



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
15 OCTOBER 2020
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: 15 October 2020

Time: 1.00pm

Certificate of Qualified Advice

Background

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

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

Certification

I certify that:

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



Louise Foster
Acting Chief Executive Officer

AUDIO of COUNCIL MEETINGS

An audio recording of this Council Meeting, except for any part held in Closed Session, will be made in accordance with our Council Meetings - Audio Recording Policy - 14-Plx-008.

This Council Meeting will be streamed live to:
www.launceston.tas.gov.au/Council/Meetings/Listen .

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

To help keep you safe, a maximum of 20 members of the public are permitted to attend a Council Meeting. You must register your attendance in advance by telephoning 6323 3145 and leaving a message, or emailing us at invitation@launceston.tas.gov.au by 11.00am on the morning of the Council Meeting. A Council Officer will contact you to confirm the details of your attendance.

At the Council Meeting, please take care to follow signage and the directions of Council Officers to ensure that physical distancing and other COVID-19 safe behaviour is observed.

PUBLIC QUESTION TIME - AGENDA ITEM 8

Questions received in writing by close of business Wednesday of the week prior to the Council Meeting are treated as Questions on Notice. Your question and an answer will be published in the Agenda of the Council Meeting. Questions may be submitted to the Chief Executive Officer at contactus@launceston.tas.gov.au, PO Box 396, Launceston TAS 7250, or Town Hall, St John Street, Launceston.

If attending the Council Meeting in person, you may ask up to three questions during Public Question Time. If accepted, your questions will be either answered at the Meeting, or Taken on Notice and answered at a later Council Meeting.

PUBLIC COMMENT ON AGENDA ITEMS

When you register to attend the Council Meeting, you will be asked if you wish to comment on an item in the Agenda. Prior to debate on that Agenda Item, you will be invited by the Chair to move to the public microphone at the doors to the Council Chambers and state your name and address.

Please note the following important information:

- Each item on the Agenda includes a Recommendation prepared by a Council Officer.
- You may speak for up to two minutes, either for or against the Recommendation.
- You may not ask questions or enter into debate with Councillors or Council Officers.
- Your statement is not to be defamatory, inappropriate or abusive, or be intended to embarrass any person, including Councillors or Council Officers.
- The Chair may direct you to stop speaking if you do not follow these rules, or if your statement repeats points that have already been made.
- Audio from our Council Meetings is streamed live via YouTube.

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

At the City of Launceston, the positions of General Manager Community and Place, General Manager Organisational Services, General Manager Infrastructure and Assets and General Manager Creative Arts and Cultural Services do not assume the functions and powers of the term *general manager* in a legislative sense: any legislative functions and powers to be delegated to these roles will be made by Council or the Chief Executive Officer. At the City of Launceston, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*. For the avoidance of doubt, *Chief Executive Officer* means *General Manager* for the purposes of the *Local Government Act 1993 (Tas)* and all other legislation administered by or concerning Council.

27 August 2020

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

Dear Michael

COUNCIL MEETINGS

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

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

I request that you make the necessary arrangements for the Ordinary Meetings of Council to be convened on the following Thursdays for the remainder of 2020:

3 September	17 September	1 October	15 October
29 October	12 November	26 November	10 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

ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - ATTENDANCE AND APOLOGIES	1
2	MAYORAL ACKNOWLEDGEMENTS	1
3	DECLARATIONS OF INTEREST	1
4	CONFIRMATION OF MINUTES	1
5	DEPUTATIONS	1
	No Deputations have been identified as part of this Agenda	1
6	PETITIONS	1
	No Petitions have been identified as part of this Agenda	1
7	COMMUNITY REPORTS	2
	No Community Reports have been registered with Council as part of this Agenda	2
8	PUBLIC QUESTION TIME	2
8.1	Public Questions on Notice	2
8.1.1	Public Questions on Notice - Mr Jim Dickenson - 23 September 2020	3
8.2	Public Questions Without Notice	5
9	PLANNING AUTHORITY	6
9.1	86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park	6
10	ANNOUNCEMENTS BY THE MAYOR	28
10.1	Mayor's Announcements	28

City of Launceston

COUNCIL AGENDA

Thursday 15 October 2020

Item No	Item	Page No
11	COUNCILLORS' REPORTS	29
12	QUESTIONS BY COUNCILLORS	29
12.1	Questions on Notice	29
12.1.1	Councillors' Questions on Notice - Councillor P S Spencer - Paterson Street Car Park - Council Meeting - 1 October 2020	30
12.1.2	Councillors' Questions on Notice - Councillor D C Gibson - Homelessness in Launceston - Council Meeting - 1 October 2020	31
12.1.3	Councillors' Questions on Notice - Councillor R I Soward - Smart Cities Project - Council Meeting - 1 October 2020	32
12.2	Questions Without Notice	33
13	COMMITTEE REPORTS	34
13.1	Cataract Gorge Reserve Advisory Committee Meeting - 24 September 2020	34
14	COUNCIL WORKSHOPS	36
14.1	Council Workshop Report - 15 October 2020	36
15	NOTICES OF MOTION	38
	No Notices of Motion have been identified as part of this Agenda	38
16	COMMUNITY AND PLACE NETWORK ITEMS	38
	No Items have been identified as part of this Agenda	38
17	CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS	38
	No Items have been identified as part of this Agenda	38

City of Launceston

COUNCIL AGENDA

Thursday 15 October 2020

Item No	Item	Page No
18	INFRASTRUCTURE AND ASSETS NETWORK ITEMS	39
18.1	403 Glenwood Road, Relbia	39
19	ORGANISATIONAL SERVICES NETWORK ITEMS	45
19.1	Licence - Northern Inveresk Car Park to the University of Tasmania	45
19.2	Lease of Land at 2 Invermay Road, Inveresk to the University of Tasmania	51
19.3	Lease - West Launceston Bowls and Community Club Inc.	54
19.4	Lease - Royal Park Croquet Club Inc.	58
19.5	Cataract Gorge Reserve Advisory Committee - Terms of Reference	62
20	CHIEF EXECUTIVE OFFICER NETWORK ITEMS	67
	No Items have been identified as part of this Agenda	67
21	CLOSED COUNCIL	67
21.1	Confirmation of the Minutes	67
21.2	Disposal of Unit Entitlements	67
21.3	End of Closed Session	67
22	MEETING CLOSURE	67

1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 MAYORAL ACKNOWLEDGEMENTS

3 DECLARATIONS OF INTEREST

Local Government Act 1993 - section 48

(A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.)

4 CONFIRMATION OF MINUTES

Local Government (Meeting Procedures) Regulations 2015 - Regulation 35(1)(b)

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 1 October 2020 be confirmed as a true and correct record.

5 DEPUTATIONS

No Deputations have been identified as part of this Agenda

6 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions have been identified as part of this Agenda

7 COMMUNITY REPORTS

(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on Agenda Items; that opportunity exists when that Agenda Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Councillors.)

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

8 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

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

8.1.1 Public Questions on Notice - Mr Jim Dickenson - 23 September 2020**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following question, submitted in writing on 23 September 2020 by Mr Jim Dickenson, has been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Some time back I enquired during Question Time Without Notice what was to happen to the original Mall roof, a structure of excellent and quite unique design. Council advised placing it in the then under construction Riverbend Park was one consideration. Other sites were also being considered.

Where has the roof been re-erected? It would be extremely disappointing to be advised it is still in storage or has been trashed.

Response:

The canopy was removed in April 2018 as part the Brisbane Street Mall reconstruction and was stored near the Charles Street Bridge whilst the Council explored potential future uses for the structure.

On inspection it was determined that the structure was at the end of its life, mostly due to the low quality mild steel used in construction and that redeploying it for another use was neither a safe nor a cost effective option.

The structure was dismantled in October 2019 with all steel being recycled.

*The Council announced the recycling of the structure via its website:
<https://www.launceston.tas.gov.au/News-Media/Roof-structure-recycled>*

*The Council also publicised the recycling of the roof structure on its City of Launceston Official Facebook page. The archived post can be read via:
<https://www.facebook.com/668302109935633/videos/521210551766440>*

ATTACHMENTS:

1. Public Questions on Notice - Mr Jim Dickenson - 23 September 2020
-

Attachment 1 - Public Questions on Notice - Mr Jim Dickenson - 23 September 2020

From: Jim Dickenson
Sent: Wednesday, 23 September 2020 10:26 AM
To: Contact Us <contactus@launceston.tas.gov.au>
Subject: Public Questions on Notice. 23. 09. 2020

Chief Executive Officer
City of Launceston

Some time back I enquired during Question Time Without Notice what was to happen to the original Mall roof, a structure of excellent and quite unique design. Council advised placing it in the then under construction Riverbend Park was one consideration. Other sites were also being considered.

Where has the roof been re-erected? It would be extremely disappointing to be advised it is still in storage or has been trashed.

Jim Dickenson
West Tamar Rd
Riverside 7250

8.2 Public Questions Without Notice

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

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

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 9 - Planning Authority.

9 PLANNING AUTHORITY

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park

FILE NO: DA0503/2020

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Kings Wharf Developments Pty Ltd
Property:	86 Lindsay Street, Invermay
Zoning:	Commercial
Receipt Date:	25/08/2020
Validity Date:	7/09/2020
Further Information Request:	01/09/2020
Further Information Received:	07/09/2020
Deemed Approval:	19/10/2020
Representations:	Three

PREVIOUS COUNCIL CONSIDERATION:

DA0261/2018 approved the creation of the lot and the ongoing development of public stormwater infrastructure.

DA0535/2018 approved the development of a helipad and associated car parking.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

STANDARDS REQUIRING COUNCIL DISCRETION

23.4.2 Streetscape

E2.5 Use Standards

E2.6.2 Excavation

E4.5.1 Existing road accesses and junctions

E4.6.2 Road accesses and junctions

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

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 DA0503/2020 Vehicle Parking - construction of a car park at 86 Lindsay Street, Invermay, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site Plan, prepared by Artas Architects, drawing A001, Lot 5 Lindsay Street Development, revision Sk14, dated 02/09/2020.
- b. Letter, prepared by Rare, ref. 211026, Goderich-Lindsay Street site subdivision - combined sewer & stormwater strategy, dated 04/09/2020.
- c. Letter, prepared by GHD, ref. 12539273-56507-11, 86 Lindsay Street - proposed car park preliminary traffic review, dated 07/09/2020.

2. LEGAL TITLE

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

3. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays.

4. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans and calculations must be submitted to show:

- a. Revised On-Site Detention Storage calculations that determine the quantity of on-site storage required for this stage of the site development to satisfy the requirements of the Combined Sewer and Stormwater Strategy approved under DA0261/2018.
-

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

- b. Amended plans showing the location and details of the detention storage as calculated above.

Once approved by the Manager City Development, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans. It is noted that future developments on the site may require additional on-site detention storage to be designed and constructed.

5. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to the Council's infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to the Council's infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

6. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)

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

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

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

7. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

8. SUBMISSION AND APPROVAL OF PLANS

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

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

9. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager Infrastructure and Assets Network.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Roads
 - i. Provision of two 1500mm wide footpaths as shown on the proposal plan and all necessary pedestrian kerb ramps,
 - ii. Provision of a two vehicular crossings for lot and removal of all redundant vehicle crossovers,
 - iii. Removal of sealed pavement from the nature strip and placement of 150mm (minimum) screened top soil, sown to grass with a grass seed approved by City of Launceston,
 - iv. All necessary line marking, signage and other traffic control devices.
 - b. On-Site Detention Storage
 - i. On-site detention storage constructed in accordance with the calculations required under the amended plan condition.
-

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

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

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

10. CONSTRUCTION DOCUMENTATION

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

- a. Compaction and soil test results for all earthworks or pavement works.
- b. An engineer's certificate that each component of the works comply with the approved engineering plans and the Council's standards.

11. EASEMENTS

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

12. COMPLETION OF PUBLIC WORKS

Public works shall be taken over by the Council once the following matters have been completed to the satisfaction of the General Manager Infrastructure and Assets Network:

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

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

13. COMPLETION OF WORKS

All works must be carried out to the Council's standards and to the satisfaction of the General Manager Infrastructure and Assets Network and under the direct supervision of a civil engineer engaged by the owner and approved by the Council. Certification that all

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

works have been carried out in accordance with the approved engineering design plans and to the Council's standards will be required prior to issue of the Certificate of Practical Completion.

14. 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.

15. SWALE DRAIN

Maintain a vegetated swale drain to prevent the release of gross pollutants and waste items from the car park, from entering the stormwater system and any receiving water bodies or watercourses.

16. EXTERIOR AND SECURITY LIGHTING PLANNING

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting* or any subsequent versions of the document.

17. WASTE MATERIALS

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

18. PROTECTION OF STREET TREES

Existing street trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970: Protection of Trees on Development Sites*. The protection works are to be installed prior to the commencement of any other works on the site and are to remain in place until the completion of all other works.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0503/2020. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

- c. Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. Any other required approvals under this or any other Act are granted.*

The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement.

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

REPORT:**1. THE PROPOSAL**

It is proposed to construct a 106 space car park adjoining the Lindsay Street frontage of

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

86 Lindsay Street, Invermay. The proposal also includes landscaping, an additional crossover and realignment of an existing crossover.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject site, 86 Lindsay Street, Invermay is a large relatively level lot of some 23,062m² located at the western end of Lindsay Street and on its northern side. The site is bordered to the west by the flood levee adjacent to the old wharf site. The eastern side of the site effectively wraps around the National Automobile Museum site, whilst to the north is a mix of vacant industrial land and a concrete batching plant.

Across Lindsay Street, to the south, are the Silo Hotel and the Riverbend Park.

Despite the existence of the park, the character of the area is dominated by the Hotel and the large retail development east of the Automobile Museum and thus presents as commercial.

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>Consistent</p> <p>The development of 106 car parking spaces over some 5400m² with landscaped borders to support the existing and likely future large floor area uses in the area is consistent with the purpose of the zone to provide for large floor area retail and service industries.</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>Consistent</p> <p>The proposal complies with the applicable acceptable solutions or performance criteria.</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>

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

Complies
 The proposal is for the development of a car park. It is not proposed that there will be any goods stored on the site other than during the construction phase.

23.3.2 Emissions impacting sensitive uses

Objective:
 To ensure that emissions to air, land and water are not detrimental to the amenity of sensitive uses.

Consistent
 The proposal complies with the applicable acceptable solutions or performance criteria.

A1 Uses must be set back from the site of a sensitive use a distance of no less than 100m.

Complies
 Sensitive uses are defined in the scheme as:

means a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school.

There are no sensitive uses within 100m.

23.4 Development Standards

23.4.1 Building height, setback and siting

Objective:
 To ensure that building bulk and form, and siting:
 (a) is compatible with the streetscape and character of the surrounding area; and
 (b) protects the amenity of adjoining lots.

Consistent
 The proposal complies with the applicable acceptable solutions or performance criteria. Notably the northern side of Lindsay Street, west of Goderich Street, is dominated by car parking on the frontage, displaced only by the current Officeworks building.

A1 Building height must be no greater than:
 (a) 10m; or
 (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.

Complies
 The proposal is for a ground level car park with the only vertical elements being landscaping and lighting.

A2 Setback from a frontage must be:
 (a) no less than 5.5m; or
 (b) no less than the setback of an adjoining building.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

Complies

Whilst no buildings are proposed, the carpark is at the frontage of the lot, consistent with the car park of the adjoining the National Automobile Museum.

23.4.2 Streetscape

Objective:

To ensure that development has an acceptable impact on the streetscape.

Consistent

The proposal complies with the applicable acceptable solutions or performance criteria. As noted previously, the streetscape in this section of Lindsay Street is dominated by car parking, principally with large scale retail buildings to the rear. Development of the land to the rear of the proposed car park is yet to be the subject of an application.

A2 Car parking must not be located within 3m of the frontage.

Relies on Performance Criteria

The proposal includes car parking located within 3m of the boundary and relies upon performance criteria.

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.

Complies

Having regard to the applicable prescribed matters, the carpark is considered to be consistent with and to have minimal impact on the streetscape. Relevantly, part of this site has been approved and used for a helipad and associated car parking. It is also relevant to note that the land to the north of Lindsay Street, between Goderich Street to the east and the levee bank to the west, is generally level and open. The majority of the land has been developed for large scale retailing with large areas of open car parking dominating the frontage.

The proposed car park is immediately to the west of the recently constructed National Automobile Museum, which also has the bulk of its car parking located in the frontage.

The proposal includes landscaping across the rear and sides and in a central arm to soften the appearance of the car park. It is also likely that future development of the balance of the site will contribute further to the compatibility of this site with the surrounding area.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

23.4.4 Site landscaping

Objective: To ensure that new development improves the amenity of the site and the streetscape.
Consistent The proposed car park is to be bordered by landscaping which will be in the form of tree plantings along its eastern, northern and western perimeter. A central landscape feature, some 44m long and 8m wide and bordered by pedestrian paths, will divide the car park visually into two, producing an overall improvement to the amenity of the site and streetscape.

E2.0 Potentially Contaminated Land Code

E2.1 The purpose of this provision is to: (a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.
Consistent The subject site is part of a larger site formerly used as a timber mill. The site was classified as potentially contaminated as a result of that activity and has since been the subject of multiple works and assessments, by suitably qualified people, to determine that the site is suitable for the use and development to which it is being put. There will be no adverse impact upon human health or the environment.

E2.5 Use Standards

Objective: To ensure that potentially contaminated land is suitable for the intended use.
Consistent The proposal complies with the applicable acceptable solutions or performance criteria.
A1 The Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.
Relies on Performance Criteria Such certification has not been provided and performance criteria are relied upon.
P1 Land is suitable for the intended use, having regard to: (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health or the environment that includes: (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before any use commences; and

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

(iii) a statement that the land is suitable for the intended use.
Complies Previous site assessments have confirmed that the level of contamination does not present a risk to human health or the environment and that the land is suitable for the intended use.

E2.6 Development Standards

E2.6.2 Excavation

Objective: To ensure that works involving excavation of potentially contaminated land does not adversely impact on human health or the environment.
Consistent The proposal complies with the applicable acceptable solutions or performance criteria.
A1 No acceptable solution.
Relies on Performance Criteria
P1 Excavation does not adversely impact on health and the environment, having regard to: (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health and the environment that includes: (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before excavation commences; and (iii) a statement that the excavation does not adversely impact on human health or the environment.
Complies Notwithstanding that the majority of the excavation works associated with the proposal have already been completed, previous environmental site assessment, carried out by an appropriately qualified person, has confirmed that such works would not adversely impact upon human health or the environment.

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.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

Consistent

The proposed car park development to provide 106 car parking spaces, predominately expected to service existing road users in the area, is consistent with the purpose of the Code to protect the safety and efficiency of the road network.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

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

Consistent

The proposal complies with the applicable acceptable solutions or performance criteria.

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.

Relies on Performance Criteria

Whilst no figures have been provided with regard to the existing vehicle movements to and from the existing helipad and car park, it is accepted that the increased usage is expected to exceed those numbers such that performance criteria are relied upon.

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:

- (a) the increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;
- (c) the nature and efficiency of the access or the junction;
- (d) the nature and category of the road;
- (e) the speed limit and traffic flow of the road;
- (f) any alternative access to a road;
- (g) the need for the use;
- (h) any traffic impact assessment; and
- (i) any written advice received from the road authority.

Complies

The anticipated vehicle movements are compatible with those contemplated in the 2018 Transport Impact Assessment, prepared by GHD in support of the application of a six lot subdivision of the broader area. The lot containing the proposed car park is a result of that subdivision.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

Mr Mark Petrusma, of GHD, in support of this proposal, has offered the following professional comment to demonstrate that vehicle movements to and from the site will be safe and that there will not be an unreasonable impact on the efficiency of the road, and that a formal Traffic Impact Assessment Report is not required:

- *The car park will not generate traffic, rather it will serve as formal overflow parking for the Hotel, which is an existing use. The parking demand is existing and is currently accommodated on-street along Lindsay Street or informally on a gravel car park on this site.*
- *The subdivision of this parcel of land was previously considered and approved by Council in 2018. The documentation supporting that subdivision (Goderich - Lindsay Street Site Development Transport Impact Assessment, Rev. 3, 6.7.18) made some assumptions regarding the use of this Lot:*
 - *Daily trip generation of 480 vehicle movements per day, and*
 - *Weekly peak trip generation of 53 vehicle movements per day (sic), and*
 - *Saturday peak trip generation of 26 vehicle movements per day (sic).*
- *The subdivision approval was granted on the basis of these assumptions.*
- *Given the purpose of the proposed car park is to accommodate existing parking demand, which is currently present yet informal, it is likely that any potential increase in traffic due to incidental use will be lower than the approved traffic movements listed above.*
- *The closure of the informal gravel parking area may in fact serve to reduce the amount of traffic as Launceston CBD commuters may no longer be able to park there during the day.*
- *The car park is designed with generous parking space dimensions and aisle widths such that the minimum standards of the Code are met.*
- *Lindsay Street is a straight road and there are no obstructions to sight distance and visibility at proposed access points.*
- *The proposed access points are located at the western end of Lindsay Street which is relatively quiet. The introduction of these accesses will not cause significant conflicts with existing traffic on the road.*

The Council's General Manager Infrastructure and Assets concurred that a specific Traffic Impact Assessment was not required and that there would not be an unreasonable impact on the safety or efficiency of the road.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.
Consistent The proposal complies with the applicable acceptable solutions or performance criteria.
A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

<p>Relies on Performance Criteria The proposed car park will have two access points, each providing for entry and exit and thus relying upon performance criteria.</p>
<p>P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
<p>Complies The supporting letter from GHD affirms that the proposed access points will be safe and will not unreasonably impact on the efficiency of the road. As the road authority, the Council's Infrastructure and Assets Network concurs with this view.</p>

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

<p>Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>
<p>Consistent The proposal complies with the applicable acceptable solutions or performance criteria.</p>
<p>A1 Sight distances at:</p> <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
<p>Relies on Performance Criteria Table E4.6.4 requires a safe Intersection Sight Distance of 80m for the expected vehicle speed of 50km/h. The western access has only some 60m to the gateway through the levee and performance criteria are relied upon.</p>
<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

Complies

Having regard to the relatively low traffic volumes expected for the west (ie. through the levee gate) and the need to provide two accesses for the safe and efficient operation of the car park, both GHD and the road authority affirm that the sight distance is adequate to ensure the safe movement of vehicles.

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 proposal is for the development of a car park and is consistent with the purpose of the code.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

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

Consistent

The proposal complies with the applicable acceptable solutions or performance criteria.

A1 All parking, access ways, manoeuvring and circulation spaces must:

- (a) have a gradient of 10% or less;
- (b) be formed and paved;
- (c) be drained to the public stormwater system, or contain stormwater on the site;
- (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and
- (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.

Complies

The proposed car park is generally level and will be formed, sealed, line marked and drained to the public stormwater system.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

It is noted that the full public stormwater system, including detention basins or pump stations as contemplated under the approved subdivision, have yet to be completed. Whilst the car park will be drained, in accordance with previous approval, via the existing public infrastructure through the levee, when such drainage is not possible due to tides or flooding, sufficient detention will be maintained on site until such time as the broader infrastructure works are completed. An appropriate condition of approval is proposed.

E6.6.2 Design and layout of parking areas

<p>Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>Consistent The proposal complies with the applicable acceptable solutions or performance criteria.</p>
<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces; (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2; (c) have parking space dimensions in accordance with the requirements in Table E6.3; (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and (e) have a vertical clearance of not less than 2.1m above the parking surface level. <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p>
<p>Complies The car park access ways, manoeuvring and circulation spaces comply with the prescribed standards.</p>

E6.6.3 Pedestrian access

<p>Objective: To ensure pedestrian access is provided in a safe and convenient manner.</p>
<p>Consistent The proposal complies with the applicable acceptable solutions or performance criteria.</p>
<p>A1.1 Uses that require 10 or more parking spaces must:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

<p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>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>Complies The car park will provide 106 parking spaces and appropriate foot paths are provided.</p>

E16.0 Invermay/Inveresk Flood Inundation Area Code

<p>E16.1 The purpose of this provision is to:</p> <p>(a) reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area;</p> <p>(b) ensure that new development is sited and designed to minimise the impact of flooding; and</p> <p>(c) ensure that consideration is given in the siting, design and emergency response capability of new development on land subject to flood inundation.</p>
<p>Consistent The proposed development of a car park is not affected by the provisions of this code which exempts non-habitable buildings. None of the standards of the code address the development of a car park and further consideration of the code is not warranted.</p>

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure and Assets	Conditional consent provided with recommended conditions.
Environmental Health	Conditional consent provided with recommended conditions.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

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 September to 28 September 2020. Three representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p>Issue 1: Traffic - the proposed car park will generate additional traffic and there is no Traffic Impact Assessment</p>
<p><i>Response 1:</i> <i>In 2018, a Transport Impact Assessment was prepared by GHD in the assessment of a six lot subdivision of the broader site. That assessment assumed potential likely uses of the lots to project likely traffic numbers for consideration. In the case of the subject site, that assessment projected an average of 480 vehicle movements per day. The subdivision was approved having regard to those projected figures and the capability to the road network to safely deal with them. Mr Mark Petrusma, of GHD, advised on 7 September 2020 that:</i></p> <p style="padding-left: 40px;"><i>Given the purpose of the proposed car park is to accommodate existing parking demand, which is currently present yet informal, it is likely that any potential increase in traffic due to incidental use will be lower than the approved traffic movements listed (in the 2018 report).</i></p> <p><i>480 vehicle movements per day from the proposed car park would mean every space would need to be filled twice each day by cars not otherwise visiting Lindsay Street. Spaces occupied by overflow parking from the Hotel or Riverbend Park will not generate additional movements of themselves as those vehicles have already entered Lindsay Street for another purpose, and are not therefore extra movements.</i></p>
<p>Issue 2: Details of operation: - there are no details of how many car parking spaces are to be provided; is it pay parking or free; or its hours. Is there something to hide?</p>
<p><i>Response 2:</i> <i>The matter of whether parking is free or otherwise ticketed is a matter for the operator and is not relevant to the planning scheme. This is simply a car park and whilst it is likely that it will be used for overflow from surrounding existing uses, this is not a requirement. No restriction on the hours of operation are requested and are similarly not proposed. It is not the norm to impose such restrictions on ground level open air parking.</i></p>
<p>Issue 3: The Rare report talks of lot 5 and 7 and stormwater capacity for up to 90% impervious surfaces. There must be more development proposed.</p>

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

Response 3:

The Rare calculations are dealing with the broader site and adjoining lots and addresses the long term stormwater solution for the subdivision approved under DA0261/2018, of which the car park site forms a small part. Stormwater from the car park will be conditioned to be contained on-site and directed to the existing public infrastructure outfall adjacent to the possible future detention basin indicated on the proposal plan but not part of this application. It is highly likely that further development proposals will be forthcoming for the surrounding undeveloped land. These will be assessed on their merits at the appropriate time and are not matters capable of consideration as part of the assessment of this car park proposal.

Issue 4:

This level of urbanisation is very bad planning and dirty stormwater should not be allowed to go directly to the North Esk River. The river needs rehabilitation not more urban stormwater runoff.

Response 4:

These are matters for consideration in the preparation of planning schemes and zone provisions. The assessment of specific proposals, such as this carpark, is limited to the provisions of the scheme at the time.

Issue 5:

This new carpark is subject to the provisions of the planning scheme. Stormwater runoff will be an environmental impact and the purpose of the Environmental Impacts and Attenuation Code (E11) is to eliminate, reduce, mitigate or avoid impacts from new uses that may cause environmental harm.

Response 5:

The proposed car park is assessed against the relevant provisions of the planning scheme. The application of Code E11 Environmental Impacts and Attenuation Code is limited by clause E11.2.1:

This Code applies to use of land for:

- (a) sensitive uses located within any buffer area shown on the planning scheme overlay maps;*
- (b) sensitive uses located within an attenuation distance from existing or approved uses listed in Tables E11.1 or E11.2; and*
- (c) uses listed in Tables E11.1 or E11.2.*

A car park is not classed as a sensitive use and is not listed in Tables E11.1 or E11.2.

Issue 6:

The information provided is very sparse and inadequate and the development has already been partially completed leading to the conclusion that the decision is a foregone conclusion. The advertised information is inadequate and less than required for other developments.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

Response 6:

Without doubt, the information is the bare minimum. Nevertheless, the proposal is for a 106 space car park, with two access ways from Lindsay Street, Invermay. It includes landscaping and will be drained to the public infrastructure. Traffic generation as a result of this car park will be less than previously assessed at the time the lot was created. All of this is apparent in the documentation provided and advertised.

Issue 7:

The land is on a tidal flood plain and is subject to certain seismic activity risks and the objectives of the Act are to provide for sustainable development whilst avoiding, remedying or mitigating adverse effects. It is submitted that the City of Launceston fails its ratepayers, citizens and visitors if it allows this unstable flood prone land to be further developed.

Response 7:

As noted in the assessment, the site is not affected by the Invermay/Inveresk Flood Inundation Area Code. Whilst the area is within a flood area, it is protected by the flood levee and the Launceston Flood Authority have advised that they have no concerns with the development of the proposed car park. Similarly, given the remoteness of the probability of seismic activity likely to impact upon the proposed carpark and the low impact of any damage in such an event, this is not considered a relevant barrier to development.

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.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

ATTACHMENTS:

1. Locality Map - 86 Lindsay Street, Invermay (*electronically distributed*)
 2. Plans to be Endorsed - 86 Lindsay Street, Invermay (*electronically distributed*)
 3. Representations - 86 Lindsay Street, Invermay (*electronically distributed*)
-

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Friday 2 October 2020

- Presented awards at the *Enterprize GovHack* Tasmania State Awards

Saturday 3 October 2020

- Attended the YMCA belated 140th Birthday Celebrations

Sunday 4 October 2020

- Participated in the Clifford Craig 5km *Run and Walk*

Sunday 11 October 2020

- Officiated at the annual Probus District Church Parade

Tuesday 13 October 2020

- Chaired the Launceston Competitions' Association Annual General Meeting
-

11 COUNCILLORS' REPORTS

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

12 QUESTIONS BY COUNCILLORS**12.1 Questions on Notice**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)

12.1.1 Councillors' Questions on Notice - Councillor P S Spencer - Paterson Street Car Park - Council Meeting - 1 October 2020**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**ACTING CHIEF EXECUTIVE OFFICER:** Louise Foster

QUESTIONS and RESPONSES:

The following questions, asked at the Council Meeting on 1 October 2020 by Councillor P S Spencer, have been answered by Louise Foster (Acting Chief Executive Officer).

Questions:

1. **[With regards to the Paterson Street Central Car Park and the reported \$6m purchase price] How many square metres will the Council own?**

Response:

At this stage, the details of the commercial negotiations that flow from the decision of Council made in closed session are of a confidential nature and not appropriate for publication in the open Agenda of a Council Meeting. Councillors will be informed, independent to the Council Agenda process and details made public, at the appropriate stage.

2. **Who in the Council is dealing with buying the property and is that purchase agreement ready for Councillors to review?**

Response:

The Chief Executive Officer is managing the process on behalf of the Council with the support of an external solicitor. The details of any Contract of Sale are an operational matter not usually referred to Council for final decision.

12.1.2 Councillors' Questions on Notice - Councillor D C Gibson - Homelessness in Launceston - Council Meeting - 1 October 2020**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**ACTING CHIEF EXECUTIVE OFFICER:** Louise Foster

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 1 October 2020 by Councillor D C Gibson, has been answered by Leanne Hurst (General Manager Community and Place Network).

Questions:

1. A number of months ago, Councillors were briefed on the progress being made by a group formed regarding the ever-prevalent issue of homelessness within our community. We asked, and were told, that we would be informed of Meeting outcomes and strategies. What is happening in this space from a Council perspective currently?

Response:

There has not been a Meeting of the working group since the last Council briefing. The next Meeting is scheduled for the first week in November.

The Council's officers have noticed a marked reduction in people who are sleeping rough and also in the number of public requests for assistance being referred through Customer Service. This has also been observed by the service providers that the Council's officers work with, likely due to the increased government support of homelessness initiatives during the COVID-19 pandemic such as the Launceston City Mission Night Space program and support for vulnerable people who live in rented accommodation.

The next Meeting of the working group (scheduled for November) will be looking specifically at the likely impacts when the government eases or removes its support of its COVID-19 pandemic specific programs and the implications that this will have on the services being offered by the housing providers. It will also be an opportunity to reaffirm the partnerships that have been established between the Council and service providers as we enter the warmer months.

12.1.3 Councillors' Questions on Notice - Councillor R I Soward - Smart Cities Project - Council Meeting - 1 October 2020**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**ACTING CHIEF EXECUTIVE OFFICER:** Louise Foster

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 1 October 2020 by Councillor R I Soward, has been answered by Louise Foster (General Manager Organisational Services Network).

Questions:

1. Recently, around the City, green posts with solar panel type looking arrangements on them are springing up - is that associated with the Smart Cities Project?

Response:

The Department of State Growth, in partnership with the City of Launceston and the Federal Government, are in the process of delivering a \$3.4 million project that includes installing a City-wide network of sensors to monitor the performance of the traffic network, the AddInsight Travel Time Information System (TTIS). TTIS was developed by the South Australian Government and is used across several larger cities across the country, including Hobart.

TTIS provides real-time, anonymous road traffic data using Bluetooth and WiFi technology. The system consists of a network of roadside devices - known as detection stations - that detect wireless signals (typically Bluetooth or WiFi) in vehicles as they pass by one of the devices. These detection stations are what Councillor Soward is referring to.

The signal is given a unique code or address, which is encrypted and made anonymous by the system before it is processed.

The detection stations then allow TTIS to evaluate actual travel times around the road network. This allows the department to better understand travel conditions, patterns and identify when traffic is not moving as expected.

By analysing this data, traffic patterns and conditions can be determined and used by the Department of State Growth to make improvements in the system.

12.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

(Questions Without Notice, and any answers to those questions, are not required to be recorded in the Minutes of the Meeting.)

13 COMMITTEE REPORTS**13.1 Cataract Gorge Reserve Advisory Committee Meeting - 24 September 2020****FILE NO:** SF0839**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive and consider a report from the Cataract Gorge Reserve Advisory Committee Meeting held on 24 September 2020.

RECOMMENDATION:

That Council receives a report from the Cataract Gorge Reserve Advisory Committee Meeting held on 24 September 2020.

REPORT:

The Cataract Gorge Reserve Advisory Committee Meeting held on 24 September 2020 discussed the following items:

- a. Replacement of the Cataract Gorge Cliff Grounds Sewage Pump;
- b. Alexandra Bridge maintenance program;
- c. Cataract Gorge lighting issues;
- d. Current Terms of Reference;
- e. Advertising process for Expressions of Interest for community representatives;
- f. Volunteer registration process and Information Package; and
- g. Schedule of Meetings

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

**13.1 Cataract Gorge Reserve Advisory Committee Meeting - 24 September 2020
...(Cont'd)**

SOCIAL IMPACT:

Not considered relevant to this 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.

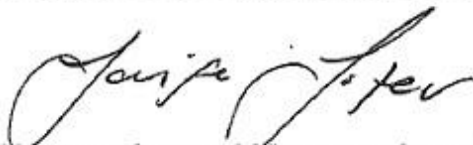
BUDGET & FINANCIAL ASPECTS:

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.



Louise Foster - General Manager Organisational Services Network

14 COUNCIL WORKSHOPS

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

14.1 Council Workshop Report - 15 October 2020

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RECOMMENDATION:

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

Workshops conducted on 15 October 2020:

Birchalls and Katies Building - Update on Expression of Interest Process

Councillors received a presentation regarding progress to date on an Expression of Interest process for future use of the Birchalls and Katies building sites.

Scholarships and Bursaries Policy Review

Councillors received a presentation regarding the outcomes of a review of the Scholarships and Bursaries Policy.

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.

14.1 Council Workshop Report - 15 October 2020 ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

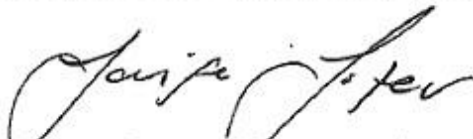
BUDGET & FINANCIAL ASPECTS:

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 - General Manager Organisational Services Network

15 NOTICES OF MOTION

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

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

16 COMMUNITY AND PLACE NETWORK ITEMS

No Items have been identified as part of this Agenda

17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS**18.1 403 Glenwood Road, Relbia****FILE NO:** 26526/92920**AUTHOR:** Kathryn Pugh (Acting Manager Infrastructure and Engineering)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To accept the recommendation regarding the open drain at 403 Glenwood Road, Relbia.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 12 March 2020 - 403 Glenwood Road, Relbia

RECOMMENDATION:

That Council receives the report on drainage issues at 403 Glenwood Road, Relbia and accepts the recommendation that no further works are planned or constructed on the open drain at 403 Glenwood Road, Relbia, other than necessary erosion works at the culvert headwall.

REPORT:

The landowner at 403 Glenwood Road, Relbia, has raised concerns with the Council via Customer Service Staff, Council Meetings and through Mr Ted Sands regarding drainage across the property. The landowner's primary issue of concern is water laying in the bottom of the drain due to inconsistent grading and/or placement of culverts and the inundation of his paddock areas and farm shed located in close proximity to the drain. The landowner has asserted that his farm shed has up to half a metre of water in it during flooding. The Council does not have any photographs on record of the extent or depth of flooding on this property. Water was evident lying in the drain in close proximity to a farm shed during a site visit undertaken by Council Officers in July 2019.

Customer Service requests regarding this matter date back to 2014 and the Council's Officers have spoken with and written to the landowner on numerous occasions; several site visits have also been undertaken. The Council's Officers have consistently provided advice to the landowner that the Council is not responsible for undertaking works on drains on private property in rural areas.

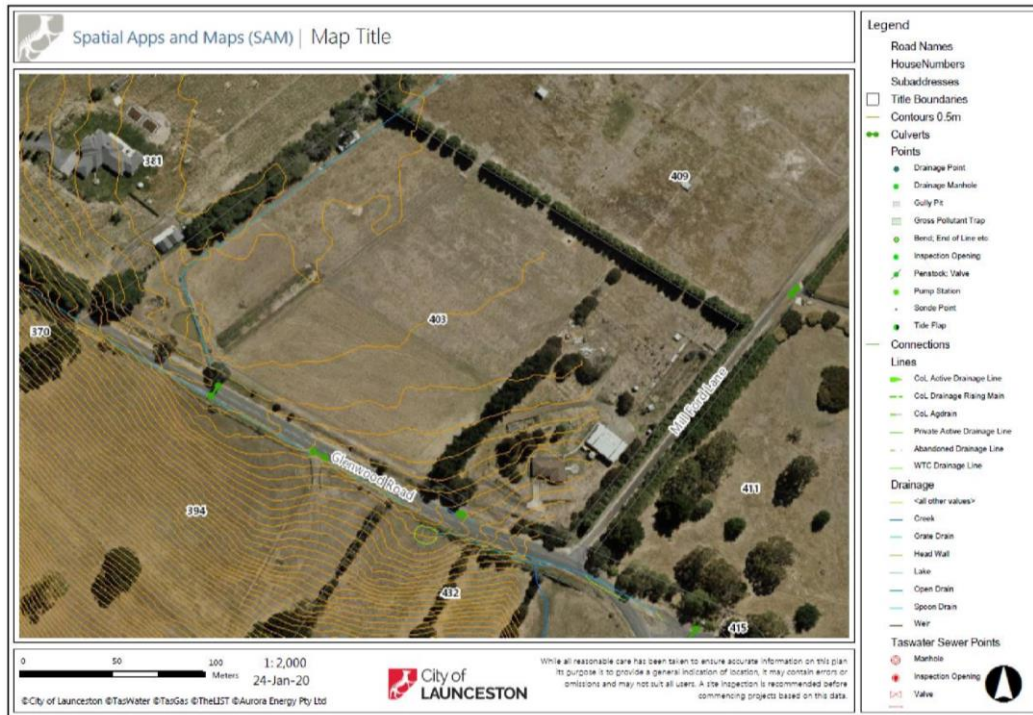
18.1 403 Glenwood Road, Relbia ...(Cont'd)

This advice was most recently provided by the Chief Executive Officer, Michael Stretton at the Council Meeting on 14 November 2019 and via email from the Manager Infrastructure and Engineering (formerly Built Environment Manager) Michael Newby on 27 November 2019 (in reply to an email received from Mr Sands that same day).

The property at 403 Glenwood Road, Relbia is zoned as rural living. The upstream catchment to the drain is not urbanised; it largely consists of pasture and sparsely wooded areas (refer to map below). The catchment also contains approximately 1.1km of Glenwood Road and a number of rural properties. This level of development does not cause a significant change to the catchments hydrology. The water entering the property is natural run off, not stormwater. Due to the topography of the area, water would flow across, and pond, on this upland floodplain, regardless of the presence of Glenwood Road and the drainage infrastructure now present. The culvert that feeds the open drain is located at a natural low point in Glenwood Road. The drain itself has been modified and no longer follows the natural watercourse. This is common in rural settings where drains have been modified to more closely follow boundary fences to enable more effective use of the land by the property owner. Water flows into an instream dam, which then spills to the open drain when full. The Council installed the culvert and constructed the drain approximately 20 years ago at the landowner's request. This is not an uncommon occurrence in rural residential areas. Due to the nature of rural residential land and high expectations to provide urban infrastructure in rural areas, the Council deals with many on-going drainage issues, and in the past where there was a low cost solution, tried to appease landowners with minor works.

A survey of the open drain was undertaken by the Council's Engineering Surveyor. The drain has little fall over its length, and the land is very flat (refer to photo below). Based on survey information, the land has just 0.5m of fall over the length of the drain, and no fall between the south-west corner of the drain and the property boundary to the north.

18.1 403 Glenwood Road, Relbia ... (Cont'd)



The Council's Project Design and Delivery team has undertaken a preliminary design regarding potential works for this site. In order to achieve the landowner's two primary objectives of the works (no water laying in the bottom of the drain due to inconsistent grading and/or placement of culverts and inundation of the paddock areas and farm shed), the Council will need to grade the drain at 1% fall. To achieve 1% over 230m, the drain would be very deep at its end, and would be a large earth-moving job of some 1600m³ (at an estimated cost of \$70,000 for earthworks alone).

18.1 403 Glenwood Road, Relbia ...(Cont'd)

The deep drain would require consultation with two downstream property owners who would need to be willing to accept a very deep drain cut through their property. With the associated and required, tree removal, re-fencing and culvert replacement, the works would cost an estimated \$120,000. For context, stormwater management has an operational budget of \$700,000 across the entire municipality for the 2019/2020 financial year, representing more than 17% of the annual municipal budget for works for one landowner. The costs of these works have been provided to the landowner.

In November 2019, Council adopted the Stormwater System Management Plan (SSMP) for Launceston's urban area which identifies priority actions using flood hazard categorisation in the urban catchment. Hazard categorisation considers a wide range of flood risks, particularly relating to personal safety, property damage, critical services and vulnerable developments. While not directly applicable to this property, as it is outside the urban area and inundation is caused by natural runoff, the flood hazard would be in the lowest hazard rating category. The landowner has not provided any evidence that the flooding is a risk to personal safety, causes substantial property damage, interrupts critical services or is a risk for a vulnerable development. There is no risk that the landowner's home would be flooded by water from the culvert and drain, which is 3.5m higher than the paddock the drain runs through. The landowner has previously reported stock losses due to paddock inundation. This is a farm management issue and moving stock to higher ground (a distance of 50-100m) would be an acceptable solution that is commonly employed by primary producers.

In order to complete works on the landowner's property to alleviate inundation of a paddock and farm shed, the Council would need to divert funding from projects identified in the SSMP Risk Studies such as flooding in residences in Whitford Grove to West Tamar Road, Trevallyn, or inundation of the Merino Street industrial complex. Within each stormwater catchment, the Stormwater Risk Studies identified a number of vulnerable developments, such as schools, aged care facilities, critical infrastructure, and locations with compromised vehicle stability due to flooding. Construction works on the open drain on the landowner's farm would require diversion of funds away from these identified risks. Within the urban area, the issues described by the landowner would be a low priority for capital or operational works and would be highly unlikely to receive funding. Within the rural network, these matters are not the responsibility of the City of Launceston to manage on behalf of property owners.

The level of service the City of Launceston offers is limited to the area in the immediate vicinity of the outlet of the culvert to ensure the discharge is not causing erosion. Legal advice has been sought on this matter which states that:

18.1 403 Glenwood Road, Relbia ...(Cont'd)

Section 21(4) of the Local Government (Highways) Act 1982 (LGHA) provides protection for a council from any injury or loss arises from the condition of a highway (which would include a drain that is part of the highway) providing that such injury or loss was not the result of improper carrying out of the highway works, in this case the draining of the highway. Thus, the mere fact that water runs from a drain that is part of a local highway and causes flooding to neighbouring property, it cannot be said that the Council, as a road authority, is liable for such loss or injury unless it was negligent in the carrying out of the drainage work that led to that damage.

There is no indication that the drain was improperly constructed, or that the Council was negligent in the carrying out of the drainage works. The advice goes on to provide a summary of the Council's legal responsibility in regard to drainage from a road outside the urban area:

1. The Council has a right to make, cleanse and keep open any drain that is part of a highway or is constructed in and through any land adjoining or near a local highway that forms part of a highway.
2. If it does carry out drainage work and does so in such a way that creates the risk of injury to another then it is bound to do what is reasonable to prevent the occurrence of that injury.
3. If the drain is part of the local highway and water flows from that drain and causes damage to neighbouring property, section 21(4) of the LGHA provides statutory protection from such a claim providing it was not the carrying out of the drainage work that was causative of the damage.
4. In terms of land that adjoins the highway, section 47 of the LGHA, it provides that the occupier of that land is not to discharge any concentrated water onto the highway except pursuant to permission given to that person under section 46 of the LGHA.
5. If water drains from a local highway, including a drain that is part of that local highway and causes damage to neighbouring property, the property owner cannot look to the Council to make good that damage unless it is a result of the way the Council carried out the work. In other words, a breach of its duty of care to carry out the work in proper and workmanlike manner.

It is the position of the Council that no further works will be undertaken on this property other than the mitigation of erosion at the culvert. This advice has previously been communicated to the landowner by the Chief Executive Officer and the Council Officers who have consistently advised that this position is clear and unchanged, in accordance with legislative framework, and it is consistent across the municipality.

18.1 403 Glenwood Road, Relbia ...(Cont'd)

ECONOMIC IMPACT:

Substantial Council resources have been spent investigating options for this property, including site visits, correspondence and engineering plans. There are economic ramifications if works are conducted on this rural property as it would set a precedent across the municipality.

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.



Shane Eberhardt - General Manager Infrastructure and Assets Network

19 ORGANISATIONAL SERVICES NETWORK ITEMS**19.1 Licence - Northern Inveresk Car Park to the University of Tasmania****FILE NO:** SF0376**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider licencing an area of land situated at 2-4 Invermay Road, Invermay (Certificate of Title, Volume 41309 folios 1 and Volume 174633 folio 2 and Volume 169278 folio 3) which will be developed into an 852 space car park for use by the public (368 spaces) and University of Tasmania staff and students (484 spaces).

PREVIOUS COUNCIL CONSIDERATION:

Council - 19 March 2020 - Agenda Item 20.1 - Lease Surrender - Royal National Agricultural and Pastoral Society of Tasmania Limited - this item noted the parking arrangements proposed by the University of Tasmania and accepted the proposed surrender of the lease currently existing between the Council and the Royal National Agricultural and Pastoral Society of Tasmania over land at Inveresk

Council - 25 June 2020 - Agenda Item 20.2 - Lease of Land at 2 Invermay Road, Invermay to University of Tasmania - this item considered the objections raised concerning the public land intended to be leased or licenced to University of Tasmania at 2 Invermay Road, Invermay

Council - 3 September 2020 - Agenda Item 9.1 - 2-4 Invermay Road, Invermay - Vehicle Parking - Extension of Existing Car Park - approved that a permit be granted for development application DA0241/2020

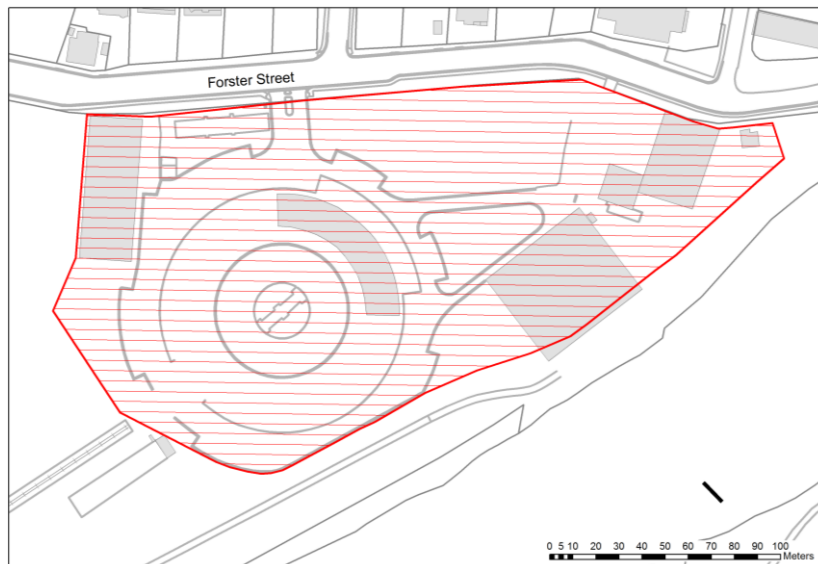
Workshop - 24 September 2020 - Proposed Northern Inveresk Car Park Licence to the University of Tasmania - presentation to Councillors explaining the details of the proposed licence to the Univeristy of Tasmania for the Northern Inveresk Car Park

19.1 Licence - Northern Inveresk Car Park to the University of Tasmania ...(Cont'd)

RECOMMENDATION:

That Council:

1. agrees to licence an area of land situated at 2-4 Invermay Road, Invermay (Certificate of Title Volume 41309 folios 1 and Volume 174633 folio 2 and Volume 169278 folio 3) which will be developed into an 852 space car park for use by the public (368 spaces) and University of Tasmania staff and students (484 spaces).



2. requests the Chief Executive Officer to enter into a formal licence under the following terms:
 - the licence term shall be 20 years commencing on the date the Royal National Agricultural and Pastoral Society of Tasmania surrenders the existing lease to the Council or other date as determined by the Chief Executive Officer, with an option for a further 20 years;
 - the licence amount shall be \$1 per annum if demanded;
 - licensee to be responsible for:
 - funding and constructing the 852 space car park and associated infrastructure as per the approved development application (excludes parking management system);
 - contents insurance;
 - proportion of energy costs;
 - proportion of volumetric and connection charges for water;
 - proportion of sewerage charges;
 - proportion of land tax;
-

19.1 Licence - Northern Inveresk Car Park to the University of Tasmania ...(Cont'd)

- proportion of boom gate and pump station maintenance; and
 - other service charges if any.
 - licensee shall continuously maintain:
 - any infrastructure installed by the licensee in relation to the licensee's occupation of the horse pavilion;
 - the building in good and reasonable order; and
 - public liability insurance of at least \$20 million.
 - the licensor will receive all revenue for the 368 public car spaces.
 - the licensor will receive revenue on the available private car spaces on special event days (eg, AFL and Big Bash League Cricket).
 - the licensor is responsible for funding the installation of the parking management system (boom gates, licence plate recognition cameras, CCTV and payment stations estimated to be approximately \$300,000).
 - the licensor will be responsible for the reasonable maintenance of the car park.
 - following the completion of the car park the entire car park will be the property of the Council.
 - all remaining terms to be determined by the Chief Executive Officer.
 - any right, option or discretion exercisable by the Council under the licence may be exercised by the Chief Executive Officer.
3. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

REPORT:

Since the development of its Precinct Plan for the re-location of the University of Tasmania (UTAS) to the Inveresk Precinct, UTAS has been working on finalising parking arrangements to cater for the parking demand which will be created by the increase in University students, together with the public demand which will remain within the precinct. The public demand includes attendees and visitors to the Queen Victoria Museum and Art Gallery and other businesses within the precinct such as the Tramsheds Meeting and Convention Centre, Blue Café, Launceston Tramway Museum, visitors to the University itself, Tiger Bus users, recreational visitors, such as parkrun participants, together with parking when events are held at UTAS Stadium (etc.).

In order to cater for the parking demand, UTAS has developed a multi-location response that accommodates the current and future needs across the precinct. The proposed parking areas will meet combined public and UTAS parking demand, with parking spaces available on both sides of the river to service both ends of the precinct. It is proposed that parking will be provided on the Willis Street site to cater for UTAS staff/students only, with public parking supply provided at either end of Inveresk precinct.

19.1 Licence - Northern Inveresk Car Park to the University of Tasmania ...(Cont'd)

A large percentage of UTAS and public parking demand on the Inveresk Precinct is proposed to be located on the site which is currently leased by the Council to the Royal National Agricultural and Pastoral Society of Tasmania Limited (the Society). That lease covers land on the north-east corner of the precinct, broadly including the areas around the pavilions. This site has become available following an approach from the Society's Chief Executive Officer to UTAS in August 2019 requesting an opportunity to discuss the potential for a parking development to occur on the site.

UTAS and the Society have finalised an Agreement which will surrender the Society's lease to the City of Launceston (CoL) and the Society has written to the Council requesting its consent for the surrender. At its Meeting held on 3 September 2020, Council consented to the surrender as requested and this is currently being finalised.

This proposed licence agreement between UTAS and the Council will enable the construction of a significant car park at the northern end of the precinct, with 852 spaces proposed. During normal operations (7.00am to 9.00pm - Monday to Friday) 484 of these car spaces are proposed to be reserved for UTAS staff and students with enough spaces available to preserve the current level of public parking in the Precinct (527). UTAS proposes to develop the 852 space car park at an anticipated cost of approximately \$5m and has negotiated to enter into a long-term licence with the CoL to gain access to the car spaces it develops on the land. Boom gate and licence plate recognition technology is planned to be used to manage the car park. The CoL will receive the car parking revenue generated by the 368 public spaces as well as from available UTAS private parking spaces during special events at the Inveresk Precinct. A plan of the relevant area is shown in the Recommendation 1. above.

In return for UTAS funding the development of the car park, including a settlement to the Society, the CoL would be responsible for the maintenance costs of the car park throughout the licence period. If approved and constructed, the Council will continue to fund the *Tiger Bus* and the journey will originate from the Roundhouse Car Park, dropping passengers to the half circle and Willis Street before journeying into the City.

UTAS proposes to develop car parking spaces in a staged way which is commensurate with the increasing demand within the precinct. Subject to attaining the necessary permits and approvals, UTAS has advised that it is their intention to construct the Northern Inveresk Car Park from November 2020. This car park will cater for the parking demand on the precinct until 2027, following which, further parking spaces will be constructed, provided there is a demonstrable demand for the additional car parking spaces.

A sum of \$91,000 per annum was provided by independent valuers as the current rental value of the land proposed to be licenced by UTAS (56.8% of the 852 spaces).

19.1 Licence - Northern Inveresk Car Park to the University of Tasmania ...(Cont'd)

By adding the cost of constructing the 368 CoL spaces (43.2% of the total estimated construction cost) along with the settlement sum to the Society as well as estimated CoL revenue for 7 special events using the UTAS private spaces, calculations indicate that CoL will receive slightly more than the \$91,000 per annum over the 20 years of the initial licence plus the 20 year option. For this reason the licence fee will be \$1 per annum, however, when the licence and option to extend expire, a new licence will need to be negotiated in good faith and would require UTAS to pay the going market rate for their proportion of the land.

The proposed licence agreement also specifies that during the licence term the nature of Special Events may change and necessitate an amendment to the arrangements which would be discussed and negotiated in good faith by the parties.

Under the proposed licence agreement, the Council will be responsible for setting parking fees in all parking areas we control in the precinct. Pricing structures can be determined to encourage student parking in the new northern carpark.

This car park proposal is cash positive for the Council throughout its entire life after allowing for all maintenance costs as well as required infrastructure capital renewals that will be required at scheduled intervals over the 40 years.

This project will deliver a parking solution that is beneficial to both UTAS and the Launceston community.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

This project will have a positive social impact through improved facilities for use by the Launceston community as well as intrastate visitors to the precinct.

19.1 Licence - Northern Inveresk Car Park to the University of Tasmania ...(Cont'd)

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.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.
4. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life.
5. To promote and support active and healthy lifestyles of our community.

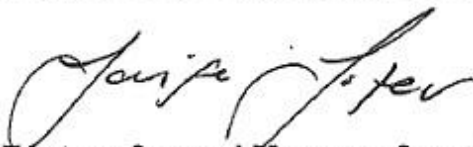
BUDGET & FINANCIAL ASPECTS:

Considered in the report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

19.2 Lease of Land at 2 Invermay Road, Inveresk to the University of Tasmania**FILE NO:** SF6660**AUTHOR:** Duncan Campbell (Team Leader Legal Services)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

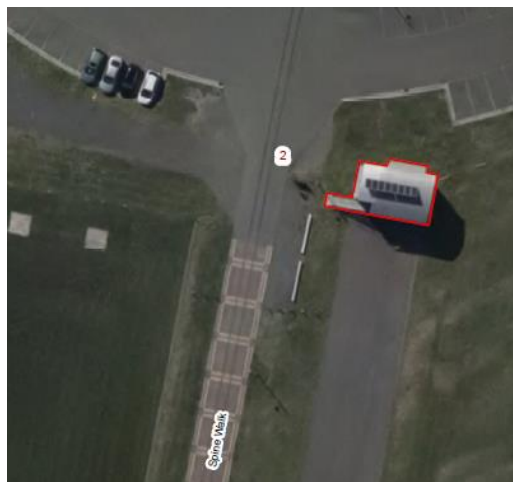
To consider the leasing of the chopping arena land at 2 Invermay Road, Invermay.

This decision requires an absolute majority of Council.

RECOMMENDATION:

That Council:

1. decides, by absolute majority, in accordance with section 179 of *Local Government Act 1993* (Tas), to lease the land identified at Recommendation 3. to the University of Tasmania for a period of five years on the following terms:
 - a. rent is to be \$1 if demanded;
 - b. no option or further term is available;
 - c. all remaining terms and conditions are to be determined by the Chief Executive Officer; and,
 - d. any right or remedy to exist under the lease so entered may be exercised or waived by the Chief Executive Officer.
2. notes that the land mentioned at Recommendation 1. is part of the land described in Certificate of Title 174633 Folio 2, being the land under the chopping pavilion building appearing in the map below:



**19.2 Lease of Land at 2 Invermay Road, Inveresk to the University of Tasmania
...(Cont'd)**

3. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

REPORT:

At its Meeting on 19 March 2020, Council resolved, by absolute majority to lease or licence land at 2 Invermay Road, Invermay to the University of Tasmania (UTAS) for a period of 20 years with an option of a further 20 years.

UTAS has developed plans for the use of the chopping pavilion, which is adjacent to the land subject to the 19 March 2020 decision of Council. The lease will allow the chopping pavilion to be used for educational and ancillary purposes.

The land on which the chopping pavilion stands totals approximately 87m² and makes up some of the land described in Certificate of Title 174633 Folio 2. The chopping pavilion building is not owned by the Council, which is reflected in the relevant valuation advice.

Whilst a valuation is not required as part of a disposal of public land, Councillors should note the valuation advice that was obtained for the purpose of the 19 March 2020 decision, which placed the value of the Council's interest in the chopping pavilion land at \$5,655.

The land to be leased is public land within the meaning of the *Local Government Act 1993* (Tas) (the Act). As the lease is for a period of not more than five years, the disposal can occur pursuant to section 179 of the Act without the need for formal public notice to be given.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

**19.2 Lease of Land at 2 Invermay Road, Inveresk to the University of Tasmania
...(Cont'd)**

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

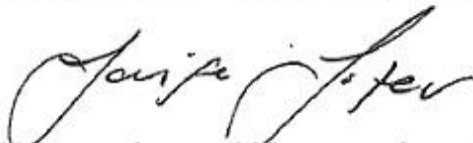
BUDGET & FINANCIAL ASPECTS:

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 - General Manager Organisational Services Network

19.3 Lease - West Launceston Bowls and Community Club Inc.

FILE NO: 219797/72700

AUTHOR: Tricia De Leon-Hillier (Lease and Licencing Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing part of an area of land situated at 5 Merrys Lane, West Launceston (PID 6646996) known as the West Launceston Bowls and Community Club Inc. as marked on the plan adjoining Merrys Lane Park.

This decision requires an absolute majority of Council.

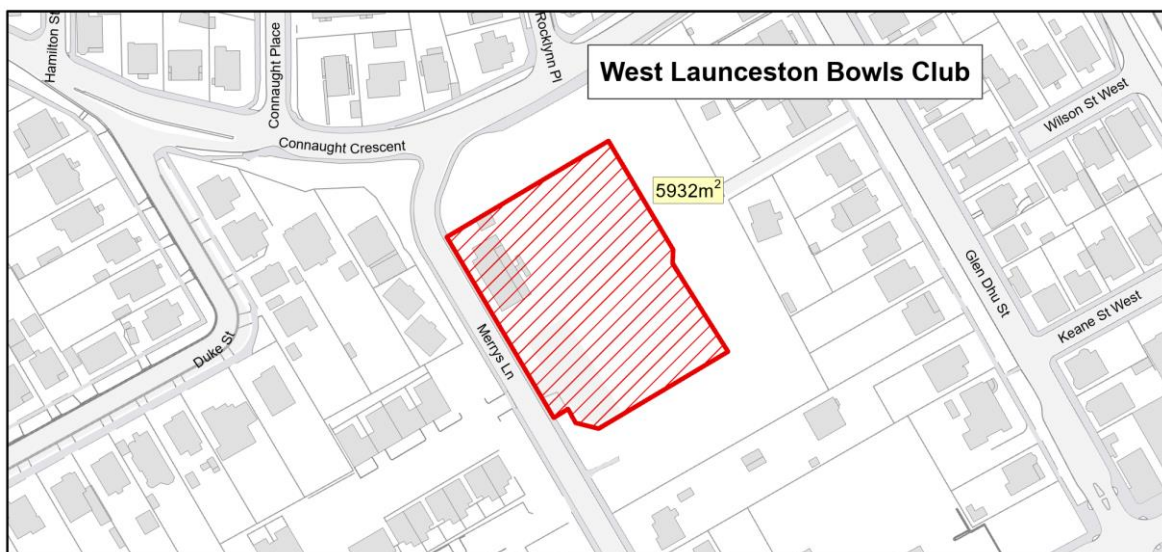
PREVIOUS COUNCIL CONSIDERATION:

Council - 9 November 2015 - Agenda Item 18.1 - Lease West Launceston Bowls Club

RECOMMENDATION:

That Council, by absolute majority, pursuant to section 179 of the *Local Government Act 1993 (Tas)*:

1. leases a parcel of land situated at 5 Merrys Lane, West Launceston (PID 6646996) known as Merrys Lane Park to the West Launceston Bowls and Community Club Inc. as indicated on the plan below:



19.3 Lease - West Launceston Bowls and Community Club Inc. ...(Cont'd)

2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - the term shall be five years commencing on 1 December 2020 or as determined by the Chief Executive Officer.
 - the lease amount shall be \$1 per annum if demanded.
 - tenant to be responsible for:
 - building and contents insurance;
 - energy costs;
 - volumetric and connection charges for water;
 - sewerage charges; and
 - and other service charges if any.
 - tenant shall continuously maintain:
 - any infrastructure or any infrastructure installed by the tenant or council in relation to the tenants occupation;
 - and keep clear all noxious growth from premises;
 - building in good and reasonable order; and
 - public liability insurance of at least \$20 million.
 - the tenant shall retain ownership of the improvements and fixtures at the premises for the term of the proposed new lease.
 - all remaining terms to be determined by the Chief Executive Officer.
 - any right, option or discretion exercisable by Council under the lease may be exercised by the Chief Executive Officer.

 3. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

REPORT:

The Council has leased an area of land next to Merrys Lane Park to the West Launceston Bowls and Community Club Inc. (the Club) for over 15 years. The Club continues to be model tenants and have maintained the premises in good working order. The Club has sought very little help over the years and have independently invested in putting in solar panels to help reduce their power bills for the last couple of years.

The Club's current lease agreement expires on the 30 November 2020 and they have asked for a new lease term. The Club has continued to be responsible for all their outgoings including water rates and usage, electricity, building insurance and other expenses related to the maintenance of their building.

19.3 Lease - West Launceston Bowls and Community Club Inc. ...(Cont'd)

It is, therefore, recommended that Council grants a five year lease at nominal rent which is line with all other sporting clubs and those non for profit community groups with lease agreements with the Council.

The area to be leased is approximately 5932m² of the larger 13265m² site which has an AAV of \$40,000. On a comparison of those relevant areas by square metre values alone, the consequent subsidy to the Club is approximately \$17,900 per annum. That comparison does not take into account the individual circumstances or capital improvements in respect of each part of the site.

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:

This proposal will have no impact on the local economy.

ENVIRONMENTAL IMPACT:

There is no environmental impact with this proposal.

SOCIAL IMPACT:

There is a positive social impact with this proposal by allowing allow successful tenants to continue to provide an important recreational opportunity for Launceston.

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.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
 2. To define and communicate our role in promoting social inclusion and equity.
 3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.
 4. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life.
 5. To promote and support active and healthy lifestyles of our community.
-

19.3 Lease - West Launceston Bowls and Community Club Inc. ...(Cont'd)

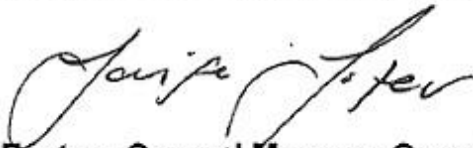
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

19.4 Lease - Royal Park Croquet Club Inc.

FILE NO: SF0866/SF2683

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

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing part of an area of land situated at 78 Paterson Street, Launceston (CT138979/10) known as Royal Park to the Royal Park Croquet Club.

This decision requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

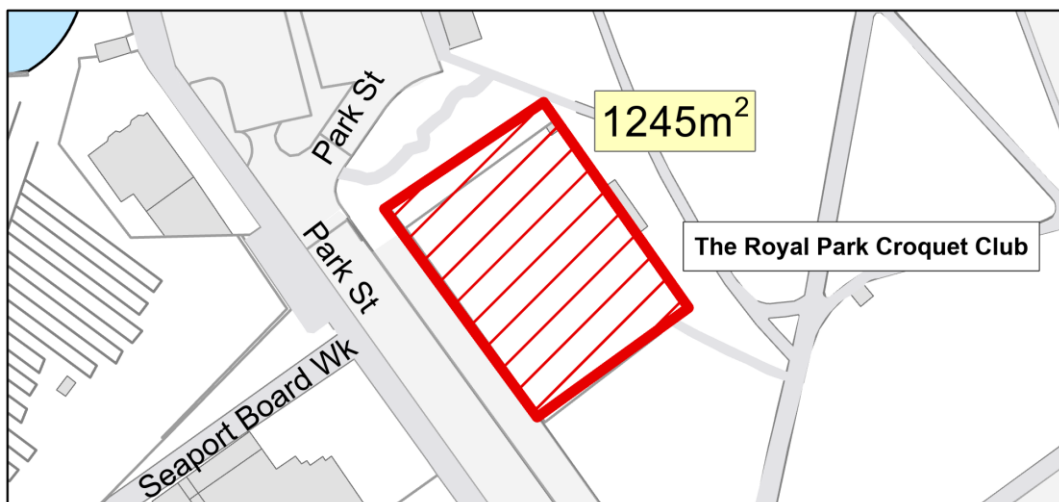
Council - 5 October 2009 - Agenda Item 12.3 - Royal Park Croquet Club

Strategic Planning and Policy Committee - 28 September 2009 - Agenda Item 3.5 - Royal Park Croquet Club

RECOMMENDATION:

That Council, by absolute majority pursuant to section 179 of the *Local Government Act 1993* (Tas):

1. leases a parcel of land situated at 78 Paterson Street, Launceston (CT138979/10) known as Royal Park to the Royal Park Croquet Club Inc. as indicated on the plan below:



19.4 Lease - Royal Park Croquet Club Inc. ...(Cont'd)

2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - the term shall be five years commencing on 1 October 2020 or as determined by the Chief Executive Officer;
 - the lease amount shall be \$1 per annum if demanded;
 - tenant to be responsible for:
 - building and contents insurance;
 - energy costs;
 - volumetric and connection charges for water;
 - 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 tenant's occupation;
 - and keep clear all noxious growth from premises;
 - building in good and reasonable order; and
 - public liability insurance of at least \$20 million.
 - the tenant shall retain ownership of the improvements and fixtures at the premises for the term of the proposed new lease.
 - all remaining terms to be determined by the Chief Executive Officer.
 - any right, option or discretion exercised by Council under the lease may be waived or exercised by the Chief Executive Officer.

 3. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

REPORT:

The Council has leased an area of land in Royal Park (off Park Street) to the Royal Park Croquet Club Inc. (RPCC) at the site where their clubrooms and croquet lawns have been built. The RPCC has occupied this location since the 1950s and have been self-sufficient during this time.

The RPCC have been model tenants and continue to maintain the premises in good working order. Rent, public liability insurance and utility costs are paid by the RPCC and they currently pay \$1,090.48 per annum in rental fees.

19.4 Lease - Royal Park Croquet Club Inc. ...(Cont'd)

Their current lease agreement of 10 years expired on the 1 July 2020 and the RPCC has asked for a new lease term. It is, therefore, recommended that Council grant a five year lease at nominal rent with the lessee to cover all charges in respect of power usage, water and sewerage. This is in line with all other croquet clubs and those non for profit community groups with lease agreements with the Council.

The area to be leased is approximately 1245m² of the larger 10.12ha Royal Park site which has an AAV of \$120,000. On a comparison of those relevant areas by square metre values alone, the consequent subsidy to the RPCC is approximately \$1,500 per annum. That comparison does not take into account the individual circumstances or capital improvements of each title within the site.

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:

This proposal will have no impact on the local economy.

ENVIRONMENTAL IMPACT:

This proposal will have no environmental impact.

SOCIAL IMPACT:

There is a positive social impact with this proposal, as it will allow successful tenants to continue to provide an important recreational opportunity for the community of Launceston.

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.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
 3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.
 4. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life.
 5. To promote and support active and healthy lifestyles of our community.
-

19.4 Lease - Royal Park Croquet Club Inc. ...(Cont'd)

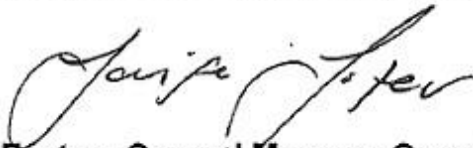
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

19.5 Cataract Gorge Reserve Advisory Committee - Terms of Reference**FILE NO:** SF0839**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the Cataract Gorge Reserve Advisory Committee Terms of Reference.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 12 March 2020 - Community Appointments to Advisory Committees Policy and terms of Reference - Cataract Gorge Reserve Advisory Committee

RECOMMENDATION:

That Council:

1. revokes the existing Cataract Gorge Reserve Advisory Committee Terms of Reference (26-Rf-012); and
2. adopts the Cataract Gorge Reserve Advisory Committee Terms of Reference (14-ToR-001) as listed below:

Cataract Gorge Reserve Advisory Committee - Terms of Reference

The Cataract Gorge Reserve Advisory Committee is a Special Committee of Council as defined under section 24 of the *Local Government Act 1993 (Tas)*.

PURPOSE:

The primary purpose of the Cataract Gorge Reserve Advisory Committee is to assist the Council in achieving the 2030 vision for the Cataract Gorge Reserve and Trevallyn Nature Recreation area as outlined in the *Re-imagining the Cataract Gorge Final Plan* endorsed by Council on 14 December 2015.

OBJECTIVES:

Objectives of the Cataract Gorge Reserve Advisory Committee are to:

- provide input into the strategic direction and opportunities for the Cataract Gorge Reserve;
 - participate in the review of management actions to achieve the endorsed strategic outcomes; and
-

19.5 Cataract Gorge Reserve Advisory Committee - Terms of Reference ...(Cont'd)

- strengthen the connection between reserve managers and the community.

MEMBERSHIP:

The Cataract Gorge Reserve Advisory Committee will consist of the following positions:

- two City of Launceston Councillors (one to be Chair), nominated and endorsed by Council;
- one representative from the Parks and Wildlife Service;
- one representative each from the Meander Valley and West Tamar Councils; and
- up to four community representatives.

Council Officers from City Development and Parks and Sustainability will provide advice and/or assistance to the Committee as required.

Members are elected via a publicly advertised Expressions of Interest process. Staggered terms of membership may be utilised to avoid *all in all out* terms of office.

The Councillors' role will be for a four year period to coincide with Local Government Council elections, subject to a review after two years.

MEETING ARRANGEMENTS:

The Cataract Gorge Reserve Advisory Committee will meet, at a minimum of once every three months on a Thursday, according to determinations agreed to by the Committee at the first Meeting of the year. The schedule will be published following this agreement. Additional meetings can be called if there is a perceived need.

MEETING QUORUM:

A quorum for the Cataract Gorge Reserve Advisory Committee is a majority of Committee Members including at least one Councillor and two community representatives. If a quorum cannot be achieved, the meeting is to be postponed and reconvened at a later date.

MEETING NOTICES

Meeting agendas, meeting papers and minutes will be distributed to all Committee Members via email at least four clear working days of the scheduled meeting. A Committee Member may request an item to be included on the agenda by advising the Chair at least eight working days prior to a meeting. Minutes of the meeting will be circulated to Committee Members following the Meeting. The agenda and minutes will be approved by the Chair prior to distribution. Following each meeting, key outcomes of the meeting will be reported to Council via the Committee reporting process included in the Council Agenda.

19.5 Cataract Gorge Reserve Advisory Committee - Terms of Reference ...(Cont'd)

HOW THE COMMITTEE WILL OPERATE:

The Cataract Gorge Reserve Advisory Committee:

- will be coordinated by the Council and Committees Officer.
- is an advisory body only. An Advisory Committee is a Committee (group of individuals) comprised of knowledgeable and credible members in their field of expertise from within or outside the Council, that provides non-binding strategic guidance Council.

CODE OF CONDUCT:

All Committee Members must adhere to the Code of Conduct for Committees. Councillors and Council Officers must also adhere to their own relevant Code of Conduct.

CONFLICT OF INTEREST:

If a Committee Member has a declared interest in any matter to be discussed in the meeting, they must declare a conflict of interest in it at the commencement of the meeting.

RESOURCES:

The Council and Committees Officer will organise meetings, take minutes and distribute follow-up actions.

HONORARIUMS:

Council will not pay any honorariums or expenses to any member on the Cataract Gorge Reserve Advisory Committee.

REVIEW:

The Terms of Reference, including membership, will be reviewed in conjunction with the review of the Cataract Gorge Reserve Advisory Committee, no more than five years after the date of approval or more frequently, if dictated by operational demands and with Council's approval.

RELATED POLICIES AND PROCEDURES:

14-Plx-032 - Code of Conduct for Councillors

14-Plx-033 - Code of Conduct for Members of Special Committees

22-PI-030 - Code of Conduct Policy

14-Plx-029 - Community Appointments to Advisory Committees Policy

RELATED DOCUMENTATION

Re-imagining the Gorge Final Plan (endorsed by Council 14 December 2015)

19.5 Cataract Gorge Reserve Advisory Committee - Terms of Reference ...(Cont'd)

REPORT:

The Cataract Gorge Reserve Advisory Committee first met as the Cataract Gorge Reserve Management Plan Advisory Committee on 16 April 1997. Prior to that time, the group was called the Cataract Gorge Reserve Management Plan Committee (ie. the group was formed to develop the management plan). Once the plan was endorsed by Council on 14 December 2015, the group was reformed as the Cataract Gorge Reserve Advisory Committee and is still tasked to manage the implementation of the approved plan.

The revision of the Cataract Gorge Reserve Advisory Committee's Terms of Reference is in line with a decision by Council to review Committees' Terms of Reference.

Councillors considered the Draft Cataract Gorge Reserve Terms of Reference at a Workshop held on 12 March 2020. At its meeting held on 24 September 2020, the Cataract Gorge Reserve Advisory Committee members considered and expressed support for the proposed Terms of Reference (14-ToR-001).

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.

19.5 Cataract Gorge Reserve Advisory Committee - Terms of Reference ...(Cont'd)

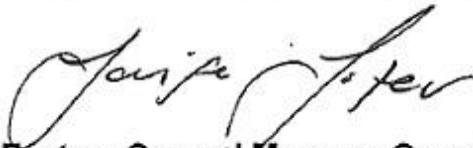
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

No Items have been identified as part of this Agenda

21 CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

21.1 Confirmation of the Minutes

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

21.2 Disposal of Unit Entitlements

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

- (b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business.
- (f) proposals for the council to acquire land or an interest in land or for the disposal of land.

21.3 End of Closed Session

To be determined in Closed Council.

22 MEETING CLOSURE
