



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 20 FEBRUARY 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: 20 February 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.



Michael Stretton
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.

RULES FOR PUBLIC COMMENT ON AGENDA ITEMS

Do you wish to speak to an item in the Agenda of the Council Meeting?

- You are invited to speak to an item on the Agenda.
- Please see the form called *Notice of Intention to Speak* (available outside the Council Chambers).
- Write your name and address against the Agenda Item to which you wish to speak.

Please note the following important information:

- Each item on the Agenda includes a Recommendation prepared by a Council Officer.
- When invited by the Meeting's Chairperson, please move to the microphone in the public gallery and state your name and address.
- 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 Chairperson 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.

10 December 2019

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

Dear Michael

COUNCIL MEETING

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

4. Convening council meetings

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

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

23 January	6 February	20 February	5 March
19 March	2 April	16 April	30 April
14 May	28 May	11 June	25 June
9 July	23 July	6 August	20 August
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

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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 6 February 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.)

7.1 Ms Ella French (Project Team Member) - Keep Your Skin GORGEous

Ms French will provide a brief report on the free sunscreen initiative including usage and user feedback.

7.2 Ms Mille Shami (University of Tasmania Scholarship Recipient) - Acknowledgement of Scholarship Award

Ms Shami will provide an acknowledgment to the Council having received the City of Launceston University of Tasmania Scholarship.

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.)

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

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 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road

FILE NO: DA0584/2019

AUTHOR: Catherine Mainsbridge (Senior 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:	PDA Surveyors
Property:	Chapple Street, Ravenswood
Zoning:	General Residential
Receipt Date:	28/10/2019
Validity Date:	9/01/2020
Further Information Request:	12/11/2019
Further Information Received:	10/01/2020
Deemed Approval:	23/02/2020
Representations:	Three

PREVIOUS COUNCIL CONSIDERATION:

DA0163/2009 - Subdivision - Subdivide Land Into 26 Lots and Road (in stages)
DA0483/2013 - Residential Subdivision - Subdivide Land Into 24 Lots, Road and Public Open Space

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

STANDARDS REQUIRING COUNCIL DISCRETION

- 10.4.15 Lot size and dimensions
- 10.4.16 Frontage and access
- 10.4.19 Integrated urban landscape
- 10.4.20 Walking and cycling network
- 10.4.21 Lot diversity
- 10.4.22 Solar orientation of lots
- 10.4.23 Neighbourhood road network
- 10.4.24 Public transport network
- E4.5.1 Existing 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 DA0584/2019 Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road at Chapple Street (Vol 46272 Folio 1), Ravenswood subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Plan of subdivision, Prepared by PDA Surveyors, PDA Reference 44334-P0, Scale 1:1000, Dated 10 January 2020.
- b. Plan of subdivision, Prepared by PDA Surveyors, PDA Reference 44334-P0, Scale 1:500, Dated 10 January 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. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/01612-LCC, 7/11/2019 and attached to the permit.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

5. COVENANTS ON SUBDIVISIONS

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

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

6. LOT TO BE SHOWN AS ROAD ON FINAL PLAN

The lot shown as POS on the proposed plan is to be shown as road/walkway on the final plan of survey.

7. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with 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. 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.

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

9. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

10. 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.

11. PROTECTION OF PIPELINES

The Council's existing underground pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5m from the outer edge of the pipe.
- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe.
- c. There must be a minimum clear space between buildings or substantial structures of at least 3m in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to section 13 of the *Urban Drainage Act 2013*.

12. RETICULATED SERVICES

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

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

13. 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.
- 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.

14. CONSTRUCTION OF WORKS

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

- a. Stormwater
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
 - ii. Provision of a DN 100 connection to the lowest point of each lot (unless otherwise permitted),
 - iii. Provision of an overland flow path for flows up to a 100 year ARI storm event.
 - b. Roads
 - i. Provision of a fully constructed road 8.9m wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel, and a single vehicular crossing for each lot,
 - ii. Provision of a 1,500mm wide concrete footpath located on one side of the road and all necessary pedestrian kerb ramps,
 - iii. Provision of a 1,500mm wide concrete footpath located between the end of the cul de sac and Lambert Street, with a 1m wide verge on one side and bollards at each end to prevent unauthorised vehicular access (one bollard at each end to be lockable) plus all necessary drainage and handrails,
-

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

- iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- v. Provision of all necessary line marking, signage and other traffic control devices.
- vi. Street trees of an approved species planted at a rate of one tree per 20m of lot frontage located clear of underground services.
- c. Electricity, Communications and Other Utilities
 - i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority.
 - ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.

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 Council 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.

15. WORKS REQUIRED FOR EACH LOT IN A STAGE

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

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot;
 - b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition;
 - c. A stormwater connection to the public drainage system;
 - d. Access to underground electricity and communications infrastructure;
 - e. Where required by the Planning Scheme/Planning Permit, connections to a public sewer and reticulated water supply, in accordance with the requirements set out by the Responsible Authority, and
 - f. Where applicable, reticulated gas infrastructure.
-

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

16. CONSTRUCTION DOCUMENTATION

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

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

17. EASEMENTS

Easements are required over all the Council and third party services located in private property. The minimum width of any easement must be 3m for the Council (public) mains. A greater width will be required in line with the City of Launceston 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.

18. SEALING PLANS OF SUBDIVISION

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

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

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

19. CONVEYANCE OF ROADS

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

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

20. FINAL PLAN ENDORSEMENT

The final plan of subdivision must be endorsed with a note in accordance with section 83(5) of the *Local Government (Building and Miscellaneous Provisions) Act 1993* which states that:

- a. Council cannot provide means of stormwater drainage from all of the land within lots 18, 19 and 20.
- b. The areas that cannot be served by a gravity stormwater must be indicated on the plan.

A notification under this condition must be treated as if it created an easement for the benefit of the Council and may be destroyed wholly or in part by an instrument in the nature of a release of the block by the Council.

21. COMPLETION OF WORKS

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

22. AS CONSTRUCTED PLANS

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

23. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (eg. Launceston Waste Centre), reclaimed or recycled.

24. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan of Survey, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved lots shown on the final plan. The valuation shall be determined by a registered land valuer and must be not more than 12 months old at the time of the sealing of the final plan. Valuations are to be procured at the subdivider's expense.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0584/2019. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

D. Permit Commencement

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

REPORT:**1. THE PROPOSAL**

The 2.438ha site is proposed to be subdivided into 32 residential lots of a variety of lot sizes off a central street.

Four stages are proposed:

Stage 1: Lots 1-6, Lots 29-32, and 100 Road.

Stage 2: Lots 7-10, Lots 25-28, and 200 Road.

Stage 3: Lots 11-14, Lots 21-24, and 300 Road.

Stage 4: Lots 15-20, 400 Road, and pedestrian link/portion of Public Open Space.

Vehicular access is to be limited to the southern frontage of the site from Seymour Street. To the northern frontage, to Lambert Street, access is to be limited to a pedestrian pathway.

The intent of the proposal is to provide smaller more affordable lots for development of single dwellings.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The property is within the Ravenswood residential area on the hillside to the north east of the central City. Although the property is located between Lambert Street and Seymour Street and runs parallel with Ravenswood Road, the property is addressed as Chapple Street as development of the property will extend the existing section of Chapple Street, which is to the south.

The land falls both to the north to Lambert Street and across the site from north east to south west. The northern most portion is steeper, especially the corners of the site, with slopes of 13% and 17%. The northern access strip has a 23% slope. Through the spine of the site, and in the location of the future road, the land is more level. The fall across the more southern section of the site has an approximate slope of 8%.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

Development in the immediate surrounds primarily consists of single dwellings constructed from around 1950s.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

10.1.1 Zone Purpose Statements

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

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

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

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

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

Consistent

The proposal meets the zone intent by creating additional lots in a fully serviced residential area. The subdivision respects the character of the area and will allow for similar developments to occur on the lots in the future.

10.3 Use Standards

10.3.1 Hours of operation

Objective:

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

Consistent

The application is for subdivision only - no change of use is proposed and no further assessment of clauses 10.3.1 - 10.3.5 is provided.

10.4 Development Standards

10.4.15 Lot size and dimensions

Objective:

To ensure the area and dimensions of lots are appropriate for the intended use of the lots.

Consistent

The proposed subdivision will create lots suitable for residential development.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

<p>A1.1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have a minimum area of no less than 500m²; and (b) be able to contain a rectangle measuring 10m by 15m; or <p>A1.2 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or (b) be required for the provision of public utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and <p>A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>
<p>Relies on Performance Criteria</p> <p>The application relies on Clause 10.4.15 A1.1. Twelve lots meet clause (a) and 20 lots rely on the performance criteria.</p> <p>The majority of lots on the eastern side of the street are under 500m² with eight of the lots at 430m² and four of the remaining lots between 430m² and 500m². The other four lots on the eastern side are between 514m² and 737m².</p> <p>On the western side of the new street 15 lots have areas between 549m² and 684m² with Lot 18, at the head of the cul-de-sac, having an area of 1,443m².</p> <p>A1.2 and A1.3 are not applicable for this proposal.</p>
<p>P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the relevant acceptable solutions for development of buildings on the lots; (b) the likely location of buildings on the lots; (c) the likely provision of on-site parking and manoeuvrability for vehicles; (d) the topography of the site; (e) the presence of any natural hazards; (f) adequate provision for private open space; and (g) the existing pattern of development in the area.
<p>Complies</p> <p>The smaller lots, along the eastern side boundary of the subdivision, adjoin the rear of lots in Suncrest Place. Properties in Suncrest Place have lot sizes between around 640m² and 750m² and are developed with single dwellings.</p> <p>Although the proposed lots are below the minimum lot size they will not be able to contain more than one dwelling and will therefore retain the character and pattern of development of the general area. Each lot is of a regular rectangular shape and is able to contain a 10m x 15m envelope. The 50% maximum area of site cover for a future dwelling ensures private open and parking can be provided.</p>

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

10.4.16 Frontage and access

Objective: To ensure that lots provide: (a) appropriate frontage to a road; and (b) safe and appropriate access suitable for the intended use.
Consistent Each lot has an appropriate frontage to the proposed road which will be suitable for the future residential use of each site.
A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.
Complies All lots have frontage of at least 5m.
A2 No acceptable solution.
Relies on Performance Criteria
P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area; and (e) the advice of the road authority.
Complies The subdivision proposes a new road from Seymour Street with each of the 32 lots having vehicular access from this new road. The proposed access points of each lot are on the more level portions of the site. Only one lot has a full battle-axe drive with this over a distance of 17.7m which is not excessive and enters the road off the head of the cul-de-sac. All but a further two lots share their full frontage to the street. As noted above, the street will be of a cul-de-sac form and will have limited passing traffic. Access to the lots should be safe and convenient.

10.4.17 Discharge of stormwater

Objective: To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.
Consistent The new lots and road can be suitably drained.
A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.
Complies Each lot is able to be connected to the reticulated stormwater system.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.

Complies

Written advice has been granted by the Council's Acting Chief Executive Officer that the public stormwater system has the capacity to accommodate stormwater discharge from the subdivision.

10.4.18 Water and sewerage services

Objective:

To ensure each lot provides for appropriate water supply and wastewater disposal.

Consistent

The subdivision can be appropriately serviced for water supply and waste water disposal.

A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.

Complies

TasWater have granted conditional approval for the provision of water to the subdivision.

A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.

Complies

TasWater has granted conditional approval for the connection to reticulated sewerage.

10.4.19 Integrated urban landscape

Objective:

To provide landscaping of lots, roads and public open spaces that contributes to the character and identity of urban places and the character of the surrounding area.

Consistent

The subdivision includes provision of landscaping and open space to contribute to the road and surrounding area.

A1 Subdivision does not create any new road, public open space or other reserves.

Relies on Performance Criteria

The subdivision creates a new road and landscaped public walkway and must be considered against the performance criteria.

P1 Subdivision must be designed to enhance the amenity of the area having regard to:

- (a) the topography of the site;
- (b) any significant natural and cultural features of the site;
- (c) access to public open spaces and roads;
- (d) the retention of existing vegetation;
- (e) linking areas of significant local habitat; and
- (f) the character of the surrounding area.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

Complies
 The proposal will result in landscaping of the steep northern link of the subdivision to Lambert Street by provision of a landscaped pathway. Conditions are to be included in the Permit for the pathway to be appropriately constructed and landscaped to the Council's standard. As the pathway is acknowledged as road reserve its construction is addressed under condition for "Construction of Works", part b. The pathway will be handed to the Council upon completion of the works and will ensure the maintenance and integrity of this area, including street trees and landscaping.

The pathway will facilitate access to local shopping and recreational areas to the east at the intersection of Lambert Street and Prossers Forest Road. Landscaping of the lot will provide a visual break to development along the southern side of Lambert Street similar to the northern side.

10.4.20 Walking and cycling network

Objective:
 To:

- (a) provide safe and convenient movement through and between neighbourhoods by pedestrians and cyclists;
- (b) design footpaths, shared path and cycle path networks that are safe and accessible; and
- (c) accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Consistent
 The proposal will facilitate movement for pedestrians and cyclists through the neighbourhood.

A1 Subdivision does not create any new road, footpath or public open space.

Relies on Performance Criteria
 The subdivision creates a new road and landscaped public walkway and must be considered against the performance criteria.

P1 Subdivision provides roads, footpaths or public open spaces that are designed to provide safe and convenient walking and cycling networks, having regard to:

- (a) linkages to any existing pedestrian and cycling networks;
- (b) connection of footpaths, shared paths, cycle paths and bicycle lanes;
- (c) access for cycling and walking to activity centres, community facilities, bus stops and public transport routes and public open spaces;
- (d) the road network and public open spaces; and
- (e) passive surveillance.

Complies
 The proposal includes a landscaped pathway at the northern end to Lambert Street. This will facilitate access to local shopping and recreational areas to the east at the intersection of Lambert Street and Prossers Forest Road. Access will also be more convenient to buses that run along Lambert Street.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

10.4.21 Lot diversity

Objective: To provide a range and mix of lot sizes to suit a variety of dwelling and household types.
Consistent A range of lot sizes are proposed.
A1 Subdivision is for 10 lots or less.
Relies on Performance Criteria 32 lots are proposed and therefore assessment against the performance criteria is required.
P1 Subdivision provides a range and mix of lot sizes suitable for the development of a variety of dwelling and household types, having regard to: (a) lot sizes suitable for single dwellings, multiple dwellings and other forms of residential use; (b) the topography of the site; (c) demand for a variety of housing types; (d) the proximity of activity centres; (e) the proximity and access to public open space; (f) the proximity, availability and accessibility of pedestrian, cycling, and bus stops and public transport, routes; and (g) the character of the surrounding area.
Complies The subdivision contributes to the range of lot sizes in the area, surrounding lots generally between 650m ² and 750m ² . Smaller lots along the east will provide for single dwellings. Larger lots along the western side may allow smaller multiple dwellings. Lots at the northern end are larger in response to their steepness. The area benefits from proximity to the local shopping area to the east via the walkway along Lambert Street and bus links to Kmart and the City centre to the west via Henry Street. Buses run along Ravenswood Road with a bus stop approximately 150m from the intersection of the new junction and Seymour Street.

10.4.22 Solar orientation of lots

Objective: To provide for solar orientation of lots and solar access for future dwellings.
Consistent Lots should be able to provide suitable solar access for future dwellings.
A1 Any lot for residential use with an area of less than 500m ² , in a subdivision of 10 or more lots, must have the long access between 30 degrees west of north and 30 degrees east of north.
Relies on Performance Criteria The lots along the eastern side of the subdivision which have an area less than 500m ² area have their shorter access at 30 degrees.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

<p>P1 Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:</p> <ul style="list-style-type: none"> (a) the size, shape and orientation of the lots; (b) the topography of the site; (c) the extent of overshadowing from adjoining land; (d) any development on the site; (e) the location of roads and access to lots; and (f) the existing pattern of subdivision in the area.
<p>Complies</p> <p>The lots will have a compliant solar frontage to their rear where open space is generally contained. Their longer axis will have a north western orientation allowing for ample afternoon solar gain. The axis of the street also steps the lots to limit overshadowing until later in the day.</p> <p>The new street is parallel to Ravenswood Road to the west and Suncrest Place to the east which is compatible with development in the area.</p>

10.4.23 Neighbourhood road network

<p>Objective:</p> <p>To provide for convenient and safe movement, through and between neighbourhoods, for motor vehicles, pedestrians, cyclists and public transport using the road network.</p>
<p>Consistent</p> <p>The proposal allows for safe and efficient movement through the neighbourhood.</p>
<p>A1 Subdivision does not create any new road.</p>
<p>Relies on Performance Criteria</p> <p>The subdivision does create a new road and the performance criteria must be addressed.</p>
<p>P1 The road network provides for convenient and safe movement for motor vehicles, pedestrians, cyclists and public transport, having regard to:</p> <ul style="list-style-type: none"> (a) the existing network of roads, cycle paths and bicycle lanes, shared paths, footpaths and public transport routes; (b) the function of the road and its relationship to arterial and neighbourhood road types; (c) the speed limits on roads in the area; (d) the location of activity centres; (e) the volume of traffic in the area; (f) access for service and emergency vehicles; and (g) the topography of the site.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

Complies
 The Council's Infrastructure and Engineering team are satisfied that the proposal will not impact on the road network. The provision of a single vehicular entry/exit to the subdivision controls movement to the street network. The walkway to the north provides pedestrian and bicycle access to local services and the public transport network. The new road will enter the thoroughfare route of Ravenswood Road via Seymour Street and not the busier route of Lambert Street via a steep section of the site and this is considered a safer option. The performance criteria are addressed.

10.4.24 Public transport network

Objective: To provide for access to public transport.
Consistent Access to public transport is provided.
A1 Subdivision does not create any new road.
Relies on Performance Criteria The subdivision creates a new road and must be considered against the performance criteria.
P1 The subdivision provides for adequate access to public transport, having regard to: (a) the number of lots proposed; (b) the walking distances from the lots to public transport route; (c) any public transport strategy or plan for the area; and (d) the likelihood of the provision of public transport for the area.
Complies A walkway access is proposed via a link at the north end of the property through to Lambert Street where there is a bus stop approximately 130m to the west to comply with the performance criteria.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to: (a) protect the safety and efficiency of the road and railway networks; and (b) reduce conflicts between sensitive uses and major roads and the rail network.
Consistent The road network and surrounding uses should not be impacted by the proposal.

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.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

<p>Consistent Existing junctions should not have their safety or efficiency reduced by the future development.</p>
<p>A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>
<p>Complies The site does not access a category 1 or 2 road.</p>
<p>A2 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 more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>
<p>Complies The new road links to Seymour Street which has a speed limit below 60km/h.</p>
<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>
<p>Relies on Performance Criteria The new road will generate more than 40 additional vehicle movements per day and must be addressed against the performance criteria.</p>
<p>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (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.
<p>Complies The Council's Infrastructure and Engineering team have provided the following comments in regards to traffic flows:</p> <p style="padding-left: 40px;"><i>A Traffic Impact Assessment was not required to be lodged by the developer for this subdivision. As with all subdivisions, the application for subdivision has been assessed by the Council's Infrastructure and Assets Network. Part of this process included an assessment of the Transport Network by the Engineer - Asset Planning. This assessment found no transport network capacity issues.</i></p>

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

The subdivision is estimated to contribute an additional 200-300 vehicle movements per day. The RTA Guide to Traffic Generating Developments is regarded as the reference for determining traffic generation and is based on actual traffic counts from developments. The average daily vehicle trips is taken to be 9.0 per dwelling for single dwellings and for medium density dwellings this reduces to four-five per dwelling. On the basis of each lot containing a single dwelling the expected number of vehicle trips would be 288 vehicle trips. It is within the capacity of Seymour Street to accept the additional traffic flows.

In summary, it is considered that the existing street network has the capacity for the additional traffic movements likely to result for the proposal of the appropriately zoned and serviced land. Most of the lots are limited in size and will be developed with only a single dwelling. The residential nature of the area, shorter lengths between cross streets and the 50km/h speed limit of the streets beyond Ravenswood serve to assist in maintaining the existing character of the area. The addition of the advice of the Infrastructure and Engineering team is considered to ensure the performance criteria is met.

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 safety and efficiency of surrounding road should not be reduced by the creation of the new road.

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.

Complies
Each lot will have one access point off the new road.

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

Objective:
To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Consistent
Sufficient sight distance is provided between vehicles to ensure traffic flows are safe.

A1 Sight distances at:
(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

Relies on Performance Criteria

The exit lane from the new road is 81m from Ravenswood Road to the west which complies with the compliant setback of 80m. The sight distance is only 68m to Suncrest Place to the east and requires consideration against the performance criteria.

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:

- (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.

Complies

The new road is mid-way through a short street block where the speed limit is 50km/h and traffic flow is lower and generally lower as cars have to be wary of residents entering and exiting their properties.

The traffic to be generated from the proposed subdivision is residential in nature with the size of the lots limiting development predominantly to single dwellings and four-five movements per day.

The access point from Seymour Street has been historically located and is considered much safer than the steeper northern frontage to Lambert Street.

The design of the road network and its capacity has been endorsed by the Council's Infrastructure and Engineering team and the junction is considered to meet the performance criteria.

E10.0 Open Space Code

E10.1 The purpose of this provision is to:

- (a) Ensure that the location and area of land required for public open space in subdivisions meets the reasonable ongoing needs of the community.

Consistent

The proposal does not provide open space. A cash in lieu contribution is required.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2019/01612-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 15 January to 30 January 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 The proposed subdivision is very rocky with several large boulders, medium and small sized rocks. This would mean the area would require blasting which could have damaging effects on surrounding residential houses. These houses are already at risk due to their age. Cracks and movement could occur.</p>
<p>Response 1 <i>The applicant has advised that most of the blasting for the subdivision construction is likely to be needed along the road which is furthest away from existing houses. Blasting is not a matter that the Council controls and the developer will have to abide by the requirements of Work Safe Tasmania.</i></p>

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

<p>Issue 2 Loss of privacy to lots downhill of the site in Ravenswood Road especially given the smaller size of the lots.</p>
<p>Response 2 <i>Development of the lots must comply with the development standards of the General Residential zone at the time the development occurs. Irrespective of the size of the lots the setback requirement from the rear boundary stays the same. If the setback is encroached the development has a discretionary status and adjoining property owners are given the opportunity to comment. The current scheme has a setback requirement of 4m.</i></p>
<p>Issue 3 Views of properties in Suncrest Place will be obstructed.</p>
<p>Response 3 <i>The land rises up in a north easterly direction with Suncrest Place more elevated than the subject land by at least 2m. Even though the development requirements do not consider loss of view, it is unlikely that views will be lost.</i></p>
<p>Issue 4 There will be additional traffic and this will impact on the safety and function of Ravenswood Road.</p>
<p>Response 4 <i>The Infrastructure and Engineering team have assessed the application and maintain that the road network has sufficient capacity to withstand additional traffic which may result from the proposal.</i></p>
<p>Issue 5 Cars park in the surrounding streets making it difficult for vehicles to pass.</p>
<p>Response 5 <i>The Infrastructure and Engineering team maintains that while residents may view this situation as indicating that the road is too narrow, the Council's stance for local through roads, and a cul-de-sac greater than 150m long, is to have a 8.9m wide road. This width of road allows for parking on one side of the road and two way traffic or parking on each side, with opposing traffic giving way. This also serves to slow and control traffic.</i></p>
<p>Issue 6 The small lots will not allow parking and cars will park in the street.</p>
<p>Response 6 <i>Each lot has sufficient space to provide for the necessary two car parking spaces. The design of the road will allow for reasonable on street parking as with all residential streets.</i></p>
<p>Issue 7 Public transport is inadequate.</p>
<p>Response 7 <i>There is a bus link in Lambert Street and Ravenswood Road. Public transport capacity is not a matter to be considered under the planning scheme.</i></p>

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

Issue 8

The Government decided a number of years ago to move away from "ghetto" accommodation. This proposal, noted in the submission as being for affordable housing, is contrary to that determination.

Response 8

The provision of smaller lots is to allow for smaller homes to be constructed on smaller lots which allows the development to be more affordable. The planning scheme has no control on who might occupy property.

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:


Not considered relevant to this report.

9.1 Chapple Street (Vol 46272 Folio 1), Ravenswood - Residential - Subdivision - Subdivide One Lot Into 32 Lots With a New Road ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

ATTACHMENTS:

1. Locality Map - Chapple Street, Ravenswood (*electronically distributed*)
 2. Plans for Endorsement - Chapple Street, Ravenswood (*electronically distributed*)
 3. TasWater SPAN - Chapple Street, Ravenswood (*electronically distributed*)
 4. Representations - Chapple Street, Ravenswood (*electronically distributed*)
-

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs

FILE NO: DA0725/2019

AUTHOR: Laura Small (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:	Commercial Project Delivery
Property:	23 Lawrence Street, Launceston
Zoning:	Commercial
Receipt Date:	18/12/2019
Validity Date:	19/12/2019
Further Information Request:	24/12/2019
Further Information Received:	02/01/2020
Deemed Approval:	22/02/2020
Representations:	Seven

PREVIOUS COUNCIL CONSIDERATION:

DA0370/2019 Sport and Recreation - Change of Use to Fitness Studio (Refused)

STANDARDS REQUIRING COUNCIL DISCRETION

23.3.2 Emissions impacting sensitive uses
23.4.2 Streetscape
E13.6.1 Demolition
E13.6.13 Signage
E13.6.4 Site coverage
E13.6.5 Height and bulk of buildings
E13.6.8 Roof form and materials
E13.6.9 Wall materials
E6.6.2 Design and layout of parking areas

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

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 DA0725/2019 Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs at Gunners Arms Tavern - 23 Lawrence Street, Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Locality Plan, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. A100, Page No 1 of 15, Dated 04 Dec 2019.
 - b. Photos - Existing, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. A101, Page No 2 of 15, Dated 04 Dec 2019.
 - c. Site Plan - Existing, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. A102, Page No 3 of 15, Dated 04 Dec 2019.
 - d. Site Plan - Proposed, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. A103, Page No 4 of 15, Dated 04 Dec 2019.
 - e. Existing Conditions and Demolition Plan, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. A104, Page No 5 of 15, Dated 04 Dec 2019.
 - f. Proposed Plan, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. A201, Page No 6 of 15, Dated 04 Dec 2019.
 - g. External Elevations, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. A301, Page No 7 of 15, Dated 04 Dec 2019.
 - h. External Elevations, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. A302, Page No 8 of 15, Dated 04 Dec 2019.
 - i. Driveway Signage, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. A303, Page No 9 of 15, Dated 04 Dec 2019 (Amended Plan Required).
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9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

- j. Concept View, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. V001, Page No 10 of 15, Dated 04 Dec 2019.
- k. Concept View, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. V002, Page No 11 of 15, Dated 04 Dec 2019.
- l. Concept View, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. V003, Page No 12 of 15, Dated 04 Dec 2019.
- m. Concept View, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. V004, Page No 13 of 15, Dated 04 Dec 2019.
- n. Concept View, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. V005, Page No 14 of 15, Dated 04 Dec 2019.
- o. Concept View, Prepared by Within Design, Job No. WD319. Project Name - *OsteoStrong* 23 Lawrence St, Launceston, Drawing No. V006, Page No 15 of 15, Dated 04 Dec 2019.
- p. Acoustic Assessment, Prepared by Tarkarri Engineering, Job Reference 5346_AC_R_CPD - *OsteoStrong*, Dated 17 December 2019.
- q. Preliminary Site Investigation, Prepared by es&d, Job No. 6775 PSI - 23 Lawrence St, Launceston, Dated 22 July 2019.
- r. Traffic Impact Statement, Prepared by GHD, Reference No. 12516236-92133, Dated 05 December 2019.
- s. CPD Planning Application, Prepared by Chloe Lyne, Project Name - *OsteoStrong* Studio - 23 Lawrence St, Dated December 2019.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work or use, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by Council and will then form part of the Permit. The amended plans must show the sign proposed directly to the west of the Cimitiere Street driveway access to have:

- a. A maximum height of 1.2m; and
- b. A minimum clear space of 500mm between the signage panel and the surface of the planting bed at ground level.

3. ASSOCIATED USES

The use is only able to operate whilst all titles comprised within the application remain in single ownership to ensure all car parking remains available for approved uses on site.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

4. BICYCLE FACILITIES

A rail or hoops must be installed to the six bicycle spaces shown on the endorsed plans outside of the building.

5. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

6. LEGAL TITLE

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

7. EXTERIOR AND SECURITY LIGHTING

Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.

8. USE LIMITATION

This permit allows the use for *OsteoStrong*, defined as a *Fitness Centre* in the Launceston Interim Planning Scheme 2015. The use is limited to:

- a. 10 clients on the site at any given time (not including staff members).

9. 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

10. BUSINESS HOURS

The operation of the fitness centre must be confined to:

- a. Monday to Friday - 7:30am - 9:00pm
- b. Saturdays and Sundays - 9:00am - 5:00pm
- c. Public Holidays - 9:00am - 5:00pm

11. VEGETATION REMOVAL

No vegetation is to be removed, including those shown on the original plans to be removed.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

12. SIGNAGE CONTENT

Due to the listing of the site as a Local Heritage Place, any alteration to the content or graphic approved signs may require separate approval of council.

13. NO SIGN ILLUMINATION

The signs must not be floodlit or otherwise internally illuminated.

14. SIGN MAINTENANCE

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

15. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

- a. Be properly constructed to such levels that they can be used in accordance with the plans;
- b. Be surfaced with an impervious all weather seal;
- c. Be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. Be line-marked or otherwise delineated to indicate each car space and access lanes.

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

16. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with 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. 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.

17. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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The explicit permission of Technical Services is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

18. SINGLE STORMWATER CONNECTIONS

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains.

19. 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.

20. NOISE

The use must not cause unreasonable nuisance or loss of amenity to adjoining sensitive uses. Prior to the use commencing:

- a. Double glazing must be installed on all glass windows and doors; and
- b. All noise generated by the use must not exceed a time average A-weighted sound pressure level (L^{Aeq}) of 5dB(A) above background during operating hours when measured at the boundary of the site.

21. DEMOLITION

The Developer must:

- a. carry out all demolition work in accordance with Safe Work Australia '*Demolition Work Code of Practice*' or any subsequent versions of the document;
 - b. protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
 - c. not undertake any burning of waste materials on site;
 - d. remove all rubbish from the site for disposal at a licensed refuse disposal site;
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9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

- e. dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos' Code of Practice or any subsequent versions of the document

22. CONTAMINATED LAND

The applicant must comply with the Environmental Site Assessment Report prepared by Environmental Service and Design dated 22 July 2019 and complete all Works required in the recommendations. The use and development approved must be undertaken so as to comply with all the recommendations and requirements of the Environmental Site Assessment.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to the Council and (Environmental Protection Authority if relevant) immediately upon discovery.

Notes

- A. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code
Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.
- B. Occupancy Permit Required
Occupancy permit required for new or altered habitable buildings: pursuant to section 216 of the Building Act 2016, it is recommended that a licensed building surveyor be consulted to determine if an occupancy permit is required for the building before the building or a part of the building can be, or can continue to be, occupied.
- C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code
Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.
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D. General

This permit was issued based on the proposal documents submitted for DA0725/2019. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

E. 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.

F. 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>>

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G. Permit Commencement

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

REPORT:

1. THE PROPOSAL

The Council has received an application to change the use of an existing drive through bottle shop to a fitness centre. A fitness centre is classified under a *Sports and Recreation* Use Class which is defined in the Launceston Interim Planning Scheme 2015 as "use of land for organised or competitive recreation or sporting purposes including associated clubrooms". The fitness centre will have a fitness area, a hydro room, a scan booth, two offices, a staff room, reception and siting area and shower and toilet facilities.

The *OsteoStrong* fitness centre provides exercise programs and "one-on-one" coaching. The programs are centred around four key pieces of fitness equipment designed to assist in improving skeletal strength and can only be used with the supervision of a dedicated coach.

Operational hours will typically be between normal business hours, however, the proponents are seeking a permit which allows them to operate between 7:30am and 9:00pm to cater for clients who are unable to attend during normal business hours. There will be no loud music playing, rather music will be background level only.

The works to facilitate the change of use include the removal of internal walls and enclosure of the existing drive-through area, the construction of an accessible ramp on the southern elevation with an awning above it. A 2.7m long, 2m high wall to be constructed to provide screening and privacy from the existing outdoor deck area of the tavern.

The proposal will also include the reconfiguration of a car parking areas to ensure compliance with the Car Parking and Sustainable Transport Code is achieved.

It is considered that this application has a significantly different business model to that of the previous application for a fitness studio run by F45 in this location. DA0370/2019 was refused at the Council Meeting on 17 October 2019. F45 fitness studios typically hold classes for up to 27 people in the early morning (from 5:00am) and evenings (until 10:00pm). Proposed business hours, class sizes and noise levels are the most significant

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differences between the two applications. Noise generated from F45 classes including amplified music and number of patrons as well as noise from vehicles is considered to be considerably higher than what would be associated with the proposed *OsteoStrong* centre. *OsteoStrong* will have a maximum number of 10 clients on site at any one time and will be subject to business hours limited between 7:30am and 9:00pm, decreasing the overall ability to create an unreasonable loss of amenity to adjoining sites.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Address	Gunners Arms Tavern - 23 Lawrence Street, Launceston
Zone	23.0 Commercial Zone
Size	Five titles with a total area of 2,254.2m ²
Access	Existing, direct access from Lawrence Street and Cimitiere Street
Shape	Irregular
Slope	The site is consistently flat
Existing structures	Gunners Arms Tavern and Bottle Shop
Connection to services	All services are maintained on site
Surrounding land	11.0 Inner Residential 15.0 Urban Mixed Use
Overlays	E4.0 Road and Railway Assets Code E6.0 Parking and Sustainable Transport Code E13.0 Local Historic Cultural Heritage Code

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 proposal is consistent with the purpose of the Commercial Zone. The proposal is for a change of use that supports the activity centre hierarchy.</p>

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

23.3 Use Standards

23.3.1 External storage of goods

Objective: To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.
Consistent The proposal complies with the relevant acceptable solutions of this standard. Goods will be stored appropriately.
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.
Complies All goods, materials and waste will be stored within the building.

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 is assessed as complying with the performance criteria, and the proposal will not adversely impact on the amenity of nearby sensitive uses.
A1 Uses must be set back from the site of a sensitive use a distance of no less than 100m.
Relies on Performance Criteria The subject site is located within 25m of neighbouring residential properties; the proposal relies on the performance criteria.
P1 The use must not adversely impact on the amenity of nearby sensitive uses, having regard to: (a) the nature of the proposed use; (b) the characteristics of the emissions; (c) the proximity and number of sensitive uses in the area; (d) the topography of the site; (e) background levels; (f) any mitigation measures proposed; and (g) the character of the surrounding area.
Complies The proposal is for the change of use to an <i>OsteoStrong</i> fitness centre. <i>OsteoStrong</i> will typically operate one-on-one coaching sessions during normal business hours, however, the proposed hours of operation are: 7:30am - 9:00pm - Monday to Friday 9:00am - 5:00pm - Saturday and Sunday 9:00am - 5:00pm - Public holidays

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The fitness centre does not operate like a standalone gym, in that fitness equipment can only be used while under supervision of a dedicated coach. As a result of this, a maximum of four clients and four coaches will be training at any one time.

Whilst the nature of the use is such that ordinarily a noise assessment would not have been provided, given the contentious nature of this site in the past a noise assessment has been provided which clearly demonstrates that the use characteristics, coupled with building design, means that noise emissions will not be an issue at nearby sensitive receptor points.

The report specifically stated that:

The predicted LAmax levels are at or below existing ambient LAmax levels noting that background levels were measured earlier in the morning (ie. 5.00am) under quieter ambient conditions than will be experienced during the Osteostrong operating hours ie. 7.30am-9.00pm noting that only a few clients will be booked in during the out of normal business hours time slots.

It should be noted that the site and surrounding area is subject to a high volume of traffic noise throughout the day due to the nature of surrounding uses and the function of the surrounding road network.

It is acknowledged that there are sensitive uses within a close proximity to the premises, however a fitness centre is not an incompatible use, and due to the specific operational characteristics of *OsteoStrong*, it is determined that the amenity of nearby sensitive uses will not be adversely impacted. Conditions have been recommended to ensure that the noise does not intensify above the level detailed within the applicant's proposal.

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 relevant acceptable solutions of this standard. The bulk, form and siting of the building will remain unchanged.

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.

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<p>Complies The maximum height of the building will remain at 5.32m; no change is proposed.</p>
<p>A2 Setback from a frontage must be: (a) no less than 5.5m; or (b) no less than the setback of an adjoining building.</p>
<p>Complies There will be no change to the setback of the building on both the Lawrence Street or Cimitiere Street frontages.</p>
<p>A3 Buildings can be built up to the side and rear boundaries.</p>
<p>Complies The existing building is built to the side boundary; no change is proposed.</p>
<p>A4 Where the site is located on the boundary of the General Residential, Inner Residential and Low Density Residential zones, new buildings or alterations to existing buildings, must: (a) be set back a horizontal distance of no less than 3m from the zone boundary; and (b) have a solid fence no less than 1.8m high on the zone boundary.</p>
<p>Complies CT100831/1 abuts land zoned Inner Residential, the proposed alterations to the existing building will be setback approximately 16.21m from the boundary. No change to the existing side boundary fence is proposed.</p>
<p>A5 The façade and entrance of the primary building, must be clearly visible and accessible from a road, for pedestrians and persons with a disability.</p>
<p>Complies The building primarily presents to Lawrence Street via the existing Gunners Arms Tavern tenancy. The facades and entrances of both the existing and proposed tenancies will be clearly visible and accessible from either Lawrence Street or Cimitiere Street. The fitness centre will be directly accessible from Cimitiere Street.</p>

23.4.2 Streetscape

<p>Objective: To ensure that development has an acceptable impact on the streetscape.</p>
<p>Consistent The application has been assessed as complying with the performance criteria. The alterations to the existing building will have an acceptable impact on the streetscape.</p>
<p>A1 Excepting walls built to the lot boundary, new buildings or extensions to existing buildings must: (a) have external walls constructed with no less than 50% brick, concrete, masonry or glass; (b) have external walls, unless brick or glass, painted or finished with a texture coat; and (c) have no less than 50% glazing to the external walls of the office components of the buildings.</p>

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<p>Relies on Performance Criteria The office component of the building does not have windows but they would not form 50% of the walls; the proposal relies on the performance criteria.</p>
<p>P1 New buildings or extensions to existing buildings must be compatible with the streetscape, having regard to: (a) the topography of the site; (b) the nature of the proposed use; (c) the visibility of the building from the road; (d) the external treatment and finish of buildings; and (e) the building materials used in the surrounding area.</p>
<p>Complies The external walls will be constructed in a mix of brick (largely existing) and cement sheeting. New glazing will be installed. It is submitted that the proposed building works will improve the presentation of the building to the Cimitiere Street frontage. The inclusion of new glazed elements and the awning provide for a clear entrance to the building. The office does have glazing which is suitable to allow light to enter while still maintaining privacy from persons in the carpark.</p>
<p>A2 Car parking must not be located within 3m of the frontage.</p>
<p>Complies The eight car parking spaces within 3m of the Cimitiere Street frontage are existing and will remain with no change. The existing car parking arrangements do not cause a detriment to the streetscape and vegetation will be retained to provide screening of the car parking.</p>

E2.0 Potentially Contaminated Land Code

<p>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.</p>
<p>Consistent The subject site is located adjacent to a property subject to the E2.0 Potentially Contaminated Land Code. A Preliminary Site Investigation was undertaken by es&d and submitted as part of the application. The investigation concluded that potentially contaminating activities did not impact the site, as so, the proposal is exempt from the Code in accordance with E2.4.3.</p>

E2.6 Development Standards

E4.0 Road and Railway Assets Code

<p>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.</p>
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Consistent
 The proposal is consistent with the purpose of the code by ensuring the safety and efficiency of the road network is maintained.

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 relevant acceptable solutions of this standard. The safety and efficiency of roads is not reduced by the proposed change of use.

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.

Complies
 No new access points are proposed or required to facilitate the change of use. Access to the site is via two existing crossovers on Lawrence Street and one existing crossover on Cimitiere Street.

A Traffic Impact Statement was provided as part of the application.

It is noted that the proposal will replace the existing bottle shop on site. The existing use on this particular site has not been surveyed, however, an estimate can be made based on previous experience of similar developments around Tasmania.

The Traffic Impact Statement concluded that over the course of a typical day, there would be fewer trips generated by the proposed *OsteoStrong* development (approximately 130 trips per day) compared to the existing bottle shop use (360-450 trips per day) by a considerable margin.

Based on the findings of the Traffic Impact Statement, the proposed development is supported on traffic and parking grounds. In particular:

- The daily traffic activity at the site is expected to reduce compared to the existing bottle shop use.
- There are no particular road safety issues in the area that might be exacerbated by the changed use.
- The site provides sufficient car parking overall, and for each of the uses, in compliance with the Parking and Sustainable Transport Code of the Launceston Interim Planning Scheme 2015.

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E4.6 Development Standards

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of parking facilities are provided to service use and development;
- (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
- (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;
- (d) ensure that parking does not adversely impact on the amenity of a locality;
- (e) ensure that parking spaces and accesses meet appropriate standards; and
- (f) provide for the implementation of parking precinct plans.

Consistent

The proposal is consistent with the purpose of the code by ensuring an appropriate level of parking facilities and accesses are provided to service the use of the site.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

To ensure that an appropriate level of car parking is provided to meet the needs of the use.

Consistent

The proposal complies with the relevant acceptable solutions of this standard. An appropriate level of car parking spaces are provided.

A1 The number of car parking spaces must:

- (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
- (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or
- (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or
- (d) be in accordance with an acceptable solution contained within a parking precinct plan.

Complies

There are 27 existing car parking spaces on site and the proposal will result in an additional four car parking spaces. Clause E6.5.1 requires the number of car parking spaces to be not less than 90% of the requirements of Table E6.1. Table E6.1 requires a gymnasium (note that gymnasium is the closest classification to the proposed use as defined in table E6.1) to have one car parking space per 20m² of floor area available to the public. The fitness studio will have a floor area available to the public of 230m², requiring a minimum of 11 spaces for the use. The existing hotel industry use requires a minimum of 18 car parking spaces.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

A total of 31 car parking spaces (18 in the southern carpark and 13 in the northern carpark) are provided on site. It is proposed that 12 spaces be provided for *OsteoStrong* and 19 spaces remain for the existing hotel industry use. The car parking numbers provided is consistent with the requirements of the code.

A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.

Complies
 Table D3.5 of the *NCC 2016 Building Code of Australia - Volume One* states that one space for every 50 car parking spaces are required. There will be one accessible car parking spaces for use by persons with a disability provided for the use. An additional two car parking spaces for use by persons with a disability will be provided for the existing hotel industry use on site.

E6.5.2 Bicycle parking numbers

Objective:
 To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

Consistent
 The proposal is consistent with the relevant acceptable solutions of this standard. An appropriate level of bicycle parking spaces are provided on site.

A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.

Complies
 Table E6.1 requires one bicycle space per 50m² of floor area, therefore a total of six bicycle parking spaces are required. Provision for the six required bicycle parking facilities are shown on the plan on the north eastern boundary.

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 relevant acceptable solutions of this standard. All parking surfaces are existing and have been constructed to an appropriate standard.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

- 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 reconfigured car park is consistently flat, sealed with asphalt, drained to the public stormwater system and will be line marked as shown on the endorsed plans.

E6.6.2 Design and layout of parking areas

Objective:

To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.

Consistent

The proposal has been assessed as complying with the performance criteria. Parking areas have been designed and laid out to provide convenient, safe and efficient parking.

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

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

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

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

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

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

Relies on Performance Criteria

The proposal complies with the acceptable solution at A1.1 (a), (b), (d) and (e) and relies on P1 in relation to A1.2 (c). The proposal complies with A1.2, A1.3 and A1.4.

Table E6.3 requires dimensions of car parking spaces to be 5.4m x 2.6m with a combined access and manoeuvring width of 6.4m. The width of the car parking spaces is 2.4m and therefore, the proposal relies on the performance criteria.

Provision is made for vehicles to enter and exit the site from both Cimitiere and Lawrence Street in a forward direction. Table E6.2 requires the access width to be 4.5m; both entrances are compliant with this requirement.

The width of the access and manoeuvring space adjacent to the new parking spaces is 13m, consistent with that required by Table E6.2 and Table E6.3.

Accessible parking spaces are located as close as possible to the main entry points of the building and designed complete with shared area as per the requirements of AS2890.6

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

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

Complies

The proposed access ways, manoeuvring and circulation spaces are convenient, safe and efficient to use. The proposal relies on the performance criteria as it does not meet the requirements for parking space dimensions in accordance with Table E6.3.

The new parking bays are 5.4m x 2.4m and there is a minimum vertical clearance in excess of 2.1m. The width does not comply with the requirements of Table E6.3 but does comply with the provisions of Australian Standards AS 2890.1. The car parking layout was reviewed by the Council's Infrastructure and Engineering team and is considered acceptable.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

E6.6.3 Pedestrian access

Objective: To ensure pedestrian access is provided in a safe and convenient manner.
Consistent The proposal complies with the relevant acceptable solutions of this standard. Pedestrian access is provided in a safe and convenient manner.
A1.1 Uses that require 10 or more parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.
Complies The proposed new car parking spaces have pedestrian access to the fitness centre between the spaces and the existing building. The accessible car parking space is located directly adjacent to the entrance to the building. A footpath with a minimum width of 2.1m and a ramp and landing with a maximum gradient of 7% is provided from the accessible car parking space to the entry of the building.

E6.6.5 Bicycle facilities

Objective: To ensure that cyclists are provided with adequate facilities.
Consistent The proposal complies with the relevant acceptable solutions of this standard. Cyclists will be provided with adequate facilities.
A1 Uses that require five or more bicycle spaces by Table E6.1 must provide one shower and change room facility on site, with one additional shower and change room on site for each 10 additional bicycles spaces required.
Complies Shower and change room facilities are provided within the <i>OsteoStrong</i> fitness centre.

E6.6.6 Bicycle parking and storage facilities

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

<p>Consistent The proposal complies with the relevant acceptable solutions of this standard with the inclusion of a condition to ensure adequate bicycle parking and storage facilities are provided on site.</p>
<p>A1 Bicycle parking and storage facilities for uses that require five or more bicycle spaces by Table E6.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from the main entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.
<p>Complies The bicycle parking area detailed on the plan is directly accessible from either the Lawrence Street or Cimitiere Street access and is located within 5m of the main entrance of the building.</p>
<p>A2 Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have minimum dimensions of: <ul style="list-style-type: none"> (i) 1.7m in length; and (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of at least 2m and a gradient of no more 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle to that meets AS 2890.3 1993 Parking facilities - Bicycle parking facilities.
<p>Complies The area allocated for bicycle parking will allow for spaces that meet the dimensions required by the acceptable solution. A condition will ensure a rail or hoops are installed to provide adequate facilities bicycles can be locked to.</p>

E13.0 Local Historic Cultural Heritage Code

<p>E13.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; (b) encourage and facilitate the continued use of these places; (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and (d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

Consistent

The proposal is consistent with the purpose of the Local Historic Cultural Heritage Code. The proposed change of use protects the historic significance of the site and area and is sympathetic to the historic cultural heritage significance.

E13.6 Development Standards

E13.6.1 Demolition

Objective:

To ensure that the demolition or removal of buildings and structures does not impact on the historic cultural heritage significance of local heritage places and their setting.

Consistent

The proposal is assessed as complying with the performance criteria. The proposed demolition does not impact on the historic cultural heritage significance of the heritage place.

A1 No acceptable solution.

Relies on Performance Criteria

There is no acceptable solution; the proposal relies on the performance criteria.

P1 Buildings or parts of buildings and structures may be demolished, provided there is no unreasonable impact on the historic cultural heritage significance of the local heritage place and setting, having regard to:

- (a) the physical condition of the local heritage place;
- (b) the extent and rate of deterioration of the building or structure;
- (c) the safety of the building or structure;
- (d) the streetscape or setting in which the building or structure is located;
- (e) the cultural heritage values of the local heritage place;
- (f) the need for the development;
- (g) any options to reduce or mitigate deterioration;
- (h) whether demolition is the most reasonable option to secure the long-term future of a building or structure; and
- (i) any overriding economic considerations.

Complies

All demolition works proposed are to the rear of the bottle shop extension of the Gunners Arm Tavern. The extension was constructed in 2012 and does not form part of the heritage fabric of the building.

E13.6.4 Site coverage

Objective:

To ensure that site coverage is compatible with the historic cultural heritage significance of local heritage places.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

<p>Consistent The proposal is assessed as complying with the performance criteria. The increase in site coverage is minor and is compatible with the existing cultural heritage significance of the heritage place.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria There is no acceptable solution; the proposal relies on the performance criteria.</p>
<p>P1 The site coverage is compatible with the historic cultural heritage significance of local heritage places or their settings, having regard to: (a) the topography of the site; (b) the cultural heritage values of the local heritage place and setting; (c) the site coverage of buildings on sites in the surrounding area; and (d) the pattern of development in the surrounding area.</p>
<p>Complies The proposed works will increase the site coverage by 25.8m² or 4%. The overall site coverage will remain compatible with buildings in the area.</p>

E13.6.5 Height and bulk of buildings

<p>Objective: To ensure that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent The proposal is assessed as complying with the performance criteria. The height and bulk of the building is existing and the proposed works is compatible with the heritage place.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria There is no acceptable solution; the proposal relies on the performance criteria.</p>
<p>P1 The height and bulk of buildings are compatible with the historic cultural heritage significance of a place and its setting, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the character and appearance of the existing building or place; (c) the height and bulk of other buildings in the surrounding area; (d) the historic cultural heritage significance of adjacent places; and (e) the streetscape.</p>
<p>Complies The height of the building will not be changed as a result of the change of use. The apparent bulk of the building when viewed from Lawrence Street will not be increased as a result of the awning addition to the southern elevation. The awning will not significantly impact the bulk of the building and is considered compatible with the heritage significance.</p>

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E13.6.8 Roof form and materials

Objective: To ensure that roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.
Consistent The proposal is assessed as complying with the performance criteria. Roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.
A1 No acceptable solution.
Relies on Performance Criteria There is no acceptable solution; the proposal relies on the performance criteria.
P1 Roof form and materials are compatible with the historic cultural heritage significance of a place and its setting, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant roofing style and materials in the setting; and (d) the streetscape.
Complies There will be no changes to the existing roof of the building and no works are proposed to the Gunners Arms Tavern which is of heritage significance. The proposed awning will have a minimal impact on the streetscape and has been designed to be sympathetic to the existing building. The proposed awning will not be visible from the Lawrence Street frontage.

E13.6.9 Wall materials

Objective: To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.
Consistent The proposal is assessed as complying with the performance criteria. Wall materials are compatible with the historic cultural heritage significance of the heritage place.
A1 No acceptable solution.
Relies on Performance Criteria There is no acceptable solution; the proposal relies on the performance criteria.
P1 Wall material for buildings and structures must be compatible with the historic cultural heritage significance of a place and its setting, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant wall materials in the setting; and (d) the streetscape.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

Complies
 There is a 2m high wall proposed extending from the bottle shop extension in a southerly direction. The wall will largely be screened from the Lawrence Street frontage by the outdoor deck and seating area. The impact on the streetscape from the Cimitiere Street frontage is reduced by the inclusion of a planter box and box hedge which extends from the wall.

The proposal was referred to the Council's Heritage Planner for assessment and the following response was provided:

It is noted that the Tasmanian Heritage Council has provided a Certificate of Exemption for the works and it is agreed that the proposal does not have an unacceptable impact on the heritage fabric or setting of the significant building on the site. Most of the works lie within the existing building envelope and the additional building form is well set back from the street frontages, is of relatively small scale and the main colours shown on the 3D images appear to recede from the existing hotel building and larger streetscape views.

E13.6.12 Tree and vegetation removal

Objective:
 To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not impact on the historic heritage significance of local heritage places and their settings.

Consistent
 A condition on the permit will ensure that existing trees and vegetation will be retained.

E13.6.13 Signage

Objective:
 To ensure that signage is compatible with the historic cultural heritage significance of local heritage places and their settings.

Consistent
 The proposal is assessed as complying with the performance criteria with the inclusion of conditions. The heritage significance of the place will be maintained by the proposal.

A1 No more than one sign, not greater than 0.2m², identifying the use, heritage significance, and the name and occupation of the owners of the property.

Relies on Performance Criteria
 The site contains more than one sign; the proposal relies on the performance criteria.

P1 New signs must be compatible with the historic cultural heritage of the local heritage place and its setting, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;
- (b) the size and location of the proposed sign;
- (c) the area and location of existing signage on the site;

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

- (d) the period details, windows, doors and other architectural details of the building;
- (e) any destruction, removal or concealment of heritage fabric through attaching signage; and
- (f) the streetscape.

Complies

Three new signs are proposed as part of the application. A blade sign at the Cimitiere Street entrance, window graphics and the awning fascia sign are new signs and the pole and wall sign will be replaced with a sign of the same size in a slightly different location.

The site currently has several signs relating to the bottle shop. The roof sign will be removed which will improve the overall appearance of the property. The location of the new signage will not impact on any parts of the heritage fabric of the building.

The proposed signage was referred to the Council's Heritage Planner for assessment and the following response was provided:

The signage graphics and colour schemes have been assessed and are generally considered to be acceptable in the context.

The sign proposed to the Cimitiere Street frontage requires an amended plan to ensure a positive outcome in regard to public safety and visual amenity. The colour scheme for this sign was confirmed to be in shades of grey which is considered to be consistent with the performance criteria however the overall design is not sympathetic to the existing building or the cultural heritage significance of the place.

An amended plan is required to show the sign proposed directly to the west of the Cimitiere Street driveway access to have the maximum height reduced from 1.5m to 1.2m and a minimum of 500mm of clear space between the signage panel and the surface of the planting bed at ground level.

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4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	The Tasmanian Heritage Council has issued a Certificate of Exemption. Conditions relating to the signage are recommended.
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	The Tasmanian Heritage Council provided a Certificate of Exemption.
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 4 January to 20 January 2020. Seven representations were received.

A Representor meeting was held on Thursday, 30 January 2020.

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.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

<p>Issue 1 Use Classification - Concerns that a permit for Sport and Recreation will allow a full-scale gym to operate from the premises in the future</p>
<p>Response 1 <i>It is determined that the proposal has been correctly classified. The OsteoStrong business does not have any medical degree qualified staff working from it and the coaches are more like personal trainers who operates out of a gym. The difference to a traditional gym is that all clients receive one on one coaching and background music only is used. Given the concern about use classification has primarily arisen due to worries about the site being used for a gym in the future if OsteoStrong were to vacate, the proponents are happy if a condition is placed on the permit limiting the number of clients on site at any one time to 10 not including staff. The only exception to this would be the occasional information session which may have up to 30 people coming along to hear about what OsteoStrong does as a business. These would occur monthly and within the operating hours. It is noted that Council is bound to make a decision on the submitted application, not on a use that is speculated for the future. The proponents have a 5+5 year lease and if, in the future, a different gym wanted to operate out of the site it would be difficult to comply with the conditions on this permit and subsequently they would require a new Development Application which would be assessed accordingly. It is understood that there is some confusion due to the use of the term 'osteo' in the business name. The osteo term does not refer to an Osteopath as in the practitioner but rather osteoporosis the condition. The fitness studio offers a range of equipment that improves the quality of life for clients. The coaches do not diagnose or treat the condition.</i></p>
<p>Issue 2 Tree Removal - Concern about the proposed removal of the ornamental pear trees along Cimitiere Street</p>
<p>Response 2 <i>The proponent offers to leave these trees in place and a condition stating this is included.</i></p>
<p>Issue 3 Signage - Concern that there will be a proliferation of signs associated with the OsteoStrong business, particularly given the site is Heritage listed</p>
<p>Response 3 <i>It is noted that there will be fewer signs overall associated with OsteoStrong than for the existing bottle shop which has a proliferation of smaller signs indicating liquor branding. The OsteoStrong signage has a more consistent character than the bottle shop signage it will replace and the proposed colours are considered in keeping with the heritage nature of the area. Given the proponent has agreed to retain the trees, it is important that the proposed signage scheme is retained as submitted to ensure the business is visible from the street. The trees block some of the visibility into the site. The large roof sign which is the most visually prominent existing sign on the property and out of keeping with the heritage character will be removed.</i></p>

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

<p>Issue 4 Traffic Safety - Concerned about the safety of the vehicle entry and exit onto Cimitiere Street</p>
<p>Response 4 <i>The proposed access arrangements have been addressed in the accompanying TIA and considered safe by a qualified traffic engineer. The overall number of movements to and from the site is likely to reduce with the change of use from a bottle shop to the OsteoStrong business.</i></p>
<p>Issue 5 Light Emissions - Concerned about light emissions impacting nearby properties</p>
<p>Response 5 <i>Light emissions are not specifically dealt with under the Commercial Zone provisions unlike they are in other zones. Nonetheless, it is only intended to install security lighting that enables visibility from the street to the car park and into the building. No flood lighting is proposed. The proponent would be happy for a condition of permit stating that light emissions must be contained within the property boundaries.</i></p>
<p>Issue 6 Sound Attenuation - Queries whether the windows will be double glazed</p>
<p>Response 6 <i>Whilst sound is unlikely to be an issue given the nature of the use, a condition has been recommended restricting the overall maximum noise levels and for the northern facing windows to be double glazed.</i></p>
<p>Issue 7 Loading Area - Concerned that the Gunners Arms keg storage and loading area will be blocked by the planter wall and car parking</p>
<p>Response 7 <i>In accordance with Clause E6.5.5 dedicated loading bays are only required for uses with a floor area exceeding 1000m². Neither the Tavern nor the OsteoStrong business meet this floor area threshold. As such a dedicated loading bay is not required. Deliveries to the Tavern could occur via the car park or the on-street spaces along Lawrence Street.</i></p>
<p>Issue 8 Heritage - The property is Heritage listed</p>
<p>Response 8 <i>The application has been assessed as complying with the Local Historic Cultural Heritage Code.</i></p>

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.

9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

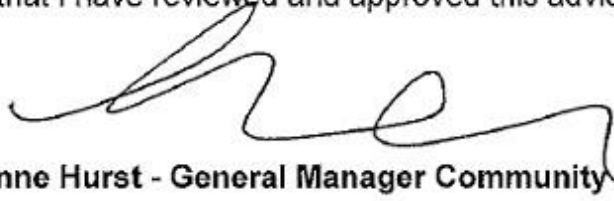
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

- 9.2 Gunners Arms Tavern - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use of Part of Building to a Fitness Centre and Construction of Alterations and Additions at the Rear of the Hotel; Signs - Install New Signs ...(Cont'd)**
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ATTACHMENTS:

1. Locality Map - Gunners Arms Tavern, 23 Lawrence Street, Launceston (*electronically circulated*)
 2. Plans to be Endorsed - Gunners Arms Tavern, 23 Lawrence Street, Launceston (*electronically circulated*)
 3. Representations - Gunners Arms Tavern, 23 Lawrence Street, Launceston (*electronically circulated*)
 4. Heritage Tasmania - Notice of Exemption - Gunners Arms Tavern, 23 Lawrence Street, Launceston (*electronically circulated*)
-

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Thursday 6 February 2020

- Officiated at the opening of *Artway Studio* at Gateway Church

Sunday 9 February 2020

- Attended the Launceston International Tennis Final

Tuesday 11 February 2020

- Officiated at Tamar NRM's Get-Together

Wednesday 12 February 2020

- Attended the *Gold Sovereign Stakes* Meeting at Mowbray

Saturday 15 February 2020

- Spoke at *Walk with Us* - a celebration of Tasmanian Aboriginal Culture

Monday 17 February 2020

- Attended the 2020 Ladbroke's Launceston Greyhound Cup Final Chairman's Dinner

Tuesday 18 February 2020

- Attended the Joint Regional Cabinet Meeting
 - Attended the Premier's Cocktail Party
-
-

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 A G Harris - C H Smith Car Park
- Council Meeting - 6 February 2020****FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**CHIEF EXECUTIVE OFFICER:** Michael Stretton (Chief Executive Officer)

QUESTIONS and RESPONSES:

The following question, asked at Council on 6 February 2020 by Councillor A G Harris, has been answered by Geoffrey Stick (Team Leader Parking).

Questions:

1. Can the Council investigate opening the C H Smith Car Park on ANZAC Day as there is always a lack of parking when attending ANZAC Day Services?

Response:

This is currently the practice with the Elizabeth Street Car Park. The Communications Room is not staffed which means there is no customer service available, however, the boom gates are locked open so parking is free on the day. This would also be possible for the public bays in the C H Smith Car Park and will be arranged for this coming ANZAC Day.

12.1.2 Councillors' Questions on Notice - Councillor D H McKenzie - C H Smith Car Park - Council Meeting - 6 February 2020**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**CHIEF EXECUTIVE OFFICER:** Michael Stretton (Chief Executive Officer)

QUESTIONS and RESPONSES:

The following question, asked at Council on 6 February 2020 by Councillor D H McKenzie, has been answered by Geoffrey Stick (Team Leader Parking).

Questions:

1. Following on from previous questions regarding the C H Smith Car Park, are the lights on sensors?

Response:

The lights in the C H Smith Car Park are not linked to sensors. During the planning of the project this issue was considered, however, it was determined to leave the lights on to ensure the safety and security of the facility rather than the intermittent lighting environment that would be created by a sensor based system. It should be noted that the C H Smith Car Park was fitted out with LED lighting which provides a low cost means of achieving a safe illuminated building.

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 Pedestrian and Bike Committee Meeting - 24 October and 5 December 2019****FILE NO:** SF0618**AUTHOR:** Cathy Williams (Infrastructure and Engineering Officer)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider reports from the Pedestrian and Bike Committee Meetings held on 24 October and 24 December 2019.

RECOMMENDATION:

That Council receives the report from the Pedestrian and Bike Committee Meetings held on 24 October and 5 December 2019.

REPORT:

The Pedestrian and Bike Committee, at its Meeting on 24 October 2019, discussed the following:

- the annual pedestrian and bike count numbers were similar to recent years.
- *Ride to Work Day* was well attended in both Launceston and Hobart.
- As part of *Tomorrow Together's* mobility and accessibility transport event, St John Street will stay closed after the Christmas Parade on 7 December 2019. Metro will be offering free bus services on the day.
- Andrew Pitt has resigned from the Committee and the Committee thanks him for his valuable contribution.

The Pedestrian and Bike Committee, at its Meeting on 5 December 2019, discussed the following:

- the Open Streets Day is to be held on Saturday, 7 December 2019 after the Christmas Parade.
 - Welcomed special guest West Tamar Councillor Richard Ireland and discussed issues of joint interest in relation to the West Tamar Highway corridor.
 - *Bike Week* will be held on 1-8 March 2020 and a number of plans are developing.
 - Dorset Council will be appointed corridor manager for the North East Recreational Trail from February 2020.
-

**13.1 Pedestrian and Bike Committee Meeting - 24 October and 5 December 2019
...(Cont'd)**

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston 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.

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

10-Year Goal: To facilitate appropriate development via integrated land-use planning, infrastructure investment and transport solutions within our municipality and region.

Focus Areas:

3. To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

**13.1 Pedestrian and Bike Committee Meeting - 24 October and 5 December 2019
...(Cont'd)**

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt - General Manager Infrastructure and Assets Network

13.2 Northern Youth Coordinating Committee Meeting - 4 February 2020**FILE NO:** SF0136**AUTHOR:** Claudia Taylor (Youth Development Officer)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To receive and consider a report from the Northern Youth Coordinating Committee Meeting held on 4 February 2020.

RECOMMENDATION:

That Council receives the report from the Northern Youth Coordinating Committee Meeting held on 4 February 2020.

REPORT:

The Northern Youth Coordinating Committee (NYCC) met on Tuesday, 4 February 2020 and the following business was conducted:

- A presentation by Door of Hope Launceston regarding their new multi-purpose building. The development will be an extension of the Door of Hope site and will be utilised to run some of their regular youth and children's programs. The Door of Hope is looking to open this space up for hire to other services when regular programs are not running.
 - An update from City Mission *Mish* Youth Services on the *Mish Makers'* Program. The program is aimed to:
 - teach and guide young people in artisan stalls
 - to design and critique; and
 - to teach and resource young people to sell and pursue self-work.The makers' program now has an outreach service offering small groups of young people short courses at no cost.
 - An update on the Youth Network of Tasmania (YNOT) budget priority statement for 2020. The focus of the statement is to encourage State Government to develop a Tasmanian Youth Strategy. Tasmania is the only State in Australia without an Office for Youth. The priority statement will push for a need to invest in young people.
-

13.2 Northern Youth Coordinating Committee Meeting - 4 February 2020 ...(Cont'd)

- YNOT is also supporting Youth Week Tasmania this year, with the Committee being successful in receiving a grant to run a youth event. The event will be a Rock Challenge held at Riverbend Park on Saturday, 28 March 2020.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Consideration contained in Report

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Area:

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

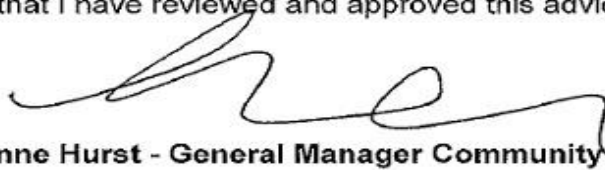
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

13.3 Tender Review Committee Meeting - 30 January 2020**FILE NO:** SF0100/CD.044/2019**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept the tender submitted by Crossroads Civil Contracting Pty Ltd for the Blaydon Street, Kings Meadows (Guy to Janet Streets) - Road Rehabilitation Works, Contract No CD.044/2019 be accepted for a cost to Council of \$216,484.00 (exclusive of GST).

REPORT:

The Tender Review Committee Meeting, held on 30 January 2020, determined the following:

That the sum submitted by Crossroads Civil Contracting Pty Ltd for the Blaydon Street, Kings Meadows (Guy to Janet Streets) - Road Rehabilitation Works, Contract No CD.044/2019 be accepted for a cost to Council of \$216,484.00 (exclusive of GST).

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

13.3 Tender Review Committee Meeting - 30 January 2020 ...(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:

3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

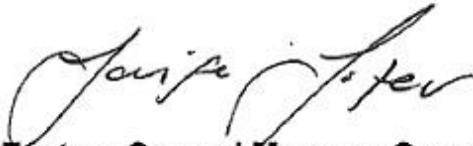
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

14 COUNCIL WORKSHOPS

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

14.1 Council Workshop Report

FILE NO: SF4401

AUTHOR: Anthea Rooney (Committee Clerk)

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 13 and 20 February 2020

Northern Tasmania Development Corporation Ltd Update

Action - Advocacy and Alliance - NTDC's role in making our region an even greater place to live, work and grow.

Northern Tasmania Development Corporation Ltd Draft Members Funding Agreement

Councillors discussed the draft NTDC Members Funding Agreement.

Cities Power Partnership

Councillors discussed the recommendations for Cities Power Partnership pledges and draft Carbon Action Management Plan.

LAC Energy System Project

Councillors were briefed on the proposed conversion of LAC's primary energy system from gas co-generation to an electricity-based heap pump and solar PV system.

Tiger Bus: 10 Year Anniversary Rebrand

Councillors were presented with rebrand options and then provided guidance on a design recommendation and marketing roll out direction.

Cityprom Inc. Review

Councillors were provided with an update regarding the Cityprom Inc. Review progress.

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

Tamar Sediment Management

Councillors were provided with an update on the progress of the Tamar Sediment Management Project.

QVMAG Cultural Strategy

Councillors discussed and provided feedback on the final draft of the City of Launceston's Cultural Strategy.

Tourism Northern Tasmania Future

Councillors were provided with an update on the Service Agreement with the City of Launceston.

Cimitiere Street Car Park Future

Councillors discussed the future options for the Cimitiere Street Car Park.

REPORT:

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

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

14.1 Council Workshop Report ...(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.

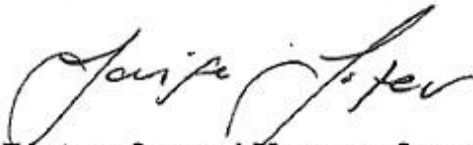
BUDGET & FINANCIAL ASPECTS:

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

15 NOTICES OF MOTION

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

15.1 Notice of Motion - Councillor N D Daking - Brisbane Street Mall Activation

FILE NO: SF5547

AUTHOR: Anthea Rooney (Committee Clerk)

CHIEF EXECUTIVE OFFICER: Michael Stretton

DECISION STATEMENT:

To consider a Notice of Motion submitted by Councillor N D Daking regarding Brisbane Street Mall Activation.

RECOMMENDATION:

That Council requests the Chief Executive Officer to complete a feasibility study to identify a suitable site within the Mall to establish a tenancy opportunity for the operation of a food business. In identifying the location it will be necessary to take into consideration the services that would need to be provided (waste, water, power, security, etc.), together with the costs of establishing the tenancy infrastructure. Once the site, size (m²) and services are identified, a m² rate could be applied to the site and costs provide. If the project is feasible and sufficient funding provided to deliver the tenancy, it is proposed that the opportunity would be publicly tendered.

REPORT:

The vision for the Launceston City Heart (LCH) Project is to make central Launceston the premiere business, retail and lifestyle hub of Northern Tasmania and to cement the City's reputation as the most liveable regional centre in Australia (*Launceston City Heart, People, Place, Lifestyle 2015*).

Under the LCH Project the Council has completed a re-development of the Brisbane Street Mall and while the urban space has most definitely been improved by the project, the Mall is still lacking the vibrancy we need to deliver on the LCH Project vision. Of course, the Council is about to introduce more greenery into the space which will assist, however, I believe that there is more that can be done. For years there has always been a busy Mall vendor business that offered papers, coffee, light food and convenient goods, all which made a positive impact towards the atmosphere and amenities for both visitors and businesses.

**15.1 Notice of Motion - Councillor N D Daking - Brisbane Street Mall Activation
...(Cont'd)**

I would like to see more opportunity for a food business to be established within the Brisbane Street Mall itself, which is common in other malls throughout the country. The motion is to be designed to test the market of what potential new or existing businesses would be interested and how they could operate in the designated space. There is a lot of unknowns but in simple terms this motion is designed to take the mystery out of such unknowns.

OFFICER COMMENTS:

(Michael Stretton - Chief Executive Officer)

The Notice of Motion calls for the completion of a feasibility study to identify a suitable site within the Brisbane Street Mall to establish a tenancy opportunity for the operation of a food business.

Any and all proposals to further activate the Brisbane Street Mall are welcome and there is a definite need to promote more food businesses within the Mall. As such the merits of the Motion are sound.

Whilst there is the capability within the Council to complete the feasibility study - at the present time the capacity is limited due to heavy workloads and staff vacancies in key roles, particularly in the new Place Making Team. If the Motion is supported, it is estimated that the work could be completed once the annual planning and budget process is completed towards the middle of the year.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

**15.1 Notice of Motion - Councillor N D Daking - Brisbane Street Mall Activation
...(Cont'd)**

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To ensure decisions are made in a transparent and accountable way
Key Direction -
3. To ensure decisions are made on the basis of accurate and relevant information

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Michael Stretton - Chief Executive Officer

ATTACHMENTS:

1. Notice of Motion - Councillor N D Daking - Brisbane Street Mall Activation
-

Attachment 1 - Notice of Motion - Councillor N D Daking - Brisbane Street Mall Activation

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 / 6793
EG
DATE: 12 February 2020

TO: Michael Stretton Chief Executive Officer
c.c. Committee Clerks

FROM: Nick Daking Councillor

SUBJECT: Notice of Motion - Brisbane Street Mall Activation

In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 20 February 2020.

Motion

That the Council:

1. requests the Chief Executive Officer to complete a feasibility study to identify a suitable site within the mall to establish a tenancy opportunity for the operation of a food business. In identifying the location it will be necessary to take into consideration the services that would need to be provided (waste, water, power, security etc) together with the costs of establishing the tenancy infrastructure. Once the site, size (m2) and services are identified, a m2 rate could be applied to the site and costs provide If the project is feasible and sufficient funding provided to deliver the tenancy, it is proposed that the opportunity would be publicly tendered.

Background

The vision for the Launceston City Heart (LCH) Project is to make central Launceston the premiere business, retail and lifestyle hub of Northern Tasmania and to cement the City's reputation as the most liveable regional centre in Australia (Launceston City Heart, People, Place, Lifestyle 2015).

Under the LCH Project the Council has completed a re-development of the Brisbane Street Mall, and while the Urban Space has most definitely been improved by the project, the Mall is still lacking the vibrancy we need to deliver on the LCH Project vision. Of course, Council is about to introduce more greenery into the space which will assist, however, I believe that there is more that can be done. For years there has always been a busy mall vendor business that offered papers, coffee, light food and convenient goods, all which made a positive impact towards the atmosphere and amenities for both visitors and businesses.

CITY OF LAUNCESTON

MEMORANDUM

I would like to see more opportunity for a food business to be established within the Brisbane Street Mall itself, which is common in other malls throughout the country. The motion is to be designed to test the market of what potential new or existing businesses would be interested and how they could operate in the designated space. There is a lot of unknowns but in simple terms this motion is designed to take the mystery out of such unknowns.

Attachments
N/A



Councillor Nick Daking

16 COMMUNITY AND PLACE NETWORK ITEMS**16.1 Launceston Leisure and Aquatic Centre Energy System Project****FILE NO:** 21111/SF5622**AUTHOR:** Marcus Grantham (Coordinator Business Improvement)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider the proposed conversion of Launceston Leisure and Aquatic Centre's primary energy system from gas co-generation to an electricity-based Heat Pump and Solar Photovoltaic system.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 13 February 2020 - LAC Energy System Project

RECOMMENDATION:

That Council:

1. provides in principle support for the installation of a Heat Pump and Solar Photovoltaic system at the Launceston Leisure and Aquatic Centre; and
 2. agrees that the project be included in the 2019/2020 capital works program, subject to the necessary budget amendment being approved.
-

REPORT:

A previous review of Launceston Leisure and Aquatic Centre's (LAC) energy system in 2018 by Goanna Energy found the Co-Generation system (Co-Gen) was unlikely to provide positive financial returns beyond 2020. As such, the Council has undertaken a review of the current system performance and a recommendation for its future energy system(s).

Engineering and financial modeling undertaken by the Council indicates that the introduction of a Heat Pump and Solar Photovoltaic (PV) system is a financially attractive opportunity that will reduce the Centre's energy expenditure. Furthermore, conversion of the Centre's Co-Gen system to a Heat Pump and Solar PV system represents the greatest single emissions-reduction opportunity within the Council's current capability and is the highest-impact action that Council can make at this time to meet its commitments under Council's Climate Emergency Declaration (8 August 2019).

16.1 Launceston Leisure and Aquatic Centre Energy System Project ...(Cont'd)

The total project cost for the recommended Heat Pump and Solar PV system is \$1.77m. This includes a 20% contingency and a 5% project design and management fee. A Heat Pump and Solar PV system is forecast to reduce the Centre's annual operating costs by \$413k (year one) to \$502k (year five). This represents a payback period of approximately four years. Sensitivity analysis for both upper and lower scenarios is provided within the report.

INTRODUCTION

The Launceston Leisure and Aquatic Centre is Northern Tasmania's premiere Regional Aquatic Facility. Built in 2008 on the historic Windmill Hill site, the Centre attracts over 420,000 visitations per year.

In 2008, the Centre commenced the TasGas Networks Gas Distribution Services Agreement (GDSA) to receive gas until 2018, on the premise that gas was a significantly cheaper energy alternative to electricity at the time.

As the GDSA was nearing the end of its term in 2018, Goanna were engaged to review the Centre's existing energy situation and to negotiate a new deal with energy providers. The negotiation resulted in an extended GDSA for a further two years (ending December 2020).

Goanna's assessment of the Centre's energy systems was that the Centre's Co-Gen system was unlikely to provide positive financial returns beyond 2020. Goanna recommended that the Council undertake a detailed assessment of a post-2019 energy strategy. The resulting assessment, completed in December 2019, recommended that the Centre adopt heat pumps complemented with roof top solar.

CONSULTATION

This report has been prepared by the Coordinator Business Improvement and has been developed and reviewed with the Manager Business Enterprises and the Sustainability Officer.

COVA Thinking were engaged to provide advice and modeling for Centre energy and thermal requirements, analysis of previous Centre energy performance, energy system infrastructure, project timeline and Heat Pump capital cost estimates.

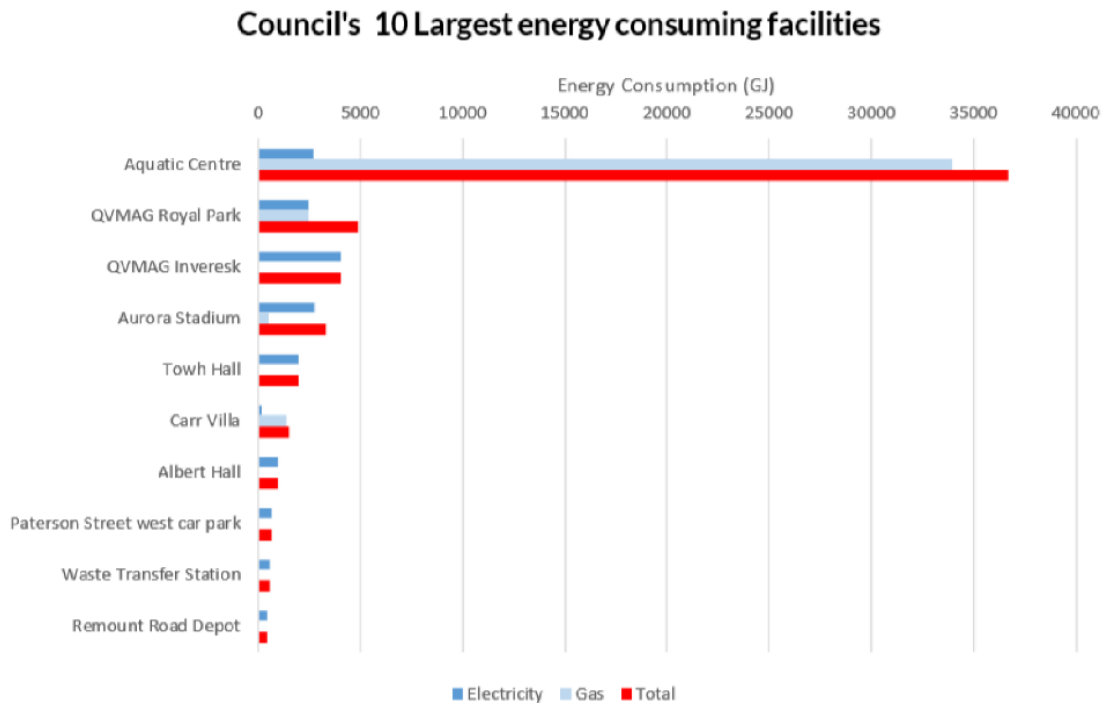
Goanna Energy were engaged to provide forecasts for future energy rates. Goanna Energy provided estimates for the operational costs of each energy system by using its fuel cost forecasts in conjunction with COVA's Centre energy models.

16.1 Launceston Leisure and Aquatic Centre Energy System Project ...(Cont'd)

ENERGY CONSUMPTION AND EFFICIENCIES

Energy consumption in aquatic centres comprises of electrical energy (cooling, lighting, equipment), and thermal energy (air and water heating). As a general principle, the majority of energy consumption constitutes of air ventilation, including heating (45% of total energy consumption) and pool water heating (33% of total energy consumption).

The following graph shows the energy consumption of the Council's largest sites and shows LAC as consuming more energy than all other sites combined.



ENERGY ALTERNATIVE: REPLACE COGEN WITH ELECTRIC HEAT PUMP AND SOLAR PV SYSTEM

Replacement of existing Cogen system with an electric Heat Pump and Solar PV system.

Heat pumps are energy efficient heating systems that can be powered by renewable energy sources such as hydro-electric power and solar PV.

Solar PV systems are well established energy generation systems used in most major aquatic centres across Australia and overseas. Solar PV systems help offset the use of electricity during daytime hours.

The operating costs for heat pump systems are primarily influenced by the Centre’s daily energy requirements and electricity prices.

16.1 Launceston Leisure and Aquatic Centre Energy System Project ...(Cont'd)

There is a natural synergy between solar PV and heat pump systems due to the operating mechanisms of each system.

Benefits - Financial

- Improved serviceability due to equipment familiarity by local contractors
- Solar PV reduces exposure to electricity price increases
- Reduced operational expenditure
- Spark spread suggests financial performance improves annually when compared with Co-Gen system
- Solar systems up to 100kW receive Small-Scale Technology Certificate (STCs), significantly reducing its purchasing cost
- Combined payback period of approximately four years

Benefits - Environmental

- Significant reduction in the Council's overall emissions
- Centre energy derived from 100% renewable resources

Risks - Financial

- If electricity prices, after five years, increase at a greater rate than gas prices

Risks - Environmental

- Heat pump systems require refrigerant which can cause environmental damage if leakage occurs

ECONOMIC IMPACT:

Goanna has supplied financial analysis of the Centre's energy options, including sensitivity analysis for upper and lower-case scenarios. This analysis suggests that procurement of a Heat Pump and Solar PV system will reduce operating costs from \$413k (year one) to \$502k (year five).

The estimated capital cost for the Heat Pump and Solar PV systems is \$1.77m, with a combined payback period of approximately four years.

ENVIRONMENTAL IMPACT:

Hydroelectric electricity is currently the largest source of renewable energy in Australia, accounting for around 40 per cent of the nation's renewable energy in 2017. Launceston's electricity is primarily generated by renewable hydroelectric power plants, including the Trevallyn Power Station, which is supplied with water from Trevallyn Dam. The major retailer is Aurora Energy. Certified 100 percent renewable hydro power is available at a premium rate but Launceston is fortunate in having near-100 per cent renewable hydroelectricity available in any case.

16.1 Launceston Leisure and Aquatic Centre Energy System Project ...(Cont'd)

Switching from non-renewable gas-powered heat generation to electric generation will take advantage of Launceston's environmentally friendly renewable energy sources and reduce the organisation's greenhouse gas emissions. The inclusion of a 99kW Solar PV system will increase the Council's current solar capacity from 393kW to 492kW.

Based on liquefied natural gas (LNG) consumption at the LAC for 2018/2019, and the 2019 National Greenhouse Accounts Factors, the estimated greenhouse gas emissions (direct/scope 1 carbon dioxide equivalent emissions) for the facility in the last financial year were 1,406.1 t CO₂-e. Whilst a full emissions comparison would take into account indirect emissions from LNG and hydroelectricity and lifecycle assessments for solar photovoltaic panels, the figure above would be very close to the annual greenhouse gas savings that conversion from current LNG to solar and hydro power would result in. This is equivalent to removing 305 cars off the road per annum. Furthermore, to put this in perspective, estimated total direct and indirect greenhouse gas emissions across the Council actually grew slightly between 2013/2014 and 2017/2018 despite energy efficiencies being implemented and this has largely been attributed to increasing emissions from the Council's LNG use.

Given the regional significance of the LAC facility, the replacement of non-renewable, high emissions gas power to more sustainable renewables are a high-profile opportunity to showcase the City of Launceston's commitment to carbon emissions reduction and a move to 100 percent renewable energy by 2025. Based on energy consumption data across facilities, this conversion also represents the greatest single emissions-reduction opportunity within the Council's current capability, representing the highest-impact action that the Council could make at this time to meet its commitments under Council's Climate Emergency Declaration (8 August 2019). An additional benefit is that, being a publicly used and valued facility, converting to near-100 percent renewables allows community users to also participate in the move to increased sustainability.

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.

16.1 Launceston Leisure and Aquatic Centre Energy System Project ...(Cont'd)

Focus Areas:

4. To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.
5. To maintain a financially sustainable organisation.

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

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

Focus Areas:

1. To reduce our and the community's impact on the natural environment.
2. To contribute to air and river quality improvements in Launceston.

BUDGET & FINANCIAL ASPECTS:

The financial data provided in this report has been derived from Goanna's reported energy system operating costs and COVA's preliminary capital investment estimate.

Sensitivity Analysis

Sensitivity analysis has been conducted for the heat pump cost outlook. In addition to the original (standard) heat pump cost outlook, Goanna Energy has provided an Upper and Lower-case scenario.

In each scenario, the original (standard) heat pump assumptions vary as follows:

	Electricity Volume	Electricity Commodity Cost
Upper Scenario	+20%	+20%
Lower Scenario	-20%	-5%

All other heat pump model variables are held at original assumptions.

Financial Details

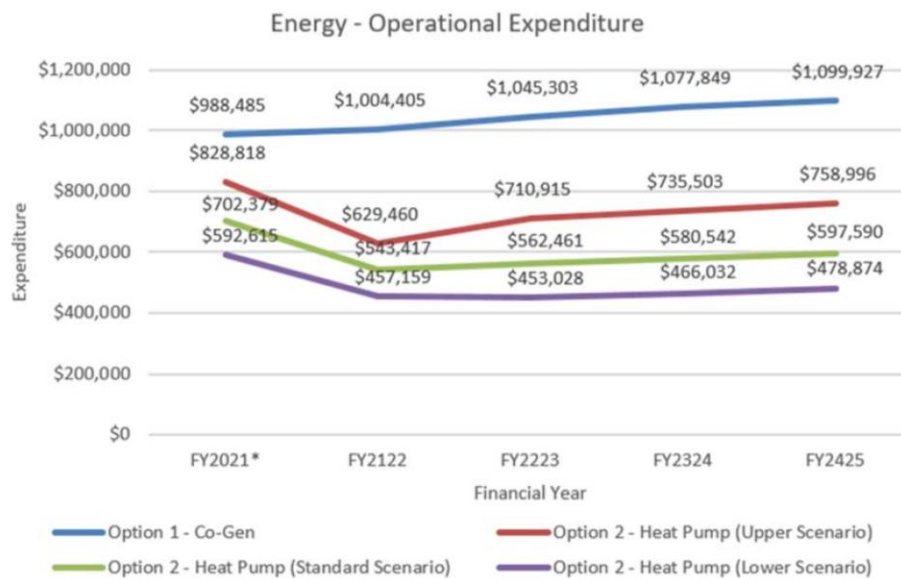
Table 2 and Graph 3 display the operating costs of each Heat Pump and Solar PV scenario compared with Cogen BAU. These figures include depreciation and maintenance.

16.1 Launceston Leisure and Aquatic Centre Energy System Project ...(Cont'd)

Table 2 - Energy system Operational Expenditure

	FY20/21*	FY21/22	FY22/23	FY23/24	FY24/25
Option 1 - Co-Gen BAU	\$988,485	\$1,004,405	\$1,045,303	\$1,077,849	\$1,099,927
Option 2 - Heat Pump and Solar PV (Upper Scenario)	\$828,818	\$629,460	\$710,915	\$735,503	\$758,996
Option 2 - Heat Pump and Solar PV (Standard Scenario)	\$702,379	\$543,417	\$562,461	\$580,542	\$597,590
Option 2 - Heat Pump and Solar PV (Lower Scenario)	\$592,615	\$457,159	\$453,028	\$466,032	\$478,874

Graph 3 - Energy system Operational Expenditure



* The full savings of the Heat Pump will not be realised in FY2020/2021, as the use of gas will continue until the Heat Pump is commissioned in December 2020.

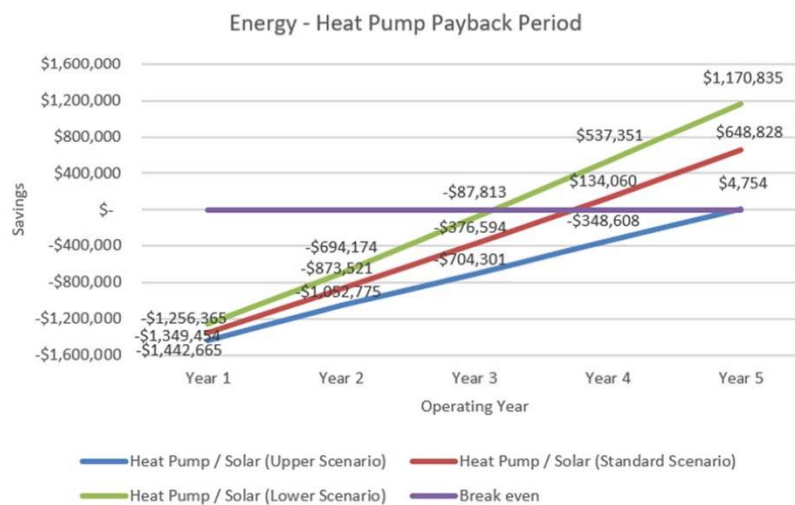
Table 3 and Graph 4 displays the payback period of each Heat Pump and Solar PV scenario.

16.1 Launceston Leisure and Aquatic Centre Energy System Project ...(Cont'd)

Table 3 - Heat Pump and Solar PV Payback Period

	Year 1	Year 2	Year 3	Year 4	Year 5
Heat Pump and Solar PV (Upper Scenario)	-\$1,419,116	-\$1,008,271	-\$637,983	-\$259,737	\$117,094
Heat Pump and Solar PV (Standard Scenario)	-\$1,325,905	-\$829,017	-\$310,276	\$222,931	\$761,168
Heat Pump and Solar PV (Lower Scenario)	-\$1,232,816	-\$649,670	-\$21,495	\$626,222	\$1,283,175

Graph 4 - Heat Pump and Solar PV Payback Period



Funding

If the recommendation to install the new energy system is approved, a budget amendment for the 2019/2020 year will be presented at the next Council Meeting so that work on the project can proceed.

The Council's Financial Strategy prioritises projects that deliver cost savings with favourable payback periods and this project has a payback of approximately four years.

The Council currently does not have available cash reserves to fully fund this project in the 2019/2020 budget period.

16.1 Launceston Leisure and Aquatic Centre Energy System Project ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

16.2 Level 1, 47a Brisbane Street, Launceston - Certificate of Exemption Under Section 90 of *Local Government (Building and Miscellaneous Provisions) Act 1993*

FILE NO: 18262/18263

AUTHOR: Abby Osborne (Statutory Services Officer)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider an application for a Certificate of Exemption under section 90 of *Local Government (Building and Miscellaneous Provisions) Act 1993* comprised and described in Certificate of Title Volume 7784 Folio 9 and Title Volume 110523 Folio 2.

RECOMMENDATION:

That Council approves an application for a Certificate of Exemption under section 90 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* comprised and described in Certificate of Title Volume 7784 Folio 9 and Title Volume 110523 Folio 2 at Level 1, 47a Brisbane Street, Launceston.

REPORT:

The Council has received a request under section 90 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* for Certificate of Exemption to allow the tenants of the land at 47 Brisbane Street, Launceston (Certificate of Title Volume 7784 Folio 9) to lease land at level 1, 47a Brisbane Street, Launceston (Certificate of Title Volume 110523 Folio 2) for a period of 15 years, commencing on 1 March 2020. The lease has an option for a further five year term.

Section 90 states:

Determination of applicability of provisions
If an instrument is lodged for registration under the Land Titles Act 1980 and the Recorder of Titles is not sure whether a final plan should first have been lodged to authorise the dealing to be effected by the instrument, the Recorder may require the person lodging the instrument to produce a certificate of the Council that the dealing is not in contravention of this Division.

With reference to section 80(1)(c) of the *Local Government (Building and Miscellaneous Provisions) Act 1993* the interpretation of "subdivide" includes a lease of land for a period exceeding 10 years.

16.2 Level 1, 47a Brisbane Street, Launceston - Certificate of Exemption Under Section 90 of *Local Government (Building And Miscellaneous Provisions) Act 1993* ...(Cont'd)

The registration does not otherwise alter the status of the land.

The land is zoned Urban Mixed Use.

The registration of the lease does not contravene the *Land Tiles Act 1980* and the request is supported.

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:

Local Government (Building and Miscellaneous Provisions) Act 1993

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

- 16.2 Level 1, 47a Brisbane Street, Launceston - Certificate of Exemption Under Section 90 of *Local Government (Building And Miscellaneous Provisions) Act 1993* ...(Cont'd)**
-

ATTACHMENTS:

1. Copy of Titles - Level 1, 47a Brisbane Street, Launceston
-

Attachment 1 - Copy of Titles - Level 1, 47a Brisbane Street, Launceston



RESULT OF SEARCH

RECORDER OF TITLES
 Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 7784	FOLIO 9
EDITION 2	DATE OF ISSUE 21-Apr-2004

SEARCH DATE : 12-Feb-2020
 SEARCH TIME : 04.01 PM

DESCRIPTION OF LAND

City of LAUNCESTON
 Lot 9 on Sealed Plan 7784
 (formerly Lots 1 & 8 on Sealed Plan No. 7784)
 Derivation : Part of 0A-2R-2Ps Section W Granted to W.
 Johnstone
 Prior CT 3557/73

SCHEDULE 1

C505694 TRANSFER to NORMAN HUBERT CORBETT and MARGARET
 ELIZABETH CORBETT (jointly as between themselves) of
 one undivided 1/2 share and CORWIL OPTICS PTY LTD of
 one undivided 1/2 share as tenants in common
 Registered 21-Apr-2004 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 SP 7784 EASEMENTS in Schedule of Easements
 C551151 MORTGAGE to Australia and New Zealand Banking Group
 Limited Registered 21-Apr-2004 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



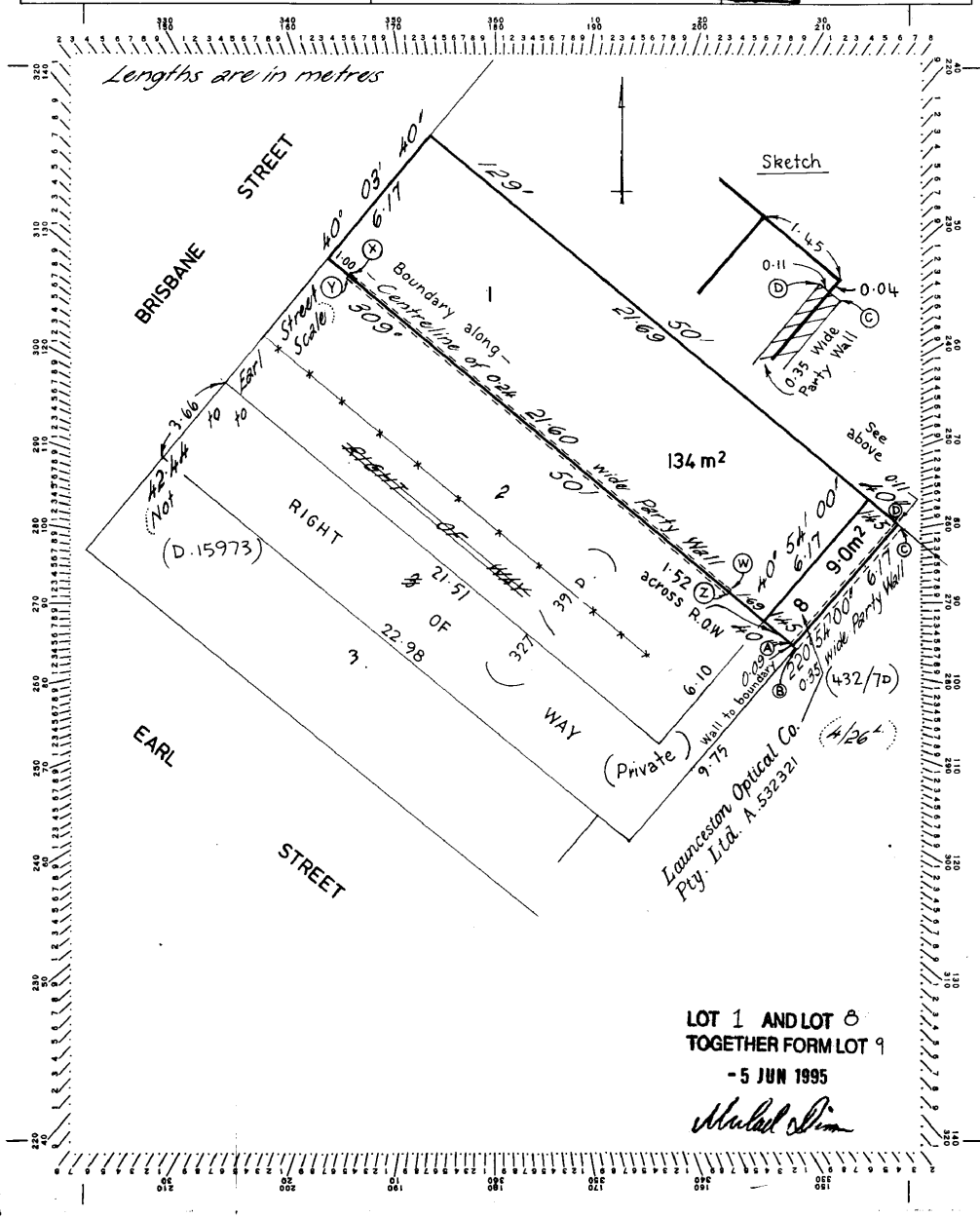
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p>16 FEB 1976</p> <p>Owner: <i>Lot 1 Launceston Optical Company Pty. Ltd.</i> <i>Lot 8 Wendy Slipper</i></p> <p>Title Reference: <i>C.T. Vol. 2897 Fol. 76</i> <i>C.T. Vol. 3054 Fol. 14 (Lot 1)</i></p> <p>Grantee: <i>Part of 0'2'2" Granted by William Johnstone</i></p>	<p>PLAN OF SURVEY by Surveyor <i>Edward M. Raw Pedley</i> of land situated in the</p> <p>CITY OF LAUNCESTON</p> <p>SEC. W</p> <p>Scale 1:150</p>	<p>Registered Number: S.P7784</p> <p>Effective from: 18 AUG 1976</p> <p><i>W. Withers</i> Recorder of Titles</p>
--	--	--



LOT 1 AND LOT 8
TOGETHER FORM LOT 9
- 5 JUN 1995
M. J. Dim



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 110523	FOLIO 2
EDITION 5	DATE OF ISSUE 17-Apr-2019

SEARCH DATE : 12-Feb-2020
SEARCH TIME : 04.12 PM

DESCRIPTION OF LAND

City of LAUNCESTON
Lot 2 on Plan 110523
Derivation : Part of 0A-2R-2Ps. Gtd. to W. Johnstone
Prior CT 2129/46

SCHEDULE 1

M533904 TRANSFER to KATE LOUISE TUCKER Registered
11-Sep-2015 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: A Right of Carriageway over the land
marked WHQNLKFGX on Plan No. 110523
BURDENING EASEMENT: A Right of Carriageway (appurtenant to the
balance of the land firstly described in Certificate
of Title Volume 192 Folio 80 other than Lots 3 and 4
on the said Plan No. 110523) over the land marked
OQMP on Plan No. 110523
PARTY WALL: The wall shown hereon as Party Wall is a Party
Wall 0.24 wide as defined by Section 34B of the
Conveyancing and Law of Property Act 1884, and Lot 1
on Plan No. 110523 and the said land within described
are affected by easements and rights as specified in
that Section
E176341 MORTGAGE to Bank of Queensland Limited Registered
17-Apr-2019 at 12.01 PM

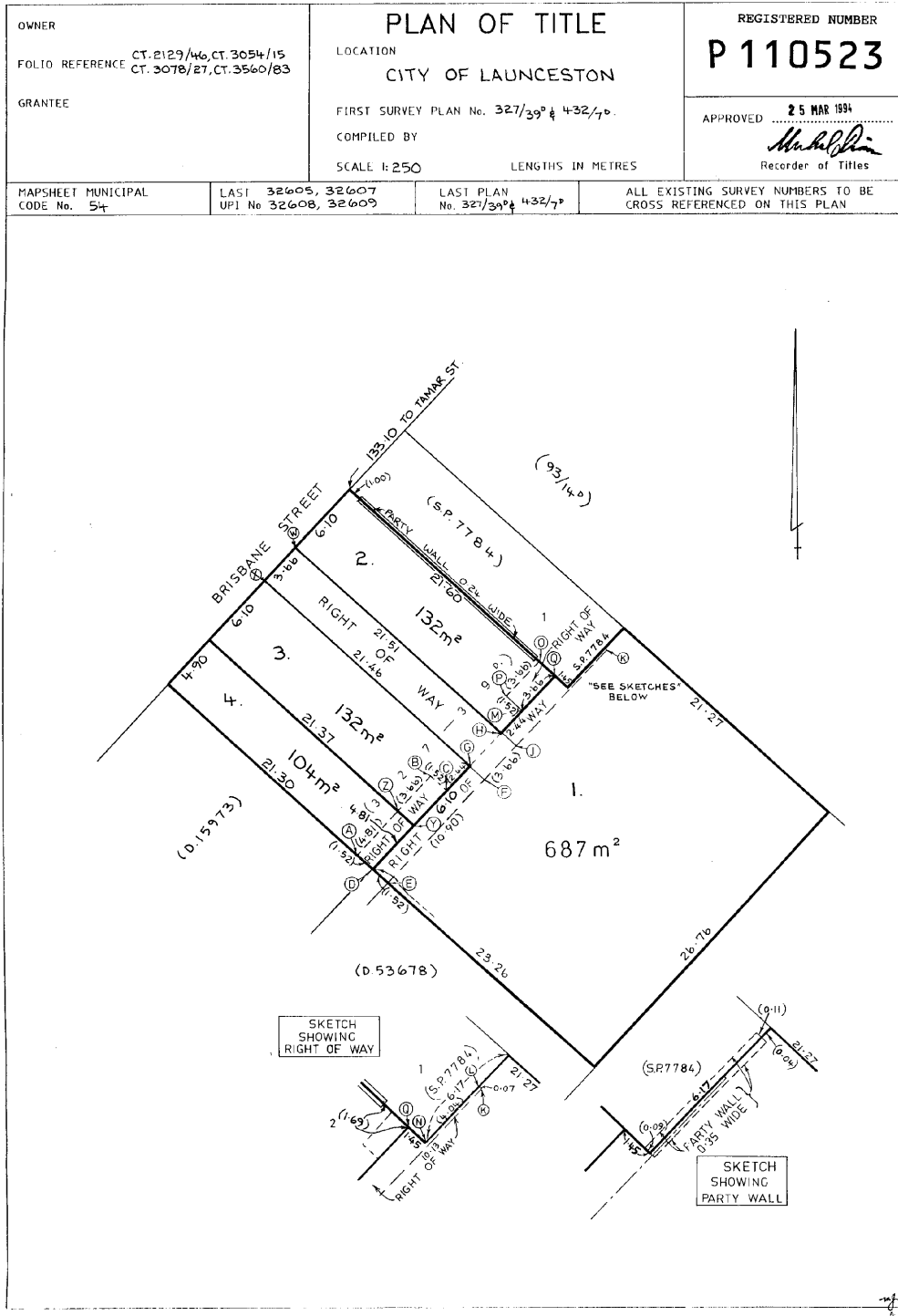
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS**17.1 Queen Victoria Museum and Art Gallery Activity Update****FILE NO:** SF5784**GENERAL MANAGER:** Tracy Puklowski (Creative Arts and Cultural Services Network)

DECISION STATEMENT:

To note the Queen Victoria Museum and Art Gallery Activity update.

RECOMMENDATION:

That Council receives the report Queen Victoria Museum and Art Gallery Update (ECM Document Set ID Number 4235245).

REPORT:

2019 was a year of significant change for Queen Victoria Museum and Art Gallery (QVMAG), including the finalisation of the Organisational Alignment Project (OAP) and the arrival of a number of new staff members. 2020 heralds the start of much that is new for the QVMAG and the Museum will move forward with a great sense of optimism and excitement. This report is a new annual initiative intended to provide a summary of the past year's highlights, and opportunities and priorities for the year ahead.

COLLECTIONS:

The QVMAG has been the very fortunate recipient of a major butterfly collection, which is currently arriving. Ian Knight, who collected the specimens across 50 years is now (at 90) a volunteer in the natural sciences laboratories where he working to transition his life's work into the Museum's collections. This is a major acquisition for the QVMAG and is of enormous interest to the national science community. The collection perfectly complements the Museum's focus on entomology and brings an enhanced relevance to the historic QVMAG collections. Extending this focus is the fieldwork undertaken by the QVMAG's science team, with David Maynard and Simon Fearn visiting King Island and the Furneaux group for the third year this summer. The invaluable work being undertaken is revealing a fascinating climate change story, as the known habitat of many insect species extending further south is watched.

17.1 Queen Victoria Museum and Art Gallery Activity Update ...(Cont'd)

The Museum is planning a special celebration of its furniture collection later in the year, where specialist restorers will be invited to work on some of the Museum's most important historic pieces in public. The Tasmanian craft traditions of furniture making are a rich part of QVMAG collection history. The fascinating art of restoration is too interesting to keep to the Museum alone so it has been decided to share it 'live'. This series of 'slow events' continues the theme of bringing 'back of house to front of house' and connects the Museum to friends and colleagues in cultural institutions around the globe for 'slow art day' on 4 April 2020.

As part of the QVMAG's audit process, a review of the Museum's entire holdings of material related to the Chinese history of Launceston has been undertaken with textiles, temple arts, workers clothing, medicines and domestic artefacts being investigated: QVMAG holds one of the most fascinating and historic collections of Australian Chinese material in the country. The Museum is looking forward to providing the database of this material online so the wider community can discover it.

The team has almost completed the over 600 individual works by the botanical artist Margaret Stones. When completed this collection will also be available to the wider public on the searchable database.

EXHIBITIONS:

The exhibition program for 2020 is now available on the QVMAG website. The next two artists the Museum will be working in collaboration with are Ann Zahalka and Alistair Mooney, who will both directly address the Museum's collections in their exhibitions. Ann Zahalka is a highly esteemed Australian photographer and will be revisiting the collection's historic dioramas with an updated take on the meaning of museum collections in the light of contemporary environmental issues. Alistair Mooney is one of the rising stars of the local art scene and has a growing national reputation as one to watch. This will be his first solo show, where he will meditate on the meaning of the place he knows best: Low Head.

The Art Gallery has enjoyed incredible success with Josh Foley during MONA FOMA: it had 331 visitors through on the Saturday and 394 on the Sunday, with large takings in the shop and café on both days. The audiences were a significant shift in demographics for the Museum, with front of house staff noting young people were visiting in large numbers. The QVMAG's strategy of directly addressing MONA FOMA tourists has been a great outcome and this trend will be continued to ensure that the Museum's work with MONA FOMA has lasting benefits for the wider Launceston community. *Calculating Infinity* will take pride of place at the Art Gallery for much of this year but will continue to evolve and provide a jumping-off point for a range of associated programmes and activities.

After 10 years, the much-loved aircraft in Tas Connections - *Miss Flinders* - has come to the end of her extended visit to the QVMAG. The aircraft will returned to her owners, the Commonwealth Government.

17.1 Queen Victoria Museum and Art Gallery Activity Update ...(Cont'd)

Other exhibitions coming up include *Living Loving Launceston* - an exhibition of the Launceston Arts Society; Gary Greenwood masks and a triennial exhibition with Arts Tasmania exploring the stories of 10 objects. The QVMAG is also currently in discussion to host Tasdance in one of the main galleries to develop new work *in situ*.

The Museum's major future project for the Art Gallery is a rehang of the permanent collection, as the Colonial and Federation exhibitions have been up for many years and whilst cherished, are no longer as relevant to many of our new and younger communities. Many fellow institutions throughout the country are also embarking on similar projects.

LEARNING:

The Learning Team now encompasses Education, Public Programmes and the Planetarium.

Vicki West, The Museum's new Aboriginal Learning Facilitator, joined the team on the 6 February 2020 and there has been a very positive response from schools to this expansion of the Museum's offerings.

The team is looking at a number of new ways of offering programmes this year. These include changing the focus of *Playgroup* to *Discovery Play*. The School Holiday Program has also been reshaped with the help of all of the Museum's curatorial departments. In all instances, the Museum is keen to reduce barriers and increase participation by lowering costs. Plans are also underway for interactive online educational resources and outreach programs.

Science Week is in the early stages of planning; this year's theme is *Deep Blue Ocean*.

Planning for this week's NAIDOC week has also begun. The QVMAG is working with Aboriginal artists to create statements that speak to this year's theme: *Always was, always will be Aboriginal Land*.

REDEVELOPMENT:

An important focus for 2020 will be putting plans and practices in place that set the Museum in good stead for a sustainable and successful future. Arising from the Cultural Strategy, the Museum is looking forward to working towards new conceptual and physical plans that leverage its strengths, maximise the potential of its relationship with the University of Tasmania (UTAS) and position the QVMAG as a Centre of Excellence for Northern Tasmania.

17.1 Queen Victoria Museum and Art Gallery Activity Update ...(Cont'd)

The QVMAG is looking forward to the start of works for the UTAS redevelopment and the associated opportunities to ensure that there is the strongest possible alignment between UTAS and the QVMAG. The first priority is looking at ways in which a redevelopment of *The Phenomena Factory* can support an innovative approach to museum-based teaching and learning, as well as working in partnership with The Underwood Centre and The Children's University.

STAKEHOLDER ENGAGEMENT:**MGAB (Museum Governance Advisory Board)**

As noted in the OAP report, a Governance Transition Plan is key to determining the Governance structure QVMAG will need to guide it into the next stage of its evolution as a contemporary and dynamic cultural institution. This is a significant turning point in the Museum's history and rigorous community and stakeholder input into the discussion will be vital. It is envisaged that the MGAB will play a key role on the Governance Working Group that will be established to support this process.

ARG (Aboriginal Reference Group)

In the middle of the year QVMAG staff and Tasmanian Aboriginal elders will participate in the repatriation of Māori human remains to the National Museum of New Zealand, Te Papa Tongarewa. Te Papa staff usually uplift any remains themselves, but in this instance, the QVMAG has been entrusted to accompany the tūpuna (ancestors) home. This is a unique and special honour and is very much in recognition of the status accorded to indigenous Australians by their New Zealand counterparts.

Friends of the Museum

The QVMAG is currently moving towards electronic communication for the Friends of the Museum to ensure that information is more up to date and easily accessible for members. This will also save money and resources that can be better used in support of other Friends' activities. The Museum is also planning a Workshop to look at the way that the QVMAG and the Friends work together and what changes need to be made (if any) to set both parties up for success and a sustainable future.

The Friends' Committee is currently planning their schedule of coffee morning speakers and other activities for 2020. It is anticipated that there will be a strong involvement with Science Week, as with previous years.

Art Gallery Guides

In 2020 the Art Gallery Guides and QVMAG will establish a new forward plan, which builds on their interest in working with dementia patients as a means of giving new meaning to the Museum's collections along with expanding its reach into the community. This work will start once a Public Programmes Officer has been appointed to QVMAG.

17.1 Queen Victoria Museum and Art Gallery Activity Update ...(Cont'd)

Arts Foundation

The Foundation had an extremely active year in 2019 and the Museum looks forward to continuing to work with the Arts Foundation to enhance its collections. The following highlights have been taken from the Arts Foundation Annual Report.

- **Ben Quilty Launch, 3 May 2019, Royal Park**

Approximately 60 guests attended the 'soft launch' of the new work purchased by the Foundation - a large Ben Quilty piece entitled *Development Application* with strong references to John Glover. QVMAG's Director, Tracy Puklowski spoke, as did the Foundation Chairman, Jennie Caswell and Ashley Bird of QVMAG. This event and artwork - and the Masterpieces for Tasmania Project generally - received excellent publicity. The effort was further enhanced by the donation by Mr Quilty of an etching to auction for fundraising purposes. This work achieved the reserved price and went to a collector in Melbourne.

- **Gallery Tour, 6 - 9 September 2019, Brisbane**

Thirteen self-funded supporters of QVMAG and the Arts Foundation travelled to Brisbane visiting a number of galleries and progressing the Foundation's brief to increase members' understanding and appreciation of art and their knowledge of other galleries and artists. The group, led by Jennie Caswell, visited the Philip Bacon Gallery, the Queensland Gallery of Modern Art (GOMA) and the William Robinson *Elixir of Light* exhibition at Old Government House. The GOMA visit was informed by guided tours of the Ben Quilty and Margaret Olley exhibitions.

- **Welcome Afternoon Tea, 19 September 2019, Royal Park**

This event followed the Arts Foundation Annual General Meeting at Royal Park and was the first opportunity for the expanded Foundation membership to meet since the Constitution was changed and ratified.

- **Black Tie Ticketed Dinner, 15 November 2019, Inveresk**

This event attracted 70 guests at \$250.00 per person. It featured a preliminary phase during which guests were taken by bus to Royal Park to see the Ben Quilty painting *in situ*, to hear curator Ashley Watling speak, to see artist Josh Foley at work in *Gallery One* and to view the Tom Roberts works that have been donated to the Gallery. A formal dinner followed back at Inveresk, hosted by Jennie Caswell, with addresses by Karen Quinlan, Director of the National Portrait Gallery and Tracy Puklowski. An auction of art works and other items donated by Foundation Members and their families was conducted by Charles Headlam.

17.1 Queen Victoria Museum and Art Gallery Activity Update ...(Cont'd)

- **O'Flaherty Bequest**

A Memorandum of Understanding has been signed by Professor Coleman O'Flaherty, the Chairman of the Foundation and the QVMAG General Manager setting down the terms of a pre-existing bequest in memory of Professor O'Flaherty's late wife, Nuala. The value of the bequest is \$250,000. It will fund a keynote speaker either annually or bi-annually to present at a significant cultural and/or academic event held under the auspices of the QVMAG. The Foundation and the City are greatly indebted to Professor O'Flaherty for his ongoing generosity and to John Cauchi for his assistance with this process.

- **Constitutional Changes**

The Arts Foundation has been reviewing its operations and structure with the aim of securing its future viability by strengthening its membership base and simplifying its operation. A Strategic Planning Sub-Committee was set up to achieve this aim. It was considered that the aims and objectives of the Foundation and its sub-group, the Herbert Scott Society (HSS), were so closely aligned that the two should be combined. To that end all HSS members were to be invited to accept membership of the Foundation without any need for further financial contribution. This change was ratified at the Annual General Meeting held on 19 September 2019.

ECONOMIC IMPACT:

The redevelopment of QVMAG stands to have a significant economic impact on the City, as it will drive more tourism to Launceston and may create employment opportunities in time.

ENVIRONMENTAL IMPACT:

Moving to electronic communication for The Friends will lessen our environmental impact.

SOCIAL IMPACT:

Many of QVMAG's activities and programmes are intended to attract new audiences to the Museum, particularly those communities that have previously been under-represented.

17.1 Queen Victoria Museum and Art Gallery Activity Update ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 2: We facilitate prosperity by seeking out and responding to opportunities for growth and renewal of our regional economy.

10-Year Goal: To have realised opportunities that grow and sustain our economy and foster creative and innovative people and industries.

Focus Areas:

1. To actively market the City and region and pursue investment.
4. To promote tourism and the development of a quality tourism offering for Launceston.

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

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

Focus Areas:

1. To promote and enhance Launceston's rich heritage, culture and natural environment.

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.



Tracy Puklowski - General Manager Creative Arts and Cultural Services Network

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS

No Items have been identified as part of this Agenda

19 ORGANISATIONAL SERVICES NETWORK ITEMS

19.1 Lease - Summerhill Scout Group (West Launceston Community Park)

FILE NO: SF0913

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

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing an area of land situated at 50-58 Stanley Street, Summerhill (CT150391/1) known as the West Launceston Community Park to the Scout Association of Australia, Tasmania Branch known as the Summerhill Scout Group.

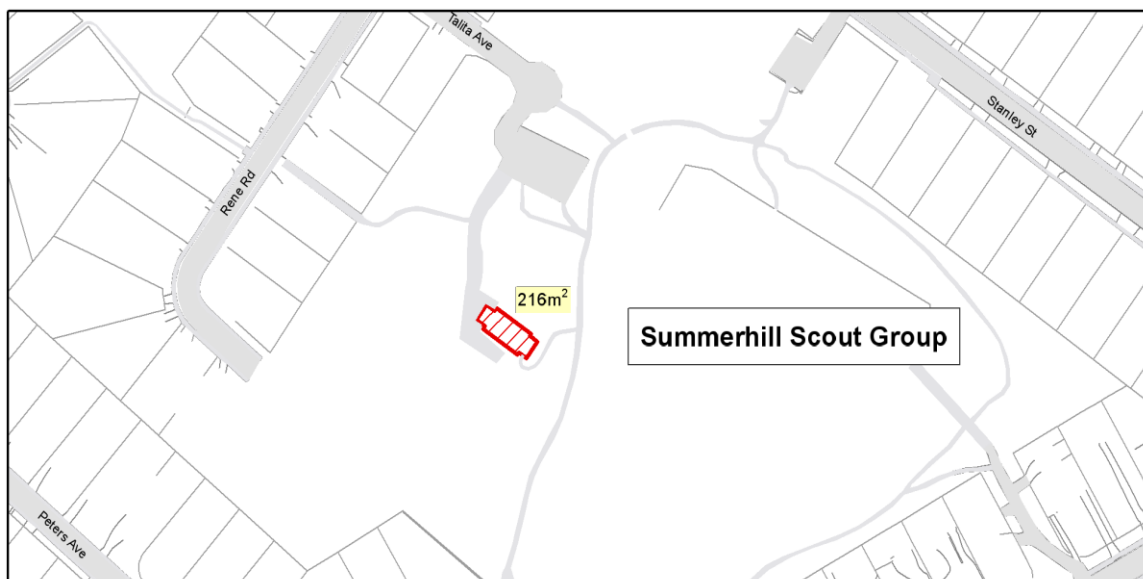
This decision requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

Council - 24 November 2014 - Agenda Item 18.2 - Lease Summerhill Scout Group (West Launceston Community Park)

RECOMMENDATION:

1. That Council, by absolute majority, in accordance with section 179 of the *Local Government Act 1993* (Tas), agrees to lease a parcel of land situated at 50-58 Stanley Street, Summerhill (CT150391/1) to the Scout Association of Australia, Tasmania Branch known as the Summerhill Scout Group as indicated on the plan below:



**19.1 Lease - Summerhill Scout Group (West Launceston Community Park)
...(Cont'd)**

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

- the term shall be five years commencing on 1 March 2020;
 - the lease amount shall be \$1per annum if demanded;
 - tenant to be responsible for:
 - building and contents insurance;
 - energy costs;
 - volumetric and connection charges for water; and
 - sewerage charges;
 - and other service charges if any
 - tenant shall continuously maintain:
 - any infrastructure or any infrastructure installed by the tenant or 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
-

REPORT:

Scouting in Tasmania has been around since 1909 and in 2009 the Scout Association of Australia, Tasmania Branch celebrated their 100th year anniversary. With memberships of over 2,500, scouting continues to grow and provide a positive and important recreation for the local community.

For over 30 years, Council has leased an area in the West Launceston Community Park to the Scout Association of Australia, Tasmania Branch known as the Summerhill Scout Group. The scouts have always maintained their independence and have rarely sought any assistance from the Council for funding or maintenance. To date the Scout Association has been a model tenant. On 1 December 2019 the previous lease expired and Scout Association of Australia, Tasmania Branch is operating under the holding over clause. The Scout Association of Tasmania has contacted the Council and wish to have a new lease over the property for five years.

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

ECONOMIC IMPACT:

Not considered relevant to this report.

**19.1 Lease - Summerhill Scout Group (West Launceston Community Park)
...(Cont'd)**

ENVIRONMENTAL IMPACT:

There will be no environmental impact with this decision.

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.

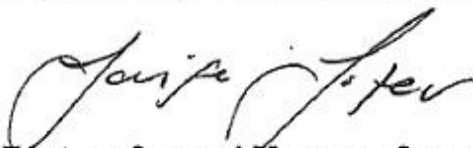
BUDGET & FINANCIAL ASPECTS:

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

19.2 Lease - 1st Tamar Sea Scouts**FILE NO:** SF0866**AUTHOR:** Tricia De Leon-Hillier (Lease and Licencing Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing an area of land situated at 78 Paterson Street, Launceston (CT138979/10) known as Royal Park to the Scout Association of Australia, Tasmania Branch known as the 1st Tamar Sea Scout Group.

This decision requires an absolute majority of Council

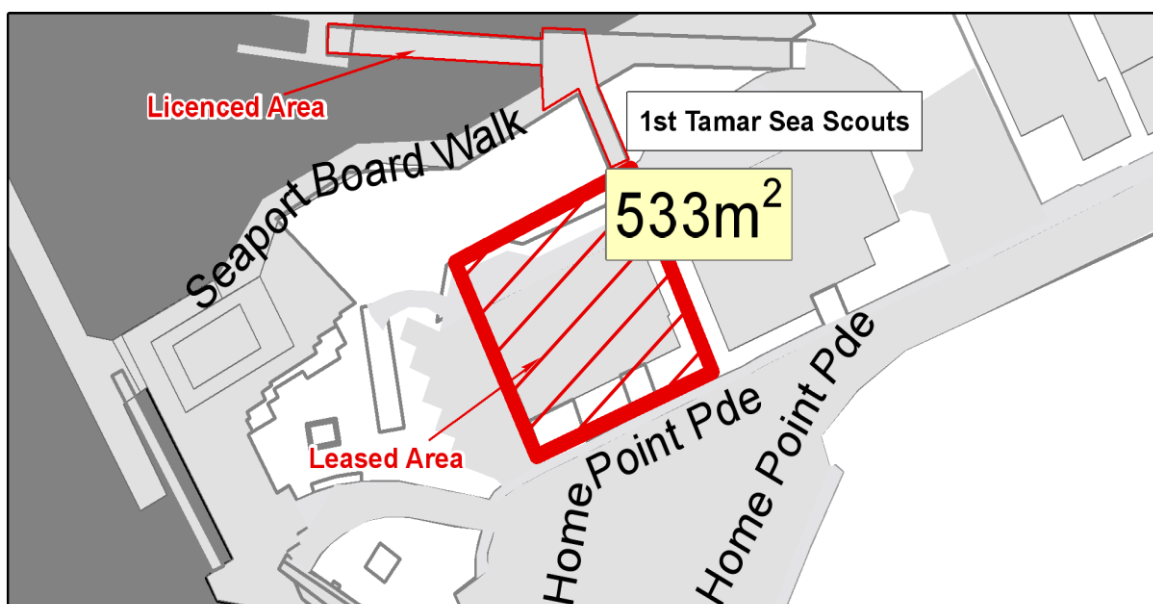
PREVIOUS COUNCIL CONSIDERATION:

Council - 10 August 2009 - Agenda Item 12.3 - 1st Tamar Sea Scout Group

RECOMMENDATION:

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

1. agrees to lease a parcel of land situated at 78 Paterson Street, Launceston (CT138979/10) known as Royal Park to the Scout Association of Australia, Tasmania Branch known as the 1st Tamar Sea Scout Group as indicated on the plan below:



19.2 Lease - 1st Tamar Sea Scouts ...(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 March 2020 or as determined by the CEO;
 - the lease amount shall be \$1per annum if demanded;
 - tenant to be responsible for:
 - building and contents insurance;
 - energy costs;
 - volumetric and connection charges for water; and
 - sewerage charges;
 - and other service charges if any.
 - tenant shall continuously maintain:
 - any infrastructure or any infrastructure installed by the tenant or the Council in relation to the 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 lease will include a non-exclusive licence to access the Council pontoon for launching their boats and canoes.
 - all remaining terms to be determined by the Chief Executive Officer.
 - any right, option or discretion exercised by Council under the lease may be exercised by the Chief Executive Officer.
-

REPORT:

Scouting in Tasmania has been around since 1909 and in 2009 the Scout Association of Australia, Tasmania Branch celebrated its 100th year anniversary. With memberships of over 2,500, scouting continues to grow and provide a positive and important recreation for the local community. Scouts prepares children for life by building confidence while teaching the value of responsibility. Scouts also learn valuable leadership skills and the opportunity to give back to their communities. Children who participate in scouts groups make new friends while taking part in activities such as camping, bushwalking, cooking and water sports. The 1st Tamar Sea Scout Group have been established for over 20 years when their lease first commenced in 1999.

Council has leased an area in Royal Park to the 1st Tamar Sea Scouts at the site where their clubrooms have been built. The Scout Association of Tasmania has contacted the Council and wish to have a new lease over the property since their lease expired on the 8 December 2019.

19.2 Lease - 1st Tamar Sea Scouts ...(Cont'd)

The lease is to cover their building and an area of land to have access to the Council pontoon for launching their boats and canoes. The 1st Tamar Sea Scouts has always maintained their independence and rarely sought any assistance from the Council for funding or maintenance and to date they have been model tenants.

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 a neutral impact on the environment.

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.

BUDGET & FINANCIAL ASPECTS:

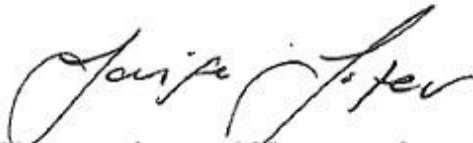
Not considered relevant to this report.

19.2 Lease - 1st Tamar Sea Scouts ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

19.3 Code for Tenders and Contracts**FILE NO:** SF3379**AUTHOR:** Kellie Graham (Acting Team Leader Procurement)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the adoption of the Code for Tenders and Contracts.

PREVIOUS COUNCIL CONSIDERATION:

Council - 28 November 2005 - Agenda Item 13.2 Code for Tenders and Contracts

Workshop - 21 November 2019 - Procurement Update - Internal Audit Outcomes and Document Review

RECOMMENDATION:

That Council adopts the Code for Tenders and Contracts (11-Plx-004) set out below and revokes - 11-HLPr-005:

Code for Tenders and Contracts**1 Introduction**

This Code for Tenders and Contracts (the Code) provides a policy framework on purchasing and tendering requirements for Council. In this document, "City of Launceston", "Launceston City Council", "we", "us", and "our" refers to Council. "Suppliers" means people or entities that offer goods or services to us - for example contractors, sub-contractors or consultants.

2 Legislation

In accordance with Part 16, Division 2A, sections 333A and 333B of the *Local Government Act 1993* (Tas) (the Act), we must create, maintain and comply with this Code when acquiring goods and services. Detail contained in the Code is consistent with the requirements of the *Local Government (General) Regulations 2005* (the Regulations), regulations 23 - 29 inclusive.

19.3 Code for Tenders and Contracts ...(Cont'd)

3 Purpose

The Code aims to:

- ensure compliance with relevant legislation;
- enhance value for money through fair, competitive, non-discriminatory procurement;
- promote the use of resources in an efficient, effective and ethical manner;
- encourage probity, accountability and transparency in decision making;
- provide reasonable opportunity for competitive local businesses to supply to City of Launceston;
- minimise the cost to suppliers of participating in the tendering process;
- allow us to appropriately manage risk; and
- promote our economic, social and environmental plans and policies.

4 Scope

4.1 Policy versus procedure

The Code essentially provides a high-level overview of tender and contract requirements as they apply to City of Launceston. Although some procedural detail associated with our tender and contract management systems and processes is included in this document, additional lower level detail is contained in procedure documents.

Consistent with the requirements specified in Regulation 28, we will establish and maintain local level procedures to:

- ensure all potential suppliers are provided with the same information relating to the requirements of an open tender process or contract and are given equal opportunity to meet the requirements;
- that fair and equitable consideration is given to all tenders or quotations received;
- deal honestly with and be equitable in the treatment of all potential suppliers;
- ensure a prompt and courteous response to all reasonable requests for advice and information from potential or existing suppliers;
- protect commercial in confidence information;
- review each tender process to ensure that each tender is in accordance with the Regulations and the Code; and
- ensure that all submissions received are treated in manner reflecting probity, transparency, and preventing any suggestion of improper handling of pricing and quotes.

We will also establish and maintain procedures for:

- amending, extending or cancelling a tender once it has been released;
 - opening tenders;
 - the consideration of tenders that do not fully conform with the tender requirements; and
 - handling complaints regarding processes related to the supply of goods or services.
-

19.3 Code for Tenders and Contracts ...(Cont'd)

4.2 Employees and Service Providers

The Code applies to Council, council employees and agents and any supplier wishing to compete for City of Launceston business or provide goods, services or works to City of Launceston.

Wherever reasonably possible, suppliers engaged by us to source services will apply the Code when seeking tenders or quotations in respect of Council business from third parties.

5 Procurement Principles

We will have regard to the following principles when acquiring goods and services.

5.1 Open and effective communication

We will ensure that the purchasing process is impartial, open and encourages competitive offers. In practice this means that we will:

- use transparent and open purchasing processes so that service providers and the public are able to have confidence in the outcomes;
- adequately test the market through seeking quotations or via tender as appropriate;
- avoid biased specifications;
- treat all service providers consistently and equitably; and
- ensure a prompt and courteous response to all reasonable requests for advice and information from service providers.

5.2 Value for money

We will ensure that we are buying at the most competitive price available, but value for money does not mean buying at the lowest price. In practice this means that we will consider:

- the contribution the goods or services make to achieving our strategic plans or policies;
 - the value of the acquisition and potential benefits against the costs of that purchase;
 - an assessment of risks associated with the purchase including the preferred procurement method;
 - how well goods or services meet needs;
 - maintenance and running costs over the lifetime of a product;
 - disposal value;
 - time constraints;
 - the impact of the procurement decision on the local economy, such as through industry development and employment creation;
 - the impact of the procurement decision on the environment, such as through minimising waste and reducing demand for goods and services which have a direct impact on the environment (such as printing, utilities and travel); and
 - the impact of the procurement decision on society (social value generated) such as through the elimination of discrimination and the promotion of equal opportunity, training, and other identified social objectives.
-

19.3 Code for Tenders and Contracts ...(Cont'd)

5.3 Enhancement of the capabilities of the local business industry

We will ensure that where local capacity exists we will seek to engage the local market and encourage participation in tender and quotation processes. In practice this means that we will:

- actively seek quotes from local businesses that are able to provide quality goods and/or services;
- where local capability exists, ensure that discretionary elements of specifications do not prevent local business from competing; and
- not give preferential treatment to local service providers where it cannot be reasonably justified.

5.4 Ethical behaviour and fair dealing

We will promote procurement practice that is legal, ethical, fair and unbiased. In practice this means that we will:

- comply with legal requirements;
- conduct all business in the best interests of the Council;
- be as effective and efficient as possible when sourcing, ordering and paying for goods and services;
- expect individuals involved in procurement processes to declare and act upon any conflict of interest situations that may arise and be perceived to influence impartiality (see 11-Fm-032 Conflict of Interest and Confidentiality Declaration);
- ensure that specifications are clear;
- ensure that any service provider is not provided with information or clarification that is not provided equally to all service providers;
- maintain confidentiality - except where the law requires us to do otherwise - at all times in dealing with service providers;
- ensure that conditions of contract are not excessively onerous; and
- decline gifts or benefits offered by those involved in the procurement process.

In practice this means that we expect suppliers to:

- ensure that they are well acquainted with our requirements as identified in the Code;
 - are familiar with particulars relating to a specific tender and quotation processes including the relevant specifications;
 - not submit a tender or quotation unless they have the financial, technical, physical, management resource, or other capabilities to fulfil our requirements;
 - not seek to influence a procurement process by improper means including collusion with other suppliers;
 - declare and act upon any conflicts of interest that may be seen to influence impartiality;
 - comply with all applicable legislative, regulatory and statutory requirements, including Acts of the Commonwealth and State, regulations, by laws and proclamations made or issued under such Acts and lawful requirements or directions of public and other authorities; and
 - not offer gifts or benefits to a Council officer for the discharge of official business.
-

19.3 Code for Tenders and Contracts ...(Cont'd)

6 Procurement Methods

While open and fair competition is best achieved by undertaking a tender process where all interested parties have an opportunity to bid, there are times when this practice is not the most advantageous outcome for the Council and for suppliers. In such instances, other market approaches may be more appropriate.

While having regard to the legislation, this code, and internal procedures, we will in our absolute discretion, determine the appropriate method that will be employed to procure goods and services at any particular time. A system generated Purchase Order will be issued for all procurement and may be either, a direct purchase, part of a detailed contract, or a full Tender Package. Dependant on scope and value, the Procurement methods employed by the Council are:

- a direct purchase;
- issue a Request For Quotation (RFQ);
- issue an Expression of Interest (EOI);
- issue a tender; or
- issue a multi stage tender (an EOI as stage one, then a tender as stage two).

6.1 Non Tender Processes for acquisition of goods and or services

Purchase Orders

Purchase Orders are issued for all requirements by the City of Launceston and depending on the risk and value profile of the requirement, may be a stand-alone Purchase Order or form part of more detailed documentation. City of Launceston Purchase Orders are issued in accordance with the "City of Launceston Standard Terms and Conditions of Purchase" and as such can be utilised for straightforward low risk purchases, even though some may be of considerable value.

Quotation Requirements

The current approved quotation requirements are detailed in the table below:

<u>Purchasing Estimate</u>	<u>Minimum Requirement</u>
<u>Less Than \$1,000</u>	<u>Verbal quote only. Purchase order raised. Refer to quote.</u>
<u>From \$1,000 to \$9,999</u>	<u>One written quote from a supplier. Purchase order raised with reference to the quote. Quote attached to purchase order.</u>
<u>From \$10,000 to \$49,999</u>	<u>Two written quotes from suppliers unless exempt per below. Purchase order raised with reference to the successful quote. All quotes attached to purchase order.</u>

19.3 Code for Tenders and Contracts ...(Cont'd)

<u>Purchasing Estimate</u>	<u>Minimum Requirement</u>
<u>From \$50,000 to \$99,999</u>	<u>Three written quotes from suppliers, unless exempt per below. Purchase order raised with reference to the successful quote. All quotes attached to purchase order.</u>
<u>From \$100,000 to \$250,000</u>	<u>Three written quotes from suppliers, unless exempt per below. Purchase order raised with reference to the successful quote. All quotes attached to purchase order. The Council requires this value range to be treated similar to a tender panel, showing evaluation attributes, weightings, and scoring. A project panel of three will conduct the evaluation scorings. The recommendation should be approved by the relevant General Manager. A contract should be used in addition to a purchase order, and all relevant documentation should be recorded in the ECM records database.</u>
<u>Greater than \$250,000</u>	<u>Public Tender Process >=\$250,000 Refer Code For Tenders and Contracts.</u>

Records are kept of all quotations received and if written quotations cannot be obtained, then Council must keep detailed written records of the oral quotation obtained including details of the commercial terms of the quotation.

It will be considered a serious breach of this code to intentionally split the purchase order to avoid the requirement for obtaining the required amount of supplier quotations (see 11-HLPr-001 Purchasing High Level Procedures).

6.1.1 General Managers' discretions

General Managers have discretionary authority for the following:

- to allow for a reduced number of quotes in any particular situation; and/or
- to appoint a sole supplier, or a particular service provider.

A General Manager`s authorisation needs to be in writing, and saved to the Purchase Order along with the relevant quote/s.

Purchasing goods and or services through the National Procurement Network (NPN) or other Government contracts is an option for Councils. Purchasing through these mechanisms still require observing the above quote requirements. Items with a financial value above the prescribed amount may be legitimately purchased through these organisations, and is justified under the Regulations (see **10 Exemptions**).

19.3 Code for Tenders and Contracts ...(Cont'd)

6.2 Tender - processes for acquisition of goods and or services

The Act and Regulations require that we invite tenders for any contract we intend to enter into for the supply or provision of goods or services valued at or above a prescribed amount. The prescribed amount is \$250,000 (GST exclusive).

That said, we may also determine that tenders should be called in certain circumstances as appropriate, where the estimated value of the purchase is less than the prescribed amount, or where a reputational risk to the council may exist.

6.2.1 Open tenders

An open tender process is an invitation to tender by public advertisement. There are generally no restrictions regarding who can submit a tender, however, service providers are required to submit all required information and will be evaluated against stated selection criteria and assessment methodology.

Consistent with the Regulations (Regulation 24), Council will ensure that when open tenders are used as a method of procurement, the Chief Executive Officer (CEO) will invite tenders.

The CEO will advertise the tender locally via the daily newspaper circulating in the municipal area and on our website - making the tender available to all qualified and interested bidders.

A supplier who submits a tender must do so in writing. The supplier must specify the goods or services tendered for, and conform to the lodgement instructions.

6.2.2 Multiple-stage tender

There are occasions - although usually limited (because the process can be resource intensive) - when we may use a multiple-stage tender process. Reference is made to this process in the Regulations at Regulation 26.

This tender method is used to gain knowledge about the market and obtain industry input - where it is unclear what goods and services are available - or to shortlist appropriate suppliers before seeking offers.

At each stage in this process, suppliers may be culled to those who are most suited to the specific contract requirements. Suppliers will be evaluated against criteria determined by Council officers.

Once a short list of potential service providers is developed, these service providers may be invited to participate in an open tender process.

19.3 Code for Tenders and Contracts ...(Cont'd)

As a first stage in this process, the CEO will seek expressions of interest from prospective tenderers. The CEO will advertise the expression of interest locally via the daily newspaper circulating in the municipal area and via our website.

This will be in accord with the requirements of the *Local Government (General) Regulations 2005* (the Regulations), Regulation 26.

At the final stage of a multiple-stage tender process, the CEO will invite all suppliers who have met the criteria determined by Council officers, to tender for the supply of goods or services. If only one service provider meets the criteria, we may contract with that supplier after a tender by that supplier, and after a decision by the Tender Review Committee to do so.

A supplier who submits a tender must do so in writing. The supplier must specify the goods or services tendered for, in accord with the requirements of the tender and must lodge the tender within the period specified as per the public notice and the specific tender documentation.

6.3 Ongoing supply arrangements - goods and services

6.3.1 Standing contract

A Council, through an open tender process, may establish a standing contract in which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process.

Reference is made to this process in the Regulations at Regulation 24. Suppliers listed on a standing contract will be selected following an evaluation process. We may legitimately purchase directly from a service provider listed on a standing contract.

We may implement our own standing contracts or we may make use of standing contracts that have been negotiated, for example, for Tasmanian Councils via the Local Government Association of Tasmania as a member of the NPN or via similar arrangements through the Tasmanian or other state governments.

6.3.2 Multiple use register

A multiple use register is a list, intended for use in more than one procurement process, of pre-qualified suppliers, who have satisfied the conditions for participation or inclusion on the register. Reference is made to the multiple use register process in the Regulations at Regulation 25.

19.3 Code for Tenders and Contracts ...(Cont'd)

We may establish a multiple use register of suppliers who meet our criteria in respect to the supply of particular categories of goods or services. Inclusion on a multiple use register provides certainty for potential suppliers that they have been recognised as meeting conditions for participation.

We will invite tenders for a contract for the supply of goods or services from all suppliers included on a multiple use register for a particular category of goods or services.

As per Regulation 28, Council will establish and maintain procedures for the use of multiple use registers for contracts valued under \$250,000 (GST exclusive). The CEO will invite applications from suppliers for inclusion on a multiple use register by advertising locally via the daily newspaper circulating in the municipal area and via our website.

The public notice will identify:

- clearly the nature of the goods and or services the Council requires;
- contract identification details;
- the period within which the expression of interest must be lodged;
- where the expression of interest must be lodged;
- details of a person from whom more detailed information relating to the expression of interest may be obtained.

The CEO will ensure that applicants are provided with information consistent with the requirements of the *Local Government (General Regulations) 2015*, including but not limited to:

- the specifications of the goods and or services required;
- objective criteria for evaluating the expression of interest;
- the method of evaluating expressions of interest against the criteria;
- details of any further stages in the tender process; and
- reference to the Council Code for Tenders and Contracts.

We may accept or reject an application for inclusion on the multiple use register. If we reject an application, we will advise the applicant of the reasons for rejection. If we accept an application, we will advise the applicant of the category in which the supplier will be included in the multiple use register.

We will review the multiple use register at least every two years. We will allow a supplier to apply for inclusion on the multiple use register at any time unless the service provider has made an application in the previous 12 months and the application has not been accepted.

19.3 Code for Tenders and Contracts ...(Cont'd)

6.3.3 Strategic alliances

We may choose to procure goods and services through contract arrangements already established and administered by other organisations, including the Local Government Association of Tasmania (through the NPN), state government contracts and any other purchasing group of which we are a member, and permitted by the Regulations.

7 Calculating the Value of a Purchase

7.1 Price

The dollar value of the purchase may be calculated as:

- a one-off purchase - the total amount, or estimated amount, of the purchase (excluding GST)
- multiple purchases - the gross value, or the estimated gross value, of the purchases (excluding GST); or
- ongoing purchases over a period of time - the annual gross value, or the estimated annual gross value, of the purchases (excluding GST)

As per Regulation 23, we will not split a single procurement activity into two or more separate contracts for the primary purpose of avoiding the requirement to publicly invite tenders.

7.2 Non price considerations

We will ensure that we are buying at the most competitive price available, but quantifying the value of a purchase does not simply mean buying at the lowest price. Specific non-price related matters that we will take into account are identified at **5.2 Value for money**, and include social, sustainable, and environmental considerations.

8 Goods and services tax (GST)

All procurement thresholds are GST exclusive. Tenders and quotations must be sought on a GST exclusive basis.

9 Extension of contracts entered into by tender

Consistent with Regulation 23(5), Council may extend a contract entered into as specified in the original contract documentation, or if the contract does not specify extensions, by an absolute majority.

19.3 Code for Tenders and Contracts ...(Cont'd)

10 Exemptions

There are circumstances where, subject to the CEO's authorisation, we may not call for a public tender. These circumstances are identified in Regulation 27.

- an emergency if, in the opinion of the CEO, there is insufficient time to invite tenders for the goods or services required in that emergency.
- a contract for goods or services supplied or provided by, or obtained through, an agency of a State or of the Commonwealth.
- a contract for goods or services supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania.
- a contract for goods or services obtained as a result of a tender process conducted by another council, a single authority, a joint authority, the Local Government Association of Tasmania or any other local government association in this State or in another State or a Territory or any organisation, or entity, established by any other local government association in this State or in another State or a Territory.
- a contract for goods or services in respect of which a council is exempted under another Act from the requirement to invite a tender.
- a contract for goods or services that is entered into at public auction.
- a contract for insurance entered into through a broker.
- a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance.
- a contract for goods or services if the council resolves by absolute majority and states the reasons for the decision, that a satisfactory result would not be achieved by inviting tenders because of:
 - extenuating circumstances; or
 - the remoteness of the locality; or
 - the unavailability of competitive or reliable tenderers; or
 - a contract of employment with a person as an employee of the council.

The CEO will authorise non-use of the public tender process in accordance with the exemption directions identified above.

11 Engaging a third party to manage a procurement

We may engage a third party to manage the procurement for individual projects. The use of a third party as an agent or consultant to advise on, arrange or manage a procurement does not exempt us from complying with the Code, our Procurement Policy 11-Plx-001 and procurement procedures.

If we engage a third party to manage a procurement, we will ensure that contractual arrangements with the third party are such that the third party is required to comply with the Code and procurement policy and procedures.

19.3 Code for Tenders and Contracts ...(Cont'd)

12 Reporting procedures

We are obliged to report, at a minimum, on a series of procurement matters. These matters are described in Regulation 29 of the *Local Government (General Regulations) 2015*.

In addition to ensuring the above reporting occurs, Regulation 28(j) requires the CEO to establish and maintain procedures for reporting to Council if a public tender or quotation process was not used and reasonably should have been.

13 Work Health and Safety

By submitting and accepting goods and service contracts, the supplier/contractor guarantees that all work shall be executed in compliance with any relevant Workplace Health and Safety legislation, and conform to the City of Launceston workplace health and safety requirements. Relative to the engagement, contractors will be required to present a comprehensive Workplace Health and Safety program as part of their submission.

14 Delegation

Any delegations are recorded in the Delegations Register.

15 Review of the Code

Consistent with the requirements identified in Section 333B of the Act, Council will formally review this Code at least every four years. Changes to operational requirements or legislation, may trigger an earlier review of the Code.

16 Breach of the Code

We will take all reasonable steps to comply with the Code. We will not be liable in any way to a supplier or any person for a breach of the Code.

If any employee of the Council, or a body controlled by the Council, breaches the Code, we may take disciplinary action if, in our absolute discretion, we consider it desirable to do so.

17 Accountability

Consistent with section 333B of the Act, we will make a copy of the Code and any amendments, available for public inspection at the Council's offices during ordinary office hours, make copies of available for purchase at a reasonable charge and publish a copy on our website.

19.3 Code for Tenders and Contracts ...(Cont'd)

REPORT:

Section 333B of the *Local Government Act 1993* (Tas) requires Council to adopt a code relating to tenders and contracts. The Code for Tenders and Contracts (the Code) was first established and adopted by Council on 28 November 2005 (Code for Tenders and Contracts 11-HLPr-005). Since that time, its currency has been reviewed and managed by various entities including the Tender Review Committee, Strategic Planning and Policy Committee, and most recently by the Executive Management Team.

Early in 2019 KPMG was commissioned to conduct an internal audit for the Council's procurement function. An extensive review of the Code was conducted by Council officers to support this audit. The review identified that, over time, the Code had become expansive and included - in part - content that was better managed at an operational level.

As workshopped with Councillors on 21 November 2019, the Code has been redrafted to align it with the model Code made available by the Local Government Association of Tasmania. Amendments specific to City of Launceston are underlined in the Code as it appears in the Recommendation, so Councillors can see where site-specific modifications have been made to the model Code.

Future review of the Code will be conducted to coincide with the local government election cycle.

ECONOMIC IMPACT:

Consideration contained in report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

19.3 Code for Tenders and Contracts ...(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.
3. To ensure decisions are made on the basis of accurate and relevant information.
4. To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.
5. To maintain a financially sustainable organisation.

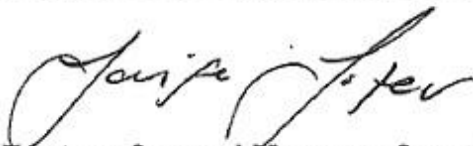
BUDGET & FINANCIAL ASPECTS:

Consideration contained in 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 City of Launceston Response to State Grants Commission Discussion Paper - Regional Responsibility and Non-Resident Impacts: The Bigger Picture**FILE NO:** SF0490**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To endorse the City of Launceston's response to the State Grants Commission discussion paper *Regional Responsibility and Non-Resident Impacts: The Bigger Picture - Discussion Paper DP20-01*.

RECOMMENDATION:

That, in response to the State Grants Commission discussion paper *Regional Responsibility and Non-Resident Impacts: The Bigger Picture - Discussion Paper DP20-01*, Council:

1. reiterates that the existing factors underpinning the General Purpose grant model do not adequately compensate for regional responsibilities, namely:
 - (a) the Council's role as a regional centre offsets the (economics of scale) scale cost adjustor and is not adequately recognised in the annual model.
 - (b) the cost adjustment process is distorting the relative financial needs of Councils by:
 - (i) increasing per capita costs through the inclusion of special expenditure;
 - (ii) applying cost adjustors to special expenditure that should be treated by exception; and
 - (iii) inconsistently classifying expenditure by Councils.
 - (c) the outcome of the allocation process is not in the best interests of the region or State by undermining the financial capacity of the City of Launceston.
2. endorses the following specific comments on the Discussion Paper:

Question 1: Is there anything missing in the scenarios canvassed that also needs to be taken into consideration?

Response: The use of regularly updated independent, objective and defensible data for the cost adjustor is a sound approach.

As mentioned in the Discussion Paper there is also the additional revenue non-residents bring into each municipality which offsets some of the additional costs in terms of direct Council revenue, and the associated impact on Assessed Annual Values (AAVs) and therefore rate dollars levied.

19.4 City of Launceston Response to State Grants Commission Discussion Paper - Regional Responsibility and Non-Resident Impacts: The Bigger Picture ... (Cont'd)

There will always be other issues that will not be covered, however, the proposed scenario 4 is a reliable and independent actual measure that attempts to cater for the non-resident financial impact on the different Councils.

Question 2: Are you of the view that a clear case for a regional service net cost disadvantage has been made such that the case for addressing a disadvantage exists for councils providing services to non-residents?

Response: We agree that there should be an adjustor for regional service net cost disadvantage and that the case is well founded. The method used to calculate the value of each Council's disadvantage would need to be clear and defensible by the Commission.

Question 3: If yes to Question 2, which scenario to recognising this impact do you support? If appropriate, please indicate your ranking of preferred solutions, from most favoured to least favoured.

Response: We prefer Scenario 4 as it is an independent, factual indicator updated at each census. Our ranking of scenarios is as follows:

1. Scenario 4 most favoured
2. Scenario 2 next favoured
3. Scenario 1 next favoured
4. Scenario 3 least favoured

Question 4: If yes to Question 3, do you support the Commission changing its Regional Responsibility CA [Cost Adjustor] from an infrastructure basis to one based on the provision of recognised service industries in an LGA [Local Government Area]?

Response: Yes, since it seems a reliable and factual indicator of non-resident impacts on the various Councils.

Question 5: Do you support the Commission's preferred view to use the Service Industry data to inform a Regional Service Industry CA as proposed under Scenario 4 in the BGM [Base Grant Model] (with the internal CA floors and limits as proposed or else as modified following feedback)?

Response: Yes we support the view that Service Industry data is a reasonable measure for the Regional Service Industry CA and that the floors and limits are reasonable with the proviso that if unintended consequences occur once implemented the methodology could be reviewed. The impact the change would have to the BGM should be calculated and communicated to councils so that the effect of the proposed change can be clearly identified before any change it is actually implemented.

19.4 City of Launceston Response to State Grants Commission Discussion Paper - Regional Responsibility and Non-Resident Impacts: The Bigger Picture ... (Cont'd)

Question 6: If yes to Question 5, to which expenditure areas do you think the preferred cost adjustor should apply and how much redistributive effect do you consider reasonable?

Answer: The CA should apply to Law Order and Public Safety, Planning and Community Amenities, Waste Management and Environment and Recreation and Culture.

Tourist and other non-resident traffic impact the wear and tear of a municipality's road network, however, this is adequately addressed in the Road Grant Traffic Cost Adjustor.

Whether the CA should be applied equally to each expense area is questionable but to avoid even more complexity it may be the best approach. Obviously if the redistributive effect is significant it will impact some Councils positively and some negatively which may produce significant budget challenges for those negatively impacted.

It is also worth noting that Clarence, Glenorchy, Hobart, Kingsborough and Launceston do not receive any funding from the 70% relative needs portion of the base grant and these Councils would be most impacted financially by non-residents in terms of providing regional facilities, with Launceston impacted the most. Of the five councils currently not receiving relative needs base grant funding it is unlikely that these changes will alter that outcome.

Question 7: Is proffering a solution in response to the impacts of non-residents on councils (whether under the guise of any form of a Regional Responsibility type CA or a Regional Service Industry CA) consistent with the requirement for the Commission to take a policy neutral approach to its assessment methodology?

Response: The Commission continually seeks feedback from Councils and aims to continually improve the relevance and accuracy of its methodology. The Commission is continuing to maintain a policy neutral approach in developing a more objective data based methodology. The plan to review the model more frequently, not at the end of each triennium, is also a positive initiative.

Question 8: Do you support retaining the Tourism CA separately in the Commission's BGM? Do you support further investigation of both potential alternative data sources and modifying existing data sources for the Tourism CA and their potential application in both the BGM and Road Preservation Model?

19.4 City of Launceston Response to State Grants Commission Discussion Paper - Regional Responsibility and Non-Resident Impacts: The Bigger Picture ... (Cont'd)

Response: As the commission believes that there is no link between tourism data and council expenditure, then the Tourism CA should not be continued. The proposed Regional Service Industry CA would be more accurate and the Tourism CA should not be retained. The Commission should continue to review methodology to reflect changes in council cost drivers when they occur and this should continue to be part of the Commission's continual improvement process.

Question 9: Does the Commission need to further consider the broader revenue aspects of councils providing these services, notwithstanding that the BGM already uses a comprehensive council income concept and total AAV in its revenue capacity assessments of councils?

Response: Revenue implications relating to non-residents should be reflected in the relative AAVs of each council and therefore the revenue aspect of providing the non-resident services has already been addressed.

3. notes that the resolutions made in respect of Recommendations 1. and 2. above will be submitted by our Chief Financial Officer as the City of Launceston's written submission to the State Grants Commission by Friday, 28 February 2020.
-

REPORT:**Background**

The City of Launceston, over a number of years, has requested that the State Grants Commission (the Commission) review the factors that underpin the General Purpose model in respect to regional responsibilities. It is pleasing to see that the Commission now has it as a high priority in its discussion paper *Regional Responsibility and Non-Resident Impacts: The Bigger Picture - Discussion Paper DP20-01*.

The basis of the Council's requests remain unchanged, namely:

- (a) Council's role as a regional centre offsets the (economics of scale) scale cost adjustor and is not adequately recognised in the annual model.
 - (b) The cost adjustment process is distorting the relative financial needs of Councils by:
 - (i) increasing per capita costs through the inclusion of special expenditure;
 - (ii) applying cost adjustors to special expenditure that should be treated by exception; and
 - (iii) inconsistently classifying expenditure by Councils.
 - (c) The outcome of the allocation process is not in the best interests of the region or State by undermining the financial capacity of the City of Launceston.
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19.4 City Of Launceston Response To State Grants Commission Discussion Paper - Regional Responsibility And Non-Resident Impacts: The Bigger Picture ... (Cont'd)

These concerns are reiterated below.

The City of Launceston has for a number of years submitted that the Commission model and local government structure is perpetuating the status quo and not supporting a sustainable future. Our Council has taken the view that for the region and the State to be attractive into the future it must ensure that the residents have access to a comprehensive range of facilities and services that meet today's standards and expectations.

While much of our capital spending on regional facilities has been funded with assistance from State and Australian Governments, the ongoing operational costs are not covered under the current grant distribution model.

The City of Launceston understands the principles that underpin the grant model calculations but for Tasmania to be able to compete with other States and regional centres, an approach that adequately considers the economic impact of the grant funding allocations should be applied.

The Commission takes the view that typically regional infrastructure is recreation or culturally based, however, it is the Council's view that regional responsibility extends to a broader range infrastructure types for a variety of reasons. A summary of regional infrastructure provided by the City of Launceston is included below:

Facility	Rationale
UTAS Stadium	In 2019, major events at UTAS Stadium attracted 85,234 patrons including 63,464 AFL/AFLW and 21,770 BBL patrons. Although the playing field was reconstructed from August through to November which did not allow usage during that period, nine Tasmanian State League games were hosted, in addition to various training events and football gala days and a number of cricket matches including the local premier league team the Northern Raiders.
Queen Victoria Museum and Art Gallery	Opened in 1891 QVMAG is Australia's largest regional gallery and services northern Tasmania. QVMAG received 125,320 visitors in 2018/19, with 53.3% of these people being local residents and 46.7% being either interstate, overseas or other areas of Tasmania. It should also be noted that some of the local postcode 7250 addresses (designated as local) would be in Riverside (West Tamar Council municipality) Blackstone Heights (Meander Valley).
Princess Theatre and Earl Arts Centre	The Princess Theatre and Earl Arts Centre provides regional performance space for a diverse range of local shows and interstate/international performances. Events held in 2018 and 2019 attracted attendances of 14,747 and 17,718 people respectively.

19.4 City of Launceston Response to State Grants Commission Discussion Paper - Regional Responsibility and Non-Resident Impacts: The Bigger Picture ... (Cont'd)

Facility	Rationale
Launceston Leisure and Aquatic Centre	Large recreational swimming and gym services are offered which are enjoyed by residents from the greater Launceston area. The Centre hosts regional and state level swimming championships and events for the Northern region. The Centre has played host to the Masters Games swimming events as the North-West pool facilities were not of a standard to host this level of event. In April 2022 the Centre will also host the Special Olympics. Accordingly, the Centre is servicing the North and North-Western regions for high level swimming events.
Cataract Gorge reserve	An iconic northern location which has been enjoyed by residents of the northern region for decades. Because of its regional importance it compels the Council to maintain a high level of infrastructure such as the 50m outdoor pool. The Council simply does not have an ability to reduce its level of service in the gorge as the community would not accept it.
City Park	Similarly to the Cataract Gorge, the Council maintains the City Park for the northern region and offers attractions such as the monkey exhibit which has entertained Tasmanian children for decades. There is little ability to reduce levels of service due to community expectation.
Riverbend Park	Riverbend Park has recently been opened as a regional all-abilities playground which will provide the highest level of play facilities and grounds within the northern region. There are limited all-abilities playgrounds in the northern region and therefore, this park will service an important regional need.
Churchill Park	The Churchill Park Recreational facility accommodates the junior soccer needs of the northern region with well over 1,000 people being accommodated in the facility each weekend. The facility also provides for high level softball competition and is the only facility of its type in the northern region.
Regional Netball Centre (Hoblers Bridge)	A regional netball centre servicing the northern region.
Regional Athletics track, BMX Track and Hockey facility	The only facilities of their type in the northern region, this centre is clearly servicing the broader northern region as the only similar level of facilities are provided in Hobart and on the North West Coast.
Central Business District	Launceston is the only Central Business District (CBD) zoned land in the northern region under the interim Planning Scheme. The Launceston CBD is required to provide for higher order commercial and business needs of the region which results in a higher level of cost to maintain than other business areas in the northern region.

19.4 City of Launceston Response to State Grants Commission Discussion Paper - Regional Responsibility and Non-Resident Impacts: The Bigger Picture ... (Cont'd)

Discussion

The *Regional Responsibility and Non-Resident Impacts: The Bigger Picture - Discussion Paper DP20-01* invites Councils to comment on four scenarios.

Essentially the discussion paper is looking for a better way of allowing for non-resident expenditure impacts for councils. The Commission is looking at possibly changing the methodology for the Regional Responsibility, Worker Influx and Tourism Cost Adjustors (CA).

They have proposed four scenarios:

1. Review weightings and impact of current Regional Responsibility CA;
2. Provide a Special Allowance for certain facilities;
3. Review the impacts of other non-resident type cost adjustors;
4. Replace the Regional Responsibility CA with a new "Regional Service Industry"-based cost adjustor.

Currently the Base Grants Model used by the Commission shows Launceston as having a \$4.1m cost adjusted surplus which means that after Horizontal Fiscal Equalisation only Councils with deficits participate in the relative needs grants (70% of the base grant pool of \$37m in 2019/2020 which equates to \$25.9m). Clarence, Glenorchy, Hobart, Kingborough and Launceston currently receive no funding from this part of the base grant funding. All Councils receive the minimum grant (30% of the base grant pool: \$11.1m in 2019/2020) and the grants are calculated based on population, a per capita grant.

The difficulty with all the cost adjustors the Commission uses is finding a reliable, independent and objective measure that correlates well with expenditure drivers for Councils. The Commission has identified, through research and discussion hearings, that there is no clear link between tourism data and particular council expenditure. Hence it is proposed that the Tourism CA be completely phased out of the model (currently its impact has been reduced to 50% but has been frozen at 50% until Council responses are evaluated and then the remaining 50% would be removed if generally agreed).

Given there is little correlation to expenditure the Tourism CA should be fully removed.

Another scenario proposed by the Commission is removing the Regional Responsibility CA and the Worker Influx CA and replacing it with a Regional Service Industry CA that recognises the impact of non-residents on our service industry and shows us as one of the highest impacted municipalities.

**19.4 City of Launceston Response to State Grants Commission Discussion Paper
- Regional Responsibility and Non-Resident Impacts: The Bigger Picture
...(Cont'd)**

The Commission has not shown what the reworked impact would be on the costs for each Council but the methodology seems sound. However, our current 2019/2020 Regional Responsibility CA adds +\$5,507,215 to our costs, the Worker Influx CA adds +\$479,868 to our costs, with the Tourism CA adding +\$56,916 to our costs (combined cost adjustment is an increase of \$6,046,699). Even if the new Regional Service Industry CA improves our position, it would need to improve by more than \$4.1m for us to participate in any of the relative needs grant funding.

In conclusion, it is thought that Scenario 4 delivers a sound and data driven methodology. Scenario 2 may yield a similar or better result for Launceston due to the large number of regional facilities we have, but the methodology would not be as objective. It would appear from the figures that have been reviewed (2019/2020) that this regional disadvantage would need to be in the order of \$10.1m to allow Launceston to receive any additional funding from the relative needs pool. It is highly unlikely we would achieve this and that whatever the Commission decides regarding these cost adjustors will not impact the funding level we receive. The review of the governance model for QVMAG and UTAS Stadium will also impact the final outcome once the ownership and funding for these two facilities is resolved (also mentioned in the discussion paper by the Commission).

ECONOMIC IMPACT:

The proposed changes are estimated not to have an impact on the City of Launceston.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

19.4 City of Launceston Response to State Grants Commission Discussion Paper - Regional Responsibility and Non-Resident Impacts: The Bigger Picture ... (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:

1. To provide for the health, safety and welfare of the community.
2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.
4. To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.
5. To maintain a financially sustainable organisation.

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

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

Focus Areas:

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

BUDGET & FINANCIAL ASPECTS:

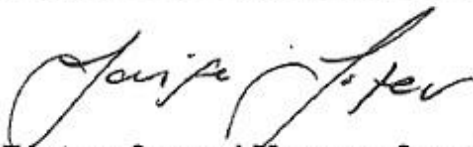
The proposed changes estimated not to have an impact on the City of Launceston.

- 19.4 City of Launceston Response to State Grants Commission Discussion Paper - Regional Responsibility and Non-Resident Impacts: The Bigger Picture ... (Cont'd)**
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DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

ATTACHMENTS:

1. *Regional Responsibility and Non-Resident Impacts: The Bigger Picture - Discussion Paper DP20-01 (electronically distributed)*
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19.5 Delegation From Council to Chief Executive Officer - *Local Government Act 1993 (Tas)***FILE NO:** SF0113/SF0081**AUTHOR:** Duncan Campbell (Team Leader Legal Services)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the delegation from Council to the Chief Executive Officer of particular powers under the *Local Government Act 1993 (Tas)*.

RECOMMENDATION:

That Council:

1. pursuant to section 22(1) of the *Local Government Act 1993 (Tas)*, delegates the functions and powers under the following sections of the *Local Government Act 1993 (Tas)* to the holder of the position of Chief Executive Officer: 74, 75, 81, 113, 185, 189, 190, 197, 200, 201, 203, 204, 204A, 205 and 209.
 2. pursuant to section 64(1)(b) of the *Local Government Act 1993 (Tas)*, authorises the holder of the position of Chief Executive Officer to delegate the functions and powers described at Recommendation 1. to an employee or employees of the Council.
 3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Local Government Act (1993) (Tas)*.
 4. notes, for the avoidance of doubt, *Chief Executive Officer* is a term of reference used for the *General Manager* as appointed under section 61 of the *Local Government Act 1993 (Tas)*.
 5. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
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19.5 Delegation From Council to Chief Executive Officer - *Local Government Act 1993 (Tas) ... (Cont'd)*

REPORT:

The ongoing review of Council's delegations has identified powers under the *Local Government Act 1993 (Tas)* (the Act) suitable for delegation.

A formal decision to delegate the functions and powers contained within the Act will ensure that the powers Council Officers are permitted to perform are clear to the public. It will also provide efficiencies by ensuring that largely procedural matters can be dealt with by the Council Officers independently.

A summary of the powers recommended for delegation are outlined in the table below:

Section	Power
74	Expenditure of funds for purpose of exercising powers under various Acts
75	Investment of money
81	Establishment of accounts
113	Declaring land to be "urban farm land"
185	Compliance options in relation to notices
189	Allow markets to operate on land under Council's control or management, and close local highways to general traffic
190	Consider objections raised in respect of section 189 closure
200	Determining whether a nuisance exists
201	Charges in relation to taking action to abate a nuisance
203	Comply with requirement of a court
204	Pay costs as ordered by court
204A	Authorise an officer to serve infringement notices under the Act
209	Corrections on section 208 Council map

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

19.5 Delegation From Council to Chief Executive Officer - *Local Government Act 1993 (Tas) ... (Cont'd)*

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Area -

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

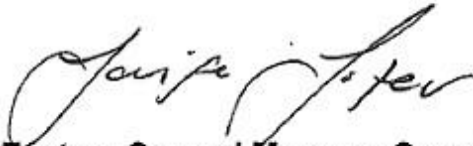
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

No Items have been identified as part of this Agenda

21 URGENT BUSINESS

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

22 CLOSED COUNCIL

No Closed Items have been identified as part of this Agenda

23 MEETING CLOSURE
