



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
8 APRIL 2021
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: 8 April 2021

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:
www.launceston.tas.gov.au/Council/Meetings/Listen .

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

To help keep you safe you must register your attendance at the Council Meeting in advance by telephoning 6323 3000 during business hours by 11.00am on the morning of the Council Meeting. A Council Officer will contact you to confirm attendance details.

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

Questions received in writing by close of business 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 you register to attend 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.

19 January 2021

Mr Michael Stretton
Chief Executive Officer
City of Launceston
P O Box 396
LAUNCESTON TAS 7250

Dear Michael

COUNCIL MEETINGS

In accordance with regulation 4 of the *Local Government (Meeting Procedures) Regulations 2015* which states:

4. *Convening council meetings*
 - (1) *The mayor of a council may convene -*
 - (a) *an ordinary meeting of the council; and*
 - (b) *a special meeting of council.*

I request that you make the necessary arrangements for the Ordinary Meetings of Council to be convened on the following dates for 2021:

28 January	11 February	25 February	11 March
25 March	8 April	22 April	6 May
20 May	3 June	17 June	1 July
15 July	29 July	12 August	26 August
9 September	23 September	6 October	21 October
4 November	18 November	2 December	16 December

commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall, St John Street, Launceston.

Yours sincerely



Councillor A M van Zetten
MAYOR

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 MAYORAL ACKNOWLEDGEMENTS

3 DECLARATIONS OF INTEREST

Local Government Act 1993 - 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 25 March 2021 be confirmed as a true and correct record.

5 DEPUTATIONS

No Deputations have been identified as part of this Agenda

6 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions 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 Mr Grahame Foster (President) and Mr Jeff Hockley (Vice-President) - Launceston Players' Society

Mr Foster will provide Council with details relating to the writing of the history of the Players and Mr Hockley will outline the Society's theatre plans for 2021.

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)

(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)

8.1.1 Public Questions on Notice - Ms Samantha Batchelor - 25 March 2021**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following question/questions, submitted in writing to Council on 25 March 2021 by Ms Samantha Batchelor, has been answered by Ms Louise Foster (General Manager Organisational Services Network).

Questions:

1. City of Launceston Employees are currently Enterprise Bargaining for their pay and conditions. Council has outlined a wage offer in year 1 of 0%. Freezing (or cutting in real terms) workers' wages will hurt employees and the communities in which they live, work and spend. The vast majority of members we have consulted with do not support the Council's wage offer and have grave concerns on the impacts on their household budget, particularly in the climate of high rental and housing costs and an offer below the increases to Consumer Price Index (CPI). Anecdotally, employees are being advised that a failure to accept such an offer may result in job losses or service reductions. Given the retrenchment of over 70 Council employees in the last 12 months and given a scheduled increase of 3.75% is due to rate payers over the coming years, can the Council confirm if there are in fact any plans to reduce jobs and services or if this may be an apparent veiled threat to encourage employees into accepting a sub-standard wages offer?

Response:

The question does not accurately represent the position of the Council, its values or objectives and unfortunately is predicated on information which is not factual.

The wage offer which has been proposed to the organisation by the Executive Leadership Team (ELT), as part of current negotiations for the City of Launceston Enterprise Agreement (EA), represents a creative and dynamic approach which takes into account the organisation's current circumstances and the wider global ramifications and challenges of the COVID-19 pandemic.

In 2020, the Council negotiated a 12-month extension to its current EA, as negotiating in the midst of a pandemic was neither safe nor aligned to the City of Launceston's value of We Go Home Safe and Well. As part of the extension agreed to with its employees and the Australian Services Union (ASU) the City of Launceston provided its employees with a wage increase of 2.25% effective from 6 July 2020.

**8.1.1 Public Questions on Notice - Ms Samantha Batchelor - 25 March 2021
...(Cont'd)**

The wage offer which has been proposed to the organisation by ELT, as part of current negotiations for the EA, is an element of a broader suite of proposals put forward which aim to provide City of Launceston employees with tangible financial and non-financial benefits that will enrich their work-home life experience.

The ELT is proposing the following wages position over four years:

Year 1 - An additional five days leave with no leave loading, pro rata for part-time and 1.9% for casuals, on top of the loaded casual rate

Year 2 - 1% increase, plus three days leave (with the same parameters as Year 1)

Year 3 - 2.5% increase

Year 4 - 2.75% increase

The leave proposed for Years 1 and Year 2 of the wages proposal is a once off and does not become additional leave for the life of the agreement.

In the first year of the agreement employees will have access to additional leave to spend more time with family, take a holiday or simply have a break from work. After the challenges of 2020 and 2021, the City of Launceston knows this will be highly valued by many employees and aligns with the organisational values of Our People Matter and We Go Home Safe and Well.

Over the past five years, from July 2016, the Council's EA wage increases have kept pace with CPI, as shown in the following table. Last year, from December 2020 to March 2021, CPI rose 0.3% - it is the Council's view that the wage offer of five days leave in the first year continues to keep pace with CPI.

	EA Increase	Compounded EA Increase	All Groups Hobart CPI
2016/2017	2.00%	102.00%	1.33%
2017/2018	2.35%	104.40%	2.35%
2018/2019	2.20%	106.69%	2.02%
2019/2020	2.30%	109.15%	2.07%
2020/2021	2.25%	111.60%	3.35%
	<u>11.10%</u>		<u>11.12%</u>

**8.1.1 Public Questions on Notice - Ms Samantha Batchelor - 25 March 2021
...(Cont'd)**

The Council has no intention of reduce jobs and/or service levels, nor has any such intention been expressed. It is not true that the organisation has retrenched more than 70 Council employees in the past 12 months. In fact, the Organisational Alignment Project which was conducted in 2019 resulted in a net increase of jobs at the City of Launceston from 479.04 FTEs to 489.50 FTEs.

The ELT believes the proposal it has outlined provides a financially sustainable course of action for the organisation, which takes into account the many financial challenges faced by our community as a result of global circumstances.

The City of Launceston's ELT continues to negotiate with employees in good faith in order to achieve a new four-year EA.

ATTACHMENTS:

1. Public Questions on Notice - Ms Samantha Batchelor - 25 March 2021
-

Attachment 1 - Public Questions on Notice - Ms Samantha Batchelor - 25 March 2021

Dear Michael,

I submit the following question with notice for consideration at the next Council Meeting.

City of Launceston Employees are currently Enterprise Bargaining for their pay and conditions. Council have outlined a wage offer in year 1 of 0%. Freezing (or cutting in real terms) workers wages will hurt employees and the communities in which they live, work and spend. The vast majority of members we have consulted with do not support Council's wage offer and have grave concerns on the impacts on their household budget, particularly in the climate of high rental and housing costs and an offer below the increases to Consumer Price Index (CPI). Anecdotally, employees are being advised that a failure to accept such an offer may result in job losses or service reductions. Given the retrenchment of over 70 Council employees in the last 12 months, and given a scheduled increase of 3.75% is due to rate payers over the coming years, can Council confirm if there are in fact any plans to reduce jobs and services or if this may be an apparent veiled threat to encourage employees into accepting a sub-standard wages offer?

Regards,

Samantha Batchelor

ASU Organiser

M: 0459 228 612

E: sbatchelor@asuvictas.com.au

1300 855 570 | 265 Macquarie Street, Hobart 7000

www.asuvictas.com.au

8.2 Public Questions Without Notice

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

(Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)

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 PLANNING AUTHORITY

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure

FILE NO: DA0023/2021

AUTHOR: Doug Fotheringham (Planning Consultant)

GENERAL MANAGER: Leanne Hurst (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:	Ireneinc Planning and Urban Design on behalf of the University of Tasmania
Property:	2 Invermay Road, Invermay
Zoning:	Particular Purpose 4 - Inveresk Site
Receipt Date:	21/01/2021
Validity Date:	27/01/2021
Further Information Request:	12/02/2021
Further Information Received:	23/02/2021
Deemed Approval:	9/04/2021 (extension granted)
Representations:	Five

PREVIOUS COUNCIL CONSIDERATION:

Council - 17 October 2019 - Agenda Item 9.1 - 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition

Council - 3 September 2020 - Agenda Item 9.1 - 2-4 Invermay Road, Invermay - Vehicle Parking -- Extension of Existing Car Park

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

Council - 12 November 2020 - Agenda Item 9.1 - 2 and 7 Willis Street, 78 and 80 Cimitiere Street, Launceston - Educational and Occasional Care, Vehicle Parking, Passive recreation. Demolition and Subdivision - Construction of Tertiary Education Facility, Associated Works and Consolidation of Three Lots

Council - 12 November 2020 - Agenda Item 9.2 - 2-4 Invermay Road, Invermay - Launceston - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility, Associated Works Including Infrastructure and Landscaping, Demolition of Building, Removal of Vegetation and Removal of Car Park

Council - 28 January 2021 - 9.1 - Agenda Item 2-4 Invermay Road, Invermay - Education and Occasional Care, Alterations and Additions to a Building

DA0883/2020 - Alterations and Extensions to the School of Architecture and Design Building (to facilitate the relocation of the Creative Arts and Media School from the nearby Stone building), approved under delegated powers March 2021

Council - 25 March 2021 - Agenda Item 9.1 - 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees

Council - 25 March 2021 - Agenda Item 9.2 - 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works

Council - 25 March 2021 - Agenda Item 9.3 - 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building

STANDARDS REQUIRING COUNCIL DISCRETION

Standard	Reason
35.3.2 Noise levels P1	Application does not demonstrate compliance with A1
E2.5.1 Suitability for intended use P1(c)	Does not comply with A1
E2.6.2 Excavation P1(c)	Does not comply with A1
E6.5.1 Car parking numbers P1.1	No additional spaces are proposed
E6.5.2 Bicycle parking numbers P1	No additional spaces are proposed
E6.5.3 Taxi spaces P1	No additional spaces are proposed
E6.5.4 Motorcycle parking P1	No additional spaces are proposed

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

E6.5.5 Loading bays P1	A1 is not applicable
E6.6.4 Loading bays P2	Application does not demonstrate compliance with A2
E6.6.5 Bicycle facilities P1	Application does not demonstrate compliance with A1
E6.6.6 Bicycle parking and storage facilities P1 and P2	Application does not demonstrate compliance with A1 and A2
E9.6.1 Development in the vicinity of a watercourses and wetlands P1	No Acceptable Solution
E9.6.3 Discharges to watercourses and wetlands P1	Application does not demonstrate compliance with A1
E13.6.12 Tree and vegetation removal P1	No Acceptable Solution

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for Education and Occasional Care - tree removal, landscaping and development of service vehicle access, cycling and pedestrian infrastructure at 2 Invermay Road, Invermay, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

The use and/or 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. Design Statement, prepared by Aspect Studios, Drawing No. 18041-LAB-002, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- b. Overall Legend, prepared by Aspect Studios, Drawing No. 18041-LAB-003, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- c. Existing Conditions, prepared by Aspect Studios, Drawing No. 18041-LAB-004, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- d. Tree Removal Plan, prepared by Aspect Studios, Drawing No. 18041-LAB-101, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- e. General Arrangement Overall Plan, prepared by Aspect Studios, Drawing No. 18041-LAB-102, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- f. Planting Plan, prepared by Aspect Studios, Drawing No. 18041-LAB-103, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- g. Planting Schedule, prepared by Aspect Studios, Drawing No. 18041-LAB-202, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- h. Sections and Elevations Sheet 1, prepared by Aspect Studios, Drawing No. 18041-LAB-701, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

2. LEGAL TITLE

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

3. 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.

4. SITE LANDSCAPING

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. maintained for the life of the use.

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

6. CONTAMINATED LAND

The applicant must comply with the Preliminary Site Investigation Version 2 report prepared by Environmental Service and Design dated February 2021 and complete all Works required in the recommendations. The use and development approved must be undertaken so as to comply with all the recommendations and requirements of the Preliminary Site Investigation.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and (Environmental Protection Authority if relevant) immediately upon discovery.

7. 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.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

8. EASEMENTS AND RIGHTS OF WAY

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

Where necessary, rights of way shall be created of sufficient dimension to ensure access by an appropriately sized vehicle for the intended purpose.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0886/2020. You should contact the Council with any other use or developments, as they may require the separate approval of 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 Resource Management and Planning Appeal Tribunal 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.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

C. Appeal Provisions

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

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

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

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.

Note: In accordance with the Council's Policy the assessment of this development application was outsourced to an independent consultant Town Planner as it relates to development in which the Council has a pecuniary interest.

REPORT:

1. THE PROPOSAL

At the eastern side of the Inveresk Site (sometimes referred to as the Inveresk Precinct), near the river, where McGrath Way meets the tram tracks, it is proposed to:

- remove 10 non-indigenous trees (seven poplars and three evergreen alders) and to replace them with 14 semi-mature indigenous trees, along with some new grassy lawn areas;
 - construct a new walking/cycling track alongside the existing tram track and between the existing building behind the Theatre Annexe and the new River's Edge building (DA0231/2020), which is currently under construction;
 - construct a new 6m wide vehicle access across the existing tram line into McGrath Way, for the purpose of site maintenance; and
 - construct five new bicycle parking spaces.
-

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

The *Inveresk Precinct Conservation Management Plan 2019* was submitted with the application and indicates that the existing landscaping, including the seven poplars and three alders, is of *little* cultural heritage value. Being from the northern hemisphere, these non-indigenous trees have limited natural heritage value. The proposed 14 semi-mature indigenous species are to be integrated with similar, future landscaping proposals for the adjacent River's Edge building. This building is currently under construction and will house the *Riawunna* Aboriginal Centre, with the future *Riawunna* Garden being located around the fringes of the building. The proposed landscaping will also be integrated with the Inveresk Site's recently approved Urban Realm development. Over time, the proposed landscaping will enhance the cultural heritage setting of the Inveresk Site and the *Riawunna* centre by strengthening their connection to land and growing indigenous biodiversity networks. These outcomes will better integrate the Inveresk Site with the City's natural assets, and the associated environmental benefits will positively contribute to the health and wellbeing of site users and the community.

The new walking/cycling path will serve existing and approved University of Tasmania (UTAS) buildings in the Inveresk Site. The applicants indicate that the path will integrate with an improved network of paths to the north of the site, which will be the subject of future permit applications.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The Inveresk Site is located between Invermay Road, Forster Street, and the North Esk River. The site contains the UTAS Stadium and Inveresk Campus, QVMAG buildings, Invermay Bowls and Community Club, Elizabeth Gardens, the Inveresk Railway Turntable and Roundhouse Launceston Big Picture School and the Roundhouse Pavilion. The site also houses three heritage places listed with the Tasmanian Heritage Register, including the York Park Entrance Gates, the Invermay Park Northern Stand and the Launceston Railway Station complex.

The proposed development area is located on the eastern side of the Inveresk Site, adjacent the existing UTAS Theatre Annexe and around the southern and eastern elevations of the new River's Edge building which is currently being constructed.

The Inveresk Site is serviced by various accesses on Invermay Road, Barnards Way and Forster Street, internal car parks, internal access ways for pedestrians and vehicles, reticulated sewer, water and electricity.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

35.0 Particular Purpose Zone 4 - Inveresk Site

35.1.1 Zone Purpose Statements

35.1.1.1 To provide for re-use and redevelopment of the zone for a range of cultural, educational, recreational and public purpose uses.

35.1.1.2 To provide for residential uses and developments associated with and supporting educational uses within the zone.

35.1.1.3 To locate use and development appropriately within the precincts of the zone.

Consistent with purpose

The proposed use is classified as Education and Occasional Care, which means that the proposal is consistent with the zone's purpose statements. The proposal will introduce a number of facilities to meet cultural and recreational needs of site users and the general public.

Local Area Objectives

The area contains four local area precincts as shown on Figure 35.1.2 to this zone. The proposal is located in the Cultural and Public Purpose Precinct, the objectives of which are:

1. to ensure re-use of existing buildings for a range of cultural, educational and recreational activities. Principal users may be the University of Tasmania, the Queen Victoria Museum and Art Gallery.
2. buildings are to be retained and redeveloped in accordance with their heritage values and status as outlined in the Launceston Railways Workshop Conservation Plan.

Consistent with objectives

The proposal does not intend to re-use or redevelop existing buildings. The *Inveresk Precinct Conservation Management Plan 2019* was submitted with the application and indicates that the current landscaping across the site has *little* heritage significance (page 96). Given these matters, the proposal is consistent with the objectives of the Cultural and Public Purpose Precinct.

Desired Future Character Statements

There are no desired future character statements.

35.3 Use Standards

35.3.1 Hours of operation

Objective:

To ensure that non-residential uses do not cause an unreasonable loss of amenity to nearby sensitive uses.

A1 Commercial vehicles must only operate between 6am and 10pm.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

Complies with A1
 The application states that commercial vehicles will not operate outside of the prescribed hours of 6am to 10pm.

35.3.2 Noise levels

Objective:
 To ensure that noise emissions from uses do not cause an unreasonable loss of amenity to nearby sensitive uses.

P1 Noise levels from use on the site must not unreasonably impact on the amenity of nearby sensitive uses having regard to:

- (a) the nature and intensity of the use;
- (b) the characteristics of the noise emitted;
- (c) the topography of the site;
- (d) the separation between the noise emission and the sensitive use;
- (e) the degree of screening between the noise source and adjoining sensitive uses; and
- (f) the characteristics of the surrounding area.

Complies with P1
 The proposal complies with P1 for the following reasons:

- (a) The proposed landscaping and walking/cycling paths will serve the existing and proposed buildings in these locations, without significantly increase the nature and intensity of uses;
- (b) Occasionally low levels of noise will be emitted by people walking and cycling during the daytime;
- (c) The site’s existing flat topography will be maintained;
- (d) The nearest sensitive use is approximately 140m across the river to the east and is unlikely to be affected by noise from the proposal;
- (e) The existing buildings onsite will provide screening, which will mitigate onsite, and most offsite noise impacts; and
- (f) The surrounding area is a developing University campus, with an adjacent walking and cycling network.

35.4 Development Standards

35.4.1 Building height

Not applicable
 No buildings are proposed.

35.4.2 Location of car parking

Objective:
 To ensure that car parking is compatible with the character of the local area precinct.

Not applicable
 The application does not propose car parking.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

35.4.3 Active ground floors

Objective:
To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.

Not applicable
No buildings or building alterations are proposed.

35.4.4 Lot size and dimensions

Objective:
To ensure the area and dimensions of lots are appropriate for the zone.

Not applicable
The application does not propose subdivision.

35.4.5 Frontage and access

Objective:
To ensure that lots provide:
(a) appropriate frontage to a road; and
(b) safe appropriate access suitable for the intended use of the new lot.

Not applicable
The application does not propose subdivision.

35.4.6 Discharge of stormwater

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

Not applicable
The application does not propose subdivision.

35.4.7 Water and sewerage services

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

Not applicable
The application does not propose subdivision.

E2.0 Potentially Contaminated Land Code

E2.1 The purpose of this provision is to ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.

Consistent with purpose
The application included a Preliminary Site Investigation report by Environmental Service and Design, February 2021 that demonstrated that the proposal will not detrimentally impact human health or the environment.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

E2.5.1 Suitability for intended use

Objective:

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

P1 Land is suitable for the intended use, having regard to:

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

Complies with P1(c)

The submitted Preliminary Site Investigation report recommends management measures to ensure compliance with P1(c). The report reviews the site’s environmental conditions and potential impacts to site users and concludes that the site is suitable for its intended use, on condition that certain management measures are met. A permit condition is recommended to ensure compliance with the report’s recommended management measures.

E2.6.2 Excavation

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

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

Complies with P1(c)

The submitted Preliminary Site Investigation report recommends management measures to ensure compliance with P1(c). A permit condition is recommended to ensure compliance with the report’s recommended management measures.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

E4.0 Road and Railway Assets Code

E4.2.1 This Code applies to use or development of land:

- (a) that will require a new vehicle crossing, junction or level crossing; or
- (b) that intensifies the use of an existing access; or
- (c) that involves a sensitive use, a building, works or subdivision within 50m of a Utilities zone that is part of:
 - (i) a rail network;
 - (ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h.

Code is not applicable

The proposal:

- (a) does not require a new vehicle crossing, junction or level crossing;
- (b) does not intensify the use of an existing access because it will serve existing and approved buildings; and
- (c) does not involve a sensitive use, a building, works or subdivision within 50m of a Utilities zone.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent with purpose

This Code applies to all land use and development proposals. The application complies with the applicable standards below.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

To ensure that an appropriate level of car parking is provided to meet the needs of the use.

P1.1 The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:

- (a) the availability of off-road public car parking spaces within reasonable walking distance;
- (b) the ability of multiple users to share spaces because of:

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

- (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) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
- (e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;
- (f) an assessment of the actual car parking demand determined in light of the nature of the use and development;
- (g) the effect on streetscape; and
- (h) the recommendations of any traffic impact assessment prepared for the proposal.

Complies with P1.1

No additional car parking spaces are proposed because the walking/cycling path will serve existing and approved buildings without generating additional demand for car parking. The proposal complies with P1.1. for the following reasons:

- (a) the Main Car Park and the Roundhouse Car Park are within walking distance of the proposal;
- (b) the proposal will not compromise the multiple users of the Inveresk Site's existing and developing parking areas;
- (c) Metro and the Tiger Bus operate public transport services to the area within reasonable walking distance of the site;
- (d) the development will not result in site constraints that restrict the use of existing parking arrangements;
- (e) the proposal does not propose or require on-road parking;
- (f) as mentioned above the proposal will not result in an increase in parking demand because the walking/cycling path will serve existing and approved buildings;
- (g) as it will be confined to the Inveresk Site, the proposal will have no effect on the streetscape of local roads; and
- (h) as there will be no increase in numbers of university staff or students across the Inveresk Site, as a result of this proposal, a traffic impact assessment is not required for this application.

A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the *National Construction Code 2014*, as amended from time to time.

Complies with A2

One accessible space is required for every new 100 car parking spaces. As the proposal will be not increase the number of car parking spaces, there is no need to provide additional accessible spaces.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

E6.5.2 Bicycle parking numbers

Objective:

To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:

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

Complies with P1

The proposed walking/cycling path will serve existing and approved buildings and will not result in an increase the demand for bicycle parking. That said, it is worth noting that five bicycle parking spaces are proposed near the rear elevation of the UTAS Theatre Annexe.

E6.5.3 Taxi spaces

Objective:

To ensure that access for taxis is provided to meet the needs of the use.

P1 Taxi parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- (a) the nature of the proposed use and development;
- (b) the availability and accessibility of taxi spaces on the road or in the vicinity; and
- (c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.

Complies with P1

No taxi spaces are proposed by the application and there are no existing taxi spaces in the Inveresk Site. The proposed walking/cycling path will serve existing and approved buildings and will not result in an increase the demand for taxi spaces.

E6.5.4 Motorcycle parking

Objective:

To ensure that motorcycle parking is provided to meet the needs of the use.

P1 Motorcycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- (a) the nature of the proposed use and development;
- (b) the availability and accessibility of motorcycle parking spaces on the road or in the vicinity; and
- (c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

Complies with P1

No motorcycle spaces are proposed by the application. The proposed walking/cycling path will serve existing and approved buildings and will not result in an increase the demand for motorcycle spaces.

E6.5.5 Loading bays

Objective:

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

P1 Adequate space for loading and unloading must be provided, having regard to:

- (a) the types of vehicles associated with the use;
- (b) the nature of the use;
- (c) the frequency of loading and unloading;
- (d) the location of the site;
- (e) the nature of traffic in the surrounding area;
- (f) the area and dimensions of the site; and
- (g) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.

Complies with P1

No new loading bays are proposed and access to existing loading bays across the Inveresk Precinct Site will be maintained. The Council's Infrastructure Assets team has reviewed the application and has no objection in principle.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

To ensure that parking areas are constructed to an appropriate standard.

Not applicable

No new parking areas are proposed or required.

E6.6.2 Design and layout of parking areas.

Objective:

To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.

Not applicable

No new parking areas are proposed or required.

E6.6.3 Pedestrian access

Objective:

To ensure pedestrian access is provided in a safe and convenient manner.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

Not applicable
 This clause only relates to pedestrian access for new parking areas. No new parking areas are proposed or required.

E6.6.4 Loading bays

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

P1 Loading bays must have area and dimensions suitable for the use, having regard to:
 (a) the types of vehicles likely to use the site;
 (b) the nature of the use;
 (c) the frequency of loading and unloading;
 (d) the area and dimensions of the site; and
 (e) the location of the site and nature of traffic.

Not applicable
 No new loading bays are proposed or required.

P2 Access for vehicles commercial vehicles to and from the site must be safe, having regard to:
 (a) the types of vehicles associated with the use;
 (b) the nature of the use;
 (c) the frequency of loading and unloading;
 (d) the area and dimensions of the site;
 (e) the location of the site and nature of traffic;
 (f) the effectiveness or efficiency of the surrounding road network; and
 (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.

Complies with P2
 No new loading bays are proposed and access to existing loading bays across the Inveresk Precinct Site will be maintained. The Council's Infrastructure Assets team has reviewed the application and has no objection in principle.

E6.6.5 Bicycle facilities

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

P1 Shower and change room facilities must be provided at adequate level to cater for the reasonable needs of cyclists, having regard to:
 (a) the location of the proposed use;
 (b) the existing network of cycle paths and bicycle lanes and other means of access to the site for cyclists;
 (c) the nature of the proposed use;
 (d) the number of employees;

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

- (e) the users of the site and the likelihood of travel by bicycle;
- (f) whether there are facilities on the site for other reasons that could be used by cyclists; and
- (g) the opportunity for sharing bicycle facilities on nearby sites.

Complies with P1

No bicycle end of trip facilities are proposed by the application. The proposed walking/cycling path will serve existing and approved buildings onsite. Cyclists will likely use the existing facilities on campus or new facilities in the redeveloped Architecture and Design Building.

E6.6.6 Bicycle parking and storage facilities

Objective:

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

P1 Bicycle parking and storage facilities must be provided in a safe, secure and convenient location, having regard to:

- (a) the accessibility to the site;
- (b) the characteristics of the site;
- (c) the nature of the proposed use;
- (d) the number of employees;
- (e) the users of the site and the likelihood of travel by bicycle;
- (f) the location and visibility of proposed parking storage facilities for bicycles;
- (g) the nature of the bicycle parking and storage facilities;
- (h) whether there are other parking and storage facilities on the site; and
- (i) the opportunity for sharing bicycle parking and storage facilities on nearby sites.

Complies with P1

The proposed five bicycle parking spaces are located in a safe accessible position, which will be overlooked by the ground floor windows of the new teaching facility which is currently being constructed to the north (ie. DA321/2020 River's Edge Building).

P2 Bicycle parking spaces and access must be convenient, safe and efficient to use, having regard to:

- (a) the characteristics of the site;
- (b) the space available;
- (c) the safety of cyclists;
- (d) the proposed measures to secure bicycles; and
- (e) the provisions of AS 2890.3 1993 Parking facilities - Bicycle parking facilities.

Complies with P2

Given their location, the proposed bicycle parking spaces will be convenient, safe and efficient to use.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

E9.0 Water Quality Code

E9.1 The purpose of this provision is to:
 (a) manage adverse impacts on wetlands and watercourses.

Consistent

The application is considered to demonstrate compliance with the applicable clauses under this Code.

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

P1 Development must not unreasonably impact the water quality of watercourses or wetlands, having regard to:

- (a) the topography of the site;
- (b) the potential for erosion;
- (c) the potential for siltation and sedimentation;
- (d) the risk of flood;
- (e) the impact of the removal of vegetation on hydrology;
- (f) the natural values of the vegetation and the land;
- (g) the scale of the development;
- (h) the method of works, including vegetation removal, and the machinery used;
- (i) any measures to mitigate impacts;
- (j) any remediation measures proposed;
- (k) any soil and water management plan; and
- (l) the requirements of the *Department of Primary Industries, Parks, Water and Environment Wetlands and Waterways Works Manual*.

Complies with P1

The proposal complies with P1 for the following reasons:

- (a) the site is flat and only minor changes to the topography are proposed;
- (b) the proposed works are unlikely to result in significant potential for erosion;
- (c) the proposed works are unlikely to result in significant potential for siltation or sedimentation;
- (d) given that the proposed development is relatively minor (landscaping, and walking/cycling track), it is unlikely to significantly alter flood risk;
- (e) the landscaping proposals will mitigate impacts on hydrology;
- (f) the landscaping proposals will improve the natural values of the vegetation and the land;
- (g) the scale of the proposed development is in-keeping with the surrounding development;
- (h) as the scale of the development is relatively minor, the method of works will include machine excavation and the preparation of cement products. This is unlikely to significantly impact on water quality and a standard permit condition requiring a soil and water management plan is recommended;
- (i) no measures are required to mitigate the impacts of the relatively minor development being proposed;
- (j) remediation measures are not required;

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

- (k) the Council's Infrastructure Assets team has recommended a condition requiring a soil and water management plan;
- (l) the proposed development is not located in a designated wetland or waterway.

E9.6.2 Development of watercourses and wetlands

A1 A wetland must not be altered, modified, filled, drained, piped or channelled.

Complies with A1

The proposed development is not located in a designated wetland or waterway.

E9.6.3 Discharges to watercourses and wetlands

P1 Stormwater discharges must not unreasonably impact on the water quality of watercourses or wetlands, having regard to:

- (a) the characteristics, volume and flow rates of the discharge;
- (b) the characteristics of the receiving waters;
- (c) the potential for erosion;
- (d) the potential for siltation and sedimentation;
- (e) the impact on hydrology;
- (f) any measures to mitigate impacts; and
- (g) any soil and water management plan.

Complies with P1

Stormwater discharges from the current landscaping arrangements and heritage path onto the adjoining land and will continue to do so without any significant increase in flow or pollutants. Increased and improved lawn areas will improve filtering of onsite drainage.

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

Complies with A2.1

Stormwater from the minor development will disperse as it currently does. There will be no new point source pollution discharging directly into a watercourse or wetland.

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

Complies with A2.2

Stormwater discharges from the proposed landscaping and walking/cycling path will be very similar to existing discharges and are unlikely to increase by more than 10% in the volume or characteristics of the discharge that existed at the effective date.

E13.0 Local Historic Cultural Heritage Code

E13.1 The purpose of this provision is to:

- (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;
- (b) encourage and facilitate the continued use of these places;
- (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

(d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.

Consistent with purpose

The Invermay Site is listed as a heritage place under Table E13.2.5 Invermay. The proposal complies with Clause E13.6.12 below.

E13.5 Use Standards

There are no use standards in this Code.

E13.6 Development Standards**E13.6.1 Demolition****Not applicable**

No buildings or structures will be demolished. The tram tracks will be retained.

E13.6.2 Maintenance and repair**Objective:**

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

Not applicable

The application does not propose maintenance or repair of heritage buildings.

E13.6.3 Lot size and dimensions and frontage**Objective:**

To ensure that subdivision does not impact on the historic cultural heritage significance of local heritage places and their settings.

Not applicable

The application does not propose subdivision.

E13.6.4 Site coverage**Not applicable**

The proposed development does not include any roofed areas.

E13.6.5 Height and bulk of buildings**Not applicable**

The proposed development will not alter the height of adjoining buildings.

E13.6.6 Site of buildings and structure**Not applicable**

The proposed development will not alter the setbacks of adjoining buildings.

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E13.6.7 Fences

Objective:

To ensure that fences are compatible with the historic cultural heritage significance of local heritage places and their setting.

Not applicable

The application does not propose new fences.

E13.6.8 Roof form and materials

Not applicable

The application does not propose new roofs.

E13.6.9 Wall materials

Not applicable

The proposed development does not include walls.

E13.6.10 Outbuildings and structures

Not applicable

The proposed development does not include any outbuildings or structures.

E13.6.11 Driveways and parking

Objective:

To ensure that driveways and parking are compatible with the historic heritage significance of local heritage places and their settings.

Not applicable

The application does not propose any new driveways or car parking.

E13.6.12 Tree and vegetation removal

Objective:

To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not impact on the historic heritage significance of local heritage places and their settings.

P1 The removal, destruction or lopping of trees or the removal of vegetation must not unreasonably impact on the historic cultural heritage significance of a local heritage place and its setting, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;
- (b) the age and condition of the tree or vegetation;
- (c) the size and form of the tree or vegetation;
- (d) the importance of the tree or vegetation to the historic cultural heritage significance of a local heritage place or its setting; and
- (e) whether the tree or vegetation is located within a garden that is listed as a local heritage place.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

Complies with P1

It is proposed to remove 10 non-indigenous trees (seven poplars and three evergreen alders) and to replace them with 14 semi-mature indigenous trees, along with lawn areas. The *Inveresk Precinct Conservation Management Plan 2019* was submitted with the application and indicates that the existing landscaping, including the seven poplars and three alders, is of *little* cultural heritage value. Being from the northern hemisphere, these non-indigenous trees have limited natural heritage value. The proposed 14 semi-mature indigenous species are to be integrated with similar, future landscaping proposals for the adjacent River's Edge building. This building is currently under construction and will house the *Riawunna* Aboriginal Centre, with the future *Riawunna* Garden being located around the fringes of the building. The proposed landscaping will also be integrated with the Inveresk Site's recently approved Urban Realm development. Over time, the proposed landscaping will enhance the cultural heritage setting of the Inveresk Site and the *Riawunna* centre by strengthening their connection to land and growing indigenous biodiversity networks. These outcomes will better integrate the Inveresk Site with the city's natural assets, and the associated environmental benefits will positively contribute to the health and wellbeing of site users and the community.

The proposed tree removal complies with P1 for the following reasons:

- (a) the submitted *Inveresk Precinct Conservation Management Plan 2019* indicates that the cultural heritage values of the Inveresk Precinct are centred on the remaining buildings and the spatial arrangement of the site around these buildings. The existing landscaping is of *little* heritage significance (page 96);
- (b) the submitted Arborist's report indicates that all trees are considered mature and healthy but that six of the poplars will be adversely impacted by the development of the new River's Edge building, which has been approved by Council and is currently under construction;
- (c) all existing trees are mature and non-indigenous, are to be replaced by a higher number of semi-mature indigenous trees which will eventually be integrated with similar landscaping proposals for the River's Edge building, which will incorporate the *Riawunna* Aboriginal Centre. This will improve cultural and natural heritage outcomes for the Inveresk Site;
- (d) the submitted *Inveresk Precinct Conservation Management Plan 2019* indicates that the existing landscaping is of *little* heritage significance; and
- (e) the trees identified for removal are not located within an identified *garden* that is listed as a heritage place.

E13.6.13 Signage

Objective:

To ensure that signage is compatible with the historic cultural heritage significance of local heritage places and their settings.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

Not applicable
The application does not propose any signage.

E16.0 Invermay/Inveresk Flood Inundation Area Code
E16.4 Use or Development exempt from this Code
E16.4.1 The following use or development is exempt from this Code:
(a) non-habitable buildings.
Development is Exempt
The application does not propose any buildings.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	Conditional consent provided with recommended conditions.
Environmental Health	Conditional consent provided with recommended conditions.
Place Making Team	Conditional consent provided with recommended conditions.
EXTERNAL	
TasHeritage Council	Issued a Notice of No Interest.
TasWater	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 13 February to 1 March 2021. Five representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p>Issue 1 Concern regarding the proposed tree removal and perceived loss of heritage and health values.</p>
<p><i>Response 1:</i> <i>The Inveresk Precinct Conservation Management Plan 2019 was submitted with the application and indicates that the existing landscaping, including the seven poplars and three alders, is of little cultural heritage value. Being from the northern hemisphere, these non-indigenous trees have limited natural heritage value. The proposed 14 semi-mature indigenous species are to be integrated with similar, future landscaping proposals for the adjacent River's Edge building. This building is currently under construction and will house the Riawunna Aboriginal Centre, with the future Riawunna</i></p>

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

garden being located around the fringes of the building. The proposed landscaping will also be integrated with the Inveresk Site's recently approved Urban Realm development. Over time, the proposed landscaping will enhance the cultural heritage setting of the Inveresk Site and the Riawunna centre by strengthening their connection to land and growing indigenous biodiversity networks. These outcomes will better integrate the Inveresk Site with the city's natural assets, and the associated environmental benefits will positively contribute to the health and wellbeing of site users and the community.

Issue 2

When considering and determining this planning permit application, the planning authority should consider Council's and UTAS' climate change policies along with certain online news stories.

Response 2:

Under the planning scheme, the planning authority may only consider matters, which are relevant to this particular permit application. These matters are identified under the applicable provisions for this application. The Council's and UTAS' climate change policies and online news stories are not identified under the applicable provisions of the scheme, are not relevant matters and cannot be considered by the planning authority when determining the application.

Issue 3

Concern that multiple submitted planning permit applications, relating to land in the Inveresk Site are fractured.

Response 3:

The submitted planning permit application is for tree removal, landscaping proposals and a walking/cycling track. The planning assessment set out above in this report considers all matters relevant to the application, which are identified under the applicable provisions of the scheme. Considering all relevant matters in this way helps the planning authority to ensure that permit applications at the Inveresk Site are assessed in a consistent manner.

Issue 4

Concern over the application's reference to the proposal aligning with the Urban Design Framework (UDF) which has been developed for the Inveresk precinct to allow the University to deliver the balance of the Northern Transformation Masterplan.

Response 4:

Under the planning scheme, the Urban Design Framework is not a relevant matter and cannot be considered by the planning authority.

Issue 5

Concern that the proposal will increase flood risk in the area.

Response 5:

As the proposal does not include any non-habitable buildings, it is exempt under Clause E16.4 Use of the Invermay/Inveresk Flood Inundation Area Code. Therefore, Issue 5 is not a relevant matter and cannot be considered by the planning authority.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

<p>Issue 6 Concerns regarding the overall development of the Inveresk Site as a University Campus.</p>
<p><i>Response 6:</i> <i>The overall development of the Inveresk Site as a University campus is not proposed as part of this permit application, which means it is not a relevant matter and cannot be considered by the planning authority when determining this application. Only the proposals contained within the current planning application may be considered by the planning authority, under the applicable provisions of the planning scheme.</i></p>
<p>Issue 7 Concern that this permit application is being assessed by a planning consultant from the company pitt&sherry, due to the application relying on information prepared by pitt&sherry.</p>
<p><i>Response 7:</i> <i>This planning permit application does not include any information prepared by pitt&sherry. Given this, the planning consultant has no conflict of interest regarding the application.</i></p>
<p>Issue 8 Concerns regarding potential contamination of the site.</p>
<p><i>Response 8:</i> <i>A Preliminary Site Investigation (PSI) report was submitted with the application, which includes a site history prepared by a suitably qualified person and concludes that no potentially contaminated activities have impacted the site.</i></p>
<p>Issue 9 Concern regarding UTAS' provision of educational services (educational course, units, etc.).</p>
<p><i>Response 9:</i> <i>UTAS' provision of education services is not controlled by the planning scheme and is not relevant to this planning permit application.</i></p>
<p>Issue 10 Concern over the loss of monetary value associated with the tree removal and adverse environmental impacts associated with the site's reduced capacity to mitigate carbon emissions.</p>
<p><i>Response 10:</i> <i>Under the applicable provisions of the planning scheme, the monetary value of trees and carbon emissions are not relevant matters and cannot be considered by the planning authority.</i></p> <p><i>That said, it is worth noting that, over time the landscaping proposals will likely result in improved environmental outcomes associated with mitigation of carbon emissions, provision of a more resilient biodiversity network and improved economic outcomes associated with the development of a more attractive, vibrant Inveresk Site.</i></p>

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

Issue 11

Concern that the applicants have not considered that the land belonged to the Citizens of Launceston, the residents and ratepayers.

Response 11:

The submitted application correctly identifies the Council as the landowner and the Council's Acting General Manager Infrastructure and Assets Network provided the application with written consent pursuant to Section 52(1B)(b) of the Land Use Planning and Approvals Act 1993. Given this, the application meets the requirements of the Act.

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

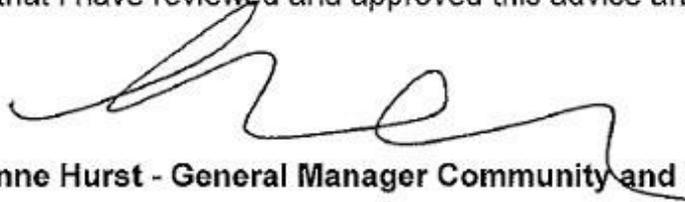
Not considered relevant to this report.

9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)

DISCLOSURE OF INTERESTS:

The planning consultant has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

ATTACHMENTS:

1. Locality Map - 2 Invermay Road, Invermay (*electronically distributed*)
 2. Plans to be Endorsed - 2 Invermay Road, Invermay (*electronically distributed*)
 3. Application Documents - 2 Invermay Road, Invermay (electronically distributed)
 4. Tasmanian Heritage Council - Notice of No Interest - 2 Invermay Road, Invermay (*electronically distributed*)
 5. Representations - 2 Invermay Road, Invermay (*electronically distributed*)
-

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling**FILE NO:** DA0853/2020**AUTHOR:** Iain More (Town Planner)**GENERAL MANAGER:** Leanne Hurst (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:	Design To Live Pty Ltd
Property:	34 Galvin Street, South Launceston
Zoning:	General Residential
Receipt Date:	11/12/2020
Validity Date:	21/12/2020
Further Information Request:	22/12/2020
Further Information Received:	23/12/2020
Deemed Approval:	8/04/2021 (extension granted)
Representations:	Six

STANDARDS REQUIRING COUNCIL DISCRETION

10.4.13 Location of car parking
10.4.2 Setbacks and building envelope for all dwellings
10.4.3 Site coverage and private open space for all dwellings
10.4.6 Privacy for all dwellings
10.4.9 Site facilities for multiple dwellings
E4.6.2 Road accesses and junctions
E6.6.1 Construction of parking areas
E6.6.2 Design and layout of parking areas

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0853/2020 - Residential - construction of an additional dwelling at 34 Galvin Street, South Launceston subject to the following conditions:

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

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 Page, prepared by Design to Live, Job No. GLVN34-1, Drawing No. 1/9, dated 23 December 2020.
- b. Site Plan, prepared by Design to Live, Job No. GLVN34-2, Drawing No. 2/9, dated 23 December 2020.
- c. Floor Plan, prepared by Design to Live, Job No. GLVN34-3, Drawing No. 3/9, dated 23 December 2020.
- d. First Floor Plan, prepared by Design to Live, Job No. GLVN34-4, Drawing No. 4/9, dated 23 December 2020.
- e. External Services, prepared by Design to Live, Job No. GLVN34-5, Drawing No. 5/9, dated 23 December 2020.
- f. Elevations NE-SW, prepared by Design to Live, Job No. GLVN34-6, Drawing No. 6/9, dated 23 December 2020.
- g. Elevations SE-NW, prepared by Design to Live, Job No. GLVN34-7, Drawing No. 7/9, dated 23 December 2020.
- h. Parking and Turning, prepared by Design to Live, Job No. GLVN34-8, Drawing No. 8/9, dated 23 December 2020.
- i. Landscape Plan, prepared by Design to Live, Job No. GLVN34-9, Drawing No. 9/9, dated 23 December 2020.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager City Development. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show a reduction in the maximum building height of 200mm.

3. ADJOINING OUTBUILDING PROTECTION

The structural integrity of the outbuilding located at 36 Galvin Street and that shares a boundary with the subject site, must not be compromised as a result of the demolition.

4. SCREENING

Prior to the occupation of the proposed dwelling, and to the satisfaction of the Manager City Development, the following screening is required:

- a. Proposed Dwelling: The master bedroom window facing the northern side boundary and the kitchen window facing the southern side boundary must have a fixed obscure glazing to ensure privacy is maintained; and
 - b. Existing Dwelling: The two habitable room windows facing the northern side boundary be screened to minimise vehicular light intrusion that might be detrimental to the liveability of the dwelling.
-

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

5. LEGAL TITLE

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

6. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

7. SITE LANDSCAPING

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. completed within three months of the use commencing; and
- c. maintained as part of the residential development.

8. PROTECTION OF EXISTING TREES

The large tree located on the adjoining lot at 32 Galvin Street must not be damaged or destroyed. The tree must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees*.

9. FENCING

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

- a. 1.2m within 4.5m of the frontage;
- b. 1.8m - 2.1m along the southern side boundary to 36 Galvin Street when measured from the highest finished level on either side of the common boundaries; and
- c. 2.1m along the boundaries to 35 and 33 Hampden Street, as well as 32 Galvin Street.

10. MULTIPLE DWELLINGS - SERVICE FACILITIES

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a. mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. each multiple dwelling must be provided with a minimum 6m³ exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
- c. either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.

11. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 220/02203-LCC and attached to the permit.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

12. 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.

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

13. ON-SITE DETENTION (TASWATER ADVICE TO DRAINAGE AUTHORITY)

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of one hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development

Prior to the commencement of works, the plans and calculations must be submitted to the General Manager Infrastructure and Assets Network for approval. On completion, an as *constructed* plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

14. 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.

15. 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.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

The explicit permission of Technical Services 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.

16. APPLICATION TO ALTER A STORMWATER SERVICE

To have an existing service connection physically removed/relocated/alterred, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

17. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

18. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)

No works to install, removal or modify a vehicular crossing, are to be undertaken without the issue of a Vehicular Crossing Permit for the works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

An application for such work must be lodged electronically via the Council eServices web portal or on the approved hard copy form.

All new works must be constructed to the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc.). All redundant crossovers and driveways must be removed prior to the occupation of the development. The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

19. 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.

20. 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.

21. NO BURNING OF WASTE

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

22. DEMOLITION

The Developer must:

- a. carry out all demolition work in accordance with Safe Work Australia *Demolition Work Code of Practice* or any subsequent versions of the document;
- b. protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- c. not undertake any burning of waste materials on site;
- d. remove all rubbish from the site for disposal at a licensed refuse disposal site;
- e. dispose of any asbestos found during demolition in accordance with the Safe Work Australia *How to Safely Remove Asbestos Code of Practice* or any subsequent versions of the document

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0853/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Resource Management and Planning Appeal Tribunal is 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 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 Resource Management and Planning Appeal Tribunal.

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

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

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. Heat Pump Use

Use of the heat pump will be subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or as amended.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

F. Street Addresses for Multiple Dwellings

Residential addressing is undertaken in accordance with Australian Standard AS4819. The development has been assessed according to the standard and the following addresses allocated:

<i>Dwelling No</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
<i>1 (existing)</i>	<i>1</i>	<i>1/34 Galvin Street</i>
<i>2 (proposed)</i>	<i>2</i>	<i>2/34 Galvin Street</i>

The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.

REPORT:

1. THE PROPOSAL

It is proposed to construct a second two-storey, three-bedroom dwelling at the site, which will also include a new driveway, earthworks due to the slope, and new plantings. A single outbuilding is also proposed to be removed.

The new dwelling will have a maximum height of 7.47m above natural ground level. It will be setback 1.2m from the northern side boundary, 2.4m from the southern side boundary, 4m from the rear boundary, and more than 10m from the front boundary.

The proposal also includes a new crossover to allow access to the rear unit, whilst maintaining the existing access for the existing dwellings parking.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Address	34 Galvin Street, South Launceston
Zone	General Residential
Size	716m ²
Access	Existing
Shape	Rectangular
Slope	Slopes downwards from 50m AHD to 48m AHD at the rear over 43m
Existing structures	Single dwelling and outbuilding

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

Vegetation	Minimal planted residential
Connection to services	Connected to all reticulated services
Surrounding land	Residential, predominantly single dwellings and multiple dwellings on the northern adjoining land
Overlays	Nil

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

<p>10.1.1 Zone Purpose Statements</p> <p>10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</p> <p>10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.</p> <p>10.1.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.</p> <p>10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.</p> <p>10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.</p>
<p>Consistent</p> <p>Consistency with the zone purpose has been achieved as the proposal is for a residential use in a residential zone.</p>

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

<p>Objective:</p> <p>To provide for suburban densities for multiple dwellings that:</p> <p>(a) make efficient use of suburban land for housing; and</p> <p>(b) optimise the use of infrastructure and community services.</p>
<p>Consistent</p> <p>A1 Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m² or</p> <p>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.</p>
<p>Complies</p> <p>The proposal will result in one dwelling per 358m² of site area.</p>

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

10.4.2 Setbacks and building envelope for all dwellings

Objective:

To control the siting and scale of dwellings to:

- (a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and
- (b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and
- (c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and
- (d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

Consistent

Consistency with the objective has been achieved as the proposal ensures its bulk and scale is appropriate.

A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:

- (a) if the frontage is a primary frontage, at least 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; or
- (b) if the frontage is not a primary frontage, at least 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; or
- (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or
- (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.

Complies

The new dwelling will be setback more than 4.5m from the frontage.

A2 A garage or carport must have a setback from a primary frontage of at least:

- (a) 5.5m, or alternatively 1m behind the facade of the dwelling; or
- (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or
- (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.

Complies

The new dwelling will be setback more than 4.5m from the frontage.

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

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

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

- (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and
- (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and
- (b) only have a setback within 1.5m of a side boundary if the dwelling:
 - (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or
 - (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).

Relies on Performance Criteria
 As the new dwelling is outside of the building envelope, reliance on the performance criteria is required.

- P3** The siting and scale of a dwelling must:
- (a) not cause unreasonable loss of amenity by:
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
 - (iii) overshadowing of an adjoining vacant lot; or
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
 - (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Complies

Assessment against the performance criteria is as follows:

P3 The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
 As a response to the representations the applicant provided a shadow analysis to assist. The assessment shows that the proposed development will not cause any reduction in sunlight to a habitable room of a dwelling on an adjoining lot.

(ii) overshadowing the private open space of a dwelling on an adjoining lot; or
 The analysis shows that the only overshadowing to occur will affect the adjoining property at 36 Galvin Street. The plans show that there will be some overshadowing when the sun rises over the hill at 10am, noting that not all private open space will be overshadowed and that sunlight will still be accessible to more than 50% of the area. The shadows will then reduce from 10am onwards which is considered reasonable.

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(iii) overshadowing of an adjoining vacant lot; or
Not applicable.

(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and

A condition has been recommended that the overall height of the proposal be reduced by 200mm. Whilst this may be considered inconsequential, this reduction will in fact be significant at reducing bulk which in turn will reduce its potential visual intrusion when viewed from an adjoining property.

There are four adjoining lots to the subject site.

1. 36 Galvin Street - north
2. 35 Hampden Street - north west
3. 33 Hampden Street - north west
4. 32 Galvin Street - north

36 Galvin Street - South

The dwelling is setback 2.4m from the southern side boundary for a length of 4.8m and will then be setback 3m from the boundary for a length of 6.3m. It will have a maximum height of 7.47m above natural ground level at the lowest point of the site, being the north western corner of the proposed dwelling. With the recommended condition however this will fall to 7.27m. Due to the slope the dwelling will reduce in height as it moves up the slope, with a height of 6.8m at its lowest point along this side (6.6m after 200mm reduction).

The design of the dwelling has incorporated features to reduce its overall bulk and scale. This includes breaking up the dwelling to ensure that it is not one long wall, but rather truncated to allow setbacks to increase. The proportions are further reduced through its materials of brick veneer along the bottom floor and wall cladding along the top floor. Further to this are windows that will break up the walls.

The height was required as the development is proposing minimal earthworks for the dwellings construction. This is due to the slope of the site and the proposal opting to retain the natural slope rather than dig in to cause potential earth movements that may have detrimental effects on infrastructure and the surrounding properties.

It is considered that whilst it will be noticeable, the design features of the proposal, including staggered setbacks and heights, as well as the introduction of varying types of materials, will ensure that the scale and bulk of the proposal reduces the visual impact when viewed from 36 Galvin Street.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

35 Hampden Street - North West

The north western corner of the site will be facing the units at 35 Hampden Street. However, the units are set well below the subject sites natural ground level, below a 2m retaining wall and only their roofs visible when looking from their adjoining lots. It would be difficult to view the proposed dwelling from this site due to this shift in natural ground level, and therefore, its visual impact will be minimal.

33 Hampden Street - North West

The dwelling is setback 4m from its rear boundary at its closest point which adjoins 33 Hampden Street. This setback is for a length of 6.8m, where the setback then increases to 4.71m for a length of 5.8m. Its highest point will be 7.4m along the north western corner, reducing to 6.4m at its north eastern corner. This is due to the slope of the site. Again, the recommended condition will reduce these heights to 7.2m and 6.2m respectively.

The dwelling will be able to be seen from the garden and area or private open space at 33 Hampden Street, through a 5.0m gap in the boundary line, the rest of which is taken up by a building built to the boundary and a small open section in the north eastern corner. Along the 5m gap is a 1.6m high fence that contains overgrown vegetation that provides significant screening of the subject site. Notwithstanding, should this vegetation be removed, a standard condition requiring a 2.1m high fence is recommended that will help reduce any visual intrusion by reducing the amount of building that can be seen. Furthermore, the development is proposing landscaping within this gap for vegetation that will grow up to 2.4m in height. This will further reduce the potential visual impact caused by the development.

The main section of building visible from this property will be the top floor, which includes two windows and clad walls. Below this on the bottom floor are brick veneer walls. This design choice results in the break-up of the dwellings proportions and bulk, further reducing its visual impact.

It is considered that the design choices for the dwelling, along with the limited gap to view the adjoining property, the introduction of a 2.1m high fence, and the placement of vegetation, will ensure that the visual impact caused by the dwelling is appropriate.

32 Galvin Street - North

The dwelling will be setback 1.2m from the northern side boundary along the ground level, which is increased to a 2.55m setback on the top floor. The ground floor will have a maximum height of 3.4m, while the top floor a height of 6.45m. With the proposed 200mm height reduction, the top floor will end up at 6.25m.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

The dwelling will be visible from the adjoining neighbour's balcony from their main dwelling, as well as their garden at the rear of their property. The adjoining property contains a significant tree that will block the view of the new dwelling from many parts of the property.

The northern facing part of the proposed dwelling is perhaps the most architecturally designed. It contains brick veneer on the lower floor, cladding on the top floor, as well as a timber privacy screen to the deck. Furthermore, truncations in its design, including varying setbacks for different components of the dwelling are relevant when considering its visual impact. When viewed from the adjoining property there at no point is a single, large, intrusive wall, but rather individual components that make up the overall design. This treatment and design greatly reduces its scale and bulk to minimise visual intrusion.

Furthermore, a new 2.1m high fence will replace the existing 1.6m high fence will further remove the dwellings visibility when viewed from the adjoining property.

(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

The new dwelling will be separated 4m from the closest dwelling located at 33 Hampden Street. This is consistent with surrounding separation within the immediate area, which ranges from shared boundary walls to 5.5m separation. Therefore, a 4m separation is considered to be compatible considering the diverse range of separations.

The dwelling has been designed to reduce its impact on the slope by building above ground. As a result, the dwelling is higher than usual. However, the dwelling is not a simple box placed on the property, but rather has been designed to break up its overall bulk through varying truncations, setbacks and heights. Its use of different finishes has also ensured the scale is greatly reduced. It is considered that whilst it will be noticeable, its visual impact when viewed from adjoining properties will be reasonable.

The proposal complies with the performance criteria.

10.4.3 Site coverage and private open space for all dwellings

Objective:

To provide:

- (a) for outdoor recreation and the operational needs of the residents; and
- (b) opportunities for the planting of gardens and landscaping; and
- (c) private open space that is integrated with the living areas of the dwelling; and
- (d) private open space that has access to sunlight.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>Consistent Consistency with the objective has been achieved as the proposal ensures adequate private open space is provided.</p>
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); 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); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.
<p>Relies on Performance Criteria The proposal will result in a total site coverage of less than 50%, including of which at least 25% of the site area is free from impervious surfaces. However, as less than 60sqm of private open space for each dwelling is provided reliance on the performance criteria is required.</p>
<p>P1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (b) reasonable space for the planting of gardens and landscaping.
<p>Complies The existing dwelling will maintain 29.6m² of private open space through their existing deck. Any other forms of private open space, such as grassed areas, will be limited.</p> <p>The proposed new dwelling will have 24m² of private open space in the form of a deck, and also have approximately 52m² of area available between the dwelling and the rear boundary.</p> <p>The provided areas of private open space are considered acceptable. The provided areas are easily accessible and area able to provide for all operational needs of each dwellings occupants. Whilst noting the available landscaping area for the exiting dwelling is limited, it can be considered such a dwelling is low maintenance.</p> <p>Important to note is the location of St Andrews park which is located 240m east along Galvin Street. This park will also allow for public outdoor recreation.</p> <p>The proposal complies with the performance criteria.</p>

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24m²; or (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); and (b) has a minimum horizontal dimension of: <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); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9am and 3pm on 21 June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.
<p>Complies</p> <p>Each dwelling utilises a deck for the purposes of private open space which have an area of 24m² with minimum horizontal dimensions of 4m x 4m. The decks are accessible from a habitable room and are located directly north.</p> <p>The decks are not located within the front setback, do not have a gradient steeper than 1 in 10 and are not used for vehicle parking.</p>

10.4.4 Sunlight and overshadowing for all dwellings

<p>Objective: To provide:</p> <ul style="list-style-type: none"> (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
<p>Consistent</p> <p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>
<p>Complies</p> <p>The dining room window of the proposed dwelling has a window that faces between 30 degrees west of north and 30 degrees east of north.</p>

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> (i) at a distance of 3m from the window; and (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9am and 3pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.
<p>Complies</p> <p>Whilst the proposed new dwelling is located north of the existing dwelling, there is a 9.46m setback between the dwellings, allowing for sufficient separation.</p>
<p>A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9am and 3pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.
<p>Complies</p> <p>Whilst the proposed new dwelling is located north of the existing dwelling, there is a 9.46m setback between the proposed dwelling and the existing dwellings area of private open space.</p>

10.4.6 Privacy for all dwellings

<p>Objective: To provide reasonable opportunity for privacy for dwellings.</p>
<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal provides reasonable opportunity for privacy for dwellings.</p>

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no 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 at least 3m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 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</p> <p>The existing dwelling contains an existing deck located more than 1m above natural ground level. However, as this is existing no further assessment is required.</p> <p>The proposed dwelling contains a 24m² deck located 3.4m above natural ground level which is setback 1.2m from the northern side boundary and 4.0m from the rear boundary. A permanently fixed screen proposed to be located along the northern facing boundary to ensure privacy and meeting the requirements of A1(a), and due to its 4m rear setback meets A1(b). The distance between the two dwellings is 9.462m meeting A1(c).</p>
<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (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 at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site. (b) The window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>Complies As there are no changes to the existing dwelling the provisions are not relevant. The proposed dwelling contains several habitable room windows located more than 1m above natural ground level.</p> <ol style="list-style-type: none"> 1. Window to the master bedroom setback 2.55m from the northern side boundary; This window is located 1.5m above floor level. To ensure privacy is maintained and compliance with A2(a) is achievable, a condition requiring this window to have fixed obscure glazing is recommended. 2. Window to the dining room and window to the kitchen setback 4m and 4.29m from the rear boundary. The window is setback 4m from the rear boundary at its closest point, complying with A2(a). 3. Window to the kitchen and window to the living room setback 2.4m and 3m from the southern side boundary. The living room window has a 3m setback, complying with A2(a). To ensure privacy is maintained and compliance with A2(a) is achievable, a condition requiring the kitchen window to have fixed obscure glazing is recommended. <p>Both dwellings have sufficient separation from each other to ensure privacy is maintained. Based on the above assessment and recommended conditions, the proposal meets the acceptable solution.</p>
<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <ol style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ol style="list-style-type: none"> (i) it is separated by a screen of at least 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.
<p>Relies on Performance Criteria There will be a shared driveway along the northern boundary accessed via the new crossover. There are two existing habitable room windows facing the driveway, both located less than 1m from the driveway. As such reliance on the performance criteria is required.</p>
<p>P3 A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

Complies

A condition is recommended requiring that the two habitable room windows facing the northern side boundary are screened to minimise vehicular light intrusion that might be detrimental to the liveability of the dwelling. Through this condition the proposal complies with the performance criteria.

10.4.8 Waste storage for multiple dwellings

Objective:

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

Consistent

A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:

- (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or
- (b) in a communal storage area with an impervious surface that:
 - (i) has a setback of at least 4.5m from a frontage; and
 - (ii) is at least 5.5m from any dwelling; and
 - (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.

Complies

Both dwellings will have a suitable storage area for waste and recycling bins.

10.4.9 Site facilities for multiple dwellings

Objective:

To provide adequate site and storage facilities for multiple dwellings.

Consistent

Consistency with the objective has been achieved as the proposal provides adequate site and storage facilities for multiple dwellings.

A1 Each multiple dwelling must have access to 6m³ of secure storage space not located between the primary frontage and the facade of a dwelling.

Relies on Performance Criteria

As 6m³ of secure storage has not been provided reliance on the performance criteria is required.

P1 Each multiple dwelling must provide storage suitable to the reasonable needs of residents, having regard to:

- (a) the location, type, and size of storage provided;
- (b) proximity to the dwelling and whether the storage is convenient and safe to access;
- (c) any impacts on the amenity of adjacent sensitive uses; and
- (d) the existing streetscape.

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<p>Complies Whilst a dedicated outbuilding for storage has not been provided, it is considered that each dwelling has sufficient storage area. The existing dwelling has storage under the existing dwelling, whilst the proposed dwelling has sufficient storage within the garage. The proposal complies with the performance criteria.</p>
<p>A2 Mailboxes must be provided at the frontage.</p>
<p>Complies Mailboxes will be provided at the frontage.</p>

10.4.10 Common property for multiple dwellings

<p>Objective: To ensure that common areas are easily identified.</p>
<p>Consistent</p>
<p>A1 Site drawings must clearly delineate private and common areas, including: (a) driveways; (b) parking spaces, including visitor parking spaces; (c) landscaping and gardens; (d) mailboxes; and (e) storage for waste and recycling bins.</p>
<p>Complies Site drawings clearly delineate between private and common areas. No internal fencing is proposed.</p>

10.4.12 Earthworks and retaining walls

<p>Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.</p>
<p>Consistent</p>
<p>A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must: (a) be located no less than 900mm from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.</p>
<p>Complies Whilst there is a slope over the, proposed earthworks will be able to occur without resulting in cut or fill more than 600mm below or above existing ground level.</p>

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

10.4.13 Location of car parking

<p>Objective: To:</p> <ul style="list-style-type: none"> (a) provide convenient car parking for residents and visitors; (b) protect residents from vehicular noise within sites; and (c) minimise visual impact on the streetscape.
<p>Consistent Consistency with the objective has been achieved as the proposal ensures convenient parking protecting residents on site and minimising visual impact.</p>
<p>A1 Shared driveways or car parks of residential buildings (other than for single dwellings) must be located no less than 1.5m from the windows of habitable rooms.</p>
<p>Relies on Performance Criteria As there are two habitable room windows within the existing dwelling that will be setback less than 1.5m from the shared driveway, reliance on the performance criteria is sought.</p>
<p>P1 Shared driveways or car parking spaces (other than for single dwellings) must be located to not unreasonably impact on the amenity of the adjoining habitable rooms, having regard to:</p> <ul style="list-style-type: none"> (a) the width of the driveway; (b) the location of the existing dwellings and habitable rooms; (c) the location of car parking spaces; (d) the number of car spaces served by the driveway; and (e) any noise mitigation measures including screening or landscaping.
<p>Complies A condition is recommended requiring that the two habitable room windows facing the northern side boundary are screened to minimise vehicular emissions that might be detrimental to the liveability of the dwelling. Through this condition the proposal complies with the performance criteria.</p>
<p>A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage. A2.2 Turning areas for vehicles must not be located within the primary front setback.</p>
<p>Complies No parking is proposed within the front setback.</p>

E4.0 Road and Railway Assets Code

<p>E4.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) protect the safety and efficiency of the road and railway networks; and (b) reduce conflicts between sensitive uses and major roads and the rail network.
<p>Consistent Consistency with the code purpose has been achieved as the proposal protects the safety and efficiency of the road network.</p>

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective: To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.
Consistent
A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.
Complies The construction of a new dwelling will not increase vehicle movements by more than 40 vehicle movements per day.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.
Consistent Consistency with the objective has been achieved as the proposal ensures that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.
A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.
Relies on Performance Criteria As a new access is proposed, that will result in two individual accesses to the site, reliance on the performance criteria is required.
P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

Complies

A new access is proposed along the northern side boundary, whilst the existing access along the southern side boundary will remain. The existing access will be able to retain three vehicles if required and will be for the sole use of the existing dwelling. The new crossover will allow access to the rear dwelling and visitor car park, and therefore will result in only limited traffic associated with either access. Council, acting as the road authority, has consented to the accesses. The proposal complies with the performance criteria.

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

Objective:

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

Consistent

A1 Sight distances at:

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

Complies

Sight distances meet the Safe Intersection Sight Distance shown in Table E4.6.4.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent

Consistency with the code purpose has been achieved as the proposal allows for safe and efficient parking and access.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

To ensure that an appropriate level of car parking is provided to meet the needs of the use.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>Consistent</p> <p>A1 The number of car parking spaces must:</p> <ul style="list-style-type: none"> (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or (d) be in accordance with an acceptable solution contained within a parking precinct plan.
<p>Complies</p> <p>Table E6.1 requires two spaces per dwelling and two visitor parking space, for five spaces in total, which the development has provided.</p>

E6.6 Development Standards

E6.6.1 Construction of parking areas

<p>Objective:</p> <p>To ensure that parking areas are constructed to an appropriate standard.</p>
<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal ensures that parking areas are constructed to an appropriate standard.</p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
<p>Relies on Performance Criteria</p> <p>All parking, access ways, manoeuvring and circulation spaces will be formed and paved and able to drain to the public stormwater system. However, a maximum 18% gradient is proposed and therefore, reliance on the performance criteria is required.</p>
<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions, having regard to:</p> <ul style="list-style-type: none"> (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 and line marking.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

Complies

A maximum 18% gradient is proposed for the internal driveway to access the garage of the proposed dwelling. All other areas of driveway will be 10% or less. This 10% section is considered appropriate as only the occupants of the new dwelling accessing their driveway will need to drive over this slope. This will ensure that the easily identifiable sloping areas will be useable from the occupants most commonly using the access. The proposal complies with the performance criteria.

E6.6.2 Design and layout of parking areas

Objective:

To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.

Consistent

Consistency with the objective has been achieved as the proposal ensures that parking areas are designed and laid out to provide convenient, safe and efficient parking.

A1.1 Car parking, access ways, manoeuvring and circulation spaces must:

- (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;
- (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;
- (c) have parking space dimensions in accordance with the requirements in Table E6.3;
- (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and
- (e) have a vertical clearance of not less than 2.1m above the parking surface level.

A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.

A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.

A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.

Relies on Performance Criteria

All parking, access ways, manoeuvring and circulation spaces allow for vehicles to enter and exit in a forward direction, with the exception of parking allocated to the front dwelling which will need to reverse. Therefore, reliance on the performance criteria is required. The proposal complies with all other requirements of Tables E6.2 and E6.3.

P1 Car parking, access ways, manoeuvring and circulation spaces must be convenient, safe and efficient to use, having regard to:

- (a) the characteristics of the site;
- (b) the proposed slope, dimensions and layout;
- (c) vehicle and pedestrian traffic safety;
- (d) the nature and use of the development;
- (e) the expected number and type of vehicles;

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>(f) the nature of traffic in the surrounding area; and (g) the provisions of Australian Standards AS 2890.1 - Parking Facilities, Part 1: Off Road Car Parking and AS2890.2 Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>
<p>Complies The proposed car parking areas for the existing dwelling will be through the existing crossover and utilise existing car parking spaces. Considering that this has occurred for the life of the property it is considered that the car parking, access ways, manoeuvring and circulation spaces area safe and convenient. The proposal complies with the performance criteria.</p>

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure and Assets	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2020/02203-LCC.
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 6 January to 20 January 2021. Six representations were received.

Each of the representors were contacted to further discuss their concerns.

The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>Issue 1 Concern that the driveway gradients are not compliant with the Australian standard.</p>
<p><i>Response 1:</i> <i>The applicant has confirmed that the maximum gradient of the driveway will be 18%, which is compliant with the Australian Standards.</i></p>
<p>Issue 2 No shadow diagrams were provided and therefore the impact is unknown.</p>
<p><i>Response 2:</i> <i>The applicant provided shadow diagrams as a response to the representations. The shadow diagrams confirm that there will be no unreasonable loss of sunlight to surrounding properties.</i></p>
<p>Issue 3 Further screening is required for certain windows to maintain privacy.</p>
<p><i>Response 3:</i> <i>A condition has been recommended that some windows be screened to ensure privacy is retained.</i></p>
<p>Issue 4 It is unclear how vehicles will be able to turn on site.</p>
<p><i>Response 4:</i> <i>The applicant provided swept paths to demonstrate the ability of vehicles to manoeuvre on site.</i></p>
<p>Issue 5 The dwelling will cause a loss of privacy to surrounding properties, including the deck.</p>
<p><i>Response 5:</i> <i>The dwelling meets all privacy provisions of the scheme.</i></p>
<p>Issue 6 The outbuilding proposed to be demolished shares a concrete wall with the adjoining property at 36 Galvin Street.</p>
<p><i>Response 6:</i> <i>No specific detail was provided regarding the demolition, including how the wall may be retained. This is a matter that is generally not considered under planning but would need to be reviewed at building stage. Notwithstanding, a condition requiring no damage to the outbuilding is recommended.</i></p>
<p>Issue 7 The visual impact will be intrusive and the proposal is not in keeping with the surrounding area.</p>
<p><i>Response 7:</i> <i>A detailed assessment against the proposal and its visual impact has been undertaken. It is considered due to the design of the proposal that there will be no unreasonable visual impact.</i></p>

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

Issue 8

The dwelling will cause undue pressure on existing infrastructure including retaining walls and water mains.

Response 8:

This is not a planning consideration.

Issue 9

There is potential the development will result in a loss of trees to surrounding

Response 9:

A condition has been provided to ensure the retention of significant vegetation on surrounding land.

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)

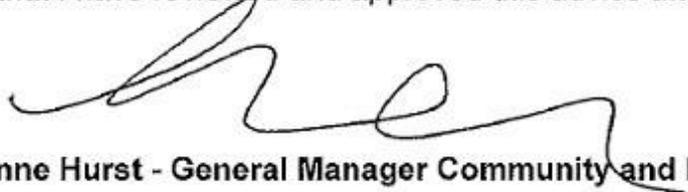
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

ATTACHMENTS:

1. Locality Map - 34 Galvin Street, South Launceston (*electronically distributed*)
 2. Plans to be Endorsed - 34 Galvin Street, South Launceston (*electronically distributed*)
 3. Shadow Diagrams - 34 Galvin Street, South Launceston (*electronically distributed*)
 4. TasWater SPAN - 34 Galvin Street, South Launceston (*electronically distributed*)
 5. Representations - 34 Galvin Street, South Launceston (*electronically distributed*)
-

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Friday 26 March 2021

- Attended the official opening of *Alida*
- Attended the Northern Tasmanian Football Association's season launch

Saturday 27 March 2021

- Officiated at the *Celebrating Resilience Together - 2021 Business Excellence Awards*

Monday 29 March 2021

- Attended the City Mission's *Pay It Forward* launch

Tuesday 30 March 2021

- Officiated at the Public Citizenship Ceremony

Thursday 1 April 2021

- Attended the Northern Tasmanian Cricket Association's end of season presentation function

Saturday 3 April 2021

- Officiated at the Northern Tasmanian Easter Croquet Tournament
-
-

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 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 General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)

12.1.1 Councillors' Questions on Notice - Councillor N D Daking - Number of Serving Aldermen/Councillors - Council Meeting - 25 March 2021**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following questions, asked at the Council Meeting on 25 March 2021 by Councillor N D Daking, have been answered by Ms L Foster (General Manager Organisational Services).

Questions:

1. Since 1853, when Council was first formed, what is the number of serving Aldermen/Councillors that have served the City of Launceston?

Response:

The City of Launceston records indicate a total of 198 serving Aldermen/Councillors since 1853. Additionally, there have been 76 Mayors and one Acting Mayor during that time.

2. After noting the total number of serving Aldermen/Councillors, what is the gender breakdown of that number?

Response:

Of the 198 serving Aldermen/Councillors since 1853, there have been 13 female elected members, the first being elected in 1949.

12.1.2 Councillors' Questions on Notice - Councillor P S Spencer - University of Tasmania Pedestrian and Cycle Bridge - 25 March 2021**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 25 March 2021 by Councillor P S Spencer, has been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. What is the warranty on the walk bridge from the University across the Tamar in future times [University of Tasmania's pedestrian and cycle bridge]?

Response:

The City of Launceston's process for managing infrastructure developed through a development permit has several quality checks to ensure the Council receives fit for purpose infrastructure.

This typically consists of:

- *preliminary plans being endorsed as part of the Planning Authority's decision.*
- *detailed design plans are required to be submitted for approval by the General Manager Infrastructure and Assets Network.*
- *the design plans require certification by the design engineer.*
- *during construction it is typical for the Council to require independent engineering supervision which is the case for the University of Tasmania's pedestrian/cycle bridge.*
- *the Council's engineers undertake periodic inspections.*

The Council will take over the infrastructure once it is satisfied that it is fit for purpose and reaches practical completion.

When the Council takes ownership of infrastructure from a developer there is a standard defects liability period of 12 months. This is also consistent with the Council's construction contracts. The Council holds a financial security over the defect liability period.

The defects period can be extended for all or part of the infrastructure where there are variations from the approved design. It is possible that there may be an extended defects liability period on the bridge surface which is yet to be determined by the Council's officers.

12.1.2 Councillors' Questions On Notice - Councillor P S Spencer - University of Tasmania Pedestrian and Cycle Bridge - 25 March 2021 ...(Cont'd)

As part of the question there were suggestions that the structure is not fit for purpose. This has been investigated, however, no evidence was found that this is the case.

The Council officers are finalising legal documentation in order to take over ownership of the bridge with appropriate protections in place. In the event of a failure, the Council will rely upon the warranties and other options available to it, including enforcing its common law and legislative rights.

12.2 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 Launceston Access Advisory Committee Meeting - 10 March 2021****FILE NO:** SF0025**AUTHOR:** Tracey Mallett (Manager Liveable Communities)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To receive and consider a report from the Launceston Access Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Launceston Access Advisory Committee Meeting held on 10 March 2021.

REPORT:

This was the first Meeting of the Access Advisory Committee since adoption of the *Access Framework for Action 2020-2024* at the Council Meeting held on 26 November 2020 so there was pride and excitement that the Committee's strategic direction was now set and this first year's action plan could be finalised.

Finalisation of the Action Plan took up a significant component of the Meeting, before the plan was agreed to. There are a number of actions under each Commitment which the Committee and the Council's staff can work towards this calendar year, most of which require little to no budget. However, some of these actions are scoping towards actions that will require budget bids into the future.

Other matters considered by the Committee:

- Robust discussion into the number and location of accessible parking spaces, to provide input into the central Activities District Parking Implementation Plan. The consensus was that there is a need for accessible bays to be located in more locations (distributing the same number of bays across more locations); but considering safety for exiting these bays; there is a need for more accessible (and parking with prams) bays at City Park but agreed that Laurence Street is potentially too steep for this; and there is most definitely a need for more spaces at the Aquatic Centre.
 - The trial audible/electronic timetable machines on bus stops in St John Street. There was agreement that there needs to be greater promotion of these (understanding they are a trial) for people with vision impairment.
-

13.1 Launceston Access Advisory Committee Meeting - 10 March 2021 ...(Cont'd)

- Positioning of pedestrian crossing buttons - feedback had been sought from Department of State Growth on their standard for positioning of these to ensure clarity of direction (difficult at some Launceston intersections where there is only one crossover into the middle of the intersection). Department of State Growth reiterated their standard but have agreed to review this in line with their review practices.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Continued profiling and support for actions that will improve accessibility for Launceston residents is positive demonstration of the City of Launceston's commitment to inclusion and accessibility.

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 Area:

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

BUDGET & FINANCIAL ASPECTS:

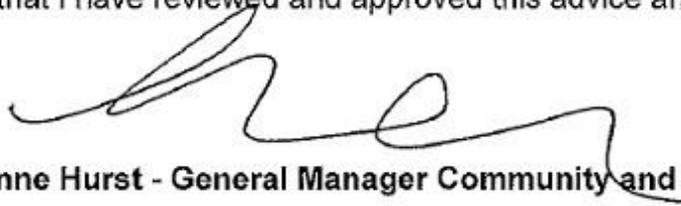
Not considered relevant to this report.

13.1 Launceston Access Advisory Committee Meeting - 10 March 2021 ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

13.2 Tender Review Committee Meeting - 18 March 2021**FILE NO:** SF0100/CD.073/2020**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Tender Review Committee (a delegated Authority Committee).

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept the tender submitted by Terroir for the Architectural Services - Albert Hall Renewal Project, Contract Number CD.073/2020 for \$460,655.00 (exclusive of GST).

REPORT:

The Tender Review Committee Meeting, held on 18 March 2021, determined the following:

That the sum submitted by Terroir for the Architectural Services - Albert Hall Renewal Project, Contract Number CD.073/2020 for \$460,655.00 (exclusive of GST) be accepted.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

13.2 Tender Review Committee Meeting - 18 March 2021 ...(Cont'd)

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.

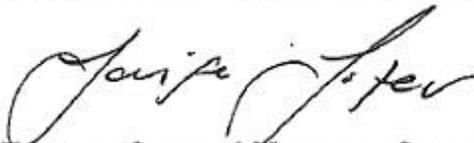
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

14 COUNCIL WORKSHOPS

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

14.1 Council Workshop Report

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RECOMMENDATION:

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

Workshops conducted on 1 and 8 April 2021

2021/2022 Budget Statutory Estimates and Annual Plan

Councillors discussed the 2021/2022 Draft Budget and Annual Plan.

Planning for the Future of Relbia - Community Feedback

Councillors discussed the feedback options moving forward with the project.

Cityprom Review

Councillors continued their discussions of the Cityprom Review.

QVMAG Futures Plan

Councillors were provided with an update on the QVMAG Futures Plan - A Paradigm Shift.

Greater Launceston Plan Review Update

Councillors received a briefing on the upcoming Greater Launceston Plan Review.

Delegation Update

Councillors were provided with background information and an update regarding delegations.

TasPolice Introduction - Northern District Commander

Councillors heard from the newly appointed Northern District TasPolice Commander - Stuart Wilkinson.

14.1 Council Workshop Report ...(Cont'd)

REPORT:

Regulation 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 Workshop held since the last Meeting.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

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 & FINANCIAL ASPECTS:

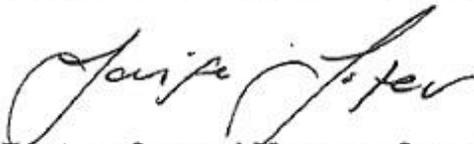
Not considered relevant to this report.

14.1 Council Workshop Report ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

15 NOTICES OF MOTION

Local Government (Meeting Procedures) Regulations 2015 - Regulation 16(5)

15.1 Notice of Motion - Renaming of Batman Bridge - Councillor T G Walker

FILE NO: SF5547

AUTHOR: Councillor T G Walker

CHIEF EXECUTIVE OFFICER: Michael Stretton

DECISION STATEMENT:

To consider a Notice of Motion regarding renaming of the Batman Bridge.

RECOMMENDATION:

That Council:

1. notes George Town Council's recent motion seeking to recognise and commemorate the leetermairremener people's connection with the greater kanamaluka/Tamar River area in consultation with the Aboriginal community;
 2. acknowledges the name of Batman Bridge is inappropriate for clear historical reasons;
 3. agrees to write to the State government requesting they start a process to rename the bridge as soon as possible; and
 4. agrees to write to seek support for this change from West Tamar Council and George Town Council.
-

REPORT:

Historical records clearly show John Batman was directly responsible for the death of Tasmanian Aboriginal men, women and children. For this reason his name should not be used in any public nomenclature. Historical records also show John Batman was involved in significant colonial events. These events in no way diminish his culpability as a murderer. In removing John Batman's name from the bridge over the kanamaluka/Tamar River, we will not change or forget history, but we will contribute to reconciling the future.

**15.1 Notice of Motion - Renaming of Batman Bridge - Councillor T G Walker
...(Cont'd)**

OFFICER COMMENT:

(Mr Michael Stretton - Chief Executive Officer)

Given that the Batman Bridge is not located within the City of Launceston and is a State Government owned asset, consideration of this motion is political in nature and there is no need for professional advice to be provided.

Councillors are advised that on Friday, 26 March 2021, the Council received correspondence from the George Town Council requesting that it consider and provide a response to the following motion that was passed by that Council on 23 March 2021:

that the George Town Council write to the City of Launceston Council and to the West Tamar Council in request of their endorsement and collaboration as the Northern Collective Councils to seek the State Government permission to erect a respectful and significant art sculpture and plaque at the site of the Batman Bridge commemorating the North Midlands first nations people the leetermairremener people which stretched from Low Head to Launceston and both sides of the kanamaluka/Tamar river.

Should all Councils endorse this and agree to collaborate on this project and we gain the State Governments permission, the collective would then seek funding to:

- consult with our collective Aboriginal communities*
- seek submissions for the public art*
- commission the artwork*
- cover engineering scoping and planning fees*
- cover DA fees*
- and any other scoping or building capital identified during the process.*

The Council wrote to the George Town Council General Manager on 30 March 2021 advising that the matter would be discussed at a future Council Workshop and that a response would be provided once this Workshop has been conducted or after a decision of Council is made on the matter. We advised that this process may take some time to complete.

ECONOMIC IMPACT:

Not considered relevant to this report.

**15.1 Notice of Motion - Renaming of Batman Bridge - Councillor T G Walker
...(Cont'd)**

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

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.
3. To ensure decisions are made on the basis of accurate and relevant information.

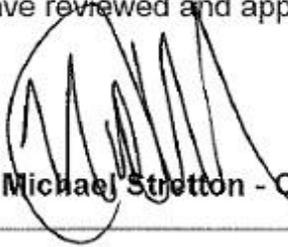
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Michael Stretton - Chief Executive Officer

ATTACHMENTS:

1. Notice of Motion - Renaming of Batman Bridge - Councillor T G Walker
-

Attachment 1 - Notice of Motion - Renaming of Batman Bridge - Councillor T G Walker

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 / SF0128
TW
DATE: 31 March 2021

TO: Michael Stretton Chief Executive Officer
c.c. Committee Clerks

FROM: Tim Walker Councillor

SUBJECT: Notice of Motion - Batman Bridge

In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 8 April 2021.

Motion

Launceston City Council note George Town Council's recent motion seeking to recognise and commemorate the leetermairremener people's connection with the greater kanamaluka/Tamar River area in consultation with the Aboriginal community, and further;

- acknowledge the name of Batman Bridge is inappropriate for clear historical reasons,
- agree to write to the state government requesting they start a process to rename the bridge as soon as possible, and
- agree to write to seek support for this change from West Tamar Council and George Town Council.

Background

Historical records clearly show John Batman was directly responsible for the death of Tasmanian Aboriginal men, women and children. For this reason his name should not be used in any public nomenclature. Historical records also show John Batman was involved in significant colonial events. These events in no way diminish his culpability as a murderer. In removing John Batman's name from the bridge over the kanamaluka/Tamar River, we will not change or forget history, but we will contribute to reconciling the future.

Attachments

N/A

**Councillor Tim Walker**

16 COMMUNITY AND PLACE NETWORK ITEMS**16.1 Petition - Future of Relbia Project****FILE NO:** SF0097/SF6874**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider a petition submitted by Mr Anthony Lowe regarding the *Planning for the Future of Relbia Project*.

PREVIOUS COUNCIL CONSIDERATION:

Council - 11 March 2021 - Agenda Item 6.2 - Receipt of Petition - *Future of Relbia Project*

RECOMMENDATION:

That Council, with respect to a petition received from Mr Anthony Lowe regarding the *Planning for the Future of Relbia Project*.

1. notes that separate advice has been provided to Mr Lowe on the process for lodging a Code of Conduct complaint under section 28V of the *Local Government Act 1993* (Tas).
 2. resolves to consider the final report and recommendations from the Future Relbia Project before determining its position.
-

REPORT:

At its Meeting on 11 March 2021, Council received a petition containing 268 signatures. The petition states:

We petition the Council in accordance with section 57 of the Local Government Act 1993 (Tas) to immediately stop the Future of Relbia project because of the following reasons: not all residents are aware of the process; the information presented is not consistent; the voting options are misleading; the findings of the MESH Report have been ignored; there are serious environmental issues that have not been addressed; the financial impact of the changes have not been presented and we believe there has been a breach of the Aldermen Code of Conduct that needs to be investigated.

16.1 Petition - Future of Relbia Project ...(Cont'd)

With respect to the allegation of a breach of the Code of Conduct, separate advice has been provided to Mr Lowe regarding the process for making a complaint in order to meet the requirements of section 28V of the *Local Government Act 1993* (Tas).

With respect to the *Planning for the Future of Relbia Project*, consultation on the Relbia Feasibility Study Report has now concluded. Interest in the project has been significant, with more than 230 responses to the survey and individual submissions received.

This project was one of a number identified within the Greater Launceston Plan (GLP), which was released in 2014 to strategically plan for sustainable growth in our region. Listed as a *Future Strategic Investigation Area* in the GLP, the purpose of this project was to assess whether Relbia contains the necessary pre-conditions to support additional growth.

Consultation with the community has included the following activities:

May 2019	Resident Vision Workshops
July 2019	Release of <i>What we Heard</i> summary brochure
Dec 2020	Community consultation on the Feasibility Study Report commenced
Feb 2021	Consultation concluded
Mar 2021	Subsequent letter sent to residents on next steps and Q&A

The original eight week consultation period was extended when it was identified that the initial mail out did not reach all residents in Relbia. The extension provided procedural fairness for those residents.

Throughout the consultation, a number of questions and concerns were raised which have been noted and will inform the final report and recommendations to Council. After the conclusion of the consultation, another mail out to residents outlined the next steps as well as a Q&A document summarising the matters raised throughout the consultation period.

The Council's officers will now consider all of the survey results and submissions received, along with the other data collected as part of the project. A final report and recommendations will be prepared within the next three to six months for the consideration of Council. Relbia residents will be notified when the matter is scheduled for consideration at a Council meeting.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

16.1 Petition - Future of Relbia Project ...(Cont'd)

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.

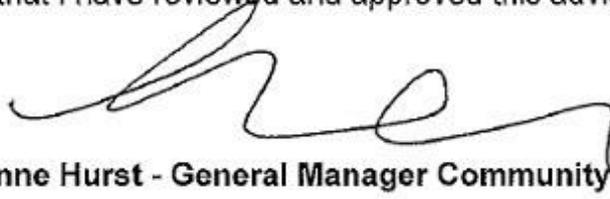
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

16.2 Launceston Safer Communities Partnership

FILE NO: SF3804

AUTHOR: Tracey Mallett (Manager Liveable Communities)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To receive and consider a report from the Launceston Safer Communities Partnership.

RECOMMENDATION:

That Council receives the report from the Launceston Safer Communities Partnership.

REPORT:

Although not a formal Special Committee of Council, the Launceston Safer Communities Partnership (LSCP) has been bringing together representatives from 18 organisations to discuss community safety for more than 20 years.

Meeting monthly, the Committee focuses on community safety issues aligned to their strategic plan and is careful to only take on projects that are deliverable by agencies involved or with the small budget assigned to community safety. The passion of organisation representatives and the excellent attendance rate demonstrates the value of bringing together such key agencies for valuable conversations on a monthly basis.

LSCP is not required to meet formal Council reporting requirements, but there was a suggestion earlier this year to prepare a summary report of some of the group's activities in recent times.

The most recent strategic plan includes four focus areas:

Strategic Focus 1: Harness the passion and cooperation of Committee members to focus on specific community safety issues (to address the mission goal of: *promoting community safety*)

Strategic Focus 2: Improving safe and accessible transport to all (to address the mission goal of: *mobilising resources in the community*)

Strategic Focus 3: Addressing opportunities to aid in the reduction of shop stealing (to address the mission goal of: *promoting community safety*)

Strategic Focus 4: Homelessness (to address the mission goal of: *mobilising resources in the community*).

16.2 Launceston Safer Communities Partnership ...(Cont'd)

Promotion of community safety, communicating key messages and being visible in the community are ongoing activities. In recent times, this has again focussed on anti-racism, following some instances during the COVID-19 pandemic targeted at our multicultural community. LSCP had in previous years developed a *Racism: It Stops with Me* campaign and so elements of that were resurrected to convey this important message.

Safe and accessible transport has been a timely focus area in the lead up to the development of Council's draft Transport Strategy. LSCP had strong involvement in Metro's review of its public transport offerings in 2019 and strong advocacy by the Committee saw the trial reinstatement of the Vermont Road bus service connecting Ravenswood to Mowbray. This continues to be a priority for LSCP and with great participation from Metro, promotion of the City's bus system as a safe and accessible form of transport around Launceston continues.

Stealing from shops has long presented challenges for local retailers and LSCP has workshopped ideas with Cityprom and TasPolice representatives. Given this is an issue that ebbs and flows, it is very difficult for LSCP to address. However, the group has been able to facilitate some training opportunities for retailers and provide assistance to Cityprom as needed.

The issues of homelessness as a strategic focus area has led to the establishment of a task force comprising a range of organisations and agencies that provide services in this space. This was quite an achievement of LSCP and although the group received regular updates on the effectiveness of the City Mission *Safe Space*, this focus area can now come off the LSCP plan.

LSCP plans to develop the next strategic plan in the lead up to the new financial year. It is anticipated that a new strategic focus area will be graffiti. This has caused concern in recent months and so the group looks forward to exploring policies and procedures that may help address this.

Any other new focus areas will be informed by the outputs from one of the *Tomorrow Together* consultation themes, which showed that respondents were very concerned about community safety and that many felt unsafe in parts of Launceston. Although this may be their perception, perception is also their reality so this data will provide a good basis for future focus areas.

ECONOMIC IMPACT:

Not considered relevant to this report.

16.2 Launceston Safer Communities Partnership ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Community safety has a significant impact on the social fabric of Launceston. Therefore, the relevance of the Launceston Safer Communities Partnership is as high today as it was in 2000 when the previous Northern Safer Community Partnership transformed into the more action based LSCP it is known today. The valuable contributions of the many partner agencies is highly appreciated.

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 Area:

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

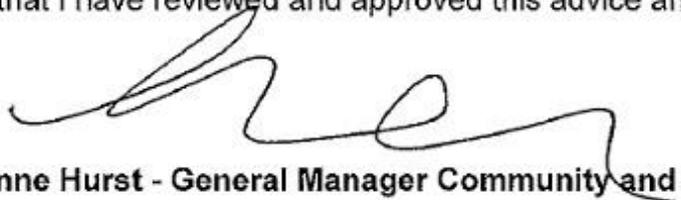
BUDGET & FINANCIAL ASPECTS:

There is a small budget associated with Community Safety within the Liveable Communities budget which is available for projects stemming from LSCP.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS

18.1 Proposed Street Names - Solis Rise and Visum Chase, Dilston

FILE NO: SF0621/DA0723/2018

AUTHOR: Amanda Craig (Engineering Officer Infrastructure Development)

GENERAL MANAGER: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider approval for two street names for the new residential subdivision constructed off Windermere Road, Dilston.

RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the names Solis Rise, Dilston and Visum Chase, Dilston.



18.1 Proposed Street Names - Solis Rise and Visum Chase, Dilston ...(Cont'd)

REPORT:

The proposed street names at Dilston, Solis Rise and Visum Chase, have been provided by the applicant for the subdivision. Solis is a Spanish name derived from the Latin sol, meaning sun. Visum is the Latin name for view.

There are no instances of the name Solis or Visum being used in Tasmania for any streets or roads recorded in the State-wide database administered by the State Government.

The descriptor *rise* is appropriate as the roadway leads to higher ground and the descriptor *chase* is also appropriate as this roadway terminates in a cul de sac that is lower than the intersection with proposed Solis Rise.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 7: We are a City for our future by ensuring our approach to strategic land-use, development and infrastructure is coordinated, progressive and sustainable.

10-Year Goal: To facilitate appropriate development via integrated land-use planning infrastructure investment and transport solutions within our municipality and region.

Focus areas:

3. To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

18.1 Proposed Street Names - Solis Rise and Visum Chase, Dilston ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt - General Manager Infrastructure and Assets Network

18.2 2021 Concessional Entry Policy Review (12-Plx-014)**FILE NO:** SF0628**AUTHOR:** Jess Nesbit (Waste and Environment Officer)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider the review of the Concessional Entry Policy for the Launceston Waste Centre.

PREVIOUS COUNCIL CONSIDERATION:

Pre-Council Workshop - 9 April 2018 - Reviewed Concessional Entry to the Council's Waste Disposal Facilities Policy and Application Form

Council - 26 June 2017 - Agenda Item 18.7 - Resident Waste Centre Disposal Vouchers

Council - 28 September 2015 - Agenda Item 18.2 - Launceston Waste Centre - Waste Concessions Review

RECOMMENDATION:

That Council adopts the recommended changes to the Concessional Entry Policy 12-Plx-014 (ECM Doc Set ID 1771329) in preparation for the 2021/2022 program.

Concessional Entry to the Council's Waste Disposal Facilities Policy***PURPOSE:***

To set out the criteria when to apply a concessional or reduced fee to dispose refuse at the waste disposal facilities at the Launceston Waste Centre, Lilydale and Nunamara.

SCOPE:

This policy varies the waste disposal charges annually adopted by Council pursuant to section 205 of the *Local Government Act 1993* (Tas) which applies to the following:

- (a) Pensioners;
 - (b) Waste entry vouchers
 - (c) Community organisations and
 - (d) Commercial customers.
-

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

POLICY:**1. General**

All persons and organisations (including the Council's Operations departments and contractors) who dispose of refuse at the Council's waste disposal facilities, shall be charged the appropriate fee(s) as adopted by Council pursuant to section 205 of the *Local Government Act 1993* (Tas), unless varied by this policy.

2. Pensioners

Pensioners and pensioner householders who hold a Commonwealth Pensioner Card are entitled to receive a concession card known as a *Smart Card* which will have an endorsed value loaded onto the card at the start of each financial year, to be used at the Launceston municipal waste centres. The same card has an endorsed value for pensioners to use at selected Council owned car parks (Note: 1x smart will be issued per household not per pension holder). The service is provided to minimise the financial burden to pensioners as per the following.

(a) The Smart Cards shall be distributed:

- To pensioners whose properties are in the City of Launceston municipality and received the State Government pensioner property rate rebate *or* by others who hold a Commonwealth Pensioner Card and where the residential address is listed within the City of Launceston.
- Smart Cards are available by collection from the Council's Customer Service Centre where they must be activated prior to use.

(b) Smart Cards may be used on the following basis:

Disposed at the:

- Launceston Waste Centre, Remount Road, Mowbray
- Lilydale Waste Transfer Station, Second River Road, Lilydale
- Nunamara Waste Transfer Station, Bingham's Road, Nunamara

Provided the waste:

- is domestic in nature and quantity (generated from a household)
- is not classed as a 'Controlled' (Hazardous) Waste (ie. asbestos)

In all other cases (including dual axle trailer) normal gate/fee charges apply without concession will expire.

Once the balance reaches \$0 (displayed on the receipt upon each use) *or* on the last day of the financial year (30 June):

- balance is not transferable for cash
 - balance remaining will not be carried over to the new financial year
 - Balance will reset at 12am 1 July each year
-

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

- (c) Smart Cards shall be accepted at the waste disposal sites:
- when the person disposing the refuse is acting directly for the pensioner issued with the smart card;
 - when there is a positive remaining balance (*Note: if the fee is \$10 and there is only \$5 left on the card the pensioner must pay outstanding balance at the gate*) once the card balance is \$0 the card is inactive; and
 - when the incoming load of waste has been appropriately sorted and all recyclable items have been deposited at the Launceston Recycling Centre.

Smart Cards are not transferable to the benefit of another person and at all times are only available for the benefit of the pensioner originally issued the smart card. Smart Cards are bar coded to minimise administration tasks at the gate, the cards are linked to the pensioner card holder's details. Where breaches of any conditions of use occur, the Chief Executive Officer may suspend the issue of future balances to the Smart Card to the applicable pensioner for as long a period as considered appropriate.

- (d) The Waste Management Income account shall be reimbursed at the value of Smart Cards balances redeemed at the waste disposal sites from the Council's General Rates. The concession shall be treated as a Community Service Obligation.
- (e) Each pensioner or householder is entitled to receive an endorsed credit for the financial year (the balance to be determined by the Council each year).

3. Waste Entry Vouchers

All Launceston households shall be given one waste entry voucher per year. This service is provided to allow domestic properties to conduct seasonal maintenance.

- (a) The Council's waste disposal sites at:
- Launceston Waste Centre, Remount Road, Mowbray
 - Lilydale Waste Transfer Station, Second River Road, Lilydale
 - Nunamara Waste Transfer Station, Bingham Road, Nunamara
- shall accept waste material in exchange for one free entry voucher on any day during the current financial year.

Provided that:

- The waste is:
 - domestic in nature and quantity (generated from a household, if you are receiving a reimbursement for services such as disposing of waste the waste is then classed as commercial)
 - not classed as a 'Controlled' (hazardous) waste (ie. asbestos)
 - transported in a vehicle/trailer less than a total GMV of 3 tonnes
-

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

and on the conditions that:

- the waste is sorted and separated at the recycling centre
- the waste entry voucher has been validated by staff at the recycling centre
- excludes the following:
 - Anything for burial ('Controlled' or hazardous waste)
 - Car tyres
 - Car bodies
 - Asbestos
 - Contaminated soil
 - Mattresses
 - Refrigerators

Please note, domestic sized loads are allowed only. All other vehicles are charged as per the normal disposal fees.

- (b) The Waste Management Income account shall be reimbursed the value of the entries from the Council's General Rates. The concession shall be treated as a Community Service Obligation. Valid for City of Launceston residents only.

4. Community organisations

The Council can support the activities of community organisations by subsidising the cost of disposing waste at the Council's waste disposal sites by up to 80% for successful applicants.

The concessional entry program is also a waste reduction program designed to assist community organisations in managing their waste streams.

Community organisations seeking concessional access to the:

- Launceston Waste Centre, Remount Road, Mowbray
- Lilydale Waste Transfer Station, Second River Road, Lilydale
- Nunamara Waste Transfer Station, Bingham Road, Nunamara

Shall make an application for concessional access to the above waste centres each year subject to the following conditions.

The Council will advertise and send letters to previous year's recipients calling for applications for consideration by Council. *Note:* The Council will subsidise no more than 80% of the applicant's waste management fees. New applicants who can not provide evidence of historical disposal fees will be limited to apply for no more than \$150.00. After their first year they will be provided with data to determine the amount they will be eligible for:

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

- (a) Community organisations making an application for a concessional access shall:
- be registered with the Australian Charities and Not-for-profit Commission (ACNC) and hold an Australian Taxation Office Certificate to say they are endorsed as a deductible gift recipient

OR ALTERNATIVELY

- be an organisation for the principal purpose of community good where:
 - the activities are benevolent;
 - the organisation is not-for-profit;
 - the organisation has no paid operational/field employees (reimbursements and honorariums excepted);
 - the organisation is non-government;
 - the organisation is not already receiving a reimbursement or compensation for waste disposal costs.

These organisations shall provide details to satisfy the conditions to be considered by the Council prior to each financial year (*Note: submitting an application does not automatically guarantee a concessional entry will be granted*).

Information to be included in all applications (but not be limited to) shall be:

- number and broad location of benefiting participants;
- whether any charge of any kind is applied;
- number of volunteers and quantity and type of waste being disposed of;
- each applicant will also need to submit a waste management plan to outline how the applicant will be reducing their waste to landfill volumes in the coming 12 months. This must be a detailed plan of at least 100 words and assistance can be obtained from the Council's Waste Management Team to help develop a plan. The applicant may submit testimonials or references if considered appropriate.

AND

- submit only one application per organisation (only one application per organisation will be accepted by the Council).
 - have the registered address in the City of Launceston as shown on the Australian Taxation Office certificate or evidence of premises in Launceston (if applicable).
 - establish a debtor account to allow the Council to charge for refuse where the concession is less than 100% of the ruling gate fee or the subsidy provided by the Council has been used.
 - acknowledge that waste deposited at the waste disposal site shall be separated and disposed in the relevant green waste, recycling, resource recovery and waste areas.
-

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

(b) Community organisations shall ensure that the account:

- is only used to dispose of waste that has been generated in the normal conduct of charitable and/or community good work (ie. benevolent work) and generated within the City of Launceston (evidence of authority to use account may be asked for in the form of a signed letter from the manager of the organisation).
- is not used by any other person or company or organisation no matter the intent of their use or the type of their business.
- is not used for 'Controlled' (hazardous) waste; building and construction waste; or commercial type materials.

Where serious breaches of any conditions occurs (whether or not with the knowledge of the management of the community organisation), the Chief Executive Officer may suspend the use of the account to the applicable community organisation for as long as a period considered appropriate.

The Council has the right to conduct random on the spot waste audits on concessional waste entry material at the Waste Centre to provide feedback to organisations.

(c) The Waste Management Income account shall be reimbursed at the value of the entries from the Council's General Rates. The concession shall be treated as a Community Service obligation.

(d) The concession to fees applicable to community organisations shall be to establish a reimbursement limit for each registered community organisation prior to each financial year as approved by Council. The decision shall consider the recommendations of the Community Grants Panel who will take into account the:

- budget limit within the draft or adopted budget.
- applications of each registered community organisation
- historical use of the concessional entry by the applicant organisation.
- the organisations waste management plan.

At the end of each month a progress reimbursement report shall be sent to each community organisation. Any use in excess of the reimbursement allowance shall be billed each month after the allowance is exhausted.

5. Commercial customers

Commercial customers may apply for an account (12-Fmx-016) in which if successful will enter into a 30 day account system.

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

Account holders must:

- see that accounts are paid on time.
- notify the Council of new vehicle registrations numbers linked to the account.
- adhere to site safety requirements whilst on the landfill site, such as wearing relevant PPE and must be contactable by UHF radio on channel 11 at all times on site.

Where breaches of any conditions of use occur, the Chief Executive Officer may suspend the account for as long a period as considered appropriate.

PRINCIPLES:

To provide support to pensioners, benevolent community organisations, residents and businesses in disposing of waste materials at the Council's waste disposal facilities.

RELATED POLICIES & PROCEDURES:

Application for Concessional Entry to Council's Waste Disposal Facilities 12-Fmx-104.

RELATED LEGISLATION:

Local Government Act 1993 (Tas), section 205 (Fees and Charges)

REFERENCES:

Not applicable

DEFINITIONS:

'Community organisation' - for this policy shall be a non-government organisation which holds an ATO certificate demonstrating they are a benevolent charity or whose principal activities are for benevolent community good, be not-for-profit and have no paid operational/field employees, as approved by Council.

'Controlled' (Hazardous) Waste - includes all waste identified by the Environmental Pollution Authority (EPA) and includes asbestos, chemicals, tyres, sewage and contaminated soils.

'Refuse' - includes any unwanted goods or materials whether putrescibles green or solid waste.

REVIEW:

This policy will be reviewed in no more than five years or more frequently, if dictated by operational demands and with Council's approval.

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

REPORT:

A Meeting of the Council's Community Grants Committee was held on 9 March 2021 to review the 2021 Concessional Entry Policy (12-Plx-014).

The Council supports the activities of community organisations by subsidising the cost of refuse disposal at the Council's waste disposal sites. The policy covers all aspects of concession including waste entry vouchers, charitable concessions and pensioner smart cards.

At the 25 June 2020 Council Meeting, Councillors endorsed the recommendations to bring forward the policy review from 2022/2021 due to ongoing issues raised about the current policy gaps.

Gaps identified included:

- Budget is limited, the concession entry program is funded through the Councillors' budget, meaning the eligibility criteria needs to be tightened.
- There is no criteria in the policy to assess new applicants.
- Applicants are repeating previous applications content without demonstrating significant waste reduction or recovery
- All proposed changes are attached as an appendix with the proposed changes highlighted in yellow and have been summarised below.

Proposed Changes to Policy:***Section 3 - Waste Entry Voucher***

- Define domestic (not everyone knows what that actually means) change it to household and change the word refuse to waste. Also in that sentence put in brackets (not for commercial use, cannot be making money from activities).
- Add a please Note: 1x vehicle registration will be allowed in with 3x entries.
*additional entries may be obtained by seeking prior approval by waste management only.

Each applicant will need to submit a request outlining the reasons for requiring additional entries and will be directed to answer a series of qualifying questions before being granted additional entries.

If successful the applicant will need to present the approval email to landfill gatehouse staff clearly showing date of approval and the vehicle registration.

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

Section 4 - Community Organisations

Under Section B:

- Add dot point - Applicant must not be already receiving reimbursement or compensation for waste disposal costs.
- In the final part b paragraph remove that applications must also provide a report on waste reduction activities completed in the past 12 months prior to the end of the financial year before being eligible to apply for the next round of concession, this gets confused with the waste management plan required as part of the application, make all included in the application.
- Add note - New applications will receive a maximum amount of \$150 unless they can submit evidence of annual expenditure.
- Add note - an application does not guarantee that you will receive a concession.
- Add note - The Council has the right to conduct random on the stop waste audits, the Council conduct these audits quarterly.

Section 5 - Commercial customers

- Remove the entire section relating to the price increase when transitioning to weighbridges.
 1. Note - (1x commercial customer is still utilising this concession and will be contacted to advise they will be charged as per the Council's adopted fees and charges from 1 July 2020; this particular customer's waste is of organic nature and can be composted in larger commercial composting operations).
 2. The implementation of a Tasmanian Government landfill levy will increase costs to maintain and develop landfills. The concessional grant committee deemed that commercial customers need to be responsible for the waste they are generating and this should not be deemed as a community concession.

Proposed Changes to Community Organisations Application Form:

- Add in fields for postal address for accounting purposes as it's a requirement being set up in the accounting system.
 - New questions for the application form
 1. Are operating costs for your organisation covered by an existing grant, contract or reimbursement agreement?
 2. How did you hear about the program? Letter, newspaper, radio, etc.
 3. Where will the waste be generated?
 4. Do you have a kerbside service? If yes do you have FOGO?
(The Council has the ability to support a FOGO service for charitable and community organisations that are producing just green waste, please contact 6323 3000 to see if you are eligible).
 5. Section 5. Declaration - in bold state (*Note: The Council will subsidise no more than 80% of the applicant's waste management fees*).
-

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

Proposed Changes to Community Organisations Assessments:

- Along with financial figures tabled and sent to existing applicants each year add a column that outlines tonnes landfilled. This will help organisations see the amount of tonnes they have reduced over recent years. This will assist in developing their waste management plan and assist the Grants Committee to assess and make appropriate recommendations.

Other Recommendations:

- Include a copy of the recycling A-Z guide with the successful letters.

ECONOMIC IMPACT:

There is an economic benefit to the charitable organisations, as money is saved on waste fees and the organisations have more funds to support their community programs.

ENVIRONMENTAL IMPACT:

By encouraging people to reduce their waste, the Council is extending landfill life, reducing operational costs, reducing harmful methane gas entering the atmosphere and reducing the creation of landfill leachate. The Council is also limiting valuable resources such as precious metals being lost to landfill.

SOCIAL IMPACT:

The policy treats concessions to charitable organisations as a community service obligation. The fabric of the community is enhanced by the charitable and benevolent work of these organisations.

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.
-

18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)

Strategic Priority 6: We protect our environment by caring for our unique natural assets and amenity and sensitively managing future development opportunities.

10-Year Goal: To enhance the unique natural character, values and amenity of our City by minimising the impacts of our organisations and our community's activities in the environment.

Focus Areas:

1. To reduce our and the community's impact on the natural environment.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt - General Manager Infrastructure and Assets Network

ATTACHMENTS:

1. Concessional Entry to Council Waste Disposal Facilities (12-Plx-014) - Draft Proposed Changes (Highlighted)
-

***Attachment 1 Concessional Entry to Council Waste Disposal Facilities (12-Plx-014) -
Draft proposed changes (highlighted)***

CITY OF LAUNCESTON - Concessional Entry to the Council's Waste Disposal Facilities Policy

Concessional Entry to the Council's Waste Disposal Facilities Policy

PURPOSE:

To set out the criteria when to apply a concessional or reduced fee to dispose refuse at the waste disposal facilities at the Launceston Waste Centre, Lilydale and Nunamara.

SCOPE:

This policy varies the waste disposal charges annually adopted by the Council pursuant to Section 205 of the *Local Government Act* 1993 which applies to the following:

- (a) Pensioners;
- (b) Waste entry vouchers
- (c) Community organisations and
- (d) Commercial customers.

POLICY:

1. General

All persons and organisations (including the Council's Operations departments and contractors) who dispose of refuse at Council's waste disposal facilities, shall be charged the appropriate fee(s) as adopted by the Council pursuant to Section 205 of the *Local Government Act* 1993, unless varied by this policy.

2. Pensioners

Pensioners and Pensioner householders who hold a Commonwealth Pensioner Card are entitled to receive a concession card know as a "Smart Card" which will have an endorsed value loaded onto the card at the start of each financial year, to be used at the Launceston municipal waste centres. The same card has a endorsed value for pensioners to use at selected council owned car parks (Note: 1x smart will be issued per household not per pension holder). The service is provided to minimise the financial burden to pensioners as per the following.

- a) The Smart Cards shall be distributed:
 - To pensioners whose properties are in the City of Launceston municipality and received the State Government pensioner property rate rebate *or* by others who hold a Commonwealth Pensioner Card and where the residential address is listed within the City of Launceston.
 - Smart Cards are available by collection from Council's Customer Service Centre where they must be activated prior to use.
- b) Smart Cards may be used on the following basis:

Disposed at the:

 - Launceston Waste Centre, Remount Road, Mowbray
 - Lilydale Waste Transfer Station, Second River Road, Lilydale
 - Nunamara Waste Transfer Station, Bingham Road, Nunamara

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Provided the ~~refuse~~ waste

- is domestic in nature and quantity (generated from a household)
- is not classed as a 'Controlled' (Hazardous) Waste. (i.e. Asbestos)

In all other cases (including dual axle trailer) normal gate/fee charges apply without concession.

Will expire:

Once the balance reaches \$0 (displayed on the receipt upon each use) *or* on the last day of the financial year (30 June)

- Balance is not transferable for cash
- Balance remaining WILL NOT be carried over to the new financial year
- Balance will reset at 12am 1 July each year

c) Smart Cards shall be accepted at the waste disposal sites:

- when the person disposing the refuse is acting directly for the pensioner issued with the smart card and
- when there is a positive remaining balance (note: if the fee is \$10 and there is only \$5 left on the card the pensioner must pay outstanding balance at the gate) once the card balance is \$0 the card is inactive
- when the incoming load of waste has been appropriately sorted and all recyclable items have been deposited at the Launceston Recycling Centre.

Smart Cards are not transferable to the benefit of another person and at all times are only available for the benefit of the pensioner originally issued the smart card. Smart Cards are bar coded to minimise administration tasks at the gate, the cards are linked to the pensioner card holder's details. Where breaches of any conditions of use occur, the Chief Executive Officer may suspend the issue of future balances to the Smart Card to the applicable pensioner for as long a period as considered appropriate.

- d) The Waste Management Income account shall be reimbursed at the value of Smart Cards balances redeemed at the waste disposal sites from the Council's General Rates. The concession shall be treated as a Community Service Obligation.
- e) Each pensioner or householder is entitled to receive an endorsed credit for the financial year. (the balance to be determined by Council each year).

3. Waste Entry Vouchers

All Launceston households shall be given one waste entry voucher per year. This service is provided to allow domestic properties to conduct seasonal maintenance.

a) The Council's waste disposal sites at:

- Launceston Waste Centre, Remount Road, Mowbray
- Lilydale Waste Transfer Station, Second River Road, Lilydale
- Nunamara Waste Transfer Station, Bingham Road, Nunamara

shall accept ~~refuse~~ accepted waste material in exchange for one free entry voucher on any day during the current financial year.

CITY OF LAUNCESTON - Concessional Entry to the Council's Waste Disposal Facilities Policy

Provided that:

- the refuse waste is:
 - domestic in nature and quantity (generated from a household, if you are receiving a reimbursement for services such as disposing of waste the waste is then classed as commercial)
 - not classed as a 'Controlled' (Hazardous) waste (i.e. Asbestos)
 - transported in a vehicle/trailer less than a total GMV of 3 tonnes
- and on the conditions that:
 - the waste is sorted and separated at the recycling centre
 - the waste entry voucher has been validated by staff at the recycling centre
 - excludes the following:
 - Anything for burial (controlled or hazardous waste)
 - Car tyres
 - Car bodies
 - Asbestos
 - Contaminated soil
 - Mattresses
 - Refrigerators

Please note, domestic sized loads are allowed only. All other vehicles are charged as per the normal disposal fees.

- b) The Waste Management Income account shall be reimbursed the value of the entries from the Council's General Rates. The concession shall be treated as a Community Service Obligation.

Valid for the City of Launceston residents only.

4. Community organisations

The Council can support the activities of community organisations by subsidising the cost of disposing waste at the Council's waste disposal sites by up to 80% for successful applicants.

The concessional entry program is also a waste reduction program designed to assist community organisations in managing their waste streams.

Community organisations seeking concessional access to the:

- Launceston Waste Centre, Remount Road, Mowbray
- Lilydale Waste Transfer Station, Second River Road, Lilydale
- Nunamara Waste Transfer Station, Bingham's Road, Nunamara

Shall make an application for concessional access to the above waste centres each year subject to the following conditions.

Council will advertise and send letters to previous year's recipients calling for applications for consideration by Council. **Note: Council will subsidise no more than 80% of the applicants waste management fees.** New applicants who can't provide evidence of historical disposal fees will be limited to apply for no more than \$150.00, after their first year they will be provided with data to determine the amount they will be eligible for.

CITY OF LAUNCESTON - Concessional Entry to the Council's Waste Disposal Facilities Policy

- a) Community organisations making an application for a concessional access shall:
- be registered with the Australian Charities and Not-for-profit Commission (ACNC) and hold an Australian Taxation Office Certificate to say they are endorsed as a deductible gift recipient

OR ALTERNATIVELY

- be an organisation for the principal purpose of community good where:
 - the activities are benevolent
 - the organisation is not-for-profit
 - the organisation has no paid operational/field employees (reimbursements and honorariums excepted)
 - the organisation is Non-government
 - the organisation is not already receiving a reimbursement or compensation for waste disposal costs.

These organisations shall provide details to satisfy the conditions to be considered by the Council prior to each financial year. (Please note: submitting an application does not automatically guarantee a concessional entry will be granted)

Information to be included in all applications (but not be limited to) shall be:

- number and broad location of benefiting participants;
- whether any charge of any kind is applied;
- number of volunteers and quantity and type of waste being disposed of.
- Each applicant will also need to submit a waste management plan to outline how the applicant will be reducing their waste to landfill volumes in the coming 12 months. This must be a detailed plan of at least 100 words and assistance can be obtained from Council's Waste Management Team to help develop a plan. The applicant may submit testimonials or references if considered appropriate.

~~Registration shall be considered prior to each financial year. Applicants MUST also provide a plan for waste reduction and if successful, at the end of the financial year, will provide a brief report on the effectiveness of their waste reduction activities.~~

AND

- Submit only one application per organisation (only one application per organisation will be accepted by the Council).
 - Have the registered address in the City of Launceston as shown on the Australian Taxation Office certificate OR evidence of premises in Launceston (if applicable).
 - Establish a debtor account to allow the Council to charge for refuse where the concession is less than 100% of the ruling gate fee or the subsidy provided by the Council has been used.
 - Acknowledge that refuse waste deposited at the waste disposal site shall be separated and disposed in the relevant green waste, recycling, resource recovery and waste areas.
- b) Community organisations shall ensure that the account:
- is only used to dispose of refuse waste that has been generated in the normal conduct of charitable and/or community good work (i.e. benevolent work) and generated within the City of

CITY OF LAUNCESTON - Concessional Entry to the Council's Waste Disposal Facilities Policy

Launceston. (Evidence of authority to use account may be asked for in the form of a signed letter from the manager of the organisation).

- is not used by any other person or company or organisation no matter the intent of their use or the type of their business.
- is not used for 'Controlled' (Hazardous) waste; building and construction waste; or commercial type materials.

Where serious breaches of any conditions occurs (whether or not with the knowledge of the management of the community organisation), the Chief Executive Officer may suspend the use of the account to the applicable community organisation for as long as a period considered appropriate.

Council has the right to conduct random on the spot waste audits on concessional waste entry material at the Waste Centre to provide feedback to organisations.

- c) The Waste Management Income account shall be reimbursed at the value of the entries from the Council's General Rates. The concession shall be treated as a Community Service obligation.
- d) The concession to fees applicable to community organisations shall be to establish a reimbursement limit for each registered community organisation prior to each financial year as approved by Council. The decision shall consider the recommendations of the Community Grants Panel who will take into account the:
 - budget limit within the draft or adopted budget.
 - ~~written request applications~~ of each registered community organisation
 - historical use of the concessional entry by the applicant organisation.
 - the organisations waste management plan.

At the end of each month a progress reimbursement report shall be sent to each community organisation. Any use in excess of the reimbursement allowance shall be billed each month after the allowance is exhausted.

5. Commercial customers

Commercial customers may apply for an account (12-Fmx-016) in which if successful will enter into a 30 day account system.

Account holders must:

- see that accounts are paid on time.
- notify Council of new vehicle registrations numbers linked to the account.
- adhere to site safety requirements whilst on the landfill site, such as wearing relevant PPE and must be contactable by UHF radio on channel 11 at all times on site.

Where breaches of any conditions of use occur, the Chief Executive Officer may suspend the account for as long a period as considered appropriate.

~~The introduction of a weight based system at the Launceston Waste Centre Transfer Station may result in substantial fee increases for commercial customers as they move from a volume base to the weight based system during 2015. This section deals with managing severe and unexpected price rise experienced by these commercial operators.~~

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The principles applying to this section are:

- ~~that Council seeks to ultimately charge for waste disposal at sustainable rates that is consistent among all customers.~~
- ~~that Council seeks to transition qualifying commercial customers to the full rate over a longer period where the price rise has a detrimental business effect.~~
- ~~that qualifying commercial customers would include significant hardship and where business arrangements are rigid and/or fixed, such that the increase cost cannot be recovered in the short term. Qualifying customers would be considered on a case by case basis.~~
- ~~The transition period is envisaged to be 12 months.~~

The policy provisions relating to this section are:

- a) ~~The standard gate charge would be applied as intended on the basis of commercial and domestic customers and hence eliminate the discretion being applied by Operations staff at the Launceston Waste Centre.~~
- b) ~~A commercial business seeking a reduction would be considered to qualify if significant hardship was demonstrated based on the following tests:
 - i) ~~The scale of the fee increase is unable to be absorbed without severe hardship. The severe hardship is presumed to occur where the increase in costs would exceed 1% of the annual revenue and~~
 - ii) ~~as a whole the business was contractually limited to passing on the increase to its customers and~~
 - iii) ~~the increase was not reasonably expected or previously informed.~~The business shall provide any reasonable evidence requested.~~
- c) ~~The qualifying organisation would seek refund (or be an account customer charged) on a monthly basis between the charge paid and the concession applied by the Council.~~
- d) ~~The final amount of the refund and transitional provisions would be negotiated by staff with the business.~~
- e) ~~The concession/charge would be revised with quarterly increments to progressively increase the cost to the customer over the transition period.~~
- f) ~~Eligibility for the fee reduction and the application of the transition shall be as approved jointly by the General Manager Organisational Services and General Manager Infrastructure and Assets.~~

CITY OF LAUNCESTON - Concessional Entry to the Council's Waste Disposal Facilities Policy

PRINCIPLES:

To provide support to pensioners, benevolent community organisations, residents and businesses in disposing of waste materials at Council's waste disposal facilities.

RELATED POLICIES & PROCEDURES:

Application for Concessional Entry to Council's Waste Disposal Facilities 12-Fmx-104.

RELATED LEGISLATION:

Local Government Act 1993, Section 205 (Fees and Charges)

REFERENCES:

N/A

DEFINITIONS:

'Community organisation' – for this policy shall be a non-government organisation which holds an ATO certificate demonstrating they are a benevolent charity or whose principal activities are for benevolent community good, be not-for-profit and have no paid operational/field employees, as approved by Council.

'Controlled' (Hazardous) Waste – includes all waste identified by the Environmental Pollution Authority (EPA) and includes asbestos, chemicals, tyres, sewage and contaminated soils.

'Refuse' - includes any unwanted goods or materials whether putrescibles green or solid waste.

REVIEW:

This policy will be reviewed in no more than five years or more frequently, if dictated by operational demands and with Council's approval.

19 ORGANISATIONAL SERVICES NETWORK ITEMS

No Items have been identified as part of this Agenda

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

No Items have been identified as part of this Agenda

21 CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

That Council moves into Closed Session to consider the following matters:

21.1 Confirmation of the Minutes

Regulation 35(6) of the *Local Government (Meeting Procedures) Regulations 2015* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

21.2 Councillor's Leave of Absence

Regulation 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

(h) applications by councillors for a leave of absence.

21.3 Councillor's Leave of Absence

Regulation 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

(h) applications by councillors for a leave of absence.

21.4 Local Government Association of Tasmania - 2021 General Management Committee Election

Regulation 15(2)(g) of the *Local Government (Meeting Procedures)*

Regulations 2015 states that a part of a meeting may be closed to the public to discuss:

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

21.5 End of Closed Session

To be determined in Closed Council.

22 MEETING CLOSURE

UNCLASSIFIED AGENDA ITEMS:
