



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
THURSDAY 28 NOVEMBER 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: 28 November 2019

Time: 1.00pm

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## 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

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# City of Launceston

COUNCIL AGENDA

Thursday 28 November 2019

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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 14 November 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**

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**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 Naomi Walsh (Co-Chair) - 2019 Tamar Valley Cycle Challenge - Sally's Ride**

**Ms Walsh will provide details on Sally's Ride 2019, organised by the Rotary Club of Central Launceston. Sally's Ride, to be held on 1 December 2019, includes four road cycling rides and two off-road family/community rides.**

**7 PUBLIC QUESTION TIME**

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

**7.1 Public Questions on Notice**

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

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

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

**7.2 Public Questions Without Notice**

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

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

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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**

### **8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign**

**FILE NO:** DA0467/2019

**AUTHOR:** Brian White (Town Planner)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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#### **DECISION STATEMENT:**

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

#### **PLANNING APPLICATION INFORMATION:**

Applicant:	Artas Architects
Property:	234 Wellington Street, South Launceston
Zoning:	Commercial
Receipt Date:	13/09/2019
Validity Date:	8/10/2019
Further Information Request:	18/09/2019
Further Information Received:	08/10/2019
Deemed Approval:	28/11/2019
Representations:	Three

#### **STANDARDS REQUIRING COUNCIL DISCRETION**

23.4.2 Streetscape  
E18.5.2 Design and siting of signage  
E4.5.1 Existing road accesses and junctions  
E6.5.1 Car parking numbers  
E6.6.2 Design and layout of parking areas  
E6.6.3 Pedestrian access

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**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

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**RECOMMENDATION:**

In accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0467/2019 - Food Services - Partial change of use to drive-through coffee premises; Construction of a sign at 234 Wellington Street, South Launceston subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

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

- a. Ground Floor Plan; North East Elevation; Proposed Wall Sign Replacement, Prepared by ARTAS Architects, Drawing No. A7000, Revision A03, Dated 25/9/2019 (Plan to be amended).
- b. Response to further information request, Prepared by ARTAS Architects, Dated 23/9/2019.

**2. AMENDED PLANS REQUIRED**

Prior to the commencement of the Food Services Use, amended plans must be submitted to the satisfaction of the Council to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. One accessible car parking space provided on site for use by persons with a disability:
  - In accordance with Part D3 of the National Construction Code 2014 (as amended from time to time);
  - Located closest to the main entry point to the building; and
  - Designed and constructed in accordance with *AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities*.

**3. LEGAL TITLE**

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

**4. USE LIMITATION**

This permit allows the use for a café, defined as Food Services in the Launceston Interim Planning Scheme 2015. The use is limited to:

- Two employees present on the site at any given time.

**5. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays.

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**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

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**6. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2019/01359-LCC, 23/9/2019 and attached to the permit.

**7. SIGNAGE CONTENT**

Content of the sign may be updated or changed without separate approval of Council, subject to:

- a. The structure, location and size of the signage not changing.
- b. The content of the signage relating to the site.
- c. Compliance with the requirements of the planning scheme.

**8. NO SIGN ILLUMINATION**

The signs must not be floodlit or otherwise internally illuminated.

**9. REMOVAL OF EXISTING SIGNS**

Prior to the erection or display of the signs approved by this permit, all other signs on the subject land related to the previous car yard must be removed.

**10. SIGN MAINTENANCE**

The signs must be constructed and maintained in good condition to the satisfaction of the Council.

**11. DRIVEWAY AND PARKING AREA CONSTRUCTION**

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

- a. Be properly constructed to such levels that they can be used in accordance with the plans;
- b. Be surfaced with an impervious all weather seal;
- c. Be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. Be signed to denote the direction of travel through the site in IN ONLY from Wilmot Street and OUT ONLY onto Wellington Street. NO ENTRY signage to be installed on Wellington Street; and
- e. Be line-marked to show the drive thru lanes.

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

**12. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

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**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

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**13. AMENITY - COMMERCIAL/INDUSTRIAL USE**

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

**Notes****A. General**

*This permit was issued based on the proposal documents submitted for DA0467/2019. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.*

*This permit takes effect after:*

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined; or*
- c. Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. Any other required approvals under this or any other Act are granted.*

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

**B. Restrictive Covenants**

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

*If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.*

**C. Appeal Provisions**

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

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

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**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

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

**D. Permit Commencement**

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

**E. Food Premises**

*All Food Businesses must be registered with council in accordance with the Food Act 2003. Food Premises must comply with the National Construction Code TAS Part H102 - Potentially Contaminated Site.*

*There is a current 'potentially contaminated site' alert for this property and the source of the potential contamination is underground storage tanks. The proposed change of use does not require any further investigation at this time, however, if the use of this site changes to a more sensitive use eg. residential premises or the site is significantly developed (disturbance of more than 1m<sup>2</sup> of land) then an Environmental Site Assessment in accordance with the requirements of Environmental Management and Pollution Control Act 1994 will be required by council prior to further approvals being granted.*

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**REPORT:****1. THE PROPOSAL**

Planning approval is sought for the change of use and minor development of the property at 234 Wellington Street, South Launceston, to allow for a drive-through café.

The proposed coffee shop will operate out of a refitted garage located along the western boundary of the site. The coffee shop will contain the coffee machine, bench space, and hand sinks. The office building on site will remain as is, and will also be used by the business - mostly likely for administrative tasks.

Cars will enter via an existing crossover off Wilmot Street and queue within two line marked lanes on the sealed forecourt. Cars will then exit the site via an existing double crossover onto Wellington Street. Up to six cars will be able to queue at a time within the lanes.

Two staff parking spaces will be located adjacent to the Wellington Street exit.

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**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

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Pedestrian access to the coffee shop is via an existing roller door which will be opened during operating hours.

The use will operate between the hours of 6:30am and 2.00pm - seven days a week. Two employees are to be on site.

The proposed development includes line marking directional arrows and dividing lines on the forecourt to create two lanes capable of accommodation six vehicles and constructing a no entry sign at the Wellington Street access and an entry only sign on Wilmot Street.

Retrospective approval is also being sought for the construction of a wall sign adjacent to the Wellington Street frontage, facing Wilmot Street. The sign is existing but has never been granted planning approval. The sign has dimensions of approximately 4.1m x 1.9m, with a height of 3.75m. The sign is attached to an existing fence.

The proposed use is categorised as Food Services in the Launceston Interim Planning Scheme 2015 ('the Scheme'); defined as:

*Use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.*

The use is listed as being discretionary in Table 15.2 of the Commercial Zone. Council therefore has discretion to either refuse or permit the use. The previous use of the site was for a used car dealership. It is understood this use will cease once the food services use commences.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject site is located on the corner of Wilmot and Wellington Streets. It has an area of approximately 396m<sup>2</sup> and is relatively flat. The site contains an existing garage and office which have most recently been used as part of a Bulky Goods Sales use (vehicle sales).

Access to the site is via existing crossovers onto Wilmot and Wellington Streets. The Wellington Street crossover is double the width of a standard crossover. The Wilmot Street crossover is a regular width. The site is fully sealed.

The surrounding area is mixed use in character, with commercial and residential uses being most prevalent. The adjoining lot to the north is used as a commercial car wash, with the nearest building being approximately 20m from the subject site. Wilmot Street contains a number of car yards and service industry uses. Further north, on Thistle Street, the predominant land use is residential.

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**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

**3. PLANNING SCHEME REQUIREMENTS**

**3.1 Zone Purpose**

23.0 Commercial Zone

<p>23.1.1 Zone Purpose Statements</p> <p>23.1.1.1 To provide for large floor area retailing and service industries.</p> <p>23.1.1.2 To provide for other large area uses, such as car yards, bulky goods sales, warehouse and showrooms in the areas of high traffic volume and high passing visibility.</p> <p>23.1.1.3 To ensure uses support and do not threaten the established activity centre hierarchy.</p>
<p><b>Consistent</b></p> <p>Clause 8.10.2 (a) directs the planning authority to have regard to the purpose of the zone in determining applications for discretionary uses.</p> <p><b>23.1.1.1 To provide for large floor area retailing and service industries</b></p> <p>The subject site is relatively small to provide for large floor area retailing and service industries.</p> <p><b>23.1.1.2 To provide for other large area uses, such as car yards, bulky goods sales, warehouse and showrooms in the areas of high traffic volume and high passing visibility.</b></p> <p>The site has previously been used for a car yard but is now proposed to be used for a for a food services use to service existing traffic on Wellington Street and will encourage on-foot transportation from nearby commercial and residential uses.</p> <p><b>23.1.1.3 To ensure uses support and do not threaten the established activity centre hierarchy.</b></p> <p>The proposed food services use will primarily serve existing traffic on Wellington Street and will provide a diversity of food services options for nearby uses. This will not threaten the established activity centre hierarchy.</p> <p>The proposed use is consistent with the zone purpose statements.</p>

**23.3 Use Standards**

23.3.1 External storage of goods

<p>Objective:</p> <p>To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.</p>
<p><b>Consistent</b></p> <p>A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.</p>

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

**Complies**  
 The storage of goods and materials such as coffee bags, milk containers and take away cups will be internal, so will not be visible from Wellington or Wilmot Streets.

<p>23.3.2 Emissions impacting sensitive uses</p> <p>Objective:                  To ensure that emissions to air, land and water are not detrimental to the amenity of sensitive uses.</p>
<p><b>Consistent</b>                  The proposal satisfies the performance criteria and the objective of the standard.</p>
<p>A1 Uses must be set back from the site of a sensitive use a distance of no less than 100m.</p>
<p><b>Relies on Performance Criteria</b>                  There is an existing sensitive use adjacent to the site at 303 Wellington Street. It is used for a residential purpose.</p>
<p>P1 The use must not adversely impact on the amenity of nearby sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the proposed use;</li> <li>(b) the characteristics of the emissions;</li> <li>(c) the proximity and number of sensitive uses in the area;</li> <li>(d) the topography of the site;</li> <li>(e) background levels;</li> <li>(f) any mitigation measures proposed; and</li> <li>(g) the character of the surrounding area.</li> </ul>
<p><b>Complies</b>                  A performance criteria derives its meaning from the standard of the objective, which is "...to ensure that emissions to air, land and water are not detrimental to the amenity of sensitive uses". In regard to the proposed coffee shop in this location, the only real concern for the amenity of sensitive uses within 100m of the site could be noise and odour. However, given the coffee will be made within an existing building, and that the use is on a reasonably busy road surrounded by commercial uses, adverse and detrimental impacts on the amenity of those sensitive uses is extremely unlikely.</p> <p>The use is a small scale, drive through coffee shop that will operate out of an existing retrofitted garage and utilise two existing crossovers and a sealed apron. The use will mainly attract existing traffic on Wellington Street and on-foot traffic from nearby commercial uses and residential uses to the north (a).</p> <p>Noise from the coffee shop use would be limited to the dislodging of used coffee grounds into a plastic chute and the general chattering of customers. Traffic entering and exiting the site may also result in some degree of noise. Odour from a coffee shop would be limited to the smell of ground coffee being extracted by the coffee machine (b).</p>



**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

There is an existing sensitive use adjacent the site at 303 Wellington Street and a pattern of sensitive uses along Thistle Street. Thistle Street is some 60m from the food services use so impacts due to noise and odour are largely not relevant. The property across the road at 303 Wellington Street is separated by a two lane road and is surrounded by other non-residential uses (c).

The site is flat, so topography plays no part in the assessment (d).

Given the location of the site on a busy road, surrounded by a car wash on one side and car yards, the background noise and odour levels will far outweigh those to be generated by the proposed coffee shop use (e).

No specific mitigation measures have been proposed, nor have they been deemed necessary by Council's Environmental Health Officers (EHO) (f).

The character of the surrounding area is one which exhibits a mixed use, commercial nature, interspersed with residential uses. There is a car wash adjoining the site, and a number of car yards nearby. Wellington Street has a number of food services uses such as Hungry Jacks, Cheese Cake Shop and takeaway shops. A food services use is consistent with this character (g).

The proposal is assessed as satisfying P1. Council's EHOs have provided conditional consent.

**23.4 Development Standards**

**23.4.2 Streetscape**

Objective: To ensure that development has an acceptable impact on the streetscape.
<b>Consistent</b> The proposed parking spaces within 3m of the frontage will continue an existing pattern of development of cars parked on the site given the previous use was for a car yard.
A2 Car parking must not be located within 3m of the frontage.
<b>Relies on Performance Criteria</b> Two parking spaces are proposed within 3m of Wellington Street frontage.
P2 Car parking must be located to minimise visual impact on the streetscape, having regard to: (a) the topography of the site; (b) the nature of the proposed use; (c) the number of car spaces; (d) the visibility of the car parking from the road; (e) the use of measures to mitigate impacts including screening and landscaping; (f) the location of car parking on adjoining sites; and (g) the character of the streetscape.

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

**Complies**

The site is flat so topography plays no part in the assessment (a). The proposed use is for a drive-through style coffee shop which will have queuing lanes providing up to six cars, entering from Wilmot Street and exiting onto Wellington Street and two parking spaces for staff members adjacent to the Wellington and Wilmot Street frontages. There may, therefore, be a number of cars parked on the site at busy times, however, given that the existing car yard use had cars parked along the frontage, unreasonable visual impacts on the streetscape are unlikely. If anything, there may actually be reduction of cars parked within 3m either of the frontages. The character of the surrounding area is dominated by commercial uses, including car yards and a carwash.

The proposed parking spaces within 3m of the streetscape will therefore have an acceptable impact on the streetscape.

**23.4.4 Site landscaping**

A1 New buildings or extensions with a gross floor area greater than 100m<sup>2</sup> or 50% of the existing gross floor area, whichever is less, must:

- (a) landscape an area within the front setback of not less than the 50% of that area; and
- (b) provide a minimum of 1 tree capable of growing to a height of no less than 10m planted for every 1 000m<sup>2</sup> of site area. Trees must be located within a minimum 3m diameter landscaped area.

**Complies**

**E2.6 Development Standards**

**E4.0 Road and Railway Assets Code**

**E4.1** The purpose of this provision is to:

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

**Consistent**

It is likely that the usage of the accesses will intensify as a result of the change of use. Council's traffic experts have raised no issues with the proposal on traffic safety grounds. The proposal is assessed as being consistent with the intent of the code subject to conditions. The conditions require that signage and line marking be provided so that entry is from Wilmot Street and exit is only to be onto Wellington Street.

**E4.5 Use Standards**

**E4.5.1 Existing road accesses and junctions**

**Objective:**

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

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

<p><b>Consistent</b></p> <p>The proposal is assessed as being unlikely to impact on the safety and efficiency of the road network due to the increased usage of the Wellington and Wilmot Streets accesses as a result of the change of use.</p>
<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>
<p><b>Relies on Performance Criteria</b></p> <p>Wellington Street and Wilmot Street have speed limits of 60km/h, so A3 applies.</p> <p>The access onto Wellington Street is currently chained so cars cannot enter and exit the site using this access. Cars entering and exiting the site are currently limited to using the Wilmot Street access.</p> <p>The current (bulky good sales) use would have low traffic generation rates using the existing accesses as the site is primarily used to store cars awaiting sale. Customers to the business would likely park on the street and walk to the site to browse the cars. Given the proposed cafe is a drive-through business with entry off Wilmot Street and exit onto Wellington Street, it is expected that the annual average daily traffic (AADT) of vehicle movements, to and from a site, using those accesses will increase by more than 40 vehicle movements per day. However, ultimately this depends on the success of the business.</p> <p>It is prudent to assess the performance criteria to ensure the objectives of the standard are met.</p>
<p>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature and efficiency of the access or the junction;</li> <li>(d) the nature and category of the road;</li> <li>(e) the speed limit and traffic flow of the road;</li> <li>(f) any alternative access to a road;</li> <li>(g) the need for the use;</li> <li>(h) any traffic impact assessment; and</li> <li>(i) any written advice received from the road authority.</li> </ul>

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

**Complies**

The objective of the use standard is to "ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions". The use standard requires that an increase in vehicle traffic using the Wellington and Wilmot Streets accesses is safe whilst not unreasonably impact on the efficiency of the road having regard to the performance criteria (a) - (i).

The applicant has provided the following response, suggesting the performance criteria can be met:

*There is currently 2... vehicle crossovers to access this site. one off Wellington Street and one off Wilmot Street. It is the intention of the proposal that traffic enters the site from the existing Wilmot Street crossover and exit to wellington street through the existing crossover on said kerb.*

*It is our understanding that the proposal will not intensify the current traffic flow, the nature of this business is not a destination business, it will only draw clientele from the incumbent traffic flow that currently travels past the site on a daily basis. Management of traffic will be as shown on the attached drawing A7000.*

Council's traffic experts have stated that:

*A traffic impact assessment has not been provided for this application. However, given the site location and proposed use, it is not anticipated that there will be a significant impact on the transport network.*

*It is assumed that the site is intended to attract passing traffic (primarily commuters) heading into the City (northbound) in the morning. It is, therefore, assumed that the site is unlikely to generate significant additional traffic for the road network. The majority of users of the site will turn left from Wellington Street into Wilmot Street, then into the site, and exit via a left turn onto Wellington Street. Right-turns in or out of the site are permitted in this location, but they are potentially dangerous manoeuvres due to the high traffic volumes.*

*However, right turns will be rather self-limiting, again due to the high traffic volumes on Wellington Street.*

*The only recommendations I have are that the drive-thru lanes should be clearly delineated, and the entry and exit should be clearly signed, so that vehicles are not entering the site the wrong way (ie. directly from Wellington Street).*

It is accepted that there will be an increase in traffic using the site, although it is assumed there will be no significant increase in traffic on Wellington Street due to the majority of customers being from passing traffic heading into the City in the morning. There may be a modest increase in traffic onto Wilmot Street to access the site but, again, this has raised no safety issues for Council's traffic experts (a).

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**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

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Along with customers from passing traffic heading into the City, it is also expected that the site will be frequented by customers on-foot from nearby businesses and residential areas. The busy time of the day for the business will be early morning but this will decrease as the day goes on. The modest increase of traffic on Wilmot Street is unlikely to be substantial in comparison to existing traffic flows given the number of businesses using the Wilmot Street intersection and the likely low intensity food service use (b).

The accesses are considered to have a high level of efficiency, being double width, and having favourable site distance. Council's traffic experts have recommended that the permit be conditioned so that the entry is to be only off Wilmot Street and exit onto Wellington Street. This will allow the accesses to continue to operate safely and efficiently.

Wellington Street is a Council maintained, arterial road. Wilmot Street is a local traffic road. As has been discussed, the use is likely to attract existing passing traffic (primarily commuters) heading into the City (northbound) in the morning so is not expected to unreasonably impact on the efficiency of either road. It is also noted there is an existing pattern of commercial uses with relatively high vehicle movements (such as the adjoining car wash) having ingress and egress onto Wellington Street.

Wellington Street has a speed limit of 60km/h adjacent to the subject site and provides access to the City from southern suburbs and providing access to the Southern Outlet. It is assumed that the traffic flow onto Wellington Street from the site would be at its highest during peak times in the morning which is when the cafe would be expected to be busiest. This is considered to be a reasonable scenario for cars exiting from a food services use, noting that the adjoining car wash has an existing access immediately adjacent to the subject site

Wilmot Street is a local road with a speed limit of 50km/h. The traffic flows on Wilmot Street would be reasonable given the number of businesses it services. Increasing the usage of the Wilmot Street access is not expected to result in an unreasonable and unsafe impact on the traffic flow and efficiency of Wilmot Street or Wellington Street (c), (d) and (e).

The proposed food services use will increase the offering of non-commercial uses in a favourable location for commuters heading into the City, nearby commercial uses, and local residents. This will add to the character of the nearby area (g).

The road authority, being Council, have deemed a traffic impact assessment unnecessary (h).

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**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

The following condition has been recommended by the road authority:

***DRIVEWAY AND PARKING AREA CONSTRUCTION***

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

- (a) Be properly constructed to such levels that they can be used in accordance with the plans;*
- (b) Be surfaced with an impervious all weather seal;*
- (c) Be adequately drained to prevent stormwater being discharged to neighbouring property;*
- (d) Be signed to denote the direction of travel through the site in IN ONLY from Wilmot Street and OUT ONLY onto Wellington Street. NO ENTRY signage to be installed on Wellington Street*
- (e) Be line-marked to show the drive thru lanes.*

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

The increase in vehicle traffic using the Wellington and Wilmot Streets accesses is considered to be safe and is unlikely of unreasonably impacting on the efficiency of the roads.

The performance criteria P3 is assessed as being met subject conditions.

**E4.6 Development Standards**

**E6.0 Parking and Sustainable Transport Code**

E6.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of parking facilities are provided to service use and development;
- (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 existing sealed area is able to provide appropriate parking facilities to service the food services use. The proposed parking spaces are designed to meet appropriate standards. In the unlikely event that customers park on the street, rather than using the drive through lanes, parking on Wilmot Street will not adversely impact on the amenity of a locality.

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

**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.
<b>Consistent</b> It is considered that there is an appropriate level of car parking on site to meet the needs of the use. Conditions apply restricting the number of employees to two.
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.
<b>Relies on Performance Criteria</b> Table E6.1 requires one space per 15m <sup>2</sup> of gross floor area plus six queuing spaces for drive-through. The submitted site plan shows six queuing spaces for drive-through. The office and cafe will make up an area of approximately 76m <sup>2</sup> , with the office making up more than half of this amount. Therefore, four additional spaces are required on site. The submitted plans show two spaces on site, which is a shortfall of two spaces. The performance criteria must be relied upon to satisfy the standard.
P1.1 The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to: (a) the availability of off-road public car parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (f) an assessment of the actual car parking demand determined in light of the nature of the use and development; (g) the effect on streetscape; and (h) the recommendations of any traffic impact assessment prepared for the proposal; or P1.2 The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to: (a) the intensity of the use and car parking required;

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(b) the size of the dwelling and the number of bedrooms; and  
 (c) the pattern of parking in the locality; or  
 P1.3 The number of car parking spaces complies with any relevant parking precinct plan.

**Complies**

There is a shortfall of two parking spaces on site to service the use due to the floor area of the cafe and the office. The primary source of floor area is provided by the office which is likely to be used for storage and general administrative tasks.

The applicant states that only two employees will be on site. Given the required six queuing spaces for the drive-through are provided, having two spaces for employees on site is considered reasonable. A condition will restrict the numbers of employees to two. As is stated later in the report, the required six queuing spaces is somewhat excessive for such a small scale use. It appears this number is more appropriate for a large scale takeaway restaurant. Nonetheless, the six spaces can be provided on site.

There are ample parking opportunities available on Wilmot and Thistle Streets. It is noted that there are no public car parking facilities nearby the site which is mostly due to the ribbon development along Wellington Street interspersed with residential uses. Having a public car park in this location would most likely be underutilised and there would be far better use of land (a).

The parking spaces on Wilmot and Thistle Streets are mostly unrestricted for public use. Parking on Wilmot Street appears to be used for overflow and customer parking from the nearby caryards, including the caryard that is being replaced with the proposed food services use. Given the busy time for the cafe is expected to be before 9.00am on weekdays, there would not be significant demand for parking on Wilmot Street during this time. On weekends, the demand would be even less (b).

Although the proposed use will mainly attract existing northbound commuters heading into the City and on-foot traffic from nearby uses, there is a Metro bus stop approximately 28m from the site.

The size of the site and the location of the buildings limits the opportunity to provide additional parking. However, given the nature of the use and the limited employee numbers, the proposed level of parking is considered reasonable (d).

There is ample (mostly) unmetered parking on Wilmot, Thistle and Eardley Streets. Walking to the site from these streets is considered safe and convenient. Competition for parking on Wilmot Street appears likely to be with overflow parking from the car yards including the car yard use that will be abandoned to make way for the food services use. Further along Wilmot Street there is unmetered parking for customers who do not wish to use the 'drive through' facilities.



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<p>There is ample available on-road parking opportunities on Thistle Street which is mostly unrestricted. Competition for these spaces would be limited to the residential uses on the northern side of the street and some overflow from commercial uses on Wellington Street. Thistle Street is only 50m to the north of the subject site which is an approximate two minute walk from the subject site. Eardley Street is approximately 150m to the south east of the subject site, and requires the crossing of Wellington Street. Although it is unlikely customers will realistically park in Eardley Street to attend the coffee shop, it is still within a reasonable walking distance from the site (e).</p> <p>Given the eclectic, mixed use nature of the nearby streetscape, including the adjoining car yards and car wash, having a potential modest increase in on street parking will have no detrimental impact on the surrounding streetscape (g).</p> <p>Council's traffic experts have deemed that a parking studies or a traffic impact assessment are not required.</p> <p>The proposal is assessed as meeting performance criteria P1.1 subject to conditions restricting the number of employees.</p>
<p>A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.</p>
<p><b>Complies</b> Part D3 of the National Construction Code 2014 requires one space on site. An amended plan condition will request the space be shown updated plans.</p>

**E6.5.2 Bicycle parking numbers**

<p>Objective: To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>
<p><b>Consistent</b></p>
<p>A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.</p>
<p><b>Complies</b> Table E6.1 requires that one bicycle space is provided per 75m<sup>2</sup> of gross floor area. The cafe and office makes up approximately 72m<sup>2</sup>. A bicycle space is, therefore, not required.</p>

**E6.6 Development Standards**

**E6.6.1 Construction of parking areas**

<p>Objective: To ensure that parking areas are constructed to an appropriate standard.</p>
<p><b>Consistent</b></p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must: (a) have a gradient of 10% or less;</p>

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- (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 existing (sealed) parking area complies. A condition will require the queuing areas and all other parking areas be line marked to delineate the parking spaces.

**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 design of the proposed parking areas are assessed as being able to provide convenient, safe and efficient parking for the use. Conditions apply.

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

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

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

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

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

**Relies on Performance Criteria**

The proposed queuing areas will allow cars to enter and leave the site in a forward direction, as shown on the site plans.

The existing double crossover has a width of approximately 10m, so complies with Table E6.2 which requires an internal access way widths for eight spaces of 4.5m for the first 7m from the road carriageway and 3m thereafter (b).

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The queuing parking spaces are not typical parking spaces for the purposes of Table E6.3 although have (indicative) lengths of approximately 5.4m and widths of 2.6m. The proposed two parking spaces on the site, adjacent to the corner of Wellington and Wilmot Streets do not meet Table E6.3 for dimensions, so do not meet (c).

The two proposed standalone parking spaces do not meet the combined access and manoeuvring width adjacent to parking spaces given the area behind the spaces may be occupied by motorists queuing.

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

A condition will require amended plans are provided showing one accessible space for use by persons with a disability 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**

Only one car parking spaces for use by persons with a disability is required. It is reasonable to assume the 'queuing' areas not 'spaces' for the purposes of the NCC. Therefore the accessible space needs to be designated and signed as such.

**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**

A condition will require amended plans are provided showing one accessible spaces for use by persons with a disability designed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities. If need be, this space could also be used by customers or an employee.

The proposed parking spaces must be assessed against the performance criteria.

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

- (a) the characteristics of the site;
- (b) the proposed slope, dimensions and layout;
- (c) vehicle and pedestrian traffic safety;
- (d) the nature and use of the development;
- (e) the expected number and type of vehicles;
- (f) the nature of traffic in the surrounding area; and
- (g) the provisions of Australian Standards AS 2890.1 - Parking Facilities, Part 1: Off Road Car Parking and AS2890.2 Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)****Complies**

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

The site is flat, with two double width crossovers which is convenient for a use that comes in off Wilmot Street and exits onto Wellington Street (a).

The site has a significant sealed area for car parking and access, most recently used (based on site visits and mapping) to park and display up to eight cars for sale, with many more parked on the street. The line marked queuing areas will be convenient, safe and efficient to use and have been deemed to be appropriate by the Council's traffic experts. The staff parking area has dimensions that are slightly below that required by the acceptable solution, but still meet the minimum dimensions in Australian Standard 2890.1:2004 of 2.4m x 5.4m. Staff working at the cafe will likely arrive prior to customers and will leave after the use closes for the day. Nonetheless, if staff wish to enter and leave the site throughout the day it is considered likely that there will be ample opportunities in between busy periods for them to do so. Furthermore, staff members will be familiar with the parking arrangement, so having spaces under the requirements of the acceptable solution is considered appropriate (b).

Due to the likely low intensity of traffic movements within the site and the low speeds at which the cars will be traveling within the site, issues with vehicle and pedestrian safety are highly unlikely. It has to be said that the six queuing spaces required in the parking code for a food services use would be the same as for a substantial fast food restaurant, so is a very conservative requirement. Nonetheless, the site is sufficiently large to accommodate the required parking and drive-through lanes (c, d and e).

It is not uncommon for there to be drive-through style uses in this area, demonstrated by the car wash on the adjoining lots (f).

The proposed parking spaces and manoeuvring areas satisfy the relevant Australian Standard (g).

It is worth noting that if customers deem the proposed operation of the use to be inconvenient - they will simply go elsewhere. This is a risk borne by the applicant in choosing the site.

The proposal is, therefore, assessed as satisfying the performance criteria subject to conditions requiring line marking of parking spaces. The Council's traffic experts have provided conditional consent.

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

E6.6.3 Pedestrian access

<p>Objective: To ensure pedestrian access is provided in a safe and convenient manner.</p>
<p><b>Consistent</b> The site is assessed as ensuring a safe environment for pedestrians. Due to the low intensity nature of the use, specific pedestrian safety measures are not deemed necessary.</p>
<p>A1.1 Uses that require 10 or more parking spaces must:                  (a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by:                  (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or                  (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and                  (b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and                  A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.</p>
<p><b>Relies on Performance Criteria</b> The use requires 10 spaces by virtue of Table E6.1. No specific pedestrian safety measures have been proposed.</p>
<p>P1 Safe pedestrian access must be provided within car parks, having regard to:                  (a) the characteristics of the site;                  (b) the nature of the use;                  (c) the number of parking spaces;                  (d) the frequency of vehicle movements;                  (e) the needs of persons with a disability;                  (f) the location and number of footpath crossings;                  (g) vehicle and pedestrian traffic safety;                  (h) the location of any access ways or parking aisles; and                  (i) any protective devices proposed for pedestrian safety.</p>
<p><b>Complies</b> The proposed use will be for a low intensity drive-through coffee shop, capable of accommodating up to six cars in the queuing lanes. Given the low speeds at which cars will be travelling within the site, and the large area for vehicle manoeuvring, pedestrian safety within the car park will not be compromised. Amended plans are requested showing one space on site for people with a disability.</p> <p>The proposal is assessed as meeting P1.</p>

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

E18.0 Signs Code

E18.1 The purpose of this provision is to:

- (a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity;
- (b) promote the use of well-designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality; and
- (c) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

**Consistent**

The applicant is seeking retrospective approval for an existing wall sign. The removal of the existing car yard signage on the buildings is also proposed. Along with generally advertising the coffee business, the proposed (retrospective) wall sign will advise northbound motorists to enter the site via Wilmot Street. The signage is consistent with the existing pattern of signage nearby to the site. The proposed directional signs do not require planning approval.

**E18.5 Development Standards**

E18.5.1 Unacceptable signage

Objective:  
To prevent unacceptable signage.

**Consistent**

A1 Signage must not be for the following sign types:

- (a) an above awning sign;
- (b) bunting (flag and decorative elements);
- (c) a flashing lights sign;
- (d) a roof sign;
- (e) a sky sign; or
- (f) a third party sign.

**Complies**

The proposed signage is not for a type listed in (a) - (f).

E18.5.2 Design and siting of signage

Objective:

To:

- (a) provide for appropriate signage and to ensure the visual scale and impact of signage is managed; and
- (b) ensure that the design and siting of signs achieves the purpose of this code.

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<p><b>Consistent</b> The proposed wall sign is assessed as satisfying the relevant performance criteria, and is appropriate to the location in regard to visual scale. The sign achieves the purpose of the code as it allows the business to advertise in a manner which is sympathetic to the streetscape, and which will not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.</p>
<p>A1 A sign must: (a) be located within the applicable zone for the relevant sign type set out in Table 1 of E18.6; and (b) meet the requirements for the relevant sign type set out in Table 1 of E.18.6.</p>
<p><b>Relies on Performance Criteria</b> A wall sign is permissible in Table 1 of E18.6. The wall sign is attached to an existing fence, and has a total area of 7.8m<sup>2</sup>. It does not meet the requirements for a wall sign set out in Table 1 of E.18.6.</p>
<p>P1 A sign must: (a) be located within an applicable zone for the relevant sign type as set out in Table 1 of E18.6; and (b) be appropriate to the natural and built environment of the locality, having regard to: (i) domination of the streetscape or premises on which it is located; (ii) the size and dimensions of the sign; (iii) the amenity to surrounding properties; (iv) the repetition of messages or information; (v) the number and density of signs; and (vi) the obstruction of movement of vehicles and pedestrians.</p>
<p><b>Complies</b> The proposed signage is a modest addition to a streetscape characterised by large and dominant signage. The sign is required to both advertise the business and to direct motorists to turn into Wilmot Street. The existing used car sales signage will be removed from the site, resulting in the wall sign being the only significant sign on site. A condition will require the existing signage be removed, and that the sign must not be illuminated.  The signage is considered appropriate for the site and is assessed as satisfying the performance criteria.</p>
<p>A2 A sign must be a minimum distance of 2m from the boundary of any lot in the General Residential, Inner Residential, Low Density Residential, Rural Living, Environmental Living or Village zones.</p>
<p><b>Complies</b> The sign is a minimum distance of 2m from the boundary of any lot in the General Residential, Inner Residential, Low Density Residential, Rural Living, Environmental Living or Village zones.</p>

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

A3 A building or tenancy must have: (a) a maximum of one of each sign type per building or tenancy, unless otherwise stated in Table 1 of E18.6; and (b) no more than three individual signs in total.
<b>Complies</b> One wall sign is proposed.
A4 A sign must not be illuminated.
<b>Complies</b> Compliant by condition.

**4. REFERRALS**

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Services	Conditional consent provided with recommended conditions in relation to matters including: line marking the parking areas, restricting access from Wilmot Street and exit onto Wellington Street, and damage to Council assets.
Environmental Health	Conditional consent provided with recommended conditions in relation to food handling, amenity, and contamination.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
<b>EXTERNAL</b>	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2019/01359-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

**5. REPRESENTATIONS**

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 12 October to 28 October 2019. Three representations were received.



**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

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

<p><b>Issue 1:</b>  <b>Traffic flow on Wilmot Street will be unreasonably increased due to the proposal.</b></p>
<p><i>Response 1:</i>  <i>It is expected that there will be a modest increase in traffic on Wilmot Street due to entrance to the site being via Wilmot Street. This increase is not expected to be excessive due to the modest intensity of the proposed food services use. Council's traffic experts have not raised any issues with the capacity of Wilmot Street to accommodate the modest increase in traffic.</i></p>
<p><b>Issue 2:</b>  <b>Accessing the site from Wellington Street will be dangerous.</b></p>
<p><i>Response 2:</i>  <i>A condition of approval requires that access to the site must only be from Wilmot Street.</i></p>
<p><b>Issue 3:</b>  <b>Impact of the proposal on the nearby caryard businesses profitability.</b></p>
<p><i>Response 3:</i>  <i>The proposed use has been assessed as meeting the relevant use standards of the zone and the codes which apply.</i></p>
<p><b>Issue 4:</b>  <b>Increased traffic congestion on Wellington Street due to the proposed use.</b></p>
<p><i>Response 4:</i>  <i>Council's traffic experts have not raised traffic congestion on Wellington Street as being a safety concern. They have stated that: It is assumed that the site is intended to attract passing traffic (primarily commuters) heading into the City (northbound) in the morning. It is, therefore, assumed that the site is unlikely to generate significant additional traffic for the road network. An increase in traffic on Wellington Street due to the proposed use is not anticipated.</i></p>
<p><b>Issue 5:</b>  <b>Lack of parking and manoeuvring on Wilmot Street will be aggravated due to the proposed use.</b></p>
<p><i>Response 5:</i>  <i>Wilmot Street has a reasonable supply of unmetered parking available in the unlikely event customers wish to park on the street rather than using the ample parking on site. The proposal has been assessed as meeting the provisions and purpose of the Road and Railway Assets Code and the Parking and Sustainable Transport Code that deal with traffic safety and parking matters.</i></p>
<p><b>Issue 6:</b>  <b>Trucks entering Wilmot Street may be impacted by increased on street parking.</b></p>
<p><i>Response 6:</i>  <i>Given that the existing car yard on the subject site utilises on-street for overflow parking for its cars awaiting sale, it can be argued that the amount of cars consistently parked on</i></p>

**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

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*the street adjacent the subject site may actually decrease. It is considered that the proposed use will not unreasonably impact on the safety of Wilmot or Wellington Streets for large trucks given the majority of customers will park on site.*

**Issue 7:  
Lack of parking on Shamrock Street.****Response 7:**

*It is not anticipated that there will be an unreasonable impact on the safety or efficiency of Shamrock Street. It is likely customers will either park on the site or park on Wilmot Street in the unlikely event here is no space on the site.*

**6. CONCLUSION**

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

**ECONOMIC IMPACT:**

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

**ENVIRONMENTAL IMPACT:**

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

**SOCIAL IMPACT:**

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

**STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2015.

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

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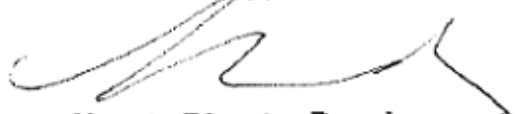
**8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)**

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**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 - 234 Wellington Street, South Launceston (*electronically distributed*)
  2. Plans to be Endorsed - 234 Wellington Street, South Launceston (*electronically distributed*)
  3. TasWater SPAN - 234 Wellington Street, South Launceston (*electronically distributed*)
  4. Representations - 234 Wellington Street, South Launceston (*electronically distributed*)
-

**8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead****FILE NO:** SF6981**AUTHOR:** Laura Small (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider whether to initiate Amendment 59 to insert the Residential use class as a discretionary use (if for Assisted Housing at 22 Hoblers Bridge Road, Newstead) in the Community Purpose Zone.

**RECOMMENDATION:**

That Council:

1. pursuant, to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 59 to the Launceston Interim Planning Scheme 2015 to insert the Residential use class as a discretionary use with the qualification, 'if for Assisted Housing at 22 Hoblers Bridge Road, Newstead' in Table 17.2 of the Community Purpose Zone of the Launceston Interim Planning Scheme 2015.
  2. directs Council Officers to prepare Draft Amendment 59 of the Launceston Interim Planning Scheme 2015.
  3. in accordance with the former section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under section 35(1) of the *Land Use Planning and Approvals Act*, for the purposes of Amendment 59 to the Launceston Interim Planning Scheme 2015.
  4. in accordance with the former section 38(a) of the *Land Use Planning and Approvals Act 1993*, determine the period for public exhibition to be 28 days.
- 

**REPORT:****1. Introduction**

St Michaels is a not-for-profit organisation that offers a range of community services throughout Tasmania. A key service offered by St Michaels is the provision of accommodation and support to Tasmanian people with intellectual and physical disabilities. St Michaels offers residential options and day programs with integrated daily living skills.

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**8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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Assisted housing is currently prohibited in the planning scheme. In order to facilitate the future use and development of the St Michaels site, a text amendment is required to include the assisted housing qualification in the residential use class.

Officers in City Development have decided to recommend that Council initiate a planning scheme text amendment to the Launceston Interim Planning Scheme 2015 to allow for Assisted Housing (if at 22 Hoblers Bridge Road, Newstead) as a discretionary use class in the Community Purpose Zone of the Launceston Interim Planning Scheme 2015.

All use and development is controlled by the Launceston Interim Planning Scheme 2015 (the planning scheme) and all development must be assigned a use class as defined in the planning scheme.

The Community Purpose Zone in the planning scheme limits the use of land for residential purposes to a residential aged care facility and retirement village only and prohibits all other sub-uses within the residential use class - including assisted housing.

Consequently, the existing assisted housing use on the site is a prohibited use within the Community Purpose Zone and future development of the site for multiple dwellings is prohibited.



Figure 1 - St Michaels, 22 Hoblers Bridge Road, Newstead

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## **8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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The residential aged care facility and retirement village residential sub use classes are defined in the scheme as:

*Retirement Village - means use of land to provide permanent accommodation for retired people or the aged and includes communal recreational or medical facilities for residents of the village.*

*Residential aged care facility - means the use of land for accommodation and personal or nursing care for the aged. It includes recreational, health or laundry facilities and services for residents of the facility.*

Assisted housing means:

*Assisted Housing - means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.*

It is important to understand the similarities between the above residential use classes and the assisted housing definition. All three residential sub uses provide housing or permanent accommodation with associated support services for people either retired, aged or with physical or intellectual disabilities.

When comparing the above definitions it should be assumed that the nonexistence of a residential sub use for assisted housing in the Community Purpose Zone is an oversight. The proposed solution is to initiate a text amendment to the Launceston interim Planning Scheme 2015 to allow Residential (if for assisted housing at 22 Hoblers Bridge Road, Newstead) as a discretionary use in the Community Purpose Zone.

### **2. Proposed Amendment**

The proposed amendment seeks to insert a site specific qualification for the Residential use class, with the qualification of 'if for assisted housing at 22 Hoblers Bridge Road', as a discretionary use in Table 17.2 of the Community Purpose Zone.

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**8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

**2.1 Text Amendment**

The proposed amendment will be achieved by making an alteration below to the Launceston Interim Planning Scheme 2015:

*17.0 Community Purpose Zone  
Table 17.2 Use Table*

<b>Discretionary Use Class</b>	<b>Qualification</b>
Residential	If for Assisted Housing* at 22 Hoblers Bridge Road, Newstead *means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services

The existing Use Table for the Community Purpose Zone prohibits a Residential use class for Assisted Housing. The purpose of the planning scheme amendment is to allow for a Residential use class for Assisted Housing at 22 Hoblers Bridge Road, Newstead.

**2.2 Zone Purpose Statements**

It is considered that the proposed amendment will not substantially alter the functionality of the Launceston Interim Planning Scheme 2015 apart from the insertion of an additional use class which is currently prohibited in the Community Purpose Zone. The proposed Residential use class for Assisted Housing is considered to be compatible with the anticipated impacts of other residential uses in the zone and aligns with the zone purpose statement as follows:

*17.0 Community Purpose Zone*

*17.1.1 Zone Purpose Statements*

*17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.*

*17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities.*

It is considered that any future development applications made under a scenario where the proposed amendment is approved are able to demonstrate consistency with the zone purpose statements by:

## **8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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- Providing key community facilities including housing for higher needs community members, including those with physical or intellectual disabilities;
- Providing associated educational and support services to those residents; and
- Ensuring the anticipated impacts are consistent with other permissible residential uses in the zone.

Any development application made under a scenario where the proposed amendment is approved will be subject to assessment against all relevant standards of the scheme including zone and code use and development standards.

Overall, the proposed amendment is considered to be compatible with the scheme.

### **3. Requirements of the Act**

The amendment must be decided under section 34(1)(b) as it is a proposed amendment of the Planning Authority's own motion.

Section 33 (3) of the *Land Use Planning and Approvals Act 1993 (the Act)* reads:

*33. Request for amendment of planning scheme*

*(3) A planning authority must, within 42 days of the receipt of a request or such longer time as the Commission may allow, make a decision as to whether or not to initiate an amendment of the planning scheme and serve on the person who made the request notice of its decision within 7 days of making the decision.*

*(3AA) If the planning authority decides under subsection (3) to initiate an amendment of a planning scheme after receipt of a request from a person under subsection (1), it must-*

- (a) initiate the amendment under section 34; and*
- (b) certify the draft amendment under section 35 - within 42 days of receiving the request or such longer time as the Commission allows.*

The matters which Council must consider when making a decision whether to reject or exhibit the application are listed in section 32 of the Act and are set out in subsequent sections of this report.

Should the Council decide to initiate the Amendment, the Draft Amendment will be publicly exhibited for a period of 28 days, or a longer period agreed to by the Council and the Commission pursuant to section 38 of the Act. During the public exhibition period, representations may be submitted to the Council before the expiration of the exhibition period.

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## **8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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Following the public exhibition period, pursuant to section 39 of the Act the Council must, no later than 35 days after the exhibition period, provide the Commission with a report comprising the following elements:

- a. Copy of each representation received, or if no representations were received, a statement to that effect; and
- b. A statement of Council's opinion as to the merit of each representation (if any), including, in particular Council's views as to-
  - i. the need for modification of the draft amendment in light of each representation; and
  - ii. the impact of that representation on the draft amendment as a whole; and
- c. Any recommendations in relation to the draft amendment as Council considers necessary.

The Commission must then consider the draft amendment in addition to the representations (if any), statements and recommendations contained in Council's report and where necessary, conduct hearings pursuant to section 40 of the Act. The Commission then makes a decision to modify, reject or approve the draft amendment pursuant to sections 41-42 of the Act.

## **4. Assessment**

### **4.1 City of Launceston Corporate Strategic Plan 2014-2024: 2019**

The City of Launceston Corporate Strategic Plan 2014-2024 (the Plan) seeks to provide direction to the range of operations Council undertakes in their role as the major provider of services and facilities for the City of Launceston. The Plan essentially indicates the actions and strategies that the Council will implement to deliver on the Greater Launceston Plan goals. The relevant Strategic Priorities are addressed below.

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

The proposed amendment seeks to support social and demographic diversity and develops a socially inclusive Launceston. The amendment is consistent with providing services and facilities that recognise the changing demographics and will enable St Michaels to provide residential options for vulnerable and diverse members of the community, where all people feel valued, their differences are respected, and their basic needs are met.

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

The proposed amendment seeks to allow for a positive land use planning outcome by allowing for a use in an appropriate zone. The amendment will allow for future

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## **8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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development of the subject site resulting in a minor intensification of the existing use which is currently non-conforming. The proposed amendment will assist in the coordination of planning and development of existing and future patterns of land use.

### **4.2 Northern Regional Land Use Strategy**

Section 30O (1) of the Act requires the amendment to be, as far as practicable, consistent with the strategy. The Northern Regional Land Use Strategy (the NRLUS) was declared by the Minister for Planning on 27 June 2018 pursuant to section 30C(3) of the Act. The NRLUS is a policy framework that guides land use, development and infrastructure decision across the northern region by State and Local Government and other relevant infrastructure providers. The NRLUS has provided significant guidance for the preparation of the Launceston Interim Planning Scheme 2012 and 2015.

Part D of the NRLUS details the desired regional outcomes that have been determined as priorities for the northern region which include:

- Regional strategic planning direction and principles necessary to achieve those outcomes;
- Specific strategic policies to guide state and local government planning process and decision-making; and
- Specific regional planning projects and programs to be implemented over the life of the plan.

Of the six key desired regional outcomes, the Regional Settlement Network is considered to be the most relevant to the proposed amendment. The proposed amendment aligns directly with the Land Use and Development outcomes of the Key Settlement Network Strategies. Of particular relevance are:

- Provide a diversity of land uses; and
- Provide for affordable housing and a diversity of housing types and sizes, including retirement accommodation and aged care facilities.

The proposed amendment is considered appropriate to deliver these outcomes identified in the Regional Settlement Network Policy. The proposed amendment is not expected to impact the region from an environmental, economic or social perspective. The proposal will provide for much needed housing options within the City to effect the social and community needs of the city and the State.

It is considered that the proposed amendment will have a minimal impact on the region as a whole.

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## **8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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### **4.3 Section 33 Considerations**

Before making a decision as to whether or not to initiate a draft amendment, section 33 (2B) of the Act requires Council to consider whether the amendment is consistent with the requirements of other legislative requirements including section 32 of the Act.

Section 32(1) specifies that a draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of Council:

- must, as far as practicable, avoid the potential for land use conflicts with the use and development permissible under the planning scheme applying to the adjacent area; and
- must not conflict with the requirements of section 30O of the Act; and
- must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

These requirements are addressed below:

#### **4.3.1 Land Use Conflict**

The proposed draft amendment does not modify the use of the site but allows for the principal use of the 2.5ha site to have a discretionary use status and provides surety for the continuing use of the site.

#### **4.3.2 Section 30O**

Section 30O(2) through to (4) of the Act allows for an amendment to the planning scheme to occur for the purposes of inserting a new provision into the scheme provided that the amendment:

- is not directly or indirectly inconsistent with a common provision of the scheme;
- does not revoke or amend an overriding local provision;
- does not result in a conflicting local provision; and
- does not impact upon a common provision within the scheme.

The proposed amendment seeks to provide clarity to the continuing residential use of the site being multiple dwellings which are prohibited under the Community Purpose Zone unless for a residential aged care facility or a retirement village.

The proposed amendment will not override, be in conflict or inconsistent with, any other local or common provision of the scheme. The proposed amendment will enable a use which is currently prohibited in the Community Purpose Zone.

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## **8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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### 4.3.3 Regional Impact

The proposed amendment is not expected to impact the region from an environmental, economic or social perspective. The current residential development and use of the site is to remain and will not impact on the intents of the planning scheme. The proposed amendment is not likely to create any adverse impacts on adjoining residential areas. It is considered that the proposed amendment will have a minimal impact on the region as a whole.

### **4.4 Objective of the *Land Use Planning and Approvals Act 1993***

Section 20(1)(a) of the Act requires a planning scheme to seek to further the objectives set out in Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

#### **4.4.1 Schedule 1, Part 1 - Objectives of the Resource Management and Planning System of Tasmania**

*(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and*

The proposed amendment will not adversely impact upon natural, ecological or physical values.

*(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and*

The proposed amendment will not directly impact the sustainable use of air, land and water in terms of creating environmental nuisances.

*(c) to encourage public involvement in resource management and planning; and*

Should Council decide to initiate the proposed amendment, public consultation will be undertaken in accordance with the Act. This will ensure the public are aware of the proposal and will enable the public to engage with the process through submissions.

*(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and*

The proposed amendment will enable the subject site to be utilised for an additional residential use. The proposed amendment is not expected to generate any additional impact to the amenity of surrounding sensitive uses greater than the level that currently exists from other permissible residential uses within the zone.

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**8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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- (e) *to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

This is facilitated through the amendment process and application of relevant legislation.

**4.4.2 Schedule 1, Part 2 - Objectives of the Planning Process Established by the Act**

- (a) *to require sound strategic planning and co-ordinated action by State and local government; and*

The proposed amendment is consistent with, and is assessed as being supportive of the objectives of the Act, the Northern Regional Land Use Strategy and the Scheme. Co-ordinated action by the State and local government is facilitated through the amendment process and application of relevant legislation.

- (b) *to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and*

The proposed amendment seeks to effectively allow a broader and more inclusive range of residential uses to occur in the Community Purpose Zone that will be similar in nature as the residential use currently allowable in the zone. The amendment process is an established mechanism under the Act to allow the amendment to be lawfully considered. The proposed amendment has been assessed as being consistent with the established land use pattern within the Community Purpose Zone and is not expected to generate any additional impacts to surrounding sensitive uses greater than the level that already occurs from existing uses.

- (c) *to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and*

The proposed amendment will allow for a minor intensification of the existing use within the limitations of the site. The Community Purpose Zone limits the use of land for residential purposes to a residential aged care facility and retirement village only and prohibits all other sub-uses within the residential use class. Consequently, the established multiple dwelling use is identified as an existing non-conforming use within the Community Purpose Zone and future development of the site for multiple dwellings is prohibited.

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**8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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- (d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and*

All relevant regional and state policies have been considered through the amendment process.

- (e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and*

This objective is not relevant to the proposed amendment.

- (f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and*

It is considered that existing use and development standards within the Scheme are sufficiently robust to control any future development applications made as a result of the proposed amendment.

- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and*

The proposed amendment will not impact on any place of historical interest or of special cultural value.

- (h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and*

The proposed amendment will not impact any public infrastructure or assets.

- (i) to provide a planning framework which fully considers land capability.*

Consideration of land capability is not relevant.

**5. State Legislation and Policies****5.1 State Policy on the Protection of Agricultural Land 2009**

The proposal does not impact upon agricultural land.

**5.2 State Policy on Water Quality Management 1997**

Any future use and development will be subject to complying with development standards that are consistent with the policy.

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## **8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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### **5.3 State Coastal Policy 1996**

Any future use and development will be subject to complying with development standards that are consistent with the policy.

### **5.4 National Environmental Protection Measures**

National Environmental Protection Measures (NEPMs) are automatically adopted as State Policies. They outline common environmental objectives for managing the environment. Current NEPMs include:

- National Environmental Protection (Used Packaging Materials) Measure;
- National Environmental Protection (Ambient Air Quality) Measure;
- National Environmental Protection (Movement of Controlled Waste Between States and Territories) Measure;
- National Environmental Protection (National Pollutant Inventory) Measure;
- National Environmental Protection (Assessment of Site Contamination) Measure;
- National Environmental Protection (Diesel Vehicle Emissions) Measure; and
- National Environmental Protection (Air Toxics) Measure.

In this situation the NEPMs are either not applicable, or will not be impacted upon by the proposed Amendment.

### **5.5 Gas Pipelines Act 2000**

Any future use and development will be subject to complying with development standards that are consistent the Act.

## **6. Conclusion**

The application for amendment seeks to insert the Residential use class (if for assisted housing at 22 Hoblers Bridge Road) as a discretionary use in Table 17.2 of the Community Purpose Zone of the Launceston Interim Planning Scheme 2015.

The amendment is supported on the following basis:

- Land use conflicts will not exist as the proposed amendment will not modify the current use of the site; and
- The location of the subject site, surrounded mainly by residential zones, would be suitable for an assisted housing use; and
- The impacts of the assisted housing use are consistent with those of the other permissible residential uses in the zone; and
- The absence of an assisted housing residential sub use in the Community Purpose Zone is an oversight and housing options should not be limited to those who are aged or retired but should extend to those with physical or intellectual disabilities.

The proposed amendment has been assessed as being supportive of the objectives of the Act, NRLUS and the Scheme.

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**8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)**

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**ECONOMIC IMPACT:**

No significant economic impacts have been identified.

**ENVIRONMENTAL IMPACT:**

No significant environmental impacts have been identified.

**SOCIAL IMPACT:**

No significant social impacts have been identified.

**STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2015  
*Land Use Planning and Approvals Act 1993*  
*Local Government Act 1993 (Tas)*

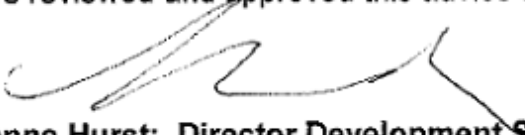
**BUDGET & FINANCIAL ASPECTS:**

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**

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**9 ANNOUNCEMENTS BY THE MAYOR**

**9.1 Mayors Announcements**

**FILE NO:** SF2375

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**Friday 15 November 2019**

- Met with Thippawan Supamitkitja, Royal Thai Embassy Charge d'Affairs during official visit to Launceston
- Attended the 2019 Australian Veteran Golf Championship Gala Presentation dinner

**Saturday 16 November 2019**

- Attended the St Cecilia Grand End of Year Concert

**Saturday 23 November 2019**

- Attended a reception to commemorate Czech Republic Democracy Day and 30<sup>th</sup> Anniversary of Velvet Revolution

**Wednesday 27 November 2019**

- Accepted the Principal's invite to tour Queechy High School
  - Attended the Annual Stakeholder Report release - Launceston Airport
-

**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.)*

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**11.1.1 Councillors' Questions on Notice - Councillor D C Gibson - Queen Victoria Museum and Art Gallery Audit - Council Meeting - 14 November 2019****FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**QUESTIONS and RESPONSES:**

The following question, asked at Council on 14 November 2019 by Councillor D C Gibson, has been answered by Ms T Puklowski (Director Creative Arts and Cultural Services).

**Questions:**

1. Can Councillors be provided with an update on the Audit being undertaken at the Queen Victoria Museum and Art Gallery?

**Response:**

*The audit of the Queen Victoria Museum and Art Gallery (QVMAG) is progressing smoothly and will provide the City of Launceston with greater access to its many cultural assets in the future. We are currently working through the Visual Arts assets of the City and have been heartened by the response of visitors appreciating the 'behind the scenes' workings of a day-to-day cultural institution. Additionally, we have recently launched an intern program which has attracted museum workers from around the country to QVMAG to assist with the audit. These internships are project-based and focus on the Garry Greenwood Collection and archives in the Visual Art and Design Collection, the Kaw Family Collection and the Ross Female Factory Collection from our History Department. These projects contribute to the audit as well as create opportunities for future exhibitions as we learn more about our Collections. We have already documented about 500 objects and are uncovering some extraordinary items such as 150 year-old botanical specimens from Low Head and a convict vest.*

*A summary of the Audit, including a video presented by Christine Hansen, QVMAG's Manager Collections and Research, can be found here at <https://www.qvmag.tas.gov.au/About/The-Collection-Audit>*

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**11.1.2 Councillors' Questions on Notice - Councillor D C Gibson - Princess Theatre Recycling - Council Meeting - 14 November 2019****FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**QUESTIONS and RESPONSES:**

The following question, asked at Council on 14 November 2019 by Councillor D C Gibson, has been answered by Mr S G Eberhardt (Director Infrastructure Services).

**Questions:**

1. Is it possible to have an update on the implementation of recycling for both patrons and users of the Princess Theatre?

**Response:**

*Princess Theatre is leased to Theatre North to operate. The lease places the responsibility to manage waste and recycling with Theatre North, the operator.*

*Council Officers met with Theatre North on 9 April 2019 to assess options to improved waste management practices. Currently, there is cardboard recycling onsite and Theatre North utilise the CBD bag collection service. Some of the challenges presented for waste management at the theatre are space for storage and access for collections.*

*The Council is in the process of preparing the CBD mobile bin roll out with the service due to commence on 6 April 2020. This will be an opt-in service for businesses and residents currently utilising the purple bag system. The service includes weekly waste (140L or 240L) and fortnightly recycling (240L) and will need to be organised and paid for by the occupier; Theatre North in this case.*

*Theatre North are considering to either opt into this service or extend their current cardboard recycling service with their private contractor to include comingled recycling.*

*Options discussed also included bio cups to reduce single-use-plastic. Theatre North have been advised that it is the Council's intent to implement a policy framework to phase out single use plastics at events, markets and other activities on Council managed/owned land and Council sponsored events by 2022. This will be in relation to straws, cups, crockery, cutlery, stirrers and food and beverage packaging.*

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**11.1.2 Councillors' Questions on Notice - Councillor D C Gibson - Princess Theatre Recycling - Council Meeting - 14 November 2019 ...(Cont'd)**

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*Officers will continue to work with Theatre North to achieve the best outcomes for resource recovery from their activities.*

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**11.1.3 Councillors' Questions on Notice - Councillor T G Walker - Gorge Hotel Development - Council Meeting - 14 November 2019****FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**QUESTIONS and RESPONSES:**

The following question, asked at Council on 14 November 2019 by Councillor T G Walker, has been answered by Mrs L M Hurst (Director Development Services).

**Questions:**

1. How much has it cost the Council to pursue this matter through the Appeals Tribunal?

**Response:**

*As a respondent to the appeal for DA0127/2019, the Council engaged the services of legal counsel at a total cost of \$15,449.50 (GST inc.). Officer time, including the Council's Town Planners attendance at the Tribunal hearings, has not been separately costed.*

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**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.)*

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**12 COMMITTEE REPORTS****12.1 Northern Youth Coordinating Committee Meeting - 5 November 2019****FILE NO:** SF0136**AUTHOR:** Claudia Taylor (Youth Development Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Northern Youth Coordinating Committee's regular meeting held on 5 November 2019.

**RECOMMENDATION:**

That Council receives the report from the Northern Youth Coordinating Committee Meeting held on 5 November 2019.

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**REPORT:**

The Northern Youth Coordinating Committee (NYCC) met on Thursday, 3 November 2019 and the following business was conducted:

- A presentation by Andrew Beeston on West Tamar Council's Youth Strategy 2020-2022. The strategy has four core goals for young people living in the West Tamar region: 1. Engaged Young People; 2. Connected Young People; 3. Empowered Young People; and 4. Ambitious Young People.
  - An update from the Youth Network of Tasmania (YNOT) on:
    - The State Government's establishment of the Tasmanian Premier's Youth Advisory Council. The Premier's Youth Advisory Council will provide an opportunity for young people to meet with the Premier and Government to discuss their ideas on how to make Tasmania a better place. An Expression of Interest process has been advertised with 12 positions available for young people aged 12-24 years who are passionate about Tasmania's future.
    - Launch of the Youth Week Tasmania 2020 Grants. Offered by the Department of Communities, the grants are for regional events that celebrate the efforts and contributions of young people in their communities. Youth Week Tasmania will be held from 1-8 April 2020 with the theme *Stand as One*.
-



**12.1 Northern Youth Coordinating Committee Meeting - 5 November 2019  
...(Cont'd)**

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At the Meeting, members agreed:

To put in a joint application for Department of Communities Youth Week Tasmania Grant. This would be to host a joint event in Launceston during Youth Week in 2020.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Consideration contained in report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Area:

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

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Leanne Hurst: Director Development Services**

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**12.2 Audit Panel Meeting - 6 November 2019****FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

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**DECISION STATEMENT:**

To receive a report from the Audit Panel following the Meeting held on 6 November 2019.

**RECOMMENDATION:**

That Council receives the report from the Audit Panel Meeting held on 6 November 2019.

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**REPORT:**

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

**6.1 Internal Audit Report**

**Details** Findings from two internal audit reviews were discussed. The two reviews related to Records Management and the QVMAG Proposed Collection Audit Approach.

**Action** The Panel resolved that a number of issues identified in the Records Management Review have already been resolved with the two outstanding issues to be carried forward and completed according to the time targets set by relevant Officers. The QVMAG Proposed Collection Audit Approach review found the methodology to be sound with no suggested changes.

**7.1 External Audit Panel**

**Details** The City of Launceston 2018/2019 Annual Report including the audited financial statements and the Independent Auditor's Report were discussed. Tasmanian Audit Office (TAO) representatives attended the meeting and discussed the Final Memorandum of Audit Findings and the those charged with Governance reports for the year ended 30 June 2019.

**Action** The Audit Panel noted the reports and verbal commentary provided by the TAO representatives.

**9.1 Budget Amendments**

**Details** The Panel noted the 2019/2020 Budget Amendments.

**Action** The 2019/2020 Budget Amendments were approved at the Council Meeting on 31 October 2019.

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**12.2 Audit Panel Meeting - 6 November 2019 ...(Cont'd)**

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**9.2 General Manager's Report on 2019/2020 Budget Adjustments 1 July 2019 to 30 September 2019**

Details The Panel noted the 2019/2020 Budget Adjustments.

Action The 2019/2020 Budget Adjustments were noted at the Council Meeting on 31 October 2019.

**9.4 Financial Statements (Analysis and Commentary)**

Details The Panel noted the results for the three months ending 30 September 2019.

Action The Financial Statements were presented at the Council Meeting on 14 November 2019.

**13.1 General Manager's Risk Certification**

Details The General Manager's priority list of risk issues were presented and discussed.

Action The Audit Panel noted the item and discussed the various issues raised.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

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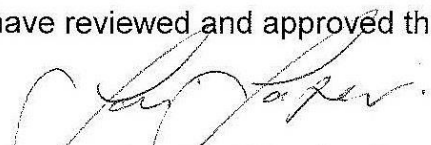
12.2 Audit Panel Meeting - 6 November 2019 ...(Cont'd)

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**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)

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**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 21 November 2019:

**St Leonards Update and St Leonards Land Draft Strategy**

*Councillors were provided with an update on the St Leonards project and an introduction to the draft land strategy for the St Leonards Masterplan.*

**Relbia Review Update**

*Councillors were provided with information regarding the Relbia Review Update.*

**Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register**

*Councillors received a summary of the proposed registration of the Cataract Gorge Reserve on the Tasmanian Heritage Register.*

**Tomorrow Together Community Engagement Project Update**

*Councillors were provided with an update on the Tomorrow Together Community Engagement project.*

**Procurement Update - Internal Audit Outcomes and Document Review**

*Councillors discussed documentation relating to the update of the City of Launceston Procurement Policy and the Code for Tenders and Contracts.*

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

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**REPORT:**

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

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**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**

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**14 NOTICES OF MOTION**

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

**No Notices of Motion have been identified as part of this Agenda**

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**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS****15.1 Delegation from Council to Council Officers - Building Act 2016 (Tas) and Building Regulations 2016****FILE NO:** SF2611/SF0113**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider the delegation from Council to the Chief Executive Officer and other Council officers of particular powers and functions under the *Building Act 2016 (Tas)* and the *Building Regulations 2016 (Tas)*.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting - 23 January 2017 - Agenda Item 19.4 - Delegation from Council to General Manager - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*

Council Meeting - 14 November 2019 - Agenda Item 15.1 - Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*

**RECOMMENDATION:**

That Council:

1. pursuant to section 8(3) of the *Building Act 2016 (Tas)* delegates to the holder(s) of the position(s) in Column One of the Schedule, the functions and powers under the sections of the *Building Act 2016 (Tas)* and the regulations of the *Building Regulations 2016 (Tas)* specified in Column B of the Schedule, subject to restrictions (if any) referred to in Column Three of the Schedule.
  2. determines that although the decision to delegate the powers and functions under the *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* is made today, the effective date of delegation is 9 December 2019.
  3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*.
-



**15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* ...(Cont'd)**

4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
5. notes that the following table is the schedule referred to at Recommendation 1.

**The Schedule**

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of delegation</b>	<b>Restrictions</b>
General Manager Community and Place Manager Health and Compliance Team Leader Compliance	Section 27, 265, 266, 267, 269, 271. Regulation 43, 53.	Nil
Coordinator Administration Administration and Technical Officer Team Leader Statutory Services Statutory Services Officer Permit Authority Officer Planning Administration Officer Administration Officer - City Development	Section 27.	Nil
General Manager Organisational Services Manager Governance Team Leader Legal Services	Section 27(3).	Nil

**REPORT:**

This item is being re-submitted to Council for a decision as inadvertently this matter was not voted on during the course of the Council Meeting of 14 November 2019.

As a result of the definite decision made by the Council's General Manager, there will be a number of changes to the workforce and structure of the City of Launceston, resulting in a number of new positions, redundancies and title changes across the organisation. The effective date of change is 9 December 2019.

**15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* ...(Cont'd)**

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The sections listed in Column Two of the Schedule relate primarily to building compliance. The sections have previously been delegated to the General Manager and are not required to be delegated again. With the exception of section 27, the performance of the functions and powers contained in the relevant sections and regulations will be confined to senior Council officers. Each section and regulation confers the following function or power on Council:

- Section 27 requires Council to keep relevant building records and permits Council to release those records to various parties including a property owner, building surveyor and Director of Building Control.
- Section 265 allows Council to perform work that is required by an emergency order, building order or plumbing order in circumstances where the person so ordered has failed to comply.
- Section 266 allows Council to initiate court proceedings to take and remain in possession of a building to allow work to be completed under section 265.
- Section 267 allows Council to serve a demolition order on a person in circumstances including where the person has not complied with a building order, or where building work does not comply with the Act and is detrimental to the health and safety of the occupant or the public
- Section 269 allows Council a general power to enter land and perform work required under the Act and recover its expenses incurred in doing so.
- Section 271 allows Council to sell a building it has ordered to be demolished and requires Council to pay the balance of proceeds of sale after expenses to the owner.
- Regulation 43 prevents a person from conducting certain stormwater work without Council approval, and allows Council to enter premises to perform certain stormwater work and recover costs.
- Regulation 53 relates to Council assessing land as having a reasonably probability of flooding.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

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## 15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* ...(Cont'd)

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### STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Area -

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

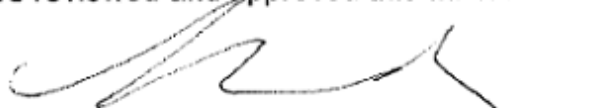
### BUDGET & FINANCIAL ASPECTS:

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**

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**15.2 Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider, as land owner, the revised permanent replacement entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop 21 November 2019 - Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register

**RECOMMENDATION:**

That Council advises the Tasmanian Heritage Council that it supports the revised registration of the Cataract Gorge Reserve on the Tasmanian Heritage Register.

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**REPORT:**

On 2 July 2019 the Tasmanian Heritage Council (THC) formally notified the City of Launceston (CoL) of the Provisional Revised Entry of the Cataract Gorge Reserve (64 Gorge Road, Trevallyn, 274 Brisbane Street and 74-90 Basin Road, West Launceston). As the owner of the affected land, the Council was informed of the changes to the registration prior to the public advertising, and the Heritage Advisory Committee and the Cataract Gorge Management Committee were provided with presentations outlining the new registration early in 2019. The formal notification and the revised datasheet as advertised are included as Attachment 1.

The statement of significance and the revised area, which was to be reduced from the existing listing area, were considered to be well informed by the extensive research included in the datasheet and to provide clarification of the extent of the areas of interest and the reasoning behind the registration, therefore no submission was made on behalf of the CoL at this time.

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## **15.2 Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register ...(Cont'd)**

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Following public advertising of the revised datasheet and receipt of a number of representations from the public, Heritage Tasmania (HT) proposed that the registration area be extended to address the concerns of representors. The amended area has been described by the THC as being '*to the first ridgeline of hills around First Basin, thereby extending the registration to acknowledge view sheds as well as individual features. This area includes an additional two x whole and two part parcels owned by LCC*'. The area now proposed is included for reference as Attachment 2.

HT requested that this proposal be forwarded to the Heritage Advisory Committee and the Cataract Gorge Committee so that they may consider the impacts of this change. This information and the plan showing the amended area was also sent on to the Manager Asset Development and Delivery and the Manager Natural Environment on 14 October 2019 for their feedback.

It was also reported that the THC endorsed the request made on behalf of the CoL, as the owner of the affected area, for '*an extension of time to lodge a submission, under s20(2)(b) of the Historic Cultural Heritage Act 1995, in respect to the permanent replacement entry of the Cataract Gorge, until 22 November 2019 and any further time required prior to the Heritage Council's December 2019 meeting*'.

The Heritage Advisory Committee considered the revised area and the above explanation at their meeting on 24 October 2019, and resolved to provide the following advice to Council:

*That it supports the amended registration of the Cataract Gorge Reserve as proposed by Heritage Tasmania, pending receipt of further justification for the changes made in response to representations, and consultation with the community in regard to the expanded area.*

Following this meeting, officers of HT attended a meeting with Council officers Richard Jamieson (Manager City Development), Dannielle Denning (Parks Planner) and Fiona Ranson (Heritage Planner). A clear rationale was presented for the amended area which is intended to encompass the view-shed from four key sites within the reserve from a heritage landscape perspective. This was based on consideration of the submissions received and supported by analysis using 3D modelling (Refer Attachment 3). Advice regarding the potential for 'bulk' exemptions for works outlined in the Council's management plans for the reserve was also provided so that operational works including bushfire, weed, bushland, arboriculture and track management will not be impeded by the registration.

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**15.2 Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register ...(Cont'd)**

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It was confirmed at this meeting that the THC now intends to progress the new Permanent Registration with the amended area without further consultation with the public. It was also stated that the listing could be approved without Council support, but that the CoL was being consulted as land owner and from the wording of an email from 16 October 2019, are being given an opportunity to 'lodge a submission'.

CoL officers are now satisfied that the extent of the listing is justified of and that there are suitable means of managing the Council works in the expanded area, however, there are concerns in regard to the lack of additional public consultation for the altered area. This may be controversial as the expanded listing extends to cover more of the proposed gondola site.

The Local Heritage Place listings in the current Planning Scheme cover the whole reserve, and this coverage is to be retained in the Local Provisions Schedule of the new Tasmanian Planning Scheme.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

**15.2 Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register ...(Cont'd)**

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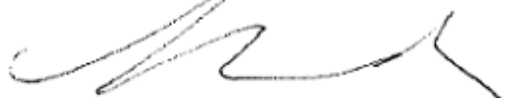
**BUDGET & FINANCIAL ASPECTS:**

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. Cataract Gorge Reserve - Tasmanian Heritage Register Revised Entry as Advertised - July 2019 (*electronically distributed*)
  2. Cataract Gorge Reserve - Proposed Extension to Registered Area - September 2019 (*electronically distributed*)
  3. Cataract Gorge Reserve - Tasmanian Heritage Register - Rationale for Expansion of Cataract Gorge Boundary (*electronically distributed*)
-

**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**

No Items have been identified as part of this Agenda

**17 CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS**

No Items have been identified as part of this Agenda

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**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS****18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure****FILE NO:** SF3658**AUTHOR:** Danielle Denning (Parks Planner)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider approving the Unsolicited Proposals to Develop Council Owned Property High Level Procedure (24-HLPr-018).

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 7 November 2019 - Cataract Gorge Area - Development Assessment Framework

Workshop - 15 August 2019 - Cataract Gorge Area - Development Assessment Framework

Council - 26 October 2015 - Agenda Item 18.1 - Reimagining the Gorge Project

**RECOMMENDATION:**

That Council approves the Unsolicited Proposals to Develop Council Owned Property High Level Procedure (24-HLPr-018) as follows:

**OBJECTIVES:**

To provide an open, easily understood and consistent process for Council to assess unsolicited proposals to develop on Council property that:

- allows Council to respond fairly to ideas.
- respects community values and future expectations.
- identifies the highest and best use of the land under consideration.
- does not advantage one business over any others.

**SCOPE:**

The process discussed in this document:

- Deals only with unsolicited proposals to develop Council owned property. Property includes vacant land or structures owned by the Council or leased by the Council.
  - Provides criteria and steps for the Council to fairly and consistently determine if landowner consent to lodge a development application should be given for unsolicited proposals.
-

**18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)**

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- Aims to provide certainty for the Council and the developer.
- Does not replace or influence the statutory assessment of a development application.
- Does not replace the statutory obligations associated with the sale or lease of public land.

***PROCEDURE:***

Figure 1 summarises the steps in the process for considering unsolicited proposals to develop council owned property.

The underlying values supporting this high level procedure are:

We are committed to an open, easily understood and consistent process that:

- Allows Council to fairly respond to ideas.
  - Respects community values and future expectations.
  - Identifies the highest and best use of the land under consideration.
  - Does not advantage one business over any others.
-

18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ... (Cont'd)

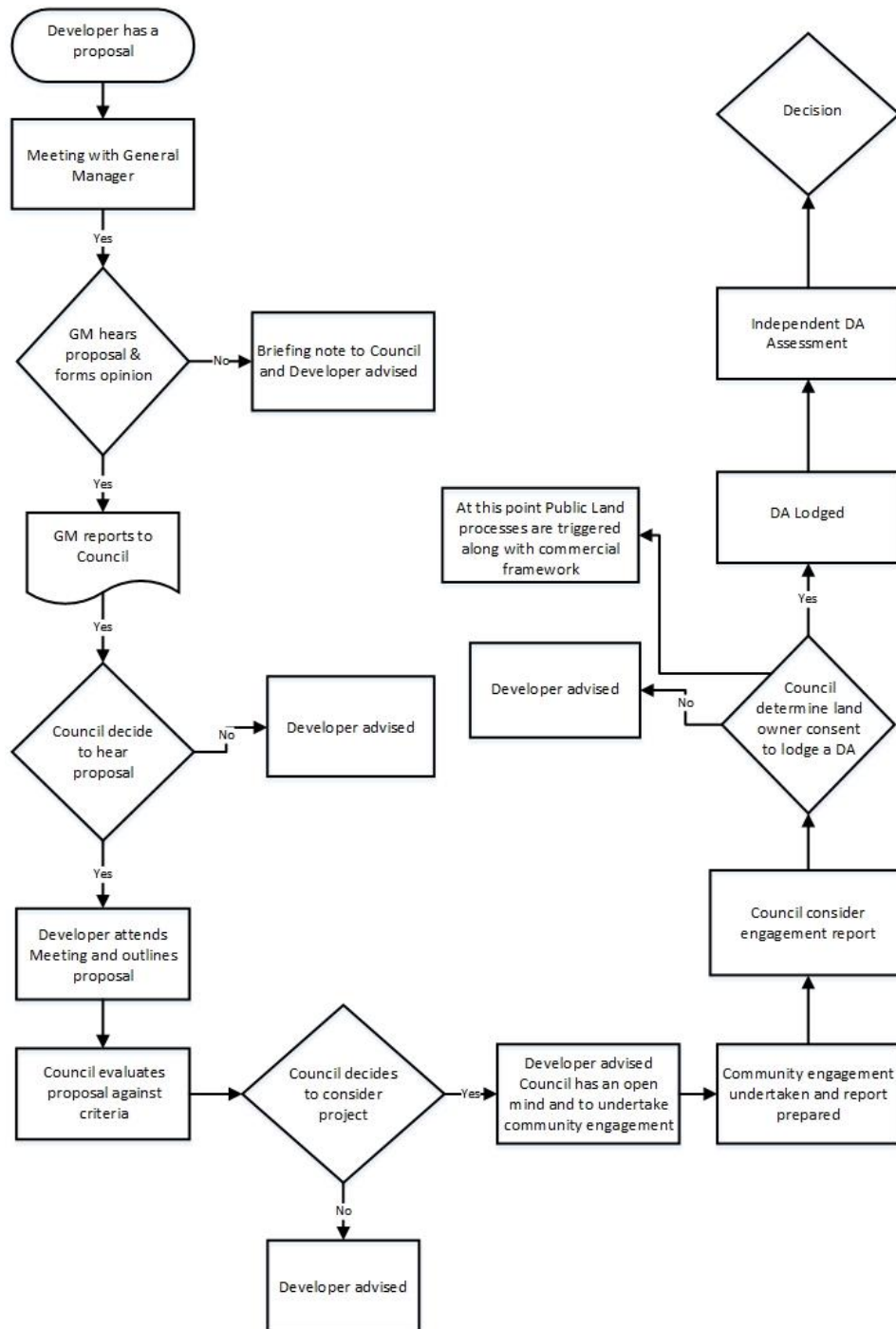


Figure 1: Flow chart for unsolicited proposals to develop Council owned property.

The following provides additional information for each step in the flow chart.

## **18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)**

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### ***Step 1 - Developer raises a proposal***

Unsolicited proposals usually come through a variety of channels like:

- Meeting with Mayor.
- Discussions with individual Councillors.
- Announcing the idea in the media.
- Direct approach to management or planning staff.

Once a proposal is raised, it is referred to the General Manager as the entry point for the process.

### ***Step 2 - Meeting with General Manager***

An appointment is made between the developer and General Manager to discuss the proposal.

### ***Step 3 - General Manager hears proposal and forms opinion***

This is the first opportunity for the developer to outline the proposal and the General Manager to form a view.

Factors to take into consideration include:

- The level of detail.
- Alignment with strategies and plans.
- Proposed funding arrangements.
- Probable alignment with the assessment criteria.

If the General Manager determines there is insufficient reason to take the proposal further, then the developer should be informed, with confirmation in writing, that the proposal is not acceptable with the reasons for the decision.

The General Manager is to provide a briefing note to the Mayor about the proposal and reasons for the decision.

If the General Manager determines the proposal warrants further consideration, then the developer is to be advised that a discussion paper will be prepared for consideration by Councillors. No further commitment should be made to the developer.

In either case, a copy of the assessment criteria is to be provided to the developer.

### ***Step 4 - General Manager reports to Council***

A discussion paper about the proposal is to be prepared by the General Manager setting out the issues for and against. The report is to be discussed at a workshop or in closed council. Councillors can use the assessment criteria to form an initial opinion.

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## 18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

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Should Council decide not to proceed then the developer is to be advised in writing.

If there is interest in finding out more about the proposal, the developer is to be given the opportunity to attend a meeting with Councillors.

### ***Step 5 - Developer attends meeting and outlines proposal***

The purpose of this meeting is for Council to get sufficient information to form a judgement. No commitment is to be made to the developer. For commercial reasons the initial meeting should be at a workshop or in closed Council.

### ***Step 6 - Council evaluates the proposal against the assessment criteria***

After hearing about the proposal, Councillors are to evaluate it against the weighted assessment criteria for unsolicited proposals (Table 1). Using weighting and scoring assists with the evaluation process.

The process is as follows:

- Each participant in the assessment works alone and allocates their rating (1-10) with for each of the weighted criteria.
- The weight is multiplied by the rating to calculate a score. At the completion of the evaluation a total score for each criteria will be generated that can be expressed as a percentage of the possible maximum score if the development was fully compliant. If the proposed development scored 10 for all the ten recommended criteria, the maximum score would be 740. The minimum score would be 74.
- The total score and % of the possible maximum score are compared for each participant.
- Differing assessments are explained.
- A consensus score is negotiated that is then expressed as a % of the possible total maximum score.
- If the proposal achieves 69% or less the Council is under no obligation to advance the project at this point and the developer is advised in writing.
- If the proposal achieves 70% or more the proposal progresses to the next step.

### **Table 1 Assessment criteria for evaluating unsolicited proposals**

\* *Rating from 1-10 with 1 being extremely poor, 2 very low, 3 low, 4 below average, 5 fair, 6 medium, 7 good, 8 high, 9 very high and 10 outstanding.*

\*\* *Score is calculated by multiplying weight by rating.*

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## 18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

Criteria How well does the proposed development:	Considerations	Weight	Rating* (1-10)	Score**
1. Recognise and respond to Aboriginal cultural values, heritage and natural environment significance?	Some land will have higher heritage values that need to be taken into account when considering future development. Is the land in question on any heritage register? How well does the proposed development plan to manage heritage issues?	10		
2. Align with existing community vision, values and sentiment?	Not all land is equal in the eyes of the community. Some sites are more valued than others and have higher community ownership. Is the community likely to be protective about the site in question?	9		
3. Provide tangible community benefit, not just private commercial benefit?	The Community must be able to recognise a clear and fair benefit versus the private sector profiting from a public asset.	9		
4. Align with existing strategy, planning and direction for the site, or demonstrate an innovative new idea or approach?	Alignment is preferable but planning may not always be right. There could be an idea not previously thought of that justifies a change in direction.	8		
5. Provide a commercial market return to Council and community via sale or lease proceeds, or other financial benefit?	There needs to be a market valuation of any land sale price or rental and possibly market testing for alternative proposals.	8		
6. Justify any funding contribution from any level of government?	Any government funding support or subsidy (community service obligation) must be for a justifiable and tangible community benefit. As a principle government funds should only be directed to public or mixed goods.	7		
7. Satisfy an existing community need?	Community engagement and planning may have identified a need that could be satisfied by the development.	6		
8. Assist in the disposal of land that is surplus to requirements?	The land may no longer be suitable for its original purpose as a result of other developments or Council ceasing to provide a service.	6		
9. Comply with the planning scheme under existing provisions or an appropriate amendment?	Is it appropriate to proceed and incur costs if compliance with the planning scheme is not possible even with a scheme amendment?	6		

**18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)**

Criteria How well does the proposed development:	Considerations	Weight	Rating* (1-10)	Score**
10.Demonstrate practical and commercial feasibility?	A reality check on the planning for technical and economic issues. What evidence is there that the plans supporting the proposal are adequate and well considered? Is more thought needed?	5		
<b>Score out of 740</b>				
<b>Percentage %</b>				

***Step 7 - The Council decides to advance the project***

If the Council decides to advance the project, then the developer is to be advised that the Council has an open mind but is interested in the views of the community.

The Council may also decide at this point to test the market by seeking other proposals for the land in question. This could potentially maximise the commercial return to the Council as landowner.

***Step 8 - Developer is advised the Council has an open mind and to undertake community engagement***

The Council is to specify and control the community engagement process. Management of the process should be undertaken by independent facilitators because of the potential conflict of interest raised by the Council owning the land. The developer is to meet any costs associated with the community engagement.

***Step 9 - Community engagement is undertaken and report prepared***

As the engagement proceeds themes will become evident. These themes should be addressed in the report.

***Step 10 - The Council consider engagement report***

The Council should consider the results of the engagement report using the assessment criteria.

***Step 11 - The Council decide to allow owner consent to lodge a development application***

At this point in the process, the proposal potentially becomes a development. The Council is under no obligation to provide owner consent if they have good reason not to. The developer is to be advised in writing if owner consent is not going to be given. There is no appeal available to the developer. Giving owner consent indicates a reasonable level of interest in the project and commits the developer to incur costs. It is an encouragement to proceed. However, it does not guarantee approval. That occurs when the development application is assessed through normal planning processes.

## **18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)**

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### ***Step 12 - At this point Public Land processes are triggered along with commercial framework***

Once the decision to allow a development application to be lodged is made then two areas of uncertainty need to be addressed.

If the proposal is on Public Land, then the requirements the *Local Government Act 1993* (Tas) need to be implemented to determine if the Council can dispose of the land. If this cannot be achieved, there is little point processing the development application.

The commercial arrangements, subject to the planning approval, also need to be agreed. The arrangements could include sale price, costs and substantial commencement provisions. Substantial commencement provisions should be demanding and address time taken to start and commencement of construction to first level. This protects the Council's land ownership if the development does not proceed.

There should be no settlement of the land sale until all doubt about the development commencing has gone.

### ***Step 13 - Development application lodged and independent development assessment undertaken***

At this point the impacts of the proposal will be assessed against the planning scheme requirements. This a statutory process under the *Land Use Planning and Approvals Act 1993*.

As the Council is the landowner and a planning authority there is potential conflict of interest, which could be mitigated by engaging an independent planner to undertake the assessment.

### ***Step 14 - Decision***

The Council in its capacity as a planning authority makes a decision based on the planning issues considered in the independent assessment.

The usual appeal processes apply.

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**18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)**

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***RELATED POLICIES & PROCEDURES:***

Greater Launceston Plan May 2014

City of Launceston Corporate Strategic Plan 2014-2024

Sustainability Strategy 2019

Horizon 2021 Economic Development Strategy

14-Plx-032 Code of Conduct for Councillors

24-PI-002 Disposal or Alienation of Council Assets Policy

24-PI-003 Council Property Management Policy

Draft 24-Plx-006 Lease and Licencing Policy

26-PI-006 Parks, Reserves, Bridges and Structures Management Policy

26-SD-007 Bushfire Management Strategy for Council Owned and Managed Land 2015-2025

***RELATED LEGISLATION:***

*Aboriginal Heritage Act 1975*

*Electricity Wayleaves and Easements Act 2000*

*Environment Protection and Biodiversity Conservation Act 1999*

*Fire Services Act 1995*

*Forest Practices Act 1985*

*Historic Cultural Heritage Act 1995*

*Local Government Act 1993 (Tas)*

*Local Government (Highways) Act 1982*

*Land Use Planning and Approvals Act 1993*

*Nature Conservation Act 2002*

*Threatened Species Protection Act 1995*

*Water Management Act 1999*

*Water and Sewerage Industry Act 2008*

*Weed Management Act 1999*

*Urban Drainage Act 2015*

***REFERENCES:***

Campbell, B., 2019 Briefing paper on unsolicited proposals to develop Council owned property.

Cataract Gorge Reserve and Trevallyn Nature Recreation Area 2030 Re-Imagining the Cataract Gorge Final Plan 26 October 2015.

***DEFINITIONS:***

Not applicable

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**18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)**

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**REVIEW:**

This procedure will be reviewed no more than two years after the date of approval (version) or more frequently, if dictated by operational demands.

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**REPORT:**

The Council and the Council's Officers are often required to deal with unsolicited proposals to develop on Council owned or managed land by developers, commercial operators, telecommunications and community groups. The proposals come through a variety of channels including meetings with the Mayor, discussions with individual Councillors, media releases and direct approaches to the Council's Officers and management.

There are statutory processes through the *Land Use Planning and Approvals Act 1993* that deal with the assessment of development applications against the provisions of the *Launceston Interim Planning Scheme 2015*. This includes the process of the Council providing landowner consent to lodge the application. The legal process for the purchase, acquisition, sale or lease of the Council's property is set out Part 12 of the *Local Government Act 1993* (Tas).

There is, however, a lack of formal procedure in place to guide the Council and the Council's Officers through assessing the benefits of unsolicited development proposals on the Council's property to the Council and the community and appropriately inform and seek comments from the public prior to giving landowner consent to lodge a development application.

When considering the Reimagining the Gorge Project Final Plan at its Council Meeting on the 26 October 2015, the City of Launceston resolved that:

*any commercial development within or adjacent to the City of Launceston Cataract Gorge (but utilising the Gorge's vista) are supported provided they are sympathetic to the vision and values of the Cataract Gorge. Such decisions will be determined by the Council following consideration of comments following a public exhibition of each specific project. This precedes the development application process.*

Councillors, working with an independent facilitator, developed a framework to assess unsolicited development proposals including a community consultation phase. Initially the focus was the Cataract Gorge area, however, the framework developed will be applied to all the Council's property.

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## **18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)**

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The framework developed is based on the underlying values that the Council is committed to an open, easily understood and consistent process that:

- allows the Council to fairly respond to ideas.
- respects community values and future expectations.
- identifies the highest and best use of the land under consideration.
- does not advantage one business over any others.

The process:

- deals only with unsolicited proposals to develop the Council's owned property. Property can include vacant land or structures owned by the Council.
- provides a weighted criteria and steps for the Council to fairly and consistently determine if landowner consent to lodge a development application should be given for unsolicited proposals.
- provides an opportunity for community opinion to be heard through a Council managed engagement process.
- aims to provide certainty for the Council and the developer.
- does not replace or influence the statutory assessment of a development application.
- does not replace the statutory obligations associated with the sale or lease of public land.

The high level procedure has been developed based on the work undertaken by Councillors during Workshops and the briefing paper prepared by the consultant.

The recommendation is that Council approves the Unsolicited Proposals to Develop Council Owned Property High Level Procedure 24-HLPr-018.

### **ECONOMIC IMPACT:**

Unsolicited development proposals have the potential to impact on Council's property value, often require co-contribution if State or Federal grants are involved, influence capital and operational major project allocation and often create ongoing maintenance costs. The high level procedure includes criteria relating to economic impact.

### **ENVIRONMENTAL IMPACT:**

The weighted criteria gives the Council the opportunity to recognise and respond to natural environment significance and ensures the Council can consider how the development proposals align with the objectives of the Sustainability Strategy including investing in natural capital.

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**18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)**

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**SOCIAL IMPACT:**

The underlying values of the high level procedure includes respecting community values and future expectations. The assessment criteria is heavily weighted towards recognising Aboriginal and post-settlement heritage values, aligning with existing community vision, values and sentiment, tangible community benefit, not just private commercial benefit and satisfy an existing community need. The process also includes a community engagement process prior to the Council determining land owner consent to lodge the development application.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

1. To develop and consistently utilise contemporary and effective community engagement processes.
2. To lead the implementation of the Greater Launceston Plan via collaborative and constructive relationships with our regional partners.
3. To advocate and collaborate to enhance regionally significant services and infrastructure for the benefit of our communities.

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

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

Focus Areas:

1. To promote and enhance Launceston's rich heritage, culture and natural environment.
  2. To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.
  3. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar.
  4. To support the central business district (CBD) and commercial areas as activity places during day and night.
  5. To support sustainable population growth in the Northern Region.
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**18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)**

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

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

Focus Areas:

1. To reduce our and the community's impact on the natural environment.
2. To contribute to air and river quality improvements in Launceston.
3. To manage the risks of climate-related events, particularly in the area of stormwater management and riverine flooding.

**BUDGET & FINANCIAL ASPECTS:**

Budget and financial aspects of unsolicited development proposals will be considered when Council evaluates the proposal against the assessment criteria

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Shane Eberhardt: Director Infrastructure Services**

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## 18.2 Lease - Lilydale Bowls Club Inc.

**FILE NO:** 72470/72570

**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)

**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

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### DECISION STATEMENT:

To consider a proposal from the Lilydale Bowls Club Inc. to lease land situated at 8 Charob Avenue, Lilydale (CT150335/3) and 10-12 Charob Avenue, Lilydale (CT 150335/13).

*This decision requires an absolute majority of Council.*

### PREVIOUS COUNCIL CONSIDERATION:

Council - 10 August 2009 - Agenda Item 12.2 - Lease Lilydale Bowls Club Inc.

### RECOMMENDATION:

1. That Council, by absolute majority, in accordance with section 179 of the *Local Government Act 1993* (Tas), agrees to lease two parcels of land situated at 8 Charob Avenue, Lilydale (CT150335/3) and 10-12 Charob Avenue, Lilydale (CT 150335/13) to the Lilydale Bowls Club Inc. as indicated on the plan below.



**18.2 Lease - Lilydale Bowls Club Inc. ...(Cont'd)**

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2. The General Manager is authorised to enter into a formal lease under the following terms:

- the term shall be five years commencing on 1 December 2019;
  - the lease amount shall be \$1per annum if demanded;
  - tenant to be responsible for:
    - building and contents insurance;
    - energy costs;
    - volumetric and connection charges for water; and
    - sewerage charges;
    - and other service charges if any.
  - tenant shall continuously maintain:
    - any infrastructure or any infrastructure installed by the tenant or the Council in relation to the tenants occupation;
    - building in good and reasonable order; and
    - public liability insurance of at least \$10 million.
- 

**REPORT:**

The Lilydale Bowls Club Inc. (the Club) was formed in 1980 and has continued with varying successes and growth in their membership. The bowling green was constructed shortly after through fundraising and donations, which was previously on private land, being that of parcel 8 Charob Avenue, Lilydale.

Council approved the purchase of 10-12 Charob Avenue, Lilydale on 24 August 2009 in order to secure the tenure of the Club. The Club's ten-year lease has recently expired. The Club wishes to renew their lease for a further five years with the Council with an agreement to include the responsibility to pay for all outgoing costs such as electricity, water usage and the general maintenance of the building and grounds within the leased area.

Section 179 of the *Local Government Act 1993* (Tas) provides that the Council may lease public land for a period not exceeding five years without requiring the need for advertising.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

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**18.2 Lease - Lilydale Bowls Club Inc. ...(Cont'd)**

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**SOCIAL IMPACT:**

This proposal will have a positive impact on the community as it will enable a valuable community group to continue to operate.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

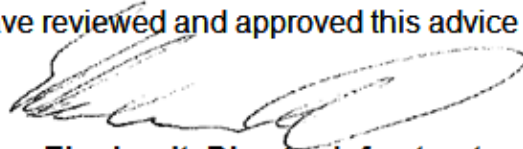
**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



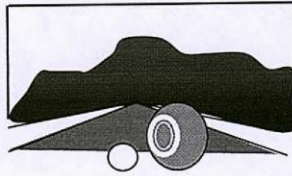
**Shane Eberhardt: Director Infrastructure Services**

**ATTACHMENTS:**

1. Proposal Letter from Lilydale Bowls Club Inc.
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Attachment 1 - Proposal Letter from Lilydale Bowls Club Inc.



**LILYDALE BOWLS CLUB (Inc)**

8 Charob Ave, Lilydale Tas 7268  
(PO Box 37, Lilydale 7268)  
Email: [lilydaletasbowlsclub@gmail.com](mailto:lilydaletasbowlsclub@gmail.com)  
Phone: 6395 1021

President: Shane Hawes      Secretary: Sue Dawe

24<sup>th</sup> September 2019

City of Launceston  
PO Box 396  
Launceston Tas 7250

Attention: Tricia De Leon-Hillier, Parks Lease Management Officer

Dear Tricia

Re: Lease agreement – Lilydale Bowls Club

The Lilydale Bowls Club wishes to renew the 5 year lease on the building and grounds at 8 Charob Avenue, Lilydale, Tasmania.

The club provides a much needed facility in the town. As well as four teams in the summer and country winter pennants, the facilities are regularly used by the Lions Club, Lilydale Retirement Units Board, Lilydale Landcare, parties and funerals.

The club continually makes improvements to the green, grounds and club rooms. These include solar panel and associated batteries, repainting and the upgrade of our change rooms.

Regards

Shane Hawes  
President

FILE No.	72470 / 72570				
EO	<input checked="" type="checkbox"/>	OD	<input type="checkbox"/>	Box	<input checked="" type="checkbox"/>
RCVD		14 OCT 2019		LCC	
Doc No.					
	Action Officer	Noted	Replied		
	T. DE LEON-HILLIER				

**18.3 Adoption of the Stormwater System Management Plan****FILE NO:** SF6996**AUTHOR:** Erica Deegan (Engineer Hydraulics)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider and adopt the Stormwater System Management Plan as required by the *Urban Drainage Act 2013*.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 13 December 2018 - Stormwater Management Plan - Introduction to the Project Team and Project Planning

Workshop - 20 June 2019 - Stormwater Management Plan - Overview of the Project to Date and Discussion Prior to the *Tomorrow Together* - Resilient City Symposium

Workshop - 7 November 2019 - Stormwater Management Plan - Overview of the Stormwater System Management Plan

**RECOMMENDATION:**

That Council, in accordance with section 10 of the *Urban Drainage Act 2013*, adopts the Stormwater System Management Plan (ECM Document Set ID 4178815).

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**REPORT:**

Tasmanian councils are required to develop a Stormwater System Management Plan (SSMP) under the *Urban Drainage Act 2013*. A SSMP has been developed for the urban areas of the City of Launceston (CoL), notably suburban Launceston as well as the township of Lilydale. The SSMP forms a four-year action plan and is to be reviewed on a four-yearly basis.

The CoL has an extensive urban stormwater system, including 440km of stormwater pipe and approximately 16,000 stormwater nodes (manholes, gully pits and side entry pits). Approximately 37km of natural waterways form an integral part of the stormwater network. In the central parts of Launceston there is a combined stormwater and sewage drainage system, which adds significant complexity to the system. TasWater manage the operation of the combined system on behalf of the CoL.

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## **18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)**

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The CoL has well established plans for management of drainage assets. These incorporate operational maintenance, capital renewals and upgrades, as well as reactive responses to customer enquiries or unforeseen issues.

Detailed technical analysis has been undertaken within the urban area to consider risks associated with stormwater flooding and water quality. Flood studies were completed for each of the urban catchments. To relate outputs from the flood modelling to the likely impact on people, vehicles and buildings, flood hazard categorisation is completed to establish how hazardous (ie. dangerous) the modelled floodwaters are. Hazard based stormwater risk studies were completed to consider the risks associated with stormwater flooding in the urban area. The majority of modelled flooding within the urban area is the lowest hazard category H1 (68%), meaning flooding is generally safe for people, vehicles and buildings. However, there are locations which exhibit higher hazard categories, and the modelling identifies flooding of properties and roadways. The urban (stormwater) flood mapping for the 1% AEP stormwater flood event can be accessed on the City of Launceston's online mapping portal - <http://launceston.maps.arcgis.com/home/index.html>.

Assessment of the Lilydale urban area was completed using an evidence based approach, considering flood related customer complaints and a review of associated projects. Historically, flooding of Lilydale has been as a result of inundation from the local creeks (riverine flooding), rather than related to the stormwater system. The review process has confirmed there are no major stormwater flooding issues outstanding within the Lilydale urban area.

In addition to the flood risk assessments, water quality risks have also been considered. Water quality and aquatic habitat health in Launceston's urban waterways is generally poor, with high pollutant loads and low ecological health scores at all sites monitored. Many urban waterways have born significant degradation as a result of being incorporated into the stormwater network. Monitoring shows elevated concentrations of Enterococci, sediments, nutrients and metals in the days after rainfall, and foam is frequently observed in open waterways. Despite their degraded state, urban waterways can still have substantial conservation value and retain important functions by providing habitat, connectivity between isolated habitats, and acting as natural retention features for sediment and water flow.

Plans for the management of stormwater risks and issues are documented, and separated into a range of categories, including:

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**18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)**

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- **Development controls** - Development controls are an effective and economical means to manage flooding and minimise impacts of development on water quality on a large scale. Current development controls as applicable for stormwater management are; limitations on the discharge of stormwater for new subdivisions, controls to reduce impacts on water quality and other aspects that can be applied through permit conditions, such as requirement to comply with the Tasmanian Subdivision Guidelines to ensure overland flow paths are not compromised. The overlay associated with the flood prone areas code (E5.0) in the Launceston Interim Planning Scheme 2015 does not include the mapped overland flow paths and flooding of urban waterways. It is necessary to introduce the urban flood mapping to the relevant planning scheme to ensure informed decision making in the future. This will minimise the introduction of additional risk to the community. Issues also currently exist around the application of the Biodiversity (E8.0) and Water Quality (E9.0) codes, and compliance with permit conditions requiring soil and water management. Clarification of internal processes and more robust assessment, mitigation actions and compliance enforcement has the potential to substantially improve water quality and environmental outcomes in the urban area.
  - **Community resilience** - The catchment response for the urban area is generally very quick, with urban stormwater flooding appearing and then retreating quickly. Due to the flashy nature of urban flooding, the best way to expand community resilience is to improve flood awareness for people residing in flood prone areas. Urban (stormwater) flooding was a key topic of discussion during the resilient city theme as part of the CoL's *Tomorrow Together* community consultation program in winter 2019. Actions proposed to continue to build the community's awareness of urban flooding include; development of an online portal, an update to our process associated with the land information (337) certificate process to incorporate urban flooding and implementation of additional flood warning signage in known problem locations.
  - **Structural interventions** - Structural interventions are measures to modify the behaviour of flood water with the aim of reducing both the flood damage cost to the community and the risk to life. Structural interventions may range from small upgrades to large scale, multi-million dollar projects. The stormwater risk studies outline locations where there is the potential for significant flood damage to the community as well as possible risk to life. These areas are documented within each of the risk study documents, with the top priorities across the urban area detailed within the SSMP. Structural intervention projects will be scoped and delivered based on available funding and other associated constraints. Throughout the project scoping and investigations stage the priority for the individual projects may change. Priority projects/investigations are proposed for a range of sites, including parts of Prospect, Kings Meadows and Trevallyn. Areas within the CBD also rank highly as part of the prioritisation process, with works impacting on these areas currently being finalised by TasWater as part of the kanamaluka/Tamar Estuary River Health Action Plan.
-

## 18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)

- Water Quality and Aquatic Habitat Specific Mitigation Measures - Measures specifically to address water quality and aquatic habitat health are often complementary to the structural interventions to mitigate flood risk. The water quality risk study identified a number of policy and procedural, capital and operational projects aimed at improving environmental health. High priority projects include reviewing the Urban Open Drain Procedure, intensifying reinstatement of riparian vegetation and protection of important local wetlands, quantifying water quality discharge limits for new developments, implementing a monitoring program to assess long-term waterway health trends, investigating options to improve water quality in Heritage Forest perimeter drain and implementing water sensitive urban design principles within Newnham Reserve.

Implementation of capital projects within the stormwater space need to be carefully considered due to the long term financial implication associated with capital expenditure, as well as the risk of inaction and the considerations associated with increasing levels of service. Budget is not currently confirmed for stormwater system capital upgrades or new assets and funding opportunities will need to be explored. CoL historically has had some success with obtaining joint project funding for stormwater related projects, and will continue to investigate future options to supplement stormwater project funding.

A range of individual projects and actions are outlined throughout the SSMP, as summarised in Table 1. These actions are necessary to build a more resilient community and to reduce risk to the community for stormwater flooding. The responsibility for implementation of these actions is distributed across the CoL networks, and the projects have a range of different priorities for delivery over the four-year time period.

**Table 1 - Stormwater System Management Plan - Action Plan**

Action	Document Reference	Responsibility	Priority High - within one year Medium - one to four years Low - four years plus	Resourcing Considerations
Formalise dam safety inspection for stormwater detention basins.	Section 3.1 - Operational	City of Launceston - Infrastructure and Asset Network	High	Officer Time

18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)

<b>Action</b>	<b>Document Reference</b>	<b>Responsibility</b>	<b>Priority</b> High - within one year Medium - one to four years Low - four years plus	<b>Resourcing Considerations</b>
Review urban open drain procedure, including categories, associated levels of service and to balance competing requirements.	Section 3.1 - Operational	City of Launceston - Infrastructure and Asset Network	High	Officer Time
Review " <i>Discharge of Stormwater - Acceptable Solutions</i> " high level procedure for assessing capacity of the stormwater system to accommodate increased discharge from proposed subdivisions.	Section 5.1 - Development Controls	City of Launceston - Infrastructure and Asset Network	Medium	Officer Time
Participate in the review of the Tasmanian Subdivision Guidelines.	Section 5.1 - Development Controls	City of Launceston - Infrastructure and Asset Network, other Councils, LGAT and IPWEA	Medium	Officer Time
Develop City of Launceston hydraulic guidelines.	Section 5.1 - Development Controls	City of Launceston - Infrastructure and Asset Network	Medium	Officer Time
Incorporate stormwater flood overlays within the planning scheme.	Section 5.1 - Development Controls	City of Launceston - Community and Place Network	Medium	Officer Time
Quantify water quality discharge limits for new developments.	Section 5.1 - Development Controls	City of Launceston - Infrastructure and Asset Network	High	Officer time

**18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)**

<b>Action</b>	<b>Document Reference</b>	<b>Responsibility</b>	<b>Priority</b> High - within one year Medium - one to four years Low - four years plus	<b>Resourcing Considerations</b>
Consider resourcing to enable enforcement of permit conditions for soil and water management.	Section 5.1 - Development Controls	City of Launceston - Community and Place Network	Ongoing	Officer Time
Formalise internal processes around application of the E8 Biodiversity code.	Section 5.1 - Development Controls	City of Launceston - Infrastructure and Asset Network/Community and Place Network	High	Officer time
Review and Update Flood Warning Signage.	Section 5.2 - Community Resilience	City of Launceston - Infrastructure and Asset Network	High	Officer Time, Operational Funds
Development of Online Portal.	Section 5.2 - Community Resilience	City of Launceston - Community and Place Network	High	Officer Time
Update Land Information Certificate (337 Certificate) Process.	Section 5.2 - Community Resilience	City of Launceston - Organisational Services Network	High	Officer Time
Structural Project / Investigation 1 - Prospect.	Section 5.3 - Structural Interventions	City of Launceston - Infrastructure and Asset Network	High	2019/2020 - Committed capital budget for design
Structural Project / Investigation 2 - Guy St North Sub-catchment, Kings Meadows.	Section 5.3 - Structural Interventions	City of Launceston - Infrastructure and Asset Network	Medium	2019/2020 - Operational funds for concept design Future capital bids
Structural Project / Investigation 3 - Whitford Grove to West Tamar Rd, Trevallyn.	Section 5.3 - Structural Interventions	City of Launceston - Infrastructure and Asset Network	Low	2019/2020 - Operational funds for detailed investigation

**18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)**

<b>Action</b>	<b>Document Reference</b>	<b>Responsibility</b>	<b>Priority</b> High - within one year Medium - one to four years Low - four years plus	<b>Resourcing Considerations</b>
Structural Project / Investigation 4 - Broadland Drive	Section 5.3 - Structural Interventions	City of Launceston - Infrastructure and Asset Network	Low	Concept design complete Future capital bids
Continue to implement water sensitive urban design at Newnham Reserve	Section 5.4 - Water Quality and Aquatic Habitat Specific Mitigation Measures	City of Launceston - Infrastructure and Asset Network	Medium	2019/2020 Capital and operational funds for small component Future capital bids
Intensify reinstatement of riparian vegetation along urban waterways and protect locally important wetlands	Section 5.4 - Water Quality and Aquatic Habitat Specific Mitigation Measures	City of Launceston - Infrastructure and Asset Network	High	Officer time Operational funds
Investigate options to improve water quality in Heritage Forest perimeter drain	Section 5.4 - Water Quality and Aquatic Habitat Specific Mitigation Measures	City of Launceston - Infrastructure and Asset Network	Medium	Officer time Operational funds Future capital bids
Identify strategic locations for gross pollutant traps	Section 5.4 - Water Quality and Aquatic Habitat Specific Mitigation Measures	City of Launceston - Infrastructure and Asset Network	Medium	Officer time



**18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)**

<b>Action</b>	<b>Document Reference</b>	<b>Responsibility</b>	<b>Priority</b> High - within one year Medium - one to four years Low - four years plus	<b>Resourcing Considerations</b>
Implement monitoring program to assess long-term waterway health and water quality impacts/improvements (eg. AusRivas methodology)	Section 5.4 - Water Quality and Aquatic Habitat Specific Mitigation Measures	City of Launceston - Infrastructure and Asset Network	High	Officer time Operational funds
Continue Involvement in Tamar Estuary River Health Action Plan projects and TEER Program.	Section 5.4 - Water Quality and Aquatic Habitat Specific Mitigation Measures	City of Launceston - Infrastructure and Asset Network	Ongoing	Officer Time Council funding (TBC)
Re-run model with AR&R2019 storm events.	Section 5.5 - Climate Change	City of Launceston - Infrastructure and Asset Network	Medium	Officer Time
Develop procedure for model updates and re-runs due to capital projects and development.	Section 5.6 - Stormwater Network Changes	City of Launceston - Infrastructure and Asset Network	High	Officer Time
Continue to investigate future options to supplement stormwater project funding.	Section 6 - Resourcing Considerations	City of Launceston - Organisational Services Network	Medium	Officer Time

**18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)**

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**ECONOMIC IMPACT:**

The economic impact of flooding can be defined by what is commonly referred to as *flood damages*. Tangible flood damages for residential, commercial and industrial properties have been calculated as part of the flood studies to determine an expected annual damage (EAD) for individual properties. The EAD takes into consideration the probability of the various rainfall events occurring and considers these on an annual basis. An EAD of \$4,390,000 has been calculated for the urban area, with the most significant impacts in Kings Meadows (30% of total) and CBD - Newstead (29% of total). Priority sub-catchments of Prospect and Guy Street North, both within the Kings Meadows Catchment, have an EAD of \$179,619 and \$227,773 respectively. Proposed structural mitigation projects will reduce the EAD and the economic impact of flooding in these areas.

Development control responses will help to prevent the introduction of additional flooding related risks and associated costs within areas of new development. These components of the SSMP will be delivered through internal resourcing.

**ENVIRONMENTAL IMPACT:**

Water quality improvement projects identified in the SSMP have the potential to result in significant positive environmental (and social) impacts. Mitigation of development impacts and restoration projects in degraded areas will be of substantial benefit to Launceston's waterways and wetlands.

**SOCIAL IMPACT:**

Communication related components of the SSMP will provide a reduction in urban flood risk through a better informed and more resilient community. Water quality improvement projects identified in the SSMP have the potential to result in significant positive social outcomes, including the promotion of physical exercise, reduced stress and increased social interaction.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

Focus Areas:

6. To enhance community awareness of the impacts of uncertain weather patterns, natural and other disasters, and build community resilience.
  7. To develop and manage infrastructure and resources to protect our community from natural and other hazards.
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**18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)**

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

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

Focus Areas:

1. To reduce our and the community's impact on the natural environment.
2. To contribute to air and river quality improvements in Launceston.
3. To manage the risks of climate-related events, particularly in the area of stormwater management and riverine flooding.

**BUDGET & FINANCIAL ASPECTS:**

The Prospect Flood Alleviation Project has funds committed for detailed design in the 2019/2020 financial year, and a capital bid for construction currently under consideration for the 2020/2021 capital budget (\$2.0m).

Additional projects are currently being investigated using operational funds, and will be submitted for capital project consideration as appropriate.

The SSMP is on a four-yearly review cycle, with projects identified to be captured within forward works programs and subject to availability of funds.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Shane Eberhardt: Director Infrastructure Services**

**ATTACHMENTS:**

1. Stormwater System Management Plan (*electronically distributed*)
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**18.4 Petition - Installation of FOGO Bins at Scotch Oakburn College****FILE NO:** SF0097/SF3942**AUTHOR:** Michael Attard (Waste and Environment Officer)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider the petition from Scotch Oakburn College requesting FOGO bins at the school and provide options for a FOGO service.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 17 October 2019 - Agenda Item 5.1 - Petition - Installation of FOGO Bins at Scotch Oakburn College

**RECOMMENDATION:**

That Council notes that City of Launceston's Waste and Environment Officers have discussed with the petitioners the options available to assist Scotch Oakburn College to implement a food and organics waste management service.

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**REPORT:**

A petition, signed by 313 people from the school community at Scotch Oakburn College, requested FOGO bins for the school and access to the industrial composting facility that the City of Launceston (CoL) manage.

A FOGO service for the school is achievable and is able to be implemented via the school's current waste management provider or by applying for and paying for a waste charge to receive a general waste, recycling and FOGO service through the CoL.

There are clear logistical advantages using the current waste contractor and some application considerations using the Council's service.

The Council's Waste and Environment Officers have discussed the various options available to assist Scotch Oakburn College to implement a FOGO service.

The various options available to assist the College implement a FOGO service are listed below. The Schools' Executive will discuss these options at their next Meeting and then liaise with the Council on their preferred option.

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**18.4 Petition - Installation of FOGO Bins at Scotch Oakburn College ...(Cont'd)**

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**OPTION 1 - Engage Current Waste Contractor**

All local private waste contractors have access or the ability to access the CoL's organics facility. These service conditions would need to be discussed with the current waste management contractor.

The advantages of utilising the current service provider would be streamlined financial management, reporting, collection frequency which could be customised depending on needs and FOGO bins can be cleaned by provider.

**OPTION 2 - Pay Waste Charge to the Council to be Eligible to Receive a FOGO Service**

To be eligible for a residential FOGO service, rate payers are required to contribute to a waste charge within rates fees. There are two waste charge structures:

1. 140L waste bin (weekly collection), 240L recycling bin (fortnightly collection) \$145.70 per year.
2. 240L waste bin (weekly collection), 240L recycling bin (fortnightly collection) \$249.75 per year.

When one of the waste charges are adopted the resident then has the option to apply or a FOGO service. A single 240L FOGO bin service costs \$65 as a one off payment.

Any additional FOGO bins cost another \$65 one off fee to cover bin and kitchen caddy costs and an additional yearly \$80 annual fee to cover the organics gate and processing fee. The service is a fortnightly collection service.

**ECONOMIC IMPACT:**

Organics diversion away from landfill extends the life of landfills and in doing so reduces the expensive set up and operation costs of landfills.

**ENVIRONMENTAL IMPACT:**

Diverting organics away from landfills reduces the production and impact of greenhouse gasses, carbon dioxide and methane on the world's atmosphere. It has been estimated that landfills contribute approximately 10% of the world's methane production. By turning food organics and garden organics into compost, the valuable nutrients are not lost and can be cycled through our landscapes.

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**18.4 Petition - Installation of FOGO Bins at Scotch Oakburn College ...(Cont'd)**

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**SOCIAL IMPACT:**

Adoption of more sustainable practices in communities improve awareness of sustainability issues and improve the wellbeing of communities as people strive to change and adopt behaviours to limit negative impacts on the environment.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Shane Eberhardt: Director Infrastructure Services**

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**19 CORPORATE SERVICES DIRECTORATE ITEMS**

No Items have been identified as part of this Agenda

**20 GENERAL MANAGER'S DIRECTORATE ITEMS**

No Items have been identified as part of this Agenda

**21 URGENT BUSINESS**

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

**22 CLOSED COUNCIL**

No Closed Items have been identified as part of this Agenda

**23 MEETING CLOSURE**

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