



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING**  
**THURSDAY 1 DECEMBER 2022**  
**1.00PM**

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**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: 1 December 2022**

**Time: 1.00pm**

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### **Certificate of Qualified Advice**

#### **Background**

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

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

#### **Certification**

I certify that:

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



**Michael Stretton  
Chief Executive Officer**

### **AUDIO of COUNCIL MEETINGS**

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

This Council Meeting will be streamed live to and can be accessed at:  
[www.launceston.tas.gov.au/Council/Meetings/Listen](http://www.launceston.tas.gov.au/Council/Meetings/Listen) .

### **PUBLIC ATTENDANCE AT THE COUNCIL MEETING**

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

### **PUBLIC QUESTION TIME - AGENDA ITEM 8**

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

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

## PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

## LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

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**1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES**

**2. MAYORAL ACKNOWLEDGEMENTS**

**3. DECLARATIONS OF INTEREST**

*Local Government Act 1993 (Tas) - 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 17 November 2022 be confirmed as a true and correct record.

**5. COUNCIL WORKSHOPS**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)*

**5.1. Council Workshop Report - 24 November 2022**

**FILE NO:** SF4401

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**GENERAL MANAGER APPROVAL:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RELEVANT LEGISLATION:**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)*

**RECOMMENDATION:**

That Council:

1. pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshops conducted on 24 November 2022:

**Mona Foma Presentation**

*Councillors received a briefing on the 2023 Mona Foma Festival in Launceston.*

**Relbia Scheme Amendment**

*Councillors were provided with an opportunity to discuss the proposed amendment and its continuing process.*

**Four Year Delivery Plan - Planning Session**

*Councillors provided input into proposed actions for the four year delivery plan.*

**Personal Micro-Mobility Device - e-Scooter Trial**

*Councillors received an overview of the 12-month trial of the ride share operation of Personal Micro-Mobility Devices (e-Scooters) in Launceston.*

**Stadiums Tasmania Update**

*Councillors received a briefing on matters relating to Stadiums Tasmania ahead of consideration of those matters at a Council Meeting.*



2. notes attendance at the Workshops conducted on 24 November 2022:

**In Attendance:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahan, Councillor S Cai and Councillor A J Britton

**Apologies:** Councillor D H McKenzie

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**REPORT:**

Regulation 8(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.

Attendance is recorded for noting and reporting in the Council's Annual Report.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

Nil

**6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)*

**Councillors' Leave of Absence Applications will be considered in Closed Council at Agenda Item 22.2 - Councillors' Leave of Absence.**

**7. COMMUNITY REPORTS**

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

**No Community Reports have been identified as part of this Agenda**

**8. PUBLIC QUESTION TIME**

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

**8.1. Public Questions on Notice**

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

**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)*

**9. PLANNING AUTHORITY**

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.

**9.1. DA0562/2022 - 13 Flowers Court, Newstead - Residential - Construction of Two Additional Dwellings**

**FILE NO:** DA0562/2022

**AUTHOR:** Catherine Mainsbridge (Senior Town Planner)

**GENERAL MANAGER APPROVAL:** Dan Ryan (Community and Place Network)

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Kabraco Builders Pty Ltd
Property:	13 Flowers Court, Newstead
Zoning:	General Residential
Receipt Date:	14/09/2022
Validity Date:	13/10/2022
Further Information Request:	27/09/2022
Further Information Received:	13/10/2022
Deemed Approval:	1/12/2022
Representations:	Three

**RELEVANT LEGISLATION:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston

**STANDARDS REQUIRING PLANNING DISCRETION:**

8.4.1 Residential density for multiple dwellings  
8.4.2 Setbacks and building envelope for all dwellings  
8.4.3 Site coverage and private open space  
8.4.6 Privacy for all dwellings  
C2.6.2 Design and layout of parking areas

**RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0562/2022 Residential - Construction of two additional dwellings 13 Flowers Court, Newstead, subject to the following conditions:

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## **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 Council unless modified by a condition of the Permit:

- a. Locality Plan, Prepared by Greg Scolyer, Scale 1:500, Rev C, Dated 11/10/2022.
- b. Site Plan, Prepared by Greg Scolyer, Scale 1:200, Sheet 2 of 11, A01 Rev C, Dated 11/10/2022.
- c. Landscape Plan and Section A, Prepared by Greg Scolyer, Scale 1:200 and 1:100, Sheet 3 of 11, A02 Rev C, Dated 11/10/2022.
- d. Ground Floor Plan, Prepared by Greg Scolyer, Scale 1:100, Sheet 5 of 11, A04 Rev C, Dated 11/10/2022.
- e. First Floor Plan, Prepared by Greg Scolyer, Scale 1:100, Sheet 6 of 11, A05 Rev C, Dated 11/10/2022.
- f. Elevations (1), Prepared by Greg Scolyer, Scale 1:100, Sheet 7 of 11, A06 Rev C, Dated 11/10/2022.
- g. Elevations (2), Prepared by Greg Scolyer, Scale 1:100, Sheet 8 of 11, A07 Rev C, Dated 11/10/2022.
- h. Existing - Floor Plan, Prepared by Greg Scolyer, Scale 1:100, Sheet 11 of 11, A10 Rev C, Dated 11/10/2022.

## **2. AMENDED PLANS REQUIRED**

Prior to the commencement of any development on site a supplementary car parking plan is to be provided to the satisfaction of the Manager City Development amending the proposed car parking layout forward of the existing dwelling. The supplementary plan must show:

- a. An increase in depth of the car parking and manoeuvring area to provide an aisle width of not less than 5.8m in accordance with Figure 2.2 of AS2890.1.

Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit.

## **3. 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.

## **4. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/01583-LCC dated 04/10/2022 and attached to the permit.

## **5. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

## **6. NO FURTHER VEGETATION REMOVAL**

Tree and vegetation removal must be limited to that shown on the approved plans.

Landscaping along the frontage must be maintained to retain the character of the street.

## **7. FENCING**

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (ie. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:

- a. 1.2m within 4.5m of the frontage; and
- b. 1.8m - 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.

## **8. MULTIPLE DWELLINGS - SERVICE FACILITIES**

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a. mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. each multiple dwelling must be provided with a minimum 6m<sup>3</sup> exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.

## **9. GARAGE DOORS - UNITS 2 AND 3**

The garage door openings for Units 2 and 3 must have a minimum width of 5,500mm.

## **10. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

## **11. 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 General Manager Infrastructure and Assets Network 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.

## **12. 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.

### **13. APPLICATION TO ALTER A STORMWATER SERVICE**

An application must be made using the Council's eServices web portal, or on the approved form, and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

### **14. 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* and the Council's *Policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service*. The asphalt patch is to be placed to ensure a watertight 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.

### **15. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)**

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

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

All new works must be constructed to the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg, TasWater, Telstra and TasNetworks, etc). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense. Where the driveway crossing works result in changes to existing parking restrictions (bay markings, linemarking and/or signage) these works must be undertaken by the Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

### **16. 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.

## 17. STRATA LOT NUMBERS AND ADDRESSES FOR DWELLINGS

The following number and addressing is to be assigned to the development consistent with the residential addressing standard: Australian Standard AS4819:

Dwelling No	Strata Lot No.	Street Address
Existing house	1	1/13 Flowers Court, Newstead
Unit 2	2	2/13 Flowers Court, Newstead
Unit 3	3	3/13 Flowers Court, Newstead

The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.

## 18. 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.

## 19. NO BURNING OF WASTE

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

## 20. DEMOLITION

The developer must:

- protect property and services which are to either remain on or adjacent to the site from interference or damage;
- not undertake any burning of waste materials or removed vegetation;
- remove all rubbish from the site for disposal at a licensed waste disposal site;
- dispose of any asbestos found during demolition in accordance with the Safe Work Australia *How to Safely Remove Asbestos: Code of Practice, July 2020*, or any subsequent versions of the document.

## Notes

### A. General

*This permit was issued based on the proposal documents submitted for DA0562/2022. 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:*

- The 14 day appeal period expires; or*
- Any appeal to the Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) is withdrawn or determined; or*
- Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*

d. *Any other required approvals under this or any other Act are granted.*

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).*

*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 Tasmanian Civil and Administrative Tribunal (TASCAT) website [www.tascat.tas.gov.au](http://www.tascat.tas.gov.au) <<http://www.tascat.tas.gov.au>>*

D. Permit Commencement

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

E. Fixed Equipment Use

*Use of fixed equipment (eg. heat pumps, water pumps, swimming pool pumps) is subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or any subsequent versions of this regulation.*

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**REPORT:**

**1. THE PROPOSAL**

The application is for two co-joined dwellings to be constructed at the rear of the existing dwelling. The floor plans extend over two levels with each having a two car garage, bedroom, bathroom facilities and laundry on the lower floor and a bedroom suite and open plan kitchen, meals and lounge on the upper floor. A deck for both dwelling extends off the corner of the meals/lounge area.

The dwellings are to be clad in a mix of face brick and lightweight materials. The site will be excavated at the rear of the existing dwelling to provide a level site for the construction.



A parking area is to be developed in the frontage for the existing dwelling.

The application includes a retaining wall of up to 1m high to provide a visitor parking space and two spaces in tandem for the existing dwelling (which will be exempt at Clause 4.6.8) and a 1.8m high wall between the existing dwelling and dwelling 2.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**



13 Flowers Court, Newstead (not to scale)

The site is located in an established residential area south of the Newstead shopping centre. Flowers Court extends off the southern side of Amy Road just west of Penquite Road. It is a cul-de-sac that rises up to the south and adjoins Fred French Retirement Home with a number of associated units in the street. Scotch Oakburn College is the rear neighbour of the site.

The site falls to the east from the street with the existing dwelling single storey at the front and elevated at its rear. A number of different housing types exist in the street from smaller units to larger homes towards the end of the cul-de-sac.

**3. PLANNING SCHEME REQUIREMENTS**

The assessment against the Launceston Interim Planning Scheme 2015 is detailed in Attachment 1.

**4. REFERRALS**

<b>REFERRAL</b>	<b>COMMENTS</b>
	<b>INTERNAL</b>
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
	<b>EXTERNAL</b>
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2022/01583-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 October to 31 October 2022. 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><b>Issue 1</b> The proposal does not comply with Clause 8.4.1 P1 as it does not demonstrate that the proposal complies with the density of the surrounding area. We understand that the term <i>area</i> and <i>surrounding area</i> has previously been considered by the Tasmanian Civil and Administrative Tribunal and therefore, includes Flowers Court, Arundel Street and part of Amy Road. The proposal will not be compatible with the density of properties in the surrounding area within the General Residential zone.</p>
<p><i>Response 1</i> Whilst the Tribunal has considered what the surrounding area is and the density is higher than that of other properties in the area zoned General Residential, the performance criteria limits the consideration to the surrounding area. The proposal is in keeping with other properties in the immediate area. Multiple residence sites, where properties have frontage to Flowers Court, are located at 74 and 76 Penquite Road and 6 and 10 Flowers Court. Whilst only 74 Penquite Road has a density below 325m<sup>2</sup> the properties all have a multi occupier nature and the proposal is considered to be compatible with development in the area. Only one access is proposed and so from the street the density will not be particularly evident.</p>
<p><b>Issue 2</b> The proposal appears to rely on Clause 8.4.1 P1(b) to be providing a significant social or community benefit. As it is not social housing as such it does not comply.</p>
<p><i>Response 2</i> The proposal is not proposed as being for social housing and therefore, has been assessed as complying with Clause 8.4.1 P1 (b) which states: (b) provides for a significant social or community benefit and is: (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.</p>
<p><b>Issue 3</b> Compliance with the site cover and private open space requirement at 8.4.3 A1 (b) site coverage has not been demonstrated and the proposal does not meet P1 (a) as other properties in the area have relatively large areas of private open space.</p>

*Response 3*

*Clause 8.4.3 A1 (b) relates to site cover not private open space. Private open space must be considered against Clause 8.4.3 P1 (b) which the assessment in the report deems compliance is met for the reasons outlined.*

**Issue 4**

**The proposal is for more visually ugly dwellings crammed into a suburban block, boxy and cheap with a single pitch roof to negatively impact on the amenity of the area.**

*Response 4*

*The planning scheme does not prescribe design types for suburban residential areas.*

**Issue 5**

**The proposal includes a *future lift* and toilets without basins. Why is the lift not part of the initial build and, with hygiene concerns, why are basins not provided in separate toilets.**

*Response 5*

*These matters are not planning considerations.*

## **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.

### **RISK IMPLICATIONS:**

Not considered relevant to this report.

### **ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

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

### **STRATEGIC DOCUMENT REFERENCE:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston

### **BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

### **DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

1. DA0563/2022 - 13 Flowers Court, Newstead - Planning Scheme Assessment [9.1.1 - 14 pages]
2. DA0562/2022 - 13 Flowers Court, Newstead - Plans to be Endorsed [9.1.2 - 8 pages]
3. DA0562/2022 - 13 Flowers Court, Newstead - Planning Application [9.1.3 - 27 pages]
4. DA0562/2022 - 13 Flowers Court, Newstead - TasWater SPAN [9.1.4 - 2 pages]
5. DA0562/2022 - 13 Flowers Court, Newstead - Representations [9.1.5 - 5 pages]

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**9.2. DA0593/2022 - 74-78 Elphin Road, Newstead - Educational and Occasional Care - Construction of Two Buildings and Alterations and Additions to Existing Landscaping**

**FILE NO:** DA0593/2022

**AUTHOR:** Maria Chledowska (Town Planner)

**GENERAL MANAGER APPROVAL:** Dan Ryan (Community and Place Network)

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Scotch Oakburn College Inc.
Property:	74-78 Elphin Road, Newstead
Zoning:	Community Purpose
Receipt Date:	27/09/2022
Validity Date:	3/10/2022
Further Information Request:	10/10/2022
Further Information Received:	17/11/2022
Deemed Approval:	21/12/2022
Representations:	Six

**RELEVANT LEGISLATION:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme Launceston

**STANDARDS REQUIRING PLANNING DISCRETION:**

27.4.2 Setback  
C2.5.1 Car parking numbers

**RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme Launceston, a permit be granted for DA0593/2022 Educational and Occasional Care - Construction of two buildings and alterations and additions to existing landscaping at 74-78 Elphin Road, Newstead, 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 Council unless modified by a condition of the Permit:

- a. Site Plan, prepared by birrelli art + design + architecture, Project No. 21003, Drawing No. A00-01, Dated 26/09/2022.

- b. Lower Ground Floor Plan, prepared by birrelli art + design + architecture, Project No. 21003, Drawing No. A01-01, Dated 26/09/2022.
- c. Upper Ground Floor Plan, prepared by birrelli art + design + architecture, Project No. 21003, Drawing No. A01-02, Dated 26/09/2022.
- d. Elevations, prepared by birrelli art + design + architecture, Project No. 21003, Drawing No. A03-01, Dated 26/09/2022.
- e. Elevations, prepared by birrelli art + design + architecture, Project No. 21003, Drawing No. A03-02, Dated 26/09/2022.
- f. Elevations, prepared by birrelli art + design + architecture, Project No. 21003, Drawing No. A03-02, Dated 26/09/2022.
- g. Claremont Gardens Pavillion Ground Plan, prepared by birrelli art + design + architecture, Project No. 21003, Drawing No. SD-07, Dated 26/09/2022.
- h. Claremont Gardens Pavillion Roof and Elevation, prepared by birrelli art + design + architecture, Project No. 21003, Drawing No. SD-08, Dated 26/09/2022.
- i. Planning Submission SOC - Inquiry and Environment Centre, prepared Rebecca Green & Associates.
- j. IEC Building, Elphin Campus Traffic Impact Statement, prepared by Midson Traffic Pty Ltd, dated August 2022.

## **2. COMMERCIAL VEHICLES MOVEMENT**

Any commercial vehicles for the adding and unloading of any deliveries for the school will take place within the hours of 7am and 9pm Monday to Friday and 9am to 5pm Saturday, Sunday and public holidays.

## **3. STAFF NUMBERS**

This permit is issued for the existing employee number of 77 FTE (including early learning). Prior to staff numbers increasing above 77 FTE the College must inform the Manager City Development to ensure compliance with the planning scheme and to determine the need for additional parking.

## **4. EXTERNAL LIGHTING**

External lighting that operates with 50m of a General Residential zone must not operate between 9pm and 6am, excluding necessary security lighting.

## **5. NOISE GENERATING EQUIPMENT**

Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from the boundaries with the residential properties.

## **6. LEGAL TITLE**

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

## **7. HOURS OF CONSTRUCTION**

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

7am to 6pm - Monday to Friday

8am to 5pm - Saturday

No works on Sunday or Public Holidays

## **8. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/01649-LCC, and attached to the permit.

## **9. HERITAGE**

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council *Notice of Heritage Decision* for THC Application No. 7997, dated 17 November 2022 and attached to the permit.

## **10. SITE LANDSCAPING**

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. completed prior to the use commencing; and
- c. maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

## **11. NO FURTHER VEGETATION REMOVAL**

Tree and vegetation removal must be limited to those specifically notated on the approved plans as *tree to be removed*.

No other tree or vegetation is to be felled, lopped, topped, ring-barked, uprooted, or otherwise willfully destroyed or removed, without the further written consent of the Council.

## **12. ON-SITE DETENTION (TASWATER ADVICE TO DRAINAGE AUTHORITY)**

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of one hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development.

Prior to the commencement of works, the plans and calculations must be submitted to the General Manager Infrastructure and Assets Network for approval. On completion, an as *constructed* plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

## **13. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

## **14. 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.

### **15. AMENITY - COMMERCIAL/INDUSTRIAL USE**

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

#### **Notes**

##### **A. General**

*This permit was issued based on the proposal documents submitted for DA0593/2022. 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 Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) 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.*

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

##### **B. Restrictive Covenants**

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

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

##### **C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).*

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



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For more information see the *Tasmanian Civil and Administrative Tribunal (TASCAT)* website [www.tascat.tas.gov.au](http://www.tascat.tas.gov.au) <<http://www.tascat.tas.gov.au>>

D. Permit Commencement

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

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**REPORT:**

**1. THE PROPOSAL**

The proposal is for the construction of two buildings and updating the existing facilities at the Scotch Oakburn College - Elphin Campus at 74-78 Elphin Road, Newstead.

The proposal includes as follows:

- (a) construction of the Inquiry and Environmental Centre (IEC) - a two storey building of a maximum height of 9.26m with DDA access to the upper floor;
- (b) construction of *Claremont Gardens Pavillion* - a one storey building with a maximum height of 5.45m and a minimum of 9.39m setback from a side boundary;
- (c) water storage tanks located to the west of the IEC building; located at least 3m off a side boundary. Each tank has the capacity of 28,000l. The water tanks will be partially set into the ground.
- (d) construction of new and modified existing pathways to provide DDA compliant access to the new IEC Building and Claremont Gardens areas,
- (e) a greenhouse, a shipping container tool storage with adjoining covered garden outdoor learning area,
- (f) additional staff office/meeting space, staff toilets and deck added to the existing Arts Building,
- (g) student toilets, plant and equipment area to ground and upper floor; and
- (h) removal the *Pitosporum* trees and new landscaping within the development area.

The proposed development will not alter staff or students numbers and does not directly trigger the requirement for additional car parking. However, various changes to the site has occurred over many years including the reduction of parking including the removal of six on-site spaces in 2018. Staff numbers also increased from 49 FTE (full time equivalent staff) from 2010 to the current 77 FTE today. Therefore, in determining the proposed development of the site an assessment of the level of parking facilities is also considered.

This is a second application for the proposal. The previous application DA0622/2021 was withdrawn due to community concerns regarding the current demand and provisions of car parking and to allow the applicant to prepare a traffic impact assessment that analyses the traffic generated by the school. The report concluded that car parking requirements are reasonably satisfied. The report also concluded that on-street drop-off and pick-up activities create ongoing issues with car parking during the morning and afternoon school pick up times. The report contains recommendations for the school on how to address this issue.

## 2. LOCATION AND NEIGHBOURHOOD CHARACTER



74-78 Elphin Road, Launceston (not to scale)

The subject site is comprised in 12 titles with two main titles being Certificate of Title Volume 103209 Folio 1 (an area of 8,549m<sup>2</sup>) and Volume 179531 Folio 2 (1.319ha). The site is located within the Community Purpose Zone and is surrounded by the General Residential Zone.

The surrounding area, particularly to the west in Claremont Street, Lyttleton Street, High Street and Elphin Road, is categorised by heritage listed properties with established gardens and trees. The neighbouring properties are a mix of single and multiple dwellings, medical practitioners and educational facilities.

The subject site is occupied by the Scotch Oakburn College - Elphin Campus, with the Early Learning Centre, Junior School and Boarding House. In addition to learning spaces for students from Early Learning to Year 5, the Elphin Campus provides other learning spaces and services that include conneXions, Claremont Garden, the Health and Physical Education Centre, and swimming pool, Elphin Art Studio, the Mary Fox Performing Arts Centre and specialist music hub and IT labs.

The main access to the property is off Elphin Road. There are also accesses from Claremont Street and Erina Street.

The site is identified to be State heritage significance and subject to the assessment by Tasmanian Heritage Council.

## 3. PLANNING SCHEME REQUIREMENTS

The assessment against the Launceston Interim Planning Scheme 2015 is detailed in Attachment 1.

#### 4. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
<b>EXTERNAL</b>	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA Notice 2022/01649-LCC, dated 11/10/2022
State Growth	N/A
TasFire	N/A
Tas Heritage Council	Application referred to Tasmanian Heritage Council and conditional consent provided by Notice of Heritage Decision WA No.7997 dated 17/11/2022.
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

#### 5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 12 October to 26 October 2022. Six 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><b>Issue 1</b>  <b>The information regarding major traffic congestion and erratic parking presented in the Traffic Impact Assessment (TIA) does not reflect normal school days by including school holiday, weekend, student free day. The traffic associated with Scotch Oakburn College still has a profound effect upon the surrounding streets. Bottlenecks as traffic is held up to allow passage of one vehicle at a time, parking issues, access and egress from private driveways, and ready access for any emergency vehicles, are still occurring. This is exacerbated by the need for children to be picked up and let down safely in adjoining streets. We notice that Scotch Oakburn is addressing this but we don't believe a workable and adequate solution is guaranteed at this point or contingent upon development application approval. Intensification of the use will increase traffic.</b></p>
<p><i>Response 1</i>  <i>The submitted Traffic Report has been prepared by a suitably qualified person and reviewed by the Council's officers. It is accepted that the road network will be able to accommodate the existing traffic. The report explains that the dates for the assessment were selected for consistency and relative comparisons with the parking surveys. The</i></p>

*average daily traffic volume along Elphin Road during these days indicates that traffic flow was relatively consistent during the two school days (difference of only 43 vehicles per day between the two days). There was little difference between school holiday traffic flow and traffic flow during the student free day, with a difference of only 34 vehicles across the day. This indicates that school staff traffic has very little impact on overall traffic flow on Elphin Road. The main concerns of the representors are the traffic congestion and illegal car parking especially during drop off and pick up times. The report has included recommendations such as utilising traffic wardens to ensure pick up zones are used safely and efficiently and providing regular communication to parents and carers regarding the use of the dedicated parking zones.*

**Issue 2**

**There is no information about noise generating equipment and mitigating means.**

*Response 2*

*The applicant states that there will be no such equipment within 10m from the boundaries with the residential properties. This will be confirmed by a condition on a permit.*

**Issue 3**

**The proposed development will have adverse impact on the amenity of the adjoining residential properties in terms of noise, overshadowing, overlooking into private open space areas, and loss of views. This is particularly in case of a raised platform with a ramp within 4m from the residential property, and water tanks within 1.8m to 4m of residential properties and the Garden Pavilion proposed on the hill.**

*Response 3*

*The proposal has been assessed against the development standards regarding to the height and setbacks of buildings. The proposed buildings and water tanks comply with the acceptable solutions of the development standards except an access path to the Inquiry and Environment Centre. The access path will be at the closest point to the corner of the property at 22 Erina Street lane. It is considered that this variation satisfies the performance criteria. There are no provisions in the Community Purpose zone relating to an impact on views. The proposed development complies with the purpose, objectives and development standards of the Community Purpose zone.*

**Issue 4**

**The proposed development provides the opportunity to increase staff and students number in the future.**

*Response 4*

*Any future increase of the staff numbers will require a new planning application in accordance with the recommended condition.*

**Issue 5**

**The proposal will impact on heritage value of the site.**

*Response 5*

*The proposal has been subject of a statutory assessment by the Tasmanian Heritage Council (THC). The THC issued Notice of Heritage Decision WA7997 with conditions. The notice and conditions are included in the permit. The conditions are relating to trees protection, landscaping, additional trees planting, a conservation management plan for the Claremont garden and Scotch Oakburn College.*

**Issue 6**

**Construction and driveway off Claremont Street - is it a driveway or an access road; a driveway or road in this location has a detrimental effect upon the visual and environmental amenity of the area and should be screened appropriately with vegetation along all boundaries. We have been advised this driveway is going to**

**be used for construction purposes and that construction will likely take place over most of 2023. We have nothing in writing about how this will be managed.**

*Response 6*

*The plans show an existing access road' with the gate at the boundary with Claremont Street. It is intended that this access will be used during the construction period. There is no intention of changing the status of the existing access from a driveway to a road. Once the construction is complete the access will be used as at present.*

**Issue 7**

**The proposal does not fit into the established character of the area.**

*Response 7*

*The proposed development does not directly impact on the streetscape as it is further from the frontage than the existing buildings and high trees. It satisfies the purpose and objectives of the Community Purpose zone.*

**Issue 8**

**There is no information on removal and reinstatement of vegetation or appropriate screening to protect the views and privacy of the residential properties.**

*Response 8*

*The submitted site plan identifies the Pitosporum trees to be removed and new landscaping to be created within the Claremont Garden and near the IEC building. Further details regarding vegetation and landscaping are subject to the THC conditions.*

## **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.

### **RISK IMPLICATIONS:**

Not considered relevant to this report.

### **ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

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

### **STRATEGIC DOCUMENT REFERENCE:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme Launceston

### **BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

### **DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

1. DA0593/2022 - 74-78 Elphin Road, Newstead - Plans to be Endorsed [**9.2.1** - 36 pages]
2. DA0593/2022 - 74-78 Elphin Road, Newstead - Planning Scheme Assessment [**9.2.2** - 7 pages]
3. DA0593/2022 - 74-78 Elphin Road, Newstead - THC Notice of Decision [**9.2.3** - 3 pages]
4. DA0593-2022 - 74-78 Elphin Road, Newstead - TasWater SPAN [**9.2.4** - 3 pages]
5. DA0593/2022 - 74-78 Elphin Road, Newstead - Representations [**9.2.5** - 31 pages]
6. DA0593/2022 - 74-78 Elphin Road, Newstead - Planning Submission SOC - Inquiry Environmental Centre [**9.2.6** - 62 pages]

## 10. ANNOUNCEMENTS BY THE MAYOR

### 10.1. Mayor's Announcements

FILE NO: SF2375

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#### **Sunday 13 November 2022**

- Attended Pastor Steve and Karen Fitzallen's farewell celebration at Door of Hope

#### **Monday 14 November 2022**

- Attended a Meet and Greet with Hawthorn Football Club's Acting President

#### **Tuesday 15 November 2022**

- Attended the THRIVE in the Light Grand Opening (Represented by Councillor A E Dawkins)

#### **Wednesday 16 November 2022**

- Participated in a Future of Local Government Review consultation meeting
- Officiated at the National Apology Day Event at the Aboriginal Elder's Council of Tasmania
- Officiated at two private Citizenship Ceremonies

#### **Thursday 17 November 2022**

- Officiated at the launch of Theatre North's 2023 Season at the Princess Theatre

#### **Friday 18 November 2022**

- Attended the Good Neighbour Council's Annual General Meeting at the Greek Community Hall
- Participated in the Launceston *Time Travel Challenge* for Grade 6 students (Represented by Councillor A G Harris)
- Attended the fundraising Art Exhibition by Jennifer at The Bruce Davidson Centre, Kings Meadows
- Attended the 60<sup>th</sup> Anniversary Self Help Workplace dinner

#### **Saturday 19 November 2022**

- Visited the Gem Show hosted by the Launceston Lapidary Club at Elphin Sports Centre
- Attended *Red - IO* Performance
- Officiated at *Stompin'* Dance Company's 30<sup>th</sup> Anniversary in Princes Square
- Attended the Vietnam Veterans Annual Christmas Dinner at the Launceston RSL

#### **Monday 21 November 2022**

- Attended the Migrant Resource Centre Aged Care Graduation Ceremony at Door of Hope

#### **Tuesday 22 November 2022**

- Visited members of GroWaverley to learn of their Community Co-Op
-

**Wednesday 23 November 2022**

- Attended the New Horizons Tasmania *You're Welcome* inclusivity campaign launch
- Attended the Heritage Snap Awards at Town Hall
- Attended Dance Fever: *IMPACT!* Launceston College Production

**Thursday 24 November 2022**

- Hosted a Civic Function to mark the 30<sup>th</sup> Anniversary of the *Clifford Craig Foundation* at the Town Hall

**Friday 25 November 2022**

- Officiated at the Lighting of the Christmas Tree in the Brisbane Street Mall

**Saturday 26 November 2022**

- Participated in the Local Government Association of Tasmania's Induction Day

**Sunday 27 November 2022**

- Officiated at the Thai Food and Cultural Festival in Civic Square (Represented by Councillor A E Dawkins)

**Monday 28 November 2022**

- Participated in the *16 Days of Action - Walk to End Violence Against Women* from Town Hall

**Tuesday 29 November 2022**

- Hosted a Civic Function to mark the 120<sup>th</sup> Anniversary of the *Launceston Competitions Association*

**Wednesday 30 November 2022**

- Attended the General Management Committee and Premier's Local Government Committee Meetings, Hobart
-



**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. Councillors' 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 Chief Executive Officer of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be provided in writing).*

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

**12.2. Councillors' 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. Audit Panel Meeting - 22 November 2022

**FILE NO:** SF3611

**AUTHOR:** Paul Gimpl (Chief Financial Officer)

**GENERAL MANAGER APPROVAL:** Louise Foster (Organisational Services Network)

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#### **DECISION STATEMENT:**

To receive a report from the Audit Panel Meeting held on 22 November 2022

#### **RECOMMENDATION:**

That Council receives the report from the Audit Panel Meeting held on 22 November 2022.

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#### **REPORT:**

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

##### **6.1 Internal Audit Report**

**Details** Discussions specifically dealt with the findings of the Fraud - Cash Handling Review and addressing the five low risk issues identified in the review.

**Action** The Audit Panel noted the item.

##### **7.1 External Audit Report**

**Details** Representatives from the Tasmanian Audit Office were in attendance to discuss their audit reports for the year ending 30 June 2022 relating to the City of Launceston and the Launceston Flood Authority.

**Action:** The Audit Panel noted the item.

##### **8.1 Outstanding Internal and External Audit Items**

**Details** Approved the resolution of resolved items and noted the inclusion of updates and comments for remaining items.

**Action:** The Audit Panel approved two outstanding items as resolved.

##### **9.1 Capital Report**

**Details** The Panel noted the results for the quarter ending 30 September 2022.

**Action** The Audit Panel noted the item.

##### **9.2 Budget Amendments**

**Details** The Panel noted the 2022/2023 Budget Amendments.

**Action** The 2022/2023 Budget Amendments were approved at Council Meetings held on 28 July and 21 September 2022 and one is recommended for approval at this Council Meeting (1 December 2022).

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

Details The Panel noted the results for the quarter ending 30 September 2022.

Action The Financial Statements for the period ending 30 September 2022 are presented within this Council Agenda.

**10.1 Investment returns and Balances**

Details Discussed the provided summaries.

Action The Audit Panel noted the item.

**11.1 Chief Executive Officer's Risk Certificate**

Details The Chief Executive Officer's priority list of risk issues were presented and discussed.

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

**12.1 Annual City of Launceston Consultancy Register 2020/2021**

Details Discussed the Consultancy Register.

Action The Audit Panel noted the item which will be presented to Council at an upcoming Meeting.

**12.2 Audit Panel Report 2022**

Details Considered the 2022 Audit Panel Report as presented by the Chair.

Action The Audit Panel noted the item which will be presented to Council at an upcoming Meeting.

**12.3 Audit Panel Self Assessment 2022**

Details Considered the 2022 Audit Panel Self Assessment questionnaire.

Action The Audit Panel noted the item.

**12.4 Review of Performance of Internal Audit**

Details Considered the Review of Performance of Internal Audit questionnaire.

Action The Audit Panel noted the item.

**12.5 Review of Performance of External Audit**

Details Considered the Review of Performance of External Audit questionnaire.

Action The Audit Panel noted the item.

**12.6 City of Launceston Annual Report 2021/2022**

Details Considered the City of Launceston's Annual Report 2021/2022.

Action The Audit Panel noted the item.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

Nil

## 14. INFRASTRUCTURE AND ASSETS NETWORK

### 14.1. Transport Committee - Appointment of Community Representatives

**FILE NO:** SF0839

**AUTHOR:** Debbie Pickett (Personal Assistant - Infrastructure and Assets)

**GENERAL MANAGER APPROVAL:** Shane Eberhardt (Infrastructure and Assets Network)

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#### **DECISION STATEMENT:**

To consider the appointment of two community representatives to the Transport Committee.

#### **RECOMMENDATION:**

That Council appoints Adam Sutton and Dale Goldsworthy as community representative members to the Transport Committee.

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#### **REPORT:**

The City of Launceston Transport Committee has received expressions of interest from Adam Sutton and Dale Goldsworthy as community representative members for the Transport Committee.

At the Transport Committee Meeting on 7 July 2022, the applications were reviewed by the Committee. The Committee's Councillors then met with the applicants to discuss their applications. The Committee is of the view that both applicants have appropriate expertise and experience to contribute to the aims of the Committee. It is the recommendation of the City of Launceston Transport Committee that Adam Sutton and Dale Goldsworthy be appointed to the Committee.

Adam Sutton has 20 years' experience as a Consulting Engineer and has always been interested in the Launceston transport situation due to his involvement working on projects heavily linked to transport.

Dale Goldsworthy has a background in civil structural engineering and has a lifelong interest, from visiting other towns/countries and how their transport systems work.

The Transport Committee Terms of Reference states, in part, that members of the Transport Committee will include up to two community representatives considered by the Committee to have appropriate expertise and experience to contribute to the aims of the Committee and appointed by Council.

#### **RISK IMPLICATIONS:**

Not considered relevant to this report.

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**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

Nil

## 14.2. Launceston Flood Authority Quarterly Report

**FILE NO:** SF4493

**AUTHOR:** Debbie Pickett (Infrastructure and Assets Network)

**GENERAL MANAGER APPROVAL:** Shane Eberhardt (Infrastructure and Assets Network)

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### **DECISION STATEMENT:**

To receive the Launceston Flood Authority Quarterly Report - July to September 2022.

### **RELEVANT LEGISLATION:**

*Launceston Flood Authority Rules, April 2020*

### **RECOMMENDATION:**

That Council, in accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, receives the Launceston Flood Authority Quarterly Report, July to September 2022 (ECM Doc Set ID 4813687).

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### **REPORT:**

In accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, the Authority must submit a quarterly report to the Council for the periods ending March, June, September and December. This report is for the period ending September 2022.

The report for the period ending 30 September 2022 provides an overview of the Launceston Flood Authority's operational activities, financial position and key priorities for the next quarter (Attachment 1).

### **RISK IMPLICATIONS:**

Not considered relevant to this report.

### **ECONOMIC, ENVIRONMENTAL AND 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.

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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.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

1. LFA Quarterly Report ( July to September 2022) [**14.2.1** - 1 page]



### 14.3. Launceston Flood Authority Annual Report as at 30 June 2022

**FILE NO:** SF4493

**GENERAL MANAGER APPROVAL:** Shane Eberhardt (General Manager Infrastructure and Assets)

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**DECISION STATEMENT:**

To receive the Launceston Flood Authority Annual Report for the 2021/2022 financial year.

**RECOMMENDATION:**

That Council receives the Launceston Flood Authority Annual Report for the year ended 30 June 2022 (ECM Doc Set ID 4816204).

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**REPORT:**

The Launceston Flood Authority (LFA) Annual Report for the year ended 30 June 2022 was adopted by the LFA Board at a meeting on 15 November 2022.

The Annual Report provides an overview of the Launceston Flood Authority's operational and financial performance for the 2021/2022 financial year.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

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**DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

1. Launceston Flood Authority Annual Report - 30 June 2022 [**14.3.1** - 24 pages]

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**15. ORGANISATIONAL SERVICES NETWORK**

**15.1. 2022/2023 Budget - Budget Amendments - September 2022**

**FILE NO:** SF7463/SF6939

**AUTHOR:** Nathan Williams (Manager Finance)

**GENERAL MANAGER APPROVAL:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To consider:

1. changes to the Council's 2022/2023 Statutory Estimates; and
2. adjustments made during 1 September to 30 September 2022 by the Chief Executive Officer to the 2022/2023 Budget.

*Recommendation 1 requires an absolute majority of Council.*

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**RECOMMENDATION:**

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2022/2023 Statutory Estimates:
    - (a) Revenue
      - i. the net decrease in revenue from external grants and contributions of \$114,553.
    - (b) Expenses
      - i. the net increase in operations expenditure of \$921,658.
    - (c) Capital Works Expenditure
      - i. the net decrease in expenditure from external funds of \$114,553.
      - ii. the decrease in the Council's funded expenditure of \$268,366.
  2. notes that amendments from Recommendation 1. result in:
    - (a) the operating surplus being amended to \$15,962,492 (including capital grants and contributions of \$23,367,793) for 2022/2023.
    - (b) the capital budget being decreased to \$38,283,592 for 2022/2023.
  3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2022/2023 budget for the period 1 September to 30 September 2022.
-

**REPORT:**

**1. Budget Amendments**

The budget amendments are changes to the Statutory Estimates which require a Council decision. The changes relate to external grant revenue and transfers between Operations and Capital projects.

	<b>Operations \$'000</b>	<b>Capital \$'000</b>
<b>Statutory Budget as 01/07/2022</b>	(4,931)	16,737
Adjustments Approved by Council to 31/08/2022	21,930	21,930
Balance Previously Advised as at 31/08/2022	<u>16,999</u>	<u>38,667</u>
 <u>Amendments</u>		
Additional Council Funds	(653)	0
Capital to Operations	(277)	(277)
Operations to Capital	9	9
External Funds	(115)	(115)
External Funds Not Received	0	0
<b>Statutory Budget as at 30/09/2022</b>	<b><u>15,963</u></b>	<b><u>38,284</u></b>
Deduct Capital Grants and Contributions	<u>(23,368)</u>	
<b>Underlying Operating Budget Surplus/(Deficit)</b>	<b><u>(7,405)</u></b>	

The table summarises all other Budget Agenda Items and includes reconciliations of the budgeted operating result and capital expenditure.

Details of the amendments are as follows:

**1(a) The following items need to be allocated additional Council funding:**

<b>Project Number</b>	<b>Project Description</b>	<b>Current Approved Amount</b>	<b>Additional Funds</b>	<b>New Budget</b>
OPM22845	Insurance Claim - Reinstate Fine Arts Furniture	\$0	\$653,292	\$653,292
	<b>TOTALS</b>	<b>\$0</b>	<b>\$653,292</b>	<b>\$653,292</b>

**The project scope of works:**

Damage occurred to the Queen Victoria Museum and Art Gallery's Furniture Collection in 2018 due to water ingress. This was an insured event and settlement was reached after lengthy delays.

Reinstatement costs of \$653,292 were incurred in August 2022 and the related Insurance Recovery (net \$50,000 excess) was received in prior financial years.

The budget proposal is to increase the overall 2022/2023 Operational Expenditure in recognition of the unbudgeted Furniture Reinstatement Expenditure incurred in the 2022/2023 year, noting there is a timing difference with the related insurance payouts

received before 1 July 2022. The insurance payouts were recognised in the financial year when received and the income was controlled (without budget adjustment) in accordance with the Accounting Standards. The Accounting Standards prevented the income being carried forward to offset the expenditure once incurred.

The increase in 2022/2023 operational expenditure budget (as per above) acknowledges: (i) external funding recognised in prior years; and (ii) payment of the \$50,000 excess from the Council's Self Insurance fund in the current financial year.

<b>Additional Council Funding</b>	<b>Operations</b>	<b>Capital</b>
Insurance Claim - Reinstate Fine Arts Furniture	\$653,292	\$0
<b>TOTAL</b>	<b>\$653,292</b>	<b>\$0</b>

**1(b) The following items need to be reallocated from Capital to Operations:**

<b>Project Number</b>	<b>Project Description</b>	<b>Current Approved Amount</b>	<b>Transfer From</b>	<b>Transfer To</b>	<b>New Budget</b>
CP24324	Hoblers Bridge Netball Centre Roof (Capital)	\$85,000	\$85,000	\$0	\$0
OPM25188	Hoblers Bridge Netball Centre Roof (Major Operational)	\$0	\$0	\$85,000	\$85,000
	<b>TOTALS</b>	<b>\$85,000</b>	<b>\$85,000</b>	<b>\$85,000</b>	<b>\$85,000</b>

**The project scope of works:**

The previous scope of the works for the Netball Centre roof was an entire roof replacement.

The project was re-scoped and the work required now, is repairs to a small section of the roof, replastering and some patchwork painting.

This budget amendment will transfer the budget from the Capital Project to a Major Operations Project as there will be no renewal/replacement or upgrade of an asset.

<b>Project Number</b>	<b>Project Description</b>	<b>Current Approved Amount</b>	<b>Transfer From</b>	<b>Transfer To</b>	<b>New Budget</b>
CP24331	QVMAG Open Storage	\$48,000	\$1,006	\$0	\$46,994
GL.10.0.4075.1 000.60205	Exhibitions - Minor Equipment	\$0	\$0	\$1,006	\$1,006
	<b>TOTALS</b>	<b>\$48,000</b>	<b>\$1,006</b>	<b>\$1,006</b>	<b>\$48,000</b>

**The project scope of works:**

In closing the open storage project, some of the costs have been identified as not meeting the Council's capitalisation threshold and, therefore, require costs and budget to be transferred to an operational account.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24351	Lawrence Vale Road Rehabilitation (Capital)	\$875,000	\$190,940	\$0	\$684,060
OP25197	Lawrence Vale Road Rehabilitation (Major Operations)	\$0	\$0	\$190,940	\$190,940
	<b>TOTALS</b>	<b>\$875,000</b>	<b>\$190,940</b>	<b>\$190,940</b>	<b>\$875,000</b>

**The project scope of works:**

Some of the works undertaken on the Lawrence Vale Road Rehabilitation project do not meet the requirements under the Council's Capitalisation Framework Document.

As these costs cannot be capitalised, actuals and a matching budget have been moved to the operations area.

Capital to Operations	Operations	Capital
Hoblers Bridge Netball Centre Roof	\$85,000	(\$85,000)
QVMAG Open Storage	\$1,006	(\$1,006)
Lawrence Vale Road Rehabilitation	\$190,940	(\$190,940)
<b>TOTAL</b>	<b>\$276,946</b>	<b>(\$276,946)</b>

**1(c) The following items need to be reallocated from Operations to Capital:**

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP49788	Maintenance Inveresk Exhibition Gallery	\$30,000	\$5,110	\$0	\$24,890
OP49786	Maintenance Royal Park Exhibitions Gallery	\$30,000	\$3,470	\$0	\$26,530
CP24458	QVMAG <i>Archies 100</i> Exhibition Walls	\$40,000	\$0	\$8,580	\$48,580
	<b>TOTALS</b>	<b>\$100,000</b>	<b>\$8,580</b>	<b>\$8,580</b>	<b>\$100,000</b>

**The project scope of works:**

Work has been undertaken to purchase additional relocatable walls for exhibition purposes.

These assets meet the Council's capitalisation thresholds and are, therefore, being transferred to a capital project. It has been determined that the current *Archies 100 Exhibition Walls* project can be expanded for these assets to be captured.

Operations to Capital	Operations	Capital
QVMAG <i>Archies 100 Exhibition Walls</i>	(\$8,580)	\$8,580
<b>TOTAL</b>	<b>(\$8,580)</b>	<b>\$8,580</b>

**1(d) The following items have been affected by external funding changes and affect both the Capital and Operations budgets:**

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24457	QVMAG Collection Purchases 2022/2023	\$85,000	\$25,000	\$0	\$60,000
CP24473	QVMAG Entomology Survey and Visiting Scientists	\$0	\$0	\$25,000	\$25,000
	<b>TOTALS</b>	<b>\$85,000</b>	<b>\$25,000</b>	<b>\$25,000</b>	<b>\$85,000</b>

**The project scope of works:**

Grant funding of \$25,000 was received from the Council of Heads of Australian Fauna Collections to fund entomology survey works and a visiting scientist program at the QVMAG.

The budget for this work has been held within the annual collection purchases project, however, it has been determined that better oversight will be achieved if the funds were moved to a dedicated project.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24419	NTCA Ground - Electronic Scoreboard	\$124,553	\$114,553	\$0	\$10,000
GL.10.0.1066.1 000.12563	Sporting Grounds - Cash Contributions	(\$367,500)	\$0	\$67,500	(\$300,000)
GL.10.0.1066.1 00.12732	Sporting Grounds - State Grants	(\$6,047,053)	\$0	\$47,053	(\$6,000,000)
	<b>TOTALS</b>	<b>(\$6,290,000)</b>	<b>\$114,553</b>	<b>\$114,553</b>	<b>(\$6,290,000)</b>

**The project scope of works:**

The NTCA Ground Electronic Scoreboard Project is being delivered by Old Scotch Collegians Football Club, not the City of Launceston.

Grant funding and Club contributions will be paid directly to them. Therefore, it is required to transfer funds back to the applicable general ledger. The City of Launceston will still contribute \$10,000 of the Council's funds towards the project, which is the remaining budget.

External Funding	Operations	Capital
QVMAG Collection Purchases 2022/2023	\$0	(\$25,000)
QVMAG Entomology Survey and Visiting Scientists	\$0	\$25,000
NTCA Ground - Electronic Scoreboard	\$114,553	(\$114,553)
<b>TOTAL</b>	<b>\$114,553</b>	<b>(\$114,553)</b>

## 2. Chief Executive Officer's Report on Adjustments

Pursuant to section 82(6) of the *Local Government Act 1993* (Tas), Council has authorised the General Manager (Chief Executive Officer) to adjust budgets up to \$500,000 so long as the adjustments do not alter revenue, expenditure, borrowings or capital works estimates in total. The Budget Management Policy (12-PI-001), adopted by Council on 13 October 2014, refers to section 82(7) of the *Local Government Act 1993* (Tas) which requires the Chief Executive Officer to report any adjustment and an explanation of the adjustment at the first Ordinary Meeting of the Council following the adjustment.

Project Number	Project Description	Budget Before This Adjustment	Adjustment	Revised Budget	Type of Change
24172	Buildings Electrical Switchboard	\$200,000	(\$13,000)	\$187,000	Decrease
24444	Surveying Total Station Instrument	\$41,000	\$13,000	\$54,000	Increase
24331	QVMAG Open Storage	\$46,994	(\$45,667)	\$1,327	Decrease
24454	QVMAG Gallery LED Spot Lights 2022/2023	\$5,870	\$45,667	\$51,537	Increase
24407	Carr Villa Drainage 2022/2023	\$40,000	(\$40,000)	\$0	Decrease
24406	Carr Villa Road Works 2022/2023	\$20,000	(\$20,000)	\$0	Decrease
24334	Carr Villa Road Surface Renewal 2022/2023	\$101,270	(\$25,270)	\$76,000	Decrease
24390	Carr Villa Ash Placement Area Car Park	\$47,562	\$85,270	\$132,832	Increase
	<b>TOTALS</b>	<b>\$502,696</b>	<b>\$0</b>	<b>\$502,696</b>	

The following capital project adjustments have occurred in the period 1 September to 30 September 2022:

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
24172	Buildings Electrical Switchboard	\$200,000	\$13,000	\$0	\$187,000
24444	Surveying Total Station Instrument	\$41,000	\$0	\$13,000	\$54,000
	<b>TOTALS</b>	<b>\$241,000</b>	<b>\$13,000</b>	<b>\$13,000</b>	<b>\$241,000</b>

### The project scope of works:

There has been an underspend on the Building's Electrical Switchboard Project due to a cost overestimation.

There was an overspend on the Surveying Total Station Instrument as a new Autopole with tilt compensation and auto height reading was purchased in addition to the original



project. This will provide numerous benefits and improve the efficiency and accuracy of the works being done by the surveying team.

This Budget Amendment will cover the overspend on the purchase of the Surveying Total Station Equipment.

<b>Project Number</b>	<b>Project Description</b>	<b>Current Approved Amount</b>	<b>Transfer From</b>	<b>Transfer To</b>	<b>New Budget</b>
24331	QVMAG Open Storage	\$46,994	\$45,667	\$0	\$1,327
24454	QVMAG Gallery LED Spot Lights 2022/2023	\$5,870	\$0	\$45,667	\$51,537
	<b>TOTALS</b>	<b>\$52,864</b>	<b>\$45,667</b>	<b>\$45,667</b>	<b>\$52,864</b>

**The project scope of works:**

It has been determined that the QVMAG Open Storage project will not be able to deliver the desired outcomes first proposed as part of the initiative due to a number of operational circumstances.

As part of reassessing the project, it has been highlighted that the funds would be more effective if reallocated to the Gallery LED Spot Light project to acquire lighting for exhibition purposes.

<b>Project Number</b>	<b>Project Description</b>	<b>Current Approved Amount</b>	<b>Transfer From</b>	<b>Transfer To</b>	<b>New Budget</b>
24407	Carr Villa Drainage Works 2022/2023	\$40,000	\$40,000	\$0	\$0
24406	Carr Villa Road Works 2022/2023	\$20,000	\$20,000	\$0	\$0
24334	Carr Villa Road Surface Renewal	\$101,270	\$25,270	\$0	\$76,000
24390	Carr Villa Ash Placement Area Car Park	\$47,562	\$0	\$85,270	\$132,832
	<b>TOTALS</b>	<b>\$208,832</b>	<b>\$85,270</b>	<b>\$85,270</b>	<b>\$208,832</b>

**The project scope of works:**

In order to complete Carr Villa Park and Drainage Works within the Carr Villa Ash Placement Project, a reallocation of Carr Villa Capital Works is required.

Of the budget on the Carr Villa Drainage Works Project, \$20,000 was set aside to complete drainage works associated with the Ash Placement Project. The remaining budget will still be transferred, but will be used to cover expenditure in relation to sealing the Car Park.

The Carr Villa Roads works project has been revised to allow for the budget to be transferred. Surplus funds on the Carr Villa Road Surface Renewal project are to be re-utilised.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

**BUDGET AND FINANCIAL ASPECTS:**

As per the report.

**DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

Nil

**15.2. Local Government Association of Tasmania - General Meeting - 8 December 2022**

**FILE NO:** SF0331

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**GENERAL MANAGER APPROVAL:** Louise Foster (Organisational Services Network)

**DECISION STATEMENT:**

To provide voting direction to the Council's delegate for the items listed for decision at the Local Government Association of Tasmania General Meeting to be held on 8 December 2022.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 24 November 2022

**RECOMMENDATION:**

That, in respect of the items listed for decision at the Local Government Association of Tasmania's General Meeting on 8 December 2022, Council directs its delegate to vote as follows:

<b>Ag Item</b>	<b>Pg. No</b>	<b>Items for Decision</b>	<b>Submitting Body</b>	<b>City of Launceston Comment</b>
1.1	5	<b>Confirmation of Minutes</b> <i>That the Minutes of the Meeting held on 16 September 2022, as circulated, be confirmed.</i>	LGAT	Confirm
1.2	5	<b>Business Arising</b> <i>That Members note the information.</i>	LGAT	Note
1.3	6	<b>Confirmation of Agenda</b> <i>That consideration be given to the Agenda items and the order of business.</i>	LGAT	Confirm
1.4	6	<b>Follow Up of Motions</b> <i>That Members note the following report.</i>	LGAT	Note
1.5	6	<b>President's Report</b> <i>That Members note the report on the President's activity from 9 August to 18 November 2022.</i>	LGAT	Note

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
1.6	7	<b>Chief Executive Officer's Report</b> <i>That the Meeting note the report on the CEO's activity from 9 August to 18 November 2022.</i>	LGAT	Note
1.7	10	<b>Council Round Ups</b> <i>That Members noted there will not be a Council round up at this Meeting.</i>	LGAT	Note
2.1	11	<b>LGAT General Management Committee Casual Vacancy</b> <i>That Members endorse the extension of the term of the GMC representative from the Northwest electoral district (population greater than 20,000) from when elected until June 2025.</i>	LGAT	Endorse
2.2	12	<b>Workplace Health and Safety Review of Elected Representatives</b> <i>That Members endorse the recommendations contained in the Work Health and Safety Review - Elected Representatives.</i>	LGAT	<p><b>Officer Comment:</b> <i>Michael Stretton (Chief Executive Officer)</i></p> <p><b>Recommendation:</b> <b>Request that the Matter be Deferred</b></p> <p>The recommendation is seeking Council's endorsement of the recommendations contained in the Work Health and Safety Review - Elected members.</p> <p>This is problematic in that the timing of the release of the review has coincided with the Local Government election period, which has not provided sufficient time and opportunity for Councillors to work through the recommendations to form a position.</p>

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
				<p>I have completed an assessment of the review and believe that it is very sound work and that the recommendations make sense, would make a significant positive difference and could be supported. This said, however, there are some recommendations that would represent a significant change to the role of elected members and, therefore, they warrant further scrutiny.</p>
2.3	17	<p><b>Timing of Council Meetings</b>  <i>That LGAT adopt a policy position that ensures that Council Meeting and Workshop times occur at times that are conducive to and facilitate increased participation across a broader cross-section of community candidates, particularly bearing in mind time constraints and commitments that would apply to those working full-time, young people and those with caring responsibilities.</i></p>	Burnie City	<p><b>Officer Comment:</b>  <i>Michael Stretton (Chief Executive Officer)</i></p> <p><b>Recommendation:</b>  <b>Not Supported</b></p> <p>In today's age where there is increasing access to Council's processes through initiatives such as live streaming of meetings, it is considered appropriate that Council business may be conducted within normal business hours. This Council has structured as much Council business into a single day of the week, to enable the elected member roles to be accommodated along with other employment demands. It has been the Council's experience that employers have generally demonstrated flexibility in accommodating the needs of elected members.</p> <p>There can be no one-size fits all approach to delivering Local Government. Evening</p>

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
				meetings may well be restrictive to the participation of different community members depending upon their individual family, sporting, social and employment needs.
2.4	18	<p><b>Affordable Housing</b> That LGAT lobby the State Government to encourage the development of affordable housing, as a matter of urgency through: (a) measures that promote the efficient supply of well located, diverse housing; (b) promote the development of affordable housing with specific incentives for affordable housing enabled through planning schemes and policies; and (c) require the development of affordable housing with the use of mandatory provisions in appropriate locations (ie. a threshold that would require certain sized developments to provide a minimum percentage of affordable housing).</p>	Kingborough	<p><b>Officer Comment:</b> Dan Ryan (General Manager Community and Place Network)</p> <p><b>Recommendation:</b> <b>Supported</b></p> <p>City of Launceston is keen to support advocacy around the matter of affordable housing, however we note that the Tasmanian Government's approach is articulated in Tasmania's Affordable Housing Strategy 2015-2025, which we understand is being driven by the Department of Communities Tasmania.</p>
2.5	20	<p><b>Review of Property Agents and Land Transactions Act 2016</b> That LGAT seek revisions to the Property and Agents Land Transactions Act 2016 to consider: (a) requiring a 337 Certificate prior to listing of a property and making it available as part of the sale process; and</p>	West Tamar	<p><b>Officer Comment:</b> Leanne Purchase (Manager Governance)</p> <p><b>Recommendation:</b> <b>Not Supported</b></p> <p>Prospective purchasers are already able to obtain 337 Certificates prior to purchasing a property. Additionally, property disclosure statements are provided by REIT as part of</p>

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
		<i>(b) requiring full disclosure for properties as part of the listing process.</i>		<p>the standard contract. While property disclosure statements are not a requirement, a prospective purchaser does have the ability to write in a condition of the contract that a disclosure statement is to be provided.</p> <p>Practical considerations, such as how long would a Council guarantee validity of information provided in a 337 Certificate if it is issued prior to the listing of the property, will need to be worked through. There is also potentially a higher burden on local government in relation to resourcing and increased liability in terms of reliance on the information by purchasers.</p> <p>The aspects contained in this motion need to be considered holistically in terms of the basis of caveat emptor and the way property is bought and sold in Tasmania. If this is the desired direction further consideration needs to be given to how this is to occur.</p>
4.1	23	<p><b>Future of Local Government Review - Update</b> <i>That Members note the update on the Future of Local Government Review.</i></p>	LGAT	Note
4.2	25	<p><b>Planning Reform Update</b> <i>That Members note the update on the progress of planning reforms.</i></p>	LGAT	Note

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
4.3	26	<b>Infrastructure Contributions</b> <i>That Members note the update on infrastructure contributions advocacy.</i>	LGAT	Note
4.4	29	<b>Housing</b> <i>That Members note the update on housing policy matters.</i>	LGAT	Note
4.5	32	<b>Emergency Management</b> <i>That Members note the update on emergency management.</i>	LGAT	Note
4.6	33	<b>Elected Member Induction and Learning Development</b> <i>That Members note the report on elected member induction and learning and development.</i>	LGAT	Note
4.7	34	<b>Local Government Election Campaign</b> <i>That Members note the success of the local government election campaign in 2022.</i>	LGAT	Note
4.8	36	<b>State Budget 2023/2024 LGAT Priority Statement</b> <i>That Members note the report on LGAT's State Budget 2023/2024 Priority Statement.</i>	LGAT	Note
4.9	37	<b>Procurement Update</b> <i>That Members note the following update on procurement support for Councils.</i>	LGAT	Note
4.10	38	<b>Community Health and Wellbeing Project</b> <i>That Members note the update on the community health and wellbeing project.</i>	LGAT	Note
4.11	39	<b>ALGA 2022 National Local Roads and Transport Congress</b> <i>That Members note the report on the ALGA's 2022</i>	LGAT	Note



Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
		<i>National Local Roads and Transport Congress.</i>		
4.12	41	<b>Policy Update</b> <i>That Members note the submissions and various policy matters.</i>	LGAT	Note
4.13	42	<b>Regional Towns CCTV Project</b> <i>That Members note the update on the Regional Towns CCTC Project.</i>	LGAT	Note
4.14	43	<b>LGAT Events Update</b> <i>That the Committee note the report on LGAT events.</i>	LGAT	Note
4.15	45	<b>Annual Plan</b> <i>That Members note the report against the Annual Plan.</i>	LGAT	Note

#### REPORT:

A Local Government Association of Tasmania (LGAT) General Meeting will be held on 8 December 2022. An outline of the General Meeting's Agenda Items, with recommended voting direction for consideration of Councillors, is included in this report's Recommendation. The Minutes of the General Meeting held on 16 September 2022 and other Attachments to the Agenda for the General Meeting on 8 December 2022 are included as Attachment 1.

#### RISK IMPLICATIONS:

Not considered relevant to this report.

#### ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

#### STRATEGIC DOCUMENT REFERENCE:

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

1. LGAT General Meeting - Agenda and Attachments - 8 December 2022 [15.2.1 - 153 pages]

**16. CHIEF EXECUTIVE OFFICER NETWORK**

**16.1. Audit Panel Annual Report 2022**

**FILE NO:** SF3611

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**DECISION STATEMENT:**

To consider the 2022 Audit Panel's Annual Report.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**PREVIOUS COUNCIL CONSIDERATION:**

Audit Panel - 22 November 2022 - Agenda Item 12.2 - *2022 Audit Panel Annual Report*

**RECOMMENDATION:**

That Council receives the *2022 Audit Panel Annual Report* (ECM Doc Set ID 4817915).

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**REPORT:**

The 2022 Audit Panel Annual Report was discussed at the Audit Panel Meeting on 22 November 2022. Following discussion at the Audit Panel Meeting the report was to be forwarded to Council for its consideration.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

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**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Chief Executive Officer has no interests to declare in this matter.

**ATTACHMENTS:**

1. City of Launceston - 2022 Audit Panel Annual Report [**16.1.1** - 4 pages]

**17. CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

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

**17.1 Confirmation of the Minutes**

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

**17.2 Councillor's Leave of Absence**

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

(h) applications by councillors for a leave of absence.

**17.3 End of Closed Session**

*To be determined in Closed Council.*

**18. MEETING CLOSURE**

**19. NEXT COUNCIL MEETING DATE**

**The City of Launceston's Annual General Meeting will be held at 5.30pm on 1 December 2022 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.**

**The next Ordinary Meeting of Council will be held at 1.00pm on 15 December 2022 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.**