

**Tasmanian Ratepayers' Association Inc.**  
P.O. Box 1035,  
LAUNCESTON TAS 7250

2 June 2020

Michael Stretton  
General Manager  
City of Launceston Council  
P.O. Box 396  
LAUNCESTON TAS 7250

By email to: [contactus@Launceston.tas.gov.au](mailto:contactus@Launceston.tas.gov.au)

Dear Sir,

Re: Notice of Intention to Lease Public Land

We note that Council resolution on 19 March 2020 to lease or otherwise licence public land at 2 Invermay Road Invermay Tas 7250 to the University of Tasmania for a period of twenty years with an option of a further twenty years subject to:

1. The surrender of the existing lease of the land between Council and the Royal National Agricultural and Pastoral Society of Tasmania Limited; and
2. The University of Tasmania obtaining a planning permit for the construction of a car park on the land.)

In making this representation we refer to the advertisement in the Examiner Newspaper on Wednesday May 13, 2020, which invites objections to be lodged within 21 days of 13 May 2020.

The advertisement offers *“Further information, including a map of the relevant land, is available by contacting Team Leader Legal Services on 6323 3000.*

Obedient to this offer we contacted the CoL Service Centre, and subsequently received a telephone call from Mr Duncan Campbell. In that conversation, Mr Campbell advised that not all of the relevant information could be fitted into the Public Notice vis.

- that the area of land was greater than that presently leased by the Show Society Company;
- that the land would need to be subdivided (although nothing had yet progressed regarding a survey);
- that the proposed lease arrangements had not been finalised, in that the details were still under negotiation;
- that the process was to comply with the provisions set down in the Local Government Act; and,
- that should the final decision by CoL Council be not acceptable to objectors, then the decision could be appealed to the Resource Management and Planning Appeals Tribunal.

Mr. Campbell forwarded a ‘map’ of the area and subsequent emailed communications were accompanied by:

- a reproduction of the Inveresk Railyards – Masterplan – 2000, depicting an area leased by Royal Launceston Show Society (excludes the Roundhouse Pavilion and Equestrian Arena, stated to be areas subject to a licence with Launceston City Council (?);
- An extract from the Tasmanian Government Gazette – Land Acquisition dated 15 December 2010, and illustrating a narrow strip of land abutting the North Esk River;
- Transfer C504696 dated 15<sup>th</sup> July 2002, signifying Titles Vol 109430 Fol 1, Vol 109432 Fol 1, Vol 41309 Fol 2, Vol 109431 Fol 1, Vol 41309 Fol 1.

Presuming this to be all of the information advertised “further information”.

***It is our submission that the information provided is completely inadequate in defining the extent of the Public Land that is proposed to be Leased, and accordingly the prescribed provisions of the Local Government Act have not been met.***

#### BACKGROUND OBSERVATIONS

The land upon which this application is proposed, is land that was originally transferred to the Ratepayers of the City of Launceston by the Government for specific purposes and with particular conditions, and along with such transfer was provided a comprehensive Conservation Management Plan as to the significant aspects of the place and imbuing certain responsibilities on City of Launceston Council (CoL) and its ratepayers.

The intention of developing a university campus on part of this land is contrary to the undertakings and agreements entered into and implied at the time CoL originally accepted ownership and furthermore the development of carparking on a subdivided part of the land is also contrary to these undertakings and agreements.

***It is our submission that the subject land is subject at minimum, to an ‘implied trust’ that prevents it now being leased to UTas for carparking.***

***It is our submission that this land is not suitable or fit for purpose for large-scale carparking use and activities, and the CoL Council as lessee will attract a liability for the ratepayers of Launceston for loss of life or loss or damage to infrastructure that may be located on the land, and this liability is inappropriate and avoidable and ought not be permitted.***

The subject land is designated Particular Purpose Zone 4 – Inveresk Site in the prevailing Launceston Planning Scheme. The Zone Purpose Statements are clearly set down in the Scheme and do not refer to any of the land being used exclusively for carparking. The proposed carpark use is *not* an ancillary use for other uses on the subdivided land. This notification *only* deals with this portion of land to be subdivided and leased. It will remain designated Public Land. UTas is not a public utility. Car parking is not a public use.

***It is our further submission that the Zone Purpose Statements do not support the subdivision for leasing to Utas for carparking, and that it will in any event, be***

*necessary to firstly seek to re-zone the subject land to facilitate the proposed occupation and use.*

The objectives of the LUPA Act includes for sustainable development whereby in Part 1 *sustainable development* is defined as managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while-

*2(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.*

And in Part 2

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

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

It is our general submission that CoL fails its ratepayers, citizens and visitors to Tasmania should it allow this unstable, flood prone and undesirable land to be further developed as a University Campus, when prudent and feasible alternatives are available.

There is no public purpose for this relocation project, the resulting congestion and lack of adequate parking for a relocated university campus continues to be the basis of discourse in the neighborhood.

*IN SUMMARY, we submit that this proposal to separate and segregate the subject land by subdivision and leasing to UTas is contrary to the basis upon which CoL holds ownership of the land, is contrary to the present provisions of the Planning Scheme, and is contrary to the principles of Public Interest. Accordingly the application should be refused.*

Yours faithfully,

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For and on behalf of

**TASMANIAN RATEPAYERS ASSOCIATION INCORPORATED**