



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 2 NOVEMBER 2023
1.00PM**

Notice is hereby given that the Ordinary Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 2 November 2023

Time: 1.00pm

Certificate of Qualified Advice

Background

To comply with section 65 of the *Local Government Act 1993* (Tas):

1. A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
2. A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless -
 - (a) the general manager certifies, in writing -
 - (i) that such advice was obtained; and
 - (ii) the general manager took the advice into account in providing general advice to the council or council committee; and
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

Certification

I certify that:

- (i) the advice of a qualified person has been sought where required;
- (ii) this advice was taken into account in providing general advice to the council or council committee; and
- (iii) a copy of the advice, or a written transcript or summary of advice provided orally, is included with the agenda item.



Michael Stretton
Chief Executive Officer

AUDIO of COUNCIL MEETINGS

An audio recording of this Council Meeting, except for any part held in Closed Session, will be made in accordance with our Council Meetings - Audio Recording Policy - 14-Plx-008.

This Council Meeting will be streamed live to and can be accessed at:
www.launceston.tas.gov.au/Council/Meetings/Listen.

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

At the Council Meeting, please take care to follow signage and the directions of Council Officers to ensure that physical distancing and other COVID-19 safe behaviour is observed.

PUBLIC QUESTION TIME - AGENDA ITEM 8

A limit of three questions received in writing by Wednesday of the week prior to the Council Meeting are treated as Questions on Notice. Your question and an answer will be published in the Agenda of the Council Meeting. Questions may be submitted to the Chief Executive Officer at contactus@launceston.tas.gov.au, PO Box 396, Launceston TAS 7250, or Town Hall, St John Street, Launceston.

If attending the Council Meeting in person, you may ask up to three questions during Public Question Time. If accepted, your questions will be either answered at the Meeting, or Taken on Notice and answered at a later Council Meeting.

PUBLIC COMMENT ON AGENDA ITEMS

When attending the Council Meeting, you will be asked if you wish to comment on an item in the Agenda. Prior to debate on that Agenda Item, you will be invited by the Chair to move to the public microphone at the doors to the Council Chambers and state your name and address.

Please note the following important information:

- Each item on the Agenda includes a Recommendation prepared by a Council Officer.
- You may speak for up to two minutes, either for or against the Recommendation.
- You may not ask questions or enter into debate with Councillors or Council Officers.
- Your statement is not to be defamatory, inappropriate or abusive, or be intended to embarrass any person, including Councillors or Council Officers.
- The Chair may direct you to stop speaking if you do not follow these rules, or if your statement repeats points that have already been made.
- Audio from our Council Meetings is streamed live via YouTube.

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

At the City of Launceston, the positions of General Manager Community and Place, General Manager Organisational Services, General Manager Infrastructure and Assets and General Manager Creative Arts and Cultural Services do not assume the functions and powers of the term *general manager* in a legislative sense: any legislative functions and powers to be delegated to these roles will be made by Council or the Chief Executive Officer. At the City of Launceston, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*. For the avoidance of doubt, *Chief Executive Officer* means *General Manager* for the purposes of the *Local Government Act 1993 (Tas)* and all other legislation administered by or concerning Council.

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2. MAYORAL ACKNOWLEDGEMENTS

3. DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - section 48

(A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences).

4. CONFIRMATION OF MINUTES

Local Government (Meeting Procedures) Regulations 2015 - Regulation 35(1)(b)

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 19 October 2023 be confirmed as a true and correct record.

5. COUNCIL WORKSHOPS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)

5.1. Council Workshop Report - 19 and 26 October 2023

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)

RECOMMENDATION:

That Council, pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, notes the Council Workshops conducted and attended since the last Council Meeting, for the purposes described:

1. pre-Council Workshop conducted on 19 October 2023:

Development South of Prospect - Draft Headworks Terms

Councillors received a presentation on a potential headworks framework to facilitate the construction of specific backbone infrastructure that the City of Launceston requires to be constructed prior to the release of titles for residential and commercial development south of Prospect.

In Attendance: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer and Councillor L M McMahon

Apologies: Councillor Councillor J J Pentridge, S Cai and Councillor A J Britton

2. Workshop conducted on 26 October 2023:

Buckby Motors Presentation

Councillors received a presentation regarding proposed future plans and development.

Launceston City Heart Traffic Calming

Councillors discussed the progress and implementation of the Launceston City Heart CBD traffic calming measures.

High Street and Howick Street Safety Improvements

Councillors were presented with the investigation outcomes into best treatment to improve safety and accessibility.

Launceston Transit Centre - York Street Proposal

Councillors discussed relocation of the Launceston Transit Centre.

Development South of Prospect - Activity Centre Uses and Zoning

Councillors received a presentation regarding proposed zoning and land use for the activity centre located in the development south of Prospect.

Off-Street Parking Infringements

Councillors were provided with an update on the City of Launceston's parking controls.

Long Term Financial Plan

Councillors discussed issues to be considered as part of the Long Term Financial Plan modelling.

In Attendance: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

REPORT:

Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015* says that the Agenda of an Ordinary Council Meeting is to include the date and purpose of any Council Workshops held since the last Meeting.

Attendance is recorded for noting and reporting in the Council's Annual Report.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

No Councillors' Leave of Absence Applications have been identified as part of this Agenda

7. COMMUNITY REPORTS

(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on Agenda Items; that opportunity exists when that Agenda Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Councillors).

7.1. Community Report - Inspector Craig Fox - TasPolice

FILE NO: SF6368

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

SUMMARY OF PRESENTATION

Inspector Craig Fox (TasPolice) will provide Council with an update and briefing on current focus areas for TasPolice and other relevant information specific to Launceston.

8. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1. Public Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(1)

8.1.1. Public Questions on Notice - Jessie Keys - Safety Concerns at Corin Street and Denison Road Intersection

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, asked at the Council Meeting on 19 October 2023 by Jessie Keys, has been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Can the Council assist with any safety measures with regard to the Corin Street and Denison Road intersection?

Response:

In order to discuss the matter more fully a Council Officer will contact Jessie to ascertain if other measures can be introduced to assist with safety issues.

8.1.2. Public Questions on Notice - Ron Baines - 56 Frederick Street and Chief Executive Officer Terminology

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following questions, submitted in writing to the Council on 25 October 2023 by Ron Baines, have been answered by Michael Stretton (Chief Executive Officer).

Questions:

1. Regarding the possible sale of 56 Frederick Street, will the Council use the proceeds from a sale of this property for community projects, rather than to prop up its overspending in other areas (eg. the Albert Hall complex)?

Response:

The Council is currently running an Expression of Interest process for the premises at 56 Frederick Street, Launceston. Until the process is complete and community input and suggestions have been received, no decision regarding the site will be made.

2. Would the Council consider refurbishment of 56 Frederick Street into a child minding centre as there does appear to be a shortage of these in Launceston?

Response:

See response to Question 1.

3. Was the transition from General Manager to CEO [Chief Executive Officer] status generated to enable a higher salary package for an individual for the same amount of work or is there another reason not readily observable?

Response:

No.

8.2. Public Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(2)(b)

9. PLANNING AUTHORITY

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 9 - Planning Authority.

9.1. DA0182/2022 - 83-93 Lilydale Road, Rocherlea - Storage - Change of Use to Contractor's Depot to Store Vehicles and Excess Materials and Carparking

FILE NO: DA0182/2022

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Hazell Bros Investments Pty Ltd
Property:	83-93 Lilydale Road, Rocherlea
Zoning:	Light Industrial
Receipt Date:	6/04/2022
Validity Date:	14/09/2023
Further Information Request:	14/04/2022
Further Information Received:	26/04/2023
Deemed Approval:	6/11/2023
Representations:	Five

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

PREVIOUS COUNCIL CONSIDERATION:

Council - 12 October 2015 - Agenda Item 8.1- DA0176/2015 - 69, 73-75 and 77-79 Lilydale Road, Rocherlea - Manufacturing and Processing - batching plant subdivision and consolidation of three lots with no new lots created, extension of batching plant to proposed Lot 1a and Crown land (CT 125392/1) and Service Industry - change of use to automotive mechanic (CT 16756/2)

DA0516/2018 - 83-93 Lilydale Road Rocherlea - Storage - Construction of earthworks to fill and level site - provided for the construction of earth works to fill and level the site. This included capping of existing unapproved fill and included a condition requiring further planning approval before the site was used for storage of goods or materials. Under delegated report - 14 December 2018

PLE0006/2022 - enforcement notice issued regarding the use and development of the site for vehicle parking and storage of materials without approval

STANDARDS REQUIRING PLANNING DISCRETION:

- 18.3.1 P1 - All uses - Hours of operation
- 18.3.1 P3 - All uses - Commercial vehicle movements
- 18.4.4 P1 - Outdoor storage areas
- C2.5.1 P1 - Car parking numbers
- C2.6.1 P1 - Construction of parking areas

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0182/2023 - Storage - change of use to contractor's depot to store vehicles and excess materials and car parking at 83-93 Lilydale Road, Rocherlea, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site Plan, 83-93 Lilydale Road, version 2, dated 18/09/2023.
- b. Locality Plan, 83-93 Lilydale Road, version 2, dated 18/09/2023.
- c. Rising Main GIS Locality, prepared by PDA, 83-93 Lilydale Road, dated 15/11/2022.

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 adjoining Crown land.

3. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am to 6pm

Saturday - 8am to 5pm

No works on Sunday or Public Holidays

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/00528-LCC, dated 09/01/2023 and attached to the permit.

5. HOURS OF OPERATION

1. The operation of the car park must be confined to:
 - a. 6am and 6pm - Monday to Friday;
 - b. 6:30am and 1:30pm - Saturdays; and
 - c. Closed Sunday and Public Holidays.
2. The operation of vehicles within the storage area must be confined to:
 - a. 6:30am and 5:30pm - Monday to Friday;
 - b. 7am and 1pm - Saturdays; and
 - c. Closed Sunday and Public Holidays.

6. SITE LANDSCAPING PLAN

Within six weeks of the date of the coming into effect of this permit, a landscape plan must be submitted for approval by the Manager City Development. The plan must be prepared by a suitably qualified person, drawn to scale and include the following details:

- a. screen fencing to a height of 2.1m along the full length of the frontage boundary with Lilydale Road;
- b. landscaping, not less than 5m wide in front of the screen fence for the full length of the frontage (including a schedule of all proposed trees, shrubs and groundcover including common name and size at maturity); and
- c. suitable irrigation or a fixed sprinkler system for the watering of landscaped areas.

Once approved by the Manager City Development, the plan will be endorsed and will form part of the permit. The landscaping must be:

- d. completed within three months of its endorsement by the Manager City Development; and
- e. maintained and not removed, destroyed or lopped without the written consent of the Council.

7. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

- a. be properly constructed to such levels that they can be used in accordance with the plans;
- b. be surfaced with an impervious all weather seal;
- c. be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. be line-marked or otherwise delineated to indicate each car space and access lanes.
- e. include two motorcycle parking bays; and
- f. include delineated safe pedestrian pathways in accordance with the applicable Australian Standard.

Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

8. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to the Council's infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to the Council's infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

9. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

10. CONTROL OF DUST EMISSIONS

Dust emissions from the land must be controlled to the extent necessary to prevent environmental nuisance beyond the boundary of the land during development and use.

Such control must include, but not be limited to:

- automated watering of material storage bays; and
 - regular watering of roadways or sealing of roadways
- and be to the satisfaction of the Manager City Development.

11. COVERING OF VEHICLES

Vehicles carrying loads containing material which may blow, or spill must be equipped with effective control measures to prevent the escape of the materials from the vehicles when they leave the land or travel on public roads. Effective control measures may include tarpaulins or load dampening.

12. CONTROL OF NOISE EMISSIONS

Where human sleep disturbance may be caused by the noise from the activity or transport movements from the activity, such noise emissions must be controlled to the extent necessary to prevent environmental nuisance. This may include restricting operating hours.

13. EXTERIOR AND SECURITY LIGHTING

Exterior lighting and security lighting is to comply with the Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting* or any subsequent versions.

14. SPILL COLLECTION BUND

Any and all environmentally hazardous materials including all chemicals, fuels and oils, held on the land must be stored and handled within a spill collection bund or spill trays which are designed to contain at least 110% of the volume of the largest storage vessel. The spill containment system must be constructed with materials that will prevent contamination of ground water and soil.

15. STORMWATER

No liquids, other than unpolluted rainwater, are to be allowed to discharge or drain to the Council's stormwater system or receiving water bodies or watercourses.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0182/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning Staff can be contacted on 6323 3000.

This permit takes effect after:

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) is withdrawn 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.*

The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.

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 enquiries as to whether the proposed development is affected, 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. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).

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 Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>.

D. 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 the Council's Notice to Waive Right of Appeal is attached.

E. Shared Access

It is noted that the access to the site is over Crown land and that TasRail also has access to its land over this Crown land and the land must be kept clear for that purpose.

F. TasRail Standard Notes

- 1. Where a building or other development is proposed to be located at a setback distance less than 50m from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time.*
- 2. Landowners, builders/developers and prospective residents should undertake appropriate due diligence to ensure they are aware of potential exposure to train horn noise and vibration, particularly in relation to building design, material specifications and lifestyle. The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.*
- 3. Using or creating an unlicensed railway crossing or stock crossing is unsafe and strictly prohibited. Rail Safety National Law requires all private crossings to be subject to an interface agreement (licence). Where a privately owned property interfaces with a rail crossing and/or State Rail Network land please contact property@tasrail.com.au to discuss the necessary authorisations and licencing process.*
- 4. Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au.*
- 5. Any excavation within 3m of the rail boundary line requires a separate TasRail Permit from property@tasrail.com.au in accordance with section 44 of the Rail Infrastructure Act 2009. A minimum of seven business day's notice is required, but earlier engagement is recommended.*
- 6. Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.*

7. *No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.*
 8. *As per the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.*
 9. *No persons should enter rail land without formal authorisation from TasRail in the form of a TasRail Permit issued by property@tasrail.com.au.*
 10. *Rail Corridors are exempt from the Boundary Fences Act meaning that TasRail is not required to contribute to the cost of boundary fencing.*
- G. *Storage of Dangerous Goods*
Dangerous goods/materials must be stored in accordance with the Work Health and Safety Regulations 2012 or any subsequent versions of the document.

REPORT:

1. THE PROPOSAL

The proposal seeks approval for the development of a car park to be used by employees and customers of, and visitors to, the adjacent Cross Roads concrete batching plant.

The proposal also includes the use of the site for the storage of excess materials (such as road base, concrete gravels or products and the like).

It is noted that the proposed car park has been developed and the site has been so used for some time. The application is lodged in response to enforcement actions taken by appropriate Officers of the Council.

It is further noted, and discussed in the assessment, that the proposal seeks hours of operation in excess of those approved (DA0516.2018) for the adjacent concrete batching site.

In response to representations, the proponents have advised:

Hazell Bros would like to advise around the representations received by the LCC for the DA0182/2022 that they would undertake the required mitigation measures as detailed being landscaping (possible bund wall) or screening on the front boundary of the property, and look at the minimisation of the dust and wind-blown issues being experienced for the site by way of sprinklers and roadway watering as required as well as possible surface works on roadways that cause a dust issue. Hazell Bros are keen to ensure this work is carried out in consultation with the LCC to ensure it meets the required outcomes.

Further it is noted that Council has received numerous complaints over several years. Principally the complaints have centered around noise from truck movements, alarms and the concrete recycler, dust, contaminated stormwater and operating hours.

The Council's Environmental Health Officers have worked with Cross Roads staff to address these concerns resulting in the following:

Noise:

- the site alarm has been set to silent following complaints in February and April 2023.
- traffic through the Cross Roads concrete batching site has been made one way to reduce traffic volume and stops and starts from the access between the sites.
- the concrete recycler was repaired over the Christmas period 2022/2023.

Dust:

- sprinklers have been installed for storage bins on the concrete batching plant site.
- Cross Roads street sweeper is routinely used to sweep the yard.

Stormwater:

- an oil separator has been installed to improve the quality of stormwater from the site.

Operating Hours:

- Cross Roads has advised drivers of the opening hours of the plant and advise that the drivers are reminded and the proponents seek only to breach these in response to an emergency and to advise the Council's Environmental Health Officers accordingly.
- the proponents have been advised of the restricted operating hours proposed and have advised that whilst the proposal is more closely related to their civil operations, they will accept the limitation.

Relevantly, it is noted that complaints were received in February and April this year and these related to the alarm, which is now a silent alarm. Otherwise, no complaints have been received between then and the exhibition of the proposal, indicating that the actions taken by the proponents have resulted in improvements.

It is also noted that the application is limited to the 83-93 Lilydale Road site and that continued operation of the adjoining Cross Roads sites does not form part of this proposal.

2. LOCATION AND NEIGHBOURHOOD CHARACTER



83-93 Lilydale Road, Rocherlea (not to scale)

The subject site is a generally rectangular lot of around 1.4ha, located on the southern side of Lilydale Road and adjoining the State Rail Network land to the north.

Access is gained via crown land, some 18m wide, separating the subject site from the Cross Roads concrete batching plant to the west. To the east the land is similarly used for storage, notwithstanding approval in 2022 (DA0022/2022) for the use and development of buildings to provide for 41 light industrial tenancies.

TasRail also uses the Crown land strip between the sites for access to the rail infrastructure.

Opposite the site, on the southern side of Lilydale Road, the land is zoned General Residential and developed primarily for single dwellings.

The character of the neighbourhood is thus divided by Lilydale Road, presenting industrial character from the north and residential character from the south.

3. PLANNING SCHEME REQUIREMENTS

The assessment against the Tasmanian Planning Scheme - Launceston is detailed in Attachment 1.

4. REFERRALS

REFERRAL	COMMENTS
	INTERNAL
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended - the Council has received numerous complaints regarding the operational activities relating to the business. These complaints have been reviewed in accordance with <i>Environmental Management and Pollution Control Act 1994</i> . Where evidence was submitted to substantiate claims, action has been taken. The Council's Environmental Health Officers have engaged with Cross Roads to review and update their site management activities to mitigate environmental and nuisance activities. The activities identified in the application: staff parking, storage of equipment and storage of materials, are deemed low impact, with conditions in the permit identified to mitigate environmental nuisances from these activities on 83 - 93 Lilydale Road.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.

REFERRAL	COMMENTS
	EXTERNAL
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 29 April to 15 May 2023. Five representations were received. The issues raised are summarised in the following table. All representations received for this application were circulated to Councillors confidentially on 26 October 2023.

<p>Issue 1 The area should be sealed to limit dust from moving vehicles.</p>
<p><i>Response 1</i> <i>An appropriate condition will be included to require roadways through the site to be surfaced appropriately to reduce dust from moving vehicles.</i></p>
<p>Issue 2 A water spray system should be utilised in regard to storage of materials to reduce dust.</p>
<p><i>Response 2</i> <i>An appropriate condition will be included for the installation and operation of sprinklers over stored materials. The proponents have agreed to install such sprinklers as required.</i></p>
<p>Issue 3 Well established trees should be planted to screen the storage and mitigate dust and noise.</p>
<p><i>Response 3</i> <i>An appropriate condition will be included for landscaping and screening along the frontage boundary. The proponents have agreed to install such screening and landscaping as required.</i></p>
<p>Issue 4 The hours of operation are too early for residents on opposite side of Lilydale Road. During busy periods, work has started as early as 3am over the last two years.</p>
<p><i>Response 4</i> <i>The operation of the adjoining concrete batching plant is beyond the scope of this permit application. Proposed operating hours are 5am to 6pm Monday to Friday and 7am to 6pm Saturday and Sunday. Assessment of the proposed operating hours against the relevant performance criteria and having regard to the synergy of use with the adjacent site and its approved hours, is contained within the planning report.</i></p>

Issue 5 The existing dust pollution from the concrete plant is detrimental to nearby residents.
<i>Response 5</i> <i>Issues arising from the operation of the existing concrete batching plant, located on the adjacent site, are beyond the scope of this permit application.</i>
Issue 6 Impact on privacy as the site has been raised and workers can stand on the land and look straight into lounge and bed room windows.
<i>Response 6</i> <i>The ground level was raised as a result of levelling out previous fill material and capping in accordance with permit DA0516/2018. An appropriate screening condition is proposed to mitigate dust and noise. This will also mitigate any perceived overlooking concerns.</i>
Issue 7 Current issues with noise and dust from the concrete operation. All the roadways should be sealed to reduce dust.
<i>Response 7</i> <i>Whilst it is beyond the scope of this application to address ongoing issues with the operation of the concrete batching plant, appropriate conditions are proposed to minimise dust from the 83-93 Lilydale Road site.</i>
Issue 8 The site has already been developed - without approval - for the storing of materials and vehicles. Will the operators continue to act without regard for their neighbours or the Council?
<i>Response 8</i> <i>It is acknowledged that the use and development of the site has already commenced. Whilst this is not a desirable outcome, it is significant that the operators have sought the required approval - albeit after receiving an enforcement notice (PLE0006/2022). Relevantly, the proponents have advised that they will undertake required mitigation measures such as landscaping or screening on the front boundary and look at sprinklers and watering or surface works on roadways in consultation with council to ensure it meets the required outcomes. Appropriate conditions to this effect are proposed.</i>
Issue 9 Currently trucks dump excess concrete onto the TasRail access road, potentially pollution the waterway behind it.
<i>Response 9</i> <i>The current proposal is for the use of 83-93 Lilydale Road and a permit condition activities to be confined to the site is included. Relevantly, in their submission, TasRail has specifically requested conditions that vehicles, materials and other items do not encroach into State Rail Network land.</i>

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.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

1. DA0182/2022 - 83-93 Lilydale Road, Rocherlea - Planning Scheme Assessment
[9.1.1 - 7 pages]
2. DA0182/2022 - 83-93 Lilydale Road, Rocherlea - Plans for Endorsement
[9.1.2 - 5 pages]

TITLE: DA0182/2023 - 83-93 Lilydale Road, Rocherlea - Storage - change of use to contractor's depot to store vehicles and excess materials and car parking

FILE NO: DA0182/2022

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER: Dan Ryan (General Manager Community and Place Network)

ATTACHMENT ONE:

PLANNING APPLICATION INFORMATION:

Applicant: Hazell Bros Investments Pty Ltd
Property: 83-93 Lilydale Road, Rocherlea
Zoning: Light Industrial
Receipt Date: 6/04/2022
Validity Date: 14/09/2023
Further Information Request: 14/04/2022
Further Information Received: 26/04/2023
Deemed Approval: 6/11/2023
Representations: 5

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area

18.0 Light Industrial Zone

<p>P1 Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must not result in the potential for a sensitive use to be impacted by emissions, having regard to:</p> <p>(a) the nature of the activity with the potential to cause emissions, including:</p> <ul style="list-style-type: none">(i) operational characteristics of the activity;(ii) scale and intensity of the activity; and(iii) degree of emissions from the activity; and <p>(b) the intended use of the lot.</p>
--

Consistent

The proposal is consistent with the purpose of the zone to provide for manufacturing, processing, storage and distribution of goods and materials where site impacts are minimal or can be managed to minimise conflict with other uses.

It is noted that the adjacent site, containing the concrete batching plant, was zoned General Industrial at the time of its development.

18.3.1 All uses

<p>That uses do not cause an unreasonable loss of amenity to residential zones.</p>

Consistent

<p>The proposal satisfies the applicable performance criteria or acceptable solutions.</p>
--

<p>A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.</p>
<p>Relies on Performance Criteria</p> <p>The General Residential zoned land on the southern side of Lilydale road is some 22m from the subject site. The proposal seeks operation hours of 5am - 6pm Monday to Friday and 7am - 6pm Saturday and Sunday. Performance criteria are relied upon.</p>
<p>P1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.</p>
<p>Complies</p> <p>Having regard to the prescribed matters, it is considered that the proposed hours of operation should be reduced to be compatible with the adjacent concrete batching plant to ensure that there will not be an unreasonable loss of amenity to the adjacent residential zone.</p> <p>(a) It is anticipated that employees of the concrete batching plant will arrive for work shortly before the operating hours of the plan and leave shortly after close of such hours. Use of the storage area would undoubtedly have similar peaks but also continue throughout the day. (b) Representors have raised concerns with the hours of operation, particularly the starting of trucks in the early hours of the morning. Whilst dust has also been raised as a significant concern, this has been discussed previously and appropriate conditions are proposed.</p> <p>Relevantly the approved hours of operation for the concrete batching plant are detailed in DA0176/2015 as 6.30am to 5.30pm Monday to Friday and 7.00am to 1.00pm Saturday, with the business closed on Sundays and public holidays.</p> <p>Given that the car parking and storage are directly related to the operation of the concrete batching plant, it is considered that the operation hours of the car park should have a 30 minute window at each end of the day for employees to arrive to start work and leave at the end of the day. The operation of the storage area should be linked to the operation of the concrete batching plant.</p> <p>An appropriate condition limiting the operation hours of the car park and storage area is proposed.</p>
<p>A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.</p>
<p>Relies on Performance Criteria</p> <p>The proposal seeks hours outside those prescribed in the acceptable solution and performance criteria are relied upon.</p>
<p>A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p>

(a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.
Complies Having regard to the prescribed matters, there appears to be no reason why commercial vehicles should enter or leave the site beyond the operating hours of the concrete batching plant. The conditions discussed previously to regulate hours of operation will similarly ensure that there is no unreasonable loss of amenity to the adjacent residential zone.

18.4.1 Building height

To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties.
Consistent The proposal complies with the acceptable solution. A1 Building height must be not more than 10m.
Complies The only structures proposed are the material storage bays and these are well below the prescribed 10m.

18.4.2 Setbacks

That building setbacks: (a) are appropriate for the site; and (b) do not cause an unreasonable loss of residential amenity to adjoining residential zones.
Consistent The proposal complies with the acceptable solution. A1 Buildings must have a setback from a frontage of: (a) not less than 5.5m; (b) not less than existing buildings on the site; or (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.
Complies The storage bays are set towards the rear of the site and are more than 5.5m from the frontage.

18.4.4 Outdoor storage areas

Outdoor storage areas do not detract from the appearance of the site or surrounding area.
Consistent The proposal satisfies the performance criteria. A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.
Relies on Performance Criteria The existing outdoor storage areas are visible from Lilydale Road and performance criteria are relied upon. P1 Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.
Complies A condition is proposed to require the provision of a screen and landscaping across the site frontage to prevent any unreasonable loss of visual amenity.

18.4.5 Landscaping

That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.
--

<p>Consistent Landscaping will be required to ensure compliance with the acceptable solution.</p>
<p>A1 If a building is set back from a road, landscaping treatment must be provided along the frontage of the site: (a) to a depth of not less than 5.5m; or (b) not less than the frontage of an existing building if it is a lesser distance.</p>
<p>Complies The storage bins are structures and therefore technically buildings. As noted previously, a condition will be applied to require screening and landscaping along the frontage.</p>

C2.0 Parking and Sustainable Transport Code

<p>The purpose of the Parking and Sustainable Transport Code is: C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development. C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas. C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate. C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area. C2.1.5 To ensure that parking spaces and accesses meet appropriate standards. C2.1.6 To provide for parking precincts and pedestrian priority streets.</p>
<p>Consistent The proposed use of the site is provided with access, parking and manoeuvring areas to meet the reasonable needs of the site.</p>

C2.5.1 Car parking numbers

<p>That an appropriate level of car parking spaces are provided to meet the needs of the use</p>
<p>Consistent The proposal satisfies the applicable performance criteria.</p>
<p>A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: N = A + (C - B) N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>

<p>Relies on Performance Criteria</p> <p>The site has an area of 14,133m², less 1500m² that is to be used as a car park. Table C.2.1 seeks the provision of one car parking space per 200m² to comply with the performance criteria. An area of 12,633m² (i.e. 14133-1500=12633) would need 60 car parking spaces. As the site provides a car park of 40 car parking spaces, performance criteria are relied upon.</p>
<p>P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> i. variations in car parking demand over time; or ii. efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (g) the effect on streetscape; and (h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.
<p>Complies</p> <p>Having regard to the prescribed matters, it is considered that the number of on-site car parking spaces provided meets the reasonable needs of the use. Relevantly, the proposed use of the site is for storage of surplus materials from the adjacent concrete batching plant and to provide additional car parking for its employees. The use itself of the site will not generate any increase in the current number of employees of, or visitors to, the adjacent operation, of which the use of the site is clearly an incidental part of.</p> <ul style="list-style-type: none"> (a) One purpose of the use of the site is to provide off-street parking for the concrete batching plant. It will not generate any additional demand for parking. (b) There is no capacity for use of the car park other than that related to the adjacent concrete batching plant. Additional parking is provided on that site. (c) There is no readily available public transport within reasonable walking distance. (d) Other transport alternatives, such as bicycles or scooters are a matter for individuals having regard to the site location at the northern edge of the urban area of Launceston. Taxis are similarly available. (e) The site is not constrained and there is room for additional car parking, although there is no demonstrated need for its provision. (f) On-street parking is not considered to be readily available or suitable in this instance. (g) The proposed parking and storage area will be appropriately screened on its frontage to Lilydale Road. (h) Council's traffic and engineering officers are satisfied that additional car parking is not required. <p>The performance criteria are considered to be satisfied.</p>

C2.5.3 Motorcycle parking numbers

<p>That the appropriate level of motorcycle parking is provided to meet the needs of the use.</p>
<p>Consistent</p> <p>The proposal complies with the acceptable solution.</p>
<p>A1 The number of on-site motorcycle parking spaces for all uses must:</p> <ul style="list-style-type: none"> (a) be no less than the number specified in Table C2.4; and

(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.
Complies For 60 car parking spaces, two motorcycle spaces are sought by table C2.4. A condition will be applied to require the designation of two motorcycle parking spaces within the car park area.

C2.6.1 Construction of parking areas

That parking areas are constructed to an appropriate standard.
Consistent The proposal satisfies the applicable performance criteria.
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.
Relies on Performance Criteria The car parking area and access and manoeuvring areas are not sealed and performance criteria are relied upon.
P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing.
Complies Having regard to the prescribed matters and proposed permit conditions, the car parking and manoeuvring areas are considered to be readily identifiable and useable in all weather conditions. (a) The use of the land is for storage of surplus areas and overflow parking from the adjacent concrete batching plant. (b) The land is generally level following works pursuant to DA0516/2018. (c) Drainage from the site, historically, generally falls to the north to an existing channel in rail reserve. Council stormwater lines are on the opposite side of Lilydale Road are not connected to the site and are directed to this waterway on the eastern side of 141 Lilydale Road. (d) The majority of traffic movements, other than pedestrian movements from the car park, surfaced with crushed road base material, are between the storage area and the concrete batching plant. The site has been so used for over twelve months without undue concern regarding transport of debris to Lilydale Road. (e) The representors have highlighted the existing dust emission as a major issue. The extent to which the dust is generated by the storage area, rather than the concrete batching plant, is unclear. Nevertheless, it is accepted that dust from the site is likely to be an environmental nuisance if not addressed. Conditions are proposed to require the use of sprinklers to minimise dust from the stockpiles and for the internal road surface to be sealed or otherwise maintained to the satisfaction of the Manager City Development to minimise dust emissions. (f) The existing car park is surfaced with crushed road base material and is considered to have only relatively low usage and thus acceptable. The proponents do not currently propose to

resurface the existing compacted roadway surface, but acknowledge that some works may be necessary, as envisioned by the proposed conditions.
The performance criteria are considered to be satisfied.

C2.6.2 Design and layout of parking areas

That parking areas are designed and laid out to provide convenient, safe and efficient parking.
Consistent
The proposal complies with the acceptable solution.

C2.6.3 Number of accesses for vehicles

That:
(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;
(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and
(c) the number of accesses minimise impacts on the streetscape.
Consistent
The proposal complies with the acceptable solution.
A1 The number of accesses provided for each frontage must:
(a) be no more than 1; or
(b) no more than the existing number of accesses, whichever is the greater.
Complies
No additional accesses to Lilydale Road are proposed.

C2.6.5 Pedestrian access

That pedestrian access within parking areas is provided in a safe and convenient manner.
Consistent
The proposal complies with the acceptable solution.
A1.1 Uses that require 10 or more car parking spaces must:
(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:
(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or
(ii) protective devices such as bollards, guardrails or planters between the footpath and the access way or parking aisle; and
(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.
Complies
The proposal plans have not detailed the specific layout of the car park and an appropriate condition will be imposed to require appropriate marking of car parking spaces and pedestrian ways.



LEGEND

- - - Title Boundary (per TheLIST)
- S - Sewer (per TheLIST)
- SRM - Sewer Rising Main (per TheLIST)
- - - Top/Toe of Fill

NOTES

Date of Survey: 19th August 2022
 Bearing datum is GDA2020.
 Horizontal datum is grid MGA202.
 Vertical datum is AHD83.

While reasonable effort has been made to locate all visible above ground services, there may be other services which were not located during survey.

Prior to any demolition, excavation, final design or construction on this site, a comprehensive site investigation should be undertaken to locate all above and below ground service infrastructure.

All coordinates within this file, although stated to the nearest 0.001 metre, are approximate only and are only within 0.015m of the stated coordinate (horizontally and vertically).

The boundaries shown on this plan are taken from TheLIST and are approximate only.

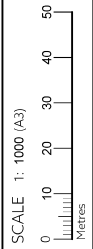
The location of the Sewer Rising Main shown on this plan could not be determined on site using Ground Penetrating Radar or Pot-holing. As such, this plan shows the location of this Sewer Rising Main as taken from TheLIST.

3/23 Brisbane Street Launceston, TAS 7250 PHONE: +61 813 431 4199 FAX: +61 813 434 4096 EMAIL: info@pda.com.au www.pda.com.au	SCALE 1:1000	MPR (A3)
Also at: Hobart, Burnie, Devonport & Kingston	49459-01	



SEWER RISING MAIN GIS LOCALITY
83-93 LILYDALE ROAD ROCHERLEA

SURVEYOR ARD	SCALE 49459
DRAWN ARD	CHECKED JB
DATE 15th NOVEMBER 2022	

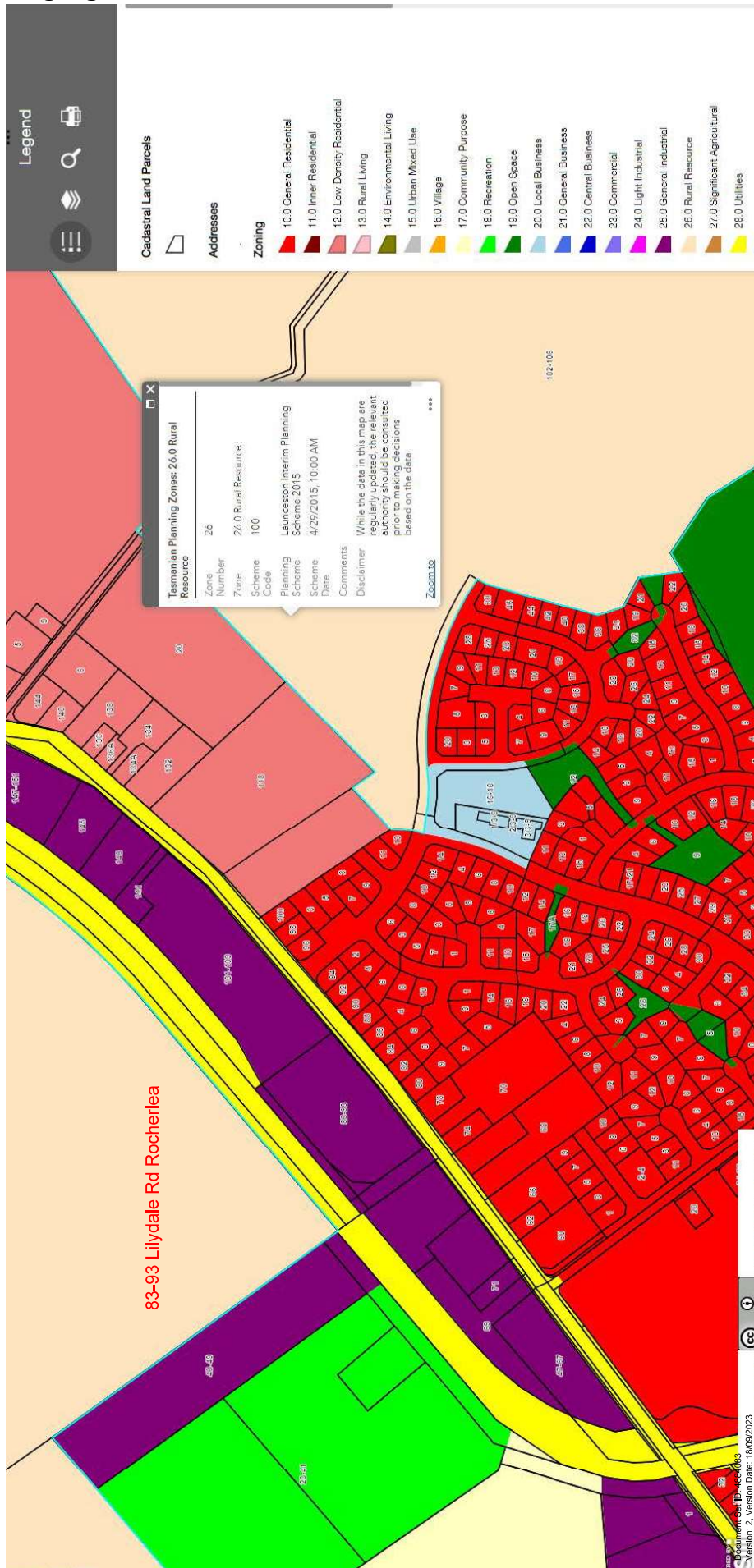


REV.	DESCRIPTIONS	DATE	APP.

Document Set ID: 4884083
 Version: 2, Version Date: 18/09/2023







Attachment 9.1.2 DA0182/2022 - 83-93 Lilydale Road, Rocherlea - Plans for Endorsement



3/23 Brisbane Street
Launceston, Tasmania 7250
Phone (03) 6331 4099

ABN 71 217 806 325
pda.ltn@pda.com.au
www.pda.com.au

Our Ref: 49459

09 March 2023

Launceston City Council
LAUNCESTON TAS 7250

Via Email: planning.admin@launceston.tas.gov.au

Attention: Duncan Payton

Dear Sir/Madam

RE: DA0182/2022 83-93 Lilydale Road, Rocherlea RFI Response

Clause 8.1.2 e) a full description of the proposed use or development
Storage of excess road making materials – either in bins, or in piles and over flow carparking from the adjoining site, which is used by the same operator (Hazel Brothers)

1. Please see attached plans.
2. Please see attached plans
3. External storage of goods – 25.3.2 P1
 - a. The storage of materials and parking of vehicle due to the overflow from neighbouring site at 77-79 Lilydale Road
 - b. Material area storage of additional material for road construction
 - c. The topography is flat vacant area
 - d. No landscaping on the site
 - e. There is existing green screen on the road reserve. No additional screening is proposed.
4. Emissions impacting sensitive use 25.3.2 P1
 - a. The storage of materials and parking of vehicle due to the overflow from neighbouring site at 77-79 Lilydale Road
 - b. No processing will be taken on the site emission will be from vehicle movement.
 - c. There are 20 dwellings within 100m of the southern boundary of the site. As the site is 100m in width the proximity of the storage will decrease the number of sensitive uses potentially impacted.
 - d. Site is flat
 - e. There is existing screening from the road, no additional screening is proposed.
5. The site hasn't been disturbed and no cut of fill has occurred onsite.
6. As above
7. Please see attached.
8. No drainage works have occurred and is existing see attached plans.

Yours faithfully,
PDA Surveyors

Allan Brooks
PDA Surveyors, Engineers & Planners

OFFICES ALSO AT:

HOBART

127 Bathurst St,
Hobart, TAS 7000
(03) 6234 3217

KINGSTON

6 Freeman St,
Kingston, TAS 7050
(03) 6229 2131

HUONVILLE

10/16 Main Rd,
Huonville, TAS 7109
(03) 6264 1277

DELORAIN

16 Emu Bay Rd,
Deloraine, TAS 7304
(03) 6362 2993

BURNIE

6 Queen St,
Burnie, TAS 7320
(03) 6431 4400

DEVONPORT

77 Gunn St,
Devonport, TAS 7310
(03) 6423 6875

SWANSEA

3 Franklin St,
Swansea, TAS 7190
(03) 6130 9099

9.2. DA0395/2023 - 5 Hornsey Avenue, East Launceston - Residential - Construction of a Dwelling

FILE NO: DA0395/2023

AUTHOR: Iain More (Town Planner)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Honed Architecture + Design
Property:	5 Hornsey Avenue, East Launceston
Zoning:	General Residential
Receipt Date:	16/08/2023
Validity Date:	22/08/2023
Further Information Request:	25/08/2023
Further Information Received:	26/09/2023
Deemed Approval:	3/11/2023
Representations:	Six

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

PREVIOUS COUNCIL CONSIDERATION:

DA0327/2023 - 5 Hornsey Avenue, East Launceston - Residential - Demolition of a Dwelling - approved under delegation - 31 July 2023

STANDARDS REQUIRING PLANNING DISCRETION:

8.4.2 Setbacks and building envelope for all dwellings - P3
8.4.7 Frontage fences for all dwellings - P1

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0395/2023 - Residential - Construction of a dwelling at 5 Hornsey Avenue, East Launceston, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover Sheet, prepared by Honed Architecture + Design, Drawing No. A-DA-01 A, dated February 2023;
- b. Land Survey, prepared by Honed Architecture + Design, Drawing No. A-DA-02 A, dated February 2023;
- c. Site Plan, prepared by Honed Architecture + Design, Drawing No. A-DA-03 A, dated February 2023;
- d. Level 2 Plan, prepared by Honed Architecture + Design, Drawing No. A-DA-04 A, dated February 2023;
- e. Level 1 Plan, prepared by Honed Architecture + Design, Drawing No. A-DA-05 A, dated February 2023;
- f. Roof Plan, prepared by Honed Architecture + Design, Drawing No. A-DA-06 A, dated February 2023;
- g. Northern Elevation, prepared by Honed Architecture + Design, Drawing No. A-DA-07 A, dated February 2023 [Amended Plans Required];
- h. Eastern Elevation, prepared by Honed Architecture + Design, Drawing No. A-DA-08 A, dated February 2023 [Amended Plans Required];
- i. Southern Elevation, prepared by Honed Architecture + Design, Drawing No. A-DA-09 A, dated February 2023 [Amended Plans Required];
- j. Western Elevation, prepared by Honed Architecture + Design, Drawing No. A-DA-10 A, dated February 2023 [Amended Plans Required]; and
- k. Front fence supporting information, prepared by Honed Architecture + Design, Drawing No. A-DA-11 A, dated February 2023.

2. AMENDED PLANS REQUIRED

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

- a. the finished floor level of the pool deck must be no more than 950mm above the existing ground level and the privacy screen facing the rear boundary must be at least 1.7m high with a uniform transparency of 25%. The total height must be no more than 55.20m AHD; and
- b. the front fence must have a maximum height of 1.7m.

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the Planning Officer.

3. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land.

4. HOURS OF CONSTRUCTION

- a. Unless otherwise approved in writing by the Manager Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7am to 6pm; and
 - ii. Saturday - 8am to 6pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

5. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to the Council's infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to the Council's infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws 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. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of General Manager Infrastructure and Assets Network is required prior to undertaking works where the works:

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

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 shall form the explicit approval.

7. APPLICATION TO ALTER A STORMWATER SERVICE

An application must be made using the Council's eServices web portal, or on the approved form, and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with Council standards. All costs associated with these contractors are to be borne by the applicant.

8. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

9. 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.

10. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (eg. Launceston Waste Centre), reclaimed or recycled.

11. DEMOLITION

The developer must:

- a. protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b. not undertake any burning of waste materials or removed vegetation;
- c. remove all rubbish from the site for disposal at a licensed waste disposal site;
- d. dispose of any asbestos found during demolition in accordance with the Safe Work Australia *How to Safely Remove Asbestos: Code of Practice, July 2020*, or any subsequent versions of the document.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0395/2023. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning Staff can be contacted on 6323 3000.

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) is withdrawn 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.*

The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.

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 enquiries as to whether the proposed development is affected, 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. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).

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 Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>

D. 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 the Council's Notice to Waive Right of Appeal is attached.

E. Fixed Equipment Use

Use of fixed equipment (eg. heat pumps, water pumps, swimming pool pumps) is subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or any subsequent versions of this regulation.

F. No Approval for Alterations to Driveway Crossover

No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.

REPORT:

1. THE PROPOSAL

It is proposed to construct a new two-storey, four-bedroom dwelling on the subject site. The bottom floor consists of a three car garage, single car garage, double carport, bedroom with ensuite, laundry, multipurpose room and family room. The first floor consists of three bedrooms, office, family room, kitchen, dining room, living room and alfresco deck. The deck, via stairs, allows for access to the yard, swimming pool, and swimming pool deck area. A new 1.9m high solid front fence is proposed, along with a pedestrian gate and vehicle gate.

The dwelling will be setback 4.5m from the front boundary, 4m from the rear boundary, 1.5m from the southern side boundary and 3m from the northern side boundary. It will have a maximum height of 8.5m above natural ground level. The dwelling, including the deck, are located wholly within the building envelope.

The pool area will be accessible via the stairs to the deck and will be located 13m along the rear boundary, and 4m wide. The back pool area has a deck with a floor level of 2.35m above ground level. The deck is constructed out of *James Hardie 133 Axon*. On top of this is a 1.8m picket privacy screen with a uniform transparency of not more than 25%. The structure will be built along the boundary, where an existing 2.075m high brick fence currently exists. In its current state, the structure will have a total height of 4.15m above ground level, or 2.075m above the height of the existing fence. This pool structure is outside of the building envelope.

The development will have a site coverage of approximately 38%.

2. LOCATION AND NEIGHBOURHOOD CHARACTER



5 Hornsey Avenue, East Launceston (not to scale)

The site is located at 5 Hornsey Avenue, East Launceston. The site is 807m² in size and slopes from the frontage down to the rear boundary, with a slope of approximately 8%. The site is currently vacant, with the previous dwelling recently demolished. Access is obtained via an existing driveway via Hornsey Avenue. The site is connected to all reticulated services.

The surrounding area is predominantly single dwellings on lots of varying sizes and shapes. The built environment is also diverse, with a mix of larger and smaller buildings, single and two storey.

3. PLANNING SCHEME REQUIREMENTS

The assessment against the Tasmanian Planning Scheme - Launceston is detailed in Attachment 1.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 30 September to 16 October 2023. Six representations were received. The issues raised are summarised in the following table. All representations received for this application were circulated to Councillors confidentially on 26 October 2023.

<p>Issue 1 Clause 8.4.2 Setbacks and building envelope for all dwellings - P3(a)(i)(ii) - the pool deck and privacy screen will cause unreasonable loss of amenity to adjoining property. There will be a reduction in sunlight and overshadowing to private open space. Overshadowing plans are requested.</p>
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Response 1

A condition imposed to reduce the floor level of the pool deck, as well as the total height, including privacy fence), has resulted in a more compliant proposal and it is considered the visual impact will be reasonable. Due to the east facing pool structure, overshadowing plans were not required.

Issue 2

Clause 8.4.6 Privacy for all dwellings - A1(b) - the pool deck proposed is within 4m of the rear boundary. The pool deck balustrade exceeds the building envelope. Privacy screen on the boundary exceeds the building envelope. The privacy screen is approximately 4.5m above natural ground level and will cause an unreasonable loss of amenity plus overshadowing and loss of privacy.

Response 2

The pool meets all privacy acceptable solutions as proposed. The privacy clause is not applicable due to the recommended condition reducing the floor level of the pool deck to 950mm. Notwithstanding, the applicant still proposes to maintain a 1.7m high privacy fence.

Issue 3

It is requested that the pool deck and privacy screen be removed and an in ground pool in created in its place. Relocate the alfresco area to the northern side of the living area to remove overlooking to living areas and private open space.

Response 3

By condition the pool decks floor level has been reduced and the overall height of the structure has also been reduced. Relocation of the alfresco area is not required, as it meets all acceptable solutions for privacy, being 3m away from side boundaries and 4m from the rear boundary.

Issue 4

8.4.2 Setbacks + Building envelope for all dwellings. a. P3 (a) (i) (ii) alfresco area will cause unreasonable loss of amenity to adjoining properties of 7 Hornsey Avenue and 56 Lyttleton Street, East Launceston. Owing to reduction in sunlight and overshadowing private open space. b. Retaining wall on south side of building is outside the building envelope.

Response 4

The alfresco area is wholly within the building envelope and meets all privacy requirements. The retaining wall has been assessed as appropriate for the development.

Issue 5

8.4.6 Privacy for all dwellings. a. Kitchen window is below minimum requirement of 1.7m, proposed location of window will create unreasonable loss of amenity and privacy to 7 Hornsey Avenue. b. Windows on south wall, adjacent to ensuite and family room are with 1.5m of boundary.

Response 5

The identified windows have a floor height of less than 1m and as such privacy is not a consideration.

<p>Issue 6 Proposal location of air conditioner and HWC will cause excessive noise due to location adjacent to 7 Hornsey Avenue and will be amplified by surrounding concrete causing noise pollution. No location has been given for location of gas bottles for gas heater.</p>
<p><i>Response 6</i> <i>This is not a planning consideration.</i></p>
<p>Issue 7 Identified sewer connection is halfway down northern side of property, proposed development will require extensive drainage and pumps to collect water and divert to existing sewer connection. Over 500,000L of rainwater per annum.</p>
<p><i>Response 7</i> <i>This is not a planning consideration.</i></p>
<p>Issue 8 Heat sink - large volumes of hard surfaces will collect large amounts of solar heat, making an extremely hot area over summer combined with no nature strip or trees in Hornsey Avenue, thus the residents will be forced to operate the air conditioner year-round.</p>
<p><i>Response 8</i> <i>This is not a planning consideration, however, a note has been included on the permit advising the developer that the use of fixed equipment (eg. heat pumps, water pumps, swimming pool pumps) is subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or any subsequent versions of this regulation.</i></p>
<p>Issue 9 The proposed development does not fit within the established character of the area and is considered out of context for the locality. a. Front fence - a 1.9m high front fence finished in <i>random Mykonos stone</i> all properties in the area were built with bluestone. All fences on avenue are below 1.7m only two fences are of a dark finish. Several properties have picket fences (refer photographs). The fence at 7 Hornsey Avenue is 1.6m; a higher fence on the northern aspect will again create seasonal shading. b. The <i>gatehouse</i> creates a security risk with people using it for sleeping, urination and a rubbish collection. c. 1.9m high fence will reduce any crossflow ventilation.</p>
<p><i>Response 9</i> <i>The fence has been considered to be appropriate and a condition reducing its height to 1.7m is also recommended. The gatehouse comments are not a consideration under the planning scheme, or is the crossflow ventilation.</i></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.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

1. DA0395/2023 - 5 Hornsey Avenue, East Launceston - Planning Scheme Assessment
[9.2.1 - 8 pages]
2. DA0395/2023 - 5 Hornsey Avenue, East Launceston - Plans for Endorsement
[9.2.2 - 11 pages]

TITLE: DA0395/2023 - 5 Hornsey Avenue, East Launceston - Residential - Construction of a dwelling

FILE NO: DA0395/2023

AUTHOR: Iain More (Town Planner)

GENERAL MANAGER: Dan Ryan (General Manager Community and Place Network)

ATTACHMENT ONE:

PLANNING APPLICATION INFORMATION:

Applicant: Honed Architecture + Design
Property: 5 Hornsey Avenue, East Launceston
Zoning: General Residential
Receipt Date: 16/08/2023
Validity Date: 22/08/2023
Further Information Request: 25/08/2023
Further Information Received: 26/09/2023
Deemed Approval: 3/11/2023
Representations: 6

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

8.0 General Residential Zone

The purpose of the General Residential Zone is:

- 8.0.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
- 8.0.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 8.0.3 To provide for non-residential use that:
- (a) primarily serves the local community; and
 - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.0.4 To provide for Visitor Accommodation that is compatible with residential character.

Consistent

The proposal is for a residential use within a residential zone, meeting the purpose of the zone.

8.4.2 Setbacks and building envelope for all dwellings

The siting and scale of dwellings:

- (a) provides reasonably consistent separation between dwellings and their frontage within a street;
- (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;
- (c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and

(d) provides reasonable access to sunlight for existing solar energy installations.
<p>Consistent Consistency with the objective has been achieved as the proposal ensures appropriate and consistent scale and bulk.</p>
<p>A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.
<p>Complies The dwelling will be setback 4.5m from the front boundary.</p>
<p>A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.
<p>Complies The closest garage is setback 13.0m from the front boundary.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).
<p>Relies on Performance Criteria The dwelling will be setback 4.5m from the front boundary, 4.0m from the rear boundary, 1.5m from the southern side boundary, and 3.0m from the northern side boundary. It will have a maximum height of 8.5m above natural ground level. Even though the dwelling is two storeys in height, the design has taken into account the topography to meet height requirements. The stepping back in some sections has also mean that the setbacks meet the acceptable solutions. This means that the dwelling, including the deck, are located wholly within the building envelope.</p>

The pool area will be accessible via the stairs to the deck and will be located 13.0m along the rear boundary, and 4.0m wide. The back pool area has a deck with a floor level of 2.35m above ground level. The deck is constructed out of 'James Hardie '133 Axon' On top of this is a 1.8m picket privacy screen with a uniform transparency of not more than 25%.The structure will be built along the boundary, where an existing 2.075m high brick fence currently exists. In its current state, the structure will have a total height of 4.15m above ground level, or 2.075m above the height of the existing fence. This pool structure is outside of the building envelope.

A 12.9m long stepped down retaining wall is proposed, 400mm off the southern boundary. The wall will have a maximum height of 1.7m , tapering down to 1.0m, then 600mm, then 500mm. The wall is required due to the slope of the land. Due to its height and proximity to the boundary, it is unable to meet exemption 4.6.8 for retaining walls, nor can it meet the acceptable solution.

Reliance on the performance criteria is sought.

P3 The siting and scale of a dwelling must:

- (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;
 - (ii) overshadowing the private open space of a dwelling on an adjoining property;
 - (iii) overshadowing of an adjoining vacant property; and
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;
- (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
- (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
 - (i) an adjoining property; or
 - (ii) another dwelling on the same site.

Complies

It is important to reiterate that the main dwelling itself is wholly within the building envelope. The pool structure however is not and needs to be considered against the performance criteria. It is noted that representors raised their concerns regarding the size of the pool structure and its potential negative visual impact and overshadowing.

The proposed back pool area has a deck with a floor level of 2.35m above ground level. The deck is constructed out of 'James Hardie '133 Axon'. On top of this is a 1.8m picket privacy screen with a uniform transparency of not more than 25%.

The structure will be built 13.0m along the boundary, where an existing 2.075m high brick fence currently exists. In its current state, the structure will have a total height of 4.15m above ground level, or 2.075m above the height of the existing fence.

Discussions with the applicant have suggested reducing the floor level of the pool area by 1.4m, and reducing the privacy fence to 1.7m with a uniform transparency of 25%, which is compliant with privacy requirements. This would result in the floor level being 950mm above existing ground level, and total height (decking structure and privacy fence) being 2.65m. This would further result in the structure being 575mm above the brick fence. This proposal has been measured and is considered to be appropriate and as such the following condition has been recommended:

AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as "Amended

Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- (a) *The finished floor level of the pool deck must be no more than 950mm above the existing ground level, and the privacy screen facing the rear boundary must be at least 1.7m high with a uniform transparency of 25%. The total height must be no more than 55.20m AHD; and*
- (b) *The front fence must have a maximum height of 1.7m.*

As a result of the wall facing east, overshadowing is not expected to unreasonably impact on habitable room windows or adjoining properties areas of private open space. The 575mm extension beyond the existing fence height is consider appropriate and reasonable in terms of bulk and overall mass. There has to be a reasonable expectation that some intrusion outside of the building envelope may occur in established suburban areas.

The pool area will be setback 7.0m from the closest adjoining dwelling. This is considered consistent with separation distances observed within existing established properties within the area, which range from 20.0m to 1.0m.

As previously stated, a 12.9m long stepped down retaining wall is proposed, 400mm off the southern boundary. The wall will have a maximum height of 1.7m , tapering down to 1.0m, then 600mm, then 500mm. The wall is required due to the slope of the land. Due to its height and proximity to the boundary, it is unable to meet exemption 4.6.8 for retaining walls, nor can it meet the acceptable solution.

The proposed retaining will be positioned below the existing fence, thereby minimising any overshadowing on adjacent properties. Its visibility will be limited due to the relatively high fence along the southern boundary, and whilst it may be visible from a first storey window, only the higher portion will be. The requirement for the retaining wall is due to the slope of the land and to ensure safe development for the site and surrounding properties, as well as protection of the development is considered appropriate. It is not believed it will have a negative visual impact.

Accordingly, based on the changes to the design of the pool area, there will not be an unreasonable loss of amenity to adjoining properties, and the proposal complies with the performance criteria.

8.4.3 Site coverage and private open space for all dwellings

That dwellings are compatible with the amenity and character of the area and provide:

- (a) for outdoor recreation and the operational needs of the residents;
- (b) opportunities for the planting of gardens and landscaping; and
- (c) private open space that is conveniently located and has access to sunlight.

Consistent

A1 Dwellings must have:

- (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and
- (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).

Complies

The development will have a site coverage of approximately 38%.

A2 A dwelling must have private open space that:

- (a) is in one location and is not less than:
 - (i) 24m²; or

<ul style="list-style-type: none"> (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.
<p>Complies There is at least 24m² of flat, useable space within a horizontal dimension of at least 4m located in the rear yard.</p>

8.4.6 Privacy for all dwellings

<p>To provide a reasonable opportunity for privacy for dwellings.</p>
<p>Consistent</p> <p>A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.
<p>Complies The proposed balcony of the dwelling is setback 3.3m from the southern side boundary, 10.5m from the northern side boundary, and 4.0m from the rear boundary, meeting the requirements of the acceptable solutions.</p> <p>The proposed pool decking is located more than 1m above ground level and is proposed to be built to the rear boundary, and setback 3.5m from the northern side boundary and 3.3m from the southern side boundary. A 1.8m high privacy screen however is proposed along the rear boundary, meeting the requirements of the acceptable solutions. Notwithstanding, based on the changes to the decking as a result of a recommended condition, the pool deck will now have a finished floor level of 950mm. Therefore the privacy clause is not applicable to its development.</p>
<p>A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <ul style="list-style-type: none"> (a) the window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and

<p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(b) the window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>
<p>Complies</p> <p>On level 2, all windows located on a floor with a floor level of more than 1m above the existing ground level are setback at least 3m from all side boundaries and more than 4.0m from the rear boundary.</p>

8.4.7 Frontage fences for all dwellings

<p>The height and transparency of frontage fences:</p> <p>(a) provides adequate privacy and security for residents;</p> <p>(b) allows the potential for mutual passive surveillance between the road and the dwelling; and</p> <p>(c) is reasonably consistent with that on adjoining properties.</p>
<p>Consistent</p> <p>The front fence is considered appropriate for the site, meeting the objective of the clause.</p>
<p>A1 No Acceptable Solution</p>
<p>Relies on Performance Criteria</p> <p>As the fencing does not meet the exemption within Table 4.6, reliance on the performance criteria is required.</p>
<p>P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>
<p>Complies</p> <p>The development proposes a 1.9m, high stone style solid fence with rendered blockwork supporting columns. A 4.8m wide sliding gate is proposed for vehicular access, and a 2.4m wide pedestrian gate with a 4.4m high gate house.</p> <p>The gates and fencing will allow for security and privacy. Minimal passive surveillance is proposed, however is not considered necessary, primarily due to the 4.5m setback between the dwelling and the front boundary. It is unlikely this area will be utilised to encourage any passive surveillance.</p> <p>The fence is considered to be compatible with others set out in the street. The adjoining property directly to the south contains a solid 1.6m high brick fence, solid wooden vehicular gate, and solid wooden pedestrian access. Similarly, the street contains multiple properties with solid fencing or solid walls along the street frontage. As such, the proposed fence is not out of character with the eclectic mix of fencing already existing.</p> <p>Notwithstanding, the applicant has considered the representations and concerns regarding the fence. They have proposed to reduce the height to 1.7m, whilst maintaining its shape</p>

and form. This is considered a practical solution to the concerns raised, and as such the following condition is recommended.

AMENDED PLANS REQUIRED

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

- (a) The finished floor level of the pool deck must be no more than 950mm above the existing ground level, and the privacy screen facing the rear boundary must be at least 1.7m high with a uniform transparency of 25%. The total height must be no more than 55.20m AHD; and
- (b) The front fence must have a maximum height of 1.7m.

This condition ensures a more compliant proposal, and as such the development complies with the performance criteria.

C2.0 Parking and Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code is:

C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.

C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.

C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.

C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.

C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.

C2.1.6 To provide for parking precincts and pedestrian priority streets.

Consistent

Sufficient and appropriate parking and access is provided, meeting the purpose of the code.

C2.5.1 Car parking numbers

That an appropriate level of car parking spaces are provided to meet the needs of the use

Consistent

A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:

- (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;
- (b) the site is contained within a parking precinct plan and subject to Clause C2.7;
- (c) the site is subject to Clause C2.5.5; or
- (d) it relates to an intensification of an existing use or development or a change of use where:
 - (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or
 - (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:

$$N = A + (C - B)$$

<p>N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>
<p>Complies Table C2.1 requires a four bedroom provide two car parking spaces. As six spaces have been provided, the clause has been met.</p>

C2.6.1 Construction of parking areas

<p>That parking areas are constructed to an appropriate standard.</p>
<p>Consistent</p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>
<p>Complies All parking spaces, access ways, manoeuvring and circulation spaces will be formed and paved with an all weather pavement and able to drain to the reticulated stormwater system.</p>

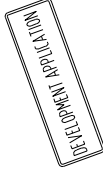
C2.6.2 Design and layout of parking areas

<p>That parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>Consistent</p>
<p>A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with <i>Australian Standard AS 2890-Parking facilities, Parts 1-6</i>.</p>
<p>Complies All parking spaces, access ways, manoeuvring and circulation spaces will have a gradient in accordance with Australian Standard AS 2890, parking and combined access and manoeuvring widths compliant with Table C2.2, and dimensions and manoeuvring widths that satisfy table C2.3. There will also be a vertical clearance of not less than 2.1m.</p>

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No.	DATE	DESCRIPTION	BY	CHECK	NO.	NO.
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5 HORNSEY AVENUE
EAST LAUNCESTON

DRAWING TITLE:

COVER SHEET

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SCALE: NTS @ A3

DATE: FEBRUARY 2023

PROJECT NO. 2308

DRAWING NO. A-DA-01

A

NOTE:

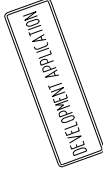
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ALLOTMENT NUMBER	105290 / 10
LAND TITLE REF NUMBER	REF TO TABLE
SOIL CLASSIFICATION	REFER TO REPORT
CLIMATE ZONE	T
RAL	REFER TO REPORT
ALPINE AREA	N/A
CORROSION ENVIRONMENT	N/A
LANDSLIP	NO
DISPERSIVE SOILS	UNKNOWN
SALINE SOILS	UNKNOWN
SAND DUNES	NO
MINE SUBSIDENCE	NO
LANDFILL	NO
GROUND LEVELS	REFER PLAN

DEVELOPMENT APPLICATION FOR PROPOSED RESIDENCE 5 HORNSEY AVENUE EAST LAUNCESTON, TASMANIA

DRAWING No.	DRAWING TITLE
A-DA-01	Cover Sheet
A-DA-02	Land Survey
A-DA-03	Site Plan
A-DA-04	Level 2 Plan
A-DA-05	Level 1 Plan
A-DA-06	Road Plan
A-DA-07	Northern Elevation
A-DA-08	Eastern Elevation
A-DA-09	Southern Elevation
A-DA-10	Western Elevation
A-DA-11	Front Fence Supporting Information

REVISION	
NO	DATE DESCRIPTION
1	18/03/23 DEVELOPMENT APPLICATION

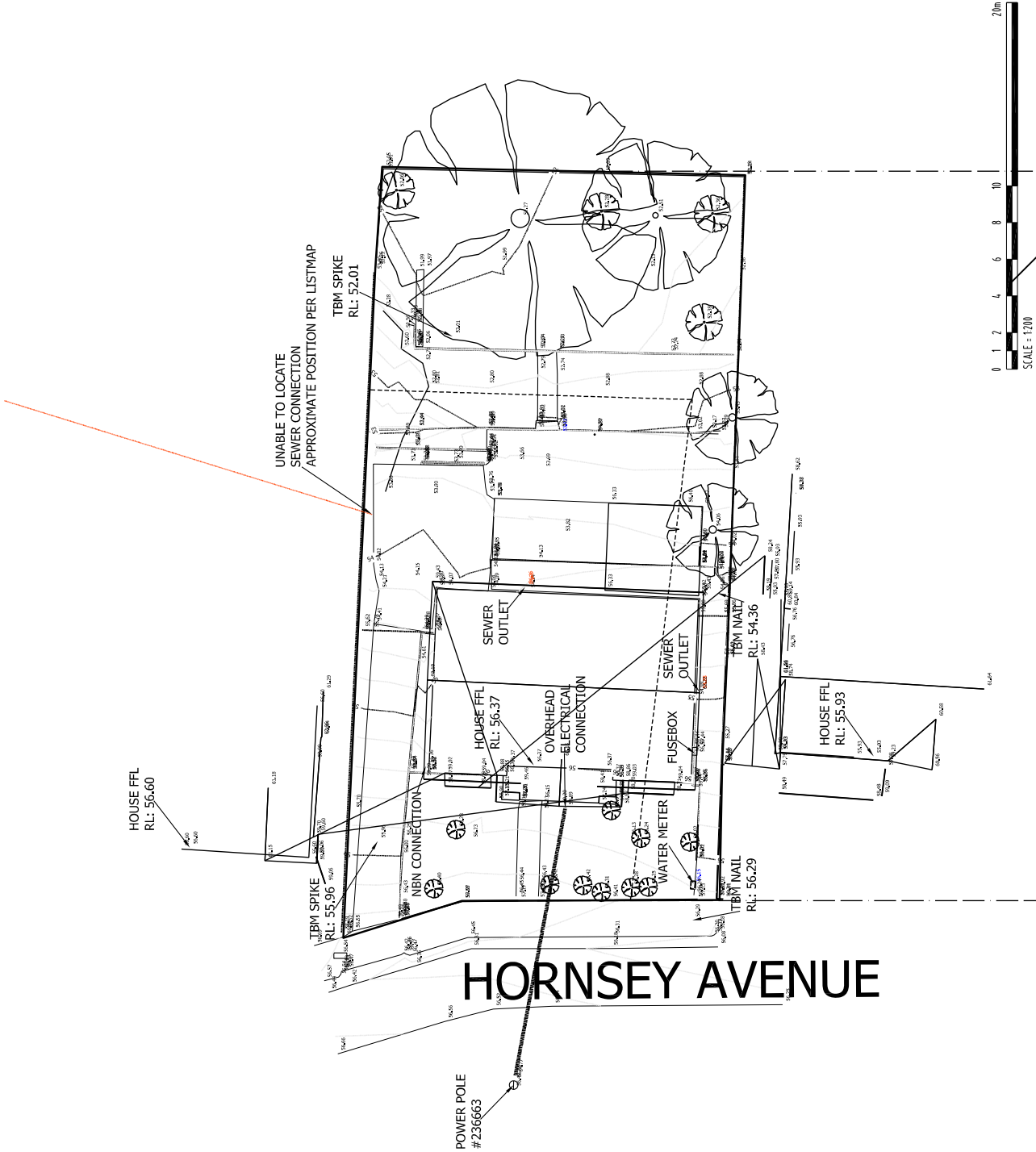
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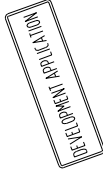


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Version: 2, Version Date: 20/09/2023

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A.	16.813		DEVELOPMENT APPLICATION	MB	MB



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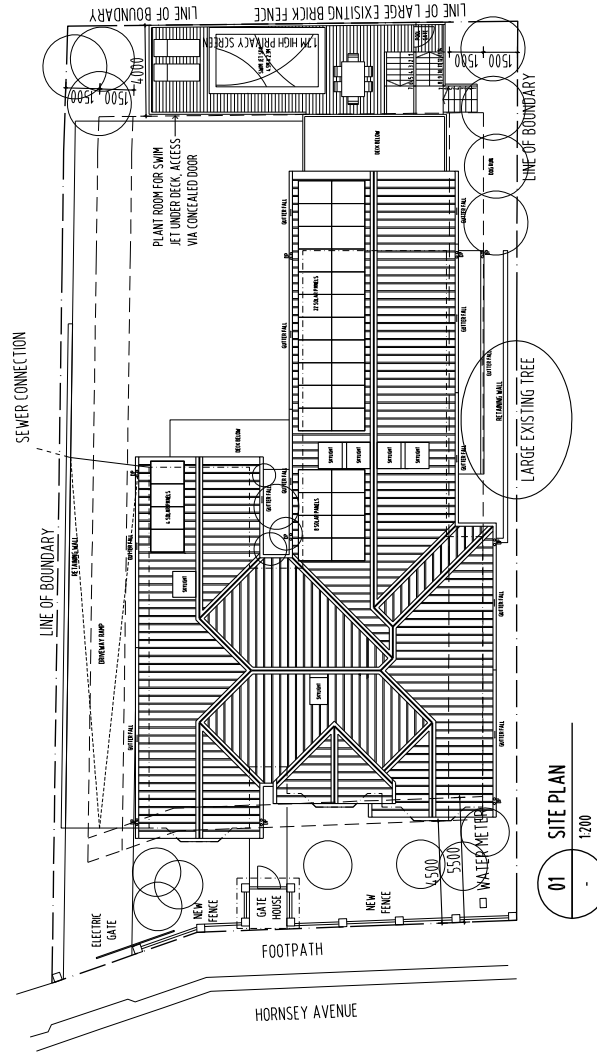


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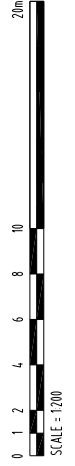
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01 SITE PLAN

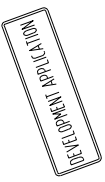
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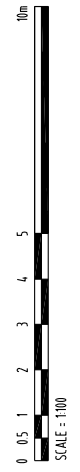
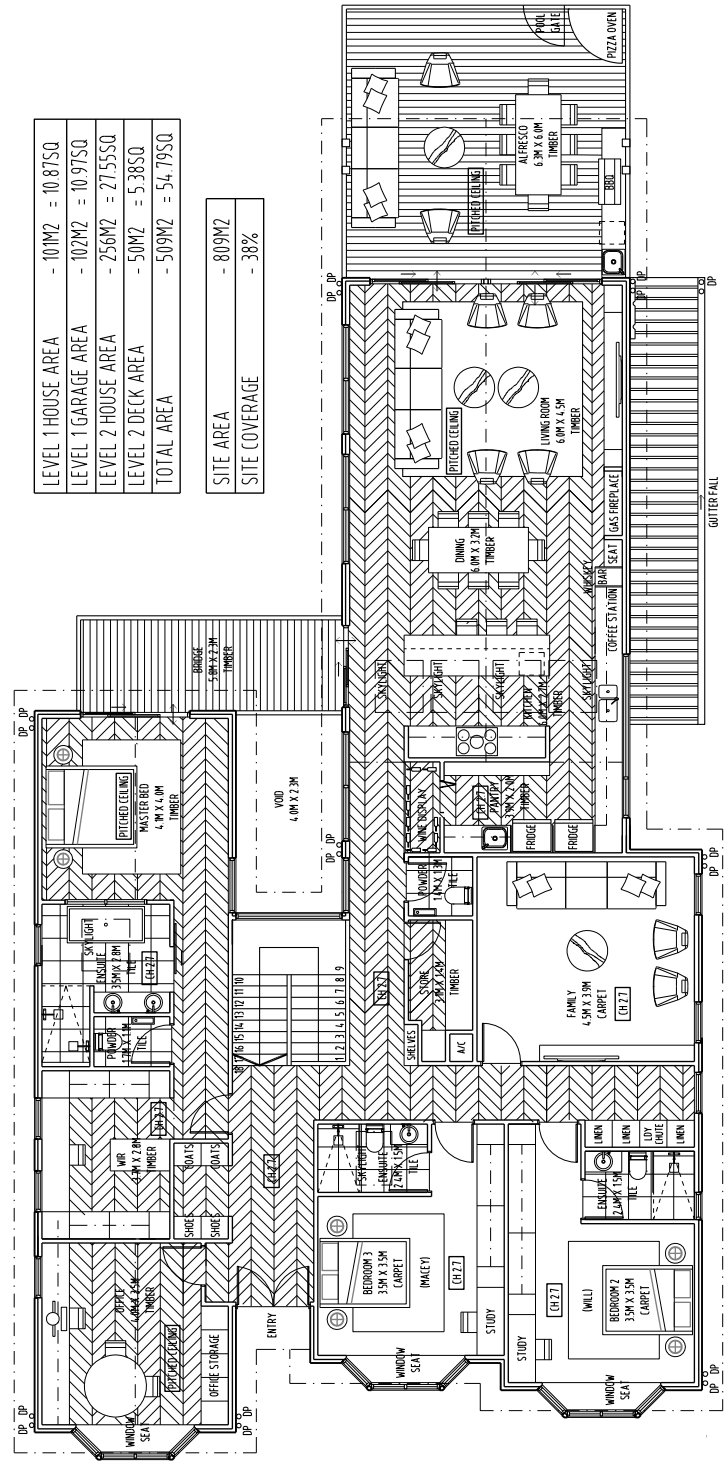


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LEVEL 2 PLAN

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PROJECT NO.:	Z308
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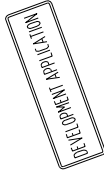
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LEVEL 1 GARAGE AREA	- 102M ² = 10.97SQ
LEVEL 2 HOUSE AREA	- 256M ² = 27.55SQ
LEVEL 2 DECK AREA	- 50M ² = 5.38SQ
TOTAL AREA	- 509M ² = 54.79SQ
SITE AREA	- 809M ²
SITE COVERAGE	- 38%



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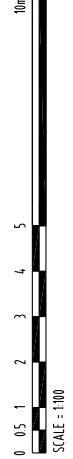
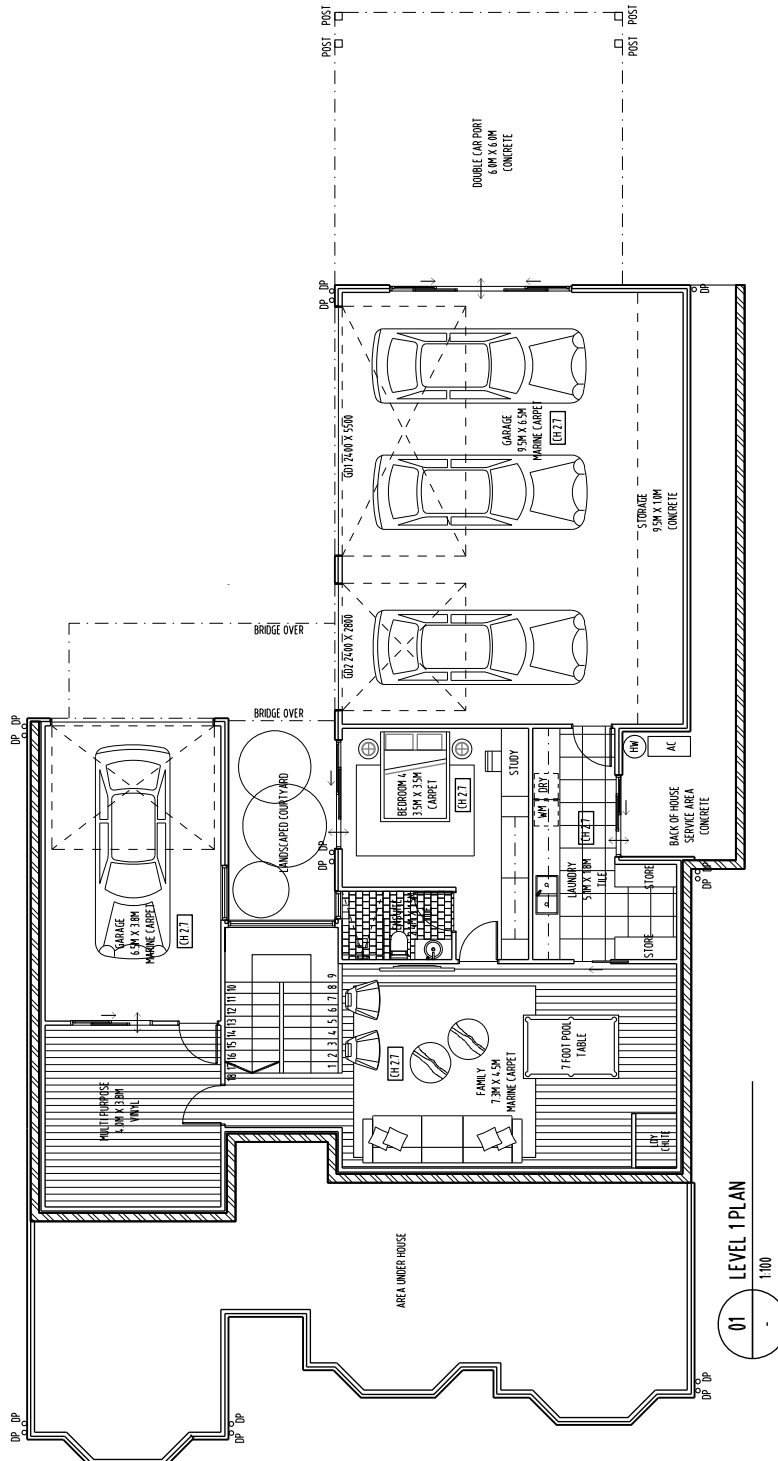


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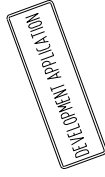


01 LEVEL 1 PLAN
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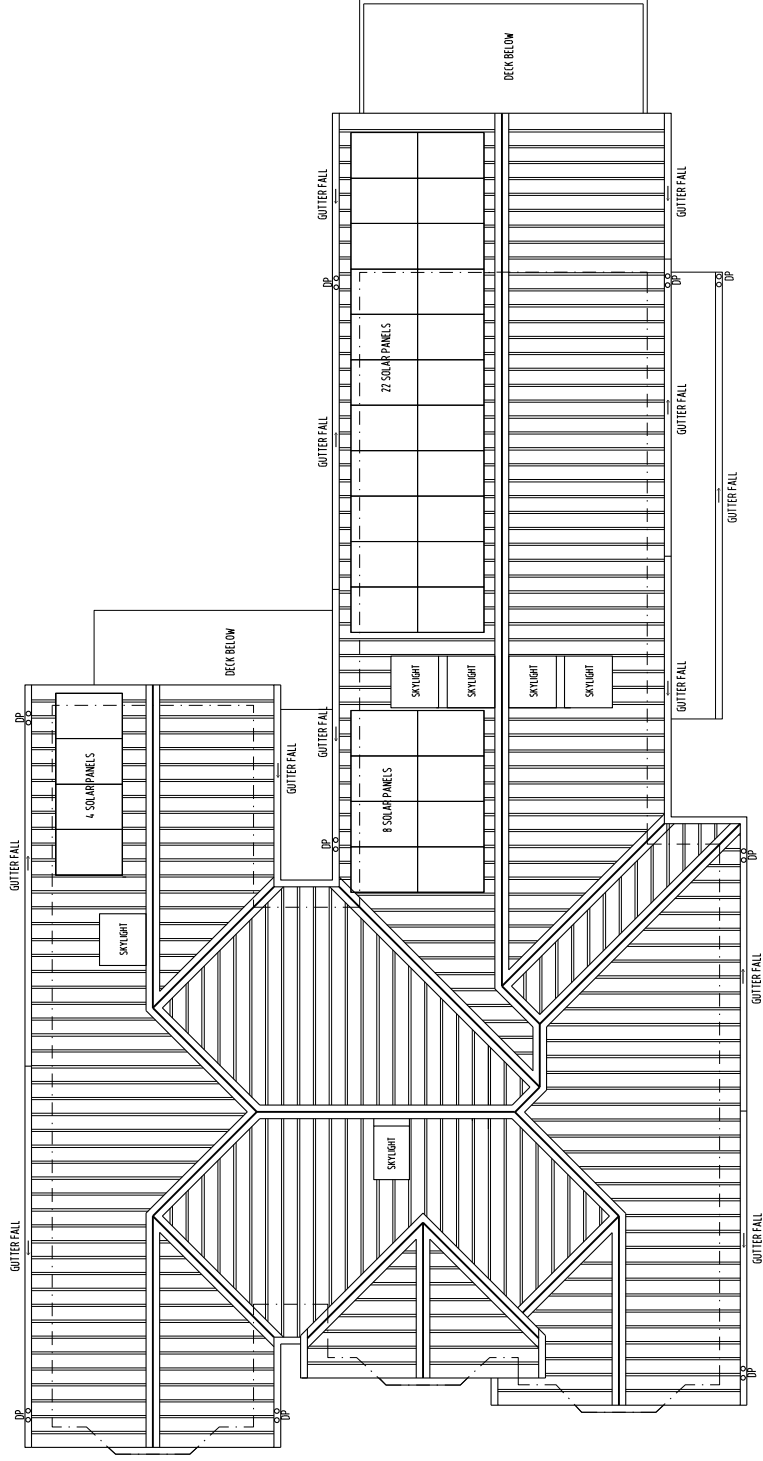


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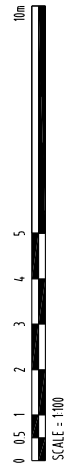
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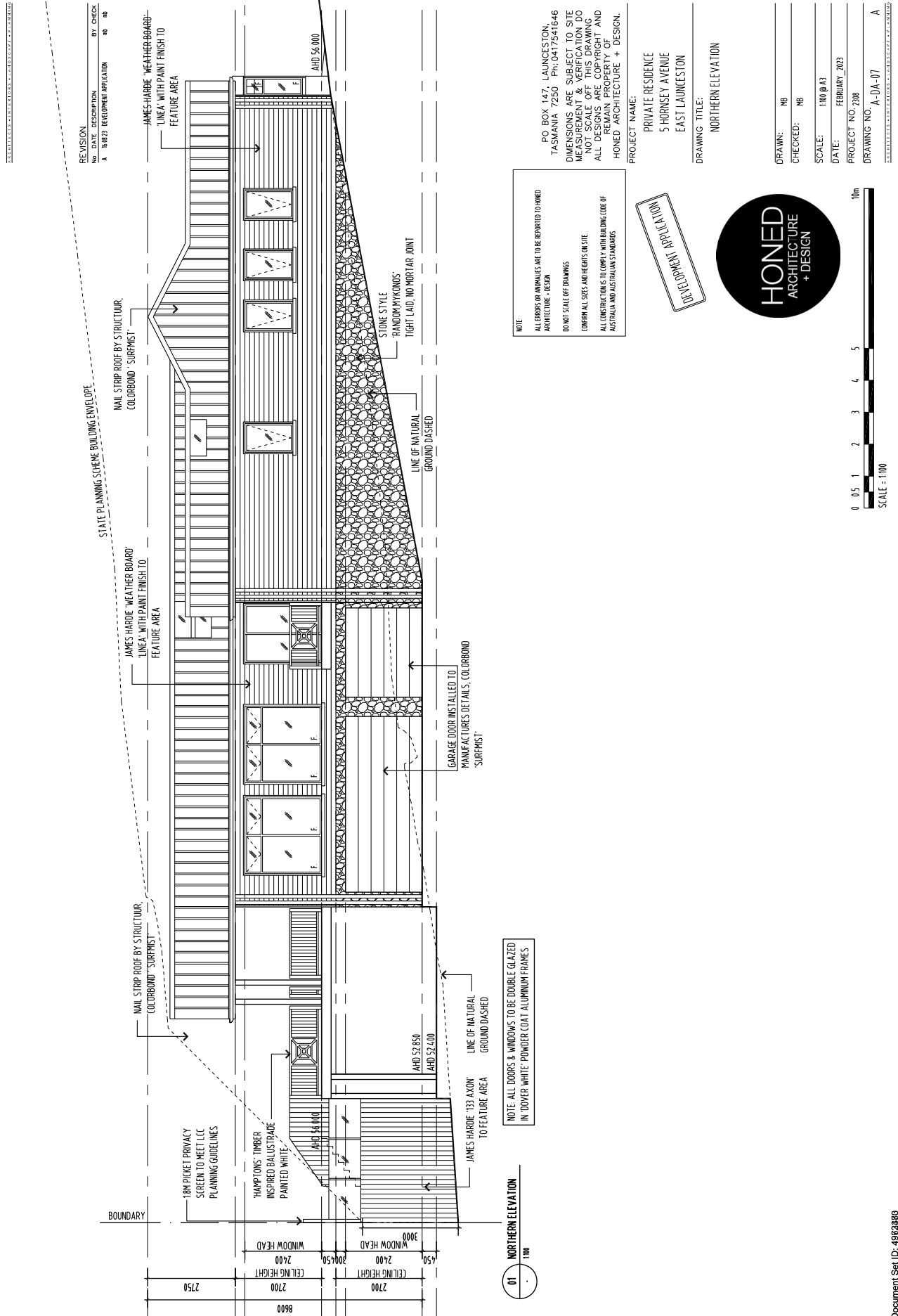
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01 ROOF PLAN
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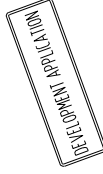




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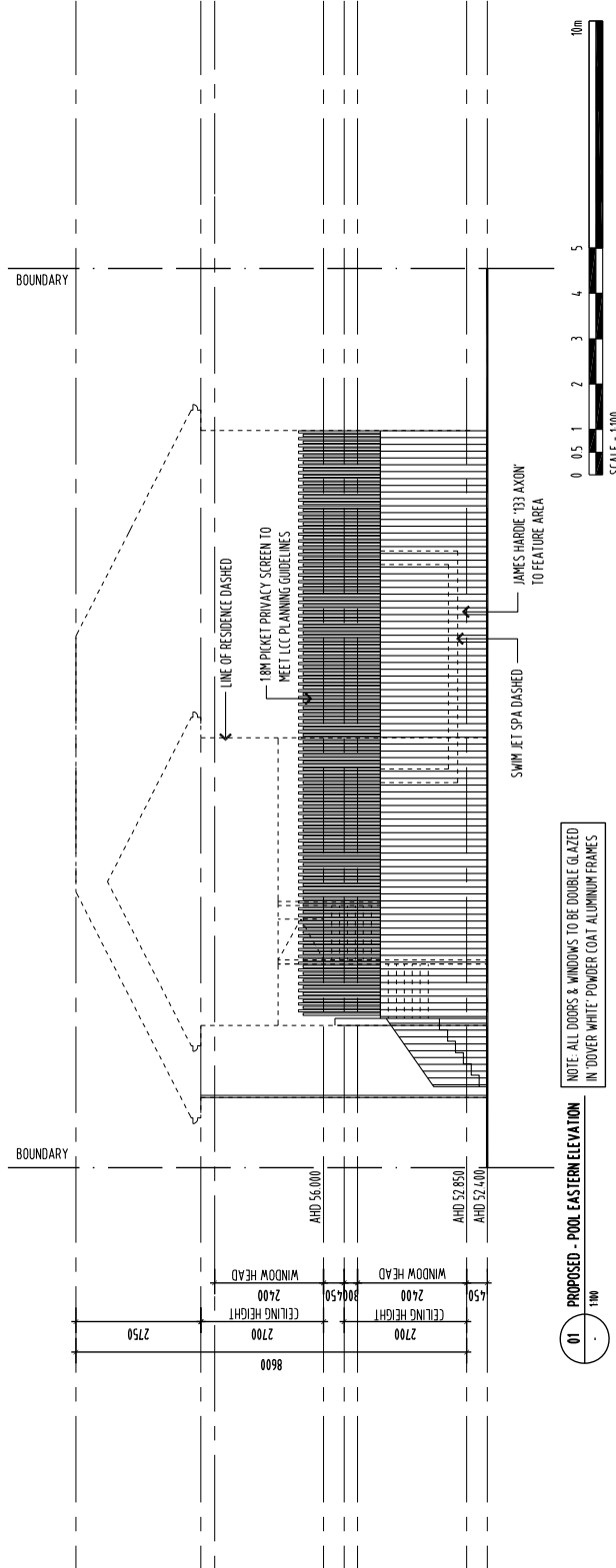
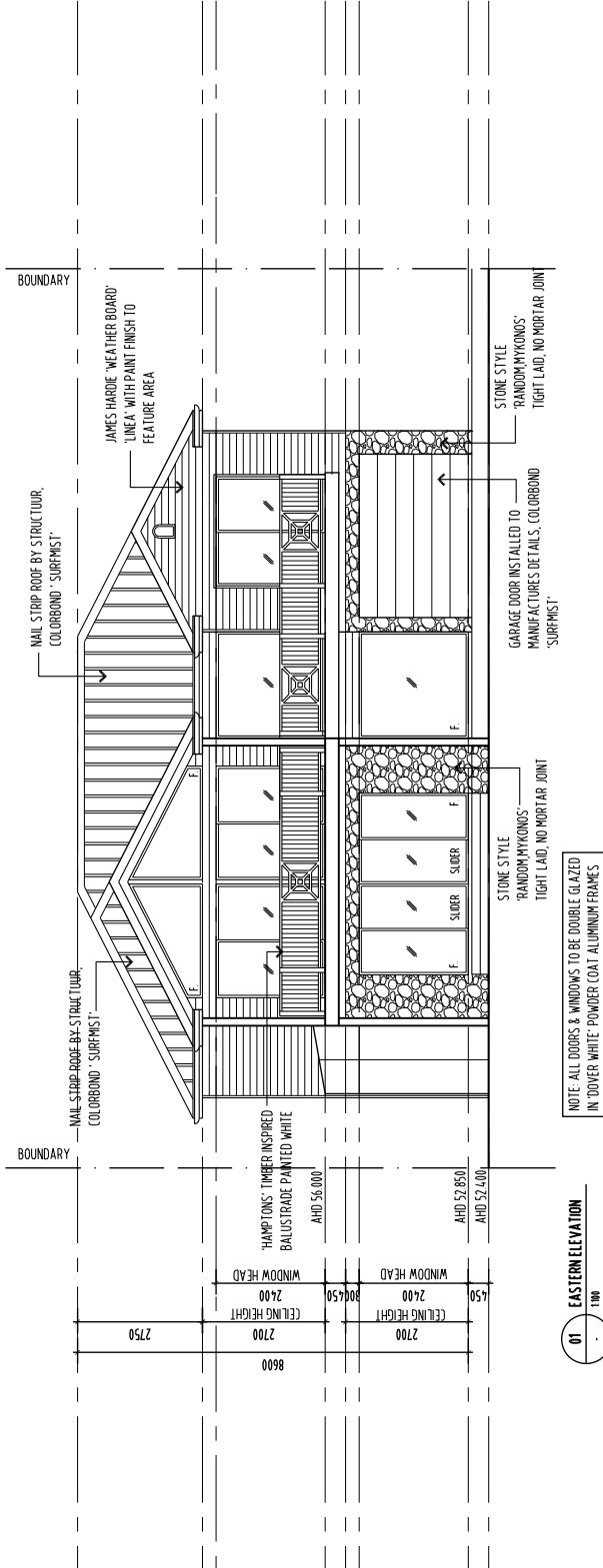
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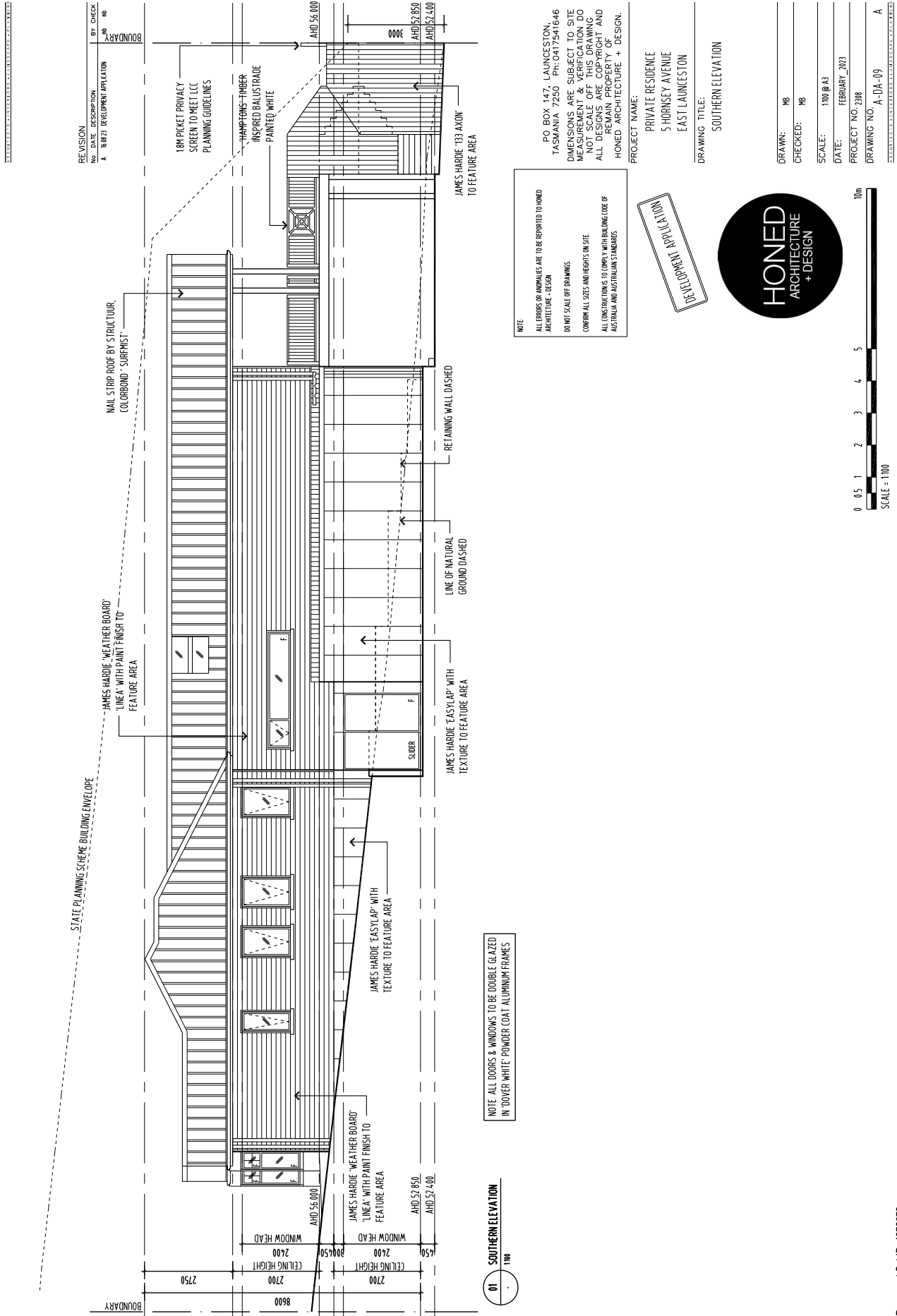
DATE: FEBRUARY 2023

PROJECT NO. 2308

DRAWING NO. A-DA-08

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PRIVATE RESIDENCE
5 HORNSEY AVENUE
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DRAWING TITLE:
SOUTHERN ELEVATION



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DATE: FEBRUARY 2023
PROJECT NO: 2308
DRAWING NO: A-DA-09
SCALE = 1:100

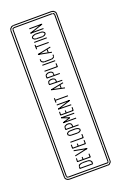
NOTE: ALL DOORS & WINDOWS TO BE DOUBLE GLAZED IN DOYER WHITE POWDER COAT ALUMINIUM FRAMES

01 SOUTHERN ELEVATION
10M

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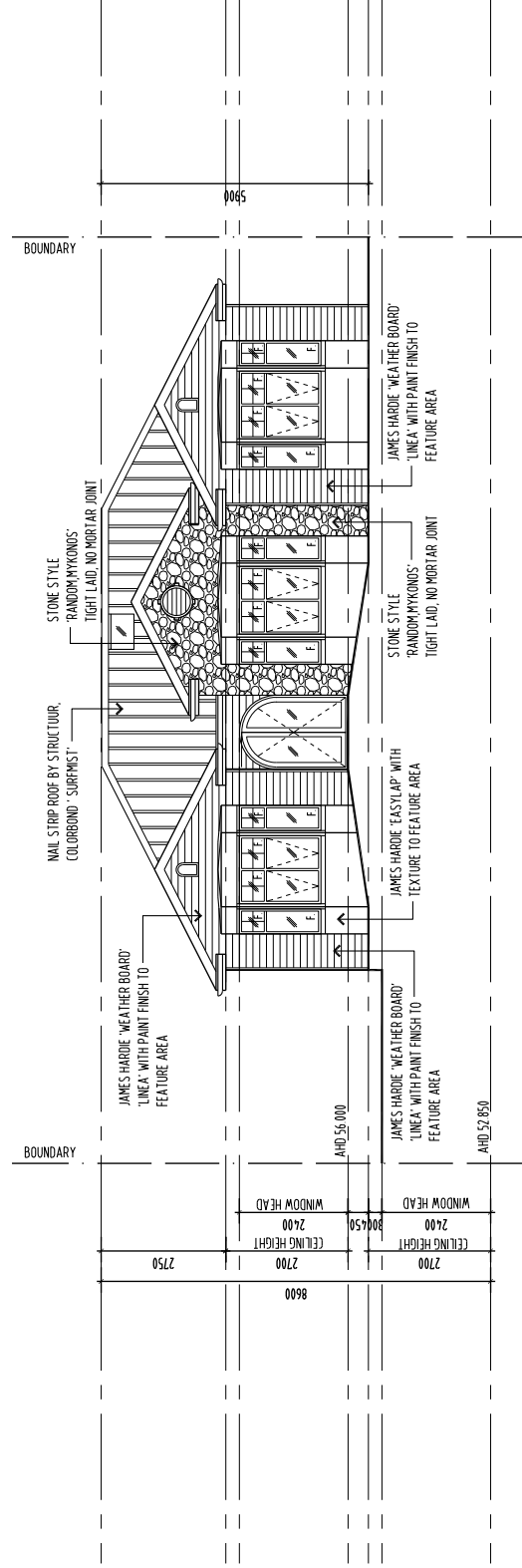
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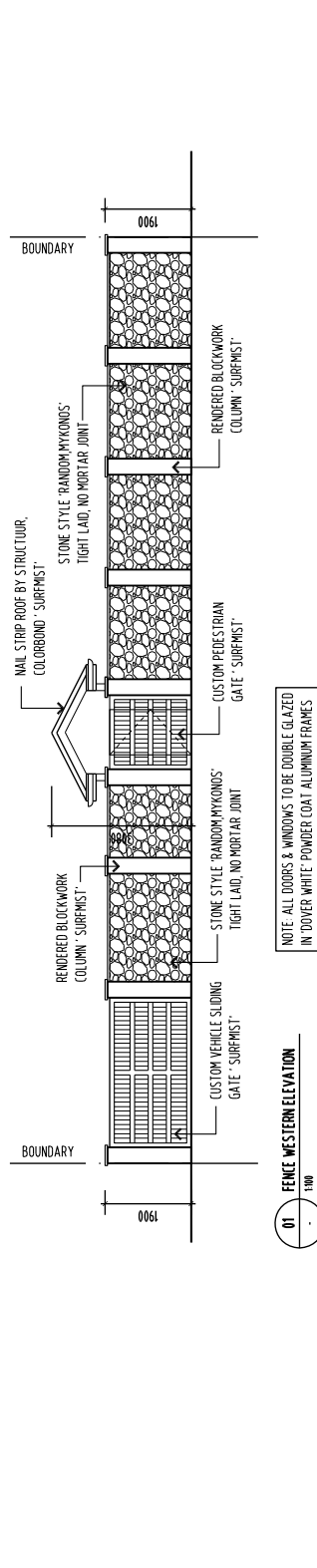
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DRAWING TITLE:
WESTERN ELEVATION

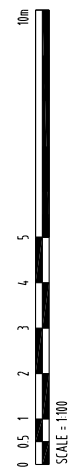
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DATE:	FEBRUARY 2023
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NOTE: ALL DOORS & WINDOWS TO BE DOUBLE GLAZED IN 'DOVER WHITE' POWDER COAT ALUMINIUM FRAMES



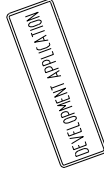
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REVISION	NO.	DATE	DESCRIPTION	BY	CHECK
A	1	10/07/23	DEVELOPMENT APPLICATION	MB	MB

NOTE:
ALL ERRORS OR OMISSIONS ARE TO BE REPORTED TO HONED ARCHITECTURE + DESIGN
DO NOT SCALE OFF DRAWINGS
COMPARE ALL SIZES AND HEIGHTS ON SITE
ALL CONSTRUCTION TO COMPLY WITH BUILDING CODE OF AUSTRALIA AND AUSTRALIAN STANDARDS



PO BOX 147, LAUNCESTON,
TASMANIA 7250 PH: 0417541646
DIMENSIONS ARE SUBJECT TO SITE
MEASUREMENT & VERIFICATION DO
NOT SCALE OFF DRAWINGS
NO LIABILITY FOR CONSTRUCTION AND
ALL DESIGN ARE CONSIDERED TO
REMAIN PROPERTY OF
HONED ARCHITECTURE + DESIGN.

PROJECT NAME:

PRIVATE RESIDENCE
5 HORNSEY AVENUE
EAST LAUNCESTON

DRAWING TITLE:

FRONT FENCE
SUPPORTING INFORMATION

DRAWN: MB

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DATE: FEBRUARY, 2023

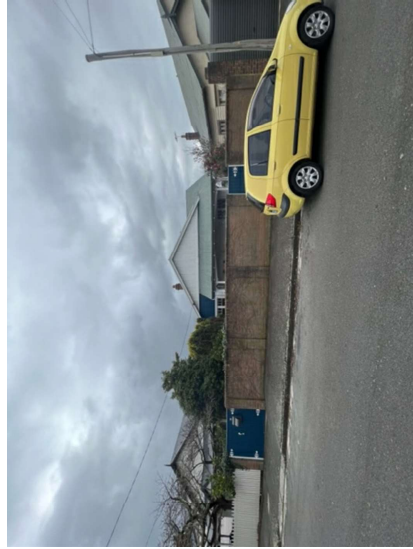
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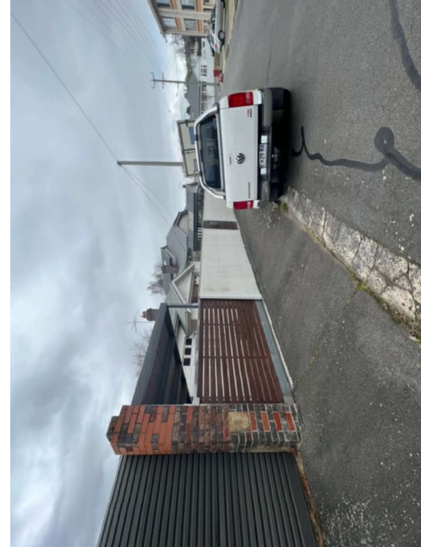
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7 HORNSEY AVENUE
EAST LAUNCESTON



13 HORNSEY AVENUE
EAST LAUNCESTON



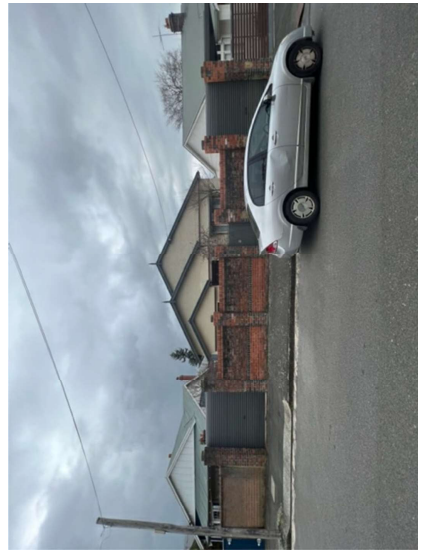
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1 HORNSEY AVENUE
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15 HORNSEY AVENUE
EAST LAUNCESTON

Document Set ID: 4962480
Version: 2, Version Date: 20/09/2023

10. ANNOUNCEMENTS BY THE MAYOR

10.1. Mayor's Announcements

FILE NO: SF2375

Thursday 19 October 2023

- Opened the *ReDressed ReFashion* show, Du Cane

Friday 20 October 2023

- Attended the opening of the *Connection and Friendship* exhibition, Legacy House
- Attended and officiated at *The Boy from Oz* opening night, Princess Theatre

Saturday 21 October 2023

- Opened *Z Fest*, Apricus

Saturday 23 October 2023

- Attended the Metro Bus update and discussion - *Sustainable Transport Future*

Wednesday 25 October 2023

- Attended the 2023 kanamaluka/Tamar forum, The Boathouse Centre
- Visited Sandhill Aged Care facility

Thursday 26 October 2023

- Attended the *Champions of Tourism 2023*, Glenwood Vineyard

Friday 27 October 2023

- Attended the launch of *A Priceless Gift: The Mechanics Institute and Public Library 1906 to 1948* by Dr Stefan Petrow, Launceston Library
- Spoke at the launch of *Strange Nature*, Art Gallery Royal Park

Saturday 28 October 2023

- Opened *Alex Lithgow Tribute Concert*, Hotel Grand Chancellor

Monday 30 October 2023

- Attended the WBBL Hobart Hurricanes versus Sydney Thunder, UTAS Stadium

Wednesday 1 November 2023

- Attended the Local Government Association of Tasmania's Annual Conference and General Meeting, Paranaple Convention Centre, Devonport
-

11. COUNCILLORS' REPORTS

(This item provides an opportunity for Councillors to briefly report on the activities that have been undertaken in their capacity as a representative of the Council. It is not necessary to list social functions that have been attended).

12. QUESTIONS BY COUNCILLORS

12.1. Councillors' Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the Chief Executive Officer of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be provided in writing).

12.1.1. Councillors' Questions on Notice - Councillor S Cai - Frederick Street Kindergarten Expression of Interest Process

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, asked at the Council Meeting on 19 October 2023 by Councillor S Cai, has been answered by Leanne Purchase (Manager Governance).

Questions:

1. [In relation to the Workshop discussion held on Thursday, 28 September 2023 around the Expression of Interest process for 56 Frederick Street, Launceston] will action be taken to reflect the truth of our discussion and readvertise with the correct dates being 10 November 2023?

Response:

The generally expressed view by Councillors that the community should be offered an extra month/four weeks to respond to the Expression of Interest for 56 Frederick Street, Launceston was taken to be from the date of the discussion. On reviewing that timeline against a calendar, it was decided to take this to the end of October, which was then pushed out to 3 November 2023 to include the Friday of that week. It was genuinely thought that this exceeded the extra month/four weeks sought by Councillors at the Workshop.

When the submission period for Expressions of Interest concludes on 3 November 2023, it will have been open for 40 days.

12.2. Councillors' Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

(Questions Without Notice, and any answers to those questions, are not required to be recorded in the Minutes of the Meeting).

13. COMMITTEE REPORTS

13.1. Homelessness Advisory Committee Meeting - 25 July 2023

FILE NO: SF7447

AUTHOR: Nindarra Wheatley (Community Development Officer Inclusion)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To receive a report from the Homelessness Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Homelessness Advisory Committee Meeting held on 25 July 2023.

REPORT:

The Committee discussed that Launceston does not have the Police Ambulance Critical Emergency Response program despite it showing success in the south of the State, reducing police response time from 50-70% in some cases.

Salvation Army Sleep Out to be held on 3 August 2023 in Civic Square with support from the City of Launceston.

Traditionally there is a drop in numbers for service providers during July. This year service providers have not experienced a drop in numbers, rather an increase across the board with service provision.

Strike it Out Inc. and the City of Launceston have been in discussion regarding the potential placement of a portable shower unit at a location within the City area.

The Social Recovery Officer presented on the City of Launceston's emergency management planning and upcoming communication and engagement campaign. Information and advice was sought from the Committee to assist in building emergency preparedness, response and recovery plans. Information on emergency management to be presented to the Northern Community Action Group.

George Town Councillor Simone Lowe is seeking a proxy from the George Town Neighbourhood House. The Committee agreed the proxy needs to be a representative from the George Town Council.

The City of Launceston is to investigate the potential future opportunities for the application of street furniture that may include items to assist the homeless.

A community business champions' campaign is to be developed to foster goodwill and awareness amongst the business community.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

2. To define and communicate our role in promoting social inclusion and equity.
3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

13.2. Homelessness Advisory Committee Meeting - 19 September 2023

FILE NO: SF7447

AUTHOR: Nindarra Wheatley (Community Development Officer Inclusion)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To receive a report from the Homelessness Advisory Committee

RECOMMENDATION:

That Council receives the report from the Homelessness Advisory Committee Meeting held on 19 September 2023.

REPORT:

There has been interest in community representation on the Homelessness Advisory Committee. Currently the Committee has all positions filled.

The Committee discussed that there are no free meals available for people on a Thursday night. City Mission has agreed to investigate options with the Committee agreeing that Civic Square was the best location for this service.

The Committee discussed the need for transition from street to home support following an incident that occurred in Ravenswood. The Committee will work with Homes Tasmania on this matter.

A question was raised with the Committee on using media channels to raise awareness of the work of the Committee. It was noted that an education campaign was delivered through homelessness week and that the Committee's Minutes are published on the City of Launceston website.

There have been 198 customer service requests regarding homelessness sent to the City of Launceston as of 19 September 2023. In 2022 there was a total of 107 requests for the year.

The Northern Community Action group is now meeting monthly due to winter being over.

The proposed locating of a mobile shower unit within the City is no longer occurring.

Parking permits for outreach workers in the homelessness sector were discussed.

A Special Committee meeting will occur on the 24 October 2023 to discuss the Draft Homelessness Action Plan and the potential to develop a By-Names list app.

The Committee discussed the Waverly Mills blanket donation. The Committee agreed to distribute amongst the outreach service providers.

The Committee discussed the new cleansing of homeless sites.

University of Tasmania researchers have approached the Committee seeking representation on the Committee. The Committee agreed to extend an invitation to attend Meetings as a guest.

The Committee discussed the reach out cards becoming an A4 poster for the Business Champions campaign.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

2. To define and communicate our role in promoting social inclusion and equity.
3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

13.3. Access Advisory Committee Meeting - 27 September 2023

FILE NO: SF0025

AUTHOR: Nindarra Wheatley (Community Development Officer Inclusion)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To receive a report from the Access Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Access Advisory Committee Meeting held on 27 September 2023

REPORT:

Technology for Ageing and Disability Tasmania (TADTas) presented to the Committee. TADTas is a not-for-profit organisation dedicated to improving the independence, dignity and quality of life of people with disabilities. The *Freedom Wheels* Program, run by TADTas, provides customised bikes built to meet the individual needs of each rider. TADTas informed the Committee that the organisation is seeking Launceston-based volunteers and workshop spaces.

Committee members discussed and presented documentation on footpath access issues across Launceston. The recommendation to the Committee was to contact customer service to submit and follow up on requests. *Snap Send Solve* is another platform.

A Tasmania wide working-group is to be formed to develop set of guidelines for inclusive play spaces in Tasmania. It is being driven by Variety Tasmania.

The City of Launceston and the Launceston Aquatic websites are upgrading the accessibility reader modes with a new widget for both websites improving access for the community.

The process to seek further community representation on the Committee has begun. The Committee put forward recommendations of people and organisations of interest.

The Committee discussed the potential of having dedicated green spaces in the CBD for the toileting of assistance dogs. An audit of green spaces will occur.

It was noted that *Amputee Awareness Week* is occurring during October.

The Disability Discrimination Act (DDA) compliant bus stop program has commenced with tactile paving being introduced at 26 bus stops in 2023/2024. The Department of State Growth supported program aims to make all bus stops DDA compliant over a four-year period.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

1. To provide for the health, safety and welfare of the community.

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
2. To define and communicate our role in promoting social inclusion and equity.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

13.4. Transport Committee Meeting - 5 October 2023

FILE NO: SF7429

AUTHOR: Cathy Williams (Roads and Traffic Officer)

GENERAL MANAGER APPROVAL: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To receive a report from the Transport Committee.

RECOMMENDATION:

That Council receives the report from the Transport Committee Meeting held on 5 October 2023.

REPORT:

The Transport Committee, at its Meeting held on 5 October 2023, discussed:

- Ride to Work Day is being held on Wednesday, 18 October 2023;
- A Car Free Day is proposed to be held in Launceston on Saturday, 2 March 2024 as part of Bike Week; and
- Nigel Coates gave a presentation on the Australasian Road Safety Conference.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 1: We connect with our community and our region through meaningful engagement, cooperation and representation.

10-Year Goal: To seek out and champion positive engagement and collaboration to capitalise on the major opportunities and address the future challenges facing our community and region.

Focus Areas:

1. To develop and consistently utilise contemporary and effective community engagement processes.
-

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

13.5. Tender Review Committee Meeting - 19 October 2023

FILE NO: SF0100/CD.009/2023/CD.039/2023/CD.025/2023

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Tender Review Committee.

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept the tenders submitted by:

1. Superheat for the Launceston Leisure and Aquatic Centre Air Handling Upgrade, Contract No. CD.009/2023 at a cost of \$553,662.00 (exclusive of GST);
 2. Crossroads Civil Contracting Pty Ltd for Reid Street (Janet Street to Ernest Street) Road Asset Upgrade, Contract No. CD.039/2023 for \$189,271.84 (exclusive of GST);
and
 3. Command51 for the Launceston Aquatic Centre Cleaning Services, Contract No. CD.025/2023 at a cost of \$194,881.36 (exclusive of GST).
-

REPORT:

The Tender Review Committee Meeting, held on 19 October 2023, determined the following:

That the tenders submitted by:

1. Superheat for the Launceston Leisure and Aquatic Centre Air Handling Upgrade, Contract No. CD.009/2023 at a cost of \$553,662.00 (exclusive of GST);
2. Crossroads Civil Contracting Pty Ltd for Reid Street (Janet Street to Ernest Street) Road Asset Upgrade, Contract No. CD.039/2023 for \$189,271.84 (exclusive of GST);
and
3. Command51 for the Launceston Aquatic Centre Cleaning Services, Contract No. CD.025/2023 at a cost of \$194,881.36 (exclusive of GST)

be accepted.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

14. COMMUNITY AND PLACE NETWORK

14.1. Community Grants 2023/2024 Round 1

FILE NO: SF7569

AUTHOR: Stephanie Berns (Grants and Sponsorship Officer)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To consider applications for Community Grants received in Round 1, 2023/2024.

PREVIOUS COUNCIL CONSIDERATION:

Council - 22 October 2019 - Agenda Item 15.2 - Community Grants (Organisations) Policy Review (05-PI-018)

Council - 22 October 2019 - Agenda Item 15.1 - Community Grants (Individuals/Teams/Groups) Policy Review (05-PI-017)

RECOMMENDATION:

That Council:

1. approves the following organisations receive the recommended grant amounts:

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Launceston Life Saving Club Inc	Inflatable Rescue Boat motor replacement for Launceston Life Saving Club	85%	\$3,714	\$3,714
The Salvation Army	Street Teams Rest and Recovery Tent	84%	\$4,518	\$4,518
LGH Historical, Visual and Performing Arts Committee	The Role and Power of Live Music in the Healing Process at the LGH	82%	\$5,000	\$5,000
Soroptimist International of Launceston Inc.^	Connection, Community, Empowerment: Pamper project for women with an intellectual disability	82%	\$1,710	\$1,710
Northern Suburbs Community Centre	Capturing Smiles	82%	\$2,335	\$2,335
RSPCA Tasmania	Safe Beds Program	79%	\$3,500	\$2,625

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Just Cats Inc.	Last Litters Program	77%	\$4,000	\$3,000
Pets In The Park Launceston	Pets Of The Homeless	75%	\$5,000	\$3,750
Engender Equality	Mentors in Violence Prevention (MVP) Workshops	72%	\$4,980	\$3,735
Mainly Music Australia Limited	Launceston Salvation Army mainly music group	72%	\$5,000	\$3,750
TOTAL			\$39,757	\$34,137
TOTAL AVAILABLE				\$35,000
BALANCE				\$863

^Councillor Lindi McMahon abstained from assessment of Connection, Community, Empowerment: Pamper project for women with an intellectual disability (Soroptimist International of Launceston Inc).

2. notes the following community grant (organisations) applications will not be funded by Council as the applications received a score less than the recommended level for funding (<50%):

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Zonta Club of Launceston	Metro bus White Ribbon Community Education project	49%	\$5,000	\$0
NOSS Tasmania-Bluegum Grounds Maintenance	Bluegum Nursery	49%	\$5,000	\$0
Community Gardens Australia	Permaculture Design Course for Community Resilience in Launceston	48%	\$5,000	\$0
Families Tasmania Inc	Breathe, Nurture and Play - guided meditation and creative expression through art play	48%	\$5,000	\$0
TOTAL			\$20,000	\$0

REPORT:

Organisation Applications

The community grants assessment panel assessed each application against the assessment criteria (detailed below):

Assessment Criteria:

- identifies a clear community need for the project
- outcomes directly benefit the Launceston community
- outlines clear engagement and collaboration with the community, enabling social connections and community participation
- project plan demonstrates good organisational planning for the project/activity; and
- the project budget is detailed, realistic and
 - demonstrates the applicant is co-contributing at least 20% towards the project in addition to the funding requested (co-contribution can be either in-kind or financial); and
 - outlines how the City of Launceston funding will be utilised.

The normal distribution of funds (according to score) is as follows:

81 - 100%	=	100% of requested funds
61 - 80%	=	75% of requested funds
50 - 60%	=	50% of requested funds
<50%	=	No funding provided

The total value of eligible requests received for Round 1 of the community grants 2023/2024 is \$39,757. Based on the assessment results, the recommended allocation of funds for Round 1 in 2023/2024 is \$34,137.

Individual/Team/Group Applications

In accordance with the policy for community grants (individuals/teams/groups) (05-PI-017), the following community grant applications (individual/team/group) have been approved:

Community Grant Applications (Individuals/Teams/Groups) approved from 1 July 2023:

Individual/Team/Group	Activity	\$ Approved
Individual	Australian Under 18 National Bowls Championships, Western Australia	\$100.00
Individual	School Sports Australia Swimming Championships, Sydney	\$100.00
Individual	School Sports Australia Swimming Championships, Sydney	\$100.00
Individual	School Sports Australia Swimming Championships, Sydney	\$100.00

Individual/Team/Group	Activity	\$ Approved
Individual	Interschools Equestrian National Competition, Werribee	\$100.00
Individual	School Sports Australia Swimming Championships, Sydney	\$100.00
Team - Futsal Tasmania Under 12 Girls	Futsal Nationals, Queensland	\$150.00
Team - U16 Basketball Tas State team	U16 Australian Nationals Championships, Perth	\$75.00
Team - Tasmanian U18 Girls State Touch Football team	National Youth Championships, Sunshine Coast	\$225.00
Team - Stompin'	Stompin' - <i>Meet Up</i> is a festival for Australian Youth Dance	\$150.00
Individual	School Sports Australia Swimming Championships, Sydney	\$100.00
Individual	Australian All Schools Cross Country Championship, Canberra	\$100.00
Individual	Interschools Nationals Championships, Werribee, Victoria	\$100.00
Individual	Bruce Cup (Tennis), Brisbane	\$100.00
Team - Basketball Australia U14 Footlocker Club Championships	Basketball Australia Footlocker Championships, Victoria	\$75.00
Team - Touch Football Tassie Thunder 12 Girls	National Youth Championships, Sunshine Coast	\$300.00
Team - Under 16 Girls Tasmania Thunder Touch Football Team	National Youth Championships, Sunshine Coast	\$450.00
Team - U16 Girls Tasmanian State Soccer Team	National Youth Football Championships, Wollongong	\$150.00
Team - Tasmania Under 14 Girls Touch Football Team	National Youth Championships, Sunshine Coast	\$375.00
Team - Tassie Thunder Touch Football Under 14 boys	National Youth Championships, Sunshine Coast	\$300.00
Team - Confluence 2023 Subs In Schools	Confluence 2023 Subs In Schools State Final	\$150.00
Team - Basketball National Club Championships	Basketball National Club Championships, Victoria	\$75.00
Team - NTJSA U11 Boys Representative Team	Sydney International Cup, Sydney	\$450.00

Individual/Team/Group	Activity	\$ Approved
Team - Under 12 Boys Tasmania Touch Football Team	National Youth Championships, Sunshine Coast	\$300.00
Individual	Windeward Bound - Youth Development Program	\$100.00
TOTAL REQUESTED		\$4,325
FUNDS REMAINING		\$5,675

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Approval of the recommended grants will result in a positive economic impact for those individuals/teams/groups and organisations by enabling projects and activities to be undertaken, will have minimal impact on the environment and will provide a number of valuable educational, social, health and lifestyle benefits to the Launceston community.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 – 2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

1. To provide for the health, safety and welfare of the community.

Strategic Priority 4: We value our City's unique identity by celebrating our special heritage and culture and building on our competitive advantages to be a place where people choose to live, work and visit.

10-Year Goal: To sustain and promote Launceston as a unique place to live, work, learn and play.

Focus Areas:

1. To promote and enhance Launceston's rich heritage, culture and natural environment.
2. To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
2. To define and communicate our role in promoting social inclusion and equity.
3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.
4. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life.
5. To promote and support active and healthy lifestyles of our community.

BUDGET AND FINANCIAL IMPLICATIONS:

Community Grants - Organisations	\$
Available funds for Round 1 of 2023/2024	\$35,000
Amount recommended for Round 1 of 2023/2024	\$34,137
BALANCE - Additional for Round 2 2023/2024	\$863

Community Grants - Individual/Team/Group	\$
Available funds for 2023/2024	\$10,000
Amount allocated for 2023/2024	\$4,325
BALANCE	\$5,675

The total budget for community grants for 2023/2024 is \$80,000. There are two funding rounds per year as per the Community Grants (Organisations) Policy (05-PI-018).

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

14.2. Launceston Safer Communities Partnership - Report

FILE NO: SF3804

AUTHOR: Michelle Ogulin (Manager Liveable Communities)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To consider a report from the Launceston Safer Communities Partnership.

RECOMMENDATION:

That Council notes the work being undertaken by the Launceston Safer Communities Partnership.

REPORT:

The Launceston Safer Communities Partnership (LSCP) is a meeting of multiple organisations across Northern Tasmania with the aim of making Launceston safer for everyone who lives in and visits the City.

Low attendance at recent monthly LSCP Meetings has led the Council's Officers to facilitate a strategic review of the LSCP. This occurred on 6 September 2023. The meeting was facilitated by Dr Polly McGee and sought to elicit information from members that would re-orientate the partnership away from a deficit framework that focuses on anti-social behaviour and blame attribution to a strengths-based approach of safety and wellbeing. The strategic session discussed the current terms of reference, what direction the LSCP should be heading and future membership of the partnership.

The Meeting was well attended with 16 participants from nine different organisations. The outcome of the strategic session is for council to consider the following in any future restructure of the LSCP:

- merging the LSCP into a *Local Government Act 1993* (Tas) section 24 Special Committee of Council (as per numerous other Council Committees).
 - revising the membership of the Committee to a much smaller number of members in an executive-type Committee which brings in expert advice as required and providing a mechanism to have community input and advice into the Committee.
 - utilising sub-committees to address specific issues that can then report back to the larger LSCP executive-type Committee.
 - updating the mission statement which is currently not action oriented.
 - having a number of focus areas to target each financial year, such as demographic focus areas or issues such as education and mental health.
 - undertaking community consultation on what the community wants and expects from a Committee like LSCP.
 - celebrating and publicising the achievements of the LSCP.
-

The Community Development team will review the outcomes from the strategic session in more detail over the coming months with the aim of presenting a revised LSCP model to Council for consideration in 2024.

As per the proposed future operating model for the LSCP as described above, an out-of-session LSCP Meeting was held with a subset of existing LSCP members following a recent altercation involving a trader in the Brisbane Street Mall.

This out-of-session meeting included Tasmania Police, Launceston Central, the Launceston Chamber of Commerce and members of Economic Development and Community Development teams. The Meeting, held on 28 September 2023, discussed the perceived and real crime issues in the Mall, as well as actions the Council can take in partnership with Launceston Central and Tasmania Police to reassure traders of the safety of Launceston. Work is currently underway on developing a letter for Brisbane Street Mall traders outlining:

- de-escalation information from Crime Stoppers;
- crime statistics;
- information on new Tasmania Police recruits;
- the recently completed Tasmania Police radio room upgrades; and
- a potential information session between Tasmania Police and traders if there is sufficient interest.

This information will be hand delivered to the Brisbane Street Mall traders in the coming weeks.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 1: We connect with our community and our region through meaningful engagement, cooperation and representation.

10-Year Goal: To seek out and champion positive engagement and collaboration to capitalise on the major opportunities and address the future challenges facing our community and region.

Focus Areas:

1. To develop and consistently utilise contemporary and effective community engagement processes.
- 3 To advocate and collaborate to enhance regionally significant services and infrastructure for the benefit of our communities.

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

1. To provide for the health, safety and welfare of the community.

Strategic Priority 4: We value our City's unique identity by celebrating our special heritage and culture and building on our competitive advantages to be a place where people choose to live, work and visit.

10-Year Goal: To sustain and promote Launceston as a unique place to live, work, learn and play.

Focus Areas:

4. To support the central business district (CBD) and commercial areas as activity places during day and night.

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

15. INFRASTRUCTURE AND ASSETS NETWORK

15.1. Petition Response - Riverdale Grove, Newstead - Parking Restrictions

FILE NO: SF0608/SF1931

AUTHOR: Nick Browne (Manager Infrastructure and Engineering)

GENERAL MANAGER APPROVAL: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider a response to the petition received from residents of Riverdale Grove.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 21 September 2023 - Agenda Item 9.1 - Petition Receipt - Michael Oakley, Douglas White and Robert Johnson regarding Riverdale Grove, Newstead - Parking Restrictions

RECOMMENDATION:

That the Council's Officers meet with and request Scotch Oakburn College to develop methods to ensure that students park within the provided on-ground school parking where possible.

REPORT:

Petition and Residents' Concerns

At its Meeting on 21 September 2023, Council received a petition submitted by Michael Oakley, Douglas White and Robert Johnson requesting parking restrictions in Riverdale Grove, Newstead to benefit local residents. The petition contained 45 signatures, mostly from residents of Riverdale Grove.

Riverdale Grove is subject to significant demand for parking each school day, with students from the adjacent Scotch Oakburn College choosing to park on-street in the area. Consequently, this limits the ability of residents and their visitors to use the street for parking during school hours. The road is around 7.3m wide which results in a tight road profile when there is parking on both sides. This has been an ongoing concern for a number of years and the City of Launceston Officers have sought to assist the residents with the issues it causes. The parking that does occur has been managed with parking bay markings and yellow lines on the bends in the road to ensure that vehicles can travel along the road.

The residents request that parking be time restricted to remove all day parking and, inferred by the petition's request, the issuing of permits to residents so that they are exempt from these time limits. The City of Launceston has a long-established Residential Parking Permit Policy which restricts its application to streets where over 75% of the properties have one or no off streets parking spaces. Most of the properties in Riverdale Grove have at least two off street parking spaces and the road and are, therefore, not eligible for residential parking. Consequently, installation of time restricted parking would also apply to residents.

Outside of the provisions made within the Residential Parking Policy, the City of Launceston does not install timed parking restrictions in residential areas to displace on-street parking. It is known that this simply shifts the occurrence of parking to adjacent streets.

Background

In November 2018, Scotch Oakburn College hosted a meeting for residents of Riverdale Grove, which was attended by the City of Launceston's Officers. This meeting sought to reach an understanding of the issues involved and options for dealing with these issues. Scotch Oakburn has sought to assist with this parking situation and has space on its property that students are encouraged to use. However, the school is unable to compel students to use this car park.

The Council's Officers subsequently discussed several parking restriction options with residents; however, no consensus was reached and no additional parking restrictions were introduced.

In September 2020, the Council's Officers wrote to the Scotch Oakburn College again requesting that the school encourage students to utilise off street parking on the school site to reduce the impact on Riverdale Grove.

In February 2021 the Deputy Mayor (Councillor Danny Gibson at the time) spoke to senior students at Scotch Oakburn seeking their understanding and encouraging them to park on school grounds.

Finally, a letter was sent to residents of Riverdale Grove in March 2021 advising that the City of Launceston has exhausted all options and is unable to address the problem further and encouraged residents to contact the school directly. Any correspondence that followed reiterated this position.

Concluding Remarks

On-street parking is a public resource that is not given exclusively or with priority to any one user group. The adjacent residents do not have more or less entitlement to the use of this parking than others, such as school students that commute by car to the adjacent school.

The properties in this area have provision for off-street parking and the parking controls implemented by the Council to date ensure that parking can occur safely and without obstructing the roadway.

It is noted that the school also has off-street parking provisions available for students, however, students continue to park on-street in this area. If students were to park in the available space on the school grounds, the residents' concerns would be resolved without significant impact to the school or its students. It is acknowledged that the school cannot compel students to park in the provided parking, however, there may be options to encourage this to occur.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

1. To provide for the health, safety and welfare of the community.

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

16. MEETING CLOSURE

17. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 16 November 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.