



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 22 NOVEMBER 2018
1.00pm**

City of Launceston

COUNCIL AGENDA

Thursday 22 November 2018

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: 22 November 2018

Time: 1.00pm

Section 65 Certificate of Qualified Advice

Background

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

Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the Agenda Items for this Meeting.

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by several loops and a final upward stroke.

Michael Stretton
General Manager

12 November 2018

Mayor Albert van Zetten
City of Launceston
PO Box 396
LAUNCESTON TAS 7250

Dear Mayor

COUNCIL MEETING

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

4. *Convening council meetings*
 - (2) *The general manager of an existing council is to convene the first ordinary meeting of the council following an election.*

I advise that the first Ordinary Meeting of the newly elected Council is to be convened on Monday, 22 November 2018 commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall, St John Street, Launceston.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Michael Stretton', written over a circular stamp or seal.

Michael Stretton
General Manager

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 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.)

3 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 22 October 2018 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions have been identified as part of this Agenda

6 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 Aldermen.)

No Community Reports have been registered with Council as part of this Agenda

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 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.)

No Public Questions on Notice have been identified as part of this Agenda

7.2 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.)

20.1 2018 Local Government Election - Declarations of Office

FILE NO: SF6790

AUTHOR: Leanne Purchase (Acting Manager Corporate Strategy)

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To acknowledge the making of declarations of office, as required by section 321 of the *Local Government Act 1993* (Tas).

RECOMMENDATION:

That Council:

1. notes the Certificate of Election issued to the City of Launceston on 5 November 2018 (ECM Document ID 4526448);
 2. acknowledges that Albert van Zetten, Janie Finlay, Danny Gibson, Andrea Dawkins, Nick Daking, Karina Stojansek, Rob Soward, Paul Spencer, Jim Cox, Alan Harris and Tim Walker made their declarations of office at Town Hall on Wednesday 7 November 2018 from 5.30pm;
 3. acknowledges that Hugh McKenzie made his declaration of office at Town Hall on Tuesday 6 November 2018 at 10am.
-

REPORT:

A Certificate of Election for the 2018 Local Government Elections was issued to City of Launceston on 5 November 2018 (Attachment 1).

Section 321 of the *Local Government Act 1993* (Tas) requires that:

- (1) Any person elected as councillor must make a prescribed declaration in a prescribed manner.
 - (2) A person elected as a councillor who has not made a declaration must not-
 - (a) act in the office of councillor, mayor or deputy mayor; or
 - (b) take part in the proceedings of any meeting of the council or a committee.
-

20.1 2018 Local Government Election - Declarations of Office ...(Cont'd)

- (3) A council is to acknowledge the making of a declaration at its meeting and the general manager is to record that fact in the minutes of that meeting.

The councillors (Aldermen) named in the Certificate of Election made their declarations of office at Town Hall on Wednesday, 7 November 2018 from 5.30pm, with the exception of Alderman Hugh McKenzie who made his declaration of office before the Executive Management Team on Tuesday, 6 November 2018 at 10.00am.

The General Manager, Michael Stretton, was a witness to each declaration of office.

Council's resolution in respect of this report's Recommendation will be minuted, as is standard practice.

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 Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To continue to meet our statutory obligations and deliver quality services

BUDGET & FINANCIAL ASPECTS:

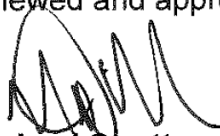
Not considered relevant to this report.

20.1 2018 Local Government Election - Declarations of Office ...(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.



Michael Stretton: General Manager

ATTACHMENTS:

1. Certificate of Election (ECM Document ID 4526448)
-

Attachment 1 - Certificate of Election (ECM Document ID 4526448)



2018 LOCAL GOVERNMENT ELECTIONS

Certificate of Election

Launceston City Council

In accordance with the Local Government Act 1993 I have declared the following candidates elected to the positions shown below.

12 Councillors (Aldermen)

Elected for a period of 4 years

Albert VAN ZETTEN

Janie FINLAY

Danny GIBSON

Andrea DAWKINS

Nick DAKING

Hugh McKENZIE

Karina STOJANSEK

Rob SOWARD

Paul SPENCER

Jim COX

Alan HARRIS

Tim WALKER

Mayor

Elected for a period of 4 years

Albert VAN ZETTEN

Deputy Mayor

Elected for a period of 4 years

Danny GIBSON

A handwritten signature in black ink, appearing to read "Meegan Spurr".

Meegan Spurr RETURNING OFFICER

Monday 5 November 2018

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 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground

FILE NO: DA0540/2018

AUTHOR: Iain More (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Craig Anthony McKenzie
Property:	2147 East Tamar Highway, Mount Direction
Zoning:	Rural Resource
Receipt Date:	17/09/2018
Validity Date:	18/09/2018
Further Information Request:	08/10/2018
Further Information Received:	03/10/2018
Deemed Approval:	3/12/2018
Representations:	Six

RECOMMENDATION:

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 DA540/2018 - Visitor Accommodation - Change of use to caravan park/camp ground at 2147 East Tamar Highway, Mount Direction subject to the following conditions:

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

1. ENDORSED PLANS & DOCUMENTS

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

- (a) Camping Site No. 1 Layout Map, Prepared by GPM, Dated 17/10/2018; and
- (b) Camping Site No. 2 Layout Map, Prepared by GPM, Dated 17/10/2018; and
- (c) Traffic Assessment, Proposed Caravan park 2147 East Tamar Highway, Mount Direction, prepared by Terry Eaton, Dated April 2017.

2. PRIORITY HABITAT

No clearing of any priority habitat is to occur on the subject site. If clearing does occur a new application may be required.

3. DEPARTMENT OF STATE GROWTH

On receipt of an approved Planning Permit, the Developer must provide a written request to the Department of State Growth's Property Assets Section (Property.Assets@stategrowth.tas.gov.au) to facilitate amendment of the current Limited Access licence details and conditions for the subject property title.

4. NUMBER OF OCCUPANTS

The use is restricted to 30 caravans and motorhomes.

5. ACCESS

Access and egress to and from the site must maintain left in and left out only, as required by the Traffic Assessment endorsed as part of this approval.

6. LEGAL TITLE

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

7. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/01582-LCC dated 01/10/2018, and attached to the permit.

8. HOURS OF CONSTRUCTION

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

7.00am - 6.00pm Monday to Friday

9.00am - 6.00pm Saturday

10.00am - 6.00pm Sundays and Public Holidays

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

9. AMENITY - COMMERCIAL/INDUSTRIAL USE

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

10. 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.

11. WASTE MATERIALS

All waste materials generated by the activity are to be disposed of at an approved refuse disposal facility or reclaimed/recycled if possible.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0540/2018. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 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.*

This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is affected, restricted or prohibited by any such covenant.

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

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

If a dump point is required, or is to be installed, a design report (including a site and soil evaluation in accordance with AS/NZS 1547:2012), is to be provided, with an application for a Plumbing Permit.

The dump point is to be in accordance with AS 3500.2 - Sanitary Plumbing and drainage. The design report must also include plans to scale, a cross section, signage, a means of securing the unit to prevent tampering, a hose wash down facility and a means of protecting the unit from damage, such as vehicle damage.

Also, a means of alerting of any overflows or malfunction, (eg. a visual, audible alarm) is to be provided at the existing dwelling.

REPORT:**1. THE PROPOSAL**

It is proposed to utilise the site for self-contained caravans and motorhomes, occupying 30 sites over two areas of the property. No buildings are proposed, with the only development being a waste drop station. There will be some vegetation removal to clear the sites and upgrade the internal roads.

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

The sites are restricted to areas located on the site plans. Site No. 1 is located on the western side of the site, closer to the East Tamar Highway. Site No. 2 is located along a flat area on the western portion of the lot, next to the river. Each site will contain 15 spaces measuring approximately 100m² in size and able to be occupied by a caravan or motorhome and associated vehicle. Each site will be provided with a fire pit. The proposal will also offer a waste dump point and running water available to all users.

The site will be managed by the owners of the site who reside in the existing dwelling on site. Access will be maintained through the single, existing crossover on the East Tamar Highway.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Address	2147 East Tamar Highway, Mount Direction
Zone	Rural Resource
Size	261.5Ha
Access	Existing
Shape	Large and irregular
Slope	Varying degrees of slope, mountainous area
Existing structures	Single dwelling and outbuildings
Vegetation	Thick vegetation
Connection to services	All services maintained on site
Surrounding land	Large rural lots
Overlays	E7.0 Scenic Management Code, E8.0 Biodiversity Code, E90 Water Quality Code

Further to the above, a portion of the subject site contains areas of priority habitat. Specifically, there are sections around the shoreline and bottom area that have been identified.

E8.4 allows exemptions for use and development. In particular, E8.4.1(b) states:

Use of development that does not clear or disturb vegetation within the areas identified as priority habitat.

The following images compare the areas of priority habitat and the location of caravan sites for the bottom area:

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)



Figure 1 - Areas of Priority Habitat between the red and light blue lines

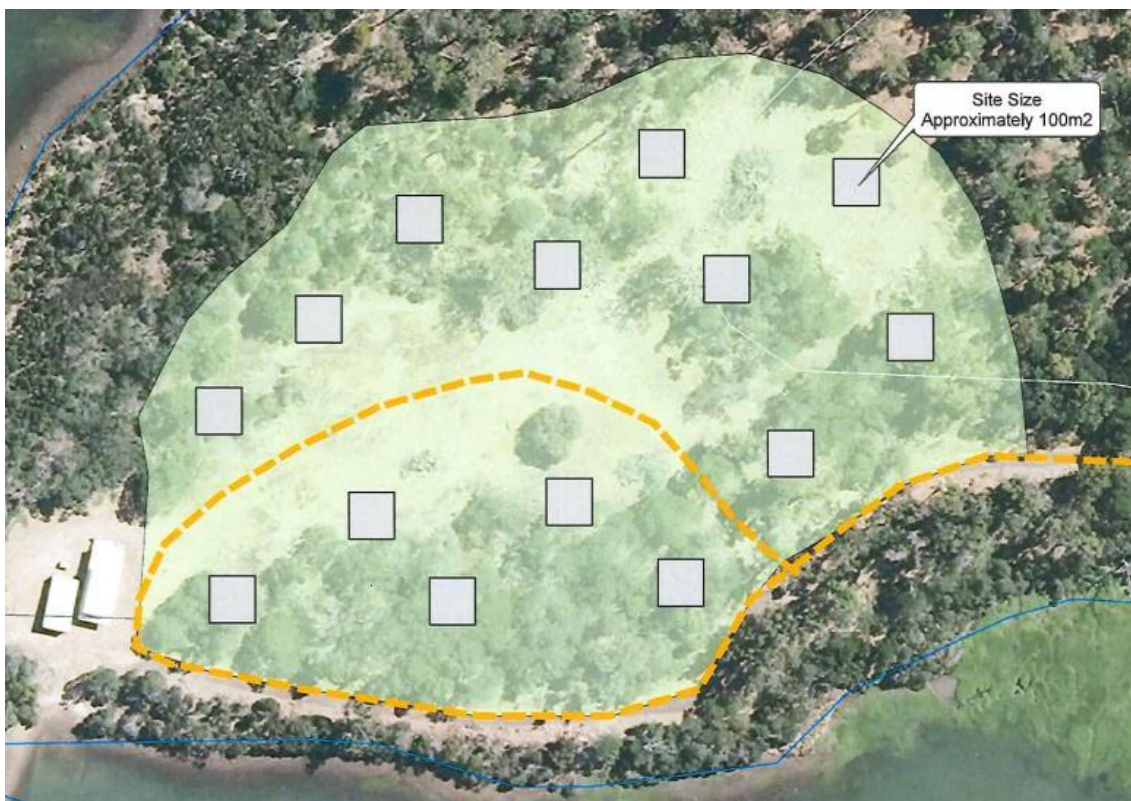


Figure 2 - Proposed location of caravan sites

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

As the above illustrate, no caravan sites, and any associated clearing, will occur within the priority habitat areas. It is also noted that the existing road is located within the priority habitat area, however no new works will be proposed on this road. A condition has been recommended that all caravan sites must be clear of any priority vegetation and that any road within the priority habitat area may only be maintained as is and not widened.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

26.0 Rural Resource Zone

26.1.1 Zone Purpose Statements

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

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

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

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

Consistent

The proposed visitor accommodation use is able to ensure that it will not constrain or conflict with resource development uses, complying with the zone purpose.

26.3 Use Standards

26.3.1 Location and intensity

Objective:

To:

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

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal will enhance the Tamar region touring route by providing rural accommodation without confining or impacting on existing primary industry uses.</p>
<p>A1 If for permitted or no permit required uses.</p>
<p>Relies on Performance Criteria</p> <p>As the visitor accommodation use is a discretionary use, reliance on the performance criteria is required.</p>
<p>P1 Uses (except for a single dwelling) are established at a location and at an intensity that is appropriate in the zone, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the use, including: <ul style="list-style-type: none"> (i) the scale and extent of the use; (ii) the utilisation of existing buildings and infrastructure; (iii) the number of employees; (iv) the customer visitation and deliveries; (v) the hours of operation; (vi) the nature of any emissions; (vii) external storage of goods, materials or waste; and (b) the area of the site proposed to be used, including: <ul style="list-style-type: none"> (i) the existing use and development; (ii) the surrounding use and development; (iii) its capacity for productive agricultural use; (iv) the topography of the site; (v) current irrigation practices and the potential for irrigation; (vi) the effect, if any, of the loss of the site on the continuing or potential agricultural use of the site and the surrounding area; and (c) the potential to confine or constrain adjoining primary industry uses; (d) the location being reasonably required for operational efficiency; (e) the need to locate on the site; (f) the capacity of the local road network to accommodate the traffic generated by the use; and (g) the capability of the site to accommodate all aspects of the use.
<p>Complies</p> <p>The majority of the site, and location of the caravan sites, is classified as land capability Class 6. Class 6 is defined as:</p> <p><i>Non-arable while class 6 is often non-trafficable. Land suitable for grazing but not cultivation. Maintain or improve perennial pastures and preserve ground cover.</i></p>

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

The Site - General

The proposal is for 30 caravan and campervan sites that will be cleared to a size of 100m². The site will be split up into two designated areas; the first being located approximately 400m west of the entrance on top of a hill, and the second on the low lying waterfront along the eastern section of the site. There will be two employees, the owners of the land who reside in the existing dwelling located on site. At its highest visitation, the site could be full with 30 vehicles utilising the site with no deliveries. The operation of the site will generally involve cheap, overnight camping, with visitors arriving from 12.00pm onwards. The caravans will be self-contained so emissions will be limited, however, it is proposed fires will occur when permitted by the Tasmanian Fire Service. There will be no external storage of goods, however, there will be a dump point fitted with an approved storage tank, high level indicator and overflow tank.

The Site - Specific

As discussed, there will be two areas utilised for the accommodation, each containing 15 spaces approximately 100m² in size. The proposed areas are currently not utilised for agricultural or primary industry uses, including no irrigation practices. The proposed areas are bushland with cleared sections for existing roads and caravan sites. The areas have limited potential for agricultural use, as does the site in whole. There is no loss of potential use as the site does not currently support it, but as no buildings are proposed, there will be no negative effect on the ground or soil. Rather the proposal aims to maintain the bushland that currently exists.

The adjoining lot to the south has approval to operate as a visitor accommodation use, whilst the adjoining lot to the north operates minimal grazing for cattle. The proposed visitor accommodation use is confined to the two areas, and will be in excess of 400m to the northern adjoining property, with thick vegetation within this buffer area. As such there will be no constraints on adjoining land.

There are existing roads that will be maintained to allow the passage of vehicles. The Department of State Growth has provided a letter stating they have no objection to the use operating and gaining access onto the Category 1, East Tamar Highway existing access. A Traffic Impact Assessment has stated there is capacity on the road network to support the use.

The site is a bush lot that will offer short term or overnight areas for caravans to stop. Its establishment will offer alternative accommodation to caravan parks and open up the area for tourism.

It is therefore considered that the proposal is compliant with the performance criteria.

A2 If for permitted or no permit required uses.

Relies on Performance Criteria

As the visitor accommodation use is a discretionary use, reliance on the performance criteria is required.

COUNCIL AGENDA

Thursday 22 November 2018

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

P2.1 Use of prime agricultural land for utilities, extractive industry and controlled environment agriculture not dependent on the soil as a growth medium must be minimised, having regard to:

- (a) the area of land converted;
- (b) impacts on surrounding agricultural use; and
- (c) the location being reasonably required for operational efficiency; or

P2.2 Use of prime agricultural land for uses other than Utilities, Extractive industry or controlled environment agriculture not dependent on the soil as a growth medium uses, must demonstrate a significant benefit to the northern region having regard to the economic, social and environmental costs and benefits of the proposed use.

Not Applicable

No part of the land is considered to be prime agricultural.

26.4 Development Standards

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

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

Consistent

Consistency with the code purpose has been achieved as the proposal protects the safety and efficiency of the road network.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

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

Consistent

Consistency with the objective has been achieved as the proposal ensures that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.

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

Relies on Performance Criteria

As the annual daily traffic onto a Category 1 Road (East Tamar Highway) will increase by more than 10 vehicle movements per day, reliance on the performance criteria is sought.

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

- (a) the increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

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

Complies

The applicant provided a Traffic Assessment prepared by Traffic Engineer Terry Eaton, dated April 2017. The report discusses the proposal and demonstrates compliance against the Clause. Further, prior to the lodgement of the application the applicant sought advice from the Department of State Growth regarding access. The department was also formally referred the application and provided consent. Assessment against the performance criteria has been undertaken as follows:

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

(a) The increase in traffic caused by the use;

The increase in traffic will increase the use on the west side traffic lane from 2,500 vehicles per day to 2,590, which is a 3.6% increase.

An estimate of the single lane capacity indicates a value of 345 vehicles per hour. An assessment has indicated that the proposal will result in approximately 310 vehicles during peak hour which is considered acceptable.

(b) The nature of the traffic generated by the use;

The type of vehicles utilising the park will be caravans and campervans. These vehicles may typically only stay overnight.

(c) The nature of the road;

East Tamar Highway is considered a Category 1 Road which is the primary freight and passenger roads connecting Tasmania. As defined within the State Road Hierarchy manual produced by the Department of State Growth:

Category 1 Roads are Tasmania's major highways and are crucial to the effective functioning of industry, commerce and the community in Tasmania. They carry large numbers of heavy freight and passenger vehicles and are the key links supporting future economic development in Tasmania.

Category 1 Roads facilitate:

- *inter-regional freight movement;*
- *inter-regional passenger vehicle movement; and*
- *business interaction.*

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

It is considered that the available access junction layout is satisfactory for the road provisions.

(d) The speed limit and traffic flow of the road;

The highway is constructed with one traffic lane for each direction approximately 3.5m wide per lane. Double centre lines with a break at the driveway, edge lines, and 2m sealed shoulders. The highway at the subject sites entrance has a speed limit of 100km/h with sight distances providing a 10 second plus gap. The Traffic Report has stated this is considered a safe time to entry and exit for the proposed use.

(e) Any alternative access to a road;

There is no other access into the site.

(f) The need for the use;

The proposal is for a caravan park, a visitor accommodation use that supports the local economy and tourism industry. It provides for overnight stays outside of the Launceston City and closer to the East Tamar area.

(g) Any traffic impact assessment; and

As previously stated, the applicant provided a Traffic Impact assessment supporting the development. The report concludes that the proposed use is compliant with E4.0 Road and Railway Assets Code and that the road is able to accommodate the proposed increase in traffic.

(h) Any written advice received from the road authority.

The Department of State Growth provided formal comment on the application. It states:

...I advise that the Department of State Growth do not object to the proposal subject to the below points;

- *The Department has reviewed the supplied Traffic Impact Assessment, prepared by Terry Eaton dated April 2017 and confirm it is considered adequate for the proposal;*
- *It is noted that access to the site is proposed as 'left in/left out' only and the existing access standard is suitable for the proposed use. Taking this into account it is not expected any works within the State Road reservation will be required; and*
- *Limited Access provisions will need to be amended to reflect the change of use.*

In terms of Department requirements, it will be appreciated if you can please arrange for the below to be incorporated into condition form as necessary for inclusion on the permit;

- *On receipt of an approved Planning Permit, the Developer must provide a written request to the Department of State Growth's Property Assets Section to facilitate amendment of the current Limited Access licence details and conditions for the subject property title.*

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

It is noted that a left in, left out access is required. This will be conditioned as part of the approval.

As the above clearly demonstrates, the development is able to meet all relevant provisions of the clause, and it is considered the use will be safe and will have only minimal impact on the efficiency of the road. Therefore, the proposal complies with the Performance Criteria.

E4.6 Development Standards

E4.6.1 Development adjacent to roads and railways

Objective:

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

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

Consistent

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

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

A1.2 Buildings must be:

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

Complies

The only proposed development will be the installation of a dump point and tank, located more than 400m from the highway. No other development, including buildings, are being proposed.

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

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.

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

Complies

Only the existing single access is being maintained.

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

The proposal is limited to left turn entry and exit. As such the appropriate sight distance requirements is to vehicles approaching from the south. The available sight distance is well in excess of 250m as is required by 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 will ensure there is sufficient parking, access and manoeuvrability areas for the intended use.

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.

Consistent

Consistency with the objective has been achieved as the proposal ensures there is sufficient car parking for the proposed use.

A1 The number of car parking spaces must:

- (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

<p>General Residential Zone); or</p> <p>(b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</p> <p>(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</p> <p>(d) be in accordance with an acceptable solution contained within a parking precinct plan.</p>
<p>Complies</p> <p>Table E6.1 requires one space per caravan space. As the proposal is for 30 caravan site, 30 spaces are to be provided. Each space will be approximately 100m² in size which can cater for a caravan and tow vehicles, resulting in the provision of 30 vehicle spaces.</p>

E6.5.4 Motorcycle parking

<p>Objective:</p> <p>To ensure that motorcycle parking is provided to meet the needs of the use.</p>
<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal ensures there is sufficient parking onsite.</p>
<p>A1 Except for dwellings in the General Residential zone, uses that require greater than 20 car parking spaces by Table E6.1 must provide one motorcycle parking space on site with one additional motorcycle parking space on site for each additional 20 car parking spaces required.</p>
<p>Complies</p> <p>As previously stated, 30 car parking spaces will be provided. Due to the nature of the use, each site will have sufficient room for motorcycle parking.</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 will ensure parking is appropriate and safe.</p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) have a gradient of 10% or less;</p> <p>(b) be formed and paved;</p> <p>(c) be drained to the public stormwater system, or contain stormwater on the site;</p> <p>(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</p> <p>(e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.</p>

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

<p>Relies on Performance Criteria</p> <p>All parking areas will have a gradient of less than 10% and able to contain all stormwater on site. However, the parking, access ways, manoeuvring and circulation spaces will not be paved or line marked. 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.
<p>Complies</p> <p>The proposed use is for a caravan park in a bush setting with minimal facilities. Each caravan 'site' will be easily identifiable and will have sufficient room for parking and manoeuvring of a vehicle and caravan. The roads will be graded to avoid dust, but not paved. Stormwater will flow to the natural drainage lines of the property. This is considered acceptable for such a use and therefore compliant with the performance criteria.</p>

E6.6.2 Design and layout of parking areas

<p>Objective:</p> <p>To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal ensures parking is safe and convenient.</p>
<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (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. <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be</p>

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.

Complies

All vehicles will be able to enter and exit the site in a forward direction, have the appropriate vehicle width in accordance with table E6.2, meet the parking dimensions under Table E65.3, and a vertical clearance of not less than 2.1m about parking surface level.

E7.0 Scenic Management Code

E7.1 The purpose of this provision is to:

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

Consistent

Consistency with the code purpose has been achieved as the proposal ensures the use and development protects the visual amenity of the area.

E7.6 Development Standards

E7.6.2 Scenic management areas

Objective:

The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.

Consistent

Consistency with the objective has been achieved as the proposal ensures all development is unobtrusive to the current landscape.

A2 No vegetation is to be removed.

Relies on Performance Criteria

As vegetation is proposed to be removed, the application is reliant on the performance criteria.

P2 Development that involves only the clearance or removal of vegetation must have regard to:

- (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;
- (b) the physical characteristics of the site;
- (c) the location of existing buildings;
- (d) the type and condition of the existing vegetation;
- (e) any proposed revegetation; and
- (f) the options for management of the vegetation.

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

Complies

The site is located within the Rural Hills Precinct. The objective of the precinct aim to:

- Maintain and enhance vegetation, with tree planting encouraged;
- Maintain vegetation as the dominant form visible along the skyline; and
- Development is to have minimal impact when viewed from public vantage points

The proposal will clear 30 spaces for caravans to utilise. Each space will be approximately 100m² in area. All roads are existing. The top site is not visible from any public open viewpoint and will not interrupt the skyline. The bottom area, whilst visible from the river, already contains a large open space as the following image illustrates:



Figure 1 - The bottom site area

The bottom area is protected with existing vegetation screening along the banks of the river.

In this instance it is not considered that there is a need for replanting of vegetation. The areas cleared will be minimal with the surrounding thick vegetation maintain the scenic view of the site. The proposal has chosen this site to take advantage of the existing bushland, so removal will be minimal. It is therefore considered the proposal complies with the performance criteria.

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA TWDA 2018/01582-LCC.
State Growth	State Growth provided no objection, subject to a condition to be included on the permit stating: On receipt of an approved Planning Permit, the Developer must provide a written request to the Department of State Growth's Property Assets Section (Property.Assets@stategrowth.tas.gov.au <mailto:Property.Assets@stategrowth.tas.gov.au>) to facilitate amendment of the current Limited Access licence details and conditions for the subject property title.
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 10 October to 25 October 2018. Six 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.

Concern: An adjoining lot contains already contains an approved caravan park.
Response: The planning scheme cannot refuse an application based on an existing use nearby. Notwithstanding, the proposed use will be for self-contained caravan parking, on a cheaper basis, generally overnight, in a bush setting. This is substantially different than what was approved on the neighbouring property.

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

<u>Concern:</u> Traffic assessment is far from acceptable for a commercial entrance onto the highway. The traffic generated from the use will be dangerous.
<u>Response:</u> The application has been assessed against E4.0 Road and Railway Assets Code, the code that looks at traffic management of new uses, and it has been considered it complies. The applicant provided a Traffic Assessment in support of the development, and the Department of State Growth have stated they have no objection to the development.
<u>Concern:</u> Bushfire consideration must be part of the approval for the protection of adjoining properties.
<u>Response:</u> Bushfire consideration is not required for the use under the Planning Scheme. Notwithstanding, the applicant has provided a bushfire mitigation plan for the use.
<u>Concern:</u> The proposal should implement a 'no campfire' policy.
<u>Response:</u> Bushfire consideration is not required for the use under the Planning Scheme. Council cannot lawfully implement a 'no campfire' policy.

A representor meeting was held on 2 November 2018 to discuss the concerns raised in the representations. The main concerns discussed were the control of fire hazards and fire pits, as well as the road safety concerns due to the increased traffic on the existing crossover.

Post the meeting, the Tasmanian Fire Service was contacted regarding any bushfire protection measures. Their informal response has been placed as an attachment to this report. It concludes that the use does not trigger the Director's determination for bushfire control. It does state, however, that the Department is currently working on 'best practice' guidelines for caravan and camping parks to educate the operators. These are not yet available.

Further, the Department of State Growth was also contacted again to provide further informal advice on their previous advice. Their informal response has been placed as an attachment to this report. They concluded that signs and line marking alterations imposed as part of a change to the title holders Limited Access licences conditions will be satisfactory as it will be unrealistic to place any short sections of barrier. Further, the existing driveway geometry is to a heavy vehicle access standard and is suitable for campervans/caravans.

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.

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

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.

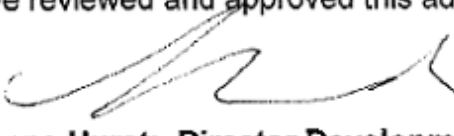
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

8.1 2147 East Tamar Highway, Mount Direction - Visitor Accommodation - Change of Use to Caravan Park/Camp Ground ...(Cont'd)

ATTACHMENTS:

1. Locality Map (distributed electronically)
 2. Plans to be endorsed (distributed electronically)
 3. TasWater SPAN (distributed electronically)
 4. DSG Advice (distributed electronically)
 5. DSG Follow Up informal advice (distributed electronically)
 6. TFS Informal Advice (distributed electronically)
 7. Representations (distributed electronically)
-

COUNCIL AGENDA

Thursday 22 November 2018

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio

FILE NO: DA0570/2018

AUTHOR: Luke Rogers (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Adam Perri
Property:	50 Bathurst Street, Launceston
Zoning:	Urban Mixed Use
Receipt Date:	4/10/2018
Validity Date:	10/10/2018
Further Information Request:	N/A
Further Information Received:	N/A
Extension of Time Requested:	9/11/2018
Deemed Approval:	23/11/2018
Representations:	Four

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 DA0570/2018 General Retail and Hire - Change of use to tattoo studio at 50 Bathurst Street, Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The use 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 Letter and Site Plans, Prepared by Adam Perri, Received 03 October 2018.

2. LEGAL TITLE

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

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(Cont'd)

3. HOURS OF OPERATION

The use must only occur between:

10.00am and 5.00pm Tuesday to Wednesday

10.00am and 8.00pm Thursday to Friday

10.00am and 5.00pm Saturday

4. CAR PARKING

At least one car parking space must be provided on the subject land to service the existing residential use.

5. AMENITY - COMMERCIAL/INDUSTRIAL USE

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

Notes**A. All plumbing work is to comply with the Building Act 2016 and the National Construction Code**

Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.

B. Occupancy Permit Required for Changed Use

Prior to the occupation of the premises, in the case where building work is not required, the applicant is required to attain an Occupancy Permit for the changed use of the building pursuant to the Building Act 2016 section 55.

C. General

This permit was issued based on the proposal documents submitted for DA0570/2018. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(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.*

This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

D. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is 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.

E. 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>

F. Permit Commencement

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

G. Signage

Separate approval may be required for any signage proposed on the site.

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(Cont'd)

H. Public Health Risk Activity to Licence

Prior to the use commencing the operator is required to obtain registration and licences for the Public Health Risk activity in accordance with the Public Health Act 1997 and comply with all relevant Guidelines.

REPORT:**1. THE PROPOSAL**

The proposal is for the change of use of the ground floor of an existing building to allow for the establishment of a tattoo studio. The retail and general hire use will consist of three tattoo artists and one receptionist/piercer who will work on a rotating shift basis. The hours of operation will be as follows: 10.00am to 5.00pm on Tuesday, Wednesday and Saturday and 10.00am to 8.00pm on Thursday and Friday. No lighting or signage, beyond what is existing, is proposed for the exterior of the building. The upper storey of the building will remain a residential dwelling.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the southern side of the intersection of Bathurst and York Streets. The site is a slightly irregular rectangle in shape, with a wider primary frontage to Bathurst Street than south west side. The surrounding area has a range of uses, being in the Urban Mixed Use Zone. The terrace houses to the south east and south west of the site are used as residential dwellings. To the south and south west of the site is a car yard. To the north west of the site is Dan Murphy's liquor shop and Bathurst Street Car Park, a paid park owned by the City of Launceston. There are other uses in the area including retail, bulky goods sales, hotel industry, food services, business and professional services and varied other types of use.

Vehicular access to the site is over a right of way that is on the lot adjoining to the south west (CT145908/1) which gives access to York Street. Pedestrian access is directly off Bathurst Street. There is a slight variation in gradient across the site but the site is essentially level. There is no vegetation on the site as it is fully developed. The site is connected to all relevant infrastructure services and is located in the combined drainage area.

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(Cont'd)

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

15.0 Urban Mixed Use Zone

15.1.1 Zone Purpose Statements

15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.

15.1.1.2 To provide for a diverse range of urban uses and increased intensity of development including residential densities that support the role of activity centres.

15.1.1.3 To encourage residential, visitor accommodation and tourist operation uses as a means of increasing activity outside normal business hours.

15.1.1.4 To create:

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

Consistent

The proposed use is a General Retail and Hire use that is a single tenancy covering a gross floor area of less than 250m². A tattoo studio is considered in the same way as any other retail use which will create activity at street level integrate into the mixed use nature of the zone. The use is therefore permitted in the zone and considered to be consistent with the purpose of the zone.

15.3 Use Standards

15.3.1 Hours of operation

Objective:

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

Consistent

The proposed use does not include the use of a commercial vehicle.

15.3.2 Mechanical plant and equipment

Objective:

To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.

Consistent

The proposed use does not include the use of mechanical plant or equipment.

15.3.3 Light spill and illumination

Objective:

To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(Cont'd)

Consistent

The proposed use does not include the use of external lighting.

15.3.4 Noise level

Objective:

To ensure that noise levels from uses do not unreasonably impact on the amenity of nearby sensitive uses.

Consistent

The noise levels that will be generated from the proposed use will have limited impact on the amenity of nearby sensitive uses.

A1 Noise generated by a use on the site must:

- (a) not exceed a time average A-weighted sound pressure level (L_{aeq}) of 5 dB(a) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site; or
- (b) be in accordance with any permit conditions required by the Environment Protection Authority or an environmental protection notice issued by the Director of the Environment Protection Authority.

Complies

The noise level generated by the use will be minimal. This will consist of the noise of the tattooing equipment which generates 56dBs. This is considerably less than the background noise of the surrounding roads and will not likely be audible even without traffic beyond the walls of the building. By way of comparison a normal conversation is regarded to be approximately 60dB by SafeWork Australia. The time average A-weighted sound pressure level generated by the use is therefore not considered to be above 5dB(A) higher than background noise.

15.3.5 Retail impact

Objective:

To ensure that the economic, social and environmental impact of significant new retail use and development is consistent with the activity centre hierarchy.

Consistent

The economic, social and environmental impacts of the new retail use is consistent with the activity centre hierarchy.

A1 If for no permit required or permitted use class.

Complies

The proposed use is permitted in the zone, as such it is considered to have an acceptable impact on activity centre hierarchy.

15.4 Development Standards

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;

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(Cont'd)

- (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

The proposal provides for an appropriate level of car parking facilities to meet the needs of the use. The parking areas provided are existing, and no further parking development is proposed. The proposal supports the use of cycling, walking and public transport in the urban area. The parking and associated areas on site are not provided for the use but meet appropriate standards and do not adversely impact on the amenity of the locality. Vehicular access to the site is provided and appropriate but is not included in the application as the existing car park is nominated for the use of the residential tenant.

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.

Consistent

The level of car parking available on site and in the area is sufficient to meet the needs of the use.

A1 The number of car parking spaces must:

- (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
- (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or
- (c) not exceed the requirements of Table E6.1 by more than 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.

Relies on Performance Criteria

The proposed use has a gross floor area of approximately 75m². Table E6.1 requires one dedicated parking space per 30m² of gross floor area. As such, the proposal includes one car parking space, however, this space could be required by the residential use on the site. As such the proposal provides 0% of the number of car parking spaces required and therefore relies on performance criteria.

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:

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(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; or
- P1.2 The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:
- (a) the intensity of the use and car parking required;
 - (b) the size of the dwelling and the number of bedrooms; and
 - (c) the pattern of parking in the locality; or
- P1.3 The number of car parking spaces complies with any relevant parking precinct plan.

Complies

The numbers of car parking spaces that are provided meet the reasonable needs of the proposed use. Within 100m of the site is the Bathurst Street Car Park, which provides ample off-road public car parking, and there is opportunity for other forms of transport to be utilised to access the location. The one space on site which is for the exclusive use of the existing residence, as such there is no onsite parking which can be shared with the operators of the proposed shop. The site provides no opportunity to consolidate car parking spaces with only one space. The site is however located in close proximity to bus routes, including a stop within 20m and over 10 stops within 400m, which is considered to be reasonable walking distance. Between these public transport stops and routes the frequency of public transport is very high, which will lessen the reliance on parking for staff and customers.

The site is highly constrained and the provision of additional parking is not possible. There is limited space that is not currently developed with existing buildings and could be used as car parking spaces. There are some on-road parking spaces available surrounding the use, however, the majority of these are short term parking locations that would be of limited value based on the needs of the use. These spaces typically are 15 minute parking location, which is not in keeping with the time that a customer or staff member would typically spend in a tattoo studio such as the one proposed. The actual car parking demand would likely be above the three required by the acceptable solution, if there were not alternative transport options in the area.

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(Cont'd)

The applicant has asserted that the employees will use public transport and/or live locally and will not require parking. Additionally, employees who wish to drive would be able to access all day parking in the Bathurst Street Car Park. The number of customers however could be as many as four at any given time, who may all require parking. The nature of the retail operation proposed is one where a high cost product or service is being provided. Due to this fact, it is likely that customers would be willing and able to pay for parking in the vicinity.

The existing parking situation in the rear of the shop is constrained, however, this is common in the inner areas of Launceston where there exists a mix of residential and other uses. It should be noted that the degree of variation from the requirements of the acceptable solution are not relevant when assessing a proposal against the performance criteria. The proposal did not include a traffic impact assessment as this is a busy area and the amount of traffic increase generated by the proposed use will be negligible in relation to the current traffic situation. There will be little to no impact on the streetscape by the proposal as any parking will be mostly short term in the existing on-street car parks or long term in the nearby off-street council parking facility. The proliferation of alternative transport and parking options in the area is sufficient to meet the needs of the proposed use.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

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

Consistent

The proposal does not include the construction of any new parking areas. The existing car parking spaces and access ways are not for the utilisation of the proposed use.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	N/A
Environmental Health	N/A
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(Cont'd)

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

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 17 October to 31 October 2018. Four representations were received. Discussions were held with each of the representors, who provided names and contact details, on 6 and 7 October 2018. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

Issue	Planning Comments
Type of business is incompatible with the residential dwellings nearby.	The categorisation of the use and the compatibility with the zone is discussed under 15.1 - Zone Purpose in the Launceston Interim Planning Scheme 2015. The use is permitted and considered to be compatible with the zone.
Parking concerns in the area which would be exacerbated by the proposed development.	The amount of parking provided is discussed under Code E6.0 Parking and Sustainable Transport under the Scheme. The amount of parking provided in the area is considered to be sufficient for the use. It is noted that existing issues are independent of the assessment of this development application.
Connection between the use and criminal and antisocial behaviour.	The planning scheme does not address the potential for connected to criminal or antisocial behaviours. It should be noted that such issues, should they arise, are a matter for police.

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(Cont'd)

Issue	Planning Comments
Negative perception of Tattoo Studios impacting house prices and businesses.	The planning scheme does not address the potential impact of proposed uses on surrounding house prices or loss of business due to perceptions.
Decrease of house prices.	The planning scheme does not address the potential impact of proposed development on surrounding house prices.
Retail impact and activity centre hierarchy impact of the proposed use.	The retail and activity centre impact of the proposal is discussed under Clause 15.3.5 - Retail Impact of the Scheme. The proposed use is for General Retail and Hire, a permitted use in the zone.
Advertising and illumination of the proposed use.	The proposal does not include illuminated lights or signage. Any signs would require a separate application unless replacing existing signs.
Other areas, zones or premises would better suit the proposed use.	The planning application process does not allow for alternate sites to be suggested.
Hours of operation would likely increase beyond what is stated.	The assessment must be made against the proposal. Any permit that was issued would include the hours of operation and would require the use to only take place within these hours.

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.

8.2 50 Bathurst Street, Launceston - General Retail and Hire - Change of Use to Tattoo Studio ...(Cont'd)

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

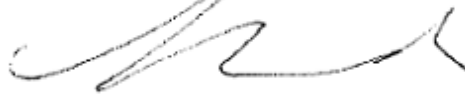
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Map (distributed electronically)
 2. Plans to be Endorsed (distributed electronically)
 3. Representations (distributed electronically)
 4. Applicant Response Letter (distributed electronically)
-

9 ANNOUNCEMENTS BY THE MAYOR**9.1 Mayor's Announcements****FILE NO: SF2375**

Wednesday 24 October 2018

- Attended the National Children's Week Teddy Bears Picnic at City Park
- Officiated at the Civic Function to mark the 50th Anniversary of Lifelink Samaritans at the Town Hall

Friday 26 October 2018

- Attended the 40 year celebration of Studentworks Inc
- Attended the launch party for Rare Earth at the Silo Hotel

Saturday 27 October 2018

- Attended the Faith Like a Mushroom (FLaM) book launch at Foundry
- Presented at the Tasmanian Perpetual Trustees 2018 Business Excellence Awards at the Hotel Grand Chancellor

Sunday 28 October 2018

- Attended a barbeque to welcome the international and national guests to Launceston for the Centenary Armistice at City Park Radio

Tuesday 30 October 2018

- Officiated at the Civic Function to welcome international and national guests to Launceston for Remembrance Day

Thursday 1 November 2018

- Attended the Hawthorn Football Club 2019 Fixture Release at The Design Centre

Friday 2 November 2018

- Attended The Sound of Music theatre production at the Princess Theatre
 - Officiated at The Sound of Music opening night after party at the Hotel Grand Chancellor
-

9.1 Mayor's Announcements ...(Cont'd)

Saturday 3 November 2018

- Attended the Centenary of Armistice Concert at the Albert Hall

Tuesday 6 November 2018

- Attended a film screening of The Judge fundraising for Support Association for Women of Afghanistan (SAWA) at the City Baptist Church

Wednesday 7 November 2018

- Attended the Launceston College Graduation and Awards Ceremony at Albert Hall

Friday 9 November 2018

- Attended an end of year dinner cruise hosted by The Honourable Rosemary Armitage MLC attended by Her Excellency Professor the Honourable Kate Warner AC, Governor of Tasmania

Saturday 10 November 2018

- Officiated at the Centenary of Armistice Commemoration Dinner and United States Marines 243rd Birthday celebration at the Albert Hall

Sunday 11 November 2018

- Officiated at the Remembrance Day Commemorative Service at the Launceston Cenotaph
- Officiated at the Sound of Peace Gathering in Princes Square
- Attended the Launceston Cycling Festival at City Park

Monday 12 November 2018

- Attended the award presentation for the 2018 State-Wide Literacy and Numeracy Monitoring Program at Prospect High School

Tuesday 13 November 2018

- Attended City Mission's 2018 Christmas Appeal launch
 - Attended the Cityprom Annual General Meeting at Kingsway Bar
-

9.1 Mayor's Announcements ...(Cont'd)

Wednesday 14 November 2018

- Attended the 95th RACT Annual General Meeting at Hotel Grand Chancellor

Sunday 18 November 2018

- Attended a Family Fun Day at Franklin House

Tuesday 20 November 2018

- Attended St Lukes Health cocktail party at Mantra Charles Hotel

Wednesday 21 November 2018

- Attended the Launceston Airport Annual stakeholder event at the Albert Hall
-

10 ALDERMEN'S REPORTS

(This item provides an opportunity for Aldermen 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.)

11 QUESTIONS BY ALDERMEN**11.1 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.)

No Aldermen's Questions on Notice have been identified as part of this Agenda

11.2 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.)

12 COMMITTEE REPORTS**12.1 Tender Review Committee Meeting - 22 October 2018****FILE NO:** SF0100**AUTHOR:** Tanya Grayson (Administration Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council receives a report from the Tender Review Committee and notes the decision of the Committee to accept the tender submitted by Dogs' Homes of Tasmania for the management and operation of both the regional Dog Shelter and the Municipal Pound Services for a five year period, Contract No CD031/2018 for a cost to Council of \$1,140,000 (one million, one hundred and forty thousand dollars) (exclusive of GST).

REPORT:

The Tender Review Committee Meeting, held on 22 October 2018, determined the following:

Regional Dog Shelter and Pound Services - CD031/2018

That the sum submitted by Dogs' Homes of Tasmania for the management and operation of both the regional Dog Shelter and the Municipal Pound Services, Contract No CD031/2018 be accepted, at a cost to Council of \$1,140,000 (exclusive of GST).

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

12.1 Tender Review Committee Meeting - 22 October 2018 ...(Cont'd)

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals: To ensure decisions are made in a transparent and accountable way

Key Direction -

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

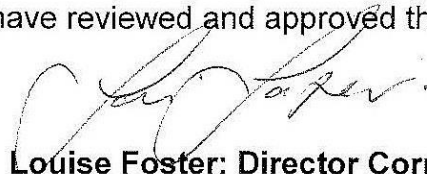
BUDGET & FINANCIAL ASPECTS:

This project is funded in accordance with the approved 2017/2018 budget.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

12.2 Pedestrian and Bike Committee Meeting - 23 October 2018**FILE NO:** SF0618**AUTHOR:** Cathy Williams (Built Environment Officer)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To receive a report from the Pedestrian and Bike Committee Meeting held on 23 October 2018.

RECOMMENDATION:

That Council receives a report from the Pedestrian and Bike Committee Meeting held on 23 October 2018.

REPORT:

The Pedestrian and Bike Committee, at its Meeting, on 23 October 2018:

- supported a plan for a proposed shared path along the state owned section of Hoblers Bridge Road;
- sought to progress a plan for an eastbound bike lane and pedestrian refuge along Brisbane Street (Tamar to Lawrence Streets) following the reseal of the road later this year;
- supported the new location and design for bike shelters at the Launceston Aquatic Centre;
- advised that the pedestrian and bike count taken on 27 September 2018 was on par with previous years;
- agreed to investigate further options for the Inveresk Rocherlea Trail missing link;
- noted that Ride to Work Day on Wednesday, 17 October 2018 was successful, even with the inclement weather.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

12.2 Pedestrian and Bike Committee Meeting - 23 October 2018 ...(Cont'd)

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Direction -

6. To promote active and healthy lifestyles

Priority Area 3 - A city in touch with its region

Ten-year goal - To ensure Launceston is accessible and connected through efficient transport and digital networks

Key Direction -

2. To improve and maintain accessibility within the City of Launceston area, including its rural areas

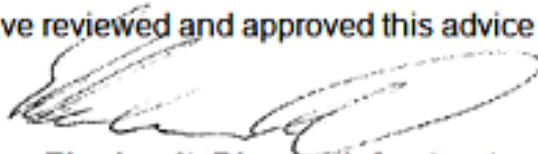
BUDGET & FINANCIAL ASPECTS:

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: Director Infrastructure Services

12.3 Heritage Advisory Committee Meeting - 25 October 2018**FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Heritage Advisory Committee Meeting held on 25 October 2018.

RECOMMENDATION:

That Council receives the report from the Heritage Advisory Committee Meeting held on 25 October 2018.

REPORT:

The Committee discussed the following items:

- Launceston Heritage Awards 2019 - Update on planning of next year's awards including Heritage Snap!, acknowledging the National Trust's offer to assist with planning and promotion.
- Heritage List Review - Status report on the review of the local heritage list and proposed heritage precincts, including the funding allocated over five years. The Committee agreed that a report should be presented to the new Council in the near future to provide an update on the project including:
 - the scope of the work, including staging;
 - the budget provided;
 - the current status of the project;
 - documentation of the potential issues or 'gaps' within the process;
 - the potential risks to our built heritage; and
 - possible solutions to the issues identified.

The Committee noted the following:

- The content of the revised registration of the Duck Reach Power Scheme in the Tasmanian Heritage Register.
- An update on the archaeological investigation of site of the former convict station at Kings Meadows.

ECONOMIC IMPACT:

Not considered relevant to this report.

12.3 Heritage Advisory Committee Meeting - 25 October 2018 ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders

Key Direction -

1. To develop and consistently use community engagement processes.

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: Director Development Services

12.4 Audit Panel Meeting - 31 October 2018**FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To receive a report from the Audit Panel following the Meeting held on 31 October 2018.

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held on 31 October 2018.

REPORT:

The following is a precis of the substantive Agenda Items dealt with at the Meeting:

6.1 Internal Audit Report

Details The Internal Audit Plan for 2018/2019 was discussed.

Action The Panel approved the proposed three year internal audit plan developed by Crowe Horwath for 2018/2019, 2019/2020 and 2020/2021.

7.1 External Audit Panel

Details The Financial Statements for the year ended 30 June 2018 were discussed.

Action The 2017/2018 financials will be presented to Council for adoption.

9.2 Capital Report

Details The capital report for the period ending 30 September 2018 was reviewed.

Action The Panel noted the report.

9.3 Financial Statements (Analysis and Commentary)

Details The results for the period ending 30 September 2018 were discussed.

Action The Panel noted the reports.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

12.4 Audit Panel Meeting - 31 October 2018 ...(Cont'd)

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders
Key Direction -
6. To maintain a financially sustainable organisation

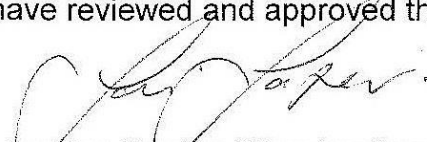
BUDGET & FINANCIAL ASPECTS:

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: Director Corporate Services

13 COUNCIL WORKSHOPS

Council Workshops conducted on 15 November 2018 were:

- Internal and External Committees
 - Layout of Council Chamber
 - Council Meetings Policy (Frequency and Commencement Time) (14-Plx-001)
 - Code of Conduct for Aldermen (14-Plx-032)
 - Launceston CBD Building Heights
 - Title of Elected Representatives Policy (14-PI-002)
 - Code of Conduct for Members of Special Committees (14-Plx-033)
 - Aldermen - Leave of Absence From Council Procedure (14-Pr-005)
-

COUNCIL AGENDA

Thursday 22 November 2018

14 NOTICES OF MOTION

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

14.1 Notice of Motion - Mayor Alderman A M van Zetten - 60 - 90 Minutes Free Parking

FILE NO: SF5547

AUTHOR: Anthea Rooney (Committee Clerk)

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To consider investigation of a 60-90 minute free parking option in the Council's multi-deck car parks.

PREVIOUS COUNCIL CONSIDERATION:

Council - 27 April 2015 - Agenda Item 14.1 - Notice of Motion - Deputy Mayor Alderman R I Soward - Two Hour Parking

Council - 10 June 2014 - Agenda Item 15.2 - Notice of Motion from Council's Annual General Meeting 2013

Workshop - 2 June 2014 - First Two Hours Free Parking

Council - 11 April 2011 - Agenda Item 12.3 - Notice of Motion - Alderman R J Sands - First Hour Free Parking

RECOMMENDATION:

That Council requests the General Manager to complete a report and provide a suitable evidence base for the Council to consider the introduction of a free parking service in the Council's multi-deck car parks for the first 60-90 minutes.

REPORT:

Ninety minute free parking in Council car parks is a commonly provided service by Local Governments across Australia, with Councils such as the City of Hobart currently providing 90 minutes free parking in its multi-deck car parks.

14.1 Notice of Motion - Mayor Alderman A M Van Zetten - 60 - 90 Minutes Free Parking ...(Cont'd)

Real or otherwise, there is a view within the Launceston CBD business community, that the introduction of a 60-90 minutes free parking service in the Council's multi-deck carparks would generate additional visitation and foot traffic within the CBD.

Currently, the Council provides free parking between 3.30pm - 5.30pm Monday to Sunday in its Paterson Street East and West Carparks and Monday to Saturday between 3.30pm - 5.30pm in its Elizabeth Street Carpark. Additionally, free parking is provided in the Seaport and York Street West Carparks on Sundays and all weekend in the Willis Street carpark and High Street Off-Street parking area.

While there is little doubt that the Council has made excellent efforts to offer a free parking service to benefit the Launceston CBD, I feel that it is timely for the Council to undertake a thorough review of its current service offering by examining the pros and cons associated with the introduction of a 60-90 minutes free parking service in the Council's multi-deck carparks. Such a review should provide the Council (and the community) with a robust evidence base on which to base a decision on this important matter. Accordingly, through the General Manager, I propose that the Council's Parking Department complete a review and report to the Council on the introduction of a 60-90 minutes free parking service in the Council's multi-deck carparks. It is hoped that such a review would be able to be completed within the next three months.

OFFICER COMMENT:

Bruce MacIsaac (Director Facilities Management)

Recently, the Chamber of Commerce indicated they have received feedback from some of their members, particularly City retailers, that parking fees and other restrictions are a limiting factor on customers choosing to make purchases in the City. It is proposed that reducing these fees will increase the number of customers choosing the City as a shopping destination.

The proposal, included in this Notice of Motion, is to respond to these concerns by exploring if the first 60-90 minutes of parking in Council's three multi-deck carparks could be provided at no charge.

In response, an evidence based report shall be provided to Council so that the proposal can be considered within three months. The report will provide a summary of past investigations and basis for a trail to gather further data to determine the effectiveness or not of the proposed pricing strategy in, changing customer behaviour and increasing the number of vehicles parked within Council's multi-deck carparks.

14.1 Notice of Motion - Mayor Alderman A M Van Zetten - 60 - 90 Minutes Free Parking ...(Cont'd)

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 Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To ensure decisions are made in a transparent and accountable way

Key Directions -

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

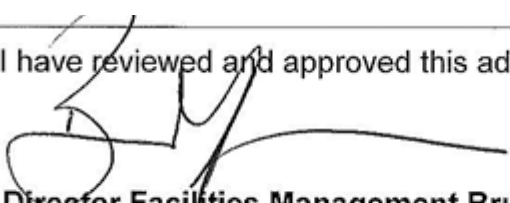
BUDGET & FINANCIAL ASPECTS:

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.


Director Facilities Management Bruce MacIsaac

ATTACHMENTS:

1. Notice of Motion - Mayor Alderman A M van Zetten - 60-90 Minutes Free Parking

Attachment 1 - Notice of Motion - Mayor Alderman A M van Zetten - 60-90 Minutes Free Parking

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 / SF0530
RS/EL
DATE: 9 November 2018

TO: Michael Stretton General Manager
c.c. Committee Clerks

FROM: Albert van Zetten Mayor

SUBJECT: Notice of Motion - 60 - 90 Minutes Free Parking

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 22 November 2018.

Motion

That the Council request the General Manager to complete a report and provide a suitable evidence base for the Council to consider the introduction of a free parking service in the Council's multi-deck car parks for the first 60-90 minutes.

Background

90 minute free parking in Council car parks is a commonly provided service by Local Government's across Australia, with Councils such as the City of Hobart currently providing 90 minutes free parking in its multi-deck car parks.

Real or otherwise, there is a view within the Launceston CBD business community, that the introduction of a 60-90 minutes free parking service in the Council's multi-deck car parks would generate additional visitation and foot traffic within the CBD.

Currently the Council provides free parking between 3.30pm - 5.30pm Monday to Sunday in its Patterson Street East and West Car parks and Monday to Saturday between 3.30pm - 5.30pm at its Elizabeth Street Car park. Additionally, free parking is provided at the Seaport and York Street West Car parks on Sundays and all weekend in the Willis Street Car park and High Street Off-Street parking area.

While there is little doubt that the Council has made excellent efforts to offer a free parking service to benefit the Launceston CBD, I feel that it is timely for the Council to undertake a thorough review of its current service offering by examining the pros and cons associated with the introduction of a 60-90 minutes free parking service in the Council's multi-deck car parks. Such a review should provide the Council (and the community) with a robust evidence base on which to base a decision on this important matter. Accordingly, through the General Manager I propose that the Council's Parking Department complete a review and report to the Council on the introduction of a 60-90 minutes free parking service in the

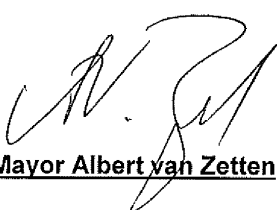
CITY OF LAUNCESTON

MEMORANDUM ---

Council's multi-deck car parks. It is hoped that such a review would be able to be completed within the next 3 months.

Attachments

N/A



Mayor Albert van Zetten

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

17 CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS**18.1 94 Bathurst Street, Launceston - Objections to Sale of Public Land****FILE NO:** 18003**AUTHOR:** Robert Holmes (Senior Property Advisor)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider objections to the proposal to sell public land at 94 Bathurst Street, Launceston as required by section 178 of the *Local Government Act 1993*.

PREVIOUS COUNCIL CONSIDERATION:

Council -18 June 2018 - Agenda Item 23.6 - Proposed Disposal of Public Land at 94 Bathurst Street, Launceston

RECOMMENDATION:

That Council, pursuant to Section 178 of the *Local Government Act 1993*, considers the objections and in respect of those objections resolves to agree that the objections raised are sufficient to warrant the retention of 94 Bathurst Street, Launceston as public land.

REPORT:

The Council was approached by an adjoining land owner to acquire the Council's land at 94 Bathurst Street Launceston for the purposes of car parking.

On 18 June 2018, at a Closed Meeting of Council, the Council adopted a recommendation to facilitate disposal of this land.

One of the legislative requirements was that notification be placed in the local newspaper, together with notices being placed onsite to advise the public of the proposal to dispose of public land.

As a result of the notifications of the proposal to dispose of 94 Bathurst Street, Launceston, four objections have been received and are included in [Attachment 1](#).

18.1 94 Bathurst Street, Launceston - Objections to Sale of Public Land ...(Cont'd)

A summary of objector comments and officer response is set out in the table below:

Objector Comments	Officer Response
Loss of open space and environmental benefits is valued as it enhances an arterial road entrance to the City	<p>The Parks Planner advised the following: The land is very small (220m²), located on the corner of Bathurst and Frederick Streets and is not highly utilised. Whilst the original intent was securing land for road widening, the land is landscaped with a paved area, seating, rubbish bin, garden bed and a tree. The land does contribute to the local streetscape providing space for a broad spreading tree and maintaining the building setback from the corner. Street trees are valuable community assets and provide many environmental benefits. If the land was disposed of, the likely result is loss of a street tree. As Bathurst Street is a major arterial road, establishing trees in this road reserve is challenging and therefore, the established trees are important.</p> <p>The land, however, is directly across the road from Brickfields Reserve, a large flat park with good road frontage on all sides, paths, seating, playground and well established lawns and mature trees. Therefore, disposal of a small corner lot in close proximity will not significantly impact on the quality open space available in the local area.</p>
Other opportunities need to be explored	The development opportunity of the land as a stand-alone development is considered to present limited economic benefit or improvement to the amenity of Bathurst Street. Discussed further in report.
Further information not on Council's web site	<i>The Examiner</i> advertising fulfils the statutory requirements. The Manager Communications has advised that it is not possible to display this type of advertisement within the Council's web site at this point in time. The matter is being investigated.
Retain and use for car parking	The Engineering Officer Traffic has advised that proximity to the intersection means that vehicular access should be limited, which means that public parking is not a desirable alternate use.

The loss of any significant tree is regrettable, however, on balance this small parcel, especially given its proximity to the Brickfields Reserve, is not considered to be high quality public open space.

18.1 94 Bathurst Street, Launceston - Objections to Sale of Public Land ...(Cont'd)

The site is relatively small and does present some challenges in terms of alternate use or development. Given that it has been determined that land, originally acquired for road widening is no longer required for that purpose, means that retention, purely for open space purposes, is more difficult to justify. Alternate public use of the site is difficult because of its location at a busy intersection as well the size constraints. There is also a significant park on the opposite side of Frederick Street which caters for public use opportunities. If it were not for the site's proximity to the Brickfields, then it may have achieved a higher priority assessment.

The site is zoned as 15.0 Urban Mixed Use Zone under the Launceston Interim Planning Scheme 2015. This zone is the most versatile zone within the scheme and may allow a variety of uses on the site. Necessarily any development proposal would be assessed by the General Manager and the subsequent development application would be considered on the merits of the individual proposal.

Development of this site in isolation to adjoining properties is considered to provide economic benefit and no amenity benefit to Bathurst Street and on this basis it is recommended that the land is not disposed. Should there be a proposal in the future to develop this site in conjunction with adjoining properties it adds to the amenity and is consistent with Council strategies, disposal of the land should be reconsidered.

Statutory Restrictions on Title

A further part of the recommendation adopted at the Council Meeting of 18 June 2018 required that owners affected by the proposal to amend Sealed Plan registered number SP8323 by removing the notation "Set Apart for Public Recreation Space" to be notified of the proposed amendment. No objections have been received from owners affected in relation to the proposed amendment.

Legislative Requirements

Section 178 of the *Local Government Act 1993* states:

- (4) *If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to—*
 - (a) *publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and*
 - (ab) *display a copy of the notice on any boundary of the public land that abuts a highway; and*
 - (b) *notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication*
-

18.1 94 Bathurst Street, Launceston - Objections to Sale of Public Land ...(Cont'd)

- (6) *The council must –*
 - (a) *consider any objection lodged; and*
 - (b) *by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –*
 - (i) *that decision; and*
 - (ii) *the right to appeal against that decision under section 178A.*

Section 178A of the *Local Government Act 1993* states:

- (1) *Any person who lodged an objection under section 178 may appeal to the Appeal Tribunal against the decision of a council under section 178(6) within 14 days after receipt of notice of that decision under section 178(6)(b).*
- (2) *An appeal must be made in accordance with the Resource Management and Planning Appeal Tribunal Act 1993.*
- (3) *An appeal may only be made on the ground that the decision of the council is not in the public interest in that –*
 - (a) *the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or*
 - (b) *there is no similar facility available to the users of that facility.*
- (4) *The Appeal Tribunal is to hear and determine an appeal in accordance with the Resource Management and Planning Appeal Tribunal Act 1993.*
- (5) *The decision of the Appeal Tribunal on hearing an appeal is final and section 25 of the Resource Management and Planning Appeal Tribunal Act 1993 does not apply.*

ECONOMIC IMPACT:

To assist in determining the relative benefit to the city arising from development of the site in the event of disposal, economic impact modelling has been undertaken to determine the benefit to the local economy arising from expenditure within the building construction industry associated with development of the site.

Building construction expenditure of \$200,000 would create two full time jobs in the City of Launceston and one full time job outside the City of Launceston during a 12 month construction period.

Building construction expenditure of \$500,000 would create four full time jobs in the City of Launceston and two full time jobs outside the City of Launceston during a 12 month construction period.

The open space area is not large and therefore is not demanding on the Council resources from a maintenance perspective. The tree does require occasional pruning arising from a neighbour complaint about overhanging branches and associated leaf litter.

18.1 94 Bathurst Street, Launceston - Objections to Sale of Public Land ...(Cont'd)

ENVIRONMENTAL IMPACT:

If sold the loss of public open space or significant tree does have an environmental impact and should ordinarily be avoided. In this instance the environmental impact is assessed as being low.

SOCIAL IMPACT:

If sold the loss of this public open space is adequately compensated for because of the proximity to the Brickfields Reserve.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 6 - A city building its future

Ten-year goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions

Key Directions -

2. To develop and take a strategic approach to development sites to maximise public benefits of development
4. To explore opportunities to minimise heavy freight movements through residential areas and the central area

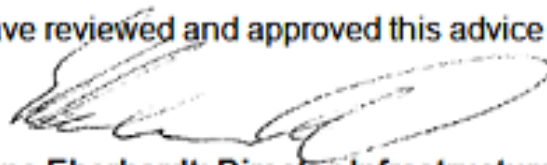
BUDGET & FINANCIAL ASPECTS:

If sold the income is to be used to facilitate improvement to an existing park and or public open space located within 1km of 94 Bathurst Street, Launceston as determined by the General Manager.

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: Director Infrastructure Services

ATTACHMENTS:

1. Correspondence from Objectors
-

Attachment 1 - Correspondence from Objectors

From: Ian & Susan Routley
Sent: Wednesday, 10 October 2018 11:07 AM
To: Robert Holmes
Cc: Leanne Hurst; Lyn Norris
Subject: RE: Sale of Public Land

Dear Robert,

Further to the emails below and phone conversations I confirm my formal objection to the proposed sale of the said parcel of land.

Launceston has always valued the entrances of all its major arterial roads and this small parcel of land (pocket handkerchief) adjacent to the Brickfields is no less important.

Why shouldn't Council continue to value this strategic corner and look at it as an opportunity for both cultural and environmental purposes to market the city in a unique manner.

Were other opportunities considered by the Alderman, if not why not, there must be another option other than for commercial purpose.

The question is does Council have a clear strategic focus in valuing our major entrances into the city with an emphasis on committing to environmental, heritage and minimising pollution, such as inappropriate and excessive signage.

This matter, only small in the scale of other situations, should not have been subjected to this process and does not reflect at all well with our long held values of Launceston, which used to be promoted as the garden city, to complement our built heritage.

Kind regards,

Ian Routley

From: Ray Norman
Sent: Wednesday, 10 October 2018 2:32 PM
To: Robert Holmes Leanne Hurst Lyn Norris
Subject: Sale of Public Land

Dear Mr. Holmes,

I write to formally object to Council disposing of this small parcel of land and especially so given that there is no apparent '*strategic purpose*' in doing so other than some imagined position that it is seemingly '*surplus to current requirements*'.

I support Mr Routley's objection without any hesitation or qualification whatsoever. It is apparently being imagined as some kind of nuisance yet it presents a range of opportunities that do not appear to have been explored or evaluated within this land's '*Communities of Ownerships & Interest*' (COI). Once this has been done and its COI has been engaged in its evaluation all parties will be able to present a case for a use or set of uses within a context or series of purposes.

An immediate purpose coming to mind would be a highly visible '*gathering cum drop-off point*' for various groups – *visitors and residents*. Beyond that, as Mr Routley suggests, there is the possibility of exploring a range of social cum cultural opportunities to be explored and seemingly not yet done.

The question arises, have any of the Aldermen considered whatever strategic purpose/s have been presented in support of the sale, along with others in the context of the income, presumably going to '*consolidated revenue*', with alternative purposes. This sale has many of the hallmarks of careless, hasty and purposeless sale.

Albeit an apparently trivial matter, it is one that deserved more serious consideration relative to the land's location, the possibly meagre income to be derived given the size of the plot and alternative strategies for managing this '*asset*' that may well deliver many community benefits if they are sought.

Yours sincerely,

Ray Norman

COUNCIL AGENDA

Thursday 22 November 2018

From:
Sent: Friday, 12 October 2018 2:34 PM
To: Contact Us <contactus@launceston.tas.gov.au>
Subject: Re: Proposed sale of land at 94 Bathurst Street, Launceston

To Whom It May Concern,

I would like to object to the sale of this parcel of public land.
 I viewed the proposal on October 11th on a staked notice on the block.
 The final date for lodgement of feedback is October 12th.
 I attempted to locate the proposal on the council website without success.
 I contacted the council today and spoke to a gentlemen who was unable to locate the proposal on the website.
 He informed me that the person responsible, Mr. Robert Holmes was unavailable due to leave.
 My issue is that the public are unable to locate this proposal on the council website.
 There is no generic search facility available on the Launceston Council website therefore making it almost impossible to find such items.
 There was no one available at the council to direct me to the proposal so that I could obtain further information to assist me.

Regards
 Lee Turnbull

PO BOX 674
 LAUNCESTON TAS 7250
 12/10/18


MANAGER

hcc

DEAR SIR

RE COUNCILS PROPOSAL TO SELL VACANT
 PIECE OF LAND CNR BATHURST & FREDERICK STS

I SUGGEST COUNCIL SHOULD KEEP IT AND ALLOW
 4 HR PARKING ON IT TO HELP MAKE UP FOR THE 11 ON-STREET
 PARKING SPACES ^{NEARBY} YOU RECENTLY TOOK AWAY GREATLY INCONVENIENCING
 PEOPLE IN THE AREA.


 ANTHONY HORTON
 49 BATHURST ST

19 CORPORATE SERVICES DIRECTORATE ITEMS**19.1 Council Meetings Policy (Frequency and Commencement Time) (14-Plx-001)****FILE NO:** SF0975**AUTHOR:** Leanne Purchase (Acting Manager Corporate Strategy)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider the Council Meetings (Frequency and Commencement Time) Policy - 14-Plx-001.

As per Regulation 6(1) of the Local Government (Meeting Procedures) Regulations 2015, this decision requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 15 November 2018 - Council Meetings Policy (Frequency and Commencement Time (14-Plx-001)

RECOMMENDATION:

That Council adopts the Council Meetings Policy (Frequency and Commencement Time) - 14-Plx-001 as set out below:

Council Meetings Policy (Frequency and Commencement Time)**PURPOSE**

To set the commencement times of ordinary Council Meetings to comply with regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015*, which states:

A meeting is not to start before 5:00pm unless otherwise determined by the council by absolute majority.

To set the frequency of the ordinary Council Meetings.

To set the start time and day of Council's Annual General Meeting, to comply with section 72B(1)(a) of the *Local Government Act 1993 (Tas)* which states:

A council must hold an Annual General Meeting on a date that is not later than 15 December in each year.

19.1 Council Meetings Policy (Frequency and Commencement Time) (14-Plx-001) ... (Cont'd)

SCOPE

This policy applies to ordinary Council Meetings and the Annual General Meeting.

POLICY

1. The first meeting of the calendar year will be a Council Meeting which will be held on the fourth Thursday in January.
2. Subsequent Council Meetings will be held on alternate Thursdays. If the Council Meeting falls on a Thursday that is a public holiday, the Council Meeting is held on the following Thursday and alternate Thursdays after that.
3. The final scheduled Council Meeting will be held on either the second or third Thursday in December.
4. Council Meetings will commence at 1.00pm.
5. The Annual General Meeting is held on the first Thursday in December commencing at 5.30pm.

PRINCIPLES

The Council's organisational values apply to all activities.

RELATED POLICIES and PROCEDURES

14-Rfx-009 Council Meeting Schedule

RELATED LEGISLATION

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2015

REFERENCES

N/A

DEFINITIONS

N/A

REVIEW

This policy will be reviewed after each Council election.

REPORT:

In order to meet the requirements of section 72B(1)(a) of the *Local Government Act 1993* (Tas), Council is required to adopt the Council Meetings Policy (Frequency and Commencement Time) (14-Plx-001) which determines the starting time and day for ordinary Council Meetings and the Annual General Meeting.

**19.1 Council Meetings Policy (Frequency and Commencement Time) (14-Plx-001)
...(Cont'd)**

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 Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To continue to meet our statutory obligations and deliver quality services

Key Direction -

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

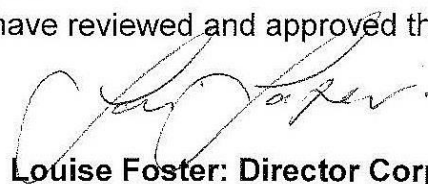
BUDGET & FINANCIAL ASPECTS:

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.



Louise Foster: Director Corporate Services

19.2 Council Appointments to Internal and External Committees

FILE NO: SF0106/SF0095/SF2233

AUTHOR: Leanne Purchase (Acting Manager Corporate Strategy)

DIRECTOR: Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To approve Council appointments in respect of committees, authorities, specific purpose committees and external organisations.

PLANNING APPLICATION INFORMATION:

Workshop - 15 November 2018 - Committee Nominations

RECOMMENDATION:

That Council:

1. pursuant to sections 23(2) and 24(2) of the *Local Government Act 1993*, appoints representatives to each of the committees, authorities, specific purpose committees and external organisations as listed.

COUNCIL COMMITTEE (convened under section 23 of the *Local Government Act 1993*)

Committee	Number of Alderman Vacancies	Nomination
General Manager's Contract and Performance Review Committee	5 (including Mayor of the Day)	Alderman A M van Zetten Alderman J G Cox Alderman P S Spencer Alderman D C Gibson Alderman T G Walker

19.2 Council Appointments to Internal and External Committees ...(Cont'd)

SPECIAL COUNCIL COMMITTEE (convened under section 24 of the Local Government Act 1993)

Committee	Number of Alderman Vacancies	Nomination
Audit Panel	2	Alderman D H McKenzie Alderman J Finlay
Australia Day Committee	3	Alderman R I Soward Alderman D C Gibson Alderman A E Dawkins
Cataract Gorge Advisory Committee	2	Alderman T G Walker Alderman A G Harris
Community Grants (Organisations) Program	3	Alderman D C Gibson Alderman T G Walker Alderman K P Stojansek
Events Sponsorship Assessment Panel	3	Alderman N D Daking Alderman K P Stojansek Alderman D C Gibson
Heritage Advisory Committee	2	Alderman T G Walker Alderman D H McKenzie
Access Advisory Committee	1	Alderman A E Dawkins
Launceston City Heart Reference Group	3 (including one as Chairman)	Alderman A M van Zetten Alderman N D Daking Alderman A G Harris Alderman K P Stojansek Alderman J Finlay
Launceston Sister City Committee	3	Alderman D C Gibson Alderman R I Soward Alderman J G Cox Alderman K P Stojansek Alderman T G Walker
Northern Youth Coordinating Committee	1	Alderman D C Gibson
NTCA Ground Management Committee	1 (Mayor of the Day)	Alderman A M van Zetten
Pedestrian and Bike Committee	2	Alderman A G Harris Alderman D H McKenzie

19.2 Council Appointments to Internal and External Committees ...(Cont'd)

Committee	Number of Alderman Vacancies	Nomination
Queen Victoria Museum and Art Gallery Governance Advisory Board	2 (including Mayor of the Day and Deputy Mayor of the Day (proxy with voting rights))	Alderman A M van Zetten Alderman D C Gibson
Scholarships and Bursary Committee	2	Alderman A E Dawkins Alderman D C Gibson
Tender Review Committee	4 (including one as Chairman)	Alderman J G Cox Alderman N D Daking Alderman P S Spencer Alderman D H McKenzie
Youth Advisory Group	3	Alderman D C Gibson Alderman D H McKenzie Alderman T G Walker

COUNCIL AUTHORITIES

(convened under section 30 of the Local Government Act 1993)

Committee	Number of Alderman Vacancies	Nomination
Launceston Flood Authority (LFA)	1 (Mayor of the Day)	Alderman A M van Zetten

SPECIAL COMMITTEE

(convened under section 20(A) of the Emergency Management Act 2006 (Tas))

Committee	Number of Alderman Vacancies	Nomination
Municipal Emergency Management Committee	1 (including acting as Municipal Chairman)	Alderman J G Cox

19.2 Council Appointments to Internal and External Committees ...(Cont'd)

COUNCIL EXTERNAL COMMITTEE MEMBERSHIP (resulting from resolutions of Council)

Committee	Number of Alderman Vacancies	Nomination
Australian Pacific Airports Launceston	1	Nominations through the General Manager to Australian Pacific Airports Launceston
Cityprom Limited	1	Alderman R I Soward Alderman N D Daking Alderman A E Dawkins
Enterprize Tasmania Limited	1	Nominated Council Representative to be General Manager
Franklin House Management Committee	1	Alderman A G Harris
Launceston College Association	1	Alderman D C Gibson
Launceston Safer Communities Partnership	2	Alderman J Finlay Alderman P S Spencer
Local Government Association of Tasmania	2 (Mayor of the Day and Deputy Mayor of the Day (as proxy))	Alderman A M van Zetten Alderman D C Gibson
Tamar NRM Reference Group		Alderman T G Walker
Newstead College Association	1	Alderman A G Harris
Ravenswood Action Group	1	Alderman K P Stojansek
TasWater Owners Representative	1 (Mayor of the Day)	Alderman A M van Zetten
Theatre North Inc.	1	Alderman D H McKenzie
University of Tasmania Northern Campus Engagement and Advisory Group	2	Alderman J Finlay Alderman R I Soward Alderman D H McKenzie
Design Tasmania	1	Alderman A E Dawkins
Economic Development Working Group	3	Alderman J Finlay Alderman N D Daking Alderman D H McKenzie Alderman T G Walker

19.2 Council Appointments to Internal and External Committees ...(Cont'd)

2. approves the final nominations outlining all appointed representatives for incorporation in the Committee Representation Details Procedure (14-HLPr-003).
 3. notes the Committee Representation Details Procedure (14-HLPr-003) is to be reviewed in two years, to provide an opportunity for Council to revisit the nominations and appointments to all committees, authorities, specific purpose committees and external organisations.
 4. notes that the Terms of Reference (or policy statement) for each of the Council Committees should be reviewed by the responsible Director and the Committees and brought to Council in 12 months for consideration.
-

REPORT:

The purpose of this report is to finalise Council's appointments of representatives to committees, authorities, specific purpose committees and external organisations.

Preliminary discussions were conducted at the Workshop Meeting held on 15 November 2018 and the tentative nominations require endorsement.

1. The Nominations Table, which includes tentative nominations for the committees, authorities, specific purpose committees and external organisations, at Attachment 1 will be incorporated into the Minutes for this Agenda item and will become the Appointment Table.
2. The appointments to each individual committee and other body will be considered for approval consecutively in the order that they appear on the Appointment Table.
3. Appointments may be made based on the nominations, or, in the event that there are more nominations than vacancies available and consensus cannot be reached, a secret ballot process may be held to determine the representative(s).
4. When the Appointment Table is completed, it is recommended that the final Appointment Table is approved for inclusion into the Committee Representation Details Procedure (14-HLPr-003).

With the four year term for all Aldermen, the opportunity to review appointments midterm can be integrated into a two-yearly review process for the Committee Representation Details Procedure (14-HLPr-003). This would enable Aldermen to reassess appointments and enable further opportunities for Aldermen to extend their understanding across other committees and bodies during their term of office.

19.2 Council Appointments to Internal and External Committees ...(Cont'd)

In view of the recommendation for the two-yearly review of the Committee Representation Details Procedure (14-HLPr-003), it is considered timely for each Council committee to review its Terms of Reference. This will provide the committees with an opportunity to bring the Terms of Reference back to Council for approval prior to the reconsideration of nominations and appointments to Council committees, authorities, specific purpose committees and external organisations in two years.

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 Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To ensure decisions are made in a transparent and accountable way and to continue to meet our statutory obligations and deliver quality services

Key Directions -

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

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: Director Corporate Services

19.3 Code of Conduct for Members of Special Committees (14-Plx-033)**FILE NO:** SF0977**AUTHOR:** Leanne Purchase (Acting Manager Corporate Strategy)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider the Code of Conduct for Members of Special Committees (14-Plx-033).

PREVIOUS COUNCIL CONSIDERATION:

Council - 12 September 2016 - Agenda Item 19.1 - Draft Code of Conduct for Members of Special Committees

Workshop - 15 November 2018 - Code of Conduct for Members of Special Committees (14-Plx-033)

RECOMMENDATION:

That Council approves the following Code of Conduct for Members of Special Committees (14-Plx-033):

Code of Conduct for Members of Special Committees***PURPOSE***

A special committee is a committee established by Council under section 24 of the *Local Government Act 1993* (Tas). The purpose of a special committee is to consider any matter referred to it by Council, within the terms of reference applicable to that committee.

Council determines the membership of a special committee, drawing from aldermen, Council employees and the general public.

This code of conduct sets out the standards of behaviour expected of members in relation to:

- behaviour in special committee meetings; and
- the performance of work for or in connection with that committee.

SCOPE

This code of conduct applies to members of special committees who are not Aldermen or Council employees. Aldermen or Council employees who are members of a special committee are not subject to this code of conduct. Aldermen are subject to the Code of Conduct for Aldermen (14-Plx-032). Council employees are subject to the Code of Conduct Policy (22-PI-030).

19.3 Code of Conduct for Members of Special Committees (14-Plx-033) ...(Cont'd)

POLICY

1. A member of a special committee, through their participation in the committee and their interaction with other members, staff and the general public on matters related to the committee:
 - (a) is to treat all persons with courtesy, fairness, dignity and respect; and
 - (b) is not to intentionally cause any person offence or embarrassment; and
 - (c) is not to bully or harass any person.
 2. A member is to listen to, and respect, the views of other participants in committee meetings and any other proceedings of the committee, and endeavour to ensure that issues, not personalities, are the focus of debate.
 3. When giving information to the community, a member is to accurately represent the decisions of the committee.
 4. A member is to clearly indicate when they are putting forward their personal views.
 5. A member is to respect the authority of the chairperson in the oversight of the committee meetings.
 6. A member is not to influence, or attempt to influence, any Council employee or delegate of Council, in the exercise of the functions of the employee or delegate.
 7. A member is not to contact an employee of the Council in relation to committee matters unless authorised by the chairperson, who will in turn seek the approval of the General Manager of the Council.
 8. A member is not to knowingly misrepresent information that they have obtained in the course of their duties as a member of the committee.
 9. A member is not to speak on behalf of the committee, unless specifically authorised or delegated by the chairperson.
 10. A member's personal views are not to be expressed in such a way as to undermine the decisions of the committee or bring the committee into disrepute.
 11. The personal conduct of a member is not to reflect, or have the potential to reflect, adversely on the reputation of the committee or the Council.
-

19.3 Code of Conduct for Members of Special Committees (14-Plx-033) ...(Cont'd)

PRINCIPLES

Members are expected to commit to the following principles:

- *Equitable* - Provide all members with the opportunity to participate in the decision making process and treat all members equally.
- *Participatory and inclusive* - Ensure that all members of the committee have the opportunity to participate in the process for making that decision.
- *Effective and efficient* - Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community.
- *Consensus oriented* - Take into account the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.

CONTRAVENING THIS CODE OF CONDUCT

If the chairperson believes a member has contravened this code of conduct, they will, in the first instance, raise the matter in a meeting with the member, outlining:

1. the provision in this code of conduct that the member is alleged to have contravened; and
2. the details of the behaviour of the member that constitutes the alleged contravention.

There are four likely outcomes that will arise from the meeting, and the process for the chairperson to follow for each of these is as follows:

1. If the member accepts that they have contravened the code of conduct and this contravention can be resolved without recommending removal from the committee, the chairperson may:
 - issue the member with a formal caution or reprimand; and/or
 - require the member to apologise to any person(s) affected by the contravention.
 2. If the member refuses to accept that they have contravened the code of conduct and, in the opinion of the chairperson, this contravention may be resolved without recommending dismissal from the committee, the chairperson will seek advice from the General Manager on how to proceed.
 3. If the member accepts that they have contravened the code of conduct and this alleged contravention is such that it warrants removal from the committee, they will be provided the opportunity to resign from the committee.
-

19.3 Code of Conduct for Members of Special Committees (14-Plx-033) ...(Cont'd)

4. If the alleged contravention is such that it warrants removal from the committee and the member:
- accepts that they have contravened the code of conduct and does not resign from the committee; or
 - refuses to accept that the alleged contravention is such that it warrants removal from the committee

the chairperson will write to the General Manager including in the correspondence:

- the name of the member;
- the provision of the code of conduct that the member has allegedly contravened; and
- the details of the behaviour of the member that constitutes the alleged contravention.

Upon receiving the correspondence, the General Manager will refer the matter to Council for decision.

RELATIONSHIP BETWEEN THIS POLICY AND A SPECIAL COMMITTEE'S TERMS OF REFERENCE OR CHARTER

If a provision in this code of conduct is inconsistent with a provision in any special committee's terms of reference or charter, the provision in this code of conduct prevails.

RELATED POLICIES & PROCEDURES

14-HLPr-012 Committee Representation Details

14-Plx-032 Code of Conduct for Aldermen

22-PI-030 Code of Conduct Policy

RELATED LEGISLATION

Not applicable

REFERENCES

Not applicable.

DEFINITIONS

Special Committee: a special committee is a committee convened under section 24 of the *Local Government Act 1993* (Tas).

Member: a representative with voting rights on a special committee covered by this code of conduct.

19.3 Code of Conduct for Members of Special Committees (14-Plx-033) ...(Cont'd)

REVIEW

This code of conduct will be reviewed no more than four years after the date of approval to broadly align with the local government election cycle, or more frequently if required by operational demands and with Council's approval.

REPORT:

The Code of Conduct for Members of Special Committees (14-Plx-033) was approved by Council on 12 September 2016.

The version of the Code of Conduct for Members of Special Committees (14-Plx-033) that Council is being asked to approve today includes minor changes to its format and wording only; the overall content and intent is unchanged.

This review has been initiated to bring future reviews of the Code of Conduct for Members of Special Committees (14-Plx-033) into line with the local government election cycle.

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 Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders; to ensure decisions are made in a transparent and accountable way and to continue to meet our statutory obligations and deliver quality services

Key Directions -

1. To develop and consistently use community engagement processes
 3. To ensure decisions are made on the basis of accurate and relevant information
 4. To continually improve our service delivery and supporting processes
-

19.3 Code of Conduct for Members of Special Committees (14-Plx-033) ...(Cont'd)

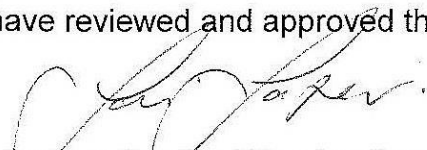
BUDGET & FINANCIAL ASPECTS:

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.



Louise Foster: Director Corporate Services

19.4 Financial Report to Council - 30 September 2018**FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider the Council's financial performance for the three months ended 30 September 2018.

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 31 October 2018 - Agenda Item 9.3 - Financial Statements - Analysis and Commentary

RECOMMENDATION:

That Council adopts the financial report for the three months ended 30 September 2018 which shows an overall deficit of \$0.269 million. After allowing for Financial Assistance Grant revenue received in June 2018 (\$2.174 million) and Greater Launceston Transformation Project costs not yet recognised (\$0.672 million), the underlying surplus is \$1.164 million.

REPORT:**Operations Summary**

The Statement of Comprehensive Income for the three months to 30 September 2018 follows this commentary.

Employee costs are \$0.67m under budget and materials and services are \$0.55m under budget.

Revenues are generally better than budget at this stage, except for Financial Assistance Grant (FAG) revenue that was received in June 2018 but relates to the 2018/2019 financial year.

If this anomaly is corrected and allowance made for the Greater Launceston Transformation Project (GLTP) costs not yet accrued (but grant revenue already received as at 30 September 2018), the adjusted variance to budget would be \$1.164m favourable.

COUNCIL AGENDA

Thursday 22 November 2018

19.4 Financial Report to Council - 30 September 2018 ...(Cont'd)

**Favourable/(Unfavourable)
Variance
\$'000**

Comprehensive result for 3 months to 30 September 2018	(338)
GLTP cost not yet accrued	(672)
FAG revenue received in 2017/2018 relating to the 2018/2019 year	<u>2,174</u>
Adjusted operating variance for 3 months to 30 September 2018	<u>1,164</u>

**CITY OF LAUNCESTON
Statement of Comprehensive Income
For Year to Date 30 September 2018**

	2018/19 YTD \$ Actual	2018/19 YTD \$ Budget	Variance YTD \$ Fav/(Unfav)
REVENUES FROM ORDINARY ACTIVITIES			
Rates	16,864,079	16,862,253	1,827
Fees and Charges	6,155,246	6,082,908	72,338
Revenue Grants			
Financial Assistance	547,605	2,638,821	(2,091,216)
Other Grants	1,396,202	724,277	671,926
Interest	484,173	517,811	(33,638)
Interest Committed	4,231	-	4,231
Investment Revenue	764,945	545,200	219,745
Bequests	42,169	45,521	(3,351)
Other Income	<u>650,150</u>	<u>765,963</u>	<u>(115,813)</u>
	26,908,801	28,182,753	(1,273,952)
EXPENSES FROM ORDINARY ACTIVITIES			
Maintenance of Facilities and Provision of Services			
Employee Benefits	9,922,019	10,595,305	673,285
Materials and Services	8,971,024	9,525,938	554,914
Impairment of Debts	7,500	2,679	(4,821)
Finance Costs			
Interest on Loans	84,134	125,706	41,572
Provision for Rehabilitation	77,648	77,648	-
Change in Rehabilitation Provision	-	-	-
Depreciation	5,163,173	5,182,192	19,019
State Government Fire Service Levy	1,989,657	1,989,657	-
Rate Remissions and Abatements	963,980	925,048	(38,932)
Write Down of Assets Held For Sale	<u>-</u>	<u>-</u>	<u>-</u>
	27,179,135	28,424,172	1,245,038
OPERATING SURPLUS / (DEFICIT)	(270,334)	(241,420)	(28,914)
Capital Grants	12,216	310,841	(298,625)
Infrastructure Take Up	-	-	-
Other Comprehensive Income	<u>-</u>	<u>-</u>	<u>-</u>
	12,216	310,841	(298,625)
Non-Operating Expenses			
Loss on Disposal of Fixed Assets	10,656	-	(10,656)
Comprehensive Result	<u>(268,774)</u>	<u>69,421</u>	<u>(338,195)</u>

Unaudited - Internal Use Only

COUNCIL AGENDA

Thursday 22 November 2018

19.4 Financial Report to Council - 30 September 2018 ...(Cont'd)

CITY OF LAUNCESTON STATEMENT OF FINANCIAL POSITION As at 30 September 2018

	2018/19 YTD \$	2017/18 YTD \$	2016/17 YTD \$
EQUITY			
Capital Reserves	199,658,861	185,016,410	171,941,773
Revenue Reserves	1,017,401,548	1,012,752,386	910,522,664
Asset Revaluation Reserves	663,164,898	622,605,640	606,133,192
Investment Reserves	(15,478,099)	(18,188,202)	(19,625,561)
Trusts and Bequests	2,196,206	1,953,156	2,202,342
Operating Surplus	(268,774)	2,625,820	1,304,173
TOTAL EQUITY	1,866,674,640	1,806,765,210	1,672,478,583
Represented by:-			
CURRENT ASSETS			
Cash at Bank and on Hand	1,758,642	2,738,779	383,556
Rate and Sundry Receivables	43,987,485	44,473,002	43,222,103
Less Rates not yet Recognised	(50,598,606)	(48,710,358)	(47,444,950)
Short Term Investments	71,352,066	78,248,304	76,056,473
Inventories	701,387	601,958	638,878
Assets Held for Sale	4,242,217	840,329	-
	71,443,191	78,192,014	72,856,061
NON-CURRENT ASSETS			
Deferred Receivables	257,556	257,556	257,556
Investments	237,631,020	234,923,274	233,483,915
Superannuation Surplus	622,000	-	-
Intangibles	4,887,525	4,513,273	4,618,896
Infrastructure and Other Assets	1,348,840,545	1,285,465,302	1,152,693,190
Museum Collection	237,624,029	237,490,778	237,111,940
	1,829,862,674	1,762,650,183	1,628,165,496
TOTAL ASSETS	1,901,305,865	1,840,842,197	1,701,021,557
CURRENT LIABILITIES			
Deposits and Prepayments	557,076	714,192	1,220,511
Employee Provisions	6,714,814	6,566,148	5,959,335
Rehabilitation Provision	-	-	-
Interest-bearing Liabilities	769,413	2,356,885	2,241,370
Lease Liabilities	-	-	-
Sundry Payables and Accruals	8,855,218	7,316,279	8,477,265
	16,896,521	16,953,503	17,898,481
NON-CURRENT LIABILITIES			
Employee Provisions Non Current	919,357	988,864	1,777,114
Superannuation Obligation	-	461,080	247,080
Interest-bearing Liabilities Non Current	9,000,000	9,769,414	3,126,299
Lease Liabilities	-	-	-
Rehabilitation Provision	7,815,348	5,904,125	5,494,000
	17,734,704	17,123,483	10,644,493
TOTAL LIABILITIES	34,631,225	34,076,986	28,542,974
NET ASSETS	1,866,674,640	1,806,765,210	1,672,478,583

Unaudited - Internal Use Only

19.4 Financial Report to Council - 30 September 2018 ...(Cont'd)

Loan Balances

The loan balance as at 30 September 2018 is \$9.769m.

The State Government offered an interest free loan facility as part of an economic stimulus package to Northern Tasmania. The Council made submissions under this program and \$9m was borrowed in February 2017 for the CH Smith car park project. This loan will be repaid in full, from existing funds, by the Council on 28 February 2022.

The balance of \$0.769m will be repaid by 30 June 2019 which will leave Council with no interest bearing loans on its books.

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 Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To continue to ensure the long-term sustainability of our Organisation

Key Directions -

6. To maintain a financially sustainable organisation

BUDGET & FINANCIAL ASPECTS:

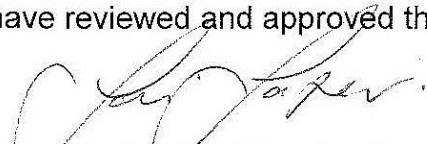
As per the Agenda Item.

19.4 Financial Report to Council - 30 September 2018 ...(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: Director Corporate Services

19.5 Annual Financial Statements for the Year Ended 30 June 2018**FILE NO:** SF2633**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To receive the annual financial statements for the year ended 30 June 2018.

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 31 October 2018 - Agenda Item 7.1 - External Audit Report (Acceptance of financial statements for year ended 30 June 2018)

RECOMMENDATION:

That Council, pursuant to:

1. section 84(4) of the *Local Government Act 1993*, receives the audited financial statements for the year ended 30 June 2018 and notes that:
 - (a) the Acting General Manager has certified the financial statements in accordance with section 84(3); and
 - (b) the financial statements have been audited by the Auditor General in accordance with section 84(1) and the statements have received an unqualified audit opinion.
 2. section 72 of the *Local Government Act 1993*, notes the financial statements will be included in the Annual Report.
-

REPORT:

Under the *Local Government Act 1993* and the *Audit Act 2008*, the Council is required to have its annual financial statements complete in all material respects and forwarded to the Auditor General within 45 days after the end of the financial year. Whilst there is no formal requirement to have these accounts adopted by Council, there is a requirement under section 84(4) "... *that the certified financial statements are tabled at a meeting of the council ...*".

The financial statements for the year ended 30 June 2018 were signed by the Acting General Manager, Leanne Hurst, on 28 September 2018 and the audit certificate was signed by the Auditor General on 5 October 2018. The opinion was issued without qualification.

19.5 Annual Financial Statements for the Year Ended 30 June 2018 ...(Cont'd)

The statements will be incorporated into the Council's Annual Report which will be presented at the Council's Annual General Meeting on Thursday, 6 December 2018. The financial statements and the Annual Report will be a public document available in hard copy and on the Council's website.

A briefing on the financial statements was made available to the Audit Panel on 31 October 2018. A summary of some of the key financial results is as follows:

Statement of Financial Position

The Council's Statement of Financial Position shows the net assets of \$1.866b compared to \$1.804b in 2017. The major changes in the Council's financial position are:

1. Infrastructure Assets have increased by \$46m primarily due to the revaluation of assets.
2. Current Assets have increased by \$2.74m with assets held for sale being the main change.
3. Current Liabilities are lower by \$10.2m due mainly to Sundry Payables and Accruals.
4. Non-current Liabilities have increased by \$0.6m primarily as a result of an increase in the waste rehabilitation provision of \$1.8m offset by a decrease in interest bearing liabilities of \$0.8m.

Statement of Comprehensive Income

The Statement of Comprehensive Income shows both the Operating Results and also other non-operating items such as valuation adjustments. The Council's underlying result for the year ending 30 June 2018 was a surplus of \$3.3m which compares favourably to the underlying budget surplus of \$1.76m.

Operating revenues of \$108.1m were greater than budget by \$4m.

Operating expenses of \$104.8m were \$2.5m greater than budget.

Significant items that varied from budget were:

• Fees and Charges	\$1.7m	favourable
• Operating Grants	\$1.6m	favourable
• Investment Revenue	\$0.3m	favourable
• Other Revenue	\$1.1m	favourable
• Employee Benefits	(\$0.6m)	unfavourable
• Materials and Services	(\$1.5m)	unfavourable
• Scheduled Loss on Disposal of fixed assets	(\$0.7m)	unfavourable

Overall, the underlying surplus of \$3.3m is a sound result and will be used to offset the forecast 2018/2019 deficit of \$2.27m.

19.5 Annual Financial Statements for the Year Ended 30 June 2018 ...(Cont'd)

Operating Summary

	Actual \$'000	Budget \$'000	Variance \$'000
Revenue	108,074	104,062	4,012
Less Expenses	104,777	102,299	(2,478)
Underlying Surplus(Deficit)	3,297	1,763	1,534
Add			
Capital Grants	16,124	12,582	3,542
Bequests	126	-	126
Capital Interest	81	-	81
Infrastructure Take Up Adjustments	(948)	-	(948)
Disaster Recovery Income	525	-	525
Less			
Finance Assistance Grants 2018/2019	(2,104)	-	(2,104)
Finance Assistance Grants for 2017/2018 paid in June 2017	2,174	-	2,174
Assets Held for Sale	841	-	841
Unscheduled Loss on Disposal of Fixed Assets	(3,186)	-	(3,186)
Disaster Recovery Spending	(254)	-	(254)
Surplus/(Deficit)	16,676	14,345	2,331
Other Adjustments	46,144	-	46,144
Comprehensive Result	62,820	14,345	48,475

Capital Result

The following figures summarise the 2017/2018 Capital Program:

	\$'m	LFA \$'m	Total \$'m
Assets Capitalised in 2017/2018	23.7	-	23.7
2017/2018 Capital Spending	31.3	(0.4)	30.9
Gross Capital Budget Carried Over to 2018/2019	45.6	15.1	60.7
Actual Spending Carried Over to 2018/2019	29.3	14.9	44.2
Net Capital Budget Carried Over to 2018/2019	16.3	0.2	16.5

19.5 Annual Financial Statements for the Year Ended 30 June 2018 ...(Cont'd)

Overall Summary of the Council's Financial Position

- The Council's Balance Sheet continues to be in accordance with the current and long term budgets.
- Loan balances are in accordance with budget.
- Cash balances remain in accordance with long term strategy and are consistent with budget project requirements.

The Council's Balance Sheet continues to be in a very sound position.

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 Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To continue to ensure the long-term sustainability of our Organisation

Key Direction -

6. 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: Director Corporate Services

19.5 Annual Financial Statements For The Year Ended 30 June 2018 ...(Cont'd)

ATTACHMENTS:

1. Audited Financial Statements for the Year Ended 30 June 2018 (distributed electronically)
-

20 GENERAL MANAGER'S DIRECTORATE ITEMS

20.1 2018 Local Government Election - Declarations of Office

Please note that this item was considered following Agenda Item 7.2 - Public Questions Without Notice on page 3 of this Agenda.

21 URGENT BUSINESS

Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Agenda.

22 CLOSED COUNCIL

Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)

22.1 Confirmation of the Minutes**22.2 Myrtle Park Recreation Ground - Lease****RECOMMENDATION:**

That, pursuant to the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session to consider the following matters:

22.1 Confirmation of the Minutes

Regulation 34(6)

22.2 Myrtle Park Recreation Ground - Lease

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

23 MEETING CLOSURE
