

From: [Iain More](#)
To: [TPC Enquiry](#)
Subject: Amendment 68 - TPC Notification
Date: Monday, 28 February 2022 10:37:41 AM

To whom it may concern,

Further to my email dated 8th December, the section 39 report was endorsed by Council on 24th February 2022. The link below contains a copy of:

- Section 39 Report;
- A copy of the representations;
- Council Minutes;
- The applicants response to representations;
- Amended plans; and
- Amended permit.

<https://docs.launceston.tas.gov.au/owncloud/index.php/s/irU98XrPRW2RDtN>

Should you require any further information or clarification please let me know.

Kind Regards,

Iain More | Town Planner | City Development | City of Launceston
T 03 6323 3382 | www.launceston.tas.gov.au

From: Iain More
Sent: Tuesday, 7 December 2021 12:15 PM
To: TPC Enquiry <tpc@planning.tas.gov.au>
Subject: Amendment 70 - TPC Notification

To whom it may concern,

As per the Commissions Practice Note 1, Appendix 1, please be aware that at Launceston City Council meeting held on Thursday 2nd December 2021 Council initiated Amendment 70 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots into 14 Lots and Associated Infrastructure.

The minutes and certified draft amendment are still being finalised, and will be sent through in due course, along with the GIS files.

The application documents, planners report to Council, additional supporting information, owner's consent, and title documents can be found at:

<https://docs.launceston.tas.gov.au/owncloud/index.php/s/gE3cVDBEtvgTuaA>

Once the amendment is advertised copies of the newspaper notices and notification letters will be sent once advertising commences.

Should you require any further information or clarification please let me know.

Kind Regards,

Iain More | Town Planner | City Development | City of Launceston
T 03 6323 3382 | www.launceston.tas.gov.au



Please consider the environment before printing this, or any other e-mail or document.

CONFIDENTIALITY NOTICE AND DISCLAIMER

Information in this transmission is intended only for the person(s) to whom it is addressed and may contain privileged and/or confidential information. If you are not the intended recipient, any disclosure, copying or dissemination of the information is unauthorised and you should delete/destroy all copies and notify the sender. No liability is accepted for any unauthorised use of the information contained in this transmission.

This disclaimer has been automatically added.

COUNCIL AGENDA

Thursday 24 February 2022

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 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots into 14 Lots

FILE NO: DA0506/2021/SF7379

AUTHOR: Iain More (Town Planner)

GENERAL MANAGER: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Interim Planning Scheme 2015.

PLANNING APPLICATION INFORMATION:

Applicant: Woolcott Surveys
Properties: 27-99 Opossum Road, Kings Meadows (CT198059/1 and CT4964/1)
Received: 10 September 2021
Advertised: 15 December 2021 - 21 January 2022
Representations: 14

PREVIOUS COUNCIL CONSIDERATION:

Council - 2 December 2022 - Agenda Item 9.1 - Initiated Draft Amendment 68 to the Launceston Interim Planning Scheme 2015, to partially rezone land at Launceston Golf Club at 27-99 Opossum Road, Kings Meadows from Recreation to General Residential, and approve Development Application DA0506/2021 to subdivide two lots into fourteen lots and associated works, road, drainage and electricity infrastructure at 27-99 Opossum Road, Kings Meadows (CT198059/1 and CT4964/1).

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

RECOMMENDATION:

That Council

1. in accordance with section 39 of the former provisions of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to draft Amendment 68 and DA0506/2021.
2. amends Permit DA0506/2021:
 - a. Condition 1(e) to be replaced with the following plan and endorsed:
 - i. *Concept 12 Lots (Plus Road) Subdivision, Job No. L191207, Edition V08, Sheet 6/7, prepared by Woolcott Surveys and dated 13/01/2022; and*
 - b. Condition 16 to be revised as follows:

16. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager Infrastructure and Assets Network. The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. *Stormwater*
 - i. *provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve;*
 - ii. *the provision of a DN100 connection to the lowest point of each lot; and*
 - iii. *provision of an overland flow path for flows up to a 100 year ARI storm event.*
- b. *Roads*
 - i. *provision of a fully constructed road reserve 15.25m for the entire length of all the property frontages, complete with KC type kerb and channel;*
 - ii. *provision of a 1,500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;*
 - iii. *provision of a single vehicular crossing for each lot within the subdivision, with the exception of lot 6;*
 - iv. *provision of a vehicular crossing for lot 6, of a width that is suitable to Council, and subject to Council approval;*
 - v. *provision of a sealed temporary turning head of a suitable size for incomplete roads; and*
 - vi. *all necessary line marking, signage and other traffic control devices.*

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

c. *Electricity, Communications and Other Utilities*

- i. *an underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority;*
- ii. *an underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority;*
- iii. *provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure; and*

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

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

- c. add new Condition 24 as follows:

16. REHOMING OF WILDLIFE

Prior to any clearing occurring, a report must be submitted to the satisfaction of the Manager City Development and prepared by a suitably qualified person identifying any nests within the clearing area of any wildlife. The report must provide suitable pathways for all nesting wildlife to be adequately rehomed, either on-site or elsewhere. The rehoming must occur prior to the clearing of any vegetation.

3. recommends to the Tasmanian Planning Commission that draft Amendment 68 be approved with the recommended changes.

Note:

Councillors are advised that under Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (the Act) 2015* - Parts 2A and 3 of the former provisions remain in force until the Launceston Draft Local Provisions Schedule comes into effect for the municipal area. The recommendation has, therefore, been made under those transitional provisions.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

REPORT:

1. INTRODUCTION

An application was lodged under Section 31(1) and Section 43A of the former *Land Use Planning and Approvals Act 1993* (the Act), by Woolcott Surveys, for:

- an amendment to the Launceston Interim Planning Scheme 2015, proposing to partially rezone land from Recreation to General Residential; and
- a planning permit seeking approval to subdivide two lots into fourteen lots and associated works, road, drainage and electricity infrastructure

The purpose of the rezoning is to facilitate the subdivision.

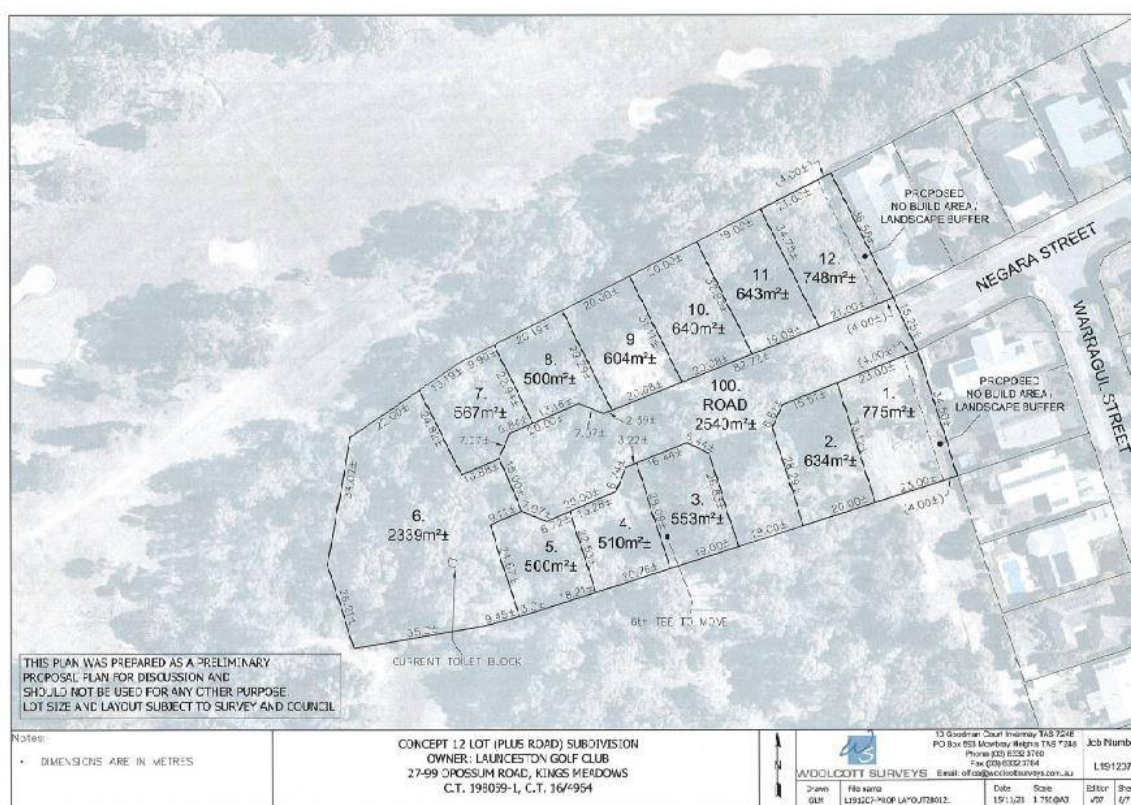


Figure 1 - Subdivision Plan

At its Meeting on 2 December 2021, Council resolved:

1. pursuant to the former sections 33(3) and 34 of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 68 to the Launceston Interim Planning Scheme 2015 for a partial rezoning of land from Recreation to General Residential at 27-99 Opossum Road, Kings Meadows (CT198059/1 and Unnamed Title) as shown below:

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

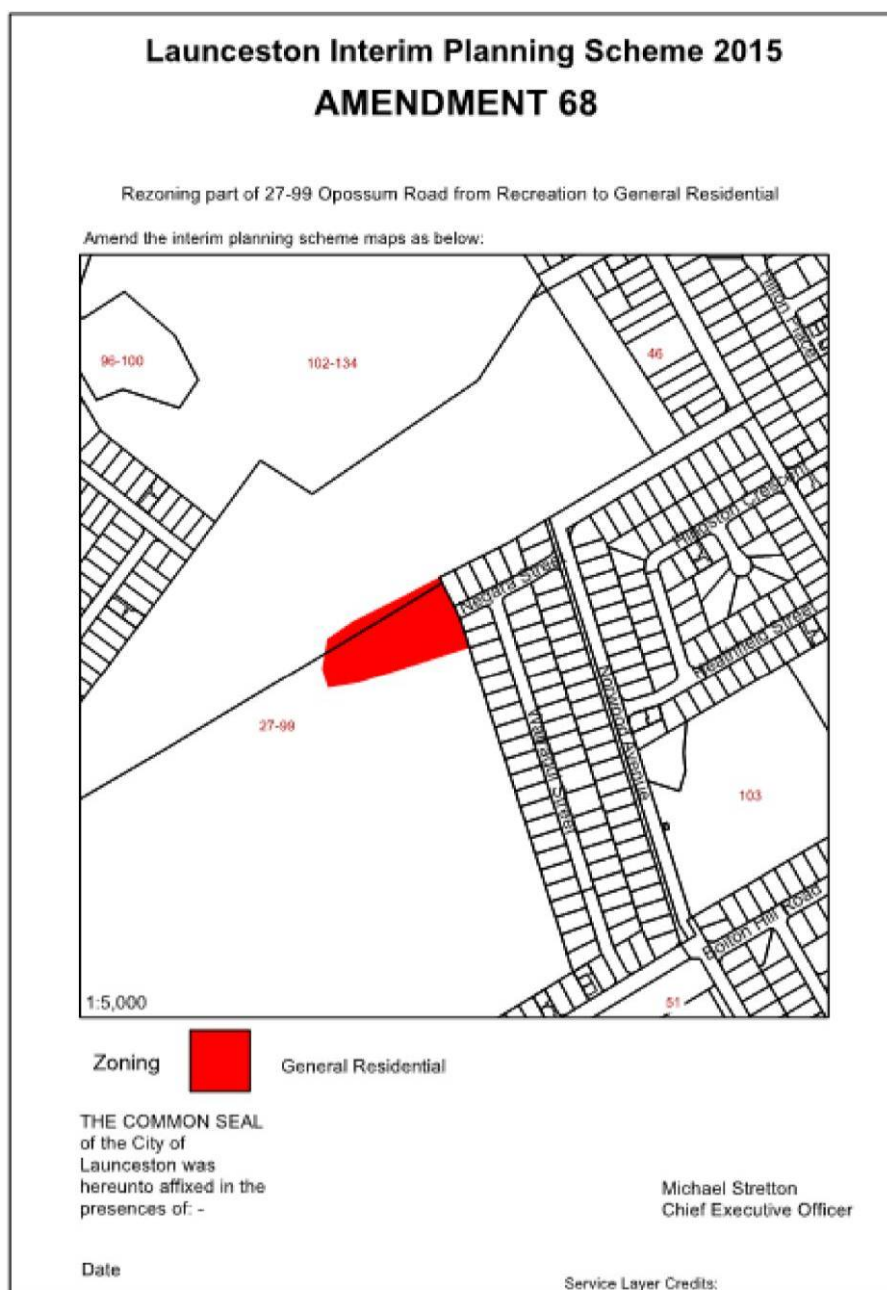


Figure 2 - Rezoning area of subject site

2. pursuant to the former section 35(1) of the *Land Use Planning and Approvals Act 1993*, certifies the draft amendment 68.
3. in accordance with former section 38(1)(a) of the *land Use Planning and Approvals Act 1993* determines the period for public exhibition to be 28 days.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

4. pursuant to the former section 43A of the *Land Use Planning and Approvals Act 1993*, approves DA0506/2021 to subdivide two lots into 14 lots and associated works, road, drainage and electricity infrastructure at 27-99 Opossum Road, Kings Meadows (CT198059/1 and Unnamed Title) subject to the following conditions: ...

The draft amendment and all associated documentation was placed on public exhibition between 15 December 2021 and 21 January 2022. Eleven representations were received during this period.

In accordance with sections 39(2) of the former *Land Use Planning and Approvals Act 1993* (the Act), Council must, within 35 days after the exhibition period, forward to the Tasmanian Planning Commission a report comprising a copy of each representation and a statement of its opinion on the merit of each representation and any recommendations regarding the draft amendment or planning permit it considers necessary.

2. SUMMARY OF REPRESENTATIONS

A summary of the issues raised in the representations are listed in the table below. These summaries must be read in conjunction with the representations (Attachment 2).

In addition to the summaries the matters raised within the representations have been consolidated into themes and discussed in Section 5. A discussion of the merit of the issues is provided, including a recommendation on the need for modifications that may be required as a result.

A response to the representations by the applicant has also been provided (Attachment 3).

Table 1 - Summary of Key Issues

Rep #	Name	Matters relevant to the amendment assessment
1	Anne Lee	<ul style="list-style-type: none">• Disturbance of the natural ecosystems and biodiversity• Traffic Impact• Loss of property value• Loss of valuable recreational space• Future development through road lot connection• Inconsistencies in application documents
2	Darren Smith	<ul style="list-style-type: none">• Disturbance of the natural ecosystems and biodiversity• Future development through road lot connection• What is the need to sell off land?• Relocation of holes

COUNCIL AGENDA

Thursday 24 February 2022

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

Rep #	Name	Matters relevant to the amendment assessment
3	Neville Rist	<ul style="list-style-type: none"> Disturbance of the natural ecosystems and biodiversity
4	Rachel Baker	<ul style="list-style-type: none"> The subdivision will create emission issues surrounding properties Traffic Impact Disturbance of the natural ecosystems and biodiversity The character of the area will be disturbed
5	Helen Tait	<ul style="list-style-type: none"> Disturbance of the natural ecosystems and biodiversity
6	James Stewart	<ul style="list-style-type: none"> Request amendments to Condition 16 Request that the layout of the proposal be amended
7	Kay and Roy Pallett	<ul style="list-style-type: none"> Disturbance of the natural ecosystems and biodiversity
8	Peter and Fran Taylor	<ul style="list-style-type: none"> Traffic Impact Privacy issues Ball damage Loss of property value Disturbance of the natural ecosystems and biodiversity The subdivision will create emission issues surrounding properties
9	Marissa Saville	<ul style="list-style-type: none"> Privacy issues The subdivision will create emission issues surrounding properties Traffic Impact Disturbance of the natural ecosystems and biodiversity Relocation of holes Loss of property value
10	Philip Neilsen	<ul style="list-style-type: none"> The character of the area will be disturbed Disturbance of the natural ecosystems and biodiversity
11	Thomas Barker	<ul style="list-style-type: none"> Traffic Impact Scenic Impact The subdivision will create emission issues surrounding properties
12	Peter Beckett	<ul style="list-style-type: none"> Traffic Impact The character of the area will be disturbed Future development through road lot connection Privacy issues Loss of property value

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

3. REPRESENTATIONS - KEY ISSUE SUMMARY

Table 2 - Key Issues Response

<p>Concern 1: DISTURBANCE OF THE NATURAL ECOSYSTEMS AND BIODIVERSITY</p> <ul style="list-style-type: none"> • The existing natural ecosystem needs to be retained for the enjoyment of surrounding properties. • The area to be developed includes remnant bushland and acts as a buffer. • There are a range of native wildlife that uses the land to be cleared. • In 1936 the golf club board took steps to make the club a <i>sanctuary for birds</i> and in 1937 the Tasmanian government gazetted the whole property and declared it to be a <i>sanctuary for birds</i> and since then has been a conservation area. • In 1992, 55 species of birds were identified on the land, a list is set out in the book <i>The history of the Launceston Golf Club</i>. • Are there any plans to protect or rehome disturbed wildlife? • Are there any offset provisions? • The subdivision will reduce a green area within a congested suburb. • The removal of vegetation at Carr Villa and Punchbowl in recent years has forced animals onto the Golf Club.
<p>Officer Response: <i>The application included a Natural Values Assessment, prepared by ECOtas, dated 18 August 2021. The report assessed the potential impacts to the natural environment, including flora and fauna. The report concluded that there were no identified threatened flora or fauna within the area of development. Based on an assessment of the report, the proposal was able to comply with E8.0 Biodiversity Code. In particular, the report supported the purpose and objective of the code, to minimise vegetation and habitat loss, and support the subdivision within an appropriate location for development. Further, Mark Wapstra from ECOtas provided a response to the representations regarding ecosystem disturbance to further assist in the impact the proposal will have on flora and fauna.</i></p> <p><i>It is unclear how the area of land to be developed acts as a buffer. There will still be existing vegetation surrounding the boundaries of the subdivision that will continue the separation between residential and recreation.</i></p> <p><i>The site does not appear to be within any known sanctuary or conservation area as discussed within the representations. It is unclear if the site at one stage did contain such protection, however, if it did, no such protections are currently located on the site.</i></p> <p><i>No offsets are proposed as part of this proposal.</i></p>

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

Whilst removing a section of green area from the golf course, sufficient strategic justification has been provided to approve the subdivision and the removal of vegetation to allow the development to occur.

It is evident from the representations that the disturbance of wildlife is a major concern for surrounding residences. To ensure minimal wildlife disturbance, the condition has been recommended to rehome wildlife.

It is acknowledged that there will be disturbance to flora and fauna. However, the study area does not contain threatened ecological communities. It is considered that there will still be sufficient vegetation on the property to allow wildlife to migrate through the property. The recommended condition will also ensure any nesting wildlife will be able to be rehomed.

Recommendation:

Introduce the following condition to DA0506/2021.

Rehoming of Wildlife

Prior to any clearing occurring, a report must be submitted to the satisfaction of the Manager City Development, and prepared by a suitably qualified person identifying any nests within the clearing area of any wildlife. The report must provide suitable pathways for all nesting wildlife to be adequately rehomed, either on-site or elsewhere. The rehoming must occur prior to the clearing of any vegetation.

Concern 2:

TRAFFIC IMPACTS

- **The area is already busy due to the Norwood Primary School. The introduction of new residential lots will exacerbate the traffic problem.**
- **Safety issues of children playing in the street.**
- **Increase of tradespeople during the construction period will increase traffic and safety issues.**

Officer Response:

The application included a Traffic Impact Assessment, prepared by a suitably qualified traffic engineer, that reviewed the proposal and its impact on the surrounding road network. Key findings of the report were as follows:

- *That the proposed extension of Negara Street with general arrangements as per the proposed site plan, are likely to meet the requirements to service the development (subject to final engineering design detail approval by City of Launceston (CoL)) and such a new road link appears to be able to be designed/constructed to cater for the development and traffic likely generated.*
- *That traffic service is likely adequately provided for by the new road arrangements, in order to service the proposed development, including the anticipated traffic from the development based on the estimated CoL traffic numbers using Negara Street.*

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

- *Sight distances can likely comply with the planning scheme E4.7.4 Acceptable Solution A1 for the new road proposed to service the development with respect to existing junction with Warragul Street.*
- *Other Planning Scheme Requirements under Code E4 are deemed met as noted.*

It was determined that there was unlikely to be any adverse effects on the existing traffic network from the proposed subdivision.

All relevant road rules will need to be adhered to, to ensure that the safety of pedestrians is maintained. This is up to each individual. No further road safety measures are proposed.

The Planning Scheme does not assess the impact tradespeople will have during development.

Recommendation:

No modifications required.

Concern 3:

LOSS OF PROPERTY VALUE

- **The removal of vegetation and increase in vehicular traffic will decrease property values surrounding the development.**
- **The removal of vegetation adjoining some homes will decrease their property value.**

Officer Response:

Any potential loss of property value is not a planning consideration.

Recommendation:

No modifications required.

Concern 4:

LOSS OF VALUABLE RECREATIONAL SPACE

- **The removal of a portion of the golf course is to remove valuable recreational space.**

Officer Response:

The area which is to be developed is mostly vegetation, which is currently unusable recreation space. It is noted that as a result of the subdivision some golf holes, including tee off areas, will need to be altered, however, this would need to be subject to a future planning permit if necessary. It is also important to note that the golf club is not a public recreational area. Accordingly, the development of this section of land is considered reasonable and will not negatively affect the existing recreational space.

Recommendation:

No modifications required.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

Concern 5:

FUTURE DEVELOPMENT THROUGH ROAD LOT CONNECTION

- It is unclear what the new road connection within the subdivision is for, and may allude to further future development;
- Future development to the south of the proposed subdivision will have detrimental impacts to the residences of Warragul Street.

Officer Response:

The original subdivision layout was altered to include the new connection as a result of discussions between the applicant and the Council. Such connections are vital to ensure that any potential future development is able to have adequate vehicle and pedestrian connections. It is important to note that no future development is proposed within the current application.

Recommendation

No modifications required.

Concern 6:

INCONSISTENCIES IN APPLICATION DOCUMENTS

- The ECOtas report showed the through road as a new lot, which differs from the subdivision plans.

Officer Response:

The subdivision plan was altered to ensure there was a future connection since the original lodgement of the application, as well as other minor adjustments. The supporting reports reference the original design of the subdivision. However, the content of those supporting reports are still maintained.

Recommendation:

No modifications required.

Concern 7:

WHAT IS THE NEED TO SELL OFF LAND?

- Golf membership appears to be strong and it is unknown why the land needs to be sold off.
- It is important to hold onto the land to ensure golf members are retained.
- Is it the intention of the club to keep selling off land?

Officer Response:

The reason behind the club wanting to subdivide is not a planning concern. The assessment of the application focused on its strategic implications and an assessment against the relevant provisions of the Planning Scheme, of which the proposal was able to meet.

Recommendation:

No modifications required.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

Concern 8:

RELOCATION OF HOLES AND DAMAGE TO SURROUNDING PROPERTIES

- For the subdivision some holes will need to be relocated.
- The new alignment of the sixth tee will increase ball damage to surrounding properties along hole six as the protective vegetation will be removed.

Officer Response:

It is understood that some holes, including the tee off for hole six, will need to be relocated should the subdivision go ahead. The relocation will not result in a loss of a hole, with the course maintain its 18 holes. Notwithstanding, the relocation or adjustment of any holes, greens, or fairways, does not form part of this application, and would be subject to a future application, if required by the planning scheme.

Recommendation:

No modifications required.

Concern 9:

THE SUBDIVISION WILL CREATE EMISSION ISSUES SURROUNDING PROPERTIES

- Surrounding properties will be subject to dust and dirt pollution, which will affect air breathability.
- The noise from construction will impact surrounding properties for a long time.
- The eventual relocation of holes will also increase players noise.
- The removal of vegetation will remove the buffer between residents and the golf club activities.

Officer Response:

Any development has the potential to create emission issues when developed. However, construction emissions are not dealt with during the planning process. This would be undertaken at the development stage through a construction management plan that would ensure emissions are maintained to an appropriate level as not to cause nuisance to surrounding properties.

The relocation of tees, holes, or fairway is not a consideration of this application. Further, it is considered the dwellings along the western boundary between the vegetation to be removed and the clubhouse area are sufficiently separated as not to be impacted by noise emissions.

Recommendation:

No modifications required.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

Concern 10:

THE CHARACTER OF THE AREA WILL BE DISTURBED

- This area of Norwood is known for its wildlife, peacefulness, and proximity to bushland, all of which will be displaced if the subdivision is constructed.
- Surrounding lots were mostly built in the 60s and 70s, and, therefore, the area does not lend itself to modern subdivision.
- Residents, especially along Warragul Street, chose to live there as they backed onto a golf course and bushland.

Officer Response:

The construction of the new residential lots will have a perceived change to the character of the area, but only insofar as they will be extending Negara Street. This will be most noticeable to the properties along Warragul Street. The golf course is not public land and is within private ownership and as such the owners have the right to lodge requests to lodge applications for new use or development. The change of zoning and subdivision have met the relevant requirements of the regional land use strategy and Planning Scheme.

Recommendation:

No modifications required.

Concern 11:

REQUEST AMENDMENTS TO CONDITION 16

- The condition requires a fully constructed road 15.25m wide. This is an error and should refer to the road reserve, as opposed to the road.
- Provision of a singular vehicle crossover for each lot. We note lot 6 has the potential for a multiple dwelling development and, therefore, should have a crossover constructed as per its potential use. This avoids unnecessary upgrades later on.
- The application contains no public open space. This condition can be deleted to avoid any unnecessary confusion.
- Provision of reticulated gas. We consider this an onerous requirement. It is not required under the planning scheme and not an expectation that all general residential land provide for reticulated gas. Individual owners can still provide their own gas should they so choose.

Officer Response:

This request is from the applicant, Woolcott Surveys. The request is considered reasonable and it is not envisaged they will change the function of the subdivision as to be considered substantial, or provide any detriment to any persons.

Recommendation:

The requests are considered to be acceptable and it is recommended that Condition 16 be amended to read as per below:

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

16. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager Infrastructure and Assets Network. The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater*
 - i. provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve;*
 - ii. the provision of a DN100 connection to the lowest point of each lot; and*
 - iii. provision of an overland flow path for flows up to a 100 year ARI storm event.*
- b. Roads*
 - i. provision of a fully constructed road reserve 15.25m for the entire length of all the property frontages, complete with KC type kerb and channel;*
 - ii. provision of a 1,500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;*
 - iii. provision of a single vehicular crossing for each lot within the subdivision, with the exception of lot 6;*
 - iv. provision of a vehicular crossing for lot 6, of a width that is suitable to Council, and subject to Council approval;*
 - v. provision of a sealed temporary turning head of a suitable size for incomplete roads; and*
 - vi. all necessary line marking, signage and other traffic control devices.*
- c. Electricity, Communications and Other Utilities*
 - i. an underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority;*
 - ii. an underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority;*
 - iii. provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure; and*

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

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

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

Concern 12:

REQUEST THAT THE LAYOUT OF THE PROPOSAL BE AMENDED

- Minor change to the subdivision plan. The change relates to lot 1 on the proposal plan, and would see a minor truncation proposed in the south eastern corner of this lot. This would reduce the size of the lot from 775m², to 729m².

Officer Response:

This request is from the applicant, Woolcott Surveys. The request is considered reasonable and it is not envisaged it will change the function of the subdivision as to be considered substantial, or provide any detriment to any persons.

Recommendation:

It is recommended that the provided amended Plan of Subdivision be endorsed (Attachment 5).

Concern 13:

PRIVACY ISSUES

- The development will create privacy issues of new properties looking into the rear of existing properties.

Officer Response:

The subdivision will result in two new properties adjoining three existing properties, two along Warragul Street and one along Negara Street. The proposed lots, however, will be of sufficient size to fit a single dwelling, and able to be contained within an appropriate building envelope. Any privacy issues will need to be dealt with in any future development applications over the new titles, subject to the provisions of the scheme.

Recommendation:

No modifications required.

Concern 14:

SCENIC IMPACT

- The removal of vegetation will affect the scenic enjoyment of surrounding residents who enjoy the large scale bushland.

Officer Response:

As part of the application E7.0 Scenic Management Code was required to be addressed. It was considered that the proposal would ensure that the visual amenity of the area will be maintained, in accordance with the objectives of the precinct. Whilst there will be a change, the new subdivision will still retain vegetation surrounding the boundaries, and will be a seamless expansion of Negara Street. Any new development on the lots will also require landscaping, which will assist in the visual amenity of the area. It has been determined that the vegetation will be managed effectively to allow the scenic landscape to be retained.

Recommendation

No modifications required.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(Cont'd)

4. CONCLUSION

The representations have been considered and it has been determined that there are no reasons for the Council not to proceed with the draft Amendment 68 and DA0506/2021.

The report has provided an assessment of the representations and it is recommended that it be forwarded to the Tasmanian Planning Commission with a recommendation that it be approved, subject to recommended changes.

ECONOMIC IMPACT:

The amendment to the Launceston Interim Planning Scheme 2015 has been assessed against the requirements of the Act. The Launceston Interim Planning Scheme also 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 amendment to the Launceston Interim Planning Scheme has been assessed against the requirements of the Act. 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 amendment to the Launceston Interim Planning Scheme 2015 has been assessed against the requirements of the Act. 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:

Land Use Planning and Approvals Act 1993 (the Act)
Launceston Interim Planning Scheme 2015
Northern Tasmania Regional Land Use Strategy (NTRLUS) 2018
Greater Launceston Plan (GLP) 2014
Launceston Residential Strategy (LRS) 2009-2029
City of Launceston Corporate Strategic Plan 2014-2024

COUNCIL AGENDA

Thursday 24 February 2022

-
- 9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots Into 14 Lots ...(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.



Dan Ryan (General Manager Community and Place Network)

ATTACHMENTS:

1. Amendment 68 - DA0506/2021 - Signed and certified instrument (*electronically distributed*)
 2. Amendment 68 - DA0506/2021 - Representations (*electronically distributed*)
 3. Amendment 68 - DA0506/2021 - Applicant's Response to Representations (*electronically distributed*)
 4. Amendment 68 - DA0506/2021 - Amended Permit (*electronically distributed*)
 5. Amendment 68 - DA0506/2021 - Amended Plan of Subdivision (*electronically distributed*)
-

TITLE: Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots into 14 Lots

FILE NO: DA0506/2021/SF7379

AUTHOR: Iain More (Town Planner)

GENERAL MANAGER: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Interim Planning Scheme 2015.

PREVIOUS COUNCIL CONSIDERATION:

Council - 2 December 2021 - Agenda Item 9.1 - Initiated Draft Amendment 68 to the Launceston Interim Planning Scheme 2015, to partially rezone land at Launceston Golf Club at 27-99 Opossum Road, Kings Meadows from Recreation to General Residential, and approve Development Application DA0506/2021 to subdivide two lots into fourteen lots and associated works, road, drainage and electricity infrastructure at 27-99 Opossum Road, Kings Meadows (CT198059/1 and CT4964/1)

RECOMMENDATION:

That Council:

1. in accordance with section 39 of the former provisions of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to draft Amendment 68 and DA0506/2021.
2. amends Permit DA0506/2021:
 - a. Condition 1(e) to be replaced with the following plan and endorsed:
 - i. *Concept 12 Lots (Plus Road) Subdivision, Job No. L191207, Edition V08, Sheet 6/7, prepared by Woolcott Surveys and dated 13/01/2022; and*
 - b. Condition 16 to be revised as follows:

16. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager Infrastructure and Assets Network. The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. *Stormwater*
 - i. *provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve;*
 - ii. *the provision of a DN100 connection to the lowest point of each lot; and*

- iii. *provision of an overland flow path for flows up to a 100 year ARI storm event.*
- b. *Roads*
 - i. *provision of a fully constructed road reserve 15.25m for the entire length of all the property frontages, complete with KC type kerb and channel;*
 - ii. *provision of a 1,500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;*
 - iii. *provision of a single vehicular crossing for each lot within the subdivision, with the exception of lot 6;*
 - iv. *provision of a vehicular crossing for lot 6, of a width that is suitable to Council, and subject to Council approval;*
 - v. *provision of a sealed temporary turning head of a suitable size for incomplete roads; and*
 - vi. *all necessary line marking, signage and other traffic control devices.*
- c. *Electricity, Communications and Other Utilities*
 - i. *an underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority;*
 - ii. *an underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority;*
 - iii. *provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure; and*

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

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

- c. *add new Condition 24 as follows:*

16. REHOMING OF WILDLIFE

Prior to any clearing occurring, a report, prepared by a suitably qualified person, must be submitted to the satisfaction of the Manager City Development, identifying any nests within the clearing area of any wildlife. The report must provide suitable pathways for all nesting wildlife to be adequately rehomed, either on-site or elsewhere. The rehoming must occur prior to the clearing of any vegetation.

- 3. *recommends to the Tasmanian Planning Commission that draft Amendment 68 be approved with the recommended changes.*
-

Mr D Ryan (General Manager Community and Place Network), Mr R Jamieson (Manager City Development) and Mr I More (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

Councillor D H McKenzie declared an interest in Agenda Item 9.1 - Amendment 68 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential Development - Subdivide Two Lots into 14 Lots and withdrew from the Meeting at 1.07pm.

**Mr James Stewart (on behalf of Westcott Surveys) spoke for the Recommendation
Ms Helen Tait spoke against the Recommendation**

DECISION: 24 February 2022

MOTION

Moved Councillor D C Gibson, seconded Councillor A G Harris.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 7:1

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor K P Stojansek, Councillor P S Spencer, Councillor A G Harris and Councillor K M Preece

AGAINST VOTE: Councillor T G Walker

ABSENT DUE to DECLARATION OF INTEREST: Councillor D H McKenzie

Councillor D H McKenzie re-attended the Meeting at 1.31pm.

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

PROPERTY ADDRESS: 27-99 Opossum Road, Kings Meadows

DEVELOPMENT/USE: Amendment 68 - Partial rezoning from the Recreation Zone to the General Residential Zone and subdivision to create 12 lots

ZONE: General Residential, Recreation

USE CLASS: Residential

DECISION:

That the development application be approved by the Council, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- S43A - Planning Scheme Amendment and Development Application, prepared by Woolcott Surveys, dated September 2021.
- Bushfire Hazard Report, Job No. L191207, prepared by Accredited Practitioner James Stewart BFP-157, dated August 2021.
- Natural Values Assessment, prepared by Environmental Consulting Options Tasmania, dated 17 November 2021.
- Traffic Impact Assessment (TIA), Revision B, prepared by A Howell, dated August 2021.
- Rezone Plan, Job No. L191207, Sheet 1/3, Edition 2, prepared by Woolcott Surveys, dated 04/10/2021.
- Concept 12 Lots (Plus Road) Subdivision, Job NO. L191207, Edition V08, Sheet 6/7, prepared by Woolcott Surveys, and dated 13/01/2022.
- Existing Stormwater Infrastructure, Job No. L191207, Sheet 1/1, Edition 2, prepared by Woolcott Surveys, dated 15/11/2021.
- Road Layout and Concept Services Plan, Drawing No. 332.31-SK01, Revision B, prepared by Hydrodynamica, dated 23/07/2021.

2. LEGAL TITLE

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

3. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am to 6pm

Saturday - 8am to 5pm

No works on Sunday or Public Holidays



Richard Jamieson

MANAGER CITY DEVELOPMENT

Date: 22 November 2021

Permit No: DA0506/2021

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/01548-LCC, 16/09/2021 and attached to the Permit.

5. 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.

6. NO FURTHER VEGETATION REMOVAL

Tree and vegetation removal must be limited to those specifically identified. No other tree or vegetation is to be felled, lopped, topped, ring-barked, uprooted or otherwise wilfully destroyed or removed, without the further written consent of the Council.

7. COVENANTS ON SUBDIVISIONS

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- a. such covenants or controls are expressly authorised by the terms of this permit; or
- b. such covenants or similar controls are expressly authorised by the consent in writing of the Council.
- c. such covenants or similar controls are submitted for and receive written approval by the Council prior to submission of a Plan of Survey and associated title documentation is submitted to the Council for sealing.

8. FINAL PLAN OF SURVEY

The Final Plan will not be sealed until all conditions have been complied with.

9. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

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

10. 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



Richard Jamieson

MANAGER CITY DEVELOPMENT

Date: 22 November 2021

Permit No: DA0506/2021

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

11. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of Infrastructure and Engineering is required prior to undertaking works where the works:

- require a road or lane closure;
- require occupation of the road reserve for more than one week at a particular location;
- are in nominated high traffic locations; or
- 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.

12. 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* and the Council's policy 27-Rfx-012 *Standards for Surface Reinstatement of Works in the Road Service*. 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.

13. 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.

14. RETICULATED SERVICES

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



Richard Jamieson

MANAGER CITY DEVELOPMENT

Date: 22 November 2021

Permit No: DA0506/2021

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

15. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the General Manager Infrastructure and Assets Network for approval. Such plans and specifications must:

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

16. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager Infrastructure and Assets Network. The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater
 - i. provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve;
 - ii. the provision of a DN100 connection to the lowest point of each lot; and
 - iii. provision of an overland flow path for flows up to a 100 year ARI storm event.
- b. Roads
 - i. provision of a fully constructed road reserve 15.25m for the entire length of all the property frontages, complete with KC type kerb and channel;



Richard Jamieson

MANAGER CITY DEVELOPMENT

Date: 22 November 2021

Permit No: DA0506/2021

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

- ii. provision of a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;
 - iii. provision of a single vehicular crossing for each lot within the subdivision, with the exception of lot 6;
 - iv. provision of a vehicular crossing for lot 6, of a width that is suitable to Council, and subject to Council approval;
 - v. provision of a sealed temporary turning head of a suitable size for incomplete roads; and
 - vi. all necessary line marking, signage and other traffic control devices.
- c. Electricity, Communications and Other Utilities
- i. an underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority;
 - ii. an underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority;
 - iii. provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure; and

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

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

17. ACCESS OVER ADJACENT LAND



Richard Jamieson

MANAGER CITY DEVELOPMENT

Date: 22 November 2021

Permit No: DA0506/2021

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. advise the Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner; then
- b. contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works; and
- c. ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie. legal, valuation, etc. if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

18. WORKS REQUIRED FOR EACH LOT IN A STAGE

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

- a. fully constructed public road along all frontages, including the secondary frontage where a corner lot;
- b. a sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition;
- c. a stormwater connection to the public drainage system;
- d. access to underground electricity and communications infrastructure; and
- e. where applicable, reticulated gas infrastructure.

19. CONSTRUCTION DOCUMENTATION

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

- a. an *as constructed* plan in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure and Assets Network.
- b. a Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. compaction and soil test results for all earthworks or pavement works.
- d. an engineer's certificate that each component of the works comply with the approved engineering plans and the Council's standards.

20. EASEMENTS

Easements are required over all the Council's and third party services located on 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*



Richard Jamieson

MANAGER CITY DEVELOPMENT

Date: 22 November 2021

Permit No: DA0506/2021

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

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.

21. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the General Manager Infrastructure and Assets Network:

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

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

22. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the General Manager Infrastructure and Assets Network, of the Certificate under Section 10(7) of the *Local Government (Highways) Act 1962*. All costs involved in this procedure must be met by the subdivider.

23. COMPLETION OF WORKS

All works must be carried out to the Council's standards and to the satisfaction of the General Manager Infrastructure and Assets Network and under the direct supervision of a civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to the Council's standards will be required prior to issue of the Certificate of Practical Completion.

24. AS CONSTRUCTED PLANS

An *as constructed plan* must be provided in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure and Assets Network.

25. REHOMING OF WILDLIFE

Prior to any clearing occurring, a report must be submitted to the satisfaction of the Manager City Development, and prepared by a suitably qualified person identifying any nests within the clearing area of any wildlife. The report must provide suitable pathways for all nesting wildlife to



Richard Jamieson

MANAGER CITY DEVELOPMENT

Date: 22 November 2021

Permit No: DA0506/2021

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

be adequately rehomed, either on-site or elsewhere. The rehoming must occur prior to the clearing of any vegetation.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0506/2021. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

- a. The 14 day appeal period expires; or*
- b. Any appeal to the 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.

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.



Richard Jamieson

MANAGER CITY DEVELOPMENT

Date: 22 November 2021

Permit No: DA0506/2021

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

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.



Richard Jamieson

MANAGER CITY DEVELOPMENT

Date: 22 November 2021

Permit No: DA0506/2021

Date 10/02/2022

Mr. Iain More
Planning Department
Launceston City Council

Via Email: contactus@launceston.tas.gov.au

**RE: DRAFT AMENDMENT 68 – DA0506/2021 – REZONE AND SUBDIVISION,
LAUNCESTON GOLF CLUB – 27-99 OPOSSUM ROAD, NORWOOD. – RESPONSE TO
REPRESENTATIONS**

We wish to respond briefly to a number of matters raised by the public, during the public exhibition period.

We have included a separate response from ECOtas which has focused on the environmental aspects of the representations. This letter does not address those matters that ECOtas have covered in their response.

We will note however that the Bushfire Hazard Management Plan for the site does not recommend wholesale clearance of the hazard management areas. Select trees and groups of trees can be retained. This can be further discussed with Council.

Traffic:

A TIA has been undertaken for this development. While a number of submissions have raised concerns over the additional traffic movements, it has been concluded by a Traffic Engineer that the small traffic volumes attributable to the development, in the scheme of the surrounding network capacity, means offsite impacts arising from the development should not materially affect the wider road network. The additional vehicles have been estimated at **119 per day**. This is not a significant increase on the surrounding road network.

Property Valuations

Comments regarding property valuations are not relevant to this assessment, noting that no evidence has been presented that there will be any impact.

Golf Course viability

The golf club has made the decision to rezone and subdivide, following a difficult few years for the club. Comments that the membership “appears strong based on daily usage”, are irrelevant. How the membership appears or the viability of the golf club are irrelevant when Council and the TPC make its assessment.

LAUNCESTON

10 Goodman Crt, Invermay
PO Box 593, Mowbray TAS 7248
P 03 6332 3760

ST HELENS

48 Cecilia St, St Helens
PO Box 430, St Helens TAS 7216
P 03 6376 1972

HOBART

Rear Studio, 132 Davey St,
Hobart TAS 7000
P 03 6227 7968

DEVONPORT

2 Piping Lane,
East Devonport TAS 7310
P 03 6332 3760

Additional Residential Expansion.

A number of representations have raised the issue of the road stub which allows future access to the South. We further note that this was raised by Councillors in the regular Council meeting when the application was initiated late last year. There appears to be a thought that the club has additional expansion plans to the south.

We wish to note, that while allowing for future connectivity is considered sensible land use planning, this connectivity was something never proposed by the Golf Club. Council officers had requested this road lot be placed into the development to allow the potential for future subdivision and connectivity. The club has no plans for any additional rezoning or subdivision of land south of this site.

Dust and Dirt

Council have conditioned the draft permit with a number of conditions to ensure the impact on nearby residents is not unreasonable. Condition 5 and 13 on the draft permit both ensure that there will be minimal "dust and dirt" to effect neighbours.

Privacy & Ball Damage

How the proposal impacts on privacy, either as a result of subdivision, or the relocation of the 6th tee, is not relevant to this application, nor does it require assessment under the relevant scheme or legislative provisions. The impact from golf balls by realigning the 6th tee will be considered by the club as part of its relocation of this hole.

Conclusion

We understand that the development will result in changes along Negara Street, and to nearby residents. The area is a residential area where residential development is expected. The club has sought to minimize the impact on neighbours through the design of the proposed subdivision. The club is conscious of the vegetation through this area, and have therefore sited the proposed road within an existing cleared area.

We request the Councils continued support for the rezone and development, allowing the application to proceed to TPC hearings and a final decision.

Kind regards
Woolcott Surveys



James Stewart
Senior Town Planner

LAUNCESTON

10 Goodman Crt, Invermay
PO Box 593, Mowbray TAS 7248
P 03 6332 3760

ST HELENS

48 Cecilia St, St Helens
PO Box 430, St Helens TAS 7216
P 03 6376 1972

HOBART

Rear Studio, 132 Davey St,
Hobart TAS 7000
P 03 6227 7968

DEVONPORT

2 Piping Lane,
East Devonport TAS 7310
P 03 6332 3760



28 Suncrest Avenue
Lenah Valley, TAS 7008
mark@ecotas.com.au
www.ecotas.com.au
(03) 62 283 220
0407 008 685
ABN 83 464 107 291

Woolcott Surveys

ATTENTION: James Stewart (Senior Town Planner)
PO BOX 593
Mowbray Heights TAS 7248

8 February 2022

Dear James

RE: 27-99 Opossum Road (Negara Street), Kings Meadows
SF7239 – DA0506/2020 – Amendment 68
RESPONSE TO REPRESENTATIONS

Preamble

I refer to engagement of Environmental Consulting Options Tasmania (ECOtas) by Woolcott Surveys to provide commentary on representations made in relation to SF7239 – DA0506/2020 – Amendment 68.

The natural values of the proposed development site were assessed by Mark Wapstra and reported in:

ECOtas (2021). *Natural Values Assessment of Proposed Rezoning and Subdivision, 27-99 Opossum Road (Negara Street), Kings Meadows, Tasmania. Addendum: Spring Survey 2021.* Report by Environmental Consulting Options Tasmania (ECOtas) for Woolcott Surveys, 17 November 2021.

I have been provided with a copy of the representations made and address matters related to natural values raised in these below.

Commentary on representations

Representation 1

STATEMENT: "The Golf Course is a very pleasant green "buffer zone" between Norwood and Kings Meadows. It is home to various species of wildlife, birds, insects and native flora and fauna, including rare orchids".

COMMENT: I concur that the golf course does support native flora and fauna as indicated but do note that there are no records of "rare orchids". ECOtas (2021) discusses potential impacts and how this relates to planning scheme provisions.



STATEMENT: "Eco systems in a suburban setting also need to be preserved for biodiversity".

COMMENT: I agree with this statement in general terms but note that this concept needs to be addressed through the relevant provisions of the applicable planning scheme. In the absence of a specific concern, I have no further commentary.

STATEMENT: "I also notice from the Ecotas report that this vacant block [as per point 5 of the representation = "the plans show a vacant block on the left which looks like a road going off to the left – what is this for? It indicates to me that further additional development can then take place") or "road" was not included in their plans and it just looked like another building block. So, some inconsistencies there".

COMMENT: I assessed the area requested and shown on the maps provided in ECOTas (2021). I cannot comment on the future use of this lot (presumably referring to Lot 100 Road) or what it may access, except to say that any future development would, presumably, be subject to any assessment requirements relevant to the applicable planning scheme.

Representation 2

STATEMENT: "Wildlife Habitat: I do note that after residing at this location for some time, we have witnessed numerous native wildlife that use the 'recreation land' including Wallabies, Echidnas, Possums, nesting birds, ducks and needs that have habitat son this land. I do hope that this development of land does not disturb this".

COMMENT: No comment – general agreement as to fact. ECOTas (2021) discusses potential impacts and how this relates to planning scheme provisions.

Representation 4

STATEMENT: "I would also hate to see the disruption to wildlife this development would cause. The bushland in question is home to many wallabies and hundreds of birds can be heard from the trees in the area. What measures are in place to protect and rehome wildlife that live in the area".

COMMENT: ECOTas (2021) discusses potential impacts and how this relates to planning scheme provisions. It is not usual to include permit conditions relating to "rehoming wildlife".

Representation 5

STATEMENT: "I query if; - when the LGC was first developed did provisions require a commitment to protect the more intact bushland areas of the site? – the loss of environmental protection by a change of zoning now would be have [sic] any offset provisions"

COMMENT: I cannot comment on this matter per se but am not aware of any particular "offset" policy related to the current planning scheme.

STATEMENT: "The subdivision proposed would; - put a rectangular wedge right into a significant area of vegetated open space".

COMMENT: I concur that the proposal will result in the loss of a patch of native vegetation. I cannot comment on the broader significance of the "vegetated open space" per se.

STATEMENT: "The subdivision proposed would; - bring hard surfaces and human activity and consequent impacts (cats and weeds, noise, hard surface and garden chemical run off, an interference with soil microbiology important to native vegetation".



COMMENT: No comment – general agreement as to fact. ECOtas (2021) discusses potential impacts and how this relates to planning scheme provisions. I am not aware of any provisions in any planning scheme that address a concept such as “soil microbiology”.

STATEMENT: “Natural values in this suburb are; - loved, valued and appreciated for their own sake and for the satisfaction of humans who care for biodiversity to exist and to be protected”.

COMMENT: No comment – general agreement as to concept.

STATEMENT: “Natural values in this suburb are; - deserve some credence both for their intrinsic value, and the fundamental need for us to be responsible to care for nature”.

COMMENT: No comment – general agreement as to concept.

STATEMENT: “Natural values in this suburb are; - could quite legitimately call up a need for special recognitions and provisions”.

COMMENT: ECOtas (2021) discusses potential impacts and how this relates to planning scheme provisions. The need to “special recognitions and provisions” was not identified.

STATEMENT: “While the environmental report for this DA says that no specifically threatened species would be at risk we know from the Natural Values Atlas, Australian Plant Society surveys etc that many less rare native species are still found here and their future existence on site is tenuous under relentless pressure”.

COMMENT: ECOtas (2021) discusses all publicly available knowledge on records of threatened species. With regard to “many less rare native species”, this concept is acknowledged by this planning scheme does not have provision for dealing with such species. For the record, however, ECOtas (2021) did provide a complete list of vascular flora from the site and I do not believe that any such ‘less rare native species’ are present.

STATEMENT: “In regard to dismissing degraded remnant bushland we know that; - seed banks persist in the soil; - restoration of remnant bushland is possible and sometimes swift and spectacularly successful with the right attention to rehabilitation”.

COMMENT: No comment – general agreement as to concept but not relevant to any particular planning scheme provisions.

STATEMENT: “We also know of the outstanding situation where extremely rare orchids remain valued and protected in the grasslands of the Campbell Town golf course”.

COMMENT: I have extensive knowledge of the Campbell Town Golf Course situation and how threatened species are managed. The proposed development at Launceston Golf Course is a very different situation with no such threatened species present.

Representation 7

STATEMENT: “We are concerned that while it seems to be a small unused, unimportant piece of land and that overall land for suburban housing is in short supply, building on this spot will be probably more ecologically harmful than building on some of the more degraded land in outer parts of the suburb”.

COMMENT: This is pure speculation. Having assessed numerous so-called “more degraded land” in numerous locations, often these sites contain more important values than more intact native vegetation such as threatened flora, hollow-bearing trees, etc. Assessment can only be made on the proposed site – it is not a reasonable proposition to suppose that other sites may not have such values.

STATEMENT: “This is part of a [sic] ever reducing bit of green in the middle of a congested suburb. We must protect all land but in inner city areas it has become crucial. The scraps of land are part of the corridor, they provide refuge, not just for animals but also for an indeterminate number of plants including rare and possibly threatened plant species”.



COMMENT: These statements appear to contradict the previous in that the sites is not being referred to as a "scrap". ECotas (2021) clearly demonstrated that the site does not include "rare and possibly threatened plant species" so this is needless speculation that such species may be there. ECotas (2021) provided a complete list of vascular flora species recorded such that it is also speculation that there is an "indeterminate number of plants".

Representation 9

STATEMENT: "The removal of existing bushland and significant trees will result in the loss of habitat for numerous native animal, insect and bird species, including black cockatoos, rosella parrots, possums and pademelons all of which I see every day from my back windows overlooking the golf course".

COMMENT: ECotas (2021) discusses potential impacts and how this relates to planning scheme provisions.

STATEMENT: "Carr Villa is also removing a great deal of existing bushland, as has the Punch Bowl development, so these three habitat losses combined pose a serious environment loss for these species".

COMMENT: I am not aware of any planning scheme provisions that deal with the concept of cumulative impacts.

STATEMENT: "The regularity of bushfires in the PunchBowl [sic] region and burning off ion Carr Villa causes ongoing loss of habitat for the animals and birdlife, means the nearest safe haven for them is the lush greenbelt of the golf club. A reduction in this available environment is detrimental to these species and puts extra pressure on the little bushland that is available".

COMMENT: I disagree with this statement. Launceston City Council undertake well-planned fuel reduction an ecological burning including in the nearby Carr Villa bushland areas (and I have advised direct on this activity and observed firsthand the excellent beneficial impacts). The representation is, in my opinion, an uninformed opinion on fire management.

Representation 10

STATEMENT: "Also that area is a habitat for wildlife. Paddymelons [sic], rabbits, native hens and birds such as the white coecatou [?sic] with yellow breasts [?sic], plus many other breeding [sic] birds, and echidnas, the long beak one. It is a haven surrounded by modern, noisy civilization".

COMMENT: No comments – but noting rabbits are considered an introduced pest species.

Note that this statement does not constitute legal advice, and provides my interpretation of the provisions of the *Launceston Interim Planning Scheme 2015*, which may not represent the views of Launceston City Council. It is recommended that formal advice be sought from the relevant agency prior to acting on any aspect of this report.

Please do not hesitate to contact me further if additional information is required.

Kind regards



Mark Wapstra
Senior Scientist/Manager





THIS PLAN WAS PREPARED AS A PRELIMINARY PROPOSAL PLAN FOR DISCUSSION AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. LOT SIZE AND LAYOUT SUBJECT TO SURVEY AND COUNCIL

Notes:

- DIMENSIONS ARE IN METRES

CONCEPT 12 LOT (PLUS ROAD) SUBDIVISION
OWNER: LAUNCESTON GOLF CLUB
27-99 OPOSSUM ROAD, KINGS MEADOWS
C.T. 198059-1, C.T. 16/4964




WOOLCOTT SURVEYS

10 Goodman Court Invermay TAS 7248
PO Box 593 Mowbray Heights TAS 7248
Phone (03) 6332 3760
Fax (03) 6332 3764
Email: office@woolcottsurveys.com.au

Job Number
L191207

Drawn
GLM

File name
L191207-PROP LAYOUT280121

Date
13/01/22

Scale
1:750@A3

Edition
V08

Sheet
6/7