

COUNCIL - 8 SEPTEMBER 2022 Attachments

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**15.2.1. LGAT General Meeting Agenda and Attachments - 16 September
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TITLE: DA0421/2022 - Residential - Construction of a Dwelling at 16 St Georges Square and 14 St Georges Square, East Launceston

FILE NO: DA0421/2022

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER: Dan Ryan (General Manager Community and Place Network)

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

11.0 Inner Residential Zone

11.1.1 Zone Purpose Statements

11.1.1.1 To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.

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

11.1.1.3 To allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety.

11.1.1.4 To maintain and develop residential uses and ensure that non-residential uses do not displace or dominate residential uses.

11.1.1.5 To provide for development that provides a high standard of amenity and contributes to the streetscape.

Consistent

The proposal to construct a single bedroom dwelling on the 306m² lot at 14 St Georges Square, East Launceston, is consistent with the purpose of the Inner Residential zone *to provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, setback and height.*

The subject site is an existing lot created in 2019. There is a significant variation in setbacks and heights of buildings within the surrounding area, with buildings of single and two storey being common. Similarly, there are buildings built to the frontage and others setback beyond the 4.5m prescribed by the acceptable solution.

The zone purpose also seeks building that has *a high standard of amenity and contributes to the streetscape*. Whilst amenity is a subjective concept, the proposed single bedroom dwelling could be considered to present a high standard of amenity to, perhaps, a single person seeking low maintenance, capacity for a garden and close proximity to services and facilities. Similarly, contribution to streetscape is also subjective. Nevertheless, this is a sensitive site, with strong public interest in the redevelopment of the missing section of brick wall in Scott Street.

11.4 Development Standards

11.4.1 Setback from a frontage for single dwellings

Objective:

To ensure that the setback from frontages:

(a) assist in the establishment of the streetscape character;

<ul style="list-style-type: none"> (b) enhance residential amenity; (c) provide a transition space between the road and private dwelling allowing mutual passive surveillance for community safety; and (d) respond to slope and other physical characteristics of a lot and assist in attenuation of traffic noise.
<p>Consistent The proposal satisfies the applicable acceptable solution and performance criteria.</p>
<p>A1 Unless within a building area shown on a plan of subdivision, the wall of a single dwelling (excluding minor protrusions) must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) no less than 4.5m from a primary frontage; and (b) no less than 3m to a frontage other than a primary frontage; or (c) a distance which is no more or less than the maximum and minimum setbacks of the dwellings on immediately adjoining lots; or (d) no less than the existing dwelling setback if less than 4.5m.
<p>Relies on Performance Criteria The proposed dwelling has a setback of 14.8m to its primary frontage with St Georges Square. However, the setback to the secondary frontage with Scott Street is 1.1m and relies upon the performance criteria.</p>
<p>P1 The setback from frontage must:</p> <ul style="list-style-type: none"> (a) provide transitional space between the road and private dwelling allowing mutual passive surveillance; (b) be compatible with the relationship of existing buildings to the road in terms of setback or in response to slope or other physical constraints of the site; (c) provide measures to ensure that noise generated by traffic will not adversely impact on residential amenity and vehicular egress provides for the safe use of the road; and (d) have regard to streetscape qualities or assist the integration of new development into the streetscape.
<p>Complies</p> <ul style="list-style-type: none"> (a) The dwellings in Scott Street and St Georges Square have a range of setbacks to frontage boundaries, from the effectively zero boundary setback of 12 St Georges Square, immediately opposite the site and the reduced setbacks of 4 and 6 Scott Street, to around 8m setback of the adjoining 5 Scott Street. Many of the nearby sites similar to the subject site have substantial fences at the frontage. The transition from Scott Street to the dwelling is provided through the parking area which additionally provides for limited mutual passive surveillance, although greater than some of the surrounding properties. (b) Existing dwellings in Scott Street have a varied setback and presentation to the road, some are built close to the frontage whilst others are secluded behind high fences. The current proposal will be hidden behind a 1.8m high colorbond fence, and will be visible only through the driveway. (c) Scott Street has a relatively low volume of traffic and noise from such will be further mitigated by the existing 1.8m fence. Scott Street is a one-way street and egress from the site from the single car park will not adversely impact upon the safe use of the road. (d) The proposed dwelling will largely be hidden behind the existing fence and will have little impact upon the streetscape. <p>It is also noted that the proposed dwelling is limited in its opportunities for setback from the frontage in that the site has a depth of only 10.8m from the Scott Street frontage.</p> <p>Given the above, the proposal is considered to satisfy the performance criteria.</p>

<p>11.4.2 Site coverage and rear setback for single dwellings</p> <p>Objective: To ensure that the location and extent of building site coverage:</p> <ul style="list-style-type: none"> (a) facilitates the provision of open space, gardens and other outside areas on the site that contribute to residential amenity; (b) assists with the management of stormwater; (c) provides for setback from the rear boundary; and (d) has regard to streetscape qualities.
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 A site coverage of no more than 50% excluding building eaves and access strips where less than 7.5m wide.</p>
<p>Complies The proposed 73m² dwelling represents a site coverage of around 23.8% of the 306m² lot.</p>
<p>A2 A rear setback of no less than 4m, unless the lot is an internal lot.</p>
<p>Relies on Performance Criteria The proposed rear setback (ie. the setback to 5 Scott Street) at 2.399m is less than the prescribed 4m and performance criteria are relied upon.</p>
<p>P2 The location of buildings in relation to the rear boundary must:</p> <ul style="list-style-type: none"> (a) allow for adequate visual separation between neighbouring dwellings; (b) maximise solar access to habitable rooms; and (c) facilitate provision of private open space.
<p>Complies</p> <ul style="list-style-type: none"> (a) The existing high solid wall on the boundary between the subject site and 5 Scott Street presents a clear and defined visual separation between the neighbouring dwellings. (b) The proposed setback will allow the dwelling to receive all day sunlight, with the glazed doors to the bedroom receiving shadow in the later afternoon. (c) The proposal provides for a substantial area of private open space between the dwelling and the St Georges Square frontage, protected by the existing brick wall and colorbond fence. <p>The proposal is considered to be consistent with the objectives and to satisfy the performance criteria.</p>

<p>11.4.3 Building envelope for single dwellings</p> <p>Objective: To ensure that the siting and scale of single dwellings:</p> <ul style="list-style-type: none"> (a) allows for flexibility in design to meet contemporary dwelling requirements; (b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and (c) has regard to streetscape qualities.
<p>Consistent The proposal satisfies the performance criteria.</p>
<p>A1 All single dwellings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes:</p> <ul style="list-style-type: none"> (a) determined by a setback of no less than 3m from side boundaries and no less than 4m from the rear boundary and a building height of no more than 5.5m; or (b) determined by projecting at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and at a distance of 4m from

<p>the rear boundary to a building height of no more than 8.5m above natural ground level (see Figures 11.4.3 A and 11.4.3 B); and walls are setback:</p> <ul style="list-style-type: none"> (i) no less than 1.5m from a side boundary; or (ii) less than 1.5m, provided the wall is built against an existing boundary wall or the wall or walls have a total length of no greater than 9m or one third of the boundary with the adjacent property, whichever is the lesser.
<p>Relies on Performance Criteria</p> <p>The proposed dwelling does not fit within the prescribed building envelope due to the reduced rear setback. Performance criteria are relied upon.</p>
<p>P1 The siting and scale of single dwellings must be designed to:</p> <ul style="list-style-type: none"> (a) ensure there is no unreasonable loss of amenity on adjoining lots by: <ul style="list-style-type: none"> (i) overshadowing and reduction of sunlight to habitable rooms and private open space to less than three hours between 9am and 5pm on 21 June or by increasing existing overshadowing where greater than above; (ii) overlooking and loss of privacy; and (iii) visual impacts when viewed from adjoining lots: and (b) take into account steep slopes and other topographical constraints; and (c) have regard to streetscape qualities.
<p>Complies</p> <ul style="list-style-type: none"> (a)(i) The reduced rear setback does not cause any unreasonable overshadowing or reduction of sunlight to habitable rooms to less than three hours between 9am and 5pm on 21 July. (a)(ii) The reduction in setback does not result in overlooking or loss of privacy. (a)(iii) The proposed dwelling will only be visible through the driveway entrance, or from the upstairs windows of the dwelling at 16 St Georges Square. (b) The site is relatively level and does not contain steep slopes. (c) The reduced rear setback presents to Scott Street as a side setback and is compatible with the range of existing side setbacks in the streetscape. <p>The siting, scale and design of the proposed dwelling is considered to satisfy the performance criteria.</p>

E4.0 Road and Railway Assets Code

<p>E4.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) protect the safety and efficiency of the road and railway networks; and (b) reduce conflicts between sensitive uses and major roads and the rail network.
<p>Consistent</p> <p>The proposed construction of a dwelling on 14 St Georges Square will inevitably increase the number of vehicle movements through the existing access, and the Road and Railway Assets Code applies.</p> <p>Given that the proposal will result in the relatively low traffic volumes associated with a small residential use, accessing a local road, the proposal is consistent with the purpose of the Code to protect the safety and efficiency of the road network.</p> <p>There are no major roads or rail network affected by this proposal.</p>

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

<p>Objective:</p> <p>To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.</p>
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Consistent
The proposal complies with the acceptable solution.
A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.
Complies
Industry practice suggests a range of 6 -10 vehicle movements per day are likely to be generated from a single dwelling. Given this is a small single bedroom dwelling, the number of vehicle movements is likely to be on the lower end of the scale.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

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

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

Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.
Consistent
The proposal satisfies the performance criteria.
A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
Relies on Performance Criteria
Table E4.6.4 seeks a sight distance of 80m for a road with a 50km/h speed limit. The existing access to the lot has a sight distance of some 25m to the east and 41m to the west and relies upon performance criteria.
P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.
Complies
Given that the proposed single dwelling will generate only a small number of movements and that Scott Street itself is narrow, with a low number of traffic movements and that the

speed of such movements is also relatively low the reduced sight distances are considered adequate for the safe movement of vehicles.

It is also noted that the existing access was considered acceptable at the time of subdivision. The only alternative would be to provide vehicular access directly to St Georges Square, which is generally considered undesirable.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent

The proposal provides access and parking to meet the purpose of the Code.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

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

Consistent

The proposal complies with the acceptable solution.

A1 The number of car parking spaces must:

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

Complies

Table E6.1 prescribes the provision of one car parking space per bedroom for residential use in other than the General Residential zone. The site plan shows one car parking space in the driveway. No garage or carport is proposed.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

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

Consistent

The proposal complies with the acceptable solution.

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

- (a) have a gradient of 10% or less;
- (b) be formed and paved;
- (c) be drained to the public stormwater system, or contain stormwater on the site;

<p>(d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and</p> <p>(e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.</p>
<p>Complies The site is relatively level, with a gradient less than 10%. The site plan indicates that the driveway is to be concrete and drained to the public stormwater.</p>

E6.6.2 Design and layout of parking areas

<p>Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>Consistent The proposal complies with the acceptable solution.</p>
<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;</p> <p>(b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;</p> <p>(c) have parking space dimensions in accordance with the requirements in Table E6.3;</p> <p>(d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and</p> <p>(e) have a vertical clearance of not less than 2.1m above the parking surface level.</p> <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p>
<p>Complies The proposal includes generally level access to a single car park, compliant with the prescribed measures.</p>

E7.0 Scenic Management Code

<p>E7.1 The purpose of this provision is to:</p> <p>(a) ensure that siting and design of development protects and complements the visual amenity of scenic road corridors; and</p> <p>(b) ensure that siting and design of development in scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape; and</p> <p>(c) ensure that vegetation is managed for its contribution to the scenic landscape.</p>
<p>Consistent The proposed single dwelling will be unobtrusive, it will remain behind the reconstructed brick wall and the substantial colorbond fencing and compliment the visual amenity through maintaining the continuity of the fencing in the streetscape.</p>

E7.6 Development Standards

E7.6.2 Scenic management areas

<p>Objective:</p>

<p>The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.</p>
<p>Consistent The proposal satisfies the applicable performance criteria.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria P1 Development (not including development that involves only the clearance or removal of vegetation, or subdivision) must have regard to: (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3; (b) the impact on skylines, ridgelines and prominent locations; (c) the nature and extent of existing development on the site; (d) the retention or establishment of vegetation to provide screening; (e) the need to clear existing vegetation; (f) the requirements for any hazard management; (g) the need for infrastructure services; (h) the specific requirements of the development; (i) the location of development to facilitate the retention of trees; and (j) design treatment of development, including: (i) the bulk and form of buildings including materials and finishes; (ii) any earthworks for cut or fill; (iii) the physical (built or natural) characteristics of the site or area; (iv) the nature and character of the existing development; and (v) the retention of trees.</p>
<p>Complies (a) The subject site is within the Central Hills Precinct Scenic Management Area: This precinct encompasses the residential area located along the ridge line to the east of the central Launceston area. The precinct is dominated by skyline development and forms the principle backdrop for South Launceston, Newstead and central Launceston. The Management Objectives of this precinct are: <i>Maintain and enhance vegetation:</i> The site currently contains a number of trees and shrubs around its perimeter and it is proposed to plant a row of trees, capable of reaching a height of 4-5m, along the southern boundary. The permit, if granted, will include a condition requiring a vegetation management plan and a landscape plan to ensure the protection of the existing trees, including the historic sequoia trees on the nearby land at 54 Ann Street. A condition will also be included requiring the provision and a landscape plan, to the approval of the Manager City Development, to confirm the retention of existing vegetation and additional plantings consistent with the vegetation management plan. <i>Development should blend with existing development by its location, form, scale and exterior:</i> The proposed dwelling is small and will sit behind substantial fencing. A permit condition preventing reflective colours is also proposed. <i>Encourage driveways to be inevident:</i></p>

The proposal will use the existing driveway to Scott Street, which is currently more noticeable as a result of its poor condition. The proposed driveway will be formed in concrete, consistent with many driveways in the surrounding area.

- (b) The brick wall is the dominant feature in the landscape and streetscape in this area and the eye is drawn to the prominence of the wall and the sequoia trees in the background. The small dwelling behind the wall will not be noticed.
- (c) The site is currently vacant.
- (d) The majority of the existing vegetation on site will be retained and appropriate protection measures are proposed to ensure its protection through the construction process.
- (e) There is no need to clear further vegetation, other than the grass of the building footprint.
- (f) There are no relevant hazard management requirements.
- (g) The site is currently fully serviced.
- (h) The specific requirements of the development are limited to those associated with the construction of a small dwelling. Plus, the requirement to construct the brick fence on the Scott Street frontage, in a style compatible with the previous wall, prior to the commencement of construction works for the dwelling.
- (j) The proposed building is to be a small structure, in muted colours and located behind significant fencing

Having regard to the relevant prescribed matters, above, it is considered that the development of the proposed single storey building in the current proposed form, scale and finish, will be unobtrusive in the landscape and compliment the character of the area.

The performance criteria are satisfied.

KRISTI SEYMOUR

New Dwelling 14 ST GEORGES SQUARE, EAST LAUNCESTON

Sheet Number	Sheet Title	Current Revision	CurrentRevisionDate
A0-001	Cover	C	20/7/22
A1-001	Site	C	20/7/22
A2-001	Proposed Floor Plan	C	20/7/22
A3-001	Elevation 01	C	20/7/22
A3-002	Elevation 02	C	20/7/22
A3-003	Shadows	C	20/7/22

GENERAL INFORMATION:

Accredited Architect:
Accreditation Number:
Land Title Reference Number:
Municipality:
Planning Scheme Overlay:

Zoning:
Building Class:
Soil classification:
Wind Classification:
Climate Zone:
Alpine Area:
Bushfire-prone Area BAL Rating:
Other Known site hazards:

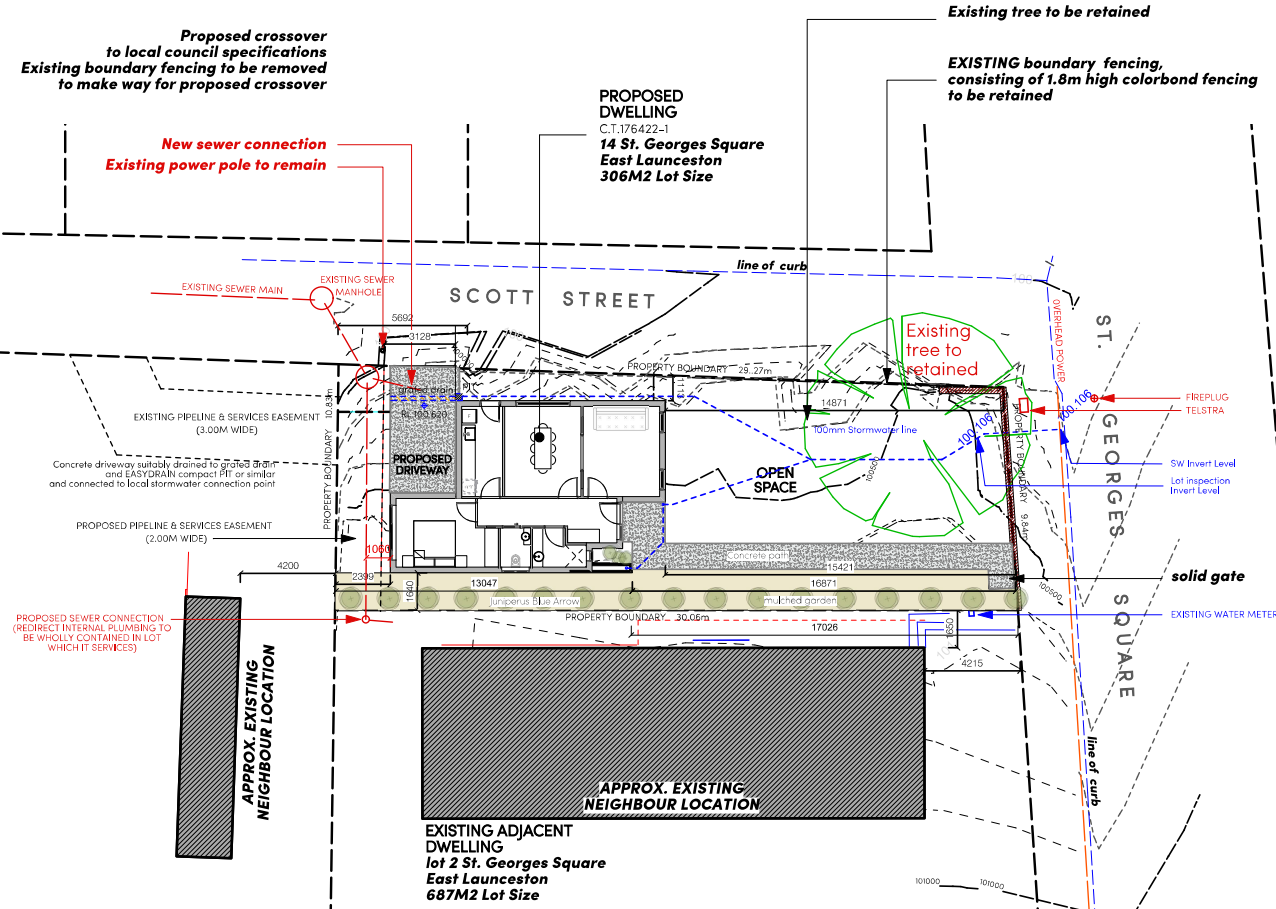
Sam Haberle
CC5618 U
3506306 ID 176422/1 (Certificate volume and folio)
LAUNCESTON CITY COUNCIL
Interim Planning Scheme 2015
Biodiversity Protection Area, Scenic Landscape Area, Landslide Hazard Area
Inner Residential
1a
H2 Site classification to AS 2870-2011
NI Site classification to AS 4055-2006
7 (www.abcb.gov.au map)
N/A <300m AHD (NCC Figure 3.7.5.2)
Dwelling - N/A As determined by registered Bushfire Assessor (AS3959-2009)
N/A High wind, earthquake, flooding, landslip, dispersive soils, sand dunes, mine subsidence, landfill, snow & ice or other relevant factors



create.wonder.



REVISION - C	DATE - 20/7/22	DESCRIPTION - Response to RFI	DATE - 21/3/22
ADDRESS - 14 St Georges Square, Launceston		do not scale off data all dimensions in millimetres confirm all dimensions on site all work to AS/NZS 1547:2011	ISSUE - DA
CLIENT - Kristi Seymour		SCALE @ ISO A3 - 1:100	DWG # - A0-001
DWG - Cover		DRAWN - SG	PROJECT# - J0002863
		CHECK - SG	



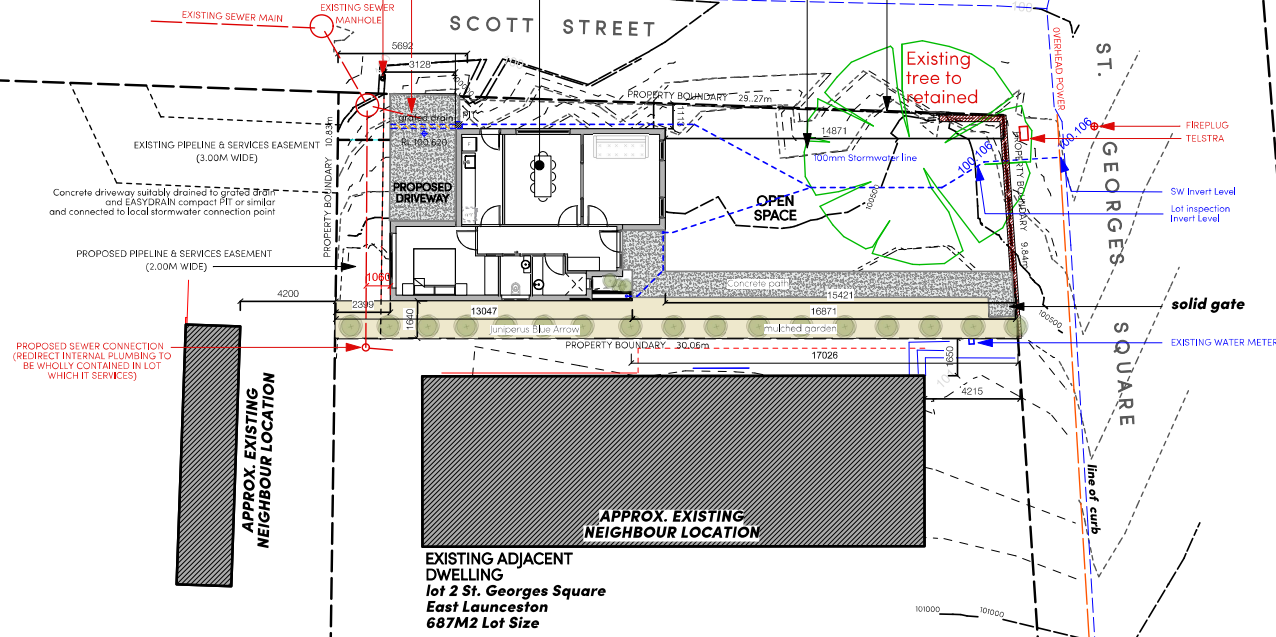
Proposed crossover to local council specifications
Existing boundary fencing to be removed to make way for proposed crossover

New sewer connection
Existing power pole to remain

Existing tree to be retained

EXISTING boundary fencing, consisting of 1.8m high colorbond fencing to be retained

PROPOSED DWELLING
C.T.176422-1
14 St. Georges Square
East Launceston
306M2 Lot Size



PROPOSED SEWER CONNECTION (REDIRECT INTERNAL PLUMBING TO BE WHOLLY CONTAINED IN LOT WHICH IT SERVES)

Existing tree to be retained

FIREPLUG TELSTRA

SW Invert Level

Lot Inspection Invert Level

solid gate

EXISTING WATER METER

EXISTING ADJACENT DWELLING
lot 2 St. Georges Square
East Launceston
687M2 Lot Size

NOTE:
All contours should be confirmed on site.
Dwelling location to be set out by registered surveyor discrepancies reported prior to commencement.
Drive to be suitably drained away from dwelling to SW pits + connected to mains.
Conveniently located taps to be installed for watering purposes.
Typically dress around house with top soil where not otherwise specified sow with grass seed set down 150mm from FFL max. Batter grade 1:20.
Garden edging typically treated pine when not against concrete.
Downpipes to be connected into council stormwater as soon as roof is installed.
Any change to the construction and materials indicated in these drawings is to be approved by S. Group, the Engineer, the Building Surveyor, and the owner before proceeding with the work.
Use written dimensions only.
Do not scale drawings.

BUILDING AREAS:
Site Area: 306,00m²
Proposed Dwelling: 73m²

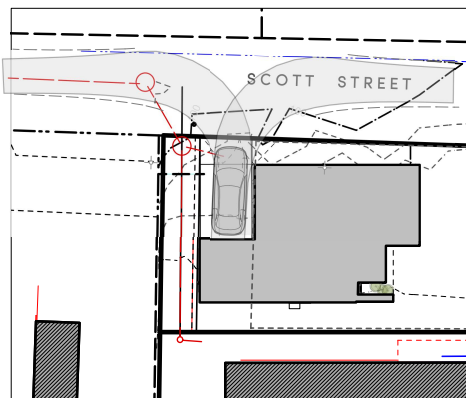
PLANNING EXHIBITED DOCUMENTS
Ref. No: DA 0421/2022
Date accepted: 30/07/2022
Planning Administration
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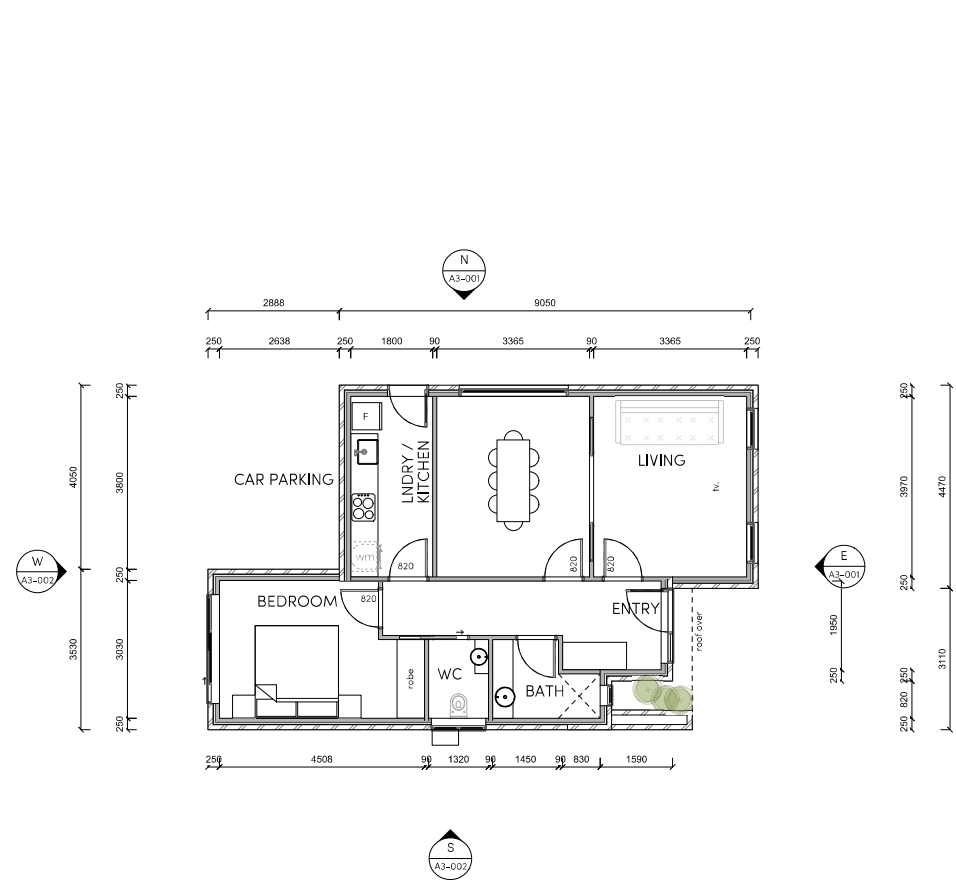
0 mm 7000 mm
SITE PLAN NOTES:
ALL DIMENSIONS TO EXTERNAL WALLS.
LOCATION OF SITE FEATURES DERIVED FROM AERIAL PHOTOGRAPHY.



REVISION - C	DATE - 20/7/22	DESCRIPTION - Response to RFI	DATE - 21/3/22
ADDRESS -	14 St Georges Square, Launceston		ISSUE - DA
CLIENT -	Kristi Seymour		DWG # - A1-001
DWG -	Site	SCALE @ ISO A3 - 1:100	
DRAWN -	SG	CHKD -	SG
PROJECT# -	J003263		
S. Group Level 1, 10-14 Paterson st. Launceston Level 1, 90-92 Murray st. Hobart © Copyright 2022 T: 03 63111 403 E: info@sgroup.com.au sgroup.com.au			

AS/NZS2890.1 – 2004 Swept Path
B85 Car
5.8m Turn Radius



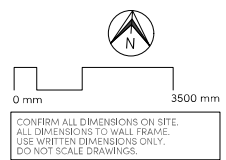


- WALL LEGEND:**
- 250mm Brickwork Veneer Wall
Masonry Ties: Max. Vert. Spacing 450mm
Max Horizontal Spacing 900mm
 - New Timber stud wall
Unless noted otherwise:
90x45 MGPI0 Plates
90x35 MGPI0 Noggings Mid-Height
90x35 MGPI0 Studs @ 450cts.

FLOOR AREAS:
Total: 62m²

- INSULATION REQUIREMENTS:**
NCC 2016 PART 3.12. (Climate Zone 7)
- Walls:** Min. R2.5 (90mm) 'Pink' batts with vapour-permeable wall wrap.
 - Roof:** R1.3 (55mm) 'Permatop' Building Blanket
R4.0 (195mm) 'PINK' Ceiling Batts.

PROPOSED FLOOR PLAN
72m² floor area

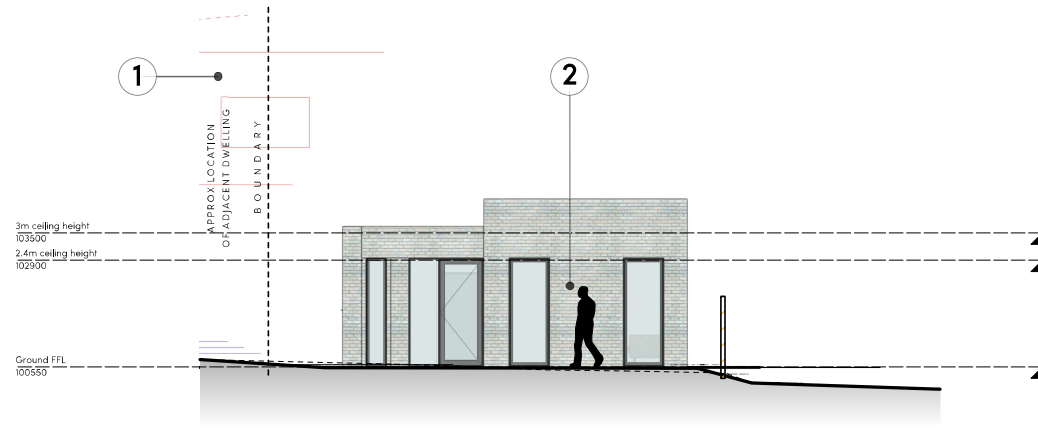


Attachment 9.12 DA0421/2021 - 16 and 14 St Georges Square, Launceston - Plans to be Endorsed

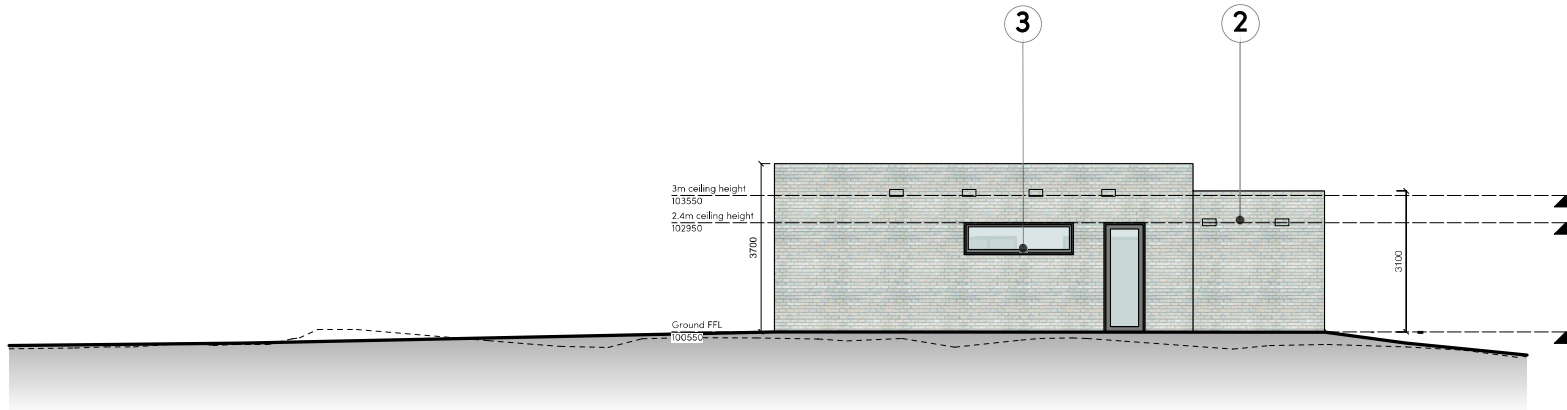
create.wonder.



REVISION - C	DATE - 20/7/22	DESCRIPTION - Response to RFI	DATE - 21/3/22
ADDRESS - 14 St Georges Square, Launceston		ISSUE - DA	
CLIENT - Kristi Seymour		DWG # - A2-001	
Dwg - Proposed Floor Plan		SCALE @ ISO A3 - 1:100	
CHKD -	DRWN -	SG	PROJECT# - J003263
S. Group © Copyright 2022		Level 1, 10-14 Paterson st. Launceston Level 1, 90-92 Murray st. Hobart T: 03 63 111 403 E: info@sgroup.com.au sgroup.com.au	



E Eastern Elevation



N Northern Elevation



0 mm 3500 mm

CONFIRM ALL DIMENSIONS ON SITE.
ALL DIMENSIONS TO WALL FRAME.
USE WRITTEN DIMENSIONS ONLY.
DO NOT SCALE DRAWINGS.

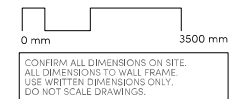
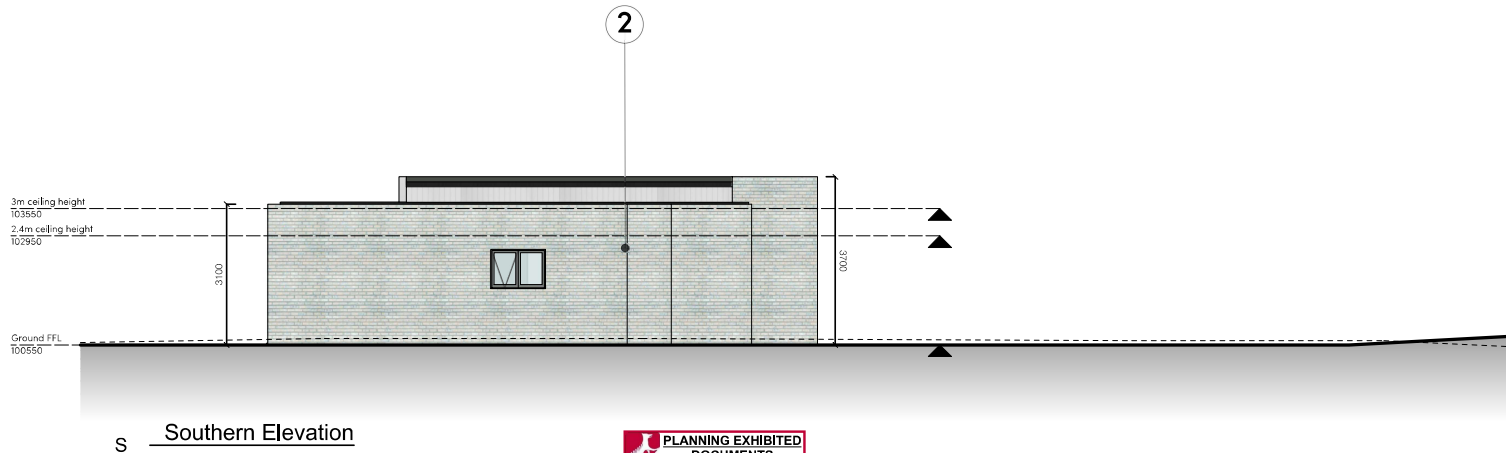
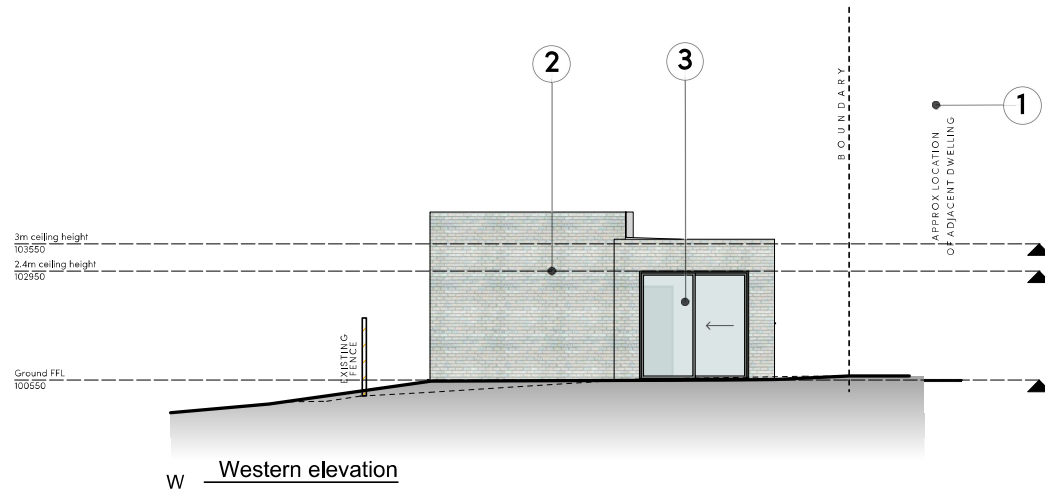
EXTERNAL FINISHES & COLOURS SCHEDULE:

- ① Existing adjoining neighbour.
- ② Select facebrick
- ③ Thermally Broken Aluminium Framed Double Glazed Windows & Doors. Powdercoat Finish. Colour Monument or similar.
- ④ Colorbond® Trimdek™ Roofing. Colorbond® Facisa & Half-round guttering. Colour Monument.

create.wonder.



REVISION - C	DATE - 20/7/22	DESCRIPTION - Response to RFI	DATE - 21/3/22
ADDRESS - 14 St Georges Square, Launceston		ISSUE - DA	
CLIENT - Kristi Seymour		DWG # - A3-001	
Dwg - Elevation 01		SCALE @ ISO A3 - 1:100	
DRAWN - SG	CHECK - SG	PROJECT# - J003263	
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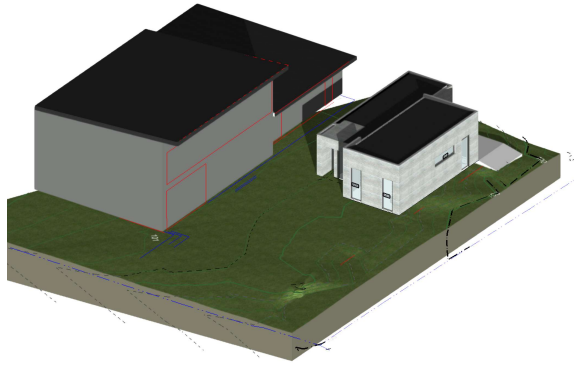
EXTERNAL FINISHES & COLOURS SCHEDULE:

- ① Existing adjoining neighbour.
- ② Select facebrick
- ③ Thermally Broken Aluminium Framed Double Glazed Windows & Doors. Powdercoat Finish. Colour Monument or similar.
- ④ Colorbond® Trimdek™ Roofing. Colorbond® Facisa & Half-round guttering. Colour Monument.

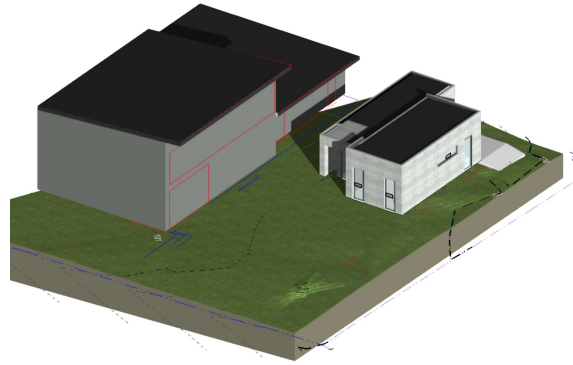
create.wonder.



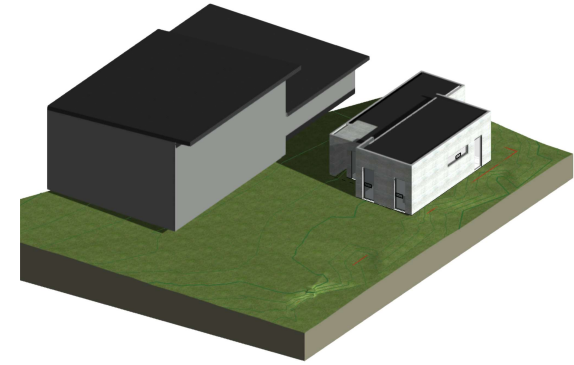
REVISION - C	DATE - 20/7/22	DESCRIPTION - Response to RFI	DATE - 21/3/22
ADDRESS - 14 St Georges Square, Launceston		ISSUE - DA	
CLIENT - Kristi Seymour		SCALE @ ISO A3 - 1:100	DWG # - A3-002
DWG - Elevation 02		DRAWN - SG	PROJECT# - J003263
S. Group © Copyright 2022		Level 1, 10-14 Paterson st. Launceston Level 1, 90-92 Murray st. Hobart	T: 03 63 111 403 E: info@sgroup.com.au sgroup.com.au



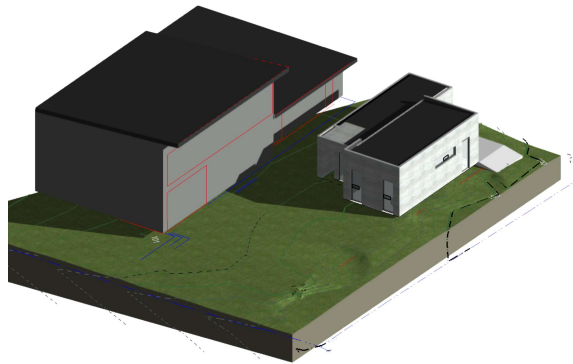
1 June 21st 9am
Scale: 1:300



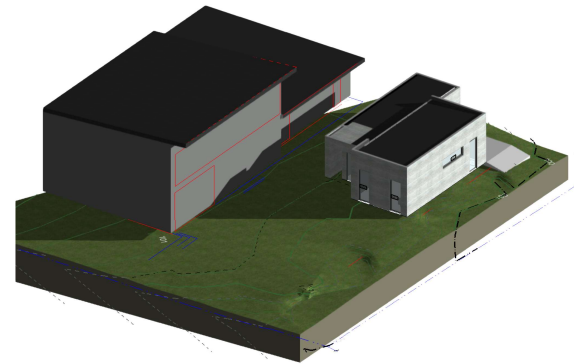
2 June 21st 10am
Scale: 1:300



3 June 21st 12pm
Scale: 1:300



4 June 21st 2pm
Scale: 1:300



5 June 21st 3pm
Scale: 1:300



create
wonder.



REVISION - C	DATE - 20/7/22	DESCRIPTION - Response to RPI	DATE 21/3/22
ADDRESS	14 St Georges Square, Launceston		ISSUE DA
CLIENT	Kristi Seymour		DWG # A3-003
DWG	Shadows		SCALE @ B0 A3 1:100
DRAWN	SG	CHKD	SG
PROJECT#	J003263		
S. Group		Launceston Level 1, 90-92 Murray St, Hobart	
© Copyright 2022		T. 03 63 111 403 E. info@sgroup.com.au agroup.com.au	



Submission to Planning Authority Notice

Council Planning Permit No.	DA0421/2022	Council notice date	19/07/2022
TasWater details			
TasWater Reference No.	TWDA 2022/01164-LCC	Date of response	29/07/2022
TasWater Contact	Robert Stapleton	Phone No.	0417279866
Response issued to			
Council name	CITY OF LAUNCESTON		
Contact details	Planning.Admin@launceston.tas.gov.au		
Development details			
Address	14-16 ST GEORGES SQUARE, EAST LANCESTON	Property ID (PID)	9061304
Description of development	New Dwelling		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
S. Group	"Site" / Proj: J003263 – Dwg: A1-001	B	29/06/2022
Conditions			
SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
1. A suitably sized water supply with metered connections and sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.			
Advice: Water meters / Sewer I.O's located within vehicle manoeuvring areas must be housed in trafficable boxes "loose" supplied by TasWater and installed by the developer's contractor to match the FSL.			
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.			
3. Prior to commencing construction of the development, any water connection utilised for construction must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.			
56W CONSENT			
4. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the <i>Water and Sewerage Industry Act 2008</i> for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.			
DEVELOPMENT ASSESSMENT FEES			



5. The applicant or landowner as the case may be, must pay a development assessment fee of \$226.71, to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.
- The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

General

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

A copy of the GIS is included in email with this notice and should aid in updating of the documentation. The location of this infrastructure as shown on the GIS is indicative only.

- (a) A permit is required to work within TasWater’s easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies
- (c) TasWater will locate residential water stop taps free of charge
- (d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

56W Consent

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) will need to show footings of proposed buildings located over or within 2.0m from TasWater pipes and will need to be designed by a suitably qualified person to adequately protect the integrity of TasWater’s infrastructure, and to TasWater’s satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater’s pipes. These plans will need to also include a cross sectional view through the footings which clearly shows;

- (a) Existing pipe depth and proposed finished surface levels over the pipe;
- (b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- (c) A note on the plan indicating how the pipe location and depth were ascertained.
- (d) The location of the property service connection and sewer inspection opening (IO).

Declaration

The drawings/documents and conditions stated above constitute TasWater’s Submission to Planning Authority Notice.

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

From: "Lionel Morrell" [REDACTED]
Sent: Fri, 12 Aug 2022 11:10:21 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>; "Michael Stretton"
[REDACTED]
Cc: "Duncan Payton" [REDACTED]
Subject: Representation DA 0421 2022 14-16 St Georges Square Launceston
Attachments: HPST Rep DA0421 2022 14-16 St Georges Square Launceston 8 Aug 2022.pdf

Please see attached AMENDED representation replacing our earlier representation which contained incorrect addressing/location information.

Please discard our earlier representation.

We apologise for this situation and the confusion this may have caused.

Heritage Protection Society (Tasmania) Inc.

Sent from [Mail](#) for Windows



HPST Rep DA0421 2022 14-16 St Georges Square Launceston 8 Aug 2022.pdf

HERITAGE PROTECTION SOCIETY (TASMANIA) INC.

9 August 2022

Mr Michael Stretton
General Manager
Launceston City Council
Town Hall
St John Street
LAUNCESTON TAS 7250

By email to [REDACTED]

Dear Sir, **Re:DA0421/2022. 14-16 St Georges Square EAST LAUNCESTON Residential – Construction of a dwelling.**

This application was advertised as 14-16 St Georges Square, whereas it appears to only relate to number 14, previously subdivided. Please advise the reason for the address to include number 16, and the impact it has on that property.

The development of the land at 14-16 St Georges Square became somewhat notorious, in part because there have been many changes to applications, broken public promises and presentations by the proponent/applicant/property owner, and apparently illegal demolition works including removal of trees.

This latest application is little-different to a previous permit issued by council for the development of a very similar one-bedroom residence. The present proponent has not provided any explanation of why this present application has been made.

In perusing the drawings that are advertised in support of this application, we note that the section of brick fence at the corner of Scott Street, has not been reconstructed, and accordingly request that this be a condition-precendent to the administration of this application and any subsequent Development Approval that may be issued.

The siting of this proposed dwelling is critical to compliance with the provisions of the planning scheme, and we see no reason given the extensive voluntary front setback to St Georges Square, this setback be slightly reduced, and that a minimum 4m western side setback be achieved. A 4m setback will align to the position of the adjacent dwelling now under construction at 16 St Georges Square, and comply with the scheme.

Access to the carpark driveway off Scott Street is compromised by the present swept path of a small vehicle and indicates that the vehicle will physically scrape this pole. Combined with a ramped section of paving at the entry which exceeds the provisions of the planning scheme being a greater gradient of 10%, this carpark space is not safe and will adversely affect the safety of users and also passing traffic. By

1

widening the western side setback to 4m, the relationship of the access point to the pole in Scott Street is eased, and improved manoeuvrability and safety compliance is ameliorated.

It is not acknowledged in the application that the development site is within the Launceston Aquatic Centre Parking Precinct Plan.

It is curious as to why this property is not contained within the Launceston Historic Heritage Code, because in 1973 the LCC Planning Scheme contained an entry under Schedule 4

BUILDINGS OF HISTORICAL OR ARCHITECTURAL INTEREST OR OF SPECIAL BEAUTY Item 6.23 14 & 16 St Georges Square.

We can find no record of when Council authorised removal of the entry for 14 St Georges Square, and whether this is a mere administrative error, now capable of rectification. Please advise.

The application contains nothing pertaining to a landscaping plan. Although there are references to the two surviving trees and that they may be 'pruned', we submit that apart from the important need to regulate and control this 'pruning' given the history of the owner a blatant disregard for other trees and landscaping removed and/or damaged on the land at 14-16 St Georges Square, the provision of a landscaping plan is necessary.

Use of the proposed building.

The Use Class is advertised as **Residential**, and we can only assume that the Use Class **Visitor Accommodation** has not been omitted inadvertently from the application?

Accordingly, we question :

- 1 – Is the proposed dwelling a single dwelling?
- 2 – Is the proposed dwelling to be used as short-term visitor accommodation?
- 3 – Is the proposed dwelling to be used as Home Occupation ?

If your answer is no to any of these questions, then please consider adding notes to any planned approval to specifically exclude either of these possible uses in the future.

Summation.

This Development Application does not adequately address all necessary impacts, and accordingly should either be refused or conditionally approved to amend the aspects to which we have drawn attention.

Yours faithfully

Lionel J. Morrell

Lionel J. Morrell
For and on behalf of

Heritage Protection Society (Tasmania) Inc.



Your ref: DA0421/2022
My ref: DA0421/2022GK
12 August 2022

Mr. Michael Stretton
Chief Executive Officer
Launceston City Council
PO Box 396
Launceston TAS 7250

FILE No.	DA0421/2022		
EO	<input checked="" type="checkbox"/>	OD	Box <input checked="" type="checkbox"/>
RCV'D 12 AUG 2022 COL			
Doc ID.			
	Action Officer	Noted	Replied

E COPY TO PAYTON

Dear Mr Stretton,

Re: DA0421/2022 – 14 St Georges Square, East Launceston, Residential - Construction of a dwelling

I am writing in response to the currently advertised application for a planning permit for the construction of a new building at 14 St Georges Square, Launceston.

This development application has been submitted whilst a current development permit for 14 St Georges Square, approved by Council at its meeting of Thursday 28 January 2021 (DA0830/2020) is still active. This application varies little from the previous, however there are a number of concerns as follows that still remain in place, in addition to those raised by this development application.

1. Rear Boundary Setback

The decision statement by Council on 23 January 2020 approved the rear boundary setback of the adjoining residence on 16 St Georges Square (currently being constructed) at greater than 4 metres.

This current proposal has the rear setback at 2.399 metres from our eastern boundary fence. To ensure consistency with the neighbouring rear setbacks, and to meet the Planning Scheme requirements, the rear setback for this current proposed building should be at a minimum of 4 metres. This 4 metres setback is compatible with the neighbouring residence on No 16 that is in the process of construction by the applicant of this development application.

The current permit (DA0830/2020) for 14 St Georges Square required amended plans which had to show:

The amended plans must show:

- a. the proposed dwelling with a rear setback of 4m.
(Council Minutes p.63 2.a 28/1/2021)

It was previously argued by Council that there was ample land in front to allow for the building to be moved forward to accommodate a rear setback of 4m. (see Council Agenda p.209. 28/1/2021)

Issue 6: The rear setback is proposed to be only 2.52m, rather than the 4.0m required by the acceptable solution. No reason is offered to support this reduction and there is 13.19m of open space in the frontage. There seems no reason why the proposed dwelling could not be relocated 1.5m generally eastwards to provide the minimum 4m rear setback.

Response 6

Other than the existing 2m high boundary wall effectively negating any boundary setback expectation of affecting separation between dwellings, there does not appear to be any reason not to require such a move. This will also have the benefit of providing improved parking options. It is recommended that a condition be applied requiring appropriate amended plans showing a 4m rear setback.

The proposed residence in this current application is smaller than that assessed at the Council meeting of 28/1/2021 so there is even more land facing St Georges Square into which the proposed building could be moved forward.

With a 15.42 metre front setback described on the plans in this development application for a proposed residence on 14 St Georges Square, there is ample space to move the proposed residence forwards to the front boundary to provide a 4 metre rear setback without compromising the available front garden and open space.

2. Re-built Front Fence – Scott Street Corner

The decision statement by Council on 28 January 2020 for the current permit for 14 St Georges Square, required the re-built masonry fence (DA0339/2019 approved 5 September 2019) to be protected during the construction of the approved dwelling on 16 St Georges Square. This document also refers to 14 -16 St Georges Square and hence refers to both blocks of land. Further reference to the rebuilt Scott Street corner is found in the Council Minutes of 28/1/2021 (p.63.) The Minutes state:

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager City Development. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. *the proposed dwelling with a rear setback of 4m.*

*b. the design of the brick fence required for the St Georges Square and **Scott Street frontages**, which is to be consistent and compatible with the scale, features and face materials of the remaining sections of historic brick fence further south on St Georges Square.*

No development or construction should take place on 14 St Georges Square until the Scott Street wrap-around corner masonry fence is erected as previously agreed with the Launceston City Council.

3. Vegetation Management Plan and Tree Protection

There is no reference to the specific *Vegetation Management Plan February 2020* which is a requirement of any development and for all works on the land of 14-16 St Georges Square, Launceston.

It is extremely concerning that this development application makes such scant reference to tree protection and management during construction. The strong community/neighbourhood response to the enforcement of the protection of trees on 14-16 St Georges Square; and the endorsement of this by Council's Aldermen of a Vegetation Management Plan, should be to the forefront in any consideration of this development application.

The current application makes no reference to the significant role the Arborist is required to play through daily supervision, documentation and reporting of works undertaken on this site.

There are three clearly identified trees which have requirements for specific protection procedures on the northern and the western boundaries of 14 St Georges Square.

There are only three trees left on 14 St Georges Square out of an original 17 in garden when the residence was purchased. In addition many large tree-size shrubs have been removed by the applicant. The remaining trees are the chestnut at the NE corner (now half its crown size), the crepe myrtle on the Scott St boundary, and the Dr Hogg heritage variety apple in the NW back corner near the light pole. This last tree has been recently moved from its original 'protected' location with written Council approval.

It is questionable whether any further 'pruning' (see E7.0 *Scenic Management Code* p.9 of application) is required given the extensive reduction in size of the chestnut, for example, which is half its original crown size. This reduction has also reduced the area required to be reserved for its root zone and no-work area.

What is to happen to the missing third tree not mentioned on the plans for this application?

The existing agreed vegetation protection requirements, as determined in the *Vegetation Management Plan 2020*, (prepared by the applicant's Arborist) must be enforced for any development of, and works undertaken, on 14 St Georges Square.

This application should therefore not be approved unless those existing conditions as approved by Council in DA0339/2019 in January 2020 in relation to Arborist supervision and adherence to the Vegetation Management Plan are enforced as part of any approval.

4. Car Parking Allocation

The space allocated on the plans for a car park is not long enough to park the average car which is now over 5 metres long. Any vehicle parked and protruding beyond the fence-line will make exiting from no 12 St Georges Square's garage extremely difficult. It will also make it difficult for cars entering or exiting from 4 Scott Street.

Scott Street is very narrow. This creates very tight situations for manoeuvring a vehicle in the street. This situation is compounded by cars that are illegally parked in Scott Street itself. While Scott Street appears quiet in terms of traffic movements, it is increasingly being used as a cut-through to Welman Street and St Georges Square.

Moving the building forward on the block to meet the minimum 4 metre rear setback required under the Planning Scheme would provide additional space to solve this car parking problem.

5. Incorrect Shadow Diagrams

The shadow diagrams are irrelevant as they are projected on an incorrect neighbouring building. The residence on which the shadows are shown has in fact been demolished. Given this fundamental error, the impact of shadowing from the proposed building on the new residence currently being built at 16 St Georges Square cannot be accurately assessed as the shadows are falling on the wrong house.

6. Building Envelope Diagrams

No building envelope diagrams have been provided so the proposed residence cannot be easily assessed in relation to the Planning Scheme requirements for the building envelope.

7. Landscaping Plan

No landscaping plan has been supplied with the development application. It is therefore not possible to consider the full impact of the proposed development on pervious and non-pervious surfaces on this site. It is also not possible to assess the impact of the applicant's proposed planting plan and site landscaping.

8. Site Drainage

Effective drainage from 14 St Georges Square is essential as our property at [REDACTED] [REDACTED] has already experienced water inundation from run-off from this site. This issue, which has been previously raised with Council, needs to be addressed in the assessment stage prior to any permit being issued and not retrospectively.

Recent heavy rains have exacerbated the run-off from 14 St Georges Square to such an extent that there are large almost permanent puddles in front of nos 4, 5 and 6 Scott Street. The road is also now sinking in sections. This has created a hazard for walkers especially at night. There have already been some injuries from this situation.

9. Use of the Proposed Building

While it is understood that the new building is being proposed as *Inner Residential*, questions do arise as to whether the building will actually be a private residence. The lay-out of the rooms with the narrow galley kitchen and separate toilet and bathroom all lend themselves to a very easy conversion to a business office. The living area and bedroom convert easily to offices and the large 'dining' room for meetings.

The length of the current front setback also raises questions as to the intent of such a lengthy setback. Is the developer planning to extend the proposed dwelling once the current plans are approved or build a second independent 'unit' or install a front car park to accommodate staff or client vehicles should the proposed building be used for the applicant's business?

Given the points outlined above, and the many unanswered questions concerning these, I wish to advise that I do not support approval of this development application.

Yours sincerely,

[REDACTED]
Glenda King
[REDACTED]

Your Ref: DA0421/2022

11 August 2022

Mr. Michael Stretton
Chief Executive Officer
Launceston City Council
PO Box 396
Launceston TAS 7250

FILE No.	DA0421 / 2022		
EO	<input checked="" type="checkbox"/>	OD	Box <input checked="" type="checkbox"/>
RCV'D 12 AUG 2022 COL			
Doc ID.			
Action Officer	Noted	Replied	

5 COPY TO D PAYTON

Dear Sir,

Re DA00421/2022 – Construction of Dwelling 14 St Georges Square

I am writing this letter in response to the Notice of Application for a Planning Permit received concerning 14 St Georges Square, East Launceston.

I have a number of concerns in relation to the application. I raise them as their outcome will have a direct impact on me. Firstly, as a co-owner of [REDACTED] [REDACTED] eastern boundary meets the proposed development's rear or western boundary) and secondly, as a long term resident of this area. These concerns are:

1. Rear setback on the proposed new building on 14 St Georges Square.
2. Inadequate car parking provision on the block.
3. The completion of the Scott Street section of brick front fence common to both 14 and 16 St Georges Square.
4. Protection of existing trees.
5. Proposed use of the new building.

1. Rear setback on the proposed new building on 14 St Georges Square

During the DA application process for our house at [REDACTED] some years ago (under the same planning scheme as this is being assessed) Council officers made it quite clear that the Planning Act for residential properties had a strict building rear setback of 4M which they would not in any way recommend exemptions from. They stated the main reason for this uncompromising stance was to ensure a minimum standard building setback for all neighbours' back yards. If the proposed building is approved, we will have on [REDACTED] eastern border a new residence at 14 St Georges Square at 2399mm from our boundary, some 2601mm less than that recommended by the Planning Scheme.

The 14 St Georges Square block is 30.06M long on its boundary with 16 St Georges Square. The new structure proposed is 11.94M long and with the currently applied for rear setback of 2.40M this leaves some 15.72M of open space between the front of the proposed building and the front fence. Moving the structure forward 1.60M to

give a 4.0M rear set back, would still leave the applicant with a more than adequate and very generous 14.12M front garden area covering almost half of the block.

Part of the planning scheme's performance criteria for setbacks is a requirement that ***“the building setback on the rear boundary must be appropriate to the location, having regard to the character of the surrounding area and location of buildings on adjoining lots. Ref - 11.4.10 P1(b)”***. All buildings on the city block upon which this structure is proposed have such a setback, including the new house currently being built by the same applicant on 16 St Georges Square.

There is simply no justification for any buildings on this site to not meet a 4.0M rear setback. The enforcement of a 4M rear setback would also provide a possible solution to the next matter raised in relation to inadequate car parking provision on the block.

2. Inadequate car parking provision on the block

The plans as submitted show a car parking space coming in off Scott Street of approximately 5.1M (being 4.0M down the side of the proposed structure and 1.1M from the building to the Scott Street boundary). This fails to meet the Australian Standard AS2890 of 5.4M for a standard car parking space. Any small to average vehicle that parks there will need to park hard up against the exterior wall of the structure just to try and not protrude into the street and with some larger/longer vehicles this protrusion will be unavoidable.

Whilst no garage is proposed in this particular instance, the majority are 6.0M+ long these days and the applicant herself has allowed a 7.3M internal garage length in the new residence she is currently building at 16 St Georges Square next door.

The residence should be required to meet the Planning Scheme rear setback of 4.0M. This problem would then be solved as the parking space could be repositioned to run the full width of the rear of the proposed new building which is 7.6M.

3. The completion of the Scott Street section of brick front fence common to both 14 and 16 St Georges Square

It was a requirement of the reinstatement of the previously demolished brick front fence that the small section that wrapped around the corner into Scott Street also be reinstated. Even though the St Georges Square frontage has been done the Scott Street section has not been completed.

This should be made a condition of any permit issued for further development on 14 St Georges Square.

4. Protection of existing trees

As a condition of the permit to build on 16 St Georges Square, a Vegetation Management Plan was required, was subsequently produced and approved by Council covering both 14 & 16 St Georges Square.

There were 3 trees on the Scott Street border specifically mentioned in the Vegetation Management Plan, however the current documents/drawings only refer to two. The missing tree is now in the far western corner on Scott Street having been recently moved there with Council's written approval.

It should be a condition of any permit issued that the previously approved Vegetation Management Plan and all of its conditions continue to apply to these three protected trees.

5. Proposed use of the new building

The proposed use of the building is listed as residential but any number of indicators flag alternative use namely its size, design, position on block and connection with the residence at 16 St Georges Square.

On the matter of size, the applicant has a block of 306 sqm but proposes a residence of only 73 sqm, set at the back of the block only 2.4M from the rear boundary. This is an exceptionally small residence which in no way takes advantage of the block's position nor in any way does it attempt to maximize the block's aspect. The structure and its proposed setback mean it occupies less than half the block. Could a further similar structure be envisaged for the other half which is unused at present? Perhaps an alternative use other than residential is envisaged.

On the matter of design it appears odd that in a structure with one bedroom and one car park that totals only 73 sqm that you would have kitchen, dining and living areas as virtual separate rooms. The kitchen's design and the fact that it is totally separated from the dining room is highly unusual and seemingly out of character for the applicant whose own house is currently being constructed on 16 St Georges Square with a very large combined kitchen, dining and lounge area. The structure has all the hallmarks of a small office building. You could easily envisage a personal office just inside the front door; the narrow functional galley kitchen is ideal for an office, a separate meeting/board room (joined to the personal office), separate WC and bathroom (ideal office set up), an administrative area at end of the corridor and parking for one office staff member.


On the point of its connection to the residence at 16 St Georges Square a number of matters do not point to it being used as a separate residence. The diagram A1-001 shows the new front gate for the block off St Georges Square (solid gate) opening to a concrete path leading to the new residence with a line of juniperus trees the length of the block. This plan is totally incorrect as some months ago the applicant installed a major rock formation (huge rocks – metres square) covering the area just inside the entrance and leading up as steps to the house on 16 St Georges Square. This rock formation would mean that the first 2-3 metres of the concrete depicted on the

supplied diagram cannot exist, nor will the first 3-4 juniperus bushes be able to be planted. If this diagram was altered to reflect this work that has been done then it would show an entirely different perspective than the currently shown, two seemingly separate blocks. This diagram is plainly misleading whether intentionally or not. If this is to be a separate residence on its own separate block why is there no boundary fence separating the lots and would this not be a requirement to complete the subdivision?

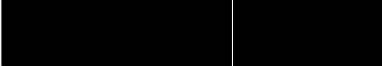
The planning approval therefore should specifically exclude any use other than residential for this structure.

In summary the proposal to build this new residence on 14 St Georges Square as proposed does not have my support.

Yours Sincerely



John Ewing



From: "Debbie McGrath" [REDACTED]
Sent: Sun, 14 Aug 2022 13:15:29 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: DA 0421/2022 14 & 16 St Georges Square

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Duncan,

With reference to the application for a Planning Permit for construction of a dwelling at 14 & 16 St Georges Square, these are my concern / questions:

1. The brick fence section on Scott Street has not been completed, although there is a brick wall indicated on the plan - will that be constructed as shown, is there a reason why it has been left unfinished to date?
2. As my garage entrance is [REDACTED], another concern is with the rear setback and positioning of the dwelling and driveway . Scott Street is very narrow and getting in and out of [REDACTED] garage is tricky even when there are no obstructions. I question why it is necessary to place the building closer to the rear of the property than set out in the existing planning scheme. Also, the indicated length of the driveway could possibly require that a vehicle parked there would extend beyond the fence line onto the crossover. This could completely prevent [REDACTED] exiting and entering.

Thank you for your time and consideration of my concerns.

Regards,

Debbie McGrath
[REDACTED]
[REDACTED]

Anne Hemingway

From: Jenny Davidson [REDACTED]
Sent: Sunday, 14 August 2022 7:59 PM
To: Contact Us
Subject: 14 St George's Square, East Launceston

Categories: Anne

You don't often get email from [REDACTED]. [Learn why this is important](#)

To the General Manager,
Regarding DA0421/2022

I was a little concerned that a set back at the rear of the proposed dwelling would be less than 4 metres. I see this as important as if it is less than 4 metres I am worried about the impact on the adjacent house in Scott St in terms of shadowing as this was not clear in the DA. Additionally there would be little room to park a car behind the house causing more congestion in Scott St.

Also I was not clear about the vegetation management plan for the remaining trees on site?

Yours Sincerely
Jenny Davidson

9.1.1



Your ref: DA0421/2022

My ref: DA0421/2022GK

14 August 2022

Mr. Michael Stretton
Chief Executive Officer
Launceston City Council
PO Box 396
Launceston TAS 7250

FILE No.	DA0421/2022				
EO	<input checked="" type="checkbox"/>	OD	<input type="checkbox"/>	Box	<input checked="" type="checkbox"/>
RCV'D 15 AUG 2022 COL					
Doc ID.					
	Action Officer	Noted	Replied		

E-COPY: D. PAYTON

Dear Mr Stretton,

Re: DA0421/2022 – 14 St Georges Square, East Launceston, Residential - Construction of a dwelling

I wish to comment on the matter of the proposed **stormwater line** on Drawing A1-001 of the plans submitted as part of this development application. The stormwater line runs from the rear of the proposed building/residence to exit into St Georges Square. The canopy drawing on the plan indicates that it will run under the canopy line of the protected chestnut tree. This raises the following concerns.

1. Impact on the Protected Chestnut Tree

The chestnut tree growing in the NE of the 14 St Georges Square (on the Scott Street/St Georges Square corner) is listed as a protected tree under the Vegetation Management Plan 2020 for any development on this site.

The tree has already incurred damage to, and removal of some of its roots, during the excavations for the foundations for the replacement brick wall. Further, it has also had its significantly large crown reduced to almost half its original size.

Given these incursions into the tree, it is of concern that the proposed stormwater line is located very close to the chestnut root zone. Excavations for the stormwater line have the potential to again inflict damage to the extensive roots of this well-established legacy tree.

If the Standard under which the Vegetation Management Plan 2020 was prepared is enforced correctly, any intrusion in the structural root zone (SRZ) would be forbidden as close as indicated on Drawing A1-001.

However, the lack of use of protective screens, a requirement of the Vegetation Management Plan 2020, since the installation of the rock landscaping, gives me little confidence in how this tree would be protected as specified by the Vegetation Management Plan 2020.

2. Options for the Storm-Water Line

The rear of the proposed building is shown as being located metres from the site's existing stormwater/sewerage outlet and new manhole installed in Scott Street. The question arises as to why this storm-water line is running the full-length of the block when:

- a. the natural fall of the site is towards the NW corner on the Scott Street boundary
- b. an exit in the rear of the block through the NW corner is the shortest distance for a stormwater line
- c. the builder currently on site building the residence on 16 St Georges Square has a toilet connected to the existing combined stormwater/sewerage outlet (installed by the developer) which rises in the NW corner of the site.

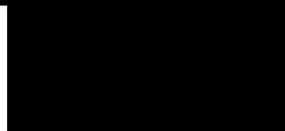
Using the NW corner exit is the shortest route that neither endangers the protected chestnut tree nor requires extensive excavations that need to run the length of the block and under or through the newly-built front brick wall.

Alternatively, if an exit of this pipeline is seen as essential via St Georges Square, it could be moved further out to avoid the tree canopy and root zone to exit closer to the front gate.

Yours sincerely,



Glenda King



TITLE: DA0719/2021 - Subdivision - Subdivide One Lot into Three Lots at 18 Rooms Avenue, Invermay

FILE NO: DA0719/2021

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER: Dan Ryan (General Manager Community and Place Network)

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

<p>10.1.1 Zone Purpose Statements</p> <p>10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</p> <p>10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.</p> <p>10.1.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.</p> <p>10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.</p> <p>10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.</p>
<p>Consistent</p> <p>The proposed creation of two residential lots is consistent with the purpose of the zone to provide for residential use and development.</p>

10.4 Development Standards for Dwellings

10.4.15 Lot size and dimensions

<p>Objective:</p> <p>To ensure the area and dimensions of lots are appropriate for the intended use of the lots.</p>
<p>Consistent</p> <p>The proposal satisfies the performance criteria.</p>
<p>A1.1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have a minimum area of no less than 500m²; and</p> <p>(b) be able to contain a rectangle measuring 10m by 15m; or</p> <p>A1.2 Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>(b) be required for the provision of public utilities; or</p> <p>(c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and</p> <p>A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>
<p>Relies on Performance Criteria</p> <p>The two proposed residential lots will have areas of 490m² and 485m², each marginally below the prescribed 500m² and reliant upon performance criteria. The balance lot, containing the existing dwelling will retain an area of 1,723m².</p>

<p>P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the relevant acceptable solutions for development of buildings on the lots; (b) the likely location of buildings on the lots; (c) the likely provision of on-site parking and manoeuvrability for vehicles; (d) the topography of the site; (e) the presence of any natural hazards; (f) adequate provision for private open space; and (g) the existing pattern of development in the area.
<p>Complies</p> <p>Relevantly, it is noted that each of the proposed additional residential lots were originally proposed with an area greater than 500m². However, this area was reduced as a result of the requirement to provide a 2m wide strip of land for future improvements to Elm Street, which effectively reduced each lot by 30m².</p> <p>Nevertheless the proposal addresses the performance criteria:</p> <ul style="list-style-type: none"> (a) The dimensions of the proposed lots 1 and 2 are such that a single storey dwelling, with raised floor levels required by the Invermay/Inveresk Flood Inundation Specific Area Plan, could be designed to comply with the applicable acceptable solutions of the General Residential Zone. Two storey dwellings will rely upon performance criteria. (b) Buildings are likely to be located in the centre of the lots, towards the rear. (c) The likely location of future dwellings will provide for on-site parking in front of the dwelling or perhaps within an incorporated garage. (d) The site is generally level. (e) The only natural hazard is the potential for flood inundation and this is addressed in the applicable code and will be further addressed at the time further development is proposed. (f) The size of the lots is such that adequate private open space can be provided and this will be subject to the design of any future development proposal. (g) The area is set behind the commercial businesses fronting Invermay Road. To the north, west and south, the dominant development form is that of single dwellings. The lot sizes range from the adjoining strata lots to the south of around 200m² to larger lots of around 1,800m². <p>Having regard to the above, it is considered that the proposal satisfies the performance criteria.</p>

10.4.16 Frontage and access

<p>Objective:</p> <p>To ensure that lots provide:</p> <ul style="list-style-type: none"> (a) appropriate frontage to a road; and (b) safe and appropriate access suitable for the intended use.
<p>Consistent</p> <p>The proposal satisfies the applicable acceptable solution and performance criteria.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.</p>
<p>Complies</p> <p>The proposed lots all have frontage greater than the prescribed minimum of 3.6m.</p>
<p>A2 No acceptable solution.</p>
<p>Relies on Performance Criteria</p> <p>P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p>

(a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area; and (e) the advice of the road authority.
Complies Each lot will be provided with reasonable vehicular access from the road.

10.4.17 Discharge of stormwater

Objective: To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.
Consistent The proposal complies with the applicable acceptable solution.
A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.
Complies Each lot will be connected to the public stormwater system, noting that the site is within the combined service area. TasWater has issued their consent with advice that additional flows of stormwater into the area within the combined system cannot be accepted. The Council's Infrastructure Assets Department have recommended a condition to ensure that onsite detention storage is provided for any future development of the site.

10.4.18 Water and sewerage services

Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.
Consistent The proposal complies with the acceptable solution.
A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.
Complies Each lot will be connected to a reticulated water supply
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
Complies Each lot will be connected to the reticulated sewerage system.

10.4.19 Integrated urban landscape

Objective: To provide landscaping of lots, roads and public open spaces that contributes to the character and identity of urban places and the character of the surrounding area.
Consistent The proposal complies with the acceptable solution.
A1 Subdivision does not create any new road, public open space or other reserves.
Complies Notwithstanding that a portion of the land will be taken for future road improvements, the subdivision does not create any new roads, public open space or reserves.

10.4.24 Public transport network

Objective: To provide for access to public transport.
Consistent The proposal complies with the acceptable solution.
A1 Subdivision does not create any new road.

Complies

No new roads are created by the proposed subdivision.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

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

Consistent

The proposal creates two additional accesses to Rooms Avenue to provide access to the proposed additional lots in a manner consistent with the safe and efficient use of the road network.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

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

Consistent

The proposal complies with the applicable acceptable solution.

A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.

Complies

The use of the existing dwelling will not change and whilst one existing access point will no longer be available to this lot, only a marginal change to the use of the other access is envisaged as industry average suggests the dwelling is likely to generate 6-10 vehicle movements per day.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.

Consistent

The proposal complies with the applicable acceptable solution.

A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.

Complies

Lots 1 and 2, the new residential lots, will each have a single access providing both entry and exit. The existing access on the corner of Rooms Avenue and Elm Street will be contained in the Road lot, whilst lot 3b, containing the dwelling retains two existing accesses.

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

Objective:

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

Consistent

The proposal satisfies the performance criteria.

A1 Sight distances at:

- (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and

<p>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</p>
<p>Relies on Performance Criteria The Table seeks an 80m sight distance for accesses to a road with a 50kph speed limit. Whilst this is achieved to the south, the distance to the north cannot be achieved and performance criteria are relied upon.</p>
<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.
<p>Complies</p> <ul style="list-style-type: none"> (a) Each of the two proposed residential lots is likely to be developed for a dwelling and is therefore likely to generate between 6-10 vehicle movements per day. (b) Rooms Avenue is a no through road with a relatively low average volume of traffic per day servicing a small number of dwellings and commercial activities. (c) There is no practicable alternative access point for the proposed lots. (d) Each lot is required to have access to a road. (e) Given the low volume of traffic on Rooms Avenue and low volume of traffic expected to be generated from the lots once developed, a traffic impact assessment was not required. (f) There is no opportunity to improve the sight distance from the proposed lots. However, this is a low traffic and low speed area and the junction of Rooms Avenue and Elm Street is a T-junction, requiring traffic from Rooms Avenue to give way to Elm Street traffic. Elm Street is a narrow two-way street where drivers naturally exercise greater caution. (g) The Council, as the Road Authority, and the Council's Traffic and Infrastructure Officers have raised no concerns with the safety of the proposed accesses. <p>Having regard to the above, particularly the low traffic volumes and the inevitable proximity of residential accesses close to junctions of residential streets, the proposed accesses to the new lots are considered to have adequate sight distances to ensure the safe movement of vehicles and the performance criteria are considered to be satisfied.</p>

E6.0 Parking and Sustainable Transport Code

<p>E6.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that an appropriate level of parking facilities are provided to service use and development; (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas; (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; (d) ensure that parking does not adversely impact on the amenity of a locality; (e) ensure that parking spaces and accesses meet appropriate standards; and (f) provide for the implementation of parking precinct plans.
<p>Consistent The proposed subdivision does not alter the requirement for or provision of car parking on the site. Car parking on the proposed new residential lots will be addressed at the time of</p>

their further development, most likely for single dwellings. Parking and access from the southern driveway on Rooms Avenue for the existing dwelling does not change.

Further consideration of the code is not warranted.

E16.0 Invermay/Inveresk Flood Inundation Area Code

E16.1 The purpose of this provision is to:

- (a) reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area;
- (b) ensure that new development is sited and designed to minimise the impact of flooding; and
- (c) ensure that consideration is given in the siting, design and emergency response capability of new development on land subject to flood inundation.

Consistent

The proposal is consistent with the purpose of the Code to reduce the risks and hazards from flooding in the Invermay/Inveresk flood inundation area.

E16.6 Use Standards

E16.6.1 Unacceptable uses

Objective:

To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.

Consistent

The proposal complies with the acceptable solution.

A1 Must not be:

- (a) Education and occasional care, except in the Inveresk Cultural precinct;
- (b) Emergency services; or
- (c) Hospital services.

Complies

The proposal is for subdivision to create two additional residential lots. No specific use is proposed.

A2 Must not be Residential, unless:

- (a) a single dwelling in the Invermay Residential or Inveresk Residential precincts;
- (b) a multiple dwelling in the Invermay Residential Precinct; or
- (c) associated with and supporting the educational activities within the Inveresk Cultural precinct.

Complies

The site is within the Invermay Residential precinct. Whilst no specific use is proposed as part of the subdivision, residential development is considered most likely.

A3 Must not be Community meeting and entertainment in the Riveredge Industrial or Inveresk Residential precincts.

Complies

The proposal is for subdivision in the Invermay Residential precinct.

E16.7 Development Standards

E16.7.1 Intensification of residential development

Objective:

To limit the intensification of residential development in areas subject to, or isolated by, flood inundation.

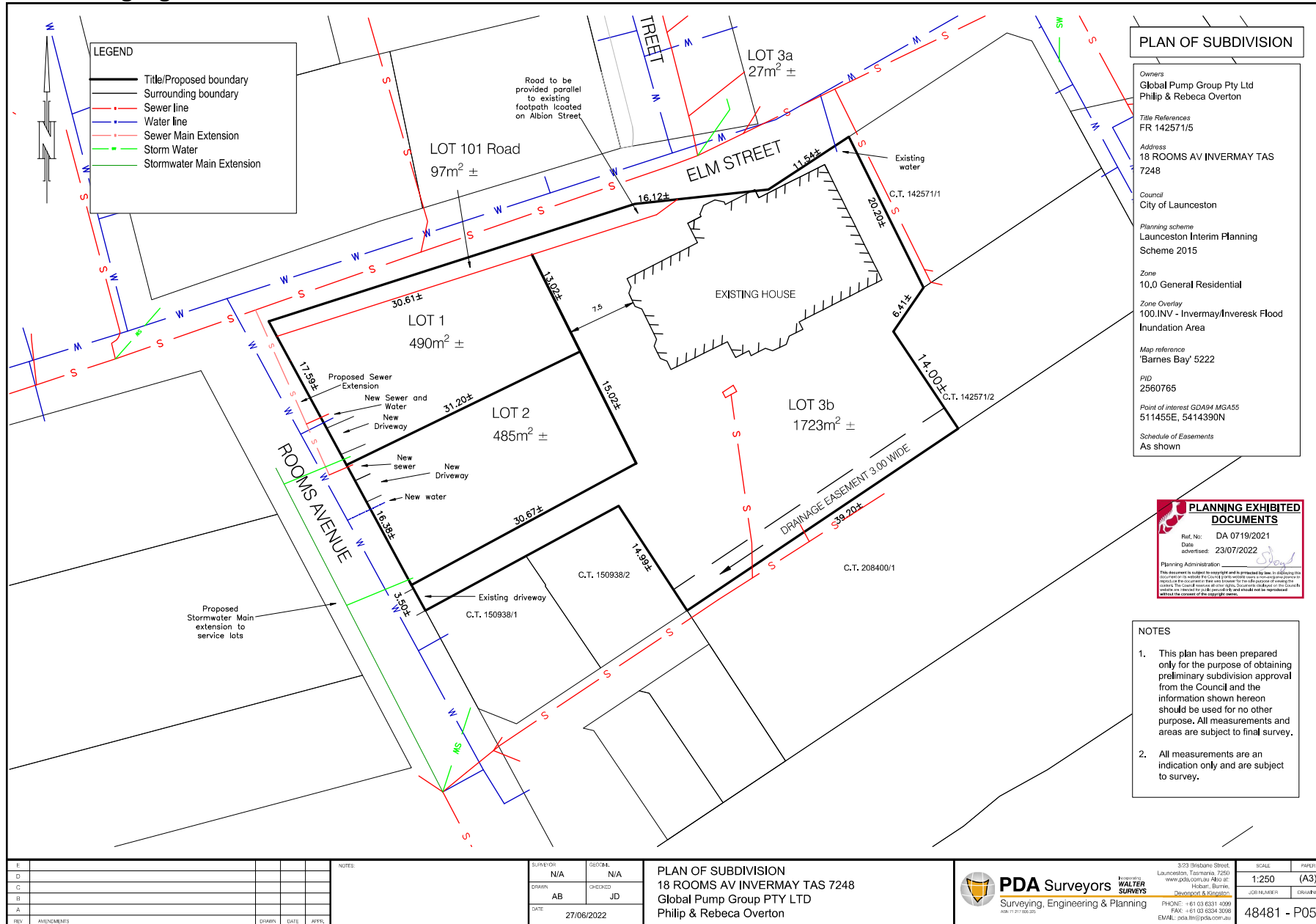
Consistent

The proposal satisfies the performance criteria.

A2 Subdivision or division of land by strata plan:

- (a) must not create any additional lots capable for any future residential development; or
- (b) is to:

<p>(i) separate existing dwelling units; or (ii) separate existing residential and non-residential buildings; that have been approved by Council on a single title.</p>
<p>Relies on Performance Criteria The proposal is for the creation of two additional lots and therefore, requires assessment against the performance criteria.</p>
<p>P2 Subdivision or division of land by strata plan must not create any additional lots capable of future residential development unless: (a) it is within the Invermay Residential Precinct and is consistent with achieving the land use objectives for that precinct; or (b) it is for residential activities associated with the educational activities within the Inveresk Cultural Precinct.</p>
<p>Complies The subject site is located within the Invermay Residential Precinct and is compatible with the objectives of this precinct by maintaining the existing residential use and no significant community infrastructure is proposed.</p>



Attachment 9.2.2 DA0719/2021 - 18 Rooms Avenue, Invermay - Plans to be Endorsed



Submission to Planning Authority Notice

Council Planning Permit No.	DA0719/2021	Council notice date	3/12/2021
TasWater details			
TasWater Reference No.	TWDA 2021/02115-LCC	Date of response	21/12/2021
TasWater Contact	David Boyle	Phone No.	0436 629 652
Response issued to			
Council name	CITY OF LAUNCESTON		
Contact details	PlanningAdmin@launceston.tas.gov.au		
Development details			
Address	18 ROOMS AVE, INVERMAY	Property ID (PID)	2560765
Description of development	3 lot subdivision		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
PDA Surveyors	48481 - P02 / Plan of Subdivision		14/12/2021
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections and sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. Note:- Separate stormwater main must be installed as part of the subdivision, design to be approved by Council. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. <p>ASSET CREATION & INFRASTRUCTURE WORKS</p> <ol style="list-style-type: none"> 4. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 5. Prior to applying for a Permit to Construct, to construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for sewerage to TasWater's satisfaction. 6. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction. 7. In addition to any other conditions in this permit, all works must be constructed under the 			



- supervision of a suitably qualified person in accordance with TasWater's requirements.
8. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, are to be completed generally as shown on, and in accordance with, the plans listed in the schedule of drawings, and are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
 9. After testing, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
 10. At practical completion of the sewerage works and prior to TasWater issuing a Consent to a Register Legal Document, the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
 11. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
 12. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
 13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS


14. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.

DEVELOPMENT ASSESSMENT FEES

15. The applicant or landowner as the case may be, must pay a development assessment fee of \$363.57 and a Consent to Register a Legal Document fee of \$154.42 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.



<p>16. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.</p>			
<p>Advice</p>			
<p>General</p> <p>For information on TasWater development standards, please visit https://www.taswater.com.au/building-and-development/technical-standards</p> <p>For application forms please visit https://www.taswater.com.au/building-and-development/development-application-form</p> <p>Advice to the Drainage Authority</p> <p>The combined system is at capacity in this area. TasWater cannot accept additional flows of stormwater into this area within the combined system over those currently discharged.</p> <p>The Drainage Authority will be required to either refuse or condition the development to ensure the current service standard of the combined system is not compromised.</p>			
<p>Declaration</p>			
<p>The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.</p>			
<p>Authorised by</p>  <p>Jason Taylor Development Assessment Manager</p>			
<p>TasWater Contact Details</p>			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

From: "Catherine Mortimer" [REDACTED]
Sent: Sat, 6 Aug 2022 14:30:04 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: 18 Rooms Avenue DA0719/2021

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

To Michael Stratton

We are writing with our objection to the proposed subdivision of 18 Rooms Avenue (Burwood). The proposed subdivision will completely ruin this Launceston icon and historical land mark, not to mention this beautiful surrounding neighbourhood. Having bought the applicants previous property [REDACTED] we are well aware of the lack of respect Phil and Rebecca have for period homes and have grave concerns for such a beautiful property that should be restored to its former glory not abused and chopped up.

Regards
Catherine and Brett Mortimer

Sent from my iPhone

From: "Allyson Green" [REDACTED]
Sent: Mon, 8 Aug 2022 22:59:32 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Att: Mr Michael Stretton
Attachments: Submission 18 Rooms Avenue docx.docx

Dear Mr. Stretton,
Please find attached a written submission regarding DA0719/2021, 18 Room's Avenue
(Burwood), Invermay
Kind regards,
Allison Green

August 8, 2022

Dear Mr. Payton,

I wish to submit the following opposing arguments against the subdivision DA0719/2021: 18 Rooms Avenue ('Burwood'); to be evaluated under the Launceston Interim Planning Scheme 2015.

Surveyors planning assessment report:

The Land:

Stated, the land previously had an approved permit for a 2-lot sub-division (DA 0801/2020). You have confirmed this previous permit bears no relationship to the current advertised DA, therefore any previous permit should have no bearing on the acceptability of the current DA.

Planning Scheme:

10.4.15. Lot size and dimensions:

The development is not consistent with all A1.1 requirements. As A1.1 (a) and (b) are cumulative and all proposed lots are less than 500m² requiring P1 assessment. While the development does not include construction at this time, future structures to be considered against the performance criteria include provisions at P1(b) (two-storey modern structures built in obscuring a historic home), P1(c) (will future vehicles have enough manoeuvrability to exit in a forward manner?), P1(f) (solar access to the private open space given the lots face S/SE) and P1(g) (considerations to the size and bulk of future dwellings in relation to the surrounding area as all living areas must be contained on the second floor due to the flood code).

As proposed lots will be in the Invermay residential area and subject to the flood code, proposed future dwellings will be two-storey and will cite the units at 14-16 Rooms Avenue as examples of compliance. The area in general, and certainly the area within the immediate 100m radius of the site, is predominantly of the Federation era and earlier Victorian. All except for 14-16 Rooms Avenue are of a single-story construction. The adjoining area of Albion Steet and Ray Street are dominated by Federation architecture, with a couple of traditionally styled, mid-twentieth century residences. When viewed from this perspective, 14-16 Rooms Avenue is an outlier of the area, not the accepted form, and cannot automatically be considered typical of the area for future comparison of dwellings on the proposed lots.

The two-storey construction of 14-16 Room's Avenue was not due to the flood code as they were approved prior to its inclusion of the Invermay Flood Code to the Launceston Planning Scheme. They include living areas on the ground floor, and this will be a point of difference for future neighbouring developments in that they cannot achieve the same.

In 2007 Launceston City Council commissioned "Heritage-Study-2007-Places-of-Local-Significance", by Paul Davies Pty Ltd, of heritage and historical precincts of Launceston and the future preservation and management of them. The report, currently available on the council website, specifically wrote the following on "Burwood" (then addressed as 15 Ray Street):

“Ray and Forster Streets see a range of large and very fine Victorian houses with the stunning house at 15 Ray Street located in a large estate on the corner of Elm Street.”. The report then goes on to say the following about the management of Invermay’s future character:

Policy recommendations

The following policy is proposed to conserve the significance and heritage values of the precinct, to provide for new development that is commensurate with that significance of the area and to encourage the recovery of significance, particularly in streetscape elements and presentation of the whole area.

- 1. The properties identified as heritage items should be retained and where possible future work should recover significance that has been lost.*
- 2. Contributory buildings within the precinct (most other buildings) should be retained wherever possible.*
- 3. Alterations and additions should be undertaken with regard to the heritage value of the place and should not adversely affect the significant attributes or streetscape value of the group. Generally additions should be to the rear of properties and should be single-storey unless the two-storey form does not impact on the cohesive single-storey quality of the area.*
- 4. Subdivision should only take place where it does not adversely affect the streetscape or the pattern of development. Generally new buildings should not be constructed in front of the current buildings. Most sites are not capable of subdivision, however some are and any proposal must demonstrate how the streetscape and other conservation values are preserved.*
- 5. Carports and garages should not be located in front of the current buildings.*
- 6. Controls should be developed for front fence forms that are appropriate to the setting. High or solid fences are generally not appropriate.*
- 7. Where infill buildings are proposed, material selections and forms should relate to the predominant streetscape pattern. Replication of historic forms is not encouraged in new work, however new designs must demonstrate a scale, form and materials relationship to the precinct.*

In terms of future development: policies numbered 3, 4, 5,6 and 7 are likely arguments against future development of the proposed lots. In particular policy 4, as there is no option other than building in front of the existing house. This has been the residence of three distinguished families of shipping, aviation, customs, and commerce (Walter S.Bell, Capt. James Holyman and R.F.Fergusson) and encompassing part of Daniel and Eila Room’s Estate. All named are mentioned in detail in contemporary newspaper articles dating at least from 1881- 1955 in relationship to the property as is the property itself.

While 18 Room’s Avenue is not heritage listed, it is significant to both local and state history in its residents, their connections and influence in colonial and federation commerce and freight coupled with the architectural styling and skills befitting J&T Gunn, the construction company commissioned to build the home. The residence and garden are clearly seen from Invermay Road. The commanding brick tower is the only structure of its type and design in the Northern suburbs if not the whole of Launceston. The property is a significant landmark of the city.

Burwood's cultural, historical, architectural and social value is not diminished solely on the basis it has been left off the State heritage register. A development for a non-listed historic building was assessed by the Hobart City Council, appealed at the Resource and Planning Tribunal and again appealed at the Supreme Court, all of which found in favour that the building was of heritage importance and determined to uphold the preservation of the historic, unlisted property at 38 Barrack Street, Hobart. During the judgement of the case (*Robt Nettlefold Pty Ltd v Hobart City Council* [2001] TASSC 120 (23 October 2001), the following assessment was found favourable:

13 *"With respect I agree with the following statement of the learned judge in the court below:*

"Clause 2.3.2 contains (admittedly by reference) a specific power or obligation to determine approvals or refusals having regard to the objective of conserving buildings of heritage significance, while Principle 20, to which regard must also be had, imposes an obligation to prepare a list of particular places of significance and states the principle that control of development through the planning area is to be exercised to require their conservation and enhancement as far as practicable. The list is a convenient way of identifying such property, but it is not necessarily exhaustive. I see no inconsistency between preparing the list of places to be conserved on the basis that they have been identified as having heritage significance and ensuring the conservation of properties in fact having that significance but which, for whatever reason, have not yet been identified as such in accordance with the obligation laid down in Principle 20. This is not a situation in which a general expressed or implied power is sought to be exercised in a manner other than that laid down specifically elsewhere in the enabling Act or subordinate legislation. In each case the power is essentially the same, namely the use of planning powers to ensure the conservation of sites of heritage significance. The preparation of a list as required by Principle [sic] 20 merely facilitates the achievement of that object rather than specifying an exclusive manner of achieving it."

Essentially, the outcome of the case was the property should have been listed but had not been due to oversight. 38 Barrack Street was identified as a place of significance (as is "Burwood" in Paul Davies LCC heritage reports) and therefore protected as such. In comparison, 38 Barrack Street is a modest, unassuming building. For it to be deemed of significant heritage, it is incredulous that "Burwood" would not.

You will be aware of the recent hearing of *Ngarta Pty Ltd v Launceston City Council and Anor* [2021], a development refused by this council and whose decision was upheld by the Planning Tribunal. While the case involved a heritage listed dwelling, the DA was to subdivide the front garden which the developer contended should not receive protection as gardens weren't specifically mentioned under the heritage provisions. In their determination, the Tribunal stated:

*"39. The Tribunal accepts the submission of the Tasmanian Heritage Council that the Heritage Council and this Tribunal is not constrained to a consideration only of the entry in the Register. It is not essential that a particular aspect of the historic cultural heritage significance of a place must be File No: 52/20S Page 12 J No. 2 of 2021 stated in the entry in that Register. In that respect the Tribunal adopts the reasons of the Tribunal in *Ireneinc obo The Trustees of the Archdiocese of Tasmania v Hobart City Council & ors*"*

40., for the reasons set out the registration of 189 George Street affords protection to the historic cultural heritage significance of the place which can include but is not confined to those matters identified in the entry in the Register. The expert evidence therefore, with respect to the historic cultural heritage significance of the place, is relevant to the Tribunal's consideration of the appeal grounds and will not be excluded".

Paraphrasing, during the case expert witness Ian Boersma gave an evaluation to the intrinsic value of large gardens to historic homes in that they were installed to providing a pleasing outlook from the house, enjoyment for its residents and a pleasing vista towards the property. Mr Boersma's evidence included the following:

"68. With respect to the matters required to be had regard to by the guidelines, Mr Boersma's evidence was that the proposal did not satisfy the directions set out for subdivision in the guidelines as:

'(a) The significance of the place will be diminished by the reduction in curtilage and loss of ornamental garden to which the house relates. The size of the garden has significance as a reflection of the social prestige of the place. It is complementary to the public presentation of the house whilst also providing, by design, for the enjoyment of the house's occupants.

(b) The place's garden exists as one of its significant elements, an extension of the house into its surroundings, and should be retained on a single title. It needs to be considered that the value of the place as a whole is considerably greater than aggregated value of individual elements that make up the garden, driveway and house.

(c) Significant views to, and from, the house will be compromised by the development. The development will reduce the positive contribution that the place currently makes to the streetscape because current street views to the house, which take in the ornamental garden, will be reduced to a narrow corridor view framed by contemporary development."

The Tribunal stated:

"76. ... the proposal will reduce the curtilage of the remaining site by approximately one third. Upon site inspection it was evident to the Tribunal that given the topography of the site, the fencing of the subdivided lots alone is likely to impact upon the views from George Street of both the house and garden. The realignment of the driveway and the work likely to be required for the right of way are likely to further impact upon those elements of the historic cultural heritage significance referred to. The Tribunal accepts and finds that the impacts as they are identified by Mr Boersma in paragraph 67 and 68 above will likely diminish the ability of the place to demonstrate the significance identified by him and accepted by the Tribunal. Further, it is accepted by the Tribunal that the proposal is inconsistent with the guidelines in the manner identified by Mr Boersma. File No: 52/20S Page 20 J No. 2 of 2021

77. The Tribunal accepts the proposal would irreversibly and to an unacceptable degree diminish the historic cultural heritage of the place."

Lingering anger remains with long-term residents over the previous 2004 sub-division of "Burwood", citing suspicion the subdivision approval was in part due to the parental relationship of the then property owners and a City alderman. I was informed a representative of the State Heritage Council made a submission to the LCC at the time to refuse subdivision, or if it could not be refused to compose a detailed heritage assessment of the site including all the gardens and to limit the scope of subdivision if any were to occur. It is the understanding of those involved in opposing the former subdivision that a condition was imposed by the Launceston City Council there was to be no future subdivision of the property, including the original gates and gardens. The council now takes the opportunity to requisite part of the remaining property for its own use, while the owner aims to eliminate the entire front garden area from the existing property contrary to conditions applied by Council.

The City council appropriating lot number 101 appears to have no viable purpose. The 20m section of Elm Street adjoining Ray Street is restricted by development and cannot be widened further. Obviously, this section of road will remain a single carriage way. The remaining length of Elm Street is narrow (as are numerous other narrow streets in Invermay carrying two-way traffic; Ross Avenue, Goodwin St., Balaclava St. to name a few), but the limited width of the additional lot will not change the layout or usability of the street to vehicular traffic.

The current owner of the property has constructed a new entranceway from the back of the existing property onto Elm Street. The gates and a fence are above the maximum permitted height and with visibility below the required 30% (currently no visibility). Its location is approximately 20m from the intersection of Ray Street, a blind corner. This is 10m less than the required viewing distance of vehicles exiting a driveway set out at figure 3.2 at section 3.2.4 of the AS/NZS 2890.1-2004 Parking Facilities - Off-street Car Parking standards. Vehicles cannot exit from the new driveway in a forward, legal manner. A cursory look at the Google satellite map reveals there is no area at the back the property for a vehicle to turn around. As a result, a footpath built on lot 101 would seem a potentially dangerous exercise. A footpath cannot be extended through the entirety of Elm Street, again due to existing development. Placing a footpath on lot 101 will invite foot traffic to the side of the road where currently there is none. Due to the positioning of the new driveway, pedestrian traffic on this side of the road should not be encouraged. Drivers exiting the Elm Street driveway cannot see other road users coming from Ray Street and pedestrians cannot be observed until the driver (not the car) has exited past the gates. In which case the subdivision of lot 101 serves no purpose.

Thank you for considering my objections to the proposal. I do hope the council makes serious consideration to the substantial and irreversible historic loss to Launceston should this development be approved.

Kind regards,
Allison Green,
Invermay

From: "Jillian Koshin" [REDACTED]
Sent: Mon, 8 Aug 2022 22:26:57 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Representation to CoL DA 0719/2021
Attachments: Submission DA 0719-2021 Burwood subdivision.docx

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Council Staff,
please find attached representation to DA 0719/2021 on behalf of the Tasmanian Network Partners from Mr L Morell.
Kind regards,
Jillian Koshin



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

LAUNCESTON TAS 7250 By email to: contactus@Launceston.tas.gov.au

Dear Sir,

Re DA0719/2021 Discretionary Application: Subdivision – Subdivide one lot into three lots

While the DA is not specifically for alteration to, or removal of, any aspect of the existing Burwood homestead, its garden, mature trees or significant gateway or for any specified building construction, the treatment of the stormwater and sewerage lines clearly indicate the intended outcome of the subdivision of one lot into three smaller lots to allow for building on those lots, immediately adjacent to the Burwood homestead itself. Thus there is the intention to remove the trees, garden etc and to alter the existing gateway for the purposes of constructing buildings on the intended lots.

Burwood, its remaining garden and gateway at the corner of Rooms Avenue and Elm Street are valuable heritage assets for Invermay and Launceston.

The heritage and cultural values the property were contained in two Launceston heritage reports by Paul Davies. Much of the garden was destroyed by the construction of units on the southern side of the property in c. 2007.

Heritage, vistas (in, across and out of properties), setting and local character, trees, gardens and specific features are important heritage considerations for a property such as Burwood regardless of heritage listing status. On such matters we refer CoL and all Councillors to the provisions of the relevant sections of ICOMOS' Burra Charter.

For those in CoL who regard heritage matters as peripheral and/or are unfamiliar with the Burra Charter we provide the following link: <https://australia.icomos.org/resources/burra-charter-series/> or for direct to access the Burra Charter explanatory video: <https://youtu.be/ovuxLukNuDE>

The intended outcome of this subdivision – residential building construction - will add to the density of Invermay-Inveresk to the detriment of existing local residents and in such a way as to place at further risk the sustainability of the area, given its location on or within the Invermay Flood Inundation Zone. May we remind the CoL of the Flood Inundation Code and of the risks of population increase associated with the ever-increasing development that continues to be permitted across Invermay-Inveresk.

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

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

And in Part 2

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

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

Surely, with the very recent shocking floods experienced in New South Wales and Queensland and with the evacuation this week of people in Wagga NSW due to flood warnings, we do not need to remind CoL planners and Councillors of the flood and liability risks associated with further development on Launceston's flood plain. Surely we do not need to remind you that the banner of RETREAT from building and retaining developments on flood plains that will be further impacted by climate change and rising sea levels could not be more solemn. The spectre of liability for allowing ongoing developments to occur unchecked will be forever a dark cloud over the heads of the present Mayor and Councillors, who are being lead along to sanction and approve such development applications.

As this is Discretionary Application, CoL can use its discretion based on the above and refuse the DA.

Yours faithfully,

Lionel J. Morrell

For and on behalf of Northern Tasmanian Network Partners and Associates

From: [REDACTED]
Sent: Mon, 08 Aug 2022 23:41:22 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Representation DA 0719/2021 Discretionary DA for Burwood, Invermay

Dear Council Staff,

I wish to make a representation on Development Application 0719/2021.

The house and gardens including the mature trees of Burwood, Rooms Avenue are an important part of the heritage and history of Invermay and, therefore, of Launceston.

Together with Mayfield at the other end of Rooms Avenue, these two properties, ie Burwood and Mayfield, dating from the 1880s bookend Ray Street and Rooms Avenue. Both houses can be seen from Invermay Road and are a reminder to us of the history of the area and of Launceston's nineteenth century development.

Dating from 1881, Burwood was the home of several prominent business families in Launceston, families who contributed significantly to the wealth and well-being of Launceston: the Bell, Holyman, Ferguson and Keetley families. Indeed the Ferguson family continues to contribute to the economy and maintains a large social benevolent foundation. The Holyman family were leading figures in the Tasmanian shipping and aviation transport industry, the Bell family name lives on with the Renison Bell Tin mine on the West Coast, and the Keetley name was at the forefront of event catering and garden-based receptions.

If the Launceston City Council is serious about doing an Invermay history project, then Burwood - complete with its last remaining piece of garden and the corner gates facing Elm Street - must be considered as an important part of that history, that should remain intact while there is still some garden area left providing context to the house and the immediate local area.

As a professional historian and heritage researcher, I maintain a large dossier of painstaking Invermay and Inveresk historical research and references. I have written heritage studies on aspects of Launceston history/heritage, including a full study of the Invermay property, "Braemar" (dating from the mid 1820s) for the Launceston City Council itself. I have conducted historic/heritage walks around various parts of Invermay at the request of Probus Clubs, Education groups and the Department of Veterans Affairs.

The Rooms Avenue-Ray Street area is an important part of any historic study of Invermay and the remaining vestiges of Burwood homestead (that is, not just the house but the last bit of garden, with its mature trees, and coach house area and significant gateway and approach to the house itself) should be respected and retained as they are. They should not be given over to further subdivision and desecration, as they are an important part of Launceston's heritage.

Therefore, the DA, which is discretionary, should not be permitted to

proceed.

Yours faithfully,

Dr Jillian Koshin, member Professional Historians Association Australia

~~Launceston City Council~~ **LAUNCESTON CITY COUNCIL**

PARKING BY-LAW

BY-LAW NO. 1 of 2023

A ~~Byby-Law-law~~ made under ~~Section-section~~ 145 and ~~S~~section 170 of the *Local Government Act 1993*, in respect of the parking of vehicles and other activities on land owned by or under the control of the Launceston City Council and designated a parking area within the municipal area of the Launceston City Council.

PART 1 – PRELIMINARY

1. Short title

This by-law may be cited as the *Parking By-Law Number 1 of 2023*.
~~Parking By-Law Number 2/2013.~~

2. Repeal

The *Parking By-Law Number 2/2013* is repealed.
~~By-law Number 24 of 2003, Parking By-law notified in the Tasmanian Government Gazette on the 4th day of June 2003 and By-law Number 7 of 2009 Parking (Amendment) By-law notified in the Tasmanian Government Gazette on the 12th day of August 2009 are repealed.~~

3. Interpretation

In this by-law, unless the contrary intention appears:

"article" includes a vehicle, motor vehicle, goods and rubbish.

~~_____~~ "authorised officer" means the Chief Executive Officer, a person employed by the Council as a Parking Officer, and a person appointed by the Chief Executive Officer for the purpose of this by-law;~~means a person employed by the Council as a Parking Officer, a person appointed by the Council to control a parking area, any person authorised in writing by the General Manager and a police officer of Tasmania Police;~~

"Chief Executive Officer" means the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993*;

"Council" means the Launceston City Council;

"drive" has the same meaning as under the Dictionary in the *Road Rules 2001*;

"General Manager" means the general manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993*;

"highway" has the same meaning as a local highway under the *Local Government (Highways) Act 1982*;

~~"liquor" has the same meaning as under the Liquor Licensing Act 1990;~~

~~"registered operator" has the same meaning as under the *Vehicle and Traffic Act 1999*;~~

~~"park" means to leave a vehicle in a stationary position whether attended or not;~~

~~"parking area" includes any area owned by or under the control of the Council and designated by public notice for the parking of vehicles, but does not include a highway;~~

"Manager Compliance Parking" means the person holding the position of Manager Parking Compliance with the Council, or a person acting in that position, or other person as authorised by the Chief Executive Officer;

~~"motor vehicle" has the same meaning as in the *Vehicle and Traffic Act 1999*;~~

~~"park" means to leave a vehicle in a stationary position whether attended or not;~~

~~"parking area" includes any area owned by or under the control of the Council and designated by public notice for the parking of vehicles, but does not include a highway;~~

"parking meter" means a device installed by or for the Council for measuring time on the insertion of coin, note or other accepted payment method, of the name or value shown on the device;

"parking space" means a space within a parking area or a space controlled by a parking meter, indicated by lines or other marks on the ground or indicated by any other method, of sufficient clear space to accommodate a vehicle within that space;

"parking voucher" means a document issued by a voucher machine;

"penalty unit" means a sum prescribed under the provisions of the *Penalty Units and Other Penalties Act 1987*;

~~"motor vehicle" has the same meaning as in the *Vehicle and Traffic Act 1999*;~~

~~"registered operator" has the same meaning as under the *Vehicle and Traffic Act 1999*;~~

"voucher machine" means a device that is installed by or for Council that issues a parking voucher after the correct coin, note or other accepted payment method, has been inserted and: -

- (a) indicates that the holder may park a vehicle in a space in the parking g-area where the voucher was purchased; and

(b) _____ bears the date and time of issue.

PART 2 - DRIVING OF VEHICLES

4. ___ Entry and exit of parking areas

~~(1)~~ A person driving a motor vehicle must not enter or leave a parking area except by an access point designated by Council signs.

Penalty: ___ a fine not exceeding 1.5 penalty units.

5. Driving of motor vehicles

~~(1)~~ A person must not drive a motor vehicle in a parking area at more than twenty kilometres an hour.

Penalty: a fine not exceeding 2 penalty units.

PART 3 - PARKING

6. Parking of motor vehicles

(1) A person must not park a motor vehicle which is:-

~~(a)~~ not wholly within one parking space or parked otherwise than as directed by an authorised officer or signage; or

~~(b)~~ in a position where it obstructs the entry or exit of a vehicle to another parking space.

Penalty: a fine not exceeding 1.5 penalty units.

~~(2)~~ A person must not park a motor vehicle in a disabled parking space unless that person holds a permit or authority issued by a competent authority authorising such parking in the same or similar circumstances.

Penalty: a fine not exceeding 3 penalty units.

~~(2)~~ An authorised officer may remove, or permit an agent of the Council to remove, a motor vehicle if it is parked in contravention of this clause.

7. Payment of fee

~~(1)~~ (1) A person must not park a motor vehicle in a parking space without payment of the fee required by any parking meter controlling that space.

Penalty: a fine not exceeding 1.5 penalty units.

~~in a parking area without payment of the fee required by the conditions of entry to that parking area, as are indicated by signs displayed in the parking area~~

~~(2)~~ A person must not park a motor vehicle in a parking area without payment of the fee required by the conditions of entry to that parking area or as indicated by signs displayed in the parking area.

Penalty: a fine not exceeding 1.5 penalty units.

8. Parking vouchers

(1) ~~A person must not park a motor vehicle in a parking area controlled by a voucher machine unless that person has displayed on the driver's side of the motor vehicle's dashboard an unexpired voucher.~~

Penalty: a fine not exceeding 1.5 penalty units.

- (2) A voucher must be displayed so that the date and time of issue are clearly visible from outside the motor vehicle.

Penalty: a fine not exceeding 1.5 penalty units.

9. Parking longer than maximum period

- ~~(1)~~ A person must not allow a motor vehicle to remain parked in a parking area for a longer period than is allowed by the conditions of entry to that parking area, as are indicated by signs displayed in the parking area.

Penalty: a fine not exceeding 1.5 penalty units and a daily fine not exceeding 1 penalty unit for a continuing offence.

10. Reserved spaces

- (1) The Manager ~~Parking-Compliance~~ is to decide on the location of, and the conditions applicable to, reserved parking areas and spaces.

- (2) A person must not park or leave a motor vehicle in a parking space or parking area which is designated "Reserved" unless authorised to do so.

Penalty: a fine not exceeding 1.5 penalty units.

- (3) An authorised officer may remove or, permit an agent of the Council to remove, a motor vehicle if it is parked in contravention of this clause.

~~applicable to~~ **PART 4 - PROHIBITED ACTIVITIES**

~~11.11.~~ **Damage to Equipment**

- ~~(1)~~ A person must not in any way damage equipment used or connected in any way with a parking area or parking space nor use anything other than the type of notes or coins or payment method indicated on the outside of the equipment as acceptable for that purpose.

Penalty: a fine not exceeding 2 penalty units.

~~12.12.~~ **Unauthorised Removal of Infringement Notice**

- ~~(1)~~ A person other than the registered operator or person in charge of the motor vehicle must not remove or cause to be removed an infringement notice affixed to a motor vehicle.

Penalty: __a fine not exceeding 2 penalty unit

1313. _____ Washing, dismantling and repair of motor vehicles

- (1) A person must not dismantle or repair any motor vehicle in a parking area without the ~~consent of the Council~~ permission of an authorised officer unless it is necessary to enable the motor vehicle to be moved from the parking area.

Penalty: __a fine not exceeding 2 penalty units.

- (2) A person must not paint or wash any motor vehicle in a parking area without the consent of ~~the Manager~~ Parking authorised officer.

Penalty: __a fine not exceeding 1 penalty units.

1414. _____ Skidding of motor vehicles

- (1) A person must not intentionally drive a motor vehicle so :-

- (a) it skids; or
(b) it leaves rubber marks from its tyres on the surface of a parking area.

Penalty: __a fine not exceeding 2 penalty units.

1515. _____ Distribution of advertisements

- (1) A person must not distribute, or cause to be distributed, any advertisement, book, card, handbill, notice, pamphlet, print, paper or placard within a parking area without the written consent of the Manager Parking Compliance.

Penalty: __a fine not exceeding 2 penalty units.

1616. _____ Damage to Council property

- (1) A person must not remove or damage Council property in any parking area.

Penalty: __-a fine not exceeding 5 penalty units.

1717. _____ Graffiti

- (1) Except as provided for in subclause (2) a person must not mark, write on or in any other way deface Council property.

Penalty: __a fine not exceeding 2 penalty units.

- (2) The Manager Parking Compliance may give written approval for painting or a similar activity to occur in a parking area.

~~18. Liquor~~

~~(1) — A person must not:~~

~~(a) possess an open container of liquor within a parking area; or~~

~~(b) sell liquor within a parking area.~~

~~Penalty: a fine not exceeding 2 penalty units.~~

~~(3) — It is a defence to a prosecution pursuant to this clause for the person charged with the offence to establish that they did not have an open container of liquor in their possession for the purpose of drinking it in the parking area.~~

~~(4) — A police officer may remove a person from the parking area if they believe the person is offending under this clause.~~

~~(5) — A police officer may remove and retain an open or unsealed container of liquor from a person they believe is offending under this clause.~~

~~19. Prohibited conduct~~

~~(1) — A person must not in a parking area :-~~

~~(a) spit; or~~

~~(b) use threatening or offensive language; or~~

~~(c) act in a disorderly or indecent manner.~~

~~Penalty: a fine not exceeding 2 penalty units.~~

2018. Obstruction

~~(1) — A person must not cause any obstruction to motor vehicle or foot traffic in a parking area.~~

~~Penalty: — a fine not exceeding 2 penalty units.~~

2119. Use of skates and cycles

(1) Except as otherwise provided in subclause (2) or (3) a person must not to ride a vehicle or bicycle in a parking area.

Penalty: — a fine not exceeding 2 penalty units.

(2) — A person may ride a vehicle or bicycle in a parking area for the purpose of parking in, transiting directly through, or taking the nearest path to a designated exit of, a parking area.

(3) ~~A person may ride a vehicle in a parking area outside the ordinary operating hours of that parking area, except where such riding is prohibited by a notice at such parking area.~~

(4) In this section,

"vehicle" means "wheeled recreational device", "wheeled toy", "scooter", "motorised scooter" and "personal mobility device" as defined by the *Road Rules 2019*;

"ride" includes travel in or on, and drive.

PART 5 - MISCELLANEOUS

2220. _____ Supply of name and address

(1) An authorised officer or a police officer who reasonably believes that a person has committed or is committing an offence against this by-law may request that person to supply their full name and permanent or present temporary address;

(2) ~~_____ A person must not refuse to supply their correct and full name and permanent or present temporary address if requested to do so by an authorised officer or police officer;~~

Penalty: ~~_____ a fine not exceeding 2 penalty units~~

~~(3) _____ A police officer may arrest a person if the police officer or an authorised officer finds the person refuses to provide their full name and present address or reasonably believes the details provided are false.~~

2321. _____ Request to leave an area

(1) A police officer or authorised officer may ask a person whom they reasonably believe is offending against this by-law to leave a parking area.

(2) A person who does not obey the directions of an authorised officer is guilty of an offence.

Penalty: ~~_____ a fine not exceeding 2 penalty units.~~

~~(3) _____ A police officer may remove any person from the parking area who is offending under this clause.~~

~~(4) _____ A police officer may arrest a person found offending under this clause.~~

2422. _____ Closure of parking areas

The Manager Parking Compliance may close any parking area or portion of a parking area.

2523. _____ Use of parking areas for other purposes

The Manager Parking Compliance may give written approval for a parking area to be used for any purpose and impose conditions for its use.

2624. _____ Recovery of Expenses

In addition to a penalty imposed in relation to a failure to comply with or a contravention of ~~clauses 6, 10, 11, 13, 14, 16 and 17 of a provision of~~ this by-law, an expense incurred by Council in consequence of that failure or contravention is recoverable by Council as a debt payable by the person so failing to comply or in contravention.

25 Seizure of articles

An authorised officer may remove any article which is on or in a parking area contrary to this by-law or otherwise without a permit or approval of an authorised officer or the Council.

26 Disposal of article

- (1) An article which has been removed from a parking area pursuant to this by-law must be kept in a safe place until it has been claimed by the owner or a person on behalf of the owner or disposed of pursuant to this by-law.
- (2) If an article which has been removed from a parking area pursuant to this by-law is not claimed by the owner or person on behalf of the owner within 48 hours following its removal, and the owner is known, an authorised officer is to give notice to the owner of the removal of the article.
- (3) A notice under subclause (2) is to give the following details:
 - (a) a description of the article and any distinguishing features;
 - (b) the place from which it was removed;
 - (c) the date on which it was removed;
 - (d) the place from which the article may be claimed;
 - (e) the fees, costs or charges payable in respect of the removal, maintenance and storage of the article;
 - (f) a statement that if not claimed within 14 days that the article may be disposed of by the Chief Executive Officer.
- (4) If the owner of the removed article cannot be ascertained or found, and if the Chief Executive Officer is of the opinion that the value of the article warrants the cost of advertising, the Chief Executive Officer is to publish on at least one occasion a notice containing either:

- (a) the particulars specified in subclause (3) in a newspaper circulating in the municipal area; or,
 - (b) a brief description of the seized article and the location at which an interested person can obtain the particulars specified in subclause (3).
- (4) (5) If the owner of the article cannot be ascertained or found, no advertising is published in accordance with clause 27(4), and the article is not claimed by the owner or by a person on behalf of the owner within 28 days after it has been removed, the article may be disposed of in accordance with clause 928(2).
- (6) Subclauses (1)-(5) do not apply to an article of no value or a value determined by the Chief Executive Officer to be insufficient to cover the cost of removal and storage of the article for a period of 28 days.

27 Fees costs and charges

- (1) The owner of any article removed pursuant to this by-law is liable to pay:
 - (a) any fees, costs and charges specified in a notice issued pursuant to clause 26(2);
 - (b) any further fees incurred in the storage and further maintenance of the article once removed, together with any relevant advertising and administrative costs in advertising;
 - (c) any fees, costs or charges incurred in the disposal of the article pursuant to clause 28.
- (2) Any unpaid fees, costs or charges are a debt due to the Council and may be recovered by the Council in a court of competent jurisdiction.
- (3) The Council may retain an article until any fees, costs or charges are paid.

28 Disposal of unclaimed articles

- (1) The Chief Executive Officer may dispose of an article if:
 - (a) the article is not claimed within 14 days of the service of a notice under clause 26(2);
 - (a) (b) any fees, costs or charges specified in the notice have not been paid within 14 days of the service of that notice; or
 - (c) clause 2726(6) applies.
- (2) An article may be disposed of under clause 26(5) or 28(1):
 - (a) by tender or public auction following notification in a local newspaper circulating in the municipal area; or
 - (b) in a manner as the Chief Executive Officer determines if:
 - (i) the Chief Executive Officer is of the opinion that the article has a value that does not warrant the costs of a tender or a public auction;
or
 - (ii) no tender is received, or no bid is made at a public auction.

- (3) If an article is disposed of under this clause, the Chief Executive Officer must notify the owner of the article as soon as possible if the owner can be ascertained or found by reasonable enquiries.
- (4) If the owner of the article is identified, then the proceeds obtained from the disposal or sale of the article must be paid to the owner, less any fees, costs or charges incurred by the Council in the removal, storage or disposal of the article.

29. Article required for prosecution

- (1) Where an article is required by the Council for the prosecution of an offence under this by-law, the article is to be released to the owner following the completion of the prosecution proceedings and on payment of any relevant fees, costs and charges unless otherwise directed by a court.
- (2) The Chief Executive Officer may, in accordance with clause 28, dispose of an article required under subclause (1) which is not claimed by the owner or in relation to which fees, costs or charges have not been paid within 30 days of the completion of court proceedings.

30. Assistance of police officer

A Police Officer is authorised to assist an Authorised Officer to carry out an action under this by-law;

Part 6 - Infringement Notices

2731. Infringement notices

- (1) In this clause –

"specified offence" means an offence against the clause specified in column 1 of Schedule 1 and generally described in column 2 of Schedule 1.

- (2) An authorised officer may issue -A an infringement notice -may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3, 4 or 5 (as applicable) of Schedule 1 is the penalty payable under the infringement notice for that offence.

- (3) An authorised officer may:

- (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
(b) issue one infringement notice in respect of more than one specified offence.

- (4) The Monetary Penalties Enforcement Act 2005 applies to an infringement notice issued under this By-law.

- ~~(5) In addition to any other method of service, an infringement notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.~~
- ~~(6) A person who is served with an infringement notice must, within 28 days of the date of service, do one or more of the following:~~
- ~~(a) pay the monetary penalty in full to the Chief Executive Officer;~~
 - ~~(b) apply to the Chief Executive Officer for withdrawal of the infringement notice;~~
 - ~~(c) apply to the Chief Executive Officer for a variation of payment conditions;~~
 - ~~or~~
 - ~~(d) lodge with the Chief Executive Officer a notice of election to have the offence or offences set out in the infringement notice heard and determined by a court.~~
- ~~(7) If a person who has been served with an infringement notice fails to take one or more of the actions required by sub-clause (6) within the prescribed time, the infringement notice may be referred to the Director, Monetary Penalties Enforcement Service.~~
- ~~(3) Payment of an infringement notice issued under this by-law must be made to the General Manager within 28 days of the issue of the infringement notice to avoid the infringement notice being referred to the Director, Monetary Penalties Enforcement Service.~~
- ~~(4) An authorised officer may—~~
- ~~(a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and~~
 - ~~(b) issue one infringement notice in respect of more than one specified offence.~~
- ~~(5) The Monetary Penalties Enforcement Act 2005 applies to an infringement notice issued under this by-law.~~
- ~~(6) In addition to any other method of service, an infringement notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.~~

Schedule 1 - Infringement Notice Offences

Column 1	Column 2	Column 3	Column 4	Column 5
Clause	General Description of Offence	Penalty (<u>penalty units</u>) (\$)	Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice (<u>penalty units</u>)	Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice (<u>penalty units</u>)
4	Failure to use designated access point to parking area	<u>\$0.465</u>	<u>\$250.15</u>	<u>\$400.25</u>
5	Exceeding speed limit in parking area	<u>\$0.465</u>	-	-
<u>6(1)</u>	Not parking <u>within designated areas directed</u>	<u>\$0.465</u>	<u>\$250.15</u>	<u>\$400.25</u>
<u>6(2)</u>	<u>Parking in disabled parking space</u>	<u>0.8</u>	<u>0.3</u>	<u>0.5</u>
<u>7(1)</u>	Failure to pay parking fee <u>for parking space</u>	<u>\$0.465</u>	<u>\$350.2</u>	<u>\$500.3</u>
<u>7(2)</u>	<u>Failure to pay parking fee for parking area</u>	<u>0.4</u>	<u>0.2</u>	<u>0.3</u>
<u>8(1)</u>	Failure to display <u>current unexpired</u> parking voucher	<u>\$0.465</u>	<u>\$250.15</u>	<u>\$400.25</u>
<u>8(2)</u>	<u>Voucher not clearly visible</u>	<u>0.4</u>	<u>0.15</u>	<u>0.25</u>

Column 1 Clause	Column 2 General Description of Offence	Column 3 Penalty (<u>penalty units</u>) (\$)	Column 4 Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice (<u>penalty units</u>)	Column 5 Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice (<u>penalty units</u>)
9	Parking longer than the maximum period	<u>\$0.465</u>	<u>\$350.2</u>	<u>\$500.3</u>
10(2)	Parking in a reserved space without authorisation	<u>\$0.465</u>	-	-
4411	Damaging equipment in a parking area	<u>\$0.465</u>	-	-
4212	Unauthorised removal of infringement notice	<u>\$0.465</u>		
4313(1)	<u>Washing, dismantling, and repairing motor vehicle without consent</u>	<u>\$0.465</u>	-	-
13(2)	<u>Washing or painting motor vehicle without consent</u>	<u>0.4</u>		
4414	Skidding of motor vehicles	<u>\$0.465</u>	-	-
4515	Distributing advertising material without consent	<u>\$0.465</u>	-	-

Column 1 Clause	Column 2 General Description of Offence	Column 3 Penalty (<u>penalty units</u>) (\$)	Column 4 Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice (<u>penalty units</u>)	Column 5 Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice (<u>penalty units</u>)
<u>4716</u>	<u>Defacing Damage to Council property</u>	<u>\$0.465</u>	-	-
<u>17(1)</u>	<u>Graffiti on Council property</u>	<u>0.4</u>		
<u>2018</u>	Obstructing vehicle or foot traffic	<u>\$0.465</u>	-	-
<u>2419(1)</u>	Using vehicles and bicycles in a parking area	<u>\$0.465</u>	-	-
<u>20(2)</u>	<u>Fail to provide name and address</u>	<u>0.4</u>		
<u>21</u>	<u>Fail to obey request</u>	<u>0.4</u>		

Seal and Certification

Pursuant to section 161 of the *Local Government Act 1993* and the decision of Council on the day of 2023, the Common Seal of the Launceston City Council was placed upon this document on the day of 2023 in the presence of:

.....
XXXXXX
MAYOR

I certify that the provisions of the ~~*On-Street Parking Penalties By-Law No. 1 of 2023*~~*Parking Facilities By-Law No 2 of 2023* are in accordance with the law.

.....
Duncan Campbell
Legal Practitioner

The ~~*Parking Facilities By-Law No 2 of 2023*~~*On-Street Parking Penalties By-Law No. 1 of 2023* has been made in accordance with the *Local Government Act 1993*

.....
Michael Stretton
Chief Executive Officer
being the General Manager as appointed by Council
pursuant to section 61 of the *Local Government Act 1993*



GENERAL MEETING

AGENDA

**Torquay Room,
paranaple Convention Centre
137 Rooke Street,
Devonport**

Friday 16 September 2022

**Commencing
10.00am**

**Coffee on arrival
9.30am**

**PROCEDURAL MATTERS.
RULES REGARDING CONDUCT OF MEETINGS**

- 13 WHO MAY ATTEND A MEETING OF THE ASSOCIATION**
- (a) Subject to Rule 13(f), each Member shall be entitled to send a Voting Representative to any Meeting of the Association, such Voting Representative exercising the number of votes determined according to Rule 16(a).
 - (b) In addition to the requirements set out in Rule 13(f), after each ordinary Council Election, the Chief Executive Officer shall request each Member to advise the name of its Voting Representative and the proxy for the Voting Representative for Meetings of the Association until the next ordinary Council Elections.
 - (c) Subject to Rule 13(f), Members may change their Voting Representative or proxy at any time by advising the Chief Executive Officer in writing of the Voting Representative prior to that representative taking his or her position at a Meeting of the Association.
 - (d) A list of Voting Representatives will be made available at the commencement of any Meeting of the Association.
 - (e) Members may send other elected members or Council officers as observers to any Meeting of the Association.
 - (f) Each Member must provide the Association with written notice of the details of the Voting Representative who was by a resolution of the Member lawfully appointed as the Voting Representative of the Member at a Meeting of the Association.
- 14. PROXIES AT MEETINGS**
- (a) Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.
 - (b) The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.
 - (c) The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.
 - (d) Proxies count for the purposes of voting and quorum at any meeting.
- 15. QUORUM AT MEETINGS**
- (a) At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.
 - (b) If a quorum is not present within one hour after the time appointed for the commencement of a Meeting of the Association, the meeting is to be adjourned to a time and date specified by the Chair.
- 16. VOTING AT MEETINGS**
- (a) Voting at any Meeting of the Association shall be upon the basis of each Voting Representative being provided with, immediately prior to the meeting, an electronic voting button or placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according to voting entitlement and the voting buttons will be coded according to voting entitlement:

Population of the Council Area	Number of votes entitled to be exercised by the Voting Representative	Colour placard to be raised by the Voting Representative when voting
Under 10,000	1	Red
10,000 – 19,999	2	White
20,000 – 39,999	3	Blue
40,000 and above	4	Green

- (b) Electronic voting buttons will be the first choice for voting on all decisions, with placards only to be used if the technology fails.
- (c) Voting buttons allow councils to vote for or against a motion or formally abstain from voting. An abstain is not to be taken as a negative vote.
- (d) The Chair of the meeting shall be entitled to rely upon the electronic vote or the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (e) Except as provided in sub-rule (f), each question, matter or resolution shall be decided by a majority of the votes for a motion. If there is an equal number of votes upon any question, it shall be declared not carried.
- (f)
 - (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members present at the meeting.
 - (ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the meeting or not.
 - (iii) When a vote is being taken to amend these Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the meeting or not.
- (g) A Voting Representative or his or her proxy in the name of the Member is entitled to vote on any matter considered at a Meeting of the Association.

Schedule

9.30am	Coffee on arrival
10.00am	Meeting Commences
10.00am	The Hon. Pam Allan Waste and Resource Recovery Board
1.00pm	Lunch

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* DENOTES ATTACHMENT

Acknowledgement of Country

The President will acknowledge and pay respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of this land.

Welcome and Apologies

1 MINUTES *

Decision Sought

That the Minutes of the General Meeting held on 18 March 2022, as circulated, be confirmed.

The Minutes of the Meeting held on 18 March 2022, as circulated, are submitted for confirmation and are at **Attachment to Item 1.**

2 CONFIRMATION OF AGENDA & ORDER OF BUSINESS

Decision Sought

That the Agenda items and order of business be confirmed.

Members are invited to confirm the Agenda and order of business as presented.

3 PRESIDENT'S REPORT

Decision Sought

That Members note the report on the President's activity from 1 March to 9 August 2022.

Meetings and events

- Premier's Local Government Council (PLGC)
- LGAT March General Meeting and July AGM
- Youth in local government webinar with YNot
- Elected members weekend
- Review of Local Government workshops

- General Management Committee meetings
- ALGA Federal election campaign committee
- ALGA Board meetings and National General Assembly
- Regular discussions CEO
- Meetings with the Minister for Local Government

Media and correspondence

Local government elections, combined media release with State Government

- Print: The Mercury, The Advocate & Examiner
- Community newspapers (so far):
 - Kingborough Chronicle
 - Dorset News
 - North Eastern Advertiser
 - Northern Midlands Courier
 - Derwent Valley Gazette
 - West Tamar
 - Cygnet and Channel Classifieds

Diversity on councils - The Mercury, The Advocate & Examiner, Community newspapers

National Local Government Magazine - Tasmanian piece August 2022

Local government welcomes resource recovery

- Radio: ABC, LAFM
- Print: The Mercury, The Advocate & Examiner

Short stay accommodation

- Radio: ABC, LAFM
- Print: The Mercury, The Advocate & Examiner

Code of conduct

- Television: SCTV, ABC, Win
- Radio: ABC, LAFM
- Print: The Mercury, The Advocate & Examiner

Compulsory local government election voting

- Radio: ABC, LAFM

- Television: SCTV, ABC, Win
- Print: The Mercury, The Advocate & Examiner, Community newspapers

Federal Election – ALGA campaign

- Radio: ABC, LAFM
- Print: The Mercury, The Advocate & Examiner, Community newspapers

Local government welcomes resource recovery – ABC Radio, LAFM

Future of local government review

- Radio: ABC, LAFM
- Print: The Mercury, The Advocate & Examiner, Community newspapers

Local government and youth network celebrate youth week, combined media release with Youth Network of Tasmania

Welcome to new Minister for Local Government - Media release

Welcome to new Premier - Media release

Local government working with Working It Out – LGBTIQ+

- Combined media release
- Print: Community newspapers

GP clinic support - The Mercury

Council rates - The Mercury, The Advocate & Examiner

Key correspondence

- Minister Street: Independent Living Units, compulsory voting, Future of Local Government Review extension, welcome to the role, caretaker policy
- Minister Ferguson: Heavy Vehicle National Laws
- Federal Minister McBain: Welcome and invitation to LGAT Annual Conference

4 CEO'S REPORT

Decision Sought

That Members note the report on the CEO's activity from 1 March to 9 August 2022.

Advocacy

On the advocacy front, work has focused on the three key areas of waste/resource recovery, the Code of Conduct and Future of Local Government Review. While the current state of each of these priorities are the subject of separate papers, it is worth providing some further details on the extensive sector engagement undertaken by LGAT on the Future of Local Government Review (the Review).

Our focus during Stage 1 of the Review was to understand the views and aspirations of the local government sector for the future. To do this we collected feedback via an online submissions portal, conversation toolkit and a series of regional workshops and forums, as outlined below:

- Two workshops (one with Mayors, one with General Managers).
- Six regional forums with Elected Representatives (two in each region).
- Six regional forums with council employees (two in each region).
- Three online sessions (including one dedicated to the Bass Strait Councils).

The following were the most frequently identified focus areas and/or emerging challenges from these sessions (across both the Elected Representative and staff groups):

- Climate change
- Health and wellbeing
- Workforce attraction and retention
- Elected Representatives capacity, number and remuneration.

Also common was financial sustainability, continued local representation, planning, and needing a closer relationship with (and support from) State Government.

Sector Services

The last few months have been very busy across our sector services with the finalization of LGATs Procurement Strategic Plan and also a substantial ramping up of the events we have delivered. In addition, we have run a very successful (in reach terms) campaign highlighting the local government elections and asking people to consider if they "want a seat at the table".

Alongside these activities we have worked closely with the Office of Local Government on the new online Learning Framework. The framework consists of:

- Learning Package 1 (2 modules) – for people interested in running for council, who want to learn what it means to be a councillor and why they should nominate for the upcoming elections. This package is available now.
- Learning Package 2 (2 modules) – provides basic information councillors need to get them through the first few months after they are elected. The proposed release date for Learning Package 2 is the beginning of September 2022.
- Learning Package 3 (multiple modules) – provides more detailed information for councillors to ensure they can fulfill their role and understand their responsibilities. Access to Learning Package 3 will only be provided to elected councillors and will be released in 2023.

There is no cost for Learning Packages 1 and 2.

New and returning candidates are encouraged to register for Learning Package 1 via the Council Elections tab on the LGAT website or [this direct link](#).

The Learning Framework will be supported by a new councillor induction day (details to be confirmed) and a series of face to face events throughout 2023 and 2024.

Governance and operations

We are excited to welcome a new member of the team to LGAT, Wade Berry, who has joined us to deliver the Rural Towns Security Cameras Closed Circuit Television (CCTV) Program.

LGAT has partnered with the Department of State Growth to deliver the \$4 million program to deploy security cameras (CCTV) into regional towns. Wade has already commenced engaging councils from a technical perspective to understand current deployments of CCTV, and the technical and public considerations. We will shortly be writing to General Managers/Chief Executive Officers providing more information on the project and to establish points of contact. This will be followed by detailed engagement with key council contacts to build an understanding of needs and objectives for improved community safety. The project is due for completion by 30 June 2025.

5 BUSINESS ARISING *

Decision Sought

That Members note the following information on business arising.

At **Attachment to Item 5** is a schedule of business considered at the meetings held on 18 March 2022 and the status thereof.

6 FOLLOW UP OF MOTIONS *
Contact Officer: Dion Lester

Decision Sought

That the Meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising.

Follow up on outstanding motions

A matrix indicating progress to date on motions passed at General Meetings, which remained outstanding at the last General Meeting, is at **Attachment to Item 6**.

7 COUNCIL ROUND UPS

Decision Sought

That Members note there will not be a council round up this meeting.

Background comment:

The session also allows time for questions and provides an opportunity to briefly share and highlight problems or opportunities facing councils and is better suited to a face-to-face meeting.

8 ITEMS FOR DECISION *

**8.1 Options for Differential Rating – Vacation Rental Properties
Contact Officer – Ben Morris**

Decision Sought

That Members note the existing powers for differentially rating vacation rental properties and discuss if any further action is required.

Background

At the March 2022 General Meeting it was resolved that LGAT would:

Investigate mechanisms to enable councils to differentially rate vacation rental properties and bring back to the next General Meeting (September) for a discussion and decision.

On investigation it emerged that councils already have the powers to differentially rate short stay accommodation. In 2019 the Valuer General created a new Valuation Property Classification Code, R7 - Short Stay Visitor Accommodation, however this was not widely communicated, and the Land Information System Tasmania (LIST) land use code referenced was initially incorrect.¹

Section 107 of the *Local Government Act 1993* (LG Act) allows that a council, by absolute majority, may declare that the general rate, a service rate, or service charge varies within the municipal area or within different parts of the municipal area according to the use or predominant use of the land and/or a series of other factors (i.e. the non-use of the land, locality of the land, etc).

The *Local Government (General) Regulations 2015*, Regulation 33, defines 'use' in line with the Valuer-General Land Use Codes published as part of the LIST.

In 2019, following the introduction of the *Short Stay Accommodation Act 2019*, the Office of the Valuer-General (OVG) reviewed the Land Use Codes applied to these types of properties and created a new Valuation Property Classification Code (R7 - Short Stay Visitor Accommodation). Prior to this there was no Land Use Code for vacation rental/short stay visitor accommodation, meaning differential rating could not occur on these types of properties, unless they were considered under a Commercial Land Use Code.

¹ LIST Land Use Codes

https://listdata.thelist.tas.gov.au/public/outgoing/sif/Properties_and_Titles/LIST_Land_Use_Codes.pdf is incorrect, listing 'House & Rooms other use'. The list at <https://www.thelist.tas.gov.au/app/content/the-list/help-files/> is correct. The LIST has confirmed this error is to be corrected.

This change allows councils to differentially rate short stay or vacation rental properties provided they are classified by as Code R7 - Short Stay Visitor Accommodation.

At its August 2022 meeting, the City of Hobart resolved to consider differential rating for properties used for short stay visitor accommodation and vacant residential land during its broader review of the City Rating and Valuation Strategy.

Currently, the Valuation Roll for Hobart has 14 R7 properties. The OVG will be undertaking a review of the properties that the City of Hobart has issued a permit for to determine whether they should also have the R7 Land Use Code, which would allow differential rating. In addition, Hobart also resolved in March 2022 to stop any new permits for whole-house short stay development in residential areas. As a result, Hobart is seeking an amendment to their Interim Planning Scheme that has been submitted to the Tasmanian Planning Commission².

Similar changes have occurred elsewhere. Brisbane City Council, for example, have recently introduced a new rates category for 'transitory accommodation' in an effort to boost long-term rental stock/availability. The 'transitory accommodation' category is focused on entire properties listed for overnight stays and applies only to properties rented out on the short-term market for more than 60 days a year. Brisbane City Council has applied a 50 per cent increase in rates (on average an additional \$600 per annum), in line with commercial property rates for the area.

Considerations and Limitations

For councils to apply a differential rate to vacation rental properties they must be reclassified by the Valuer-General as R7 - Short Stay Visitor Accommodation. This change requires written notification from council that a permit has been approved and/or that there is a change in use. While a re-valuation is not required, verification of use for pre-existing permits will need to be undertaken by the OVG. In regard to municipal valuations, the Valuer-General has noted that "In undertaking statutory valuations we operate under a valuation of land act; not a valuation of the nature and intensity of residential use."

The advice LGAT received from the Valuer-General regarding the R7 classification and process to differentially rate can be found at **Attachment to Item 8.1**.

The process for a council deciding to pursue differential rating for short stay accommodation is:

² Available at: <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/AM-HOB-PSA-22-1>

- Council to decide, by absolute majority, to differentially rate properties classified by the Valuer-General as R7 – Short Stay Visitor Accommodation in line with the LG Act (s.107).
- Council to review and update where appropriate its rates and charges policy in line with the LG Act (s.86B).
- Council to issue permits for Short Stay Visitor Accommodation, in line with the *Land Use Planning and Approvals Act 1993* and *Short Stay Accommodation Act 2019*.
- Council to provide written notification to the Valuer-General that a permit has been approved and/or that there is a change in use.
- Existing properties will be picked up through the OVG's periodic, whole of municipality valuations. Outside of this cycle, councils will need to contact the OVG.
- The Valuer-General to verify the change in use and code properties as R7.
- Council to apply differential rates to properties with R7 classification.

Members should note that applying a differential rate will not affect the total amount of revenue a council collects in rates but will have a redistributive effect, meaning some land owners will pay more and others will pay less, albeit slightly

It is also worth noting that the effect of a rate rise may be limited. For example, in Brisbane, the increase in rates equates to around an extra \$10 a week for short stay property owners.

9 ITEMS FOR NOTING

**9.1 Future of Local Government Review
Contact Officer – Dion Lester**

Decision Sought

That Members note the update on the Future of Local Government review and LGAT's success in securing a three month extension to Stage 2 of the Review until the end of March 2023.

Background

On 28 July the Local Government Board released the Future of Local Government Review Interim Report (the Interim Report).

The Local Government Board has also established a webpage for the report, which provides a good summary of the key aspects of the Interim Report. The webpage can be accessed [here](#).

The Interim Report provides a summary of the community and sector feedback, UTas Research Papers and other contextual analysis undertaken by the Local Government Board to date. It includes an accurate discussion on the current state of the sector in Tasmania and future opportunities, culminating in a draft Role Statement and a series of "outcome aspirations" and future visions for each of the Review themes.

The Role Statement is used as a starting point for the consideration of a more detailed 'charter' which may be used to guide reform options and eventually be considered for inclusion in the local government legislative framework. It is also suggested that the charter could be used to better define the role of mayors and other elected members and set out supporting decision-making principles and practices that councils need to apply when representing and acting on behalf of their communities.

The Interim Report does not provide any definitive policy positions, but rather a series of Priority Reform Areas for further analysis during Stage 2.

Central to the options analysis in Stage 2 will be a greater focus on place-based services that support community wellbeing, while also investigating a potential move to the delivery of some 'traditional' council services at a larger scale, where cost efficiencies and strategic capabilities can be shown to deliver better overall service value and quality.

The concept of councils' role in supporting community wellbeing is a central theme throughout the Report. It notes that councils' expert knowledge of their own communities, its needs and capabilities, alongside the many services and infrastructure council deliver already make a significant contribution to community wellbeing. However, it also highlights the need to

define councils' role more clearly in community wellbeing relative to other levels of government.

There is recognition that local communities want their councils to succeed. But that there are aspects of the current system and structures that make this increasingly difficult for many councils.

Four key challenges and opportunities are highlighted. They are:

- Local, place-based design and delivery remain crucial in some service areas, particularly when it comes to supporting improved community wellbeing.
- Councils face significant pressures brought about by being a 'government of the gaps' or a 'provider of last resort' to meet service needs that are not being provided by the market or other levels of government.
- There are undeniable structural sustainability challenges facing some councils, with a view that the consolidation of some council services will be of benefit.
- There is opportunity to better support more consistent levels of capability and professionalism for elected representatives and in turn drive greater participation in local government.

The Interim Report outlined an ambitious work program to be undertaken by the end of this year. This combined with the fact that sectoral and community engagement in response to Stage 1 was not as strong as expected for a Review of this scope and scale and that Stage 2 spans the local government elections, resulted in LGAT writing to the Minister and seeking an extension to Stage 2 until March 2023. **At the Premier's Local Government Council meeting on 8 August this extension was agreed to by the Minister.**

Focus groups to explore priority reform areas

The Boards main focus for Stage 2 is developing a shortlist of feasible reform options across the following six priority reform areas:

- Councils' Role in the 21st Century
- Local Representation and Good Governance
- Strategic and Regional Capability
- Efficient and Effective Infrastructure and Service Delivery
- Sound and Consistent Planning and Regulatory Services
- Operational Sustainability.

These priority reform areas will each be considered by a focus group, whose role is to "help the Board understand the technical, legislative, financial, organisational and other consequences of the options being explored". What this will mean in practice is that they will

provide advice on the research and data being used to inform the development of the Board's shortlist of feasible reform options.

To further support the Board engaging with the sector, they will be holding several of their upcoming regular meetings in regional locations. They have agreed to provide opportunities for councils in those regions to meet with the Board in a central location. Further details of these opportunities are being provided to the relevant regional areas as they become available.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Local government reform

**9.2 Code of Conduct
Contact Officer – Dion Lester**

Decision Sought

That Members note the update on the review of the Code of Conduct.

Background

After some significant public and private lobbying, the Government released a draft Bill in early August to enact the proposed improvements to the Code of Conduct Framework, as outlined in the December discussion paper which can be accessed [here](#).

The main changes proposed are a standard code of conduct for councils, voluntary adoption of a behaviour standard policy for councillors, a mandatory local dispute resolution policy in councils, an improved process for the initial assessment of complaints, and the disclosure and management of interests by Panel members.

Councils will be required to adopt a dispute resolution policy within 12 months of the commencement of the amendments. The draft Bill provides that a dispute resolution policy is to contain the prescribed information and include the processes to be followed in respect of prescribed matters.

In anticipation of the commencement of the amendments, the Government has also prepared a draft of the prescribed information to be included in every council's dispute resolution policy and is seeking public feedback on both the draft Bill and the draft prescribed information.

Once the legislation is enacted, LGAT will prepare a template behaviour standard policy and local dispute resolution policy for councils to use.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Local government reform

**9.3 Local Government Election Campaign
Contact Officer – Laura Verdouw**

Decision Sought

That Members note the update of the local government election campaign for 2022.

Background

The local government election campaign aims to increase the number and diversity of candidates who will nominate for the local government election in 2022. The [LGAT AGM Agenda](#) provides an outline of the plan that has been implemented to achieve this aim.

The following has been provided to support councils and the public and has been communicated via a range of methods, including earned media (media releases, opinion editorials, media statements) and the paid campaign:

- Online training modules
- Website information
- A detailed handbook for candidates
- Frequently Asked Questions
- An "ask LGAT" function on website.

The following has been provided to councils to use at a local level (in addition to above):

- Social media tiles
- Digital (website) banner & email signature
- PowerPoint for community sessions
- In person support for council held community sessions.

The campaign collateral is directing people to the [Association's website](#) for all information, including links to the Office of Local Government's Pre-election education framework and information provided by the Tasmanian Electoral Commission.

Impact (to date)

The campaign is still running, therefore these figures are expected to improve. They are correct at the time of writing 10 August.

Organic sharing

- Councils (websites and social media)
- Working it Out
- Equality Tasmania
- Youth Network of Tasmania
- Tasmanian Multicultural Society
- Councillors and Mayors
- Prospective candidates

In person info sessions (hosted by councils with LGAT attendance or support)

- Circular Head
- Brighton
- ALGWA x 3 (Hobart, Longford, Devonport)
- Launceston
- Georgetown
- Waratah Wynyard
- Flinders Island
- Central Coast

Earned media (campaign reference)

- The Mercury
- The Advocate & Examiner
- Community newspapers (so far):
 - Kingborough Chronicle

- Dorset News
- North Eastern Advertiser
- Northern Midlands Courier
- Derwent Valley Gazette
- West Tamar
- Cygnet and Channel Classifieds

Data as of 9 August:

Facebook

- Impressions: 379,184
- Reach: 116,747
- Link clicks: 728

YouTube

- Impressions: 259,202
- View rate: 17.18%
- Clicks: 571

Snapchat

- Impressions: 197,291
- Reach: 59,698
- Swipe-ups: 944

Total

- Impressions: 835,677
- Reach: 176,455 (not including YouTube as individual reach stats are not provided).

The key messages from our campaign have also been referenced in a number of other newspaper articles from potential candidates.

Budget Impact

Funding for the local government election campaign will come from equal contributions from the Office of Local Government and LGAT. The figure for running this campaign is expected to be \$70,000 in total, which includes campaign and media spend for July – September.

Current Policy

This campaign plan will support LGAT Strategic Communications Plan and its goals across advocacy and sector services.

9.4 Waste and Resource Recovery
Contact Officer – Dion Lester

Decision Sought

That the members note the report on waste and resource recovery.

Background

The statewide waste levy commenced on 1 July this year. In addition, the inaugural Waste and Resource Recovery Board was also established. The Board consists of the Hon. Pam Allan as chairperson, Glenn Doyle (LGAT Rep), Tony Ferrier, Mat Greskie, Allison Clark and Helen Millicer. Pam will be presenting at this meeting.

The Board will play a major role in advising Government on the direction for waste management and resource recovery in Tasmania. The Board has a number of functions and powers, but its first order of business is developing a draft Waste Strategy for the Minister's approval, due within six months of the *Waste and Resource Recovery Act 2022* commencing. This means the draft strategy is due to the Minister on the 29 September. The Board is required to consult with the sector on the development of the strategy.

The other significant priority for the Board is outlining the details on how it will respond to the Ministerial Direction that LGAT was successful in securing on regional waste group levy disbursements and how the unique circumstances of the remote councils of West Coast, King Island and Flinders will be accommodated.

It is understood that the Ministerial Direction will require the Board to provide a special annual funding grant to the three regional waste bodies, initially set at \$7.50 per tonne of waste. There will be an initial transition period where the regional bodies will need to provide an outline of their planned programs and budgets (for 2022/23). Once the Minister endorses the statewide Waste Strategy then the regional groups will be accountable for the use of the funds provided by the Board in accordance with the Strategy.

The support program for the remote councils will include an annual grant to each council to at least 100% of the levies collected respectively. In addition, the Board will visit at least one of the remote areas each year to inform it of the challenges faced by these communities.

The special funding programs for the regions and remote councils does not preclude them from applying for further funding through other programs the Board may run.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Waste and resource recovery
- Climate change

9.5 Infrastructure Contributions
Contact Officer – Michael Edrich

Decision Sought

That Members note the update on infrastructure contributions.

Background

In April, LGAT published a discussion paper, available on the LGAT website³, on infrastructure contributions. The paper investigates the infrastructure charging approaches of other Australian states, including NSW, Queensland and Victoria, to inform policy development and advocacy for Tasmanian local government. The Paper categorises how contributions are used to finance infrastructure and makes ten recommendations for developing a Tasmanian infrastructure contributions system:

1. A formal system of infrastructure charging: That Tasmania develop a cohesive, complete and mature infrastructure contributions framework that enables advanced-level infrastructure contributions (general charging) to be implemented.
2. Prioritise simplicity: a Tasmanian system should prioritise simplicity and usability for end users and ease of implementation.
3. Principles-based: the infrastructure contributions framework be a fairly apportioned, beneficiary pays system that enables development with the specific principles:
 - a. simple and consistent
 - b. certain and predictable
 - c. equitable and reasonable
 - d. transparent and accountable
 - e. efficient.

³ See: <https://www.lgat.tas.gov.au/media-and-publications/reports-and-submissions>

4. Integrated into planning legislation: the infrastructure contributions framework be integrated into the *Land Use Planning and Approvals Act 1993*, with supporting guidance for implementation.
5. Infrastructure planning: the infrastructure contributions framework be built upon and integrate infrastructure planning as the basis for charging.
6. Simple charging: consistent and simple charging methodology, supporting incremental accounting of infrastructure demand, supported through a State legislative framework.
7. Offsetting supported: land and works-in-kind contributions be supported through an offsets and refunds mechanism.
8. Local pricing control: councils be supported to implement local pricing control over charging that applies to infrastructure network managed by local government through discount policies.
9. Appeal limitations for proper planning: a Tasmanian infrastructure charging regime include efficiency and incentivisation mechanisms for participation, particularly by implementing specific limitations on appeals where a local government has undertaken robust infrastructure planning, including public consultation, to support its charging.
10. Infrastructure agreements: infrastructure contributions agreements remain supported by State legislation as a customisable mechanism for infrastructure needs that fall outside the planned infrastructure delivery of general charging.

LGAT has presented the paper at several council forums, to planners, engineers and executives, as well as at the Institute of Public Works Engineers Australasia Tasmania State Conference in November 2021.

Building on this experience, LGAT is designing workshops to deliver to all councils. The aim of these is to build awareness and understanding of the complexity of the issue, as well as to inform our advocacy.

In other states, including NSW, Queensland and Victoria, the state governments support councils with not just a legislative framework, but also robust supporting guidance documentation that enables implementation. LGAT will support council initiatives to develop their own systems and cross-council collaboration to demonstrate how it can be done and at the same time advocate to the Tasmanian Government for a statewide approach.

If your council is currently looking to embark on developing its own infrastructure contributions policy, please get in touch with Michael Edrich at LGAT to discuss opportunities to support your council's work.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Planning
- Sector development

9.6 Planning Reform *
Contact Officer – Michael Edrich

Decision Sought

That Members note the update on current planning reforms.

Background

The Tasmanian Government's Phase 2 Planning Reforms are continuing, with a great deal of work in the background and regional collaborative activity to progress the updates of the regional land use strategies. There are four major areas of work:

1. Preparation of the Tasmanian Planning Policies.
2. Review of the Regional Planning Framework.
3. Review of the Regional Land Use Strategies.
4. Review of the State Planning Provisions.

The State Planning Office (SPO) has had one consultation, being scoping issues of the Review of the State Planning Provisions in the period. LGAT organised an online session to support collaborative action in the sector and to share information between councils already operating on the Tasmanian Planning Scheme and those yet to transition.

LGAT has been advocating for the SPO to deliver quality consultation and communicate its engagement plan to the sector. The SPO is following through on its commitment to this by maintaining and regularly updating its Local Government Engagement Timeline through LGAT to members. The latest version of this engagement timeline is at **Attachment to Item 9.6**. This is a living document giving indicative timelines and being updated as the reform projects progress.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Planning

9.7 Climate Change
Contact Officer – Ben Morris

Decision Sought

That Members note the update on climate change.

Background

Our inaugural policy conference for elected members and officers on climate change was held on 25 May at the Launceston Conference Centre. The event saw over 56 attendees (both elected members and council officers) come together to hear from 15 speakers. The conference was an opportunity for attendees to learn about how some councils are responding to climate risks and reducing emissions and the part that other organisations can play in this. Keynote topics included the Tasmanian Government's work and role in responding to the climate challenge, the national picture from the Climate Council, climate communication and the IPCC's latest report and climate change from a financial and legal liability perspective.

Building on the success of the conference, we will be providing shorter webinars on subjects of interest to the sector, as well as supporting the MS Teams network. We are also collaborating with the State Government to realise opportunities to reduce emissions and tackle climate risk.

The Southern Tasmanian Councils Authority (STCA) and the north-eastern council climate program, with support from the north-west councils have pitched to the State Government a regionally based, but statewide, climate collaboration. The program is intended to foster greater collaboration across the state and support councils to respond to climate change. The proposal builds upon the existing local government investment in climate change through the southern Regional Climate Change Initiative and the northern councils with the appointment of a coordinator for the Northern Tasmanian Councils Climate Change Action Program. This is a great example of councils working together where resources are limited and LGAT is

supporting the initiative in its discussions with the State Government.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Climate change

9.8 Dilapidated Buildings
Contact Officer – Michael Edrich

Decision Sought

That Members note the update on dilapidated buildings and powers available to councils.

Background

At the March 2022 General Meeting it was resolved that LGAT would:

Lobby the State Government to investigate a legislative mechanism to provide local government authorities with enhanced power to appropriately act on dilapidated, derelict and abandoned buildings registers and to charge levies in respect to those properties.

LGAT's investigation has uncovered the following existing powers that local government has to act on dilapidated buildings.

Building Act 2016

Councils have powers under Part 18 – Actions for Non-compliance of the *Building Act 2016*⁴ to take action on dilapidated buildings. The powers enable the general manager to compel the property owner to undertake works so that property is no longer 'dilapidated'.

Consumer, Building and Occupational Services (CBOS) has produced a *Director's Guideline – Dilapidated Buildings*⁵ to help council general managers and permit authorities understand

⁴ See: <https://www.legislation.tas.gov.au/view/html/inforce/current/act-2016-025#HP18@EN>

⁵ CBOS Guidelines: https://www.cbos.tas.gov.au/_data/assets/pdf_file/0010/418348/Guideline-dilapidated-buildings.pdf

their powers relating to managing dilapidated buildings. The Guideline contains detailed information, including a process flowchart and related powers at councils' disposal. Anecdotally, some permit authorities report this process is generally working well to act on this issue.

Local Government Act 1993

The *Building Act 2016* provisions relate to buildings and not to junk, wrecks or unsightly articles unrelated to building construction and condition. Councils have powers under sections 199-204A of the *Local Government Act 1993*⁶ (LG Act) to deal with nuisances. These powers include abatement notices and allow for cost recovery through court appeal.

In addition, councils have general powers under Part 11 of the LG Act to make by-laws in respect to any matter for which a council has a legal function or power. Councils can issue infringement notices and fines under by-laws. By-laws may not be contrary to any law.

Registers and Levies

Our research did not uncover any legal power preventing a council from developing a public register of dilapidated buildings, nor any legal obligation to maintain one, such as in the case of the Republic of Ireland's *Derelict Sites Act 1990*⁷.

There are no current powers to apply a 'dilapidated building levy' under the LG Act, for example separate rates and charges (s.100-106A, LG Act) or differential rating (s.107, LG Act).

Next steps

LGAT is meeting with representatives of CBOS, the State Planning Office, and the Office of Local Government to confirm our understanding of the suite of existing powers and any potential improvements that could be made.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

⁶ See: <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#HP12@HD6@EN>

⁷ See: https://www.citizensinformation.ie/en/environment/buildings_and_structures/derelict_sites.html

9.9 Emergency Management
Contact Officer – Georgia Palmer

Decision Sought

That Members note the update on emergency management.

Background

LGAT continues to engage with the State Government on areas of critical importance for local government with several reviews underway.

COVID-19 Engagement

LGAT has maintained its engagement and advocacy efforts across COVID-19 matters to ensure local government's queries are addressed. LGAT has continued to represent councils through:

- Weekly attendance to the COVID-19 Control Centre meetings.
- Liaising with the Public Information Unit.
- Involvement in the State COVID-19 Planning Liaison group.

Tasmanian Emergency Management Arrangements Review

In June 2022, the Tasmanian Emergency Management Arrangements (TEMA) Review Project commenced. The *Emergency Management Act 2006* requires that the State Emergency Management Committee (SEMC) review the TEMA and State Special Emergency Management Plans at least once every two years. To inform the sectoral submission to the State Controller, LGAT have worked with the State Emergency Service (SES) on coordinating regional forums for local government. Councils were also invited to provide written feedback to LGAT on the TEMA.

Fire Services Act Review

The review of the *Fire Services Act 1979* continues to progress at a slow rate, coming into its 5th year. Michael Stevens, engaged to undertake the most recent consultation on the Blake Report and Treasury options paper, prepared a report for the Minister for Emergency Management following stakeholder consultation. It is understood a project manager from the Department of Police, Fire and Emergency Management has now been appointed to progress the review. The officer continues to engage with LGAT as a key stakeholder. We understand a paper has been prepared within government to seek agreement on high level principles for the Bill around governance and a funding model before undertaking in-depth engagement to finalise the detail to draft the Bill.

With the resignation of Minister Petrusma, and the appointment of Minister Ellis, there are expected to be further delays. LGAT have sought an update from the State Government and are awaiting a response.

Emergency Management Act Review

In the lead-up to the 2021 state election, the Government committed to a targeted review of the *Emergency Management Act 2006*. The aims of the review were to incorporate the lessons learnt from the COVID-19 emergency. Reviewing the broad administrative, delegated, and increased powers during the emergency. Additionally, it sought to assess the interactions between the Act and the *COVID-19 Disease Miscellaneous Provisions Act 2020* and the *Public Health Act 1997*. LGAT made a submission on behalf of the sector, citing operational weaknesses related to the Act and response. We understand that the State Government is currently considering its final response.

SES Flood Warning System Update

The SES is implementing the Australian Warning System (AWS) for flood emergencies from 30 August 2022. The AWS is being introduced and gradually adopted by states and territories. This means that over time people will see the same warnings, no matter where they are in the country or what type of emergency is occurring.

The Tasmania SES Flood Warning System will complement the Bureau of Meteorology (BOM) Flood Watches and Flood Warnings. The BOM Flood Warnings and Flood Watches will continue to be key considerations when the SES decides to issue an SES Flood Warning. Other information being considered includes local knowledge, flood history, operational information, and input from councils. Councils are key stakeholders in implementing the SES Flood Warning System state-wide. Councils play a crucial role to guide communities and businesses on what to do during emergencies, as well as to educate them before emergencies happen. Tasmania SES will provide information packs to councils, which includes posters and FAQs about the SES Flood Warning System.

The SES will be hosting webinars with local government later in 2022 and early 2023 with an update about the implementation of the system, exploring opportunities for community engagement and provide a platform for local government representatives to discuss their concerns.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Emergency management

9.10 LGAT Procurement
Contact Officer – Georgia Palmer

Decision Sought

That members note the following update on procurement support for councils.

Background

LGAT Procurement aims to help councils undertake best practice procurement and deliver value for money for their communities. Currently, LGAT Procurement offers a range of services including:

- 28 panel arrangements covering a broad range of goods and services areas, see [here](#).
- A suite of resources and model documents to support council with their procurement activities.
- Procurement training and specialist procurement support and advice.

LGAT Procurement Future Focus

LGAT Procurement recently had an independent review undertaken of the services it provides to Tasmania councils. The purpose of the review was to identify how to best structure this member service to support the current and future needs of Tasmanian councils.

The review identified several initiatives to be delivered over the next 5 years in a phased approach.

The key initiatives to be delivered include:

- Establish a reference group to inform and guide LGAT procurement activity.
- A training solution to support procurement capability within councils.
- Developing and implementing a strategy to increase local suppliers within contracts.
- Establishing a set of Tasmanian specific construction panel contracts.
- Investigate aggregated tenders for specific contracts.
- Developing and implementing a sustainable procurement program linked to council strategy and guided by the reference group.
- Establish a procurement knowledge centre for local government.
- Create a consultancy, fee for service capability for councils.

The LGAT Procurement strategic and implementation plan articulates a clear path to an improved procurement service for local government. It has been strongly informed by the sector and the initiatives ensure support for greater efficiencies, expert advisory services, as

well as raising procurement capability and skills within the sector. The plan also aligns with initial thinking coming out of the Stage 1 interim report on the Future of Local Government Review.

LGAT Panel Arrangement Activity and Savings for 2021/22

Over the 12 months to end June 2022, the key LGAT panel arrangements continued to be well used by councils. Of particular note were:

- Hardware (used by 28 councils, total spend of \$578,027)
- Telecommunications (used by 15 councils, total spend of \$1,187,804)
- Office Supplies (used by 25 councils, total spend of \$ 326,556)
- Heavy Plant Machinery Equipment (used by 11 councils, total spend of \$3,696,909)
- Trucks (used by 8 councils, total spend of \$1,865,761)
- Specialised Trucks (used by 5 councils, total spend \$1,149,799)
- Small Plant Machinery Equipment (used by 10 council, total spend \$1,308,839).

Council spending under the contracts exceeded \$13 million and total estimated savings for councils was in excess of \$2 million, made up of direct (\$1,599,000) and indirect (\$418,500) savings⁸.

The total savings under these contracts exceeded the total 2021/22 LGAT subscriptions of \$1.28 million. Fourteen councils made savings through the LGAT panel arrangements that were sufficient to fully offset their LGAT annual subscriptions.

Budget Implications

As part of LGAT Procurement's future operations, two additional staff will be required to support the delivery of the new initiatives. The business model for delivering an expanded service is estimated to become self-sustaining within three years of implementation.

Current Policy

Strategic Plan

- Sector Services

2022 – 23 Annual Priority

- Local government reform
- LGAT procurement

⁸ Direct savings being the estimated savings on item price (i.e. discounts). Indirect savings being the estimated savings as a result of streamlined procurement processes (i.e. a request for quotation rather than full tender).

9.11 Events Update
Contact Officer – Carly Hay

Decision Sought

That the Committee note the report on LGAT events.

Background

LGAT continues to provide a suite of professional development opportunities and events for elected members and council officers. In the 2022 calendar year, seven events have been held with a total of almost 200 attendees. The following provides a summary of our recent and upcoming events.

General Manager’s Workshop – April 6 & 7

The first General Manager’s Workshop for the calendar year was held at the Hotel Verge in Launceston, with presentations covering cybersecurity risks, LGAT procurement, the Future of Local Government Review and a mental health skills workshop with Well Minds Work.

Climate Change Conference – May 25

LGAT’s inaugural policy conference for elected members on climate change was held on the 25 May at the Launceston Conference Centre. The event saw over 56 attendees (both elected members and council officers) come together to hear from 15 speakers present on climate risks and the actions being taken by governments, businesses and organisations to abate emissions and adapt to climate change. LGAT introduced QR codes for agendas to reduce the paper footprint which was well received by attendees. Feedback from attendees included:

“(my favourite part of the Conference was) the networking with various Councils and understanding what they are doing as a result of climate change and their targets and strategies. I enjoyed the pre-conference dinner”.

“Well organised, good mix of speakers and subjects”.

“(my favourite part of the Conference was) Getting a better understanding of work Councils are doing to address climate change at local level”.

Community workshops – various dates

Workshops for community development officers have been running throughout the quarter as part of the Local Government Health and Wellbeing project, funded by the Public Health Service. These workshops have focussed on topics including understanding and using data to improve community health and facilitating community meetings. These workshops have been well attended across the state.

Elected Member’s Day – July 2

The Elected Member’s Day was held at the RACV Hotel Hobart on 2 July, following the LGAT AGM. Topics included strategy and performance in Local Government, actionable mental health skills, and liveability in Tasmania. Feedback comments from attendees included:

“Enjoyed the two days. I don’t know how to make the invitation more inviting as I was considering not doing the drive but ever so glad I did”.

“(my favourite part of the day was) interaction between elected members”.

Senior Leaders Forum – July 7

This year’s Senior Leaders Forum (formerly known as the 2IC workshop) was held on 7 July. The event was run at the Spring Bay Mill in Triabunna. The forum covered topics including emerging risks and challenges for the sector, the role of the General Manager and key governance issues for the sector. The day concluded with a panel discussion. Feedback comments from attendees included:

“(my favourite part of the forum was) all of it, special mention to the dinner the night before”.

“(my favourite part of the forum was) the networking and hearing of others experiences”.

Upcoming Events

Date	Event	Location	Notes
August	Pre-Election Workshops	Various	LGAT will be assisting a number of councils in running several pre-election workshops around the state to provide people interested in standing for local government an overview of the roles and responsibilities of becoming an elected member.
POSTPONED	Liveable Places Conference	POSTPONED	The Liveable Places Conference, due to be held at the end of August, has been postponed. The 2023 professional development program will include a number of liveability focused professional development sessions for officers and elected members.

15 September	Mayor's Workshop	Devonport paranaple Convention Centre	Program being finalised
27 & 28 October	General Manager's Workshop	RACV Hotel Hobart	Program being finalised
TBD	Post-Election Workshops	TBD	LGAT will run a post-election workshop for newly appointed elected members. Details to be determined
8 & 9 December	Annual Conference	Hotel Grand Chancellor Hobart	Annual Conference update below

Annual Conference

The theme for this year's Annual Conference will be "Leading Through Uncertain Times". The keynote speakers for the Conference include Stan Grant (TV host, author, journalist) and Thomas Mayor (author, advocate for the Uluru Statement from the Heart). The remaining speakers for the event will be confirmed over the coming weeks. The Conference is to be held on 8-9 December at the Hotel Grand Chancellor Hobart.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Sector services

2022 – 23 Annual Priority

- Climate change
- Health and wellbeing
- Sector development

9.12 Closing the Gap
Contact Officer – Lynden Leppard

Decision Sought

That Members note the update on Closing the Gap, the National Indigenous Australians Agency (NIAA) and related activity.

Background

This report provides a summary of Tasmanian Local Government Aboriginal Audit and an overview of related government actions.

National Agreement on closing the gap

In July 2020, the Joint Council on Closing the Gap signed off the National Agreement on Closing the Gap (the National Agreement) with an expanded set of agreed outcomes and targets to be achieved by 2031. Under the National Agreement, all Parties to the Agreement are required to develop Closing the Gap implementation plans. The Tasmanian Government tabled the *Tasmanian Implementation Plan for Closing the Gap (2021 -2023)* (the Tasmanian Implementation Plan) at a meeting of the Joint Council.

The Tasmanian Implementation Plan includes a commitment to engage with LGAT and councils on progressing relevant actions in the Tasmanian Implementation Plan and the ALGA Closing the Gap Implementation Plan.

Tasmanian Local Government Aboriginal Audit

A key action in the Tasmanian Implementation Plan is a Local Government Aboriginal Audit, which is an audit of existing actions councils are implementing that support the Closing the Gap focus areas. It is intending to inform existing and future partnerships and priority work aligned to the Tasmanian Implementation Plan.

The Audit was conducted through June and July by the Office of Local Government (OLG), with support from LGAT. The audit questions were drawn from the four priority reforms and the objectives, outcomes and actions contained in the National Agreement, the Tasmanian Implementation Plan and the ALGA Closing the Gap Implementation Plan.

Twenty eight out of the 29 councils in Tasmania participated in the Audit by providing a response to the questions. The detailed results will shortly be released by the OLG.

Preliminary reflections on results

The following are preliminary results from council responses.

- Councils are generally committed to improving outcomes but will need support through resources and expertise. Developing Reconciliation Action Plans is seen as an important starting point.
- The proportion of Aboriginal population within a municipality is likely to impact on council's engagement with the community through targeted programs and policies.
- Some councils have noted the lack of Aboriginal organisations in their municipalities.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Health and wellbeing

9.13 Health & Wellbeing

Contact Officer – Lynden Leppard

Decision Sought

That Members note the update on the Local Government Health and Wellbeing Project.

Background

The State Government supported Local Government Health and Wellbeing Project has six months remaining. This report outlines the emerging context for LGAT's advocacy for appropriate recognition of local government contribution to community wellbeing.

The Healthy Tasmania Five Year Strategic Plan 2022-26 (HTP), the Future of Local Government Review Stage 1 Interim Report (the Report) and Place Shaping and the Future Role of Local Government in Tasmania (UTAS, 2022) provide the policy and research context for LGAT's future work.

The new [Healthy Tasmania Five-Year Strategic Plan 2022-2026](#) acknowledges for the first time that "local government is critical to support future preventive health efforts at the community level." It also notes that "local government is already playing a key role in supporting community health and wellbeing" and commits to formally recognising "the role of local government as a part of the preventive health system" (p. 38). The new HTP funding model incorporates LGAT's advocacy on the need to move away from the competitive system and

the importance of responding to the particular circumstances of individual councils.

The Local Government Board's [Future of Local Government Review Stage 1 Interim Report](#), provides an objective context for local government's role in wellbeing. It confirms that "councils play a clear, effective role in directly improving the physical and emotional wellbeing of the people in their local communities, and, consequently of Tasmanians overall" (p. 66). The report notes that this role needs to be defined more clearly and that clarification will include "governance systems to incorporate wellbeing as core business that drives all their activities" (p. 65).

What is meant by 'preventive health and community wellbeing'?

Clarifying the meaning of health and wellbeing terms is important to ensure we mean the same thing. Councils currently choose to support community health and wellbeing through a wide range of activities. These depend on the resources available and the unique circumstances of their communities.

LGAT's advocacy has differentiated between primary and preventive health, where primary health is direct treatment and intervention by medical experts and preventive health includes "liveable, vibrant and healthy places," and "greater social connection" (HTP, p.16).

While the recognition of councils critical role in wellbeing amongst the Healthy Tasmanian Strategic Plan and *Future of Local Government Review Stage 1 Interim Report* is encouraging, there continues to be inconsistency in the understanding or appreciation by government agencies and others of councils provision and administration of social, physical, and environmental services and facilities supports community wellbeing.

We will continue to advocate for the State Government to recognise and support the contributions councils make every day to community wellbeing. This will include the continuing theme that local government contributions are already significant.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Local government reform
- Health and wellbeing

9.14 LGAT Annual Plan *
Contact Officer – Ben Morris

Decision Sought

That Members note the report against the Annual Plan.

Background

An **Attachment to Item 9.14** is a copy of the LGAT Annual Plan and progress to date.

Motions For Which Notice Has Been Received

10 ROADS AND INFRASTRUCTURE

10.1 Maintenance of State Roads Council – Break O’Day

Decision Sought

That LGAT raise concerns with the Tasmanian Government in relation to the quality of maintenance and new construction work which is being undertaken on the network of roads which are the responsibility of the Department of State Growth, and ask the Tasmanian Government to implement an independent review of the construction and maintenance methodology being used.

Background Comment

Wherever we travel across Tasmania we see evidence of failures within the road infrastructure which we rely so heavily on as a State. These failures are not just in aged infrastructure but also in new upgraded infrastructure which has been constructed in the last few years. Examples which many travelers see are on the Midland Highway. Recently substantial repairs requiring excavation of the sub-base, installation of drainage and reinstatement were required on 2 sections which had only been constructed in the last 2 – 5 years. Locally, on the Esk Main Road, there have been numerous failures between St Marys and Fingal where edge widening works were undertaken in the last 2-3 years. Once again involving expensive rehabilitation works.

There is no doubt that our infrastructure is aged and that there has been an inadequate focus on maintaining the network for a number of decades. Wet weather conditions have played their part in highlighting the deficiencies in the network and its age. The focus of successive governments over recent decades has very much been on significant upgrades to the network which there is no doubt is needed in many areas. This has come at a cost to proactive asset management which the management team within the Department of State Growth would have been advocating for but has been ignored at the political level.

Now we are seeing sites such as this not just on the main part of the network but in the centre of townships.



The Tasmanian Government needs to recognise that the approach which is being taken to managing the network and construction/maintenance methodology is failing the State and implement an independent review to address the situation which has arisen.

LGAT Comment

Amongst a number of resolutions pertaining matters around state roads, LGAT has a 2004 resolution that specifically deals with their maintenance:

That the Local Government Association of Tasmania calls on the State Government to review the maintenance standards on State-owned roads and to ensure that sufficient resources are available to address those maintenance requirements and satisfactory emergency responses.

The Tasmanian Government Agency comment describes the various measures they are working on to improve state road maintenance across the state, including:

- A continuing trend of increased funding over the forward estimates.
- Programs to renew and resurface paving in a number of areas.
- Specific programs to widen road shoulders and rectify defects.
- Current programs to deliver enhanced maintenance at an intervention level
- Application of improved data and technology to get a better picture of road condition across the state and help make better road maintenance investment decisions.
- Trials to explore the use of next generation technology to inform timely road maintenance and interventions.

The Tasmanian Government response focuses on current, and future, self-improvement practices to lift State road maintenance practice. This is an effective acknowledgement of the

need to improve the road maintenance.

Tasmanian Government Agency Comment

Construction and maintenance methodology

The Department of State Growth uses construction and maintenance specifications which are based on VicRoads (Department of Transport Victoria) Standard Sections. When a specification is updated in Victoria, it is reviewed internally by the Department, and then externally by industry, before being adopted and published on the transport website and included in contracts. Most specifications are found to be fit for purpose, but a small number require changes for the Tasmanian context, including those where Victorian legislation is mentioned.

The Department utilises specifications within its routine maintenance contracts which draw on specifications from other jurisdictions (including Victoria), but which are particular to the Tasmanian context. Routine maintenance specifications include things like locations and types of bridges, mowing frequency tables, treatments in the Tasmanian Wilderness World Heritage Area, and frost, ice and snow management. It is important that these specifications suit the Tasmanian context and expectations of the community.

Construction projects are completed according to the specifications and works inspected. Projects have a defects liability period and any works that are found to be defective are fixed by the contractor at their expense. With a large number of projects occurring across the state at any one time, sometimes issues occur. While every effort is made to scope and investigate sites prior to construction, problems can sometimes be detected during construction that were not evident before. The Department works with contractors to ensure that all issues are rectified as quickly as possible.

Esk Main Road and Midland Highway

A number of works have occurred on Esk Main Road in the past few years, including shoulder widening. Some issues occurred where the new seal joined the old seal as part of the shoulder widening works. An independent engineering opinion was sought to understand the issues that occurred as part of this project, and pavement defects were found that were outside the scope of the original works. These works required removal of the existing seal and digging out the pavement, and replacing. The works were completed and the defects rectified. Other works on Esk Main Road include resurfacing and renewal, some of these works started in 2021-22 and will be completed in 2022-23.

The Midland Highway 10 Year Action Plan sets the Australian and Tasmanian Government's key priorities for investing \$565 million over ten years to upgrade the highway and improve road safety on Tasmania's key north-south freight route. Two thirds of the projects have been delivered including:

- Perth Link Roads
- White Lagoon (Tunbridge) to Mona Vale
- Kempton to Melton Mowbray Stages 1 and 2
- South of Kempton
- Mud Walls Road Junction
- Canara to Cleveland Stage 1
- St Peters Pass to South of Tunbridge
- Symmons Plains to South of Perth
- Mangalore to Bagdad Stages 1 and 2
- North and South of Spring Hill
- Kings Meadows Roundabout
- York Plains to St Peters Pass
- Epping Forest to Powranna
- South of Tunbridge Stages 1 and 2
- Perth-Breadalbane duplication

Some issues have occurred at construction sites, particularly around Symmons Plains. Initial rectification works have taken place, however additional works are programmed as part of the resurfacing and renewal program for 2022-23.

Increased maintenance funding

The Tasmanian Government is committed to providing a stronger and more resilient road network to support the continued growth of the state. Our State road and bridge network is ageing and extreme weather events are increasing, with more issues like landslips, rockfalls, drainage problems and potholes. Economic growth is resulting in an increase in higher productivity vehicles on our network, as well as an overall increase in freight vehicles.

The Tasmanian Government is anticipating this challenge by increasing our infrastructure maintenance budget across the forward estimates. In addition to the unprecedented spend in road and bridge upgrade projects, we are investing in doing more maintenance on the existing network to ensure that it can continue to support industry and the community into the future. The Tasmanian Government has secured a commitment of \$80 million across five years from the Australian Government for road and bridge renewal under the Freight Capacity Upgrade Program. That \$16 million per year will be matched by a corresponding \$4 million per year

investment from the Tasmanian Government.

Overall, the Tasmanian Government's Infrastructure Maintenance budget has been increased by over \$19 million in 2022-23, and an average of \$20.8 million per year over the forward estimates. In partnership with the Australian Government, we will be investing in the largest pavement renewal program that has been carried out in the state for decades, targeting high priority roads. The road resurfacing program will increase, and for the first time this year, include a separate crumb rubber program, as part of the Government's commitment to waste reduction and fostering a circular economy.

Investment will also be targeted towards enhanced intervention level maintenance, to assist in anticipating and responding to issues that impact on State roads like short term changes in freight movements, changing weather conditions and extreme weather events.

Next generation technology will be used to get the right data and information to help make the best decisions about how to spend money on the State road and bridge network. This will allow the Tasmanian Government to provide a more resilient State road network and continued support for freight dependent industries.

Pavement renewal and resurfacing

The increased pavement renewal and resurfacing program will deliver improvements across the state on key routes in 2022-23 including:

- Bass, East Tamar and Midland Highways and Esk Main Road in the north east.
- Brooker, Midland, Tasman, Domain, Huon and Channel Highways and Tunnack Main Road in the south.

This will deliver significant benefits to the community and industry, including those in the agriculture, aquaculture, forestry, mining and manufacturing industries, as well as for general freight.

Enhanced intervention level maintenance

Enhanced intervention level maintenance will focus on major pavement repairs, rock and cut batter protection and drainage works at targeted locations across the network in 2022-23, including:

- Major Pavement Repairs - Bass, Midland and Lyell Highways, Bridport and Tunnack Main
- Roads and Lake Secondary Road.
- Rock and cut batters protection - Tasman Highway at Break-Me-Neck Hill and repairs to
- Rock catch fences on the Lyell Highway.

- Slip Repairs - Brooker Highway at Claremont and Nicholls Rivulet Main Road.
- Drainage works include Lyell Highway, Tunnack and Bridport Main Roads and Lake
- Secondary Road.

Improved data and technology

In 2022-23 the Department of State Growth will undertake work to improve understanding of road condition by collecting data on the structural strength of pavements that will help make better decisions about where to invest money in pavement renewal in the future. Data collection for roughness, rutting, and cracking will continue, to help make decisions about where and when to resurface State roads.

Some work will be done to automate internal tools to allow the Department to respond to customers more quickly and easily, and to provide information to the community about our roadworks in a map format - so that it is easier see where the works are.

The Department has already been doing some trials with contractors using vehicle-based systems to pick up potholes and other things, and will review and consider how best to use next generation technology to get maximum benefit out of these systems. This will start with an audit of wire rope safety barrier and rock catch fence data in 2022-23. Using technology to do this also means that data can be collected without putting workers or the community at risk.

This additional funding demonstrates that the Tasmanian Government has listened to the priorities of the Tasmanian community and industry and is proactive in managing the State road network.

11 **CLOSE**



General Meeting

Minutes

18 March 2022

Tramsheds, Launceston

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Email: admin@lgat.tas.gov.au
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**PROCEDURAL MATTERS.
RULES REGARDING CONDUCT OF MEETINGS**

13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION

- (a) Subject to Rule 13(f), each Member shall be entitled to send a Voting Representative to any Meeting of the Association, such Voting Representative exercising the number of votes determined according to Rule 16(a).
- (b) In addition to the requirements set out in Rule 13(f), after each ordinary Council Election, the Chief Executive Officer shall request each Member to advise the name of its Voting Representative and the proxy for the Voting Representative for Meetings of the Association until the next ordinary Council Elections.
- (c) Subject to Rule 13(f), Members may change their Voting Representative or proxy at any time by advising the Chief Executive Officer in writing of the Voting Representative prior to that representative taking his or her position at a Meeting of the Association.
- (d) A list of Voting Representatives will be made available at the commencement of any Meeting of the Association.
- (e) Members may send other elected members or Council officers as observers to any Meeting of the Association.
- (f) Each Member must provide the Association with written notice of the details of the Voting Representative who was by a resolution of the Member lawfully appointed as the Voting Representative of the Member at a Meeting of the Association.

14. PROXIES AT MEETINGS

- (a) Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.
- (b) The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.
- (c) The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.
- (d) Proxies count for the purposes of voting and quorum at any meeting.

15. QUORUM AT MEETINGS

- (a) At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.
- (b) If a quorum is not present within one hour after the time appointed for the commencement of a Meeting of the Association, the meeting is to be adjourned to a time and date specified by the Chair.

16. VOTING AT MEETINGS

- (a) Voting at any Meeting of the Association shall be upon the basis of each Voting Representative being provided with, immediately prior to the meeting, an electronic voting button or placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according voting entitlement and the voting buttons will be coded according to voting entitlement:

Population of the Council Area	Number of votes entitled to be exercised by the voting delegate	Colour placard to be raised by the voting delegate when voting
Under 10,000	1	Red
10,000 – 19,999	2	White
20,000 – 39,999	3	Blue
40,000 and above	4	Green

- (b) Electronic voting buttons will be the first choice for voting on all decisions, with placards only to be used if the technology fails.
- (c) Voting buttons allow councils to vote for or against a motion or formally abstain from voting. An abstain is not to be taken as a negative vote.
- (d) The Chair of the meeting shall be entitled to rely upon the electronic vote or the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (e) Except as provided in sub-rule (f), each question, matter or resolution shall be decided by a majority of the votes for a motion. If there is an equal number of votes upon any question, it shall be declared not carried.
- (f)
 - (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members present at the meeting.
 - (ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the meeting or not.
 - (iii) When a vote is being taken to amend these Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the meeting or not.
- (g) A Voting Representative or his or her proxy in the name of the Member is entitled to vote on any matter considered at a Meeting of the Association.

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* Denotes Attachment



GENERAL MEETING SCHEDULE

10.15	Coffee on arrival
10.30	Meeting Commences
11.00 approx	Council Round Up Tasman Council
1.00 approx	Meeting concludes/Lunch



1. GOVERNANCE

Acknowledgement of Country

The President acknowledged and paid respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of this land.

Welcome and Apologies

The President welcomed Members and declared the meeting open at 10.30am.

Apologies were received from

Mr Matthew Saward	Circular Head Council
Mrs Lyn Eyles	Central Highlands
Mayor Leigh Gray	Brighton Council
Mayor Robert Young	Glamorgan Spring Bay Council
Mayor Albert van Zetten	City of Launceston
L/Mayor Anna Reynolds	City of Hobart
Mayor Tim Wilson	Kentish Council
D/Mayor Don Thwaites	Kentish Council
Mr Tim Watson	Dorset Council
Mayor Bec Enders	Huon Valley Council
Mr Jason Browne	Huon Valley Council
Mr Michael Stretton	City of Launceston
Mr Tim Kirkwood	Southern Midlands Council
Mrs Sandra Ayton	Central Coast Council
Mayor Peter Freshney	Latrobe Council
Mayor Robbie Walsh	Waratah Wynyard Council

1.1 CONFIRMATION OF MINUTES *

Circular Head Council/Kingborough Council

That the Minutes of the meeting held on 3 December 2021, as circulated, be confirmed.

Carried

Background:

The Minutes of the General Meeting held on 3 December 2021, as circulated, are submitted for confirmation and are at **Attachment to Item 1.1**.

1.2 BUSINESS ARISING *

Southern Midlands Council/Glenorchy City Council

That Members note the information.

Carried

Background:

At **Attachment to Item 1.2** is a schedule of business considered at the previous meeting and its status.

1.3 CONFIRMATION OF AGENDA

Meander Valley Council/Waratah Wynyard Council

That consideration be given to the Agenda items and the order of business.

Carried

Background:

Delegates will be invited to confirm the Agenda for the meeting and the order of business.

1.4 FOLLOW UP OF MOTIONS *

George Town Council/Northern Midlands Council

That Members note the following report.

Carried

Background:

A table detailing action taken to date in relation to motions passed at previous meetings is at **Attachment to Item 1.4.**

1.5 PRESIDENT'S REPORT

Southern Midlands Council/Derwent Valley Council

That Members note the report on the President's activity from 19 November to 1 March 2022.

Carried

Meetings and events

- Premier's Local Government Council (PLGC)
- LGAT December General Meeting
- Mayors Workshop
- Review of Local Government meetings
- General Management Committee meetings
- ALGA Board meetings and strategic planning
- Regular discussions CEO
- Meetings with the Minister for Local Government

Media and correspondence

- LGAT News articles
- Media statement, Examiner, code of conduct review
- ABC Radio – Leon Compton, update on local government sector
- LAFM - update on local government sector
- ABC Radio, code of conduct review
- LG In Focus article, Climate change
- LG In Focus article, Planning for the future
- Media statement, Latrobe Council motion
- Media statement, code of conduct process
- Media statement, bullying and harassment of elected reps

- Correspondence to Premier regarding Australia Day
- LGAT Year in Review
- Input into the review of local government terms of reference (with GMC)
- Nomination of Local Government Board representatives (with GMC)
- Correspondence to outgoing Minister for Local Government
- Welcome letter to incoming Minister for Local Government

1.6 CHIEF EXECUTIVE OFFICER'S REPORT

Southern Midlands Council/Derwent Valley Council

That Members note the report on the CEO's activity from 19 November to 1 March 2022.

Carried

Advocacy

This period commenced with substantial advocacy to the Legislative Council on the design of the Container Refund Scheme. This was to counter intense lobbying from the beverage industry, who were seeking to undermine the Government's proposed scheme design. While the legislative process is still underway it appears this advocacy was successful. Staying with the waste space, continued engagement with the Government and Minister for the Environment has occurred over the past few months on the detailed implementation of the statewide waste levy. This has centred around local government having advance notice of the levy commencement and clear guidelines and support to implement the levy.

In early December, LGAT submitted its [2022/23 State Budget Statement](#). This year our submission focused on targeted investments in partnership with local government to help achieve liveable and prosperous communities. Our advocacy included [this opinion editorial](#) that ran in the Mercury.

Perhaps the most significant advocacy work during this period was various inputs into the Future of Local Government review. This included comment on the draft Terms of Reference, Local Government Board nominations and more recently participating in the selection of the community engagement consultant and the development of LGATs local government engagement program for phase one of the review.

Sector Services

Work has commenced on the development of a business case for the next stage of LGAT Procurement to help inform how LGAT can better support councils with their procurement. This includes interviews with some of your key procurement and leadership staff.

We also commenced promoting partnership and sponsorship opportunities for our key events in 2022, including the Annual Conference later this year. Unfortunately, the Elected

Representatives Weekend had to be postponed due to concerns over COVID. Please keep an eye out for when it is rescheduled and also the two key policy leadership workshops on climate change and liveability, which we will also be running this year.

In partnership with the Office of Local Government, we have started scoping the 'stand for local government' campaign. This sits alongside a refreshed induction program post the October local government elections and will make up a substantial component of our sector events and training support for 2022/23.

Governance and operations

LGAT's Communications Strategy 2022-2025, has been finalised and is a plan to position us as a strong voice for the Tasmanian local government sector. It outlines our communications goals to effectively advocate, engage with members and increase community awareness.

We have begun increasing our digital content across our social media channels, website and earned media to support these goals.

This rolling content is themed around the below areas and will continue for the next six months:

- Advocacy areas
- Sector services - events and training, LGAT Procurement
- Local government election 2022
- Future of Local Government review.

We are also working on a website project to ensure our public-facing site is fit-for-purpose. It involves moving the member content from our website onto the extranet, which will give our members access to high quality, helpful resources and information.

1.7 COUNCIL ROUND UPS

Flinders Council/City of Hobart

That Members determined Flinders Island Council will present a briefing at the next meeting.

Carried

Background

Tasman Council has offered to conduct a brief presentation on a matter that is of interest in their municipality.

The session allows time for questions and provides an opportunity to briefly share and highlight problems or opportunities facing councils.

2. ITEMS FOR DECISION

2.1 MOTION – OPTIONS FOR DIFFERENTIAL RATING – VACATION RENTAL PROPERTIES

Break O’Day Council/City of Hobart

That LGAT lobby the State Government for the amendment of legislation to enable Councils to differentially rate vacation rental properties.

Amendment Motion

City of Launceston/Southern Midlands Council

That LGAT investigate mechanisms to enable councils to differentially rate vacation rental properties and bring back to the next general meeting for a discussion and decision.

Carried

Break O’Day Council/City of Hobart

That LGAT investigate mechanisms to enable councils to differentially rate vacation rental properties and bring back to the next general meeting for a discussion and decision.

The Amended Motion was put and Carried

Background

Like many Councils, Break O’Day is experiencing low levels of accommodation availability throughout the municipality and of particular concern is availability of rental accommodation. Council is aware that properties moving from long term rental to vacation rental is not the only factor contributing to this but does believe that it is a factor. Council also believes that there are limited tools available for councils to intervene if it perceives an imbalance in the housing situation and differential rating is a tool potentially available to allow local government to intervene to “level the playing field”, if appropriate. The current wording of legislation (S107 of Local Government Act) identifies residential land use purposes as a category for differential rating but not specifically vacation rental land use. Council believes specific legislative powers should be clarified that enable councils to differentially rate vacation rental properties and thereby enable councils some capability to intervene to address this imbalance.

In investigating options for council to address the issue of long-term rental properties converting to vacation rental, it was identified that council's "head of power" for differential rating is S107 of the Act and the Act is quite specific as to the land use categories that can be used for differential rating. The Act specifies "residential" purposes with no sub categories. Land use is not specified as such but we take this to mean the land use identified for the property by the Valuer General (VG).

It is also noted that the issue of long-term rental properties converting to vacation rental has been an issue for local governments around Tasmania, not only Break O'Day.

LGAT Comment

The *Local Government Act 1993*, Section 107¹ allows for variation in rates as follows (emphasis added):

(1) A council, by absolute majority, may declare that the general rate, a service rate or a service charge varies within the municipal area or within different parts of the municipal area according to any or all, or a combination of any or all, of the following factors:

- (a) the use or predominant use of the land;*
- (b) the non-use of the land;*
- (c) the locality of the land;*
- (d) any planning zone;*
- (e) any other prescribed factor.*

(2) For the purposes of subsection (1) (a) , use means use for any of the following purposes:

- (a) residential purposes;*
- (ab) commercial purposes;*
- (ac) industrial purposes;*
- (b) public purposes;*
- (c) primary production;*
- (d) sporting or recreation facilities;*
- (e) quarrying or mining.*

In regard to Section 107(1)(e) the *Local Government (General) Regulations 2015*, prescribes the following variation factors:

33. Variation factors

For the purposes of section 107(1)(e) of the Act, prescribed factors for general or service rates are –

- (a) the division of land by the issue of a separate strata title to each parcel subject to the Strata Titles Act 1998 ; and*

¹ See: <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#HP9@HD6@EN>

(b) if separately assessed land is predominantly used for residential dwelling, the number of residential dwellings on that land; and

(c) the relevant subcategories, of the use or predominant use of the land, set out as uses of land in the most recent Land Use Codes provided to the councils by the Valuer-General and published on the internet by the Tasmanian Government as part of the Land Information System Tasmania (the "LIST").

In the Land Use Code published on the LIST, there is no specific for a vacation rental property, with the closest R9 – Holiday Home / Shack.

2.2 MOTION – FRINGE BENEFITS TAX - ELECTRIC VEHICLES *

Brighton Council/Southern Midlands Council

That LGAT advocate to the Federal Government for the removal/exemption of FBT on Electric vehicles where use is restricted to travel between home and work.

Amendment Motion

George Town Council/Break O’Day Council

That LGAT advocate to the Federal Government for the removal/exemption of FBT on electric vehicles and all zero emission vehicles where use is restricted to travel between home and work.

Carried

Brighton Council/Southern Midlands Council

That LGAT advocate to the Federal Government for the removal/exemption of FBT on electric vehicles and all zero emission vehicles where use is restricted to travel between home and work.

The Amended Motion was put and Carried

Background

Brighton Council brought the issue of Fringe Benefits Tax (FBT) impediments for full electric vehicles to the Southern Tasmanian Councils Authority's (STCA) attention, seeking endorsement to send an advocacy letter to the Federal Government from the STCA. This was subsequently endorsed on 17 November 2021. The letter urges the Federal Government to:

“add Electric Vehicles to the Australian Taxation Office eligible vehicles where private vehicle use is restricted to travel between home and work.”

The STCA represents a significant proportion of Tasmania's population and advocates for climate change action via the Regional Climate Change Initiative (2011 to 2021).

Brighton Council authored the letter to Federal Government Minister Angus Taylor and cites Brighton Council as one local government example of many, working to reduce the barriers to electric vehicle adoption. A copy is at **Attachment to Item 2.2**.

Brighton Council internal electric vehicle review November 2021 summary

Brighton Council has recently reviewed opportunities to switch to full electric vehicles as part of endorsing a corporate emission reduction target of 30% below 2021 levels by 2030, on the pathway to zero emissions by 2040.

Cost is one of the biggest barriers preventing broadscale switches within local government fleets.

Fringe Benefits Tax becomes a significant financial cost for roughly half of Brighton Council's light vehicle fleet (not heavy vehicle/trucks) as most of the take-home-work-vehicles are utes, which do not attract FBT. As soon as these are switched to an electric sedan or hatchback for the same purpose, a Federal Government Fringe Benefit Tax applies.

The FBT exemption for take home, private use restricted utes can be as high as \$8,000 per vehicle per year. The scale of this saving effectively renders all other vehicles more expensive. If this exemption applied to electric vehicles, it would instantly be cost effective for council to transition toward low emission electric vehicles, which would also benefit from charging when parked from council's roof top solar.

The current Liberal Coalition Federal Government recently reviewed the application of FBT to electric vehicles as part of the national Future Fuels and Vehicles Strategy and has no plans to alter the existing FBT policy. The recently announced Labor Party policy is to exempt FBT for all electric cars below the luxury car threshold for fuel efficient cars from July 2022, should they win the next election.

The landscape for low emissions and electric vehicles is changing rapidly. We should take every sensible opportunity to reduce emissions, make savings and improve efficiency.

Communities look to Council's for leadership on issues such as climate change action and it emerged as a core priority for the Brighton Council community in the 2050 Vision consultation. There is a key role for government to demonstrate emerging technologies, such as the Tasmanian Government has by setting a 100% electric vehicle state government vehicle fleet target by 2030 and changing its stamp duty policy for electric vehicles.

LGAT Comment

LGAT has no similar resolutions on record.

The intent aligns with LGAT's Annual Plan 2022 to support local government to reduce greenhouse gas emissions.

2.3 MOTION – DERELICT AND ABANDONED BUILDINGS

Clarence City Council/Circular Head Council

That LGAT lobby the State Government to investigate a legislative mechanism to provide local government authorities with enhanced power to appropriately act on dilapidated, derelict and abandoned buildings registers and to charge levies in respect to those properties.

Carried

Background

Most councillors field complaints about the state of certain buildings that have been in disrepair for years. That could be partially completed buildings or unused commercial properties.

Dereliction can bring down the amenity of residential or commercial precinct, feelings of safety, dampen economic activity and discourage surrounding property owners from improving their own premises.

Most Vandalism is done to the properties but letting a property fall into dilapidation is an act of vandalism done by the property owners.

Council often has very limited if any scope to intervene, which is a frustration as a councillor and resident alike.

A register of derelict, dilapidated and abandoned buildings is not something most property owners would want to be listed on. It would help councils monitor dereliction across their municipality.

A levy is also a tangible incentive to repair property or dispose of it, often very simple steps might be able to make a difference eg ply wood with artwork, it could stimulate alternative uses for a site until a development is commenced. Anyone who has been to Christchurch, New Zealand has seen that sites can be cheaply and quickly repurposed possibly with food trucks on an empty service station site.

This motion was inspired by the way dereliction is dealt with in Ireland

The Derelict Sites Act 1990 (republic of Ireland) defines a derelict site as any land that “detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of:

- ...structures which are in a ruinous, derelict or dangerous condition, or
- the neglected, unsightly or objectionable condition of the land or of structures on the land in question, or
- the presence, deposit or collection of litter, rubbish, debris or waste...”.

LGAT Comment

LGAT has two historical resolutions on this matter:

2007

That LGAT strongly request the State Government to pass amending legislation to give councils clear and appropriate powers to enforce works to remedy the adverse effects of derelict or dilapidated buildings on the streetscape and nearby properties. It is recommended that those powers include the power of compulsory acquisition if the property owner does not comply with the enforcement order issued under that amended legislation.

July 2011

That LGAT again strongly request the State Government to pass amending legislation to give Councils clear and appropriate powers to enforce works to remedy the adverse effects of derelict or dilapidated buildings on the streetscape and nearby properties.

The *Land Use Planning and Approvals Act 1993* contains various permit lapsing provisions at section 53, in particular subsections (5) through (7). These mostly apply to permits that have not substantially commenced.

Other Australian states have further lapsing provisions for situations where development has substantially commenced but not completed within a prescribed time. For example, Queensland’s *Planning Act 2016* Section 88.

A challenge for legislation is in precisely defining and distinguishing between compliant and non-compliant states for derelict, dilapidated and abandoned buildings. Establishing case law is then important in determining these boundaries.

2.4 MOTION – FIRE BUNKERS

Kingborough Council/City of Hobart

That LGAT lobby the State Government and TasFire Services to investigate the accreditation of fire bunkers and other structures legalised in other Australian states for use in Tasmania.

Carried

Background

Kingborough is considered one of the most bushfire prone municipalities in Tasmania and currently fire bunkers are not able to be legally accredited. Many members of the community reside along narrow, tree-lined no-through roads. As fire events become more extreme, fire bunkers may be, in some instances, the only safe protection.

LGAT Comment

LGAT has no substantially similar resolutions on record.

In Victoria and South Australia, private bushfire shelters are accredited in each state by their building regulation committees. It is understood that three shelters are accredited in Victoria and one in South Australia. Tasmania and the other state and territories do not have an accreditation system at present.

The National Construction Code does not prescribe Deemed to Satisfy specifications for private bushfire shelters due to the high level of risk and uncertainty associated with their performance. The Australian Building Codes Board (ABCB) Performance Standard for Private Bushfire Shelters provides guidance for shelter designers and builders to meet the NCC performance requirements. However, bushfire shelters can only be accepted as complying with the National Construction Code as a performance solution that is designed to the specific site condition and likely bushfire scenarios.

In Tasmania, a building permit is required to install a bushfire shelter and the application needs to provide evidence to satisfy the building surveyor that the shelter design is fit for purpose, the intended site is appropriate and that the shelter will therefore achieve the performance requirements in the National Construction Code.

2.5 MOTION - OUR WATCH

Northern Midlands Council/George Town Council

That LGAT lobby the State Government to initiate and fund the development and implementation of a family and sexual violence prevention framework for local government across the state.

Carried

Background

Local Governments play a vital role bringing together different organisations with regards to the health and wellbeing of their communities.

In October 2021, a number of representative across 13 councils, including Mayors, Councillors, General Managers, Directors and Community Development Officers met with the Our Watch Senior Advisor, Kelsey Paske and LGAT Policy Officer, Lynden Leppard to form an informal community of practice to identify what councils were doing with regards to prevention, to share insights, discuss challenges and develop a collaborative approach for how local government in Tasmania can effectively address the drivers of violence against women. The scourge of Family and Sexual Violence continues to plague Tasmanian communities. By developing a framework to address this issue, Local Governments can assist in bringing together multiple stakeholders in the Family and Sexual Violence prevention fields to harmonise their efforts and be a voice of advocacy in their communities. This motion seeks to encourage Council's across the state to bring this matter to the forefront of their planning in the health and wellbeing space.

The Australian Government developed the National Plan to Reduce Violence Against Women and their Children which is a long term (12 year) plan (2010 – 2022). The Tasmanian Department of Premier and Cabinet, Community Development Division developed a complementary strategy, "Safe Homes, Families, Communities: Tasmania's action plan for family and sexual violence 2019-2022". Both strategies have now reached the end of their timeframe and are due to be reviewed and updated. The Draft "National Plan to End Violence Against Women and Children 2022 – 2032", was released for comment on 14 January 2022.

Statistically, in 2020, there were 3,414 victims of assault recorded in Tasmania (631 victims per 100,000) persons. Most assaults:

- occurred at a residential location (57% or 1,946 victims)

Most assault victims:

- knew the offender (73% or 2,496 victims)
- were female (53% or 1,819 victims)

Around half of all assaults were Family and Domestic Violence (FDV) related. That's 47% or, 1,600 victims of FDV.

There were 267 victims of sexual assault recorded in Tasmania in 2020, an increase of 27% (56 victims per 100,000) from the previous year (49 victims per 100,000 persons).

Most sexual assaults occurred at a residential location (71% or 190 victims). Most victims of sexual assault:

- knew the offender (86% or 229 victims)
- were female (83% or 221 victims)

Around two in five victims of sexual assault were FDV-related (41% or 110 victims).

Reference: Australian Bureau of Statistics (Recorded Crime – victims):
<https://www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-victims/latest-release#tasmania>

Domestic and family violence refers to a wide range of behaviours designed to create dependency, isolate, and control, or monitor another person's activities. Control and power can be enacted through words as well as actions, and it is important to recognise that these behaviours, while not physically violent, are still serious types of domestic abuse. These actions occur when a person tries to deny another person their freedom of action, as well as trying to frighten, humiliate, or degrade them.

Appreciably, the experience of domestic violence doesn't affect all women equally. Women with disabilities, young women, pregnant women, Aboriginal and Torres Strait Islander women, culturally and linguistically diverse women (CALD), and women experiencing financial hardship, are most at risk of experiencing domestic violence. Further, the impact it has on the lives of our families, friends, and the wider community include long term social, health, psychological, financial, and economic damage.

Every year, millions of Australians from all socio-economic backgrounds, religions, education level, age, gender, or sexual orientation, experience Family and/or Domestic Violence, and while men are also victims, it is women who are the overwhelming victims, describing living with violence as, "like being on a roller-coaster, never knowing what will happen next" and "living in constant fear".

While levels of government, workplaces, community sectors and individuals and families have a role to play, local government is closely connected with the community and has influence that state government does not. We need to work together to ensure that we all promote respect, inclusion and a healthier Tasmania.

Local Government has an ideal opportunity, through LGAT and the development of a Local Government Framework, to bring fresh perspective at a local level and send a message to the broader community that Councils are concerned for the health and wellbeing of their communities and the prevalence and effects of domestic and family violence.

The Northern Midlands is bringing this Motion to LGAT now, rather than waiting for the September meeting and a State Government response, so that this proposal can be presented within the State Budget LGAT Priorities List for inclusion in the current review of the Third Tasmanian Family and Sexual Violence Action Plan and potentially funded under this Plan.

LGAT comment

A motion related to this issue was considered, but not carried, at the December 2020 General meeting:

That LGAT Members support in principle the development of Family and Sexual Violence Strategies by Local Governments across the state.

The Tasmanian Government's policy on eliminating family and sexual violence is *Safe Homes, Safe Families Action Plan: Tasmania's action plan for family and sexual violence 2019-2022*. The Premier, in a letter to all Mayors in 2021, noted that local governments are uniquely placed to lead community approaches to primary prevention of violence against women and their children. The letter encouraged all councils to use the Our Watch Local Government Toolkit resource to support and guide prevention of violence against women and their children in communities.

The Tasmanian Government's relationship with Our Watch has continued, and LGAT collaborates with Our Watch and council leaders to support councils to take actions most appropriate in their communities.

The Tasmanian Government plans to launch the new Safe Homes, Families and Communities plan in July 2022.

3. ITEMS FOR DISCUSSION

There are No Items For Discussion

4. ITEMS FOR NOTING

4.1 FUTURE OF LOCAL GOVERNMENT REVIEW Contact Officer – Dion Lester

Circular Head Council/Tasman Council

That Members note the update on the Future of Local Government Review (the Review).

Carried

Background

The Review proper has commenced, with the new Local Government Minister, Michael Ferguson, launching the Review website <https://www.futurelocal.tas.gov.au/> and the Chair of the Local Government Board writing to all councils outlining the Review roadmap, guiding principles and themes.

Community engagement will commence in early March, with the detailed list of activities expected to be available when you are reading this paper. To compliment the community engagement program, LGAT will be undertaking engagement with the local government sector throughout the entire review. For stage one the following activities are proposed:

- Workshops with Mayors and General Managers
- Six regional forums with Elected Representatives (two in each region)
- Six regional forums with council employees (two in each region)
- At least two online sessions (one for Elected Representatives, one for employees)
- An online submissions portal.

Further details on the timing of these engagement opportunities and the link to register your interest can be found [here](#).

Budget Impact

LGAT has received funding to employ a policy officer for an initial period of 12 months to support our role in the review.

In addition, the President has recently written to the Premier seeking further funding support for the sector to enable engagement in the review.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Local government reform

4.2 LOCAL GOVERNMENT ACT AND CODE OF CONDUCT

Contact Officer – Dion Lester

Circular Head Council/Tasman Council

That Members note the update on the review of the Code of Conduct Framework and Local Government Act priority amendments.

Carried

Code of Conduct Review

The State Government commenced a review of the Code of Conduct Framework in mid 2021. This came after a period of sustained advocacy from LGAT and the sector.

The discussion paper, released in July 2021, suggested the following reforms:

- Strengthening the grounds for the Code of Conduct Panel Chairperson to dismiss complaints at the initial assessment stage through the introduction of a new ‘public interest’ test.
- Removing a perceived conflict of interest for the Code of Conduct Panel Chairperson at the initial assessment stage and ensuring that a legal member of the Panel undertakes all initial assessments.
- Improving confidentiality requirements in relation to the formal Code of Conduct complaints process.
- Improving council dispute resolution policies to minimise the number of issues that are escalated to the Code of Conduct Panel in the first place.

The LGAT response to the initial discussion paper can be [found here](#).

Late last year the Government released its response to the sector and community feedback, confirming that they will proceed with the changes proposed in the discussion paper as well as some additional reforms that seek to provide greater clarity and consistency in the handling of complaints. The Government also committed to further work to ensure the Code of Conduct Framework remains effective into the future. The Government is aiming to introduce amendments to the *Local Government Act* in the Autumn 2022 session of Parliament.

The [full Government proposal can be found here](#).

Local Government Act Priority Amendments

In late 2021, the Government agreed to consider sector priority amendments to the *Local Government Act* ahead of the 2022 elections. LGAT wrote to all Mayors and General Managers / CEOs to seek feedback on which of the [approved reforms](#) should be progressed.

Feedback from the sector indicated that the preferred amendments are:

1. Reform 11 – Move administration of the General Manager’s Roll from councils to the Tasmanian Electoral Commission.
2. Reform 10 – Introduce caretaker provisions.
3. Reform 9 – Simplify the voting process to reduce informal voting rates and Reform 34 - Simplify what is a conflict of interest (equal weighting).

Other popular amendments were (in no particular order):

- Reform 5 – Reform eligibility for the General Manager’s Roll.
- Reform 6 – Reform the voting franchise to reflect ‘one person, one vote’ principle in any one municipality.
- Reform 12 – Introduce a pre-nomination training package.
- Reform 14 – Require the disclosure of gifts and donations received by local government candidates during the electoral period.

These priorities are in addition to the amendments necessary to implement the Governments policy positions on Independent Living Units and the Code of Conduct Framework.

We are currently waiting for feedback from the Government.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Local government reform
- Sector development

4.3 **WASTE AND RESOURCE RECOVERY**
Contact Officer – Dion Lester

Circular Head Council/Tasman Council

That Members note the report on waste and resource recovery.

Carried

Background

The two key priorities for the State Government in waste and resource recovery have been the implementation of a Container Refund Scheme (CRS) and statewide waste levy.

Throughout the development of each of these policies, LGAT's CEO has participated on the Minister for Environment's Waste and Resource Recovery Advisory Group, providing advice on the most appropriate governance arrangements for a CRS in Tasmania and ensuring the local government's interests were best represented in the development of the waste levy.

The CRS legislation passed the Lower House late last year and was subject to a significant debate in the Legislative Council. The debate was informed by significant lobbying from the beverage industry for the Bill to be sent to committee, with the ultimate aim of changing the scheme design to a single scheme coordinator and network operator. The split governance model (separate scheme operator and network operator) proposed by the State Government is the best model for the community, the environment and our sector. LGAT continued its advocacy for the best governance model for a CRS in Tasmania. This involved a number of advocacy activities that were ultimately successful to the extent that the Legislative Council did not refer the legislation to committee. However, debate on the Bill will commence again once Parliament resumes.

Legislation to introduce the statewide waste levy is also currently before the Legislative Council, with debate yet to commence. Since the end of last year LGAT has focused our advocacy efforts on ensuring the Government engages with councils through the development of the next stages of implementation of the levy (regulations, guidelines etc) and ensures enough time for councils to both introduce the levy and also the supporting processes. LGAT is also seeking clarity on how regional distributions of the statewide levy will be administered.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Waste and resource recovery
- Climate change

4.4 CLIMATE CHANGE

Contact Officer – Ben Morris

Circular Head Council/Tasman Council

That Members note the update on climate change activities.

Carried

Background

Planning is well underway for the inaugural Tasmanian Local Government Climate Change Conference 2022. The one-day event is to be held on 25 May, likely in the north of the state. The agenda includes keynote speakers on the state of the climate and the risk and actions being taken by governments, business and organisations. The second half of the day will provide two streams showcasing local government activities across emissions reduction and adaptation.

We made a strong representation in our submission² to the scope of the Draft Tasmanian Planning Policies (TPPs) that climate change must be one of the central challenges, alongside growth and housing, that the policies seek to address. The TPPs are a critical opportunity to embed climate change into how we plan our settlements. In particular, we sought that the State Government directly engage with councils on this issue.

The Southern Tasmanian Councils Authority (STCA) is close to finalising its regional strategy for managing coastal hazards. The *Regional Strategy – Adapting to a Changing Coastline in Tasmania*, adopts a risk management approach and consists of a set of principles for managing coastal hazards. The Strategy intends to help councils to employ a strategic approach to existing or emerging hazards on the coastline that threaten public and natural assets, infrastructure, people or property. In particular, the Strategy's objectives are to:

- Apply a risk management approach that incorporates evidence-based, best practice management principles, systems and processes informed by up-to-date climate science and technology.

² See: https://www.lgat.tas.gov.au/_data/assets/pdf_file/0024/1068333/LGAT-Submission-Tasmanian-Planning-Policies.pdf

- Encourage consistency and co-ordination across southern Tasmanian councils through a regional approach.

The principles are consistent with relevant Tasmanian Government policies³ and regulations and should be applied through the Strategy's risk management framework to coastal hazards on public and private land.

Councils are encouraged to review the Strategy when published, to assist them individually or on a regional scale in developing and implementing approaches to coastal hazard management. The Strategy will be published on the [STCA website](#).

We are currently reviewing the draft bill to amend *Climate Change (State Action) Act 2008* in regard to the 'sector-based emissions reduction and resilience plans' and are likely to seek some further amendments to the Act when the legislation is tabled in Parliament. As currently drafted these plans are to be developed in consultation with business and industry, omitting community and local government. This is in contrast with the broad engagement in developing the climate change action plan.

Budget Impact

Being undertaken within current resources

Current Policy

Strategic Plan

- Advocate
- Sector services

2022 – 23 Annual Priority

- Climate change
- Sector development

³ See: <https://nre.tas.gov.au/about-the-department/managing-coastal-hazards>

4.5 INFRASTRUCTURE CONTRIBUTIONS – DISCUSSION PAPER
Contact Officer – Michael Edrich

Circular Head Council/Tasman Council

That Members note the update on infrastructure contributions.

Carried

Background

LGAT is currently finalising a Discussion Paper on Infrastructure Contributions in Tasmania, which will be available in coming weeks. The Paper investigates infrastructure charging approaches of other Australian states, including NSW, Queensland and Victoria, to inform policy development and advocacy for Tasmanian local government. LGAT interviewed personnel from other state local government Associations and discussed infrastructure financing issues with Tasmanian councils, drawing out case studies. The work included a high-level scan of Tasmanian legislation and planning case law related to infrastructure financing and developer charges. LGAT also collated and broadly reviewed Tasmanian councils' current contributions policies.

The paper categorises how contributions are used to finance infrastructure and makes ten recommendations for developing a Tasmanian local government infrastructure contributions system:

A formal system of infrastructure charging: Tasmania develop a cohesive, complete and mature infrastructure contributions framework that enables advanced-level infrastructure contributions (general charging) to be implemented.

Prioritise simplicity: a Tasmanian system should prioritise simplicity and usability for end users and ease of implementation.

Principles-based: the infrastructure contributions framework be a fairly apportioned, beneficiary pays system that enables development with the specific principles:

- simple and consistent
- certain and predictable
- equitable and reasonable
- transparent and accountable
- efficient.

Integrated into planning legislation: the infrastructure contributions framework be integrated into the *Land Use Planning and Approvals Act 1993*, with supporting guidance for implementation.

Infrastructure planning: the infrastructure contributions framework be built upon and integrate infrastructure planning as the basis for charging.

Simple charging: consistent and simple charging methodology, supporting incremental accounting of infrastructure demand, be supported through a State legislative framework.

Offsetting supported: land and works-in-kind contributions be supported through an offsets and refunds mechanism.

Local pricing control: councils be supported to implement local pricing control over charging that applies to infrastructure networks managed by local government through discount policies.

Appeal limitations for proper planning: a Tasmanian infrastructure charging regime include efficiency and incentivisation mechanisms for participation, particularly by implementing specific limitations on appeals where a local government has undertaken robust infrastructure planning, including public consultation, to support its charging.

Infrastructure agreements: infrastructure contribution agreements remain supported by State legislation as a customisable mechanism for infrastructure needs that fall outside the planned infrastructure delivery of general charging.

LGAT presented on infrastructure contributions at the Institute of Public Works Engineers Australasia Tasmania State Conference in November 2021.

LGAT will use the paper's findings as a basis for engagement with members. Workshop sessions with councils will be developed to build understanding within the sector of the choices to be made in a sector-wide approach and to inform advocacy. Members wishing to discuss infrastructure contributions and implementation at their council can contact Michael Edrich at michael.edrich@lgat.tas.gov.au.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate
- Sector Services

2022 – 23 Annual Priority

- Local government reform
- Planning
- Sector development

4.6 **PLANNING UPDATE**
Contact Officer – Michael Edrich

Circular Head Council/Tasman Council

That Members note the update on planning matters.

Carried

Background

Since the December 2021 LGAT General Meeting, the Tasmanian Government's Phase 2 Planning Reforms are currently in internal State Government development with little public activity. Despite this, LGAT has continued its advocacy.

In response to the Scope of the Tasmanian Planning Policies (TPPs) consultation⁴, LGAT provided a submission emphasising the need for effective and relevant policies to support Tasmania through its current growth phase. We were clear that the way to achieve this is through meaningful cross-sector engagement and highlighting councils' considerable and unique experience in place-making and implementing development regulation. We argued that the significant pressures and changing climate that Tasmania is facing, demands policy settings that are ready for growth, calling for the TPPs to:

1. lead with climate change.
2. support infrastructure delivery for development by supporting local government infrastructure contributions.
3. properly address housing affordability and security, while acknowledging that planning is not a panacea to our housing crisis and there are severe limits to what it can do.
4. support best practice planning practices, urban design, and development standards.

LGAT followed our submission up with an Opinion Editorial published in The Mercury on the 15 December 2021 arguing these points and the need for Tasmania to be 'ready for growth'. Text of the piece is available on our website [here](#).

LGAT is following up the State Planning Office (formerly the Planning Policy Unit) on its intentions around lifting the quality of consultation and implementing an engagement plan.

Then in February this year, LGAT responded to media requests for an interview on the results of the Tasmanian Planning Scheme reforms so far, which our CEO undertook on the 17 February 2022. In preparation, LGAT surveyed council planning professionals on the TPS reform progress and results thus far. Council feedback was very valuable and showed a

⁴ See: <https://www.justice.tas.gov.au/community-consultation/closed-community-consultations2/scope-of-the-draft-of-the-tasmanian-planning-policies>

common sense that the TPS reforms are a mixed bag of improvements and problems, perhaps pointing to marginal value on investment.

Budget Impact

Being undertaken within current resources

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Planning
- Climate change

4.7 STORMWATER REGULATION IN DEVELOPMENT

Contact Officer – Michael Edrich

Circular Head Council/Tasman Council

That Members note the update on the *Tasmanian Stormwater Policy Guidance and Standards for Development*.

Carried

Background

Councils seek to regulate and manage stormwater impacts stemming from development, to minimise impact on networks and contribute to local water quality outcomes and the *State Policy on Water Quality Management*.

Previous General Meeting papers (September 2020, August 2021, December 2021) have highlighted that the Tasmanian Planning Scheme does not include a stormwater code. This omission creates a regulatory gap for councils.

LGAT has been working collaboratively on a resource to help address this gap with a number of councils, NRM North and the Derwent Estuary Program. This resource is guidance material for councils to implement their own formal policy on how they will regulate stormwater impacts in development. The *Tasmanian Stormwater Policy Guidance and Standards for Development* is now published and available on the [LGAT website](#).

The guide will assist councils in implementing their stormwater strategy and regulating the stormwater impacts of development. The guide is supported by advice on the legal basis of regulating stormwater in development, found on the [LGAT Extranet](#) (council login details required).

LGAT is aware that professional support may be needed to assist councils in using the guide and implementing their stormwater strategy. We note that the Tasmanian Government also has an interest in improving statewide stormwater management and achieving the objectives of the *State Policy for Water Quality Management*. Accordingly, LGAT's State Budget Priority Statement 2022-23, sought a budget allocation to resource the rollout of the guide. The Statement is available [here](#).

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Sector Services

2022 – 23 Annual Priority

- Planning

4.8 EMERGENCY MANAGEMENT UPDATE

Contact Officer – Georgia Palmer

Circular Head Council/Tasman Council

That Members note the update on Emergency Management.

Carried

Background

This paper provides an update to members on the status of emergency management activities at the state level and an overview of the likely policy work over the next 12 months.

Draft Flood Mitigation Policy

In January 2022, LGAT provided a [submission](#) to the State Government on the *Consultation Draft - State Emergency Service Structural Flood Mitigation Investment Policy*. The Policy is intended to guide and inform the development of flood investment across Tasmania and will impact the way in which councils and the State Government approach this issue.

LGAT's submission welcomed the development of the draft policy. The submission emphasised the need for the State Government to increase its current investment in flood mitigation to protect vulnerable and at-risk communities.

Other key points included:

- For the State Government to commit to equal responsibility in mitigation funding in partnership with Federal and local government.
- Funding be linked to risk and vulnerability, with associated comprehensive data, and this be the basis for distribution of funds, rather than through a traditional grants process that limits accessibility.
- The State Government take a more collaborative approach to provide the best risk reduction for Tasmanian communities. This can be achieved through directly working with LGAT, councils, and other stakeholders to prioritise mitigation.

While we are yet to receive a response from the Government, this submission was picked up by the Advocate in early February.

Fire Services Act

In 2018, the State Government commenced the review of the *Fire Services Act 1979* and its subordinate legislation. An initial issues paper was released in June 2018, with a further report, undertaken by Michael Blake, released in October 2021. The Report made a significant number of recommendations to the Government on the future of the Fire Service, SES, and emergency response capabilities. In October 2021, the State Government released the final Blake Fire Service Act Review report (Blake Report) for comment, as well as a Treasury Options Paper that focussed on funding and financing options.

LGAT provided a [submission](#) to the State Government on the final Blake Report and Treasury Options Paper. It was pleasing to see that the Blake Report had incorporated many of the points previously raised by LGAT and local government more broadly. This is an encouraging development in the overall process. The appointment of Mr Michael Stevens is a welcome addition, with his emphasis in meetings with LGAT that effective engagement with local government is important throughout the process.

Tasmanian Relief and Recovery Arrangements

The Office of Security and Emergency Management (OSEM) in the Department of Premier and Cabinet, has completed its review of the *Tasmanian Relief and Recovery Arrangements: Natural Disaster Relief to Local Government Policy* (TRRA). The TRRA is the mechanism of how the Australian Government provides financial assistance to the Tasmanian Government, and in turn local government, for eligible disaster recovery activities through the *Disaster Recovery Funding Arrangements* (DRFA). The revised policy has now been approved by State Government Cabinet. Important improvements have been made to the policy in response to council feedback and ongoing advocacy from LGAT:

- Increasing the time councils have to notify DPAC of eligible natural disasters from seven to 21 days.
- Increasing the time councils have to provide complete damage assessments and cost estimates for essential public assets from three to six months from an eligible disaster.

- Formalising the process for councils to request extensions beyond the 24 months allowed from the end of the financial year in which the relevant eligible natural disaster occurred to incur eligible expenditure.
- Allowing councils outside the impacted area to be reimbursed at the maximum rate (75 per cent) for costs incurred during a regional response with appropriate evidence. This will be limited to Category A costs, which excludes infrastructure. It would cover councils' costs where a council is required to open an evacuation Centre outside the impacted area.

These changes are welcome. We understand that the updated policy will be available shortly and we are speaking OSEM and DPAC on the best ways to engage local government about these and other changes.

COVID-19 Update

Since the opening of Tasmania's borders in December 2021, LGAT has continued to work with the State Government in its response to COVID-19. LGAT continues to attend the weekly COVID Control Centre meetings and provide advice out to the sector as things change. It has been fantastic to see how councils have supported the important messaging to the community around vaccination, and as other measures have changed such as check-in requirements and other COVID Safe guidance.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Local government reform
- Emergency Management

4.9 **ALGA FEDERAL ELECTION ADVOCACY**
Contact Officer – Laura Verdouw

Circular Head Council/Tasman Council

That Members note the information and request to support ALGA's Federal Election Campaign.

Carried

Background

LGAT's advocacy through the Australian Local Government Association (ALGA)'s Federal Election campaign continues.

This campaign has the following focus points and urges the Government to invest in:

- Economic recovery
- Transport and community infrastructure
- Building resilience
- Circular economy
- Intergovernmental relations.

ALGA has identified [17 national priorities](#) that, if funded, will allow the sector to do even more to drive a locally-led economic recovery, support transport and community infrastructure, build resilience, create a circular economy and better support intergovernmental relations.

You can reinforce the ALGA Federal Election campaign key messages by:

- Writing to your local members and candidates.
- Endorsing ALGA's federal election priorities.
- Identifying needed local projects and programs that could be delivered with better funding partnerships.
- Highlighting the value that strong federal funding partnerships can provide for your community.

This campaign aims to ensure local government is supported and not left behind with funding opportunities.

Materials to support this campaign are available from LGAT upon request, including template letters and social media design collateral.

Budget Impact

Being undertaken within current resources;

Current Policy

Strategic Plan

- Advocate

This campaign supports LGAT's policy and advocacy work across the five key areas listed above.

4.10 PROCUREMENT

Contact Officer – Georgia Palmer

Circular Head Council/Tasman Council

That Members note the following update on procurement support for councils.

Carried

LGAT Procurement aims to support councils to undertake best practice procurement and deliver value for money for their communities. Currently, LGAT Procurement offers a range of services including :

- 29 panel arrangements covering a broad range of goods and services, see [here](#).
- A suite of resources and model documents to support council with their procurement activities.
- Procurement training.
- specialist procurement support and advice.

LGAT Procurement Business Case

To ensure that LGAT Procurement delivers services that support councils in the work that they do, LGAT has engaged an independent consultant to work with LGAT Procurement to identify how to best structure this member service over the next few years.

Key components of the review will include contracts, roles, services, systems and approach to marketing and stakeholder engagement. The discovery phase of the consultancy has been completed and the consultants are in the process of undertaking consultation with stakeholders. The final report and business case will be completed by the end of March 2022. The findings of the consultancy report will inform LGAT Procurements strategic plan over the next three years.

Street Lighting Tender

During December, LGAT Procurement ran an energy street lighting tender for the 27 mainland councils. LGAT has facilitated this process since public lighting became contestable in 2014.

As a result of the tender, all councils will make a saving on the energy component of their street lighting bills in the coming years.

Local Suppliers and LGAT Procurement Panels

LGAT Procurement continues to undertake work to provide opportunities for more local suppliers to participate in LGAT Panels. We are doing this through regular refreshers. It is fantastic to see a number of councils using their social media platforms to ensure their local suppliers are aware of the opportunity.

Budget Implications

Being undertaken within current resources.

Current Policy

Strategic Plan

- Sector services

2022 – 23 Annual Priority

- LGAT Procurement

4.11 COMMUNITY HEALTH AND WELLBEING PROJECT

Contact Officer – Lynden Leppard

Circular Head Council/Tasman Council

That Members note the update on the Community Health and Wellbeing Project 2020- 2022.

Carried

Background

The Community Health and Wellbeing Project has been extended from June 2022 to December 2022 with additional funding. The extension will enable LGAT to continue working on two significant strategic opportunities:

- *Building Capacity for Health and Wellbeing Promotion in Tasmania: Workforce Development Strategy for Local Government (the Strategy).*
- *The Healthy Tasmania Strategic Plan 2021-2026 (the Healthy Tas Plan).*

LGAT and the Public Health Service (PHS) are continuing their collaboration on supporting councils to help improve preventive health outcomes in their local communities.

The Strategy, available on LGAT's website ([Research | LGA Tasmania](#)), is a detailed analysis of the State Government's approach to preventive health, funding for community health outcomes and recommendations for supporting the essential role that local government

already plays in community health and wellbeing. The Strategy contains a range of conclusions, including:

- “The health workforce servicing primary/ community health and health promotion is arguably the most under-developed in the federation” (p.2).
- A number of Tasmanian councils are taking the lead in developing health and wellbeing plans, implementing local programs, and supporting a range of health services to operate in their communities.
- “There is an increasing recognition world-wide of the role (and opportunity) of local government to address the social determinants of health, promote and protect health and wellbeing of communities” (p. 3).

The Strategy notes that “there is a great need for concerted, sustained, evidence-based health promotion investment and workforce development in Tasmania” (p. 3). Local government officers are essential members of that workforce. Development of a skills framework for the health and wellbeing workforce and a professional learning program are also recommendations. A state-wide workshop for council officers in December 2021 has contributed to that development.

PHS identified local government as a key stakeholder in developing the new Health Tas Plan. LGAT has provided extensive feedback during 2021. The draft Plan, to be formally released early in 2022, is likely to acknowledge the critical role that local government has in supporting preventive health action at a community level. In anticipation of this, a draft paper on clarifying the roles and relationships between LGAT and PHS on preventive health has been developed. This has been extended through early-stage discussions with individual councils through meetings between council officers, PHS, and LGAT. The engagement will shortly be broadened to allow all councils to contribute.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate
- Governance and operations.

2022 – 23 Annual Priority

- Local government reform
- Health and wellbeing.

4.12 POLICY UPDATE

Contact Officer – Ben Morris

Circular Head Council/Tasman Council

That Members note the following update on submissions and various policy matters.

Carried

Submissions

- State Emergency Service Structural Flood Mitigation Investment Policy
- Tasmanian Sport and Active Recreation Strategy
- LGAT State Budget Priority Statement 2022-23
- Blake Fire Services Act Review and Treasury Options Paper
- Scope of the Draft Tasmanian Planning Policies.

Available [here](#).

Tasmanian Housing Strategy

The Tasmanian Government, Department of Communities Tasmania (DCT), has begun consultation with experts on the development of its Tasmanian Housing Strategy. DCT has convened six Expert Panels, including:

- Demand and Affordability
- Finance and Taxation
- Planning and Land Acquisition
- Construction and Supply
- Social and Economic Infrastructure
- Consumers and Tenants.

LGAT is representing local government on the Planning and Land Acquisition panel. A number of Greater Hobart councils are represented on the Social and Economic Infrastructure panel as Hobart City Deal stakeholders.

The Planning and Land Acquisition Expert Panel met for the first time on Tuesday 8 February and was well represented. Much of the discussion dwelt on local government's role and performance in the planning system. Unfortunately, much of the evidence was provided as anecdotes without any supporting data, making it impossible to determine if these are isolated experiences or examples of widespread problems. While interesting, anecdotes remain a poor basis for public policy decisions, so an issue for this Expert Panel is the quality and reliability of evidence used to support the development of the Strategy.

LGAT will continue to advocate for:

- The Strategy to be built upon reliable data and not anecdotal examples and claims.
- Anecdotes to be used to illustrate issues borne out in data and not to be used to replace reliance on robust evidence.
- Recognition that:
 - Planning is only a small and over-emphasised step in the full process of housing supply.
 - A multitude of planning reforms have been taken in many jurisdictions.
 - Housing affordability is a national and international issue, indicating that the causal forces are likely have national and international origins that state and local initiatives have only limited ability to address.

For more information on the Tasmanian Housing Strategy see [here](#).

State Grants Commission Road Preservation Model Major Review

The State Grants Commission is undertaking a major review of the Road Preservation Model (RPM). The Commission used the RPM to determine how to allocate the Local Government Financial Assistance Identified Local Road Funding that the Australian Government provides Tasmania each year. LGAT is assisting the Commission in engaging with councils by providing advice and hosting a conversation starter online session with relevant council personnel. The Commission is also hosting more detailed workshops with councils to provide maximum opportunities for councils to ask questions and provide feedback.

The conversation starter session was recorded and is available on LGAT's Tasmanian Asset Management Group Teams site. For access to the Teams site or just to the recording, please contact Michael Edrich at michael.edrich@lgat.tas.gov.au.

For more information on the Road Preservation Model Major Review see [here](#).

Department of State Growth's 10-Year Infrastructure Project Pipeline

The Department of State Growth (DSG) is updating its 10-Year Infrastructure Project Pipeline. The Pipeline information has been published annually since 2017 and is designed to assist businesses in planning their work and making investment decisions, to support continued growth. The data collected is now being published through an online database to enable more regular updates and greater visibility to industry. The Pipeline database is available [here](#).

DSG has been working on improving its engagement with councils in collecting local government infrastructure investment information. DSG intends to create a Microsoft Teams group for key infrastructure management contacts in councils to collect information for the Pipeline. LGAT has been assisting DSG's efforts to enable better connection and interface with local government by setting up the contacts list. There are now 22 councils on this contacts list. To join this contacts list, please complete the following [form](#).

Although initially after infrastructure projects of \$5 million in value and over, DSG is also looking into ways to capture projects below this threshold to better communicate to industry the investment occurring right across Tasmania. This may include ways of aggregating data from groups of similar projects in a region, such as road maintenance spend.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2022 – 23 Annual Priority

- Planning

4.13 LGAT EVENTS UPDATE

Contact Officer – Georgia Palmer

Circular Head Council/Tasman Council

That Members note the report on LGAT events.

Carried

LGAT has locked in the forward plan for professional development, training and events in 2022 and has recently appointed an events and training co-ordinator to support the delivery of the program.

The events and training program this year provides several opportunities for elected members and officers to attend key policy issue workshops as well as the more traditional targeted professional development events and conference. Providing a suite of offerings throughout the year.

A sponsorship prospectus for a number of these events has been developed and sponsors and partners are currently being locked in.

The following provides a summary of our upcoming events.

17 March	Mayor Professional Development Day	The Professional Development Day will include a workshop focused on the Future of Local Government Review and will form part of the broader engagement LGAT is undertaking as part of the review
7-8 April	General Managers workshop	Details currently being finalised.
Date to be confirmed	Elected Member Weekend	The elected member weekend planned for March was postponed due to COVID concerns. A new date for this event is currently being confirmed. The elected member weekend provides elected members a great opportunity for professional development and networking.
25 May	Climate Change Workshop	The Climate Change workshop is currently being developed.
1 June	Senior Leaders Workshop	This workshop is by invitation only and supports the development of senior leaders within the sector.
August	Pre- Election Workshops	LGAT in conjunction with partners will be running a number of pre-election workshops around the state to provide people interested in standing for Local Government an overview of the benefits and the roles and responsibilities of becoming an elected member.
31 August	Liveability Workshop	The Liveability workshop is currently being developed.
15 September	Mayors Workshop	Program yet to be confirmed.
9-10 November	GMs Workshop	Program yet to be confirmed.
2-3 December	LGAT Annual Conference	Theme and program yet to be confirmed. This year the conference has been moved to December to align with the local government elections, enabling new councillors the opportunity to attend the conference, build understanding of crucial issues for the sector and network with colleagues.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Sector services

2022 – 23 Annual Priority

- Climate change
- Health and wellbeing
- Sector development.

4.14 ANNUAL PLAN *

Contact Officer – Ben Morris

Circular Head Council/Tasman Council

That Members note the report against the Annual Plan.

Carried

Background

An **Attachment to Item 4.14** is a copy of the LGAT Annual Plan and progress to date.

5. OTHER BUSINESS & CLOSE

There being no further business the President, Mayor Christina Holmdahl, declared the meeting closed at 12.20pm.

Item 1.1

Total Responses: 53

1.1: Confirmation of Minutes

Circular Head Council/Kingborough Council

That the Minutes of the General Meeting held on 3 December 2021, as circulated, be confirmed.

1. For 53
 2. Against 0
 3. Abstain 0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	For	1
George Town Council	For	1
Glamorgan/Spring Bay Council	[No Response]	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	For	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2

Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1


Item 1.2)

Total Responses: 53

1.2: Business Arising

Southern Midlands Council/Glenorchy City Council

That Members note the following information on Business Arising.

1. For  52
 2. Against 0
 3. Abstain 1



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	For	1
George Town Council	For	1
Glamorgan/Spring Bay Council	Abstain	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2

Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Item 1.3

Total Responses: 50

1.3: Confirmation of Agenda & Order of Business

Meander Valley Council / Waratah Wynyard Council

That consideration be given to the Agenda items and order of business.

-
1. For 49
 2. Against 0
 3. Abstain 1



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	[No Response]	4

Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	For	1
George Town Council	For	1
Glamorgan/Spring Bay Council	Abstain	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	For	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Item 1.4

Total Responses: 53

1.4: Follow up of Motions

George Town Council / Northern Midlands Council

That the meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising.

-
- 1. For 53
 - 2. Against 0
 - 3. Abstain 0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	For	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Items 1.5 to 1.6

Total Responses: 47

1.5: Presidents Report

Southern Midlands Council/ Derwent Valley Council

That the President and CEO's reports for the period 19 November to 1 March 2022 be endorsed.

- 1. For 47
- 2. Against 0
- 3. Abstain 0



Participant	Response	Weight
Break O'Day Council	[No Response]	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	[No Response]	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	For	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2

Southern Midlands Council	For	1
Tasman Council	[No Response]	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Item 1.7

Total Responses: 49

1.7: Council Round Ups

Flinders Island Council/City of Hobart

That Members determined Flinders Island Council will present at the next meeting.

1. For 49
 2. Against 0
 3. Abstain 0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	[No Response]	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	For	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3

King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Item 2.1




Total Responses: 51

2.1 Motions – Options for Differential Rating – Vacation Rental Properties

Amendment Motion

City of Launceston/Southern Midlands Council

That LGAT investigate mechanisms to enable councils to differentially rate vacation rental properties and bring back to the next general meeting for a discussion and decision.

1. For  48
 2. Against  3
 3. Abstain  0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	Against	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	Against	1
Flinders Council	Against	1
George Town Council	For	1

Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	[No Response]	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Item 2.1

Total Responses: 53

2.1 Motions – Options for Differential Rating – Vacation Rental Properties

Break O'Day/City of Hobart

That LGAT investigate mechanisms to enable councils to differentially rate vacation rental properties and bring back to the next general meeting for a discussion and decision.

- 1. For 49
- 2. Against 4
- 3. Abstain 0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	For	1

Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	For	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	Against	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Item 2.2

Total Responses: 53

2.2: Motion – Fringe Benefits Tax – Electric Vehicles

Amendment Motion

George Town Council / Break O'Day Council

That LGAT advocate to the Federal Government for the removal/exemption of FBT on Electric Vehicles and all zero emission vehicles where use is restricted to travel between home and work.

1. For 48
 2. Against 2
 3. Abstain 3



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	Against	1
Flinders Council	Against	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	Abstain	3
Northern Midlands Council	For	2

Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Item 2.2

Total Responses: 56

2.2 Motion – Fringe Benefits Tax – Electric Vehicles

Brighton Council /Southern Midlands Councils

That LGAT advocate to the Federal Government for the removal/exemption of FBT on electric vehicles and all zero emission vehicles where use is restricted to travel between home and work.

- 1. For  50
- 2. Against  6
- 3. Abstain 0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	Against	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	Against	3
Dorset Council	Against	1
Flinders Council	Against	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4

Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	For	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Item 2.3

Total Responses: 52

2.3: Motion – Derelict and Abandoned Buildings

Clarence City Council / Circular Head Council

That LGAT lobby the State Government to investigate a legislative mechanism to provide local government authorities with enhanced power to appropriately act on dilapidated, derelict and abandoned buildings.

1. For 48
2. Against 4
3. Abstain 0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	[No Response]	4

Derwent Valley Council	For	2
Devonport City Council	Against	3
Dorset Council	For	1
Flinders Council	Against	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	For	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Item 2.4

Total Responses: 51

2.4: Motion – Fire Bunkers

Kingborough Council / City of Hobart

That LGAT lobby the State Government and TasFire Services to investigate the accreditation of fire bunkers and other structures legalised in other Australian states for use in Tasmania.

- 1. For 33
- 2. Against 17
- 3. Abstain 1



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	Abstain	1
Circular Head Council	Against	1
Clarence City Council	[No Response]	4
Derwent Valley Council	For	2
Devonport City Council	Against	3
Dorset Council	Against	1
Flinders Council	Against	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	Against	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	Against	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	Against	2
Southern Midlands Council	Against	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1




Item 2.5

Total Responses: 53

2.5 Motion – Our Watch

Northern Midlands Council / George Town Council

That LGAT lobby the State Government to initiate and fund the development and implementation of a family and sexual violence prevention framework for local government across the state.

1. For  50
2. Against  1
3. Abstain  2



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	Abstain	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	Against	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1
Kingborough Council	[No Response]	3
King Island Council	For	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2

Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

Items 4.1 to 4.14

Total Responses: 49

Item:

Circular Head Council / Tasman Council

That Items 4.1 to 4.14 be endorsed.

1. For 49
2. Against 0
3. Abstain 0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	[No Response]	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	For	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	[No Response]	2
Kentish Council	For	1

Kingborough Council	[No Response]	3
King Island Council	For	1
Latrobe Council	[No Response]	2
Launceston City Council	For	4
Meander Valley Council	For	3
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3
LGAT LGAT	[No Response]	1

General Meeting 18 March 2022

Item No			
2	Items for Decision		
2.1	Motion – Options for Differential Rating – Vacation Rental Properties	That LGAT investigate mechanisms to enable councils to differentially rate vacation rental properties and bring back to the next general meeting for a discussion and decision.	Refer Item 8
2.2	Motion – Fringe Benefits Tax - Electric Vehicles *	That LGAT advocate to the Federal Government for the removal/exemption of FBT on electric vehicles and all zero emission vehicles where use is restricted to travel between home and work.	Refer Item 6 Follow up of Motions
2.3	Motion – Derelict and Abandoned Buildings	That LGAT lobby the State Government to investigate a legislative mechanism to provide local government authorities with enhanced power to appropriately act on dilapidated, derelict and abandoned buildings registers and to charge levies in respect to those properties.	Refer Item 9.8
2.4	Motion – Fire Bunkers	That LGAT lobby the State Government and TasFire Services to investigate the accreditation of fire bunkers and other structures legalised in other Australian states for use in Tasmania	Refer Item 6 Follow up of Motions
2.5	Motion - Our Watch	That LGAT lobby the State Government to initiate and fund the development and implementation of a family and sexual violence prevention framework for local government across the state.	Refer Item 6 Follow up of Motions
4	Items for Noting		
4.1	Future of Local Government Review		Refer Item 9.1
4.2	Local Government Act and Code of Conduct		Refer to Item 9.2
4.3	Waste and Resource Recovery		Ensure the deal for King Island, Flinders and West Coast councils are not financially disadvantaged by the new legislation
4.4	Climate Change		Refer Item 9.7
4.5	Infrastructure Contributions		Refer Item 9.5
4.6	Planning Update		Refer Item 9.6
4.7	Stormwater Regulation in Development		No further action
4.8	Emergency Management Update		Refer Item 9.9
4.9	ALGA Federal Election Advocacy		No further action
4.1	Procurement		Refer Item 9.10
4.11	Community Health and Wellbeing		Refer Item 9.13
4.12	Policy Update *		Ongoing
4.13	LGAT Events Update		Refer Item 9.11
4.14	Annual Plan Reporting *		Refer Item 9.14

Follow up of Motions Report				
Report to General Meeting				
This report details motions where LGAT is actively pursuing an outcome				
Motion	Topic	Sub-topic	Meeting date	Member Update
That LGAT investigate mechanisms to enable councils to differentially rate vacation rental properties and bring back to the next general meeting for a discussion and decision.	Planning	Differential Rating	18/03/2022	A paper is provided in this meeting's agenda (September 2022). The City of Hobart has recently approved the implementation of differential rates for short stay accommodation and vacant land.
That LGAT advocate to the Federal Government for the removal/exemption of FBT on electric vehicles and all zero emission vehicles where use is restricted to travel between home and work.	Finance	Electric Vehicles	18/03/2022	On 27 July 2022 the Treasury Laws Amendment (Electric Car Discount) Bill 2022 was introduced into the Federal Parliament. The bill removes fringes benefits tax for battery electric cars, hydrogen fuel cell electric cars and plug in hybrid electric cars under the luxury car tax threshold (\$84,916 in 2022-23) from 1 July 2022. This is estimated to save an employer, on a \$50,000 vehicle, \$9,000 a year. The Bill also removes the five per cent import tariff for eligible electric cars. These measures are in line with the policy that the Australian Labor Party took to the election. This resolution will be closed following the September 2022 General Meeting.
That LGAT lobby the State Government to investigate a legislative mechanism to provide local government authorities with enhanced power to appropriately act on dilapidated, derelict and abandoned buildings registers and to charge levies in respect to those properties.	Building	Abandoned buildings	18/03/2022	There are a range of powers available to local government to address these issues, with some apparent gaps. This has been summarised into a paper in this meeting's agenda (September 2022). The paper outlines LGAT's next steps where uncertainty exists.
That LGAT lobby the State Government and TasFire Services to investigate the accreditation of fire bunkers and other structures legalised in other Australian states for use in Tasmania.	Building	Fire Bunkers	18/03/2022	After engaging with CBOS and TFS on the responsibilities of councils and private landowners in approving a fire bunker, LGAT have written to the Minister for Workplace Safety and Consumer Affairs. LGAT have requested that the Minister, through CBOS and the TFS, work with councils on clarifying the responsibilities and duties of landowners in obtaining the necessary permits to construct a fire bunker on private property. LGAT additionally requested that the Minister provide clarification around any potential benefits of an accreditation system for fire bunkers in Tasmania.
That LGAT lobby the State Government to initiate and fund the development and implementation of a family and sexual violence prevention framework for local government across the state.	Society	Family and sexual violence	18/03/2022	<p>LGAT wrote to the Minister and received a reply on 1 June 2022.</p> <p>The Minister acknowledged the unique role of local government in engaging in primary prevention action to decrease family and domestic violence. In the response, Minister Petrusma also congratulated councils for the work achieved over recent years. She made specific mention of the community of practice made up of 13 councils and the three councils working to implement the Our Watch Workplace and Equity and Respect Standards.</p> <p>The Department of Communities will be in touch with LGAT to discuss the ongoing partnership with Our Watch and the work to develop the framework.</p> <p>The letter confirms funding for the Senior Advisor Tasmania role in the 2022-23 Budget. The position is currently vacant.</p>

That the Local Government Association of Tasmania call upon the Tasmanian State Government to address the use of Tiny Houses and Self Contained Caravans for alternative accommodation with appropriate standards in planning schemes or other legislation to provide for the safe and healthy use and addressing needs for affordable housing whilst balancing the potential poor planning and environmental outcomes.	Planning	Tiny Houses	3/12/2021	LGAT has discussed this matter with council permit authorities and planners, as well as with CBOS officers. LGAT has written to the Director of Building Control at CBOS and the State Planning Office for action. LGAT has also raised issue for consideration at the Expert Panel meetings of the Tasmanian Housing Strategy.
That LGAT advocate to the State Government for the introduction of a consistent State-wide approach to infrastructure charges to ensure that the burden of public infrastructure provision is shared equitably between developers and communities.	Infrastructure	Infrastructure Charges	3/12/2021	LGAT has prepared a Discussion Paper and is conducting workshop sessions on its findings and recommendations. This will form the basis for further advocacy to the Tasmanian Government. An update paper is provided in this meeting's papers (September 2022).
That LGAT lobby the State Government to investigate amending the Land Use Planning and Approvals Act 1993 to provide alternative mechanisms for consideration of the development applications submitted by elected members as a means to removing any perception of bias or conflict of interest. The investigation shall provide the pros and cons of any (alternative) solutions.	Planning	LUPAA Amendment Conflicts of Interest	3/12/2021	Councils and elected members role in development assessment is a focus area for Stage 2 of the Future of Local Government Review. LGAT has provided this resolution to the Review team for consideration during the review.
That LGAT continue to lobby the State Government to implement funding change by- a.A 3 year, phased in reinstatement of the equitable distribution of the heavy motor vehicle road tax distribution to the percentage of funds collected; and b.A one off additional annual payment allocation of the heavy motor vehicle road tax distribution as compensation for 25 years of no indexation of the funding allocation and to support enhanced road infrastructure development in all local government areas.	Finance	Heavy Vehicle Road Tax	5/08/2021	LGAT has met with Department of State Growth representatives in several forums to advocate for this issue and reveal how it stands within Government. LGAT has also raised the issue in the Legislative Council Select Committee's Road Safety in Tasmania Inquiry. LGAT has prepared a plan for broader advocacy and is actioning it.
That LGAT lobby the State Government on behalf of all Local Councils for the implementation of a state development policy to make suitable crown land made available for all types of renewable energy project developments to support social and economic benefit to Tasmania.	Energy	Renewable energy projects on Crown Land	5/08/2021	LGAT met with Renewables Tasmania to discuss the development of a state development policy to make suitable crown land available for renewables project. LGAT has also written to the Minister requesting advice on how the State Government plans to examine suitability for renewable projects on crown land. The letter also reiterates the importance of effective community engagement in this process.
The Tasmanian local government sector confirms its commitment to ensuring a safe workplace for elected representatives and staff and, that LGAT calls on the State Government to commission a review of the workplace health and safety of the Local Government sector for elected representatives.	Governance	Workplace health and safety	5/08/2021	Edge Legal has been engaged to undertake a review of the workplace health and safety of elected representatives. The preliminary findings of the review were presented to the LGAT AGM in July 2022. The draft report is expected to be provided to the sector in coming weeks, with the final report before the end of September 2022.

That LGAT lobby the State Government to urgently review recent Resource Management and Planning Appeal Tribunal and Supreme Court planning decisions with a view to amending the statewide planning scheme provisions to take account of any recent issues and to ensure loopholes are not exploited resulting in development contrary to the intention of the provision of the scheme.	Planning	Statewide Planning Scheme Provisions	5/08/2021	LGAT wrote to the Minister seeking that (1) this issue is picked up in the current review of the State Planning Provisions and (2) an effective maintenance program is employed to identify and respond to similar issues as they arise. The Minister referred this matter to the State Planning Office (SPO), who has provided a partial answer to the questions posed. A follow-up letter has been sent to the SPO for the remaining answers.
That LGAT Lobby the State Government to develop an integrated regional housing supply strategy in partnership with the federal government and the private sector to deliver a diversified housing supply to all the areas of housing undersupply across the state.	Planning	Regional housing supply strategy	5/08/2021	LGAT has been actively involved in housing discussions and advocacy across a number of fronts. This has included both state and national initiatives. LGAT has achieved commencement on the updating the regional land use strategies to improve land supply for new housing development. We continue to advocate for this work to occur as swiftly as possible. In addition, the State Government is developing a Tasmanian Housing Strategy and recently hosted a housing reference group, which LGATs CEO participated on. This resolution will be closed following the September 2022 General Meeting.
That LGAT lobby the State Government on behalf of all Local Councils for the early completion of Coastal Hazards Management for Existing Settlements and Values project, with a final report and recommendations being made publicly available.	Climate change	Coastal Hazards Project	5/08/2021	LGAT has written to the Minister for Climate Change and Minister for Environment regarding this resolution. No response was received. The leader of the opposition, asked the Minister for Climate Change in House of Assembly Estimates Committee 8 June 2022 about the work. The agency and Minister responded that it is informing land use planning work and the Climate Change Action Plan, and feedback had been provided, but the report will not be released. The resolution will be closed following the September 2022 meeting.
That LGAT lobby the State Government on behalf of all Local Councils for the implementation of a local community based engagement strategy to inform and empower local communities to have better understanding of the policy contents and opportunities for social and economic wellbeing through enhancing a strong and growing renewables industry across Tasmania.	Energy	Community based engagement strategy	5/08/2021	The State Government has included community engagement as one of the pillars for success in the Tasmanian Renewable Energy Coordination Framework. The State Government will shortly be releasing guidelines for community engagement for project proponents, which some councils have contributed. This resolution will be closed following the September 2022 meeting.
That LGAT lobby the State Government on behalf of all Local Councils for the implementation of a coordinated long term 10 Year strategic asset management plan to be implemented by the Tasmanian Parks and Wildlife Service for all their customer facing public use assets and infrastructure services.	Infrastructure	Parks and Wildlife Service Infrastructure	5/08/2021	LGAT has written to the Minister for Parks regarding this resolution. No response has been received to date.
That LGAT lobby the State Government on behalf of all Local Councils for improved & mandated Environment Protection Authority (EPA) transparency, community facing participation and engagement processes in the assessment of development proposals for which the Environment Protection Authority have levels of responsibility in determining recommendations and approvals.	Planning	EPA Planning Assessment	5/08/2021	The meeting between LGAT, EPA and representatives from councils intended for July to review the MoU between LGAT and the EPA did not go ahead. The EPA decided not to proceed due to low numbers. LGAT is currently in discussion with the EPA to develop an agreed process for MOU development and consultation. A survey was sent to all councils in June has been analysed and will be used in MoU development.

That LGAT lobby the State Government on behalf of all Local Councils for the inclusion of assistance animals into the Dog Control Act 2000 section 28(2) as they provide a valuable community wellbeing service.	Health and community services	Assistance dogs	5/08/2021	<p>LGAT has been advised that the Tasmanian Government is currently participating in the development of agreed national principles that will frame the development of a Tasmanian legislative and regulatory framework for assistance animals.</p> <p>A discussion paper on assistance animals in Tasmania is being developed. The paper provides an overview of assistance animals legislation in Tasmania, the Commonwealth and other jurisdictions as well as some options for progressing with assistance animal legislative amendments. The paper includes a description of the assistance animals legislative frameworks in other states and territories. Once the National Principles are finalised and endorsed the discussion paper will be finalised and the Department of Communities will develop a consultation process with key stakeholders. The Department has reiterated to LGAT that it recognises that local government is a key stakeholder. This resolution will be closed following the September 2022 meeting.</p>
That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas.	Planning	Shipping Containers	3/12/2020	LGAT has raised this matter as part of the State Planning Provisions review. This resolution will be closed following the September 2022 meeting.
That LGAT calls on the State Government to increase or share resourcing to Local Governments to meet the increasing EPA regulatory and compliance functions required to be provided by Local Governments. This should include the resourcing and authorisation of Council Officers to facilitate illegal dumping enforcement on crown land.	Waste and circular economy	Illegal dumping on Crown Land	3/12/2020	In addition to the work with EPA on an updated MoU, the Waste and Resource Recovery Board has recently been appointed. The Board will determine how funds from the landfill levy will be invested. LGAT has commenced advocating for investment into prevention and management of illegal dumping. In addition, LGAT has written to the EPA Director on this resolution.
That LGAT coordinate arrangements for a more collaborative arrangement between Local Government and State Government and all compliance agencies with responsibilities that include dog control and wildlife management and protection.	Animals and wildlife	Dog Control and Wildlife Management	3/12/2020	PWS has been developing draft policies relevant to the issues councils officers have raised on responsibilities and role clarity. LGAT is consulting with PWS on a consultation approach that will engage the knowledge and experience of council officers. That is likely to begin in September 2022.
That LGAT ask the Tasmanian Government to improve and increase its education and enforcement programs for the conservation of shorebirds and other coastal wildlife values	Environment	Shorebirds and Coastal Wildlife Values	3/12/2020	PWS has been developing draft policies relevant to the issues councils officers have raised on responsibilities and role clarity. LGAT is consulting with PWS on a consultation approach that will engage the knowledge and experience of council officers. That is likely to begin in September.
That LGAT: Advocate on behalf of all Councils the deep concern at the level of the Fire Service Contribution that councils are expected to collect from ratepayers each year on behalf of the State Fire Commission; and Seek justification for the excessive level of financial burden that has been imposed over the last five years.	Emergency management	Fire Services Levy	25/07/2018	In July 2022, the Minister for Police, Fire and Emergency Management resigned with Felix Ellis MP being elevated to Cabinet. LGAT are awaiting an update from the State Government on the progress of the review.

**8.1 DIFFERENTIAL RATING ADVICE FROM THE OFFICE OF THE VALUER-GENERAL
CONTACT OFFICER – BEN MORRIS**

The following information on the Valuation Property Classification Code for short stay accommodation was provided by Ian Mason, Acting Valuer-General, Office of the Valuer General to LGAT. The information was written for Valuers within the Office and for contract valuers and should be read with that context in mind.

The *Short Stay Accommodation Act 2019* came into effect on 4 June 2019. The legislation requires new and existing short stay premises providers to have a planning permit or evidence of existing use rights under section 12 of the *Land Use Planning and Approvals Act 1993*. This must be supplied to their booking platform provider by no later than 4 December 2019 or significant penalty provisions apply. The booking platform provider is required to display the relevant planning permit number or a statement that a planning permit is not required. Consequently, council planning officers are assessing a large number of planning applications and we are receiving many notifications via council Supplementary Lists for “Change of Use” to Short Stay Visitor Accommodation.

Short stay visitor accommodation refers to premises that are let out to paying guests for overnight accommodation. This may be for a very short period (one or two nights) or for extended periods (a number of weeks). The term “Short Stay” describes accommodation as being on a temporary basis, rather than longer-term residential use. Short stay accommodation does not include the letting out of premises under a residential tenancy agreement in accordance with the *Residential Tenancy Act 1997*.

Short stay visitor accommodation refers to short stay residential accommodation let out to guests through a dedicated booking platform, such as Airbnb, HomeAway or Booking.com. It does not apply to hotels, motels, caravan parks or Bed and Breakfast (B & B) establishments. To qualify as short stay visitor accommodation the entire premises must be permanently available for visitor letting; not simply a room within a dwelling where the owner or occupier also resides and not let out on a temporary basis while the owner or occupier is on vacation or temporarily absent.

The Office of the Valuer-General (OVG) has created a new Valuation Property Classification Code (VPCC) to identify short stay visitor accommodation and provides Councils with an ability to differentially rate based on classification, if they so desire. The new VPCC is R7 – Short Stay Visitor Accommodation. This is a subset of the “Residential” super-group. A residential primary classification is considered appropriate due to the basis of valuation and application of Adjustment Factors.

The approval of short stay visitor accommodation in private dwellings in terms of compliance with town planning and associated requirements, is a matter entirely for Municipal Councils and the OVG will have no involvement in making determinations regarding use. The OVG will code properties as short stay visitor accommodation only on written notification from council and any landowner queries regarding our "R7" classification should be directed to the respective council for response. If we identify a property on supplementary action that appears to meet the criteria for "R7" classification and we have not received notification of such from council we should request that council investigate and submit a "Change of Use" request prior to making any amendment to the VPCC. Prior to commencing the 2020-21 fresh valuation of ten (10) municipal areas we will request that councils provide a list of all short stay accommodation premises in their municipal area for appropriate updating by the OVG.

Property Description should not alter following a change of use and reclassification as "R7". If a property was a Dwelling with "R1" classification before receiving approval for use as short stay accommodation it will remain a Dwelling but with "R7" classification. The same basis will apply for "R5" Dwellings outside town boundaries and strata titled "R3%" Dwelling Units.

Although approved for use as short stay visitor accommodation the basis of valuation is most unlikely to change (primarily summation valuation approach). To date there is no evidence to suggest a level of value greater for a premises operated as visitor accommodation to that of an identical property not operated as such.

By classifying as "R7" we will be able to segment the market of residential sales and identify any difference in market levels of value. In undertaking statutory valuations we operate under a valuation of land act; not a valuation of the nature and intensity of residential use. We don't differentiate between dwellings that are owner-occupied to those which are leased to tenants; to those which are unoccupied; to those which have one occupant and others which have ten occupants. We may increase the added value of improvements due to construction of additional amenities and may increase the AAV on the basis of shared accommodation but this is no different to what we would do for a private dwelling without a short stay accommodation permit.



Tasmanian State Planning Office

Local Government Engagement Timeline 2022-23

Phase 2 Planning Reforms, State Planning Provisions Review, Legislation & other initiatives – July 2022 Update

 Tasmanian Planning Policies (TPPs)	 State Planning Provisions Review (SPPs)	 Regional Planning Framework
 Container Refund Scheme RLUS Amendments	 SPP Minor Amendments Legislation	 Legislation
		

Proposed Date	Information Only	Feedback Opportunity	Workshop
March 2022 COMPLETED	State Planning Office Work Program Update presentation available on website		
June 2022 COMPLETED	LUPAA Amendment Bill (major projects) – Consultation report, submissions and ‘what’s next’ available on website		
Late April 2022 COMPLETED	TPPs Report on Scoping Consultation and ‘what’s next’ available on website		
Early May to Mid/Late June 2022 COMPLETED		Consultation on STRLUS Amendment relating to regional town growth strategies in accordance with s.12C(2) of LUPAA – southern councils, TPC, State agencies and State authorities	STRLUS discussion had at Southern Planners TRG meeting on 14 June 2022
Late May to Late July 2022 ONLINE SESSION COMPLETED		SPPs Review Scoping Paper released seeking public feedback on issues to be addressed through SPPs Review	SPPs Review Scoping Paper Overview - Online presentation and Q&A session held 23 June 2022 – presentation available on website

Proposed Date	Information Only	Feedback Opportunity	Workshop
		2-month consultation period - extended until 12 August	
Mid June – Mid July COMPLETED	SPPs minor amendments (previously consulted on) - Gazette notice and letters to councils as required by LUPAA (4 weeks before it comes into effect – 20 July 2022) Planning Directive No. 8 and Planning Directive No. 5.1 Modifications will also be made to align with the SPPs minor amendments (4-week transition period until they apply – 20 July 2022)		
May to July 2022 MOST SESSIONS COMPLETED			SPO Work Program Update - presentations to local council planning staff at regional planning meetings on SPO Work Program, including RLUS reviews and funding of strategic planning studies, drafting of TPPs, Regional Planning Framework and SPPs Review <ul style="list-style-type: none"> • STCA Meeting – 23 May 2022 • Southern TRG Meeting – 14 June 2022 • Cradle Coast Regional Planning Meeting – 30 June 2022 • Northern Regional Planning Meeting – 27 July 2022
June to July 2022		Consultation on SPP amendment for Container Refund Point in accordance with s.12C(2) of LUPAA – councils, TPC, State	

Proposed Date	Information Only	Feedback Opportunity	Workshop
		agencies and State authorities 5 week consultation – closes 25 July	
July to August 2022		Consultation on draft planning directive for Container Refund Scheme 5 week consultation closes late August 2022	
August to November 2022		Regional Planning Framework – Local strategic planning documents – review guidelines for structure plans and the preparation of other locals strategic planning documents	Regional Planning Framework Workshops with council staff to assist with preparation – potential workshops in each of 3 regions
September - October 2022		Consultation on draft TPPs in accordance with s.12C(2) of LUPAA – councils, TPC, State agencies and State authorities 6-week consultation period	Draft TPPs online presentation to explain consultation under s.12C(2) of LUPAA
August to December 2022			SPPs Review workshops with council staff to assist with triaging scoping paper issues – potentially across regions <ul style="list-style-type: none"> • assist with further defining and prioritising issues • identify separate projects to consider issues in detail for progression through SPPs amendments
Following on from workshops as above Ongoing			Establish and run SPP Review Technical Reference Groups/Consultative Groups with council staff and other key stakeholders

Proposed Date	Information Only	Feedback Opportunity	Workshop
			<p>for each identified separate project to address issues – seek local government nominations through LGAT</p> <ul style="list-style-type: none"> • help inform detailed review of parts of SPPs – based on topics/themes/issues • inform content of SPPs amendments
November 2022 to Jan2023		<p>Regional Planning Framework Project - Release of Discussion Paper for public feedback 3-month consultation period</p>	<p>Regional Planning Framework Project Discussion Paper Online Q&A session (during the consultation period on Discussion Paper) – December 2022</p>
Early 2023?		<p>Draft TPPs public exhibition by Tasmanian Planning Commission</p>	
Early 2023?		<p>Regional Planning Framework Workshops Release of consultation report post discussion paper.</p>	<p>Regional Planning Framework Workshops with council staff to assist with preparation – potential workshops in each of 3 regions</p> <ul style="list-style-type: none"> • consider feedback from Discussion Paper • help inform Regional Planning Framework
Late 2023 to early 2024			<p>TPPs implementation through SPPs to be worked through with council staff and other key stakeholders</p>
As required		<p>SPPs amendments consultations - Consultation and public exhibition as required by LUPAA</p>	



LGAT Annual Plan 2022 Progress Report

September 2022

Commenced	Commenced, but progress delayed
Completed	Not yet commenced

Area	Focus	KPI – process and outcome	Progress	Comments
Local government reform	<p>Direct and concerted effort to ensure a local government review that considers with an open mind the needs and opportunities for councils, understanding functions and services, as distinct from democratic representation.</p> <p>The objective of the review should be to create a more robust and capable system of local government to support and service communities.</p>	<p>Process LGAT is directly involved in designing the process so that the review is broad, inclusive and considers democratic representation and function.</p> <p>Outcome The review provides a comprehensive picture of the value and status of councils and a snapshot of communities' current and future needs and challenges.</p>		<p>Process LGAT continues to be directly engaged at the GMC and Executive level. GMC provided nominees to the Stage 2 focus groups from within LGAT and from the local government sector.</p> <p>LGAT has been funded to directly engage with local government at an elected member and officer level. Building on the engagement in Stage 1, we will be running online workshops to inform sector participants for the focus group discussions across the six priority reform areas.</p> <p>Outcome The Stage 1 Interim Report, including the community engagement findings, has been released. The interim report has reflected many of the themes that were identified in LGAT's local government engagement. However, as the report notes, community engagement in Stage 1</p>

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Area	Focus	KPI – process and outcome	Progress	Comments
				<p>was limited, with efforts to increase this through Stage 2. LGAT wrote to the Minister strongly suggesting that additional time (three months) be provided for Stage 2 to allow for deeper and broader engagement. A third research paper, produced by UTAS, <i>Place shaping and the future role of local government in Tasmania: evidence and options</i> has been published with a response from the Review Board.</p>
Waste and resource recovery	Ensure that waste levy, Container Refund Scheme (CRS) support local government to deliver improved resource recovery across the state.	<p>Process LGAT maintains its role as a leading voice and trusted advisor in the waste and resource recovery policy arena.</p> <p>Outcome Implementation of the statewide waste levy and CRS as proposed by local government.</p>		<p>Process LGAT provided nominees for the Waste and Resource Recovery Board, who have now been appointed, including our nominee Glenn Doyle from the City of Hobart. LGAT strongly and successfully advocated to the State Government on improved engagement with local government and continues to argue for clarity on remote council arrangements and ongoing funding for the three regional waste groups.</p> <p>Outcome Successful - both the waste levy and CRS have been implemented in accordance with local government wishes.</p>



Area	Focus	KPI – process and outcome	Progress	Comments
Planning	<p>Continued advocacy for support for councils to apply the Tasmanian Planning Systems, including ensuring a comprehensive engagement process as part of the next stages of reform.</p> <p>Ensure the Government maintains its attention on the strategic components of our planning system, including the Tasmanian Planning Policies (TPPs) and Regional Land Use Strategies (RLUS).</p>	<p>Process Strong collaboration with local government on the development of the TPPs and the RLUS.</p> <p>Outcome A comprehensive suite of fit-for-purpose policies that respond to the community’s future desires for their local areas via the planning system.</p>		<p>Process We worked closely with the local government sector to develop our response to the TPPs with a strong ‘ready for growth’ message.</p> <p>Outcome The draft TPPs are yet to be released.</p>
Climate change	<p>Advocacy for the State Government to:</p> <ul style="list-style-type: none"> - Provide support for local government for increased understanding of, and response to, their climate risks and options. - Collaborate with councils to access the opportunities through reducing emissions, such as shifting energy sources for transport. 	<p>Process Strong collaboration with local government on addressing climate risk and opportunities through emissions reduction.</p> <p>Outcome Improved council understanding of climate risk and availability of programs for councils to reduce their emissions and promote to their communities.</p>		<p>Process The new Climate Action Plan has not been released. Wit is waiting on the Climate Change (State Action) Bill to be debated in State Parliament.</p> <p>There is ongoing collaboration with RECFIT for emissions reduction and climate risk and adaptation.</p> <p>Outcome In May 2022, LGAT held its first and highly successful Climate Change Conference – with 75 attendees – Mayors, Deputy Mayors, councillors, General Managers and officers. The Conference heard of the challenge and opportunity that climate change presents from a</p>

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				national, state and local perspective and what is already being done to address it.
Emergency management	<p>Advocacy for acknowledgement and support for the role of local government in emergency management.</p> <p>Ensure that local government’s position is reflected in the updated <i>Fire Services Act 1979</i>.</p>	<p>Process Strong collaboration and engagement with local government in supporting capability and capacity in emergency management and the associated legislative reform.</p> <p>Outcome Increased State Government support to strengthen local government’s capability and capacity in emergency management.</p> <p>New <i>Fire Services Act 1979</i> provides for greater equity on the Fire Services levy and supports the sector’s position on SES.</p>		<p>Process LGAT continues to advocate for increased support to build local government capability and capacity in emergency management through formal representation on steering committees and working groups and directly to the Minister’s Office.</p> <p>Outcome The final Blake Report on the <i>Fire Services Act 1979</i> reflected many of the points raised by LGAT and councils. Earned media has strongly supported LGAT’s advocacy. While work has continued by the Government and engagement with LGAT remains strong, a draft Bill is yet to be released.</p>
Health and wellbeing	Advocacy for funded health and wellbeing capacity within local government, including structured professional development for council officers.	<p>Process Strong collaboration between government agencies and local government in place-based approaches to community health and wellbeing. Written collaborative agreement between the Public Health Service and LGAT.</p> <p>Outcome</p>		<p>Process LGAT has worked with Public Health Services (PHS) and council officers to develop a paper on the respective roles of LGAT and PHS on progressing preventive health in the community. The paper will be formally provided to councils for comment.</p> <p>Outcome</p>

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Area	Focus	KPI – process and outcome	Progress	Comments
		Increased State Government recognition of local government’s role in improving community health and wellbeing outcomes. Increased financial and resource support for local government to improve community health and wellbeing outcomes.		The Healthy Tasmania plan has acknowledged the critical role that local government plays, with LGAT a member on the Healthy Tasmania Planning and Implementation Advisory Group. The Advisory Group responsible for setting the actions priorities under the Healthy Tasmania plan.
LGAT Procurement	A strategic review of LGAT Procurements’ opportunities and challenges to ultimately enable growth in the resources, services and advice that assist councils.	<p>Process Commit additional resources to provide greater support for the delivery of the plan</p> <p>Outcome Development of a multi-year plan to deliver procurement best practice that provides value for councils.</p>		<p>Outcome The Strategic review has been completed and a multiyear plan to deliver procurement best practice has been developed.</p> <p>Process Funding for year one of the plan has been agreed. Implementation of the new initiatives identified in the plan has begun with one of the two new positions advertised in August.</p>
Sector Development	Support the professional development of officers and elected representatives for good governance, good workplaces and for better community outcomes.	<p>Process Strong collaboration with our members to understand and then deliver relevant training and events.</p> <p>Outcome Undertake events that inform and build the capability and capacity of local government, with the income supporting other member services.</p>		<p>Process During 2022 LGAT has delivered 7 face to face events to over 200 people. Each event is evaluated, and feedback is sought from attendees to inform future events. In addition to face to face events, webinars are delivered to engage with the sector on new and emerging policy issues.</p> <p>Outcome Events delivered have supported the sectors capability and capacity to respond to Cyber security risks, Future of Local</p>

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				Government review, mental health issues, climate change, facilitation of community workshops, and developing strategy and reviewing local government performance.
	To support the 2022 local government elections, collaborate with the State Government to attract candidates that want to make a difference in their communities.	<p>Process Strong collaboration with the State Government and councils on the development and delivery of material to attract and inform candidates.</p> <p>Outcome Significant interest in standing for local government.</p>		<p>Process LGAT in collaboration with the State Government, developed a campaign to encourage diversity of candidates who nominate for the local government election in 2022 .</p> <p>Outcome As of 10 August 2022</p> <ul style="list-style-type: none"> • The campaign has been shared by councils, individuals and a number of NFP organisations. • Over ten information session have been run by councils for perspective candidates. • The campaign key messages have been in all main newspapers and community newspapers across the state. • Paid social media reach has reached over 176,000 individuals (not including YouTube figures) • A full campaign report will be available early September 2022.