



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 27 JUNE 2019
1.00pm**

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

Date: 27 June 2019

Time: 1.00pm

Certificate of Qualified Advice

Background


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

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

Certification

I certify that:

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



Michael Stretton
General Manager

City of Launceston

COUNCIL AGENDA

Thursday 27 June 2019

22 November 2018

Mr Michael Stretton
General Manager
City of Launceston
PO Box 396
LAUNCESTON TAS 7250

Dear Michael

COUNCIL MEETING

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

4. Convening council meetings

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

I request that you make the necessary arrangements for the Ordinary Meetings of Council to be convened on the following Thursdays for 2019: 24 January; 7 and 21 February; 7 and 21 March; 4 and 18 April; 2, 16 and 30 May; 13 and 27 June; 11 and 25 July; 8 and 22 August; 5 and 19 September; 3, 17 and 31 October; 14 and 28 November and 12 December commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall, St John Street, Launceston.

Yours sincerely



Councillor A M van Zetten
MAYOR

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 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 13 June 2019 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 Councillors.)

6.1 Ms Jodie Lowe - Rotary Club of Central Launceston (President)

Ms Lowe will provide Council with information on the Rotary Club of Central Launceston's activities during 2018/2019.

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.)

7.1.1 Public Questions on Notice - Mr Ray Norman - Cultural Unit and Queen Victoria Museum and Art Gallery - 6 June 2019**FILE NO:** SF6381/SF7511**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following questions (typed as received), submitted to Council in writing on 6 June 2019 by Mr Ray Norman, have been answered by Mr Michael Stretton (General Manager).

It should be noted that these same questions were submitted under another name (Treva Alen) as part of the Council's 2019/2020 Annual Plan and Budget Consultation process and were answered at the Council Meeting dated 30 May 2019. Given that the questions have been re-submitted, further responses are provided below:

Given the proposed budget allocation of **\$7.9Million** or approx. **\$151K per week** that is largely funded from rate demands:

Questions:

1. How many staff are employed full-time and part-time in this area of activity overall and within the aegis of the *Cultural Unit*?

Response:

The Cultural Unit includes one employee who reports directly to the Director Creative Arts and Cultural Services. The main purpose of the unit has been the development of the Council's inaugural Cultural Strategy.

2. How many staff are employed full-time and part-time at the QVMAG?

Response:

The QVMAG has an employment status of 27 full-time and 36 part-time employees (46.8 full-time equivalents).

3. How many staff are employed full-time and part-time Princess Theatre?

Response:

The Princess Theatre has an employment status one fulltime employee.

7.1.1 Public Questions on Notice - Mr Ray Norman - Cultural Unit and Queen Victoria Museum and Art Gallery - 6 June 2019 ...(Cont'd)

4. How many staff are employed full-time and part-time in Cultural Unit?

Response:

The Cultural Unit has an employment status of one employee.

5. Given that the QVMAG BUDGET represents something in the order of 5.5% [\$6.2Mil] of the city's recurrent budget, how does this component of 'the cultural spend' compare with comparable cities elsewhere?

Response:

The Council's services and structure in the Creative Arts and Cultural Services Directorate are unique and it is not possible to directly compare and contrast against other Councils in this respect. That said, the Council benchmarks itself against Tasmanian and mainland Councils across its overall function. The Council reports its performance in annual reports, both specifically for the QVMAG and for the overall Council itself.

6. Similarly, how does Launceston's total 'cultural spend' [\$7,9 Mil ... 7%] – plus \$644K events spend – compare with comparable jurisdictions elsewhere in Australia.

Response:

The Council's services and structure in the Creative Arts and Cultural Services Directorate are unique and it is not possible to directly compare and contrast against other Councils in this respect. That said, the Council benchmarks itself against Tasmanian and mainland Councils across its overall function. The Council reports its performance in annual reports, both specifically for the QVMAG and for the overall Council itself.

7. Given that the Cultural Unit has been envisioned as a 'purposeful operation', going forward what are current outcomes that would be its measures of success in 1 year, 2 years, 3 years 5 years?

Response:

The outcomes of the Cultural Unit will be refined following the completion of the Cultural Strategy later this year. Once the Cultural Strategy has been completed a more specific and detailed work plan will be developed for the Cultural Unit.

7.1.1 Public Questions on Notice - Mr Ray Norman - Cultural Unit and Queen Victoria Museum and Art Gallery - 6 June 2019 ...(Cont'd)

8. Given the additional \$400K plus in the QVMAG'S recurrent budget allocation and the proposed \$5.3K Capital expenditure, what are the anticipatable and measurable outcome flowing from this expenditure?

Response:

The additional expenditure is largely related to the audit and digitisation of the collection, which will commence in 2019/2020. This will be the first audit of the collection, which has occurred in the history of the institution.

9. What specific 'productivity dividends' can be expected for cultural outputs in the Municipality as a consequence of the implementation of the 'Cultural Unit' and other efficiencies being implemented? How and when are the 'dividends' going to be accessed and by whom?

Response:

Local Government Councils do not pay dividends and it is not proposed that the Cultural Unit will alter this. The Unit will create the Cultural Strategy which will provide an overarching framework to guide the future direction of the City's cultural entities and assets.

10. What grant funds and/or sponsorships going forward are being sought in this area for cultural production, publications and/or research, and from whom?

Response:

The priorities for grant funding and/or sponsorship applications will be determined following the completion of the Cultural Strategy.

11. What research projects are currently in place and when is it anticipated that there will be an outcome or interim report

Response:

The Unit is currently in the process of completing the Cultural Strategy, which has involved a significant amount of public engagement and research.

7.1.1 Public Questions on Notice - Mr Ray Norman - Cultural Unit and Queen Victoria Museum and Art Gallery - 6 June 2019 ...(Cont'd)

12. What strategies are in place, and anticipated, towards developing incoming generative initiatives via, or by, the City's cultural producers, et al via the '*Cultural Unit*'.

Response:

It is highly likely that there will be a range of positive economic outcomes as a consequence of actions arising from the Cultural Strategy. However, income generation is not a primary motivation of the strategy or the Cultural Unit.

13. Given the relative magnitude of the proposed operational budget/s what is the proposed reporting schedule to Council?

Response:

Progress against the Annual Plan and budget is reported to the Council on a quarterly basis.

ATTACHMENTS:

1. Public Questions on Notice - Mr Ray Norman - Cultural Unit and Queen Victoria Museum and Art Gallery - 6 June 2019
-

Attachment 1 - Public Questions on Notice - Mr Ray Norman - Cultural Unit and Queen Victoria Museum and Art Gallery - 6 June 2019

QUESTIONS

Given the proposed budget allocation of **\$7.9Million** or approx. **\$151K per week** that is largely funded from rate demands:

1. How many staff are employed full-time and part-time in this area of activity overall and within the aegis of the '*Cultural Unit*'?
 2. How many staff are employed full-time and part-time at the QVMAG?
 3. How many staff are employed full-time and part-time Princess Theatre?
 4. How many staff are employed full-time and part-time in Cultural Unit?
 5. Given that the QVMAG BUDGET represents something in the order of 5.5% [\$6.2Mil] of the city's recurrent budget, how does this component of '*the cultural spend*' compare with comparable cities elsewhere?
 6. Similarly, how does Launceston's total '*cultural spend*' [\$7,9 Mil ... 7%] – plus \$644K events spend – compare with comparable jurisdictions elsewhere in Australia.
 7. Given that the [Cultural Unit](#) has been envisioned as a '*purposeful operation*', going forward what are current outcomes that would be its measures of success in 1 year, 2 years, 3 years 5 years?
 8. Given the additional \$400K plus in the QVMAG'S recurrent budget allocation and the proposed \$5.3K Capital expenditure, what are the anticipatable and measurable outcome flowing from this expenditure?
 9. What specific '*productivity dividends*' can be expected for cultural outputs in the Municipality as a consequence of the implementation of the '*Cultural Unit*' and other efficiencies being implemented? How and when are the '*dividends*' going to be accessed and by whom?
 10. What grant funds and/or sponsorships going forward are being sought in this area for cultural production, publications and/or research, and from whom?
 11. What research projects are currently in place and when is it anticipated that there will be an outcome or interim report
 12. What strategies are in place, and anticipated, towards developing incoming generative initiatives via, or by, the city's cultural producers et al via the '*Cultural Unit*'.
 13. Given the relative magnitude of the proposed operational budget/s what is the proposed reporting schedule to Council?
-

7.1.2 Public Questions on Notice - Mr Kelvin Jowett - Council Meeting - 13 June 2019**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following question, asked to Council on 13 June 2019 by Mr Kelvin Jowett, has been answered by Mr Matthew Skirving (Acting Director Infrastructure Services).

Questions:

1. When is the walkway in Bennells Way to be restored?

Response:

The Bennells Way walkway is currently functional with a path that has been in place for around 18 months. There is no intent to reinstate the initial walkway.

The matter of the retaining wall failure at 1 York Street, and its subsequent impact on the Bennells Way footpath, is currently the subject of legal action. Council is currently unable to determine a timeline for reinstatement of the retaining wall works in Bennells Way and the Welman Street Reserve.

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.)

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 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling

FILE NO: DA0189/2019

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:	Design To Live Pty Ltd
Property:	76 Legges Crescent, Prospect
Zoning:	General Residential
Receipt Date:	24/04/2019
Validity Date:	15/05/2019
Further Information Request:	15/05/2019
Further Information Received:	15/05/2019
Deemed Approval:	27/06/2019
Representations:	None

STANDARDS REQUIRING COUNCIL DISCRETION

10.4.2 Setbacks and building envelope for all dwellings
10.4.4 Sunlight and overshadowing for all dwellings

RECOMMENDATION:

In accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, the application be refused for DA0189/2019 - Residential - Construction of a dwelling at 76 Legges Crescent, Prospect on the following grounds:

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

1. The proposed development does not comply with Clause 10.4.2 P3 (a) (i) of the Launceston Interim Planning Scheme 2015, as the proposed dwelling causes an unreasonable impact on the solar access to habitable rooms of the adjoining dwelling.
-

REPORT:**1. THE PROPOSAL**

The proposal is for the construction of a single dwelling and the widening of an existing crossover on a vacant lot. The proposed dwelling would be single storey at the front and double storey at the rear with a maximum height of approximately 7.9m. The lower floor has a floor area of approximately 153m² and consists of a rumpus room, a bedroom, a bathroom, a storeroom and a deck. The upper storey has a floor area of approximately 332m² and consists of a master bedroom with ensuite and walk in robe, two additional bedrooms, a bathroom, a toilet, a laundry, a double garage, an open plan kitchen/living/dining room and a deck/alfresco dining area.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the north eastern side of Legges Crescent, Prospect approximately 115m south east from the intersection of Legges Crescent and Peel Street West, Prospect. The site is a regular rectangle in shape and has an area of 762m². The surrounding area is predominantly comprised of residential dwellings, with a significant portion of dwellings in Legges Crescent, Peppermint Place and Palmerstone Avenue being multiple dwellings. The residential area to the north and east of the site consists predominantly of single dwellings. In addition to the residential uses is the Dunn's stone works industrial site to the south of the street and the Southern Outlet, leading to the Midland Highway, to the east.

Access to the site is over an existing concrete crossover directly from Legges Crescent, Prospect. The site has a slope of approximately 13%, falling to the east and the rear of the site. There are currently no structures or vegetation on the site. The site is connected to all relevant reticulated infrastructure services.

3. PLANNING SCHEME REQUIREMENTS**3.1 Zone Purpose****10.0 General Residential Zone****10.1.1 Zone Purpose Statements**

10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
--

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.

10.1.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.

10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.

Not Consistent

The proposed development is for a residential single dwelling, which generally is considered to be consistent with the zone purpose in the General Residential Zone. However, as the development significantly overshadows the adjoining dwelling, in contravention of the relevant performance criteria, the proposal cannot be considered to be compatible with 10.1.1.5.

10.4 Development Standards

10.4.2 Setbacks and building envelope for all dwellings

Objective:

To control the siting and scale of dwellings to:

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

Not Consistent

The proposed development provides reasonably consistent separation between dwellings on adjacent sites and between the dwelling and the frontage. The site of the proposal is not on a road with high traffic volumes, and is sufficiently sited to ensure no detrimental impacts due to traffic noise. The proposed dwelling is also reasonably consistent in apparent scale, bulk massing and proportion of dwellings in the area. The dwelling does not meet (d) in that it does not provide sufficient separation to provide reasonable opportunity for daylight and sunlight to enter the habitable rooms of an adjoining dwelling. As such, the proposal is not considered to be consistent with the objective.

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

- (a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

<p>frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>
<p>Complies The proposed dwelling is set back from the frontage by 5.19m at the closest point.</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1m behind the facade of the dwelling; or</p> <p>(b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>
<p>Complies The garage of the proposed development is set back from the frontage by 5.6m.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

<p>Relies on Performance Criteria</p> <p>The proposed development is set back from the frontage by 5.19m, from the north western side boundary by 3.02m, from the south eastern side boundary by 1.65m and from the rear boundary by approximately 10m. The maximum height of the development is 7.91m along the south eastern elevation, with the building being setback from the side boundary by 1.65m at that point. On the north western elevation, the highest point of approximately 7.24m is set back from the side boundary by 3.15m at that point. As such, the proposal extends beyond the building envelope along both the north east and south west elevations and therefore relies on performance criteria.</p>
<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) overshadowing the private open space of a dwelling on an adjoining lot; or (iii) overshadowing of an adjoining vacant lot; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>
<p>Does Not Comply</p> <p>The siting and scale of the proposed dwelling will cause an unreasonable loss of amenity to an adjoining dwelling, as such does not comply with the performance criteria. This unreasonable loss of amenity is based primarily on the overshadowing of habitable room windows of the adjoining dwelling at 74 Legges Crescent, Prospect.</p> <p>When considering the impact of the overshadowing, the assessment can be assisted by utilising the methodology employed by the Resource Management and Planning Appeals Tribunal ('the Tribunal') in past decisions. In <i>J Fewkes v Clarence City Council</i> [2016] TASRMPAT 30 ('Fewkes') the Tribunal made the below determination about matters that should be considered when assessing the impact of overshadowing in instances where the performance criteria does not provide a quantitative standard;</p> <p><i>47. For glazed areas to be considered as being in, gaining or receiving sunlight, regard should be had to:</i></p> <ul style="list-style-type: none"> <i>(a) Their size (including the proportion of glazing to size of room), number, location and orientation;</i> <i>(b) The proportion of glazed areas receiving sunlight (for larger or many glazed areas, a modest proportion may be acceptable);</i> <i>(c) The size, type and nature of the affected room(s);</i> <i>(d) The duration, time, continuity and value (ie. increased sunlight in winter, reduced in summer) of sunlight to be lost and retained;</i> <i>(e) The density of the subject development, and expectations arising from the applicable zoning and planning controls on the development site and adjoining areas;</i>

8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling ... (Cont'd)

- (f) The design quality of the development - whether reasonable steps have been taken to maximise solar access and/or reduce overshadowing;
- (g) Overshadowing caused by solid structures such as eaves, fences and other fixtures; and
- (h) Overshadowing by vegetation should generally be ignored but may be relevant in a qualitative sense where the density of the vegetation suggests it should be treated as a fixture (eg. a dense, high, evergreen hedge).

The overshadowing of the adjoining dwelling at 74 Legges Crescent, Prospect includes three habitable room windows, which face north east and are set back from the boundary by 3.39m. These windows can be seen as W04, W05 and W06 in the approved and constructed floor plans for 74 Legges Crescent, Prospect in Figure 1 below:

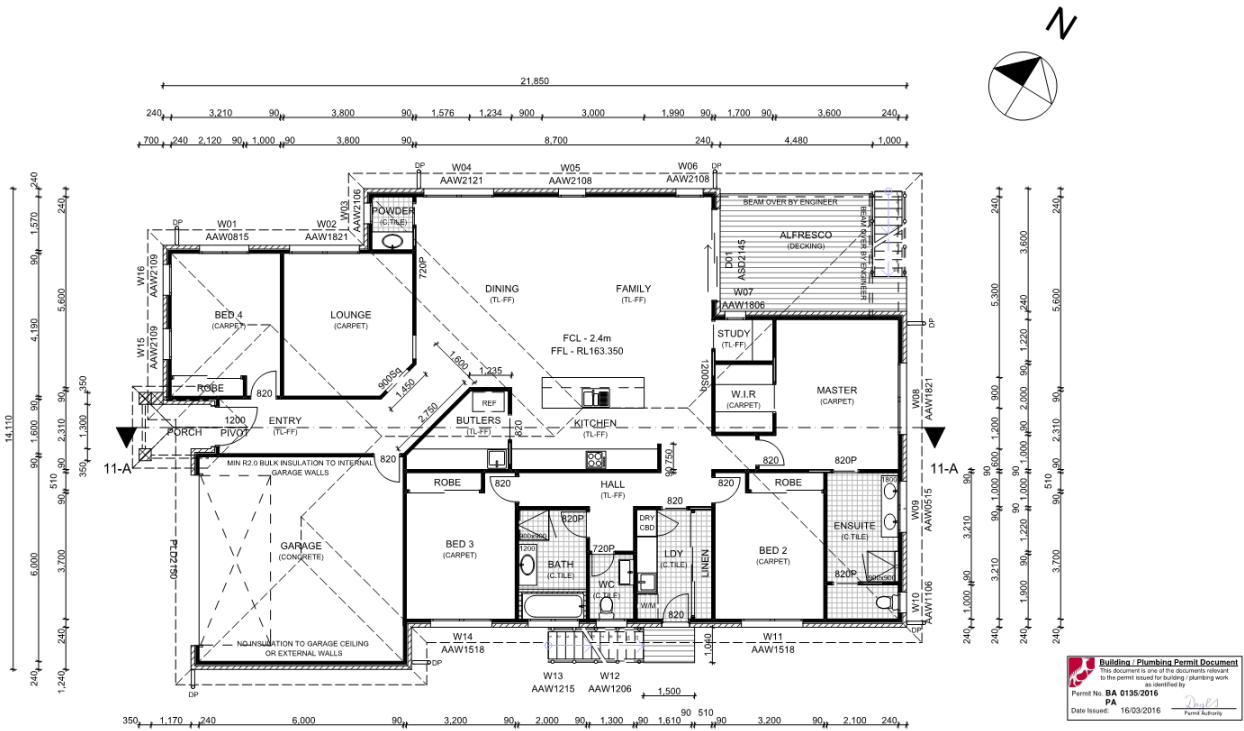


Figure 1 - Floor Plan: 74 Legges Crescent, Prospect

These windows have areas of approximately 1.4m² for W04 and W05 and 3.8m² for W06 as can be seen in Figure 2 below:

8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling ... (Cont'd)

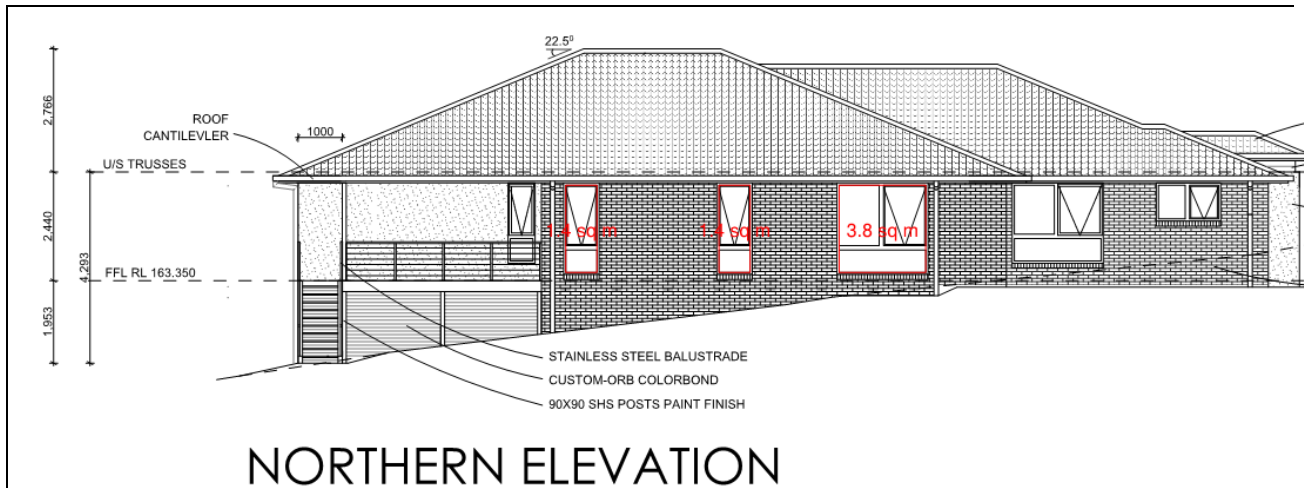


Figure 2 - Northern Elevation with Window Area: 74 Legges Crescent, Prospect

These windows have areas which provide solar access to the combined open plan dining room, family room and kitchen, which is the primary habitable room and shared living space within the dwelling. This combined open plan living space is also the largest room in the dwelling, and the windows account for approximately 40% of the north eastern facing wall of the room. Beyond the open plan living area, bedroom 4 and the lounge room also have north eastern facing windows (W01 and W02) that would be subject to overshadowing by the proposed development.

When deciding Fewkes, the Tribunal determined that:

Tasmania's cold winter temperatures confer particular importance upon the issue of sunlight into habitable rooms.

And, that:

...in order for the sunlight received to have an appreciable impact on amenity, most of the subject window should be in sun in order to be measured in three hours on 21st June

The sun study provided with the application, and the 3D views provided during the assessment, show that the proposed dwelling will overshadow a significant proportion of the window surfaces from 10.00am - 12.00pm and will completely overshadow these windows by 1.00pm on 21 June. This shadowing will then persist for the remainder of the day. The overshadowing will affect the majority of each window from 11.00am and will affect the entirety of each window from 1.00pm. As such, the proposal will not afford sufficient sunlight to provide sufficient amenity during winter.

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

This reduction should also be viewed in comparison with the current amount of sunlight to these windows. As 76 Legges Crescent, Prospect is currently vacant, all of the habitable room windows mentioned at 74 Legges Crescent receive sunlight for the majority of the day on 21 June 21, as well as other days of the year. This reduction in sunlight includes 100% reduction in the afternoon in winter, when that sunlight should be considered particularly important for residential amenity.

The proposal is for a single dwelling and is in keeping with the density of the area. However, the expectations arising from applicable zoning and planning controls are that a dwelling should remain in the building envelope, unless the impact of extending beyond the envelope is not unreasonable. As a dwelling within the building envelope on this site would also have significant solar impact, in this instance, it is expected that the dwelling would remain within the envelope. The proposed design is to a quality that does provide solar access and amenity for the potential future residents of that dwelling. However, it does not provide a design that is sympathetic to the solar access of residents at 74 Legges Crescent, Prospect. The overshadowing is caused entirely by solid structures, and is not caused by vegetation and therefore will not be subject to change over time.

This reduction in sunlight to the main living areas of the adjoining dwelling is not considered reasonable, as the majority of sunlight across the day on 21 June will be lost. This is contrary to the requirements of 10.4.2 P3 (a)(i).

Similarly, the private open space of 74 Legges Crescent, Prospect, the alfresco dining area, will lose the majority of solar access across the day on 21 June. The majority of this area of private open space will be overshadowed from 12.00pm, and the entire area will be in shadow from 2.00pm. This, however, is not the only area of private open space, and over 50% of the rear area of private open space will receive sunlight until 2.00pm on 21 June. The proposal is, therefore, considered to be compliant with 10.4.2 P3(a)(ii).

The size and bulk of the proposed dwelling is not considered to cause an unreasonable visual impact, as the design includes different materials and a changing roof line to reduce the overall bulk. The slope of the land has also resulted in dwellings on the western side of Legges Crescent, Prospect being double storey at the rear of the lots. The setbacks proposed are also in keeping with the overall character of the area and are not considered to be unreasonable.

While elements of the siting and scale of the proposed dwelling are in keeping with the requirements of the performance criteria, the proposal cannot be seen to meet the standard when compliance with 10.4.2 P3(a)(i) cannot be achieved.

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

10.4.3 Site coverage and private open space for all dwellings

<p>Objective: To provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; and (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is integrated with the living areas of the dwelling; and (d) private open space that has access to sunlight.
<p>Consistent The proposed dwelling provides for the outdoor recreational and operational needs of the residents including for the planting of gardens and the provision of private open space.</p>
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.
<p>Complies The proposed dwelling has a site coverage of approximately 43% and an impervious surface cover of approximately 46%.</p>
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

Complies

The proposed dwelling includes two decks, which are both connected to internal living areas, are over 24m² in area, have minimum dimensions of 4m, are level and face north east toward the rear boundary.

10.4.4 Sunlight and overshadowing for all dwellings

Objective:

To provide:

- (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and
- (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

Consistent

The proposed dwelling provides a reasonable opportunity for sunlight to enter habitable rooms.

A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).

Relies on Performance Criteria

There are no habitable room windows proposed that face within 30 degrees of north. As such, the proposal relies on performance criteria.

P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

Complies

The proposed dwelling has windows to the open plan living room, dining room and kitchen that face 35 degrees west of north, and windows that face 55 degrees east of north. Between these two sets of windows the open plan living area has been sited and designed to receive adequate sunlight.

10.4.5 Width of openings for garages and carports for all dwellings

Objective:

To reduce the potential for garage or carport openings to dominate the primary frontage.

Consistent

The proposed garage door will not dominate the primary frontage.

A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).

Complies

The proposed garage is within 12m of the frontage but has an opening that is less than 6m in width.

8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)

10.4.6 Privacy for all dwellings

Objective: To provide reasonable opportunity for privacy for dwellings.
Consistent The proposed dwelling provides reasonable privacy for adjoining dwellings.
A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.
Complies The decks proposed on both the ground floor and first floor both have floor levels more than 1m above natural ground level. The decks are located more than 3m from the north western boundary, and more than 4m from the rear boundary. The decks are located 1.65m from the south eastern boundary, however, privacy screens to a height of 1.7m with minimum 25% transparency have been provided.
A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site. (b) The window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

Complies

The proposed dwelling includes a number of habitable rooms on the first floor with floor levels more than 1m above natural ground level. The windows of these rooms are all located more than 3m from the north western side boundary and 4m from the rear boundary. The kitchen window, W08, is the only window of the south eastern side that is located within 3m of the side boundary, however, it is fixed with obscure glazing in compliance with the standard.

10.4.12 Earthworks and retaining walls

Objective:

To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.

Consistent

The proposed earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.

A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:

- (a) be located no less than 900mm from each lot boundary;
- (b) be no higher than 1m (including the height of any batters) above existing ground level;
- (c) not require cut or fill more than 1m below or above existing ground level;
- (d) not concentrate the flow of surface water onto an adjoining lot; and
- (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.

Complies

The proposal includes one retaining wall with a height of more than 600mm. This retaining wall will support the ground floor and has a maximum height of 950mm. This retaining wall is not located within 900mm of any lot boundary or easement and will not concentrate water flows to an adjoining lot.

10.4.13 Location of car parking

Objective:

To:

- (a) provide convenient car parking for residents and visitors;
- (b) protect residents from vehicular noise within sites; and
- (c) minimise visual impact on the streetscape.

Consistent

The car parking proposed is convenient for residents and visitors, will not cause unreasonable vehicular noise for residents or an unreasonable visual impact on the streetscape.

A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage.

A2.2 Turning areas for vehicles must not be located within the primary front setback.

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

Complies

The proposed car parking spaces are located in the garage and no turning areas are proposed.

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

The proposed development provides an appropriate level of car parking and associated facilities to meet the needs of the use and development. These parking areas will be safe and adequate for the delivery of goods and people in a residential context. The car parking spaces and access way will be constructed to relevant standards and will not adversely impact on the amenity of the locality.

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 car parking provided 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.

Complies

The proposal includes the provision of two car parking spaces in the garage, which is 100% of the requirements of Table E6.1.

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

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 parking areas are proposed to be constructed to an appropriate standard.
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
Complies The parking spaces and the driveway have a gradient of less than 10% and are formed, paved, drained and sealed.

E6.6.2 Design and layout of parking areas

Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.
Consistent The parking areas proposed are designed and laid out appropriately to provide for convenient, safe and efficient parking.
A1.1 Car parking, access ways, manoeuvring and circulation spaces must: (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces; (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2; (c) have parking space dimensions in accordance with the requirements in Table E6.3; (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and (e) have a vertical clearance of not less than 2.1m above the parking surface level. A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building. A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more. A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

Complies
The parking areas and accesses proposed have dimensions in accordance with Tables E6.2 and E6.3 respectively. The parking area does not provide for more than four car parking spaces and has a vertical clearance of more than 2.1m.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended if a permit is issued.
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 18 May to 3 June 2019. No representations were received.

6. CONCLUSION

The proposed development for the construction of a single dwelling has failed to demonstrate compliance with the Performance Criteria in relation to the siting and scale of the dwelling and subsequent impact on adjoining lots. Failure to meet one or more Performance Criteria means the application must be recommended for refusal.

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.

**8.1 76 Legges Crescent, Prospect - Residential - Construction of a Dwelling
...(Cont'd)**

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

BUDGET & FINANCIAL ASPECTS:

Not 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. Advertised Plans (*distributed electronically*)
 3. 3D Shadow Diagrams (*distributed electronically*)
-

9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayor's Announcements

FILE NO: SF2375

Friday 14 June 2019

- Officiated at the Launceston Walk Against Elder Abuse

Sunday 16 June 2019

- Laid a wreath at Boer War Remembrance Day ceremony

Monday 17 June 2019

- Officiated at the Launceston Aquatic Centre 10 Year Anniversary

Friday 21 June 2019

- Attended the Subaru Rally Inveresk Super Special Stage

Saturday 22 June 2019

- Officiated at *Operation Christmas* Child Event launch
- Officiated at the South Esk Sprint Meet

Monday 24 June 2019

- Attended the Tasmanian Labor Party Regional Engagement presentation

Tuesday 25 June 2019

- Hosted visiting Brazilian students

Wednesday 26 June 2019

- Visited the Punchbowl Primary School
 - Officiated at an Employee Recognition Event
-

10 COUNCILLOR'S REPORTS

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

11 QUESTIONS BY COUNCILLORS**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.)

11.1.1 Councillor's Questions on Notice - Councillor T G Walker - 13 June 2019**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following question, asked on 13 June 2019 at Council by Councillor T G Walker, has been answered by Mr Matthew Skirving (Acting Director Infrastructure Services).

Questions:

1. A couple of months ago I asked a question concerning replacement or relocation of flag poles in the Brisbane Street Mall. Could we please have an update on this issue?

Response:

Prior to the redevelopment of the Brisbane Street Mall, a set of ceremonial flag poles were located at the St John Street end of the Mall. Consideration of reinstatement of these flagpoles in the Mall redevelopment project was included in community consultation processes associated with the project.

A specific Project Stakeholder Reference Group was established to guide the final scope and delivery of the project. As part of this group's consideration of the final design of the Mall, it was decided that the flagpoles would not be reinstated as part of the project. This decision was supported by Council Officers on the basis of the additional operational costs associated with ceremonial flag displays and the management of formal Flag Directives associated with memorial and other events

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 - 13 June 2019****FILE NO:** SF0100/CD036/2018**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept the tender submitted by Hazell Bros Group Pty Ltd for the UTAS Stadium - Field of Play Reconstruction, Contract Number CD036/2018 for \$3,411,465.36 (exclusive of GST).

REPORT:

The Tender Review Committee Meeting, held on 13 June 2019, determined the following:

That the sum submitted by Hazell Bros Group Pty Ltd for the UTAS Stadium - Field of Play Reconstruction, Contract Number CD036/2018 for \$3,411,465.36 (exclusive of GST) be accepted.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

12.1 Tender Review Committee Meeting - 13 June 2019 ...(Cont'd)

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:

Not considered relevant to this report.

The budget adjustment consideration of this item has been approved by the Director Corporate Services.

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**13.1 Council Workshop Report****FILE NO:** SF4401**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RECOMMENDATION:

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

Workshops conducted on 20 and 27 June 2019:

Rotary Exchange Students' Presentation

Councillors received a presentation from international exchange students regarding their views of Launceston.

Possible Gorge Project

Councillors were provided with an overview of a possible Gorge project.

Fermentas

Councillors received a briefing from Fermentas Chair and CEO.

Stormwater System Management Plans

Councillors were provided with an update of the Stormwater System Management Plans development and an overview of the Tomorrow Together - Resilient City release.

City of Launceston Youth Engagement Framework 2020-2023

Councillors were provided with an opportunity to review and provide feedback on the proposed City of Launceston Youth Engagement Framework 2020-2023.

Residential Waste Charges Policy

Councillors considered the Residential Waste Charges Policy and how it applies to services within the municipality.

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

Sustainability Strategy

Councillors received an update on the development of a Sustainability Strategy, incorporating Council's response to the local threats posed by climate change.

Organisational Alignment Project

Councillors received information on the progress of the Council's Organisational Alignment Project.

REPORT:

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

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston 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:

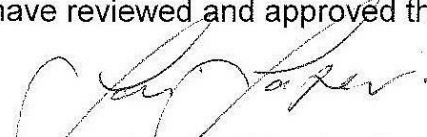
Not considered relevant to this report.

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

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

14 NOTICES OF MOTION

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

No Items have been identified as part of this Agenda

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**15.1 24-26 Queechy Road, Norwood - Petition to Amend Sealed Plan****FILE NO:** 11874**AUTHOR:** Abby Osborne (Statutory Services Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider appointing a Committee to conduct a hearing in relation to a Petition to Amend Sealed Plan.

RECOMMENDATION:

That Council:

1. pursuant to section 23 of the *Local Government Act 1993* (Tas), establishes a Council Committee of four Councillors to conduct a hearing and exercise related powers under section 104 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (Tas), in respect of the Petition to Amend a Sealed Plan (SPD15) for 24-26 Queechy Road, Norwood received on or about 18 April 2019.
 2. pursuant to section 22 of the *Local Government Act 1993* (Tas), delegates Council's functions and powers under section 104 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (Tas), to the Council Committee established at Recommendation 1.
 3. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas), authorises the Mayor to evidence the delegation at Recommendation 2. by signing an instrument of delegation replicating the terms of the delegation.
-

REPORT:

Council has received a request from James Kitto Barrister and Solicitor on behalf of Patrick John Graham to Amend Sealed Plan SPD15 under section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (Tas).

The petition seeks to delete covenant (a) in the Schedule of Covenants to allow Lot 31 to construct multiple dwellings (more than one main building). The petitioner has planning approval (DA0708/2018) to build two units on the property.

15.1 24-26 Queechy Road, Norwood - Petition to Amend Sealed Plan ...(Cont'd)

Three representations asking to be heard have been received against the petition to amend the covenant.

Persons, together with the petitioners, have the right to be heard in front of a Council Committee. After all issues have been heard, the Committee makes a decision to support the petition, provide conditioned approval or refuse the petition.

It is proposed to hold the Committee Hearing on the conclusion of the Council Meeting on Thursday, 25 July 2019.

Authority to delegate

In respect of Recommendation 2., section 22 of the *Local Government Act 1993* (Tas) permits Council to delegate its functions or powers under the *Local Government (Building and Miscellaneous Provisions) Act 1993* (Tas) to the Council Committee established at Recommendation 1.

The functions and powers to be delegated to the Council Committee established at Recommendation 1 are reproduced here for convenience:

Local Government (Building and Miscellaneous Provisions) Act 1993***104. Hearing in respect of amendment of plans***

- (1) At the end of 28 days after the last notice is served or the last petition is served as required by section 103 (2) or (3) , the council –
 - (a) may, if no person has asked to be heard in opposition, cause the amendment to be made; or*
 - (b) if a person has asked to be heard, is to appoint a day for hearing any petitioner and those persons who have asked to be heard.**
 - (2) A hearing is to be by the council or a council committee who may –
 - (a) hear persons who have asked to be heard after the period referred to in subsection (1); and*
 - (b) obtain the assistance of legal practitioners, architects, engineers and surveyors.**
 - (3) On the conclusion of the hearing, the council may –
 - (a) cause the amendment to be made with or without modification; and*
 - (b) require as a condition of so doing that any person who benefits the amendment is to make compensation in money or land to a person who is injured by it.**
 - (4) The council may, with the consent of all persons concerned, act as provided in subsection (3).*
 - (5) The Recorder of Titles may call in and cancel or correct any certificate of title affected by amendments.*
-

15.1 24-26 Queechy Road, Norwood - Petition to Amend Sealed Plan ...(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 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 Direction -

2. To develop and take a strategic approach to development sites to maximise public benefits of development

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. Petition to Amend Sealed Plan 143829 (*distributed electronically*)
 2. Certificate of Title (Folio Text, Folio Plan, Schedule of Covenants) (*distributed electronically*)
 3. Planning Permit DA0708/2018 (*distributed electronically*)
 4. Sections 103, 104 and 105 of the *Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)* (*distributed electronically*)
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16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**16.1 Response to Notice of Motion - 60-90 Minutes Free Parking****FILE NO:** SF0530**AUTHOR:** Andrew Frost (Manager Parking and Carr Villa)**DIRECTOR:** Shane Eberhardt (Acting Director Facilities Management)

DECISION STATEMENT:

To consider the evidence based report in regards to the Notice of Motion for 60-90 Minutes Free Parking in Council's multi-storey car parks in Paterson Street (East and West) and Elizabeth Street.

PREVIOUS COUNCIL CONSIDERATION:

Council - 22 November 2018 - Agenda Item 14.1 - 60-90 Minutes Free Parking

Workshop - 11 April 2019 - Notice of Motion - Free Parking

RECOMMENDATION:

That Council adopts the policy position not to provide free parking for the first 60-90 Minutes in Council owned multi-storey car parks on the following basis:

1. The Council's three multi-storey car parks provide 12.9% of the inner City's total public parking supply and accordingly it would be difficult to have a meaningful impact on the operation of the CBD.
 2. There is little spare capacity in the on-street or off-street car parks managed by Council within the Pedestrian Retail Priority Zone as they are being 'fully' utilised.
 3. The introduction of free parking is likely to have a negative impact on retail within the City by decreasing the availability of short-term parking spaces.
 4. That the *First Hour Free Parking* trial conducted by the Council in 2006 did not have a measurable impact on the number of people visiting the City.
 5. Council currently provides daily free parking between 3:30pm and 5:30pm and remissions for pensioners and these parking incentives will be more widely promoted to increase public awareness of the offer.
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16.1 Response to Notice of Motion - 60-90 Minutes Free Parking ...(Cont'd)

REPORT:

On 22 November 2018, Council passed the following Notice of Motion:

"That Council requests the General Manager to complete a report and provide suitable evidence base for the Council to consider the introduction of a free parking service in Council's Multi-storey carparks for the first 60-90 minutes".

In considering this policy position once again, research has identified the Council should examine a number of questions:

1. How is the management of parking positioned within Council's strategic framework?
2. What is the current capacity supply of parking within the CBD for retail patrons?
3. Will the current parking capacity be sufficient for the future?
4. Is there underutilised capacity in Council's CBD multi-storey car parks?
5. What is the current state of retail trade in Launceston?
6. What were the outcomes of the previous free parking requests?

Late last year Council officers were approached by some key stakeholders regarding their concerns of the state of retail and its relationship with parking in the City. The premise for the free parking proposal is that the price of parking in the multi-storey car parks is a barrier to shoppers choosing the City as a retail destination. The perception is that if parking was free for 60 or 90 minutes that this would increase the patronage of Council's multi-storey car parks. It is then to be inferred that this will increase pedestrian traffic in the centre of the City resulting in an increase of retail revenue.

How is the management of parking positioned within Council's strategic framework?

The management of parking within the City is aligned with Council's other activities to achieve the vision outlined in the Greater Launceston Plan (GLP):

'Sustainable prosperity for greater Launceston will be achieved by consolidating and building nationally and internationally recognised strategic advantages for the region through a focus on creativity and innovation, maintaining exceptional environment and liveability qualities and ensuring a diverse, connected and inclusive region.'

Parking is aligned with Council's other strategies and policies to achieve this vision, particularly those related to planning, transport, public realm and retail. These act together to maintain Launceston's position as Northern Tasmania's principal activity centre, which has a diversity of activities and is an attractive place to work, shop and visit.

The role of parking management within this context is to manage the Council's parking capacity to achieve the highest net community benefit. In the inner City, this is achieved by prioritising the use of parking for *short-term retail customers* by setting on-street

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restrictions at one-hour to generate turnover of parking spaces to allow equitable access to CBD businesses. In turn, *longer-term parkers* utilise the multi-storey or three-hour zones around the City. Lastly, *commuters or all day parkers* are provided for with limited private paid parking within the City, some mixed private/public paid parking in the surrounding areas or free parking beyond the boundary of the Central Activities District (CAD). Council has three policy tools to achieve its strategic objectives:

- **Regulation:** Council's current parking restrictions for on-street parking
- **Advocacy:** To private parking providers
- **Provision:** Multi-storeys for short-term shoppers and off-street for long-term commuters

In implementing these policy tools, various interests are considered by making decisions utilising the following notions:

- **Availability:** Ability to locate a car park
- **Convenience:** Distance from destination
- **Affordability:** Cost of car parking
- **Effectiveness:** Occupancy of space by preferred user
- **Efficiency:** 'Full' utilisation of resources - equivalent to 85% to allow for circulation
- **Equity:** Provision of capacity and subsidies to ensure accessibility by all the community
- **Sustainability:** Long-term maintenance of social, economic and environmental outcomes

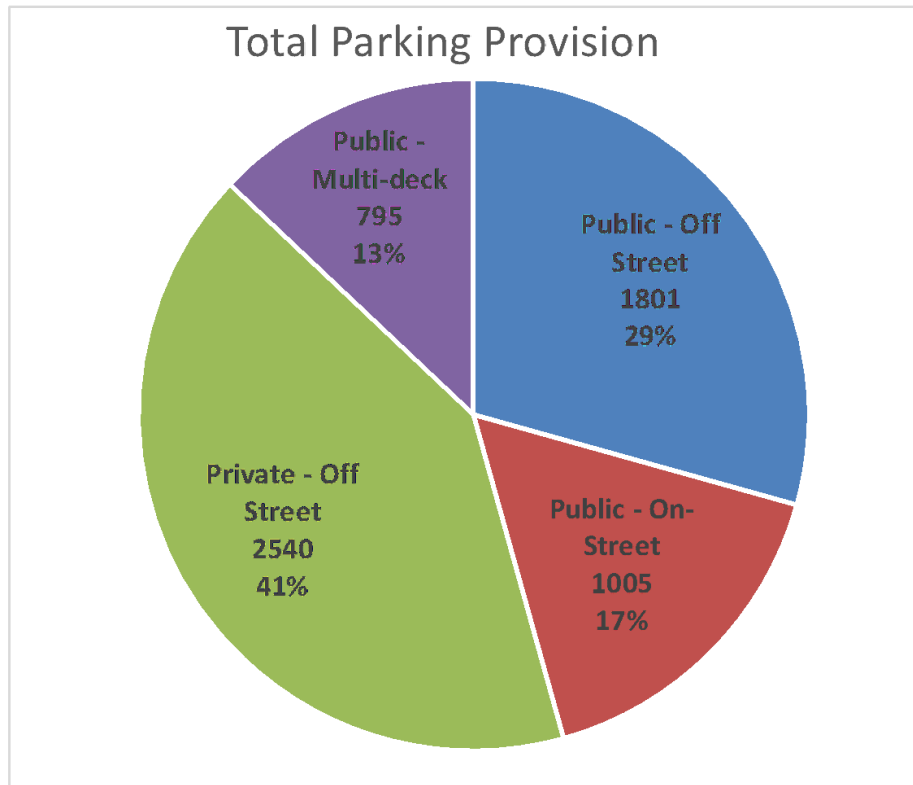
What is the current supply of parking within the CBD for retail patrons?

In Launceston, the provision of parking is achieved by a mixed market model, including both the private (eg. Care Park) and public sectors (ie. City of Launceston (CoL)). This determines the total supply of parking which is available in the City.

In the inner retail core and surrounding City, there are currently 6,141 parking spaces available for the public, of which:

- 1,005 or 16.4% are located on-street
 - 5,136 or 83.6% are located off-street
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The on-street capacity is regulated and divided between special purpose and meter parking. Up to 585 spaces consists of special purpose parking; these are car spaces set aside for special uses such as taxi ranks, loading zones, accessible bays, 15 minute zones and the like. The balance of 1,005 spaces are metered. On-street parking provision consists of:

- One-hour parking in Pedestrian Retail Priority Zone (PRPZ);
- Three-hour meter zones in CBD; and
- A limited number of nine-hour metered commuter spaces within the CAD.

These time periods are set to prioritise conveniently located parking for retail customers. Figure 1 below outlines the different parking provision of metered spaces within the City; one-hour, three-hours and nine-hours.

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Figure 1: Parking Meter Space Provision

1-hour metered parking	484
3-hour metered parking	454
9-hour metered parking	67
Special purpose bays	585

Equating to a total provision of **1,590** on-street parking bays

The off-street capacity is divided equally between the private sector (2,540 bays) and Council (2,596 bays). The private sector provides 38% of the City's publicly available parking capacity and Council, including on street provision, provides the balance of 62%. There are four multi-storey car parks in the City available for the public, three of which are operated by Council, Paterson Street East, Paterson Street West and Elizabeth Street. Care Park operate the Quadrant Plaza car park in York Street.

Council's three multi-storey car parks provide a total of 795 spaces or 12.9% of the inner City's total public parking supply. It is this portion of the City's parking supply that is the subject of the Council's motion.

Accordingly, it is observed that it would be difficult to have a meaningful impact on the operation of the CBD through a parking policy decision that includes only 12.9% of the City's parking supply.

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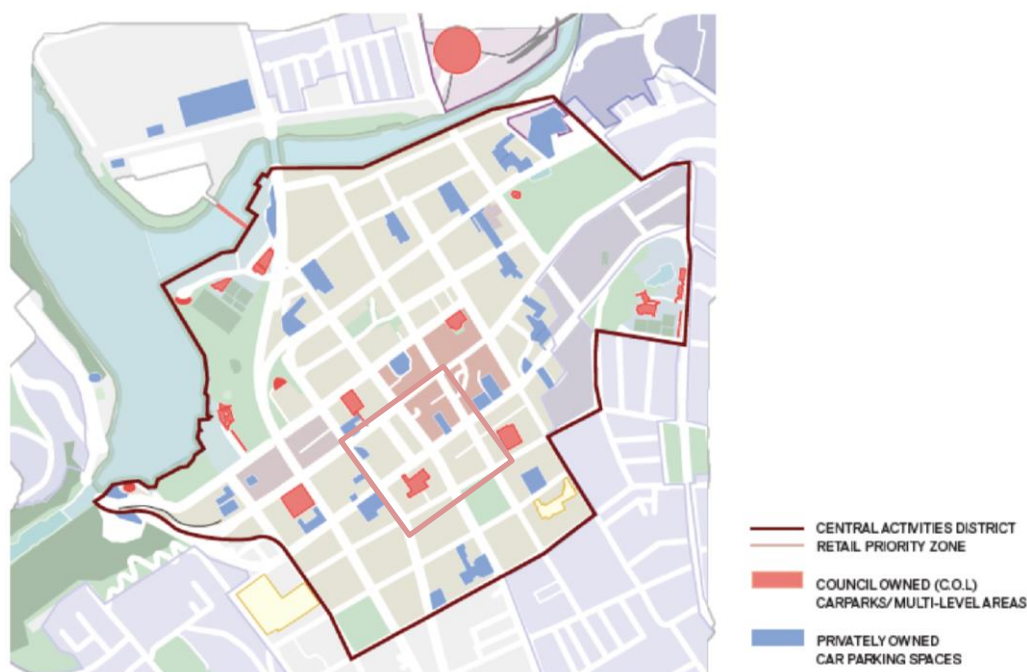


Figure 2: Off-Street Parking Supply

The inner City, bounded by Charles, Paterson, George and York Streets, is referred to as the *Pedestrian Retail Priority Zone* (*Sustainable Transport and Parking Strategy 2009*). Of the 1,226 off-street car spaces available to the public in this zone:

- 831 or 67.8% are short term
- 395 or 32.2% are long term

Most of the long-term parking is located in the private car parks, however, the private sector also provides 330 short-term car spaces of the total 831 available or 39.7%. Launceston is in a unique situation where the Council managed car parks are considerably cheaper than the private sector. The fees charged in the commercial car parks for short-term parking represents the key market price for benchmarking the price of parking across the City.

The economic value of this short-term capacity is critical in achieving the Council's strategic goals. The value of short-term car parks to the City's economy may be up to 20 times the value of commuter car parking. This value is calculated by the average turnover of each car park (eg. six times per day) multiplied by the average expenditure of a retail patron. This economic contribution could be determined by undertaking further research.

In Hobart, almost all short-term parking is provided by the public sector (2,412 spaces) following the introduction of the 90-minute free parking service in the multi-storey car parks. If the same were to occur in Launceston it is likely to have a significant negative impact on retail within the City. In 2017/2018, retail trade in Launceston was valued at \$255.9m, so the withdrawal of up to 40% of the short-term parking supply is likely to have

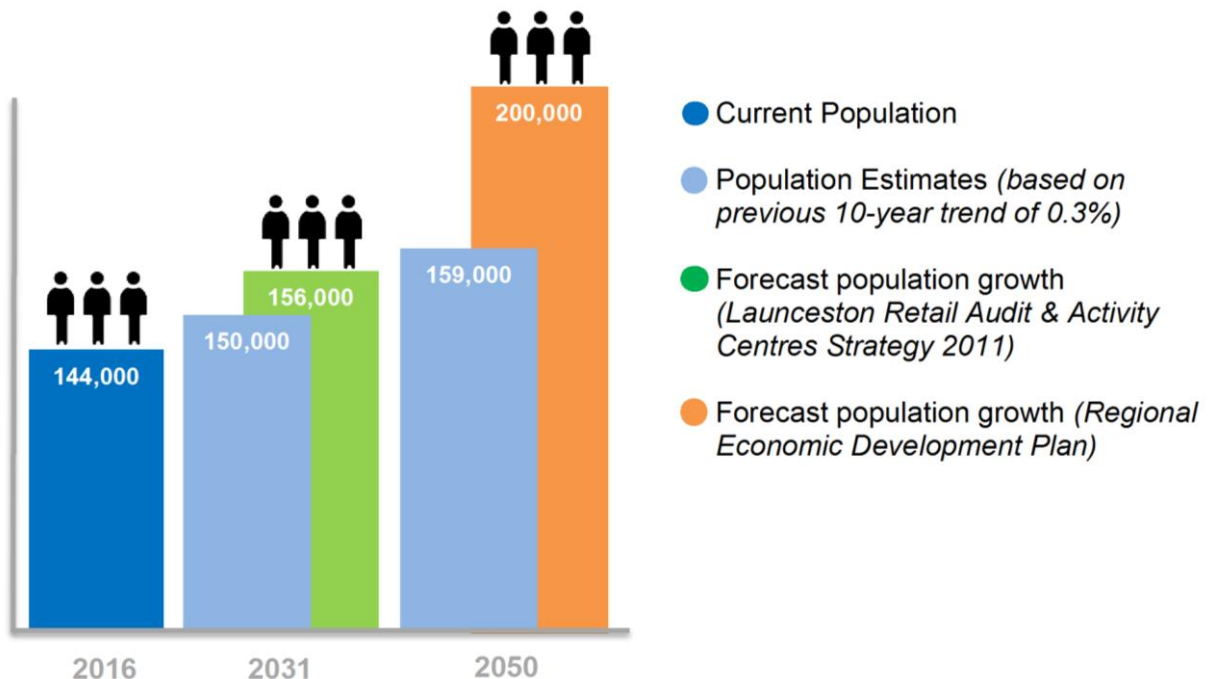
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a significant impact on the prosperity of retailers in the CBD. On this basis, the proposed policy reversal will likely contradict Council's strategic objectives.

Will the parking capacity be sufficient for the future?

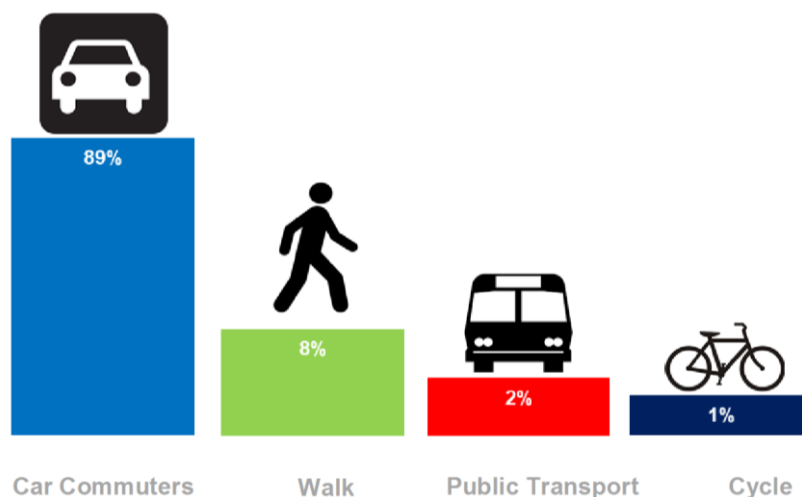
Launceston is Northern Tasmania's principal activity centre, with a population of just over 144,000 within the greater region. Forecasts indicate that this population will grow to just over 156,000 by 2031 (*Launceston Retail Audit & Activity centres Strategy 2011*). It should be noted that this is based on the population forecasts for Northern Tasmania of 0.6% per annum. However, over the past 10 years since the 2006 census, the actual rate of growth has been half this forecast rate at 0.3%.

This current population growth does not represent a challenge to manage, however, if the aspirational target of 200,000 people by 2050 outlined in the *Regional Economic Development Plan* is achieved, the associated increase in the population of shoppers will need to be accommodated within the CBD location.



In regards to transport use, it is estimated that the Central Activities District accommodates approximately 8,000 employees (*Launceston Retail Audit & Activity Centres Strategy 2011*), with 89% commuting to work by private car, 8% walking, 2% using public transport and 1% cycling (*Launceston Public Spaces & Public Life Gehl - Report 2010*).

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It is predicted that the working population will decline from over 84,000 to 79,000 by 2031; the demand for commuter parking may also decline freeing up capacity for short-term shoppers. It should be noted the Northern Tasmanian Population Taskforce has an aspirated target to revise this decline and deliver a net increase of 5,000 workers by 2050.

It is proposed that the Parking Strategy consider in more detail the consequences of achieving the aspirated population targets set out in the *Regional Economic Development Plan*.

Is there spare capacity in Council's CBD multi-storey car parks?

The proposal is based on the premise that the price of parking is a barrier to shoppers choosing the City as a retail destination. It is presumed that the multi-storey car parks have spare capacity, which could be utilised by shoppers if this perceived barrier was removed.

In fact, the Council's two most popular car parks located in Paterson Street do not have any spare capacity during the peak period during the work week. These two car parks are full with an occupancy of 100% for 3 to 3.5 hours per day on Tuesday, Wednesday and Thursday between 10:00am and 2:00pm. Monday and Friday have an utilisation rate greater than 85%. Without any further capacity, changing the pricing structure will have little effect on the outcome as it will not create any further capacity or improve the availability of car parking in the City.

Paterson Street East is now Council's most popular car park and is at 85% capacity from 10:00am until after 2:00pm. In fact, it is 100% full from 10:00am until 1:00pm with demand continuing to grow. It should be noted that the current pricing structure allowing 'free parking' between 3:30pm to 5:30pm is achieving its objective of attracting shoppers into this off peak period. This off peak demand has grown since last year and is useful in utilising car parking across the whole day by distributing demand. Disturbing the pricing structure is likely to adversely affect this outcome.

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Paterson Street West is effectively full (>85%), from 10:30am to 1:15pm. Most of this time the car park is actually 100% full making it difficult to find an available space, resulting in increased cruising.

The Elizabeth Street car park is currently utilised for shoppers or short-term parking on the lower level and commuters or long-term parking on the upper level. The lower level is now operating at 80-85% capacity between 10:00am and 1:00pm. Demand has increased substantially over the last year and if this continues, this car park will also reach capacity in the near future.

The upper level of Elizabeth Street is at capacity, as a commuter car park, between 9:00am and 2:00pm. It should be noted that demand has significantly increased over the past year. As Council has no more capacity in the multi-storeys, this commuter car parking is likely to yield to the higher value short-term parking. The current commuters, will then have to seek other alternatives.

In terms of on-street car parking, the current research completed in 2016 by *Luxmore Parking and Safety* indicated that the average occupancy across the day for the City Heart area, including the city centre and surrounding areas, is 57.1%. This peaks at 80.9% on Thursday, with an average turnover of 5.5 cars per day, or an average stay of 1.5 hours.



Average Occupancy of 57.1%



Peak Occupancy of 80.9% on Thursdays



An average turnover of 5.5 cars per day

The PRPZ itself has a higher turnover and a shorter stay associated with one-hour time restrictions. This indicates there is little car parking capacity in the PRPZ and only limited capacity in the surrounding three-hour zones.

Together, these statistics indicate that there is little spare capacity in the on-street or off-street car parks managed by Council as they are being 'fully' utilised within the PRPZ. It should be noted that reducing the price in the multi-storey car parks will not create any further capacity but will in fact increase demand and raise expectation.

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Spare capacity is currently provided by the private sector. Any consequential withdrawal of this capacity is likely to reduce the availability and convenience of parking for retail patrons and potentially result in a barrier to the selection of the City as their shopping destination.

Such a move to long-term parking is evidenced in the Hobart City where a 90-minute free parking service in Council's multi-storey car parks was introduced many years ago. This has resulted in a private sector car parking provision, which is heavily weighted to commuter parking in the form of permanent or reserved parking and casual or early bird parking. The remaining capacity is made available for short-term parking, but it is not the primary offering. The effect of this is the City of Hobart being primarily responsible for the majority of the short term parking capacity, which is provided in their three multi-storey car parks. These multi-storey car parks provide over 2,400 spaces, which is three times the capacity provided by the CoL. Research indicates that these car parks are occupied to capacity during peak periods.

A survey of sources was conducted on the free parking in Hobart; however, no study on the effectiveness of the Hobart model in improving the level of retail trade has occurred. In light of this, any proposal for a change in pricing, including free parking, should be evaluated by setting a benchmark, objectives and further measurements to determine its effectiveness.

How does Council manage parking to achieve its objectives?

It is often asked why Council manages parking in terms of parking restrictions, metered parking and multi-storey parking. This can be best understood by assessing the impact of the current policy settings for parking in the City on a Sunday.

There are no parking restrictions or meter charges on Sundays, which results in an almost total occupancy of on-street parking spaces by commuter or long-term parkers. It is sometimes observed that retail trade is not available on a Sunday, however, it may be that there is little reason to open when retail patrons are unable to find an available and convenient parking space. This is the consequence of the current settings where there is no opportunity for retail patrons to park and so there is little reason for retail activity. The behaviour of motorists on a Sunday and the lack of parking turnover are a good example of the outcomes when Council does not intervene with parking restrictions to effectively ration the existing supply of bays for the equitable access by retail customers.

A lack of available car parks results in a 'cruising' behaviour, which adds to congestion, reduces customer satisfaction and the attractiveness of the City as a destination. It is estimated in some studies that a 93% parking occupancy level results in an average search time of 3.3 minutes and up to 68% of vehicular traffic being associated with 'cruising' (*The High Cost of Free Parking D.Shoup pp351-353*). Cruising also adds to congestion requiring road capacity that would otherwise be devoted to pedestrians.

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A desired service standard for parking is to ensure that one in every seven parking spaces is available. The achievement of this service standard limits cruising outcomes and provides an appropriate level 15% of available and convenient car parks.

The purpose of Council's intervention in parking is to achieve this service standard. This is achieved by incremental intervention in the form of rationing and then pricing of available supply. Once occupancy reaches 85%, regulations in the form of time restrictions are introduced. This displaces long-term commuter parking demand and frees capacity for short-term shoppers. If this rationing does not achieve the objective, then pricing is applied to reduce localised demand to an appropriate level. This disperses short-term parkers seeking free parking to the periphery of the City in a trade-off between convenience and affordability. The price of on-street parking should ideally be set at a level where an equilibrium of 85% occupancy is achieved, the preferred service level.

The provision of Council's multi-storey car parks improves the availability of parking and by itself reduces the equilibrium price. Ideally, the price of off-street parking should be less than on-street parking to encourage the use of this slightly less convenient option and to free up capacity on-street.

What is the current state of retail trade in the Launceston?

Retail trade is measured by the Australian Bureau of Statistics (ABS) every five years as part of the Census. Retail in Launceston represents 17.2% of retail trade in Tasmania and 19.7% of retail trade employment. It represents 5.7% of total sales and is the seventh largest industry in Launceston (ABS 2016 Census). The CBD represents 50% of retail trade in the City of Launceston (*Launceston Retail Audit and Activities Centres Strategy 2011*).

Research indicates that overall retail sales have grown by \$18.8m over the past five years or approximately 1.6% per annum (adjusted for inflation). In 2012/2013, retail in the City was valued at \$236.7m or 5.3% of the local economy. In 2017/2018, this had grown to \$255.5m or 5.7% of the local economy. This is supported by the growth of the number of registered businesses from 432 to 454 over the same period. This growth also correlates with the reduction in the vacancy rate from 75 premises in 2014 to 47 in 2019 or a 37% decline, (refer Figure 3).

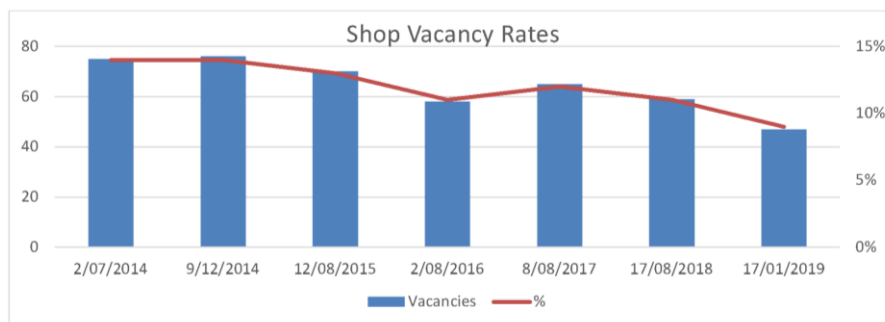


Figure 3: Shop Vacancy Rates for CBD

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Unfortunately, there is little contemporary data available on retail sales within the north of the State, however, anecdotal feedback received from some retailers indicates that the environment in which they are operating is becoming particularly competitive. This may be associated with the increase of online shopping and a decline in people frequenting the CBD. Some have indicated that the price of parking, time restrictions and parking availability are key drivers for the decline in people shopping within the CBD, however, there is no short-term statistical data available in which to confirm these assertions.

Studies from the UK Centre for Retail Research have found that many traditional product-based stores are closing, while experience-focused retailers (such as cafes, bars and restaurants) are thriving and opening new outlets. Industry experts have urged Councils to make streets more appealing to shoppers. Experts have suggested an increase in food and drink choices, experience-focused retailers, activities, green spaces and flexible spaces should be considered. Such research seems to justify the Council's focus on the City Heart Project.

Research is currently being completed by the University of Tasmania (UTAS) to better understand the state of retail within the CoL. It is envisaged that this will be reported to Council later this year. In the meantime, ABS census statistics may be used to assess longer term trending.

Over the time since the first free parking trial in 2006, the total retail expenditure has grown by 15.08% or approximately 1.51% per annum (refer Figure 4). This rate of growth is greater than population, which only grew at 0.3% per annum. Between 2011 and 2015, there was a decline but this has now recovered and has returned to trend over the past three years. It should be noted that although retail is growing the rate of growth is diminishing year on year across both Australia and Tasmania.

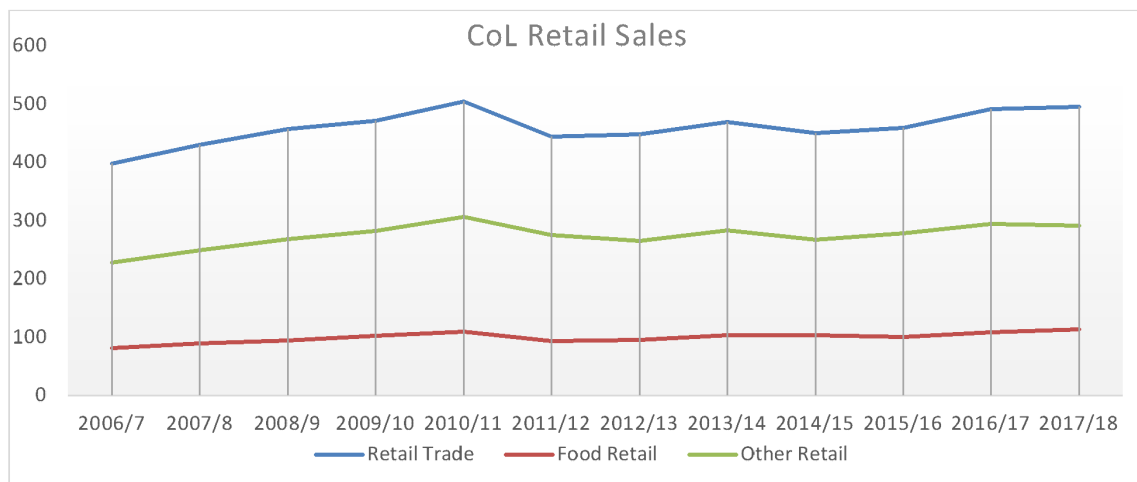


Figure 4: City of Launceston Retail Sales

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This growth in retail trade is in alignment with the *Retail Audit and Activities Centre Strategy (2011)* which estimated growth between 2011 and 2021 to be:

- 0.7% - 0.9% for food, groceries and liquor
- 0.9% for non-retail goods
- 0.6% - 1.0% for retail services

There is a correlation between the occupancy of the multi-storey car parks and retail trade. This can be demonstrated most clearly during December in the busy period just prior to Christmas. An analysis of parking revenues from the multi-storey car parks does not support the anecdotal claims associated with the decline of retail in the City. In fact, revenues have grown steadily over the period and are correlated to the retail trade figures. The decline between 2011 and 2015 is clearly evidenced, as is a return to growth in recent years since 2016. It should be noted that these are 'real' figures representing a real increase in the number of patrons, as the price of parking in Council's multi-storey and other off-street car parks has not increased since 2011.

This growth in retail trade has been achieved against a trend in the increase of sales across the internet. In fact, discussions with retail experts at UTAS revealed that up to 8% of retail sales in Launceston are now completed online. In comparison, these sales are currently 13% in the USA and forecast to grow to 20% over the next three years. Analysis outlined in the *Retail Audit and Activities Centre Strategy (2011)* indicated that the most popular online categories were:

- CDs and DVDs
- Clothing and footwear
- Electronic goods
- Furniture and furnishings

Overall, the ABS statistics for retail trade in Launceston are growing, although the rate of growth is slowing. This is not to say that certain categories of retailers are not experiencing challenges. Further, many national retailers have gone into receivership over the past year, one of which was located in Launceston. However, current vacancy rate trends do not indicate a general decline of the CBD, but do indicate some localised issues and turnover of businesses as the city transitions into the future.

Another observation made by City retailers is that they are unable to compete with regional centres such as Kings Meadows, Mowbray, Prospect Vale or Legana, as these centres offer free parking. Similar claims are made for the big box retailers located on the City fringes, such as KMart and Bunnings. It should be noted that most of the parking at these regional shopping centres is provided by the retailers, often as a result of requirements that are associated with development approvals.

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The *Launceston Retail Audit and Activity Centres Strategy 2011* refers to a long established hierarchy of activity centres within Launceston in a five-tier system:

- Central Business District (CBD)
- District Business (Kings Meadows and Mowbray)
- Neighbourhood Activity Centres (Prospect Vale, Newstead, Ravenswood, Trevallyn, Lilydale)
- CBD Fringe
- Local

The CBD represents half of the retail sector and provides a unique mixture of offerings, which has established it as the regional shopping centre for Northern Tasmania.

On this basis, the district business centres at Kings Meadows and Mowbray do not represent a challenge to pre-eminence of the city. In terms of Prospect Vale, Legana, George Town and other neighbourhood centres outside the municipality these only represent 16% of the total sales in the Greater Launceston Area.

An analysis of these regional centres indicates that the majority of retail space is associated with supermarkets and retail chains and that these do not directly compete with City retailers. Similarly, the balance of retail spaces are mostly leased to convenience stores such as newsagents, fast food, post offices, hairdressers, cafes and the like. These are traditional businesses located in suburban strip shopping centres with a local catchment. They do not represent a competitive alternative to most inner City retailers.

In summary, the typical shoppers who attend these regional centres are 'destination shoppers' who are primarily patronising a supermarket and who will spend some money on conveniently co-located suburban stores.

What were the outcomes of previous free parking requests?

In the past, a number of requests have been made for first hour free parking in Council off-street car parks. These requests have occurred in 2006, 2011, 2014 and now in 2018. The table below outlines a summary of previous trials and requests for free parking.

Date	Resolution	Vote
03/10/2005	Petition received requesting a free parking trial	Carried Unanimously
28/11/2005	Free Parking Trial commenced for a 3 month period	Carried 10:1
19/06/2006	Free Parking Trial extended until 30/09/2006	Carried 6:3
11/09/2006	Free Parking Trial suspended, deemed not successful	Carried Unanimously
11/04/2011	Notice of Motion for first hour free parking trial	Lost: 3:8
22/09/2014	Request for policy position against free parking trials	Carried 6:3
22/11/2018	Notice of Motion for 60/90 minutes of free parking	Carried Unanimously

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1. 2006 Free Parking Trial Summary

A petition was received with over 1,500 signatures requesting that the first hour free be provided in CoL car parks. Subsequently this was tabled at a Council Meeting on 28 November 2005 with the trial being endorsed unanimously. The trial was conducted over a seven-month period from 13 February until 30 September 2006 as outlined below.

Primary Objectives of the Trial

1. Evaluating the number of visits to the Paterson East, West and Elizabeth Street car parks and comparing these figures with previous years (2003-2006 timeframe).
2. Evaluating the occupancy rates of the on-street parking meters. This was evaluated against previous years (2003-2006 timeframe).
3. Surveying customers and asking for information.

Public Survey Results

The survey was conducted over two weeks in the later part of the trial, with 264 people responding. Results confirmed:

- The primary reason for people coming to the CBD was shopping.
- That 49.4% of respondents indicated convenience was their primary motivation for where they parked.
- That 4.6% of respondents indicated they had parked in a particular location because it was free.
- That 9.2% of respondents indicated they had parked in a particular location because it was cheap.
- That 9.2% of respondents parking behaviours was based on historical parking patterns and that they had "always parked there".
- That 5.7% of respondents indicated the *First Hour Free Parking* was their reason for choosing where to park.
- That 98.5% of respondents stated that they would still visit the CBD if the *First Hour Free* option was not available.

The last observation was relied upon by Council in making its decision to terminate the trial.

Business Survey Results

Approximately 80 Cityprom and Launceston Chamber of Commerce members were sent business surveys, but only 11 businesses responded. Based on this response rate the survey was not statistically meaningful but the results confirmed that:

- Seven businesses believed that the first hour free parking was increasing the number of times people visited the CBD; and
 - Two businesses identified that it was difficult to tell if the promotion was working or not.
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Effect on Parking within Multi-storey Car Parks

Council owns three multi-storey car parks - Paterson Street East, Paterson Street West and Elizabeth Street with a total of 795 spaces. Records showed that there was a minimal increase in vehicular entries to these car parks during the trial. There was an approximate increase of six vehicles per hour entering the multi-storey parking areas in the CBD. However, it is noted that the *First Hour Free Trial* was not the only factor influencing behaviours, these include:

- People moving regularly from car park to car park or re-entering the same park on numerous occasions during the day to maximise their free parking.
- A shift of pensioner parking from the Elizabeth Street car park to the Paterson Street East and West car parks with the introduction of pensioner parking into these car parks from 28 November 2005.
- A decrease in on-street parking meter occupancy rates.

Financial Implication

The trial had a negative impact of approximately \$1,000 per day; this was during the quieter part of the year with an approximate annual impact of \$400,000 if the trial was to continue.

Summary

Primary and secondary data sources indicate that the trial failed to meet the objectives, specifically:

- *First Hour Free Parking* did not motivate people to come to the CBD, so there was not an increase in the amount of people entering the City.
- The low-level response to the business survey made interpretation difficult.
- There was a consistent small increase in vehicles entering the multi-story car parks but little evidence to suggest that this lead to greater activity within the CBD.
- Increases in vehicle numbers were not sufficient to offset the cost of delivering the *First Hour Free Parking* service.
- The overall length of stay had decreased.

Conclusion

That the *First Hour Free Parking* trial did not have a significant impact on the number of people visiting the city and that other initiatives be explored with Cityprom and the Launceston Chamber of Commerce. Council resolved to discontinue the trial unanimously.

2. 2011 Notice of Motion - First Hour Free Parking

A Notice of Motion was tabled at the Council Meeting on 11 April 2011 requesting that 'Council amend the one hour free from 3:30pm onwards daily to read that the first hour is free'.

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The Notice of Motion was not endorsed by Council (3:8) based on the results from the 2006 *First Hour Free Parking* trial which indicated that the first hour free had minimal impact on motorists behaviour.

3. 2014 Super Tuesday Parking Trial

The CoL was approached by Cityprom to investigate parking initiatives to increase visitations to the CBD. It was proposed to trial free parking in the multi-storey car parks on Tuesday afternoons between 1:00pm and 6:00pm. Evidence indicated that was traditionally the quietest period for visitations to the CBD.

On 22 September 2014, a report was tabled at Council to determine a policy position in relation to the request for free parking including:

- The Launceston City Heart Project was the Council's strategic response to addressing the challenges faced in the CBD.
- That Council had established the Launceston City Heart Project as a major priority to develop a high value CBD experience for residents and visitors.
- Based on results from the First Hour Free Trial undertaken in 2006, for a seven-month period, it was deemed that the trial did not meet the objectives, did not increase visitations to the CBD and decreased the length of stay in the multi-storeys. It was deemed that the trial was not successful and was not continued.
- Two-hours free parking between 3.30pm and 5.30pm was currently in place within the multi-storey car parks and data indicated there had been an increase in the number of vehicles entering during the free period, with a median length of stay of 45 minutes on weekdays.
- The provision for foregone revenue was unbudgeted at the time and it could not be accommodated without reallocation and reduction of Council projects and services.

Based on the information provided Council did not endorse the trial (6:3).

What is the financial contribution of parking to Council?

As Council has elected to impose parking restrictions, it is a requirement to enforce them. Excluding depreciation, the majority of cost associated with the parking department is aligned with the enforcement and administration of parking regulations. In principle, this is funded from the on-street meters and fines so that this regulatory responsibility is not a financial burden for ratepayers.

In terms of the off-street car parks including the multi-storeys, these require limited management but accrued most of the depreciation charges. The return from these car parks represents a commercial return to the community for the investment in land and buildings. This provision provides significant economic value to the City and amenity of its citizens.

16.1 Response to Notice of Motion - 60-90 Minutes Free Parking ...(Cont'd)

Further, an additional \$474,000 of public benefits are provided to the community as outlined below:

Community Benefits		\$
Tiger Bus	Operates daily	\$235,000
Pensioner Parking	3 hours free parking per week in all CoL Multi-storey car parks	\$134,000
Free Parking	Daily in all CoL Multi-storey (3:30pm-5:30pm)	\$88,000
Red Cross	Free parking for donors	\$17,000
TOTAL		\$474,000

How can the cost of free parking be managed?

Launceston is ranked the 21st largest city in Australia based on population (ABS Census 2016), with Hobart ranked 13 and Devonport ranked 47. Based on this information Launceston's parking pricing structure should naturally fit between both cities. This is summarised in the table below:

Location	Off-Street (per hour)	On-Street (per hour)	Early Bird / Commuter (per day)
Launceston	\$2.00, then; \$1.00 every 30mins after	\$2.80 1hr meter \$2.30 3hr meter \$1.00 9hr meter	\$5.00 - \$7.00
Hobart	\$2.00, then; \$3.00 every hr after	\$1.20 - \$4.00	\$13.00
Devonport	\$1.50 - \$2.00	\$1.50 - \$2.00	\$5.00
Care Park	\$1.50 - \$4.50	N/A	\$7.00 - \$10.00

The largest operator of private carparks in Launceston is Care Park who manages a suite of car parks owned by private entities. Excluding the Paterson Street Central car park and York Street East car park, Care Park appears to cater mostly for commuter (all day) parking. Their pricing appears to be shaped around a preference to provide commuter parking as it has the benefit of providing a more stable income stream for the owners.

It is clear that if a free parking service was introduced this would have a significant effect on the cost of service to the Council.

Based on an analysis of pricing, the cost of providing free parking in the multi-storey car parks is likely to cost Council approximately \$530K for 60 minutes and \$783K for 90 minutes. This would also include the termination of free parking between 3:30pm - 5:30pm in Council owned multi-storey car parks.

16.1 Response to Notice of Motion - 60-90 Minutes Free Parking ... (Cont'd)

***Key Stakeholder engagement***

Many retailers are members of Cityprom with others having membership with the Launceston Chamber of Commerce.

Both of these organisations have been provided an overview of this report at a forum held in May 2019. The forum sought to explain the current parking situation in and around Launceston and provide an analysis on the relationship between parking and retailers in relation to the report's findings.

With the lack of current retail statistics for the Launceston region it is difficult to substantiate that parking is the reason for a decline in some retail categories within the City. Currently, research is being completed by UTAS to better understand the state of retail within Launceston. Once this report is completed this should provide a holistic overview as to the current state and the challenges in which retailers are facing.

Although it is noted that parking plays a substantial role in providing access to the CBD an integrated approach to the challenges of retail trade as a whole is required.

Summary

It is evidenced that by introducing the first 60-90 minute free parking in Council's multi-storey car parks it is not likely to influence patronage or retail sales within the CBD, but rather put pressure on current parking supply which is already close to capacity. Rather, it is proposed that the current parking incentives provided by Council are more prominently promoted throughout the municipality to increase awareness of the services provided.

Summary of Key Points:

1. The Council's three multi-storey car parks provide a total of 795 spaces or 12.9% of the inner City's total public parking supply. It is this portion of the City's parking supply that is the subject of the Council's motion. Accordingly, it is observed that it would be difficult to have a meaningful impact on the operation of the CBD through a parking policy decision that includes only 12.9% of the City's parking supply.
-

16.1 Response to Notice of Motion - 60-90 Minutes Free Parking ...(Cont'd)

2. The introduction of free parking is likely to have a significant negative impact on retail within the City by decreasing the availability of short-term parking spaces.
3. The Council's two most popular car parks located in Paterson Street do not have any spare capacity during the peak period during the work week. These two car parks are full with an occupancy of 100% for 3 to 3.5 hours per day on Tuesday, Wednesday and Thursday between 10:00am and 2:00pm. Monday and Friday have an utilisation rate greater than 85%. Without any further capacity, changing the pricing structure will have little effect on the outcome as it will not create any further capacity or improve the availability of car parking in the city.
4. The Elizabeth Street car park is currently utilised for shoppers or short-term parking on the lower level and commuters or long-term parking on the upper level. The lower level is now operating at 80-85% capacity between 10:00am and 1:00pm. Demand has increased substantially over the last year and if this continues, this car park will also reach capacity in the near future.
5. The average occupancy across on-street parking spaces in the City Heart area is 57.1%. This peaks at 80.9% on Thursday, with an average turnover of 5.5 cars per day, or an average stay of 1.5 hours. The CBD itself has a higher turnover and a shorter stay associated with one-hour time restrictions.
6. There is little spare capacity in the on-street or off-street car parks managed by Council in the PRPZ as they are being 'fully' utilised. It should be noted that reducing the price in the multi-storey car parks will not create any further capacity but will in fact increase demand and raise expectation.
7. Since the first free parking trial in 2006, the total retail expenditure has grown by 15.08% or approximately 1.51% per annum.
8. That the *First Hour Free Parking* trial conducted by the Council in 2006 did not have a significant impact on the number of people visiting the city and that the Council resolved to discontinue the trial unanimously.

ECONOMIC IMPACT:

The economic value of short-term parking within the CBD is critical in achieving Council's strategic goals. The value of short-term parking spaces to the City's economy may be up to 20 times the value of commuter car parking. This value is calculated by the average turnover of each car park (eg. six times per day) multiplied by the average expenditure of a retail patron.

16.1 Response to Notice of Motion - 60-90 Minutes Free Parking ...(Cont'd)

The introduction of free parking would effectively remove much of the profit motive for the private sector to provide short-term parking. This is evidenced in Hobart where almost all short-term parking is provided by the public sector (2,412 spaces) following the introduction of the 90-minute free parking service in the multi-deck car parks.

The potential withdrawal of private supply is likely to have a significant negative impact on retail within the city. In 2017/2018, retail trade in Launceston was valued at \$255.9m, so the withdrawal of up to 40% of the short-term parking supply is likely to have a significant impact on the prosperity of retailers in the CBD.

ENVIRONMENTAL IMPACT:

One of Council's strategic priorities is to *'strive to minimise the impact of our actions on the environment, while planning for, adapting to and managing the impact of climate change.'*

Parking has a key role to play to ensure that this objective is delivered. By managing its parking demand effectively, Council can ensure that drivers can find a parking space and limit cruising behaviour.

Council's current service level for parking is reaching the desired target of an average of 85% occupancy in all three Council operated Multi-story car parks, this ensures that one in every seven spaces are available. However, if Council's pricing policy were to be amended to introduce free parking there is the potential of the withdrawal of parking supply. This in turn would have a detrimental effect on the occupancy level within the PRPZ and may result in a lack of available car spaces. Consequently, this would result in an increase in 'cruising' behaviour, adding to congestion and carbon emissions.

SOCIAL IMPACT:

The role of parking management is to manage the Council's parking capacity to achieve the highest net community benefit by generating turnover of parking spaces to allow equitable access across CBD businesses.

A desired service standard for parking that best delivers on the parking objectives is to ensure that one in every seven car spaces is available. The achievement of this service standard limits cruising outcomes and provides an appropriate level 15% of available and convenient car parks.

The purpose of Council's intervention in parking is to achieve this service standard and to manage parking supply to limit congestion, increase customer satisfaction and the attractiveness of the city as a destination.

16.1 Response to Notice of Motion - 60-90 Minutes Free Parking ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

Ten-year goal - To foster creative and innovative people and industries

Key Direction -

1. To establish appropriate mechanisms to support the retail sector

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 -

2. To support the CBD and commercial areas as activity places during day and night

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Direction -

5. To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities

BUDGET & FINANCIAL ASPECTS:

It is evidenced in this report that if a free parking service was introduced this would have a significant effect on the cost of service to the Council. Based on an analysis of pricing, the cost of providing free parking in the multi-storey car parks is likely to cost Council approximately \$530K for 60 minutes and \$783K for 90 minutes. This would also include the termination of free parking between 3:30pm - 5:30pm in Council owned multi-storey car parks.

If the free parking service were to be introduced this would result in the need for an investigation on how to recover these costs so as other Council services delivery programs are not impacted.

16.1 Response to Notice of Motion - 60-90 Minutes Free Parking ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Acting Director Facilities Management

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 Raglan Street, Youngtown - Part Highway Closure

FILE NO: DA0637/2018/SF1901

AUTHOR: Robert Holmes (Senior Property Advisor)

DIRECTOR: Matthew Skirving (Acting Director Infrastructure Services)

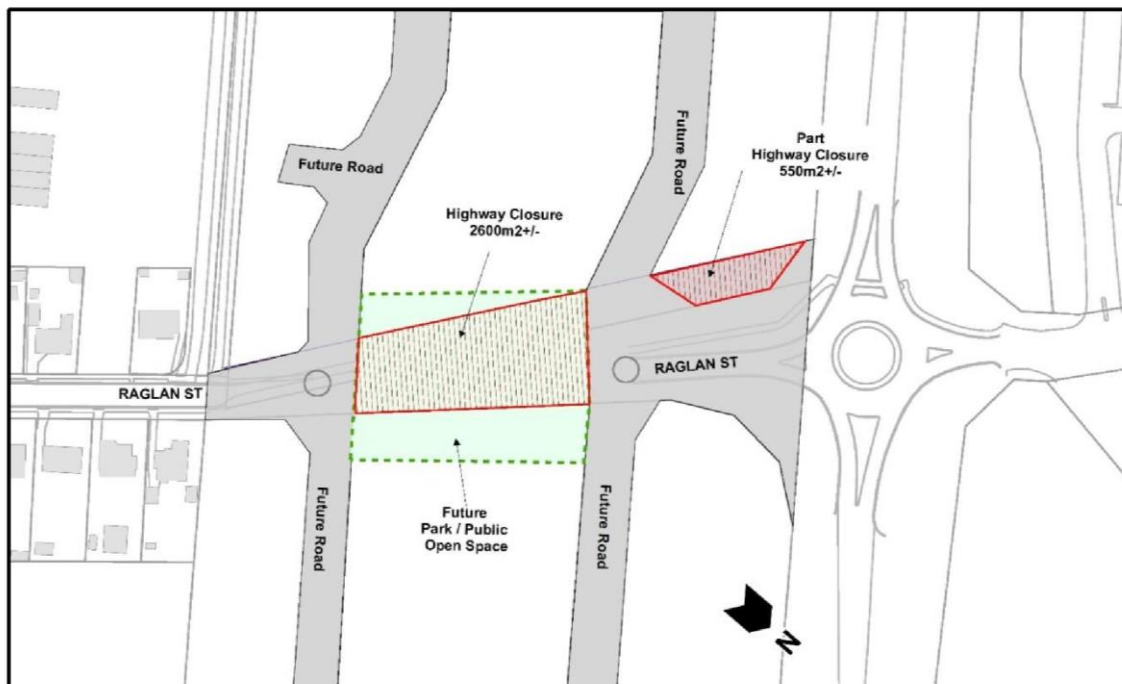
DECISION STATEMENT:

To consider a request to close part of a local highway.

RECOMMENDATION:

That Council:

1. forms an opinion that parts of Raglan Street, Youngtown adjoining property addressed as 24 Raglan Street and 5 Dundas Street, Youngtown having an area of approximately 5850m² as indicated by cross hatch on the plan below, may be closed in the interests of public safety and because of lack of use. The intention is that the status of the central part of Raglan Street will change from 'local highway' to park/public open space. Pedestrian access through the park/public open space is to continue to be available.



18.1 Raglan Street, Youngtown - Part Highway Closure ...(Cont'd)

2. authorises the Director Infrastructure Services to exercise the necessary powers conferred by section 14 of the *Local Government (Highways) Act 1982* (Tas) to effect the intention to close part of Raglan Street, Youngtown as outlined at 1. above.
 3. notes the applicant is to be responsible for 50% of the advertising costs associated with the highway closure.
-

REPORT:

Council, at its Meeting of 16 May 2019, issued an approval to create a subdivision of 216 residential lots involving land currently known as 24 Raglan Street, 77 Victoria Street and 24A Raglan Street, Youngtown. The approval issued requires that a highway closure, pursuant to section 14 of the *Local Government (Highways) Act 1993* (Tas), is made to effect closure of the areas indicated in red on the attached plan.

As to the highway status of the area of Raglan Street in question, by way of background information, prior to the construction of the Kings Meadows Connector Road (circa 1997) CT158789/1 provided access to the adjacent land including the farmland which went on to be the 'Greenfields site' on which Bunnings and other commercial properties are now built. At least part of CT158789/1 was used for a long period of time, sufficient to consider that it could be classed as a 'local highway', not maintainable by corporation pursuant to section 50 of the *Local Government (Highways) Act 1982* (Tas).

In 2010 the Council acquired land for the construction of the extension of Raglan Street and that purchase included the benefit of right of way over part of CT158789/1. Having purchased a right of way, the Council as a property owner, then had the right to use the right of way for highway purposes. Council, at its Meeting of 13 February 2012, declared pursuant to section 6 of the *Local Government (Highways) Act 1982* (Tas), that the extension of Raglan Street, including the 'north south' leg of CT158789/1 over which the Council had the benefit of Right of Way, was a highway maintainable by the corporation.

The 'north south' leg of CT158789/1 currently contains overhead power lines. Prior to the highway declaration, TasNetworks had the benefit of a statutory easement pursuant to the *Electricity Wayleaves and Easements Act 2000*. The engineering design for DA0637/2018 indicates that eventually a new power supply will be required which will be placed underground within the road reservation or park/public open space as is permitted by legislation. Following that installation, the statutory easement will become redundant.

The development approval issued under DA0637/2018 proposes that it is reasonable to suggest that parts of Raglan Street road reservation are wider than necessary and that there are several parts which are not used for the public benefit.

18.1 Raglan Street, Youngtown - Part Highway Closure ...(Cont'd)

The combined effect of the approvals issued under DA0637/2018 and DA0222/2016 is to provide consent to create a large area of park/public open space partly on the originally intended alignment of Raglan Street. To ensure that the Council has full control over the park/public open space area and to address safety issues, it is recommended that highway rights should be removed from the park/public open space area.

The combined effect of the approvals issued under DA0637/2018 and DA0222/2016 is that upon completion of the various stages of construction connectivity will be available between the roundabout at the Kings Meadows Connector and Raglan Street as indicated by Attachment 1.

Section 14 of the *Local Government (Highways) Act 1982* (Tas) provides that the corporation can close a local highway if it forms the opinion that such closure is for the public benefit because of either lack of use or in the interests of public safety. In this case both circumstances apply. It is recommended that Council forms the opinion that parts of the highway can be closed because of lack of use and in the interests of public safety and that the Director Infrastructure Services be authorised to commence the procedures required by section 14 of the *Local Government (Highways) Act 1982* (Tas). The applicant will be required to pay 50% of the costs associated with the highway closure advertising.

Once it is confirmed there are no objections to the proposed highway closure, a further item will be brought back to the Council to deal with the disposal of the Council's interest in those parts of the right of way that are to become private land.

ECONOMIC IMPACT:

There is some benefit for the Council arising from the highway closure by way of:

- a small reduction in the area of land that the Council must maintain,
- once the areas are closed and the interest transferred, developable land will become available which will have a positive impact by way of rating income.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Some local residents in the Raglan Street area have indicated preference for Raglan Street not to be a through road. The creation of a park rather than a road will benefit local residents.

18.1 Raglan Street, Youngtown - Part Highway Closure ...(Cont'd)

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 Direction -

2. To develop and take a strategic approach to development sites to maximise public benefits of development

BUDGET & FINANCIAL ASPECTS:

The applicant will be required to pay 50% of the costs associated with the highway closure advertising.

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.

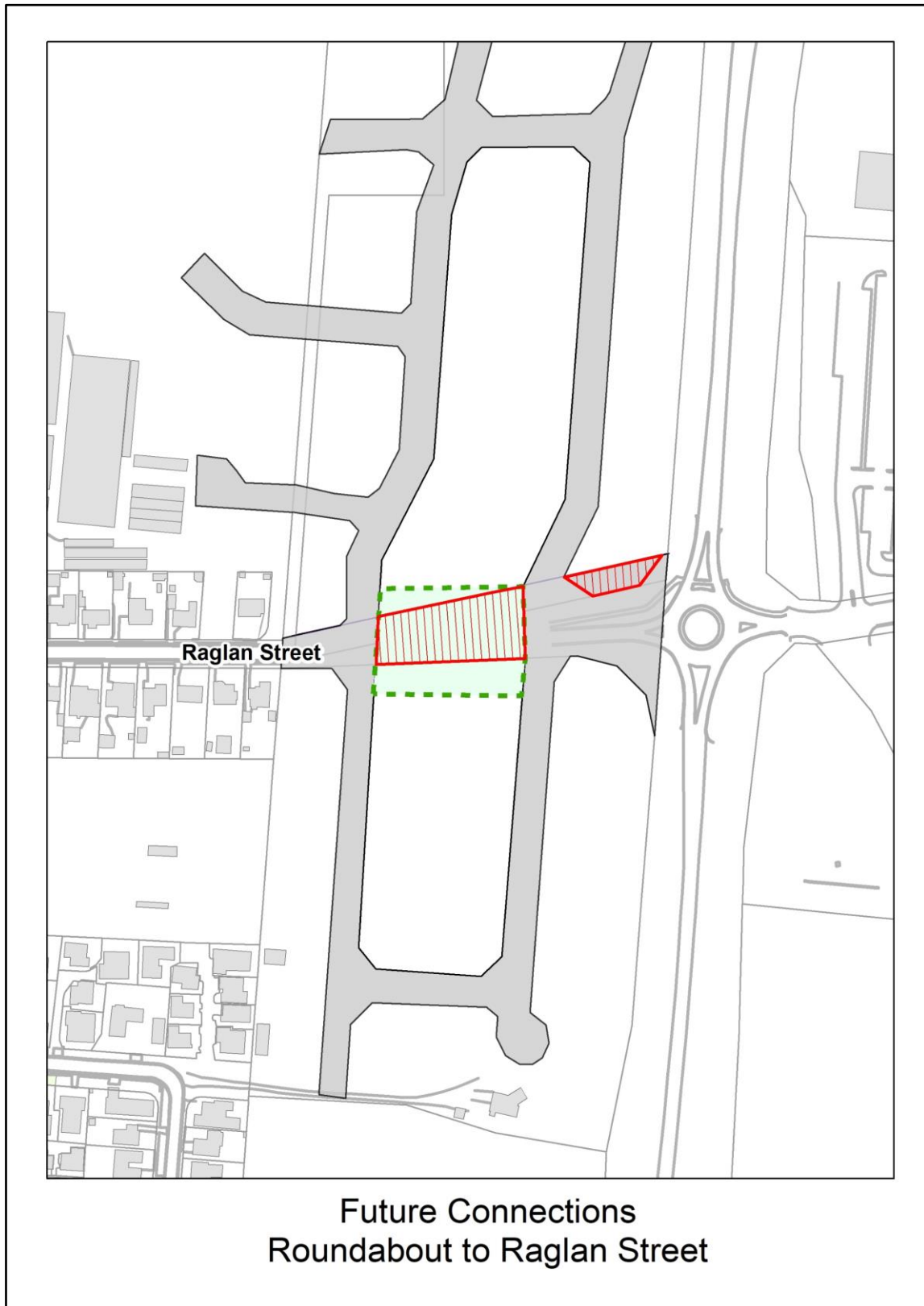


Matthew Skirving: Acting Director Infrastructure Services

ATTACHMENTS:

1. Map - Future Connections Roundabout to Raglan Street
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Attachment 1 Map - Future Connections Roundabout to Raglan Street



18.2 Concessional Entry to Council's Waste Disposal Facilities

FILE NO: SF0628

AUTHOR: Jess Nesbit (Waste and Environment Officer)

DIRECTOR: Matthew Skirving (Acting Director Infrastructure Services)

DECISION STATEMENT:

To determine the value of concessions to approved charitable organisations for waste disposal to the Launceston Waste Centre for the 2019/2020 financial year.

PREVIOUS COUNCIL CONSIDERATION:

Council - 2 July 2018 - Agenda Item 18.1 - Concessional Entry to Council's Waste Disposal Facilities 2018/2019

RECOMMENDATION:

That Council, in respect of clause 4(e) of the 'Concessional Entry to Council's Waste Disposal Facilities' Policy (12-Plx-014), approves the organisation and concessional entry values for the financial year 2019/2020, as shown below:

Recommended Concessional Entry Values 2019/2020

Organisation Name	2019/2020 Recommendation \$
Connections Op Shop Inc	310
Door of Hope Christian Church	980
Launceston Benevolent Society Inc	505
Launceston City Mission	12,400
Launceston Legacy Inc	60
Lions Club of Kings Meadows	170
New Horizons Club Inc	100
Northern Occupational Support Service - Bluegum	740
PCYC	70
Salvos Store	680
SelfHelp Workplace	2,100
St Michaels Association	430
St Vincent de Paul Society	6,300
Veterans Support Group	450

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

Organisation Name	2019/2020 Recommendation \$
Shekinah House Inc	90
Student Works	520
Veterans & Community Wood Centre Inc	20
Dogs Home of Tasmania	300
Starting Point Neighbourhood House	150
Worldview Centre for Intercultural Studies	200
Just Cats Tasmania	800
TOTAL	\$27,375.00

REPORT:**Introduction**

This is the tenth year the Council has advertised and received applications for *Concessional Entry to Waste Disposal Facilities*. Advertisements were placed via on-line platforms, including a banner at the front of the City of Launceston (CoL) front page website and ongoing Facebook posts. Previous applicants were notified by email, noting the link to the new electronic application form and confirming their previous year's expenditure. The application period was open for four weeks; opening 27 April and closing on 24 May 2019.

The proposed budget amount for 2019/2020 is \$41,638; an increase from the 2018/2019 budget amount of \$38,183.

Policy Details

The policy requires organisations to meet criteria in order to be deemed charitable and to be considered for a subsidy to offset waste disposal charges at the Launceston Waste Centre by up to 80%. The charitable criteria can be satisfied in one of two ways - either by providing an ATO Exemption Certificate or by proving community and charitable benefit. Table 2 shows the applications received, together with their nominated subsidy. Each of the charities listed meet the charitable criteria required by the Council.

The assessment was completed by Waste Management Officers, Michael Attard and Jess Nesbit and endorsed by the Community Grants Committee on 4 June 2019. For those committee members who were unable to attend the meeting, the recommendation was endorsed out of session.

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

Application Assessment

The first step in the assessment process was to ensure all the previous years' applicants had submitted an end of financial year waste report. Applicants were asked to provide a brief report on the effectiveness of the organisation's waste reduction activities since receiving their subsidy. Previous applicants were contacted in March 2019 to submit the end of financial year waste reports and all applicants submitted plans on time prior to the application process for 2019/2020 opening.

The second step in the assessment was confirming each organisation's 'charitable' status against the two criteria. The policy automatically accepts organisations where an *ATO Exemption Certificate* is provided. This certificate also has to comply with the public benevolent institution classification. Organisations claiming the alternative criteria are required to provide proof of community good and community benefit. All organisations must be non-government. Additionally, the Australian Charities and Not-for-Profits Commission (www.acnc.gov.au) was used to verify the status of several organisations.

The Committee then considered the reasonableness of the claims for the financial year 2019/2020 based on the previous history of the organisation and the percentage of the approved claim used in 2018/2019. All applicants must have submitted a detailed waste reduction plan to be considered for a subsidy. In this section, a written statement addressing what measures are already being used to prevent waste going into landfill and what plans there are to improve waste reduction in the next 12 months was required. This criterion was assessed by two staff from waste management and given a rating out of four; this rating helped determine the recommendation and identified which charities the Council was able to assist with helping to reduce waste to landfill further. Several applicants did not submit an adequate waste management plan but provided a substantial end of financial year waste report. These organisations will be contacted to discuss the difference and importance of the two so that the process is clear when applying next year.

Dogs Home of Tasmania did not provide a waste management plan at all but the Grants Committee agreed, since it was the first year applying, to allocate half of what was requested and do a follow up visit to discuss plans and work on a submission together. If the funds are approved the funding will only be allocated after Dogs Home of Tasmania has met with a waste management officer to develop a plan going forward.

Just Cats provided a basic waste management plan. As this was the first year that organisation had applied, Council Officers will work with Just Cats to develop the plan going forward.

Salvos Stores provided Australia wide generic data only. A suggestion will be made to this organisation that when applying next year, it is important to provide content based on the local stores and what Salvos will be aiming to achieve as part of the organisation's waste management plan.

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

Detailed data of the organisation's historical usage of the concessional subsidy is outlined in Table 2. This year's budget is \$41,638. The total recommended subsidies for the 2019/2020 financial year is \$27,375, which leaves a surplus of \$14,263 within the budget. As approved at the 23 April 2018 Council Meeting, no charitable organisation will receive a subsidy more than 80% of their annual waste management fees incurred during the previous 12 months. The aim behind this is to encourage organisations to improve waste management practices further and is also an opportunity for the Council Officers to engage with local charitable organisations and build positive lasting relationships.

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

Table 2: Applicants Historical Usage of the Concessional Subsidy

Proposed Concessional Entry To LWC 2019/2020												
Organisation Name	Value Approved 15/16	Value Spent 15/16	% Spent	Value Approved 17/18	Value Spent 17/18 (as of 31 May 18)	% Spent	Value Approved 18/19	Value Spent 18/19 (as of 03 June 19)	% Spent	Value Sought 19/20	Value Proposed (80% of 18/19 spend)	Committee Recommendations 19/20
Connections Op Shop Inc	\$350.00	\$520.41	148.69%	\$300.00	\$346.38	115.46%	\$280.00	\$381.89	136.39%	\$300.00	\$306.51	\$310.00
Door of Hope Christian Church	\$800.00	\$979.73	122.47%	\$900.00	\$1,272.37	141.37%	\$1,000.00	\$1,222.76	122.28%	\$1,000.00	\$978.21	\$980.00
Launceston Benevolent Society Inc	\$400.00	\$449.88	112.47%	\$600.00	\$661.33	110.22%	\$460.00	\$630.94	140.21%	\$600.00	\$604.76	\$605.00
Launceston City Mission	\$18,000.00	\$23,888.84	132.72%	\$19,000.00	\$17,926.72	94.35%	\$14,300.00	\$16,484.80	108.29%	\$22,000.00	\$12,387.84	\$12,400.00
Launceston Legacy Inc	\$75.00	\$133.42	177.89%	\$120.00	\$93.77	78.14%	\$75.00	\$68.12	90.83%	\$150.00	\$64.50	\$60.00
Lions Club of Kings Meadows	\$100.00	\$146.35	146.35%	\$100.00	\$168.71	168.71%	\$125.00	\$210.12	168.10%	\$200.00	\$168.10	\$170.00
New Horizons Club Inc	\$75.00	\$91.48	121.97%	\$100.00	\$68.13	68.13%	\$320.00	\$113.99	35.62%	\$400.00	\$91.19	\$100.00
Northern Occupational Support Service - Bluegum	\$2,000.00	\$1,965.63	98.28%	\$1,000.00	\$1,036.46	103.65%	\$830.00	\$917.64	110.56%	\$1,200.00	\$734.11	\$740.00
PCYC	\$150.00	\$186.54	124.36%	\$150.00	\$69.95	39.97%	\$60.00	\$79.20	132.00%	\$80.00	\$63.36	\$70.00
Salvos Store	\$2,800.00	\$1,220.09	43.57%	\$1,000.00	\$765.61	76.56%	\$600.00	\$847.00	141.17%	\$2,000.00	\$677.60	\$680.00
SelfHelp Workplace	\$4,000.00	\$5,847.87	146.20%	\$4,600.00	\$2,826.81	61.45%	\$2,300.00	\$2,610.43	113.50%	\$4,000.00	\$2,088.34	\$2,100.00
St Michaels Association	\$500.00	\$830.92	166.18%	\$900.00	\$818.99	91.00%	\$660.00	\$626.46	80.99%	\$800.00	\$421.16	\$430.00
St Vincent de Paul Society	\$4,000.00	\$4,173.74	104.34%	\$3,600.00	\$6,423.18	178.42%	\$4,400.00	\$7,791.10	177.07%	\$6,600.00	\$6,232.88	\$6,300.00
Veterans Support Group	\$500.00	\$581.76	116.35%	\$600.00	\$601.26	100.21%	\$480.00	\$653.12	136.07%	\$600.00	\$442.60	\$460.00
Shekinah House Inc	N/A	N/A	N/A	\$300.00	\$0.00	0.00%	\$240.00	\$106.43	44.35%	\$250.00	\$84.34	\$90.00
Student Works	N/A	N/A	N/A	\$800.00	\$0.00	0.00%	\$640.00	\$662.36	103.49%	\$600.00	\$621.89	\$620.00
Veterans & Community Wood Centre Inc	N/A	N/A	N/A	N/A	N/A	N/A	\$200.00	\$20.00	10.00%	\$200.00	\$16.00	\$20.00
Dogs Home of Tasmania	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$600.00	\$300.00	\$300.00
Starting Point Neighbourhood House	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$150.00	\$150.00	\$150.00
Worldview Centre for Intercultural Studies	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$200.00	\$200.00	\$200.00
Just Cats Tasmania	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$800.00	\$800.00	\$800.00
TOTAL	\$33,750.00	\$41,016.66		\$33,670.00	\$31,949.67		\$26,940.00	\$32,216.36		\$42,430.00	\$27,222.28	\$27,375.00
BUDGET	\$36,697.00	\$36,697.00		\$39,867.00	\$36,867.00		\$38,183.00	\$38,183.00		\$41,638.00	\$41,638.00	\$41,638.00
SURPLUS	\$2,947.00	-\$4,319.66		\$6,197.00	\$4,917.43		\$11,243.00	\$6,967.66			\$14,416.72	\$14,263.00

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 5 - A city that values its environment

Ten-year goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards

Key Direction -

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

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 -

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

BUDGET & FINANCIAL ASPECTS:

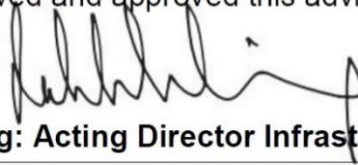
The budget for 2019/2020 provides an allowance of \$41,638.

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(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.



Matthew Skirving: Acting Director Infrastructure Services

19 CORPORATE SERVICES DIRECTORATE ITEMS

19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019

FILE NO: SF2217

AUTHOR: Leanne Purchase (Acting Manager Corporate Strategy)

DIRECTOR: Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To provide voting direction to the Council delegate for the items listed for decision at the Local Government Association General Meeting on 3 July 2019.

PREVIOUS COUNCIL CONSIDERATION:

Local Government Association of Tasmania General Meeting Agendas are discussed in a Workshop or considered by Council, time permitting, ahead of each quarterly Local Government Association of Tasmania General Meeting.

RECOMMENDATION:

That, in respect of items listed for decision at the Local Government Association of Tasmania's General Meeting on 3 July 2019, Council directs the Council delegate to vote as follows:

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
1	6	Minutes <i>Decision Sought:</i> <i>That the Minutes of the General Meeting held on 29 March 2019, as circulated, be confirmed.</i>	LGAT	Recommendation: <i>Agree</i>
2	6	Confirmation of Agenda and Order of Business <i>Decision Sought:</i> <i>That the agenda and order of business be confirmed.</i>	LGAT	Recommendation: <i>Agree</i>
3	6	President's Report <i>Decision Sought:</i> <i>That the Meeting note the report on the President's activity from 1 March to 31 May 2019.</i>	LGAT	Recommendation: <i>Note</i>

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
4	7	CEO's Report <i>Decision Sought:</i> <i>That the Meeting note the report on the CEO's activity from 1 March to 31 May 2019.</i>	LGAT	Recommendation: <i>Note</i>
5	8	Business Arising <i>Decision Sought:</i> <i>That Members note the following information on business arising. (Attachment 5 refers)</i>	LGAT	Recommendation: <i>Note</i>
6	9	Follow Up of Motions <i>Decision Sought:</i> <i>That the meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising. (Attachment 6 refers)</i>	LGAT	Recommendation: <i>Note</i>
7	9	Monthly Report to Councils <i>Decision Sought:</i> <i>That Members note the reports for March and April 2019.</i>	LGAT	Recommendation: <i>Note</i>
8	10	National Redress <i>Decision Sought:</i> <i>That Members resolve to joining the National Redress Scheme with the State Government as a 'State Institution'.</i>	LGAT	Recommendation: <i>Support</i> <i>Louise Foster (Director Corporate Services): Councillors received a presentation on the National Redress Scheme at Workshop and indicated in principle support for the City of Launceston joining the scheme. A sectoral approach would be preferred - in the event this motion does not succeed work will continue on the City of Launceston joining the scheme.</i>
9.1	12	Charitable Exemptions on Rates <i>Decision Sought:</i> <i>That Members note the report on LGAT Activity with respect to charitable rates exemptions.</i>	LGAT	Recommendation: <i>Note</i> <i>Paul Gimpl (Chief Financial Officer): City of Launceston is keen to support any initiative towards equity in the application of rating exemptions.</i>

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
9.2		Local Government Act Review <i>Decision Sought:</i> <i>That Members note the report on the progress of the Local Government Act Review.</i>	LGAT	Recommendation: <i>Note</i> Leanne Purchase (Acting Manager Corporate Strategy): <i>City of Launceston's submission in respect of the Local Government Legislation Review Discussion Paper was considered by Council on 7 March 2019, and the City of Launceston continues to monitor opportunities to contribute further to the Review.</i>
9.3	17	Waste Management <i>Decision Sought:</i> <i>That Members note the following report on LGAT's advocacy around waste issues and the report from the Statewide Waste Arrangements Feasibility Study.</i>	LGAT	Recommendation: <i>Note</i> Matthew Skirving (Acting Director Infrastructure Services): <i>City of Launceston Staff are actively engaged in waste management planning initiatives on both a regional and State-wide basis.</i>
9.4	18	21st Century Councils <i>Decision Sought:</i> <i>That Members note the progress on the 21st Century Councils Project.</i>	LGAT	Recommendation: <i>Note</i> Michael Stretton (General Manager): <i>Note progress on the project.</i>
9.5	20	Planning Reform <i>Decision Sought:</i> <i>That Members note the following report on the progress of the State Government's program of land use planning reform.</i>	LGAT	Recommendation: <i>Note</i>
9.6	22	LGAT Community Satisfaction Survey <i>Decision Sought:</i> <i>That Members note the results from the 2019 Community Satisfaction Survey as provided in the written report and presentation to the General Meeting.</i>	LGAT	Recommendation: <i>Note</i> Michael Stretton (General Manager): <i>Difficult to draw any strong conclusions about community satisfaction with the CoL given the sample size, however, the Council satisfaction levels across the</i>

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
				<i>State have been consistently good over the last 10 years.</i>
9.7	24	St Lukes Corporate Health Plan <i>Decision Sought: That Members note the St Lukes Health Corporate Plan that is now available to all elected representatives and staff of Local Government Tasmania</i>	LGAT	Recommendation: <i>Note</i>
9.8	25	Digital Advisory Group <i>Decision Sought: That Members note the following report on the work of the Digital Advisory Group.</i>	LGAT	Recommendation: <i>Note</i>
9.9	27	Energy <i>Decision Sought: That Members note the report on LGAT's successful advocacy in the energy space, resulting in significant sector savings.</i>	LGAT	Recommendation: <i>Note</i>
9.10	29	National Local Government Workforce and Future Skills Reports <i>Decision Sought: That Members note the following report on the Local Government Workforce and Future Skills Report.</i>	LGAT	Recommendation: <i>Note</i>
9.11	31	Environmental Health Officer Update <i>Decision Sought: That Members note the report on LGAT's work to address EHO shortages.</i>	LGAT	Recommendation: <i>Note</i>
9.12	32	LGAT Procurement <i>Decision Sought: That Members note the report on LGAT's procurement services, the savings of nearly \$2million across the sector and potential future procurement opportunities for councils.</i>	LGAT	Recommendation: <i>Note</i>

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
9.13	35	Heavy Vehicle National Law Review and Heavy Vehicles Regulations in Tasmania <i>Decision Sought:</i> <i>That Members note the following report on the review of Heavy Vehicle National Law and direct interested staff to make contact with LGAT.</i>	LGAT	Recommendation: <i>Note</i> Matthew Skirving (Acting Director Infrastructure Services): <i>City of Launceston staff are in regular contact with Department of State Growth and other local Councils regarding the progress of this legislative review.</i>
9.14	37	Emergency Management <i>Decision Sought:</i> <i>That Members note the report on Emergency Management activity.</i>	LGAT	Recommendation: <i>Note</i>
9.15	41	Local Government Community Health and Wellbeing Project <i>Decision Sought:</i> <i>That Members note the report on LGAT's Community Health and Wellbeing Project.</i>	LGAT	Recommendation: <i>Note</i>
9.16	42	LGAT Peer Advisor Program <i>Decision Sought:</i> <i>That Members note the Peer Advisor Program has been extended until the end of 2019.</i>	LGAT	Recommendation: <i>Note</i> Michael Stretton (General Manager): <i>The program looks to have provided an increasingly used level of support for new Councillors and the learnings will serve to improve the program after future elections.</i>
9.17	43	State Budget <i>Decision Sought:</i> <i>That Members note the report on the 2019-20 Budget.</i>	LGAT	Recommendation: <i>Note</i>
9.18	45	Federal Election <i>Decision Sought:</i> <i>That Members note the report on the outcomes of the 2019 Federal Election.</i>	LGAT	Recommendation: <i>Note</i>
9.19	46	Communications, Events and Training Update <i>Decision Sought:</i> <i>That Members note the following update regarding LGAT's communications, events and training.</i>	LGAT	Recommendation: <i>Note</i>

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
10.1	49	<p>Reinstatement of Heavy Vehicle Road Tax <i>Decision Sought:</i> <i>That Member Councils of LGAT recommend that the State Government provides an immediate commitment to reinstatement of the equitable distribution of the total heavy motor vehicle road tax collected, to the percentage at the time of inception of the scheme in 1996/1997.</i></p>	Circular Head	<p>Recommendation: <i>Not supported</i></p> <p>Paul Gimpl (Chief Financial Officer): <i>City of Launceston agrees with the motion in principle, but the Tasmanian Government Agency comment does not provide analysis (proof) showing that funding from the various State Government road programs has kept pace with inflation. The cost of maintaining roads per kilometre has definitely increased over the 24 years.</i></p>
10.2	52	<p>Compensation for No Indexation of Heavy Vehicle Road Tax <i>Decision Sought:</i> <i>Member Councils of LGAT recommend that the State Government make to all Local Councils a one off additional annual payment allocation of the heavy motor vehicle road tax distribution as compensation for 24 years of no indexation of the funding allocation.</i></p>	Circular Head	<p>Recommendation: <i>Not supported</i></p> <p>Paul Gimpl (Chief Financial Officer): <i>See comments at Agenda Item 10.1. CoL agrees with the motion in principle - if it is established that funding from the various State Government road programs has not kept pace with inflation. However, it is unrealistic to expect the State Government would cover the 24 year shortfall if it is proven to be an overall shortfall.</i></p>
11.1	55	<p>Amend Meeting Procedures <i>Decision Sought:</i> <i>That LGAT lobby the State Government requesting changes be made to Part 3, sections 27 and 28 - Voting as well as the inclusion of reasons to be listed in section 32 - Minutes of the Local Government (Meeting Procedures) Regulations 2015 with regard to elected members voting against an "Officer's Recommendation" or "Motion".</i></p>	Break O'Day	<p>Recommendation: <i>Not supported</i></p> <p>Leanne Purchase (Acting Manager Corporate Strategy): <i>Initiatives that increase transparency and accountability are always welcome. However, minuting a Councillor's reasons for only a 'no' vote suggests that a Councillor votes 'yes' without qualification rather than on balance. The transparency sought by the motion is achieved by providing the</i></p>

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
				<i>community with opportunities to hear Councillors rise to speak for or against an Officer's Recommendation eg. by audio streaming.</i>
14.1	56	<p>Climate Change <i>Decision Sought: That the Local Government Association of Tasmania investigate opportunities for the sector to develop a position on climate change including acknowledging:</i></p> <ul style="list-style-type: none"> - <i>There is a climate emergency that requires action by all levels of government;</i> - <i>Human induced climate change is at the forefront of the climate emergency; and</i> - <i>The State Government has a particular role in assisting local governments in dealing with the impacts of climate change.</i> 	Devonport City	<p>Recommendation: <i>Support</i></p> <p>Michael Stretton (General Manager): <i>There is little doubt that Local Government has a significant role to play in mitigating and/or adapting to the impacts of climate change and that this work needs to be completed in collaboration with the other tiers of Government. The Council has recognised the importance of this work through the extensive flood mitigation works it has completed over a prolonged period of time together with initiatives such as the Sustainability Strategy which is currently being developed.</i></p> <p><i>Clarification of what is meant by the use of the term 'climate emergency' would add value to the item's intent, however, the need for a sector position on climate change in Tasmania is long overdue.</i></p>
14.2	58	<p>Climate Change <i>Decision Sought: That the LGAT call upon Federal and Tasmanian State Governments and Parliaments urging them to:</i></p> <ul style="list-style-type: none"> (a) <i>Acknowledge the urgency created by climate change that requires immediate and collaborative action across all tiers of government;</i> (b) <i>Acknowledge that the world climate crisis is an issue of social</i> 	Huon Valley	<p>Recommendation: <i>Support</i></p> <p>Michael Stretton (General Manager): <i>Largely based around the rationale articulated in Agenda Item 14.1.</i></p>

19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
 ...(Cont'd)

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
		<i>and environmental injustice and, to a great extent, the burden of the frontline impacts climate change fall on low income communities, vulnerable groups and future generations; and (c) Facilitate emergency action to address the climate crisis, reduce greenhouse gas emissions and meet or exceed targets in the Paris Agreement.</i>		
14.3	61	Single Use Plastics/Waste Strategy <i>Decision Sought: That the Local Government Association of Tasmania lobbies the State Government to complete a state-wide Waste Strategy that includes Policy and Legislation that will phase out single use plastics across the State and support the establishment of regional composting facilities.</i>	Huon Valley	Recommendation: <i>Support</i> Matthew Skirving (Acting Director Infrastructure Services): <i>City of Launceston supports an appropriately staged phase-out of single-use plastics. CoL has established a FOGO composting facility as part of Waste Management operations. Council is also currently developing a policy framework to phase out single-use-plastics at all Council-supported events by 2022.</i>
14.4	64	Single Use Plastics <i>Decision Sought: Request that LGAT lobby the State Government to take leadership in developing a consistent state wide approach to banning the use of single use plastics in takeaway food packaging.</i>	Break O'Day	Recommendation: <i>Support</i> Matthew Skirving (Acting Director Infrastructure Services): <i>See comments at 14.3.</i>
14.5	65	State Weed Management <i>Decision Sought: That LGAT lobby the heads of the Tasmanian Government's Departments and GBEs with responsibilities for management of public lands or works on public lands to have new increased and sustained resourcing levels committed in government agency</i>	Break O'Day	Recommendation: <i>Support</i> Matthew Skirving (Acting Director Infrastructure Services): <i>Additional resources to assist with combatting declared and priority weeds within Tasmania is always welcomed. The CoL currently works with DPIPWE,</i>

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
		<i>budgets to manage weeds on public land in coordination with efforts of others in local areas.</i>		<i>NRM North and other community groups in managing weeds and invasive species within our region.</i>
14.6	68	<p>Waste Management Storage and Collection <i>Decision Sought: That Local Government Association of Tasmania lobby the Tasmanian Government for: Reform of multiple dwelling standards in the Tasmanian Planning Scheme to require consideration of:</i></p> <ul style="list-style-type: none"> • <i>Waste Management storage and collection impacts for multiple dwelling developments; and</i> • <i>Allowing for alternative waste storage and collection means such as site skip bins.</i> 	West Tamar	<p>Recommendation: <i>Support</i></p> <p><i>Leanne Hurst (Director Development Services): There would be a number of matters that could be improved with the standards which could usefully be picked up in the review that is noted in the State Government comments. As suggested, there is the ability under section 35G of LUPAA to request that the SPPs be amended. Recommend the motion be supported and note the upcoming review which would be an opportunity to provide a more consolidated input into the new standards.</i></p>
14.7	71	<p>Feral Cats <i>Decision Sought: That LGAT calls on the State Government as a matter of urgency to set up, resource and authorise a program within the relevant State agency of a kind equivalent to the former Fox Eradication Taskforce with a specific purpose of taking and coordinating immediate and continuing long-term direct action to control and reduce the population of stray and feral cats in all parts of Tasmania.</i></p>	Burnie City	<p>Recommendation: <i>Support</i></p> <p><i>Leanne Hurst (Director Development Services): Given the size of the problem, moving rapidly to an eradication program is unlikely to be feasible. As per LGAT and the State Government comments, the progressive implementation of the Tasmanian Cat Management Plan is more likely to make some inroads, though arguably it could be better resourced. Would support a motion that sought additional resources to assist with implementation of the Plan.</i></p>

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
15.1	76	<p>Certificate 337s <i>Decision Sought:</i> <i>That the Local Government Association of Tasmania lobby the Tasmanian Government for:</i> 1. <i>Urgent review of 337 certificate form under Schedule 5 of the Local Government (General) Regulations 2015 to address the following omissions from current regulatory regimes that impact the subject lands:</i> (a) <i>Land Use Planning and Approvals Act 1993 - Codes (such as landslip; Specific Area Plans; Local provisions; Applications for a new planning scheme - including the Tasmanian Planning Scheme or Applications for amendments to local provisions under the Tasmanian Planning Scheme.</i> (b) <i>Building Act 2016 - Submitted form 80s for low risk building work; Whether any natural hazard considerations affect the lands; Question 31(a) add a new section (iii) asking about onsite waste waters systems approved prior to Plumbing Regulations 1994; Questions 38-40 be revised to ask whether notifiable building work has been completed and the to provide details regardless of the answer: and</i> 2. <i>Revisions to the Property Agents and Land Transaction Act 2016 to consider:</i> (a) <i>Requiring a 337 certificate prior to listing of a property and making it available as part of the sale process; and</i> (b) <i>Seeking full disclosure for properties as part of the listing process rather than the current</i></p>	West Tamar	<p>Recommendation: <i>Not Supported</i></p> <p>Louise Foster (Director Corporate Services): <i>A review is warranted but the CoL would appreciate an opportunity to be involved in a comprehensive review. It is agreed that there is value in the improvements identified by West Tamar Council, however a comprehensive review involving all stakeholders may identify further improvements.</i></p>

19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
		<i>process.</i>		
15.2	81	<p>Increased Penalty for Unlawful Use and Development <i>Decision Sought:</i> <i>That LGAT lobby the State Government to amend the Land Use Planning and Approvals Act 1993 to increase penalties and introduce alternative sentencing options for unlawful use and development consistent with the provisions in the Environmental Planning and Assessment Act 1979 introduced by the NSW State Government in 2014/2015 by the Environmental Planning and Assessment Amendment Act 2014.</i></p>	Hobart City	<p>Recommendation: <i>Support</i></p> <p>Leanne Hurst (Director Development Services): <i>Agree in principle with intent and this could include a review of what other jurisdictions do (not just NSW). Fundamentally though, the compliance and enforcement process for LUPAA requires review to streamline the process and note the State Government comments that a limited review of these provisions is currently underway.</i></p>
16.1	83	<p>Smoke Free Areas <i>Decision Sought:</i> <i>That LGAT lobby the State Government to increase the smoking distance from doorways from 3 meters to 5 metres in support of local businesses.</i></p>	City of Hobart	<p>Recommendation <i>Support</i></p> <p>Leanne Hurst (Director Development Services): <i>Whilst it is not clear what the basis of the proposed 5m is, or what the effect of implementation will actually be in terms of street coverage, there is no reason to not support a motion to broaden the coverage of smoke free areas. It is acknowledged that the Public Health Act currently provides for Councils to declare additional smoke free areas. However, an amendment to the legislated distance may preclude the need for separate declarations for many Councils.</i></p>
16.2	85	<p>Gun Control Laws <i>Decision Sought:</i> <i>That LGAT lobby the State Government to ensure any amendments to the Tasmanian Firearms Act 1996 and associated regulations further</i></p>	Kingborough	<p>Recommendation: <i>Not Supported</i></p> <p>Michael Stretton (General Manager): <i>This is largely a political issue, which rests with the State Government to</i></p>

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

Item	Pg. No	Items for Decision	Submitted By	City of Launceston Comment
		<i>align Tasmanian law with the National Firearms Agreement.</i>		<i>consider and determine. The State Government has clearly advised that "it will not do anything to undermine the National Firearms Agreement or to weaken gun laws in any way".</i>

REPORT:

A Local Government Association of Tasmania (LGAT) General Meeting will be held in Hobart on 3 July 2019, immediately following LGAT's 2019 Annual General Meeting. An outline of the General Meeting's Agenda Items, with recommended voting direction for consideration of Councillors, is included in this report's Recommendation.

The full General Meeting Agenda is provided as Attachment 1. The Minutes of the General Meeting held on 29 March 2019 and other Attachments to the Agenda for the General Meeting on 3 July 2019, are included in Attachment 2.

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 Communication and engage consistently and effectively with our community and stakeholders
 Key Direction -
 3. To ensure decision are made on the basis of accurate and relevant information

**19.1 Local Government Association of Tasmania - General Meeting - 3 July 2019
...(Cont'd)**

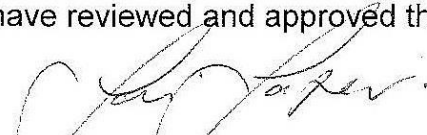
BUDGET & FINANCIAL ASPECTS:

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

ATTACHMENTS:

1. LGAT General Meeting Agenda 3 July 2019 (*distributed electronically*)
 2. LGAT General Meeting Agenda 3 July 2019 - All Attachments - Including Minutes of the General Meeting on 29 March 2019 (*distributed electronically*)
-

19.2 Local Government Association of Tasmania - Annual General Meeting - 3 July 2019

FILE NO: SF2218

AUTHOR: Leanne Purchase (Acting Manager Corporate Strategy)

DIRECTOR: Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To provide voting direction to the Council delegate for the items listed for decision at the Local Government Association of Tasmania Annual General Meeting on 3 July 2019.

PREVIOUS COUNCIL CONSIDERATION:

Considered annually.

RECOMMENDATION:

That, in respect of items listed for decision at the Local Government Association of Tasmania's Annual General Meeting on 3 July 2019, Council directs the Council delegate to vote as follows:

Item	Items for Decision	City of Launceston Comment
1	Minutes of the 106th Annual General Meeting <i>Decision Sought:</i> <i>That the Minutes of the 106th Annual General Meeting, held on 25 July 2018, be confirmed.</i>	Recommendation: <i>Agree</i>
2	President's Report <i>Decision Sought:</i> <i>That the President's Report be received.</i>	Recommendation: <i>Agree</i>
3	Financial Statements to 30 June 2018 <i>Decision Sought:</i> <i>That the Financial Statements for the period 1 July 2017 to 30 June 2018 be received and adopted.</i>	Recommendation: <i>Agree</i>

19.2 Local Government Association of Tasmania - Annual General Meeting - 3 July 2019 ...(Cont'd)

4	<p>2019/2020 LGAT Budget and Subscriptions <i>Decision Sought:</i> <i>That the Meeting endorse the adoption of the Budget and Subscriptions as presented.</i></p>	<p>Recommendation: Agree</p> <p>(Leanne Purchase, Acting Manager Corporate Strategy): The rationale for the budget is explained in detail in Item 4 and in the attachment to Item 4. CoL's 2019/2020 subscription will increase 2.63% from \$70,039.06 in 2018/2019 to \$70,971.87 in 2019/2020 (exclusive of GST).</p>
5	<p>President and Vice President Honorariums <i>Decision Sought:</i> <i>That the President's and Vice President's allowance for the period 1 July 2019 to 30 June 2020 be adjusted in accordance with the movement in the Wages Price Index.</i></p>	<p>Recommendation: Agree</p>
6	<p>Changes to the Rules of the Local Government Association of Tasmania <i>Decision Sought:</i> <i>That the Meeting agree to change the LGAT Rules to enable the outgoing President to Chair both the Annual General Meeting and General Meeting attached to the LGAT Conference, prior to the incoming President taking up the reins.</i></p>	<p>Recommendation: Agree</p>
7	<p>LGAT Annual Plan <i>Decision Sought:</i> <i>That Members note the report against the LGAT Annual Plan.</i></p>	<p>Recommendation: Agree</p>
8	<p>Strategic Plan 2017-2020 <i>Decision Sought:</i> <i>That Members note the proposed 2019-2020 priorities for the LGAT Strategic Plan and that they are invited to provide feedback to LGAT staff or Members of the General Management Committee.</i></p>	<p>Recommendation: Agree</p>

19.2 Local Government Association of Tasmania - Annual General Meeting - 3 July 2019 ...(Cont'd)

9	<p>Reports From Board Representatives <i>Decision Sought:</i> (a) That the reports from representatives on various bodies be received and noted. (b) That Members acknowledge the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees, etc.</p>	<p>Recommendation: Agree</p>
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REPORT:

The Local Government Association of Tasmania (LGAT) Annual General Meeting (AGM) will be held in Hobart on 3 July 2019. An outline of the AGM's Agenda Items, with recommended voting direction for consideration of Councillors, is included in this report's Recommendation.

The full AGM Agenda is provided as Attachment 1. The Minutes of the 2018 AGM, and all Attachments to the 2019 Agenda, are included in Attachment 2.

The purpose of this report is to provide Councillors with an opportunity to comment on these items and to direct the vote of the City of Launceston's delegate at the AGM.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

19.2 Local Government Association of Tasmania - Annual General Meeting - 3 July 2019 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To Communication and engage consistently and effectively with our community and stakeholders
Key Direction -
3. To ensure decision are made on the basis of accurate and relevant information

BUDGET & FINANCIAL ASPECTS:

The proposed 2019/2020 subscription is accommodated in the City of Launceston's 2019/2020 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

ATTACHMENTS:

1. LGAT AGM Agenda 3 July 2019 (*distributed electronically*)
 2. LGAT AGM Agenda 3 July 2019 - All Attachments - Including Minutes of the 2018 AGM (*distributed electronically*)
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20 GENERAL MANAGER'S DIRECTORATE ITEMS**20.1 Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator Nominations****FILE NO:** SF3177**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To consider Council endorsement for nominations to the positions of Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator.

PREVIOUS COUNCIL CONSIDERATION:

Council - 7 August 2017 - Agenda Item 16.1 - Deputy Municipal Emergency Management Coordinator

Council - 26 June 2017 - Agenda Item 21.4 - Municipal Emergency Management Coordinator Nomination

RECOMMENDATION:

That Council:

1. nominates Mr Shane Eberhardt as the Municipal Emergency Management Coordinator, with his name to be forwarded to the Minister of Police and Emergency Management via the State Emergency Management Controller as per section 23(1) of the *Emergency Management Act 2006*.
 2. nominates Ms Louise Foster and Mr Leigh Handley as Deputy Emergency Management Coordinators with their names to be forwarded to the Minister for Police and Emergency Management via the State Emergency Management Controller as per section 23(1) of the *Emergency Management Act 2006*.
 3. recommends the appointments be for a period of three years as per section 23(4) of the *Emergency Management Act 2006*.
 4. notes that Peter Denholm will continue in the role of Deputy Emergency Management Coordinator.
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20.1 Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator Nominations ...(Cont'd)

REPORT:

The *Emergency Management Act 2006* (the Act) came into effect on 20 October 2006. The Act, under section 23(1), requires the Minister for Police and Emergency Management appoints a Municipal Emergency Management Coordinator (Municipal Coordinator) and a Deputy Municipal Emergency Management Coordinator (Deputy Municipal Coordinator) for each municipal area.

As per section 23(9) of the Act - the State Emergency Management Controller will provide the nomination, together with his or her recommendations, to the Minister.

Following the resignation of Ms Beverley Allen from the organisation, the position of Municipal Emergency Management Coordinator became vacant. This vacancy provided the opportunity to review current coverage in the area.

Currently Peter Denholm is the Council's only Deputy Emergency Management Coordinator.

A call for expressions of interest for either the Municipal Emergency Management Coordinator or Deputy roles was completed in May 2019 within the Council's Executive and Senior Management Teams. The following expressions were received:

Emergency Management Coordinator:

- Shane Eberhardt

Deputy Emergency Management Coordinator:

- Leigh Handley
- Louise Foster

An assessment of the EOIs has been completed and each are considered well qualified and are suitable for the positions.

It is considered appropriate to have multiple Deputy Coordinators to ensure that coverage is provided in the event that the Coordinator is not available when an emergency event occurs. Additionally, having multiple deputies will allow for the spread of workload during an emergency event as well as for the periodic resting of people during an event. Accordingly, it is recommended that Leigh Handley and Louise Foster be nominated as deputies and that Peter Denholm retains his current position.

ECONOMIC IMPACT:

Not considered relevant to this report.

**20.1 Municipal Emergency Management Coordinator and Deputy Municipal
Emergency Management Coordinator Nominations ...(Cont'd)**

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Assist Council to meet its obligation in providing a safe environment for the community.

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 -

3. To contribute to enhanced public health and amenity to promote a safe and secure environment

Priority Area 5 - A city that values its environment

Ten-year goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards

Key Directions -

1. To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders
2. To manage the risks of climate-related events, particularly in the area of stormwater management
3. To enhance community awareness and resilience to uncertain weather patterns
4. To implement floodplain management plans in the Invermay area

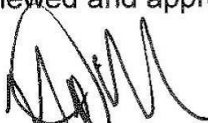
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item

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



Michael Stretton: General Manager

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

No Closed Items have been identified as part of this Agenda

23 MEETING CLOSURE
