastructure Services

19 CORPORATE SERVICES

No Reports

20 GENERAL MANAGER

No Reports

21 URGENT BUSINESS

Pursuant to regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*

Nil

22 INFORMATION / MATTERS REQUIRING FURTHER ACTION

INFORMATION / MATTERS REQUIRING FURTHER ACTION				
<i>As at: 10 August 2015</i>				
Meeting Item No	Outstanding Items	Action Requested	Director	Officer Comment
13/04/12 14.1	Duck Reach Redevelopment	Recommendation 3: On finalization of the business case analysis outlined in the report, and identification of potential third party development opportunities, Council review the redevelopment options for the Duck Reach site based on a future report.	Rod Sweetnam	Expressions of interest advertised on 4 July 2015. Expressions of interest close 7 August 2015 and will be returned to SPPC for discussion.
27/04/15 14.2	Notice of Motion - Alderman D H McKenzie - Appointment of a Queen Victoria Museum and Art Gallery (QVMAG) Committee	That Council appoints a Committee to review the strategic direction of the QVMAG with the express view of reporting back to Council with recommendations on its future direction.	Richard Mulvaney	The Committee will present its report after 3 August 2015.
11/05/2015 14.1	Notice of Motion - Deputy Mayor Alderman R I Soward - Introduction of a Trial Community Reports Category at Council Meetings	Include a Community Reports Category in Council Meetings.	Michael Tidey	Processes and attendance criteria to be determined. Target date is 22 June 2015. Briefed Aldermen on 6 July 2015 regarding procedures.
25/05/2015 14.2	Notice of Motion - Alderman D W Alexander - Implementation of the Placespeak Community Consultation Platform for the Launceston City Council	Investigate the Placespeak community consultation platform for use within the City of Launceston.	General Manager	Investigation of Placespeak, along with other community consultation platforms, will be undertaken towards the end of the year.

Meeting Item No	Outstanding Items	Action Requested	Director	Officer Comment
27/07/2015 16.1	Royal National Automobile Museum of Tasmania	Request from NAMT be reconsidered by Council following receipt of information regarding UTAS City Campus plans. Inveresk Campus Design Liaison Group will provide further to Council. Concept planning for the inner city campus proposal. This is expected to be completed by 31 August 2015.	Rod Sweetnam	Report to Council following consideration of UTAS City Campus Plans.

23 CLOSED COUNCIL**23.1 Confirmation of the Minutes****RECOMMENDATION:**

Pursuant to the *Local Government (Meeting Procedures) Regulations 2015* - Regulation 34(6) states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

23.2 Killafaddy Livestock Market Expression of Interest Process

To further consider the arrangements for the disposal of the Killafaddy Livestock Market.

RECOMMENDATION:

That Agenda Item 23.2 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(f) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- 15(2)(f) proposals for the council to acquire land or an interest in land or for the disposal of land.

23.3 LGAT President By-Election

To determine the preferred candidate for the position of LGAT President.

RECOMMENDATION:

That Agenda Item 23.3 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- 15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

24 MEETING CLOSURE
