



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
THURSDAY 21 SEPTEMBER 2023  
1.00PM**

**Notice is hereby given that the Ordinary Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:**

**Date: 21 September 2023**

**Time: 1.00pm**

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### **Certificate of Qualified Advice**

#### **Background**

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

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

#### **Certification**

I certify that:

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



**Michael Stretton  
Chief Executive Officer**

### **AUDIO of COUNCIL MEETINGS**

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

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

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

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

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

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

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

## **PUBLIC COMMENT ON AGENDA ITEMS**

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

## **LEGISLATIVE TERMINOLOGY - GENERAL MANAGER**

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

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

**2. MAYORAL ACKNOWLEDGEMENTS**

**3. DECLARATIONS OF INTEREST**

*Local Government Act 1993 (Tas) - section 48*

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

**4. CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the:

1. Ordinary Meeting of the City of Launceston Council held on 7 September 2023 be confirmed as a true and correct record; and
2. Special Ordinary Meeting of the City of Launceston Council held on 14 September 2023 be confirmed as a true and correct record.

**5. COUNCIL WORKSHOPS**

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

**5.1. Council Workshop Report - 7 September and 14 September 2023**

**FILE NO:** SF4401

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

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RELEVANT LEGISLATION:**

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

**RECOMMENDATION:**

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

1. pre-Council Workshop conducted on 7 September 2023:

**Cataract Gorge Projects**

*Councillors received an update on the Cataract Gorge lighting and walkways projects and the Cataract Gorge retaining wall at 27 South Esk Road, Trevallyn.*

*In Attendance:* Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton.

*Apologies:* Councillor A E Dawkins and Councillor J J Pentridge.

2. Workshop conducted on 14 September 2023:

**Central Launceston Marketing Inc. Annual Report 2023**

*Councillors received a presentation by the representatives of Central Launceston Marketing Inc. to provide a progress report since the signing of the operational agreement in July 2022.*

**Sexual Harassment Training for Councillors**

*Councillors were provided with an opportunity to undertake training in order to understand the contemporary standards of workplace behaviour regarding sexual harassment.*

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**Franklin House Site Visit**

*Councillors participated in a visit to Franklin House to view the site and meet with available Committee members on site.*

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

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**REPORT:**

Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015* says that the Agenda of an Ordinary Council Meeting is to include the date and purpose of any Council Workshops held since the last Meeting.

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

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

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

**No Councillors' Leave of Absence Applications have been identified as part of this Agenda.**

**7. COMMUNITY REPORTS**

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

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

**8. PUBLIC QUESTION TIME**

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

**8.1. Public Questions on Notice**

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

**8.1.1. Public Questions on Notice - Ian Goninon - Flood Mitigation**

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following questions, asked at the Council Meeting on 7 September 2023 by Ian Goninon, have been answered by Lynda Robins (Emergency Management Advisor).

**Questions:**

1. Could the Council make it easier for ratepayers to be proactive prior to and after a flood event?

**Response:**

*The Council understands that assessing risk and planning for disasters can be a difficult process to navigate.*

*The Council advocates for a sharing approach to community preparedness, particularly at a community level by involving partnerships with emergency services organisations and other government and non-government organisations (eg. Red Cross, State Emergency Services (SES), Tasmania Fire Service (TFS) and Police). Partnerships of this nature allow different levels of connection within the community and provide programs at household, neighbourhood and community levels.*

*In the past, the Council has been extremely active to mitigate the effects of flood in Launceston and continues to be so. The Council is an active participant in regional recovery committees and a key partner in response and evacuation planning during major floods for levee protected areas. The Council has also finalised the review of land use planning for levee protected lands under the planning scheme and continually develops its capability internally by conducting annual exercises both locally as well as regionally. The Council has also developed industry leading initiatives like PetPal.*

*To help raise awareness and assist in development of these partnerships, the Council is currently working on a number of initiatives which will assist the community to be proactive, not only in flood preparedness, but all hazards. The aim of these initiatives is for the community to have easily accessible information to understand their risk and to encourage people to make a plan, whether is for their families, friends, pets or business.*

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*The Council's aim is to have a community that is proactive prior to, and after disaster, and over the coming months will share further information with the community to help inform this.*

*Both the SES and Tasmania Fire Service have programs which supports community preparedness, these can be easily accessed via their websites. The TasAlerts website also has a specific section on how to prepare. These websites are listed below: Tasmania Fire Service - [Home - Tasmania Fire Service](#); SES - <https://www.ses.tas.gov.au/> and TasAlert - [Get Ready - TasALERT](#).*

2. In addition to providing advance warning that a flood is coming, what is the Council doing regarding flood mitigation in Launceston?

**Response:**

*Due to its topography, the flood risk within areas of the municipality will never be entirely mitigated, however, as outlined in the response above, the Council is currently working on a number of initiatives to help the community understand flood risk and encourage them to make a flood (or bushfire) plan. The recent closure of the flood gate on the lower Charles Street Bridge provided an opportunity to remind local residents of the flood risk and inform them of the levees protection level. This is one of many activities that the Council is undertaking to help mitigate the effects of flood in Launceston.*

*The Council works with the Launceston Flood Authority to ensure that the City's important levee system is appropriately maintained. The Council is also a member of the Tamar Estuary Management Taskforce which is the body charged with providing governance over the future management of the kanamaluka/Tamar Estuary.*

*Over coming months the community will see an increase in information and activities from the Council on how they can consider preparing for a disaster based on their risk. This includes an update to the emergency management pages on the City of Launceston website, a community campaign outlining how and where to find information and specialised community engagement sessions for those living at higher risk. The Council also works closely with the relevant response management authorities, ie. TFS in relation to fire or SES in relation to flood around mitigation activities.*

*The Council also recently held a one day Recovery Exercise particularly focused on flood. This exercise was conducted in partnership with the National Emergency Management Agency (NEMA) and the Department of Premier and Cabinet (DPAC). The exercise brought together key recovery partners who, in the event of a large scale flood, may form part of a recovery committee. The exercise has increased the understanding of flood risk within Launceston, both at a State, and national level and is supporting ongoing recovery planning at a local level should a major flood occur.*

*To have a broad reaching effect, the Council believes that preparing for disasters must be a shared approach and wants to reassure the community that the Council is taking a leading role to advocate for its safety.*

**8.2. Public Questions Without Notice**

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

**9. PETITIONS**

**9.1. Petition Receipt - Michael Oakley, Dougals White and Robert Johnston - Riverdale Grove, Newstead - Parking Restrictions - 13 September 2023**

**FILE NO:** SF0097

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

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**DECISION STATEMENT:**

To receive a petition submitted by Michael Oakley, Douglas White and Robert Johnston regarding Riverdale Grove, Newstead - Parking Restrictions.

**STATUTORY REQUIREMENTS:**

*Local Government Act 1993 (Tas)*

**RECOMMENDATION:**

That Council, pursuant to section 58(2) of the *Local Government Act 1993 (Tas)*, receives the petition regarding parking restrictions in Riverdale Grove, Newstead submitted by Michael Oakley, Douglas White and Robert Johnston and tabled by the Chief Executive Officer.

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**REPORT:**

A paper petition containing 45 signatures was received from Michael Oakley, Douglas White and Robert Johnston. This petition meets the general requirements of section 57(2) of the *Local Government Act 1993 (Tas)* (the Act).

The petition requests:

*Limit large numbers of students parking in the narrow street, leading to residents, carers, tradespeople, etc. unable to park and navigate. Introduce parking restrictions benefitting local residents, as has been done in Docking Court and Flowers Court.*

This petition has been forwarded to Shane Eberhardt (General Manager Infrastructure and Assets Network) for action. As required under section 60(2)(b) of the Act, a report will be brought back to Council within 42 days for Council to determine any action to be taken in respect of the petition.

The Chief Executive Officer will provide reasonable notice to the Petitioner of when Council is to consider this petition.

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**RISK IMPLICATIONS:**

There are no risk implications associated with receipt of a petition.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

3. To ensure decisions are made on the basis of accurate and relevant information.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Author and Chief Executive Officer have no interests to declare in this matter

**ATTACHMENTS:**

1. Petition - Michael Oakley, Douglas White and Robert Johnston, Riverdale Grove, Newstead - Parking Restrictions [9.1.1 - 1 page]

Petition to: Limit large numbers of students parking in Riverdale Grove  
(copy the name/subject matter of your petition from page 1)

**To the Councillors and Chief Executive Officer of the City of Launceston**

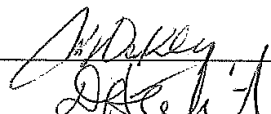


We petition the Council in accordance with the *Local Government Act 1993 (Tas)* to -  
(copy the statement from page 1)

limit large numbers of students parking in the narrow street, leading to residents, carers, tradespeople etc. unable to park & navigate. Introduce parking restrictions benefitting local residents, as has been done in Docking Court and Flowers Court

Statement specifying the number of signatories to the petition:

There is a total of 45 (Forty-five) signatories.

Full name, address and signature of the person/s lodging the petition:

Name	Address	Signature
Michael Oakley	<del>REDACTED</del> Riverdale Grove	
DOUGLAS WHITE	<del>REDACTED</del> RIVERDALE GROVE	
ROBERT JOHNSTON	<del>REDACTED</del> RIVERDALE GROVE	

FILE No.	SF1931/SF0608				
EO		OD	<input checked="" type="checkbox"/>	Box	<input checked="" type="checkbox"/>
RCVD 13 SEP, 2023 COL					
Doc ID.					
Action Officer	A. ROONEY		Noted	Replied	

People who sign this petition should be aware that the personal information they provide above (name, address and signature) will be published in the agenda of the Council Meeting at which this petition is tabled, and so will be publicly available. Information about City of Launceston's management of personal information is available at [www.launceston.tas.gov.au](http://www.launceston.tas.gov.au).



**10. PLANNING AUTHORITY**

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

**10.1. DA0335/2023 - 38A Prospect Street, Prospect - Subdivision - Subdivide One Lot into Two Lots at 38A Prospect Street with Existing Right of Carriageway Benefiting 40 Prospect Street, Prospect**

**FILE NO:** DA0335/2023

**AUTHOR:** Jayden Broad (Town Planner)

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	PDA Surveyors - Launceston
Property:	38A Prospect Street and 40 Prospect Street, Prospect
Zoning:	General Residential
Receipt Date:	20/07/2023
Validity Date:	27/07/2023
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	20/09/2023
Representations:	Five

**RELEVANT LEGISLATION:**

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

**STANDARDS REQUIRING PLANNING DISCRETION:**

8.6.1 P2 - Lot design  
C9.6.1 - Lot design  
LAU-S13.8.1 P1 - Lot design

**RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme - Launceston*, a permit be granted for DA0335/2023 - Subdivide one lot into two lots at 38A Prospect Street, Prospect with existing right of carriageway benefiting 40 Prospect Street, Prospect subject to the following conditions, subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Plan of Subdivision, Prepared by PDA Surveyors, Engineers and Planners, Drawing No. 50897 P02, Dated 27/07/2023.

**2. LANDSLIP HAZARD CODE**

If it is determined that significant works are required within the low landslip hazard band, as defined under the Landslip Hazard Code, a suitably qualified person must provide a Landslip Hazard Report which sufficiently addresses the applicable requirements of the Landslip Hazard Code of the *Tasmanian Planning Scheme - Launceston*, to the satisfaction of the Council.

**3. LEGAL TITLE**

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

**4. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/01021-LCC, dated 04/08/2023 and attached to the permit.

**5. HOURS OF CONSTRUCTION**

- a. Unless otherwise approved in writing by the Manager Health and Compliance construction activities must only be carried out between the hours of:
  - i. Monday to Friday - 7am to 6pm; and
  - ii. Saturday - 8am to 6pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

**6. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

## **7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

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

The explicit permission of General Manager Infrastructure and Assets Network is required prior to undertaking works where the works:

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

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

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

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

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

## **9. SOIL AND WATER MANAGEMENT PLAN**

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

## **10. AS CONSTRUCTED PLANS**

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

## **11. NO BURNING OF WASTE**

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

## Notes

### A. General

*This permit was issued based on the proposal documents submitted for DA0335/2023. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.*

*This permit takes effect after:*

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

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

### B. Restrictive Covenants

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

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

### C. Appeal Provisions

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

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

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

### D. Permit Commencement

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

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**REPORT:**

**1. THE PROPOSAL**

The proposal is for a two-lot subdivision of 38A Prospect Street, Prospect. Proposed Lot 1 is 540m<sup>2</sup> and contains the existing dwelling while the proposed Lot 2 (668m<sup>2</sup>) is a vacant parcel of land to the rear. Lot 2 relies on a proposed right of way and pipeline/services easement over Lot 1.

An additional right of way exists for 40 Prospect Street, Prospect over the initial portion of the proposed access to ensure appropriate sightlines.

38A Prospect Street, Prospect was subdivided off 40 Prospect Street, Prospect in 2019 (DA0375/2019). Subsequently a house was constructed (DA0543/2021) on the new title. This proposal is to create an additional lot by subdividing off the back garden.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**



*(38A Prospect Street, Prospect - not to scale)*

38A Prospect Street, Prospect has an easterly to north-easterly aspect and is located downhill of the trafficable surface of Prospect Street.

The site is within the General Residential Zone close to the border of the Low Density Residential zone to the North and East.

The land zoned general residential is a largely established residential area with predominantly single dwellings. A number of properties have been previously subdivided particularly along Peel Street West taking advantage of the larger original block sizes that existed when the area first developed.

The site has existed for some time as the garden to 40 Prospect Street, Prospect and while largely cleared of vegetation some shrubs and small trees remain to the north of the site.

### 3. PLANNING SCHEME REQUIREMENTS

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

### 4. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
<b>EXTERNAL</b>	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA2023/01021-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

### 5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14-day period from 5 August to 21 August 2023. Five representations were received. The issues raised are summarised in the following table. All representations received for this application were circulated to Councillors confidentially on 14 September, 2023.

<b>Issue 1</b> <b>The felling of trees on 38A Prospect Street are impacting native wildlife.</b>
<i>Response 1</i> <i>The applicant has not proposed the removal of trees and in accordance with the provisions of the Western Hillside Specific Area Plan, any prominent trees (as defined within the definitions part of the Western Hillside Specific Area Plan), require planning approval to remove. No other applicable parts of the planning scheme address the removal/destruction of trees for 38A Prospect Street. In terms of impacts to wildlife, 38A Prospect Street is zoned General Residential and is not affected by the Priority Vegetation Overlay, therefore, the Natural Assets Code does not apply to the property.</i>
<b>Issue 2</b> <b>Noise and light pollution will increase and negatively affect the surrounding area, especially adjoining properties.</b>

*Response 2*

*38A Prospect Street is zoned General Residential, therefore, some level of impact to adjoining neighbours is considered reasonable. If excessive noise is produced by future use of the proposed Lot 2 or if light pollution is encroaching unreasonably onto adjoining properties, Environmental Officers are able to investigate.*

**Issue 3**

**The proposed Lot 2 does not have its own sole connection to Prospect Street and therefore, puts people at risk in the event of a bushfire.**

*Response 3*

*38A Prospect Street is not a bushfire-prone area, therefore, the Bushfire-Prone Areas Code does not apply to the proposal.*

**Issue 4**

**The shared crossover utilised by 40 Prospect Street and 38A Prospect Street and the location of car parking spaces along Prospect Street are not suitable for intensified use of the area.**

*Response 4*

*The Infrastructure Assets Department have reviewed the application and have no concerns with the proposed subdivision. The existing dual-width crossover is considered reasonable to manage the intensified use within the surrounding road network.*

**Issue 5**

**40 Prospect Street has been affected by wastewater main blockages as a result previous works.**

*Response 5*

*Reticulated wastewater provision in the area is administered and maintained by TasWater in accordance with the Water and Sewerage Industry Act 2008. As part of the development application assessment process, the application was referred to TasWater for review who subsequently issued a Submission to Planning Authority Notice with conditions. Assessment of impacts to TasWater-administered infrastructure is therefore, not a matter which City of Launceston has responsibility for during the development application assessment process.*

**Issue 6**

**Reticulated electricity main connections will create an eyesore and could cause issues with vertical clearance.**

*Response 6*

*The planning scheme does not require assessment of electricity provision for a two-lot subdivision in a residential area. Full services are required to be provided for each proposed lot and TasNetworks are required to be contacted before connections to their infrastructure can progress.*

**Issue 7**

**The location of one of the Pipeline and Services Easements will increase the risk of a landslip event and of installed wastewater/stormwater provision to fail.**

*Response 7*

*The application will be conditioned to provide a Landslip Hazard Report if significant works are required in accordance with Clause C15.3.1 of the Scheme.*

**Issue 8**

**The proposed subdivision would increase lot density, create privacy concerns, devalue the surrounding area and be detrimental to the desired character of residents in the area.**

**Response 8**

*It is acknowledged that the proposed subdivision would increase lot density. In terms of privacy concerns, Clause 8.4.6 addresses privacy concerns for dwelling decks and Clause 8.4.2 addresses visual bulk concerns within the General Residential Zone, with both taking into account adjoining properties (visual bulk only if performance criteria are relied upon and privacy is dependent on what is proposed). Since the land is zoned General Residential, impacts to existing residential amenity are unavoidable but the planning scheme ensures that impacts are not unreasonable. Future development would require additional assessment against the planning scheme. In terms of devaluing the properties in the surrounding area, the impact of a proposal on property prices are not a consideration that a planning authority can utilise to determine a development application. It is noteworthy that properties to the east are zoned Low Density Residential, with 38A Prospect Street adjoining land zoned Low Density Residential and other properties along Prospect Street having infill development by way of strata or subdivision.*

**Issue 9**

**The application was applied for on 31 March 2023 and the landowner of 40 Prospect Street was not notified at the time that the application would be made. The naming of 40 Prospect Street in the application should not have occurred due to a risk of misinterpretation of 40 Prospect Street's role in the application.**

**Response 9**

*The proposal was originally applied for in March 2023 and was assigned the development application reference number DA0144/2023. It was realised that DA0144/2023 was not valid due to not including 40 Prospect Street as a benefitting property for right of carriageway access over 38A Prospect Street at the post-advertising stage of assessment, therefore, the applicant withdrew DA0144/2023 and resubmitted the application with 40 Prospect Street forming part of the application site as DA0335/2023 (this application). In accordance with the Land Use Planning and Approvals Act 1993, if an applicant is not the landowner of a property which the application relates to, they are required to reasonably notify the landowner that they intend to make a development application. The applicant advised that they placed a letter of notification in the mailbox of 40 Prospect Street on the day of submitting lodgement documents for this application.*

## **6. CONCLUSION**

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

### **RISK IMPLICATIONS:**

Not considered relevant to this report.



**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

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

**STRATEGIC DOCUMENT REFERENCE:**

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

1. DA0335/2023 - 38A Prospect Street, Prospect - Planning Scheme Assessment  
[10.1.1 - 10 pages]
2. DA0335/2023 - 38A Prospect Street, Prospect - TasWater SPAN [10.1.2 - 3 pages]
3. DA0335/2023 - 38A Prospect Street, Prospect - Plans to be Endorsed  
[10.1.3 - 1 page]

**TITLE:** 38A Prospect Street, Prospect - Subdivision - Subdivide One Lot into Two Lots at 38A Prospect Street with Existing Right of Carriageway Benefiting 40 Prospect Street, Prospect

**FILE NO:** DA0335/2023

**AUTHOR:** Jayden Broad (Graduate Town Planner)

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

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## ATTACHMENT ONE

### PLANNING APPLICATION INFORMATION:

Applicant:	PDA Surveyors - Launceston
Property:	38A Prospect Street and 40 Prospect Street, Prospect
Zoning:	General Residential
Receipt Date:	20/07/2023
Validity Date:	27/07/2023
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	20/09/2023
Representations:	5

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### PLANNING SCHEME REQUIREMENTS

#### 3.1 Zone Purpose

##### 8.0 General Residential Zone

The purpose of the General Residential Zone is:

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

8.0.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

8.0.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

8.0.4 To provide for Visitor Accommodation that is compatible with residential character.

#### Consistent

The development application seeks planning approval for a two-lot subdivision. Full infrastructure services will be provided to each proposed lot. Increasing the number of lots in a residential area allows for efficient utilisation of available social, transport and other service infrastructure. Future use/development of the proposed Lot 2 would require additional planning assessment and does not form part of this development application.

#### 8.4.6 Privacy for all dwellings

To provide a reasonable opportunity for privacy for dwellings.

**Consistent**

The development application seeks planning approval for a two-lot subdivision.

8.6.1 Lot design

That each lot:

- (a) has an area and dimensions appropriate for use and development in the zone;
- (b) is provided with appropriate access to a road;
- (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and
- (d) is orientated to provide solar access for future dwellings.

**Consistent**

Each proposed lot has an area and dimensions appropriate for use and development on land zoned General Residential. The new lot will be provided with appropriate access to a road and contains areas for development appropriate to the purpose of the General Residential Zone. The natural hazards can be appropriately managed and the lot is orientated to provide solar access for a future dwelling.

A1 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) have an area of not less than 450m<sup>2</sup> and:
  - (i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:
    - a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and
    - b. easements or other title restrictions that limit or restrict development; and
  - (ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;
- (b) be required for public use by the Crown, a council or a State authority;
- (c) be required for the provision of Utilities; or
- (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.

**Complies**

The proposed Lot 1 would have an area of 540m<sup>2</sup> and the proposed Lot 2 would have an area of 668m<sup>2</sup>. The existing dwelling is consistent with the setbacks required by Clause 8.4.2 of the Scheme and is clear of easements/other title aspects that restrict development. Lot 2 can accommodate a 10m x 15m building area with a gradient of 1 in 6 that is also located clear of easements/other title aspects that restrict development.

A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.

**Relies on Performance Criteria**

Lot 2 is reliant on a right of way for access to Prospect Street.

P2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;
- (c) the topography of the site;
- (d) the functionality and useability of the frontage;
- (e) the ability to manoeuvre vehicles on the site; and
- (f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.

**Complies**

Each lot would be provided with a frontage or legal connection to a road by a right of carriageway that is sufficient for the intended use, having regard to the following:

- (a) The proposed subdivision would be accessible by an existing double width crossover which is shared with 40 Prospect Street via an existing right of carriageway.
- (b) The same double-width crossover would be shared between 40 Prospect Street and the two proposed lots for 38A Prospect Street. Three residential properties utilising the same right of carriage is considered reasonable for this proposal. It is noteworthy that 40 Prospect Street has two crossovers, one of which it has exclusive access rights to use.
- (c) The subject properties have a moderate easterly aspect toward the existing dwelling on the proposed Lot 1 and transitions into a less steep north-easterly aspect for the proposed Lot 2. Due to the location of the two existing properties on a sweeping corner of Prospect Street, the dual-width crossover has sightlines of over 100m in both directions.
- (d) The functionality and usability of the frontage is constrained by its location on a sweeping corner of Prospect Street, the steep transitioning gradient of the concrete driveway between the crossover and access ways that are exclusively available for each existing address and the constrained usability of 40 Prospect Street's westernmost single width driveway resulting in more dominant use of the shared double width crossover.
- (e) The ability to manoeuvre vehicles on the site is constrained by the existing dwelling's siting within the proposed Lot 1, the proposed right of carriageway width and the narrow width of the proposed Lot 2. While there would be sufficient manoeuvring area for vehicles on the proposed Lot 1, manoeuvring space for the proposed Lot 2 would be dependent on future development.
- (f) Notable examples of right of carriageway access arrangement along Prospect Street are 10A & 10B; 1/12, 2/12, 3/12 and 12A and 1/19, 2/19, 3/19 & 4/19 Prospect Street. Right of carriageways utilised to provide access for infill development is not unprecedented along the street.

The proposal meets the performance criteria.

A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.

**Complies**

As part of the application assessment process, the application was referred to Infrastructure Development, who have recommended conditions for a potential planning permit. Since City of Launceston are the road authority for Prospect Road, the application is considered to meet the requirements of the road authority.

8.6.3 Services

That the subdivision of land provides services for the future use and development of the land.

**Consistent**

The proposed subdivision will provide services for future use/development.

A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.

**Complies**

The Plan of Subdivision shows a proposed water supply connection underneath the proposed Lot 2's right of carriageway over the proposed Lot 1. The proposed Lot 1 would continue to use 38A Prospect Street's existing water supply connection.

A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.

**Complies**

The Plan of Subdivision would connect to a wastewater main extension approved in accordance with DA0543/2021.

A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.

**Complies**

The Plan of Subdivision would connect to a stormwater main extension approved in accordance with DA0543/2021.

**C2.0 Parking and Sustainable Transport Code**

The purpose of the Parking and Sustainable Transport Code is:

C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.

C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.

C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.

C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.

C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.

C2.1.6 To provide for parking precincts and pedestrian priority streets.

**Consistent**

Appropriate parking facilities will be available for the existing dwelling on Lot 1 and for future development of Lot 2. Cycling, walking and public transport will not be discouraged as a means of transport in the surrounding area. Access for pedestrians, vehicles and cyclists will be safe and adequate. Parking provision will not cause an unreasonable loss of amenity to the surrounding area. Parking space and access meet appropriate standards. The surrounding area is not affected by a parking precinct and Prospect Street is not a pedestrian priority street.

**C2.5.1 Car parking numbers**

That an appropriate level of car parking spaces are provided to meet the needs of the use

**Consistent**

An appropriate level of car parking spaces are provided to meet the needs of the proposed lots.

A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:

(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;

(b) the site is contained within a parking precinct plan and subject to Clause C2.7;

(c) the site is subject to Clause C2.5.5; or

(d) it relates to an intensification of an existing use or development or a change of use where:

(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or

(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:

$$N = A + (C - B)$$

N = Number of on-site car parking spaces required

A = Number of existing on-site car parking spaces

B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1

C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.

**Complies**

The proposed Lot 1 can accommodate two (2) car parking spaces on a concrete slab adjoining the southwest elevation of the existing dwelling. The proposal meets the performance criteria of Clause 8.6.1 P1 of the Scheme and is therefore considered to have sufficient lot dimensions to accommodate development. It is noteworthy that future use of the proposed Lot 2 is likely to require additional assessment against this Standard, if this application is approved.

#### C2.6.1 Construction of parking areas

That parking areas are constructed to an appropriate standard.

##### **Consistent**

The existing parking area for the proposed Lot 1 (approved by DA 0543/2021) would not be impacted. Parking areas for Lot 2 are not proposed and if the application is approved, future use/development of the lot will require assessment of this Standard if applicable.

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

- (a) be constructed with a durable all weather pavement;
- (b) be drained to the public stormwater system, or contain stormwater on the site; and
- (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

##### **Complies**

The existing access/parking surface of the proposed Lot 1 would remain unchanged.

#### C2.6.2 Design and layout of parking areas

That parking areas are designed and laid out to provide convenient, safe and efficient parking.

##### **Consistent**

Parking areas for the proposed subdivision will provide convenient, safe and efficient parking.

A1.1 Parking, access ways, manoeuvring and circulation spaces must either:

- (a) comply with the following:
  - (i) have a gradient in accordance with *Australian Standard AS 2890 - Parking facilities, Parts 1-6*;
  - (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;
  - (iii) have an access width not less than the requirements in Table C2.2;
  - (iv) have car parking space dimensions which satisfy the requirements in Table C2.3;
  - (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;
  - (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and
  - (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or
- (b) comply with *Australian Standard AS 2890-Parking facilities, Parts 1-6*.

##### **Complies**

The proposal meets the requirements of Clause C2.6.1 A1 (a) of the Scheme.

The vehicle provision approved by DA0543/2021 would remain unchanged. The proposed right of carriageway would provide access to the proposed Lot 2 and has the potential to increase the number of car parking spaces required to be provided by Table C2.1 of the Scheme to more than four (4) but vehicles would be able to enter and leave the proposed lots in a forward-facing direction. The right of carriageway's minimum width of 4.0m meets the requirements of Table C2.2 of the Scheme. The combined access/manoeuvring width for car parking spaces would not materially change for the existing dwelling compared to that approved by DA0543/2021.

#### C2.6.3 Number of accesses for vehicles

That:

- (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;
- (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and
- (c) the number of accesses minimise impacts on the streetscape.

#### **Consistent**

Existing accesses would be utilised. The properties are zoned General Residential and Prospect Street is not a pedestrian priority street.

A1 The number of accesses provided for each frontage must:

- (a) be no more than 1; or
- (b) no more than the existing number of accesses, whichever is the greater.

#### **Complies**

The number of accesses meets (b).

#### C3.0 Road and Railway Assets Code

The purpose of the Road and Railway Assets Code is:

- C3.1.1 To protect the safety and efficiency of the road and railway networks; and
- C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.

#### **Consistent**

The safety and efficiency of road and rail networks will not be unreasonably impacted by the proposed subdivision. The properties are not located close to a major road or railway network (it is noteworthy that Westbury Road is located approximately 350m to the south).

#### C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.

#### **Consistent**

Any adverse effects on the safety and efficiency of the road network from vehicular traffic generated from the site at the existing dual width vehicle crossing will be sufficiently minimised.

A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:

- (a) the amounts in Table C3.1; or
- (b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.

#### **Complies**

Table C3.1 requires that vehicles less than or equal to 5.5m long (a typical car) do not increase by 20% or 40 vehicle movements per day, whichever is the greater. Since the land is zoned General Residential, the most likely use of the property is Residential, which for a single dwelling requires one (1) to two (2) car parking spaces at a minimum. The Transport for New South Wales *Guide to Traffic Generating Developments* concludes that each dwelling will produce an average of 9 vehicle movements per day.

Taking a conservative approach, if the number of dwellings across both existing properties were to increase from two (2) to three (3), the amount of vehicle movements would increase by 50% or to 27 vehicle movements per day. If the existing 18 vehicle movements per day were to increase by 20%, the result would be 21.6 vehicle movements per day, therefore 27 vehicle movements per day is the greater value. The proposal would therefore result in less than 40 vehicle movements per day.

#### C9.0 Attenuation Code

The purpose of the Attenuation Code is:

C9.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions.

C9.1.2 To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.

##### **Consistent**

The proposed subdivision is within an attenuation area for a stonemasonry site, which is located approximately 150-300 to the south of the subject property. The operation of the stonemasonry does not adversely affect existing sensitive uses within its attenuation area and the proposed subdivision would not adversely impact the operation of the stonemasonry.

#### C9.6.1 Lot design

To provide for subdivision so that a lot intended for a sensitive use:

- (a) is located to avoid an activity with potential to cause emissions and enable appropriate levels of amenity; and
- (b) does not conflict with, interfere with or constrain an existing activity with potential to cause emissions.

##### **Consistent**

The proposed subdivision would create lots that are located to avoid an activity with potential to cause emissions and enable appropriate levels of amenity and would not conflict with, interfere with or constrain an existing activity with potential to cause emissions.

A1 Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must:

- (a) be for the creation of separate lots for existing buildings;
- (b) be for the creation of a lot where a building for a sensitive use can be located entirely outside the attenuation area; or
- (c) not be for the creation of a lot intended for a sensitive use.

##### **Relies on Performance Criteria**

The proposed lots will not be for the creation of separate lots for existing buildings, will not be for the creation of a lot where a building for a sensitive use can be located entirely outside the attenuation area and will involve the creation of a lot likely to be used for sensitive use.

P1 Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must not result in the potential for a sensitive use to be impacted by emissions, having regard to:

- (a) the nature of the activity with the potential to cause emissions, including:
  - (i) operational characteristics of the activity;
  - (ii) scale and intensity of the activity; and
  - (iii) degree of emissions from the activity; and
- (b) the intended use of the lot.

##### **Complies**

Each proposed lot will not result in the potential for a sensitive use to be impacted by emissions, having regard to the following:

- (a) The stonemasonry does not cause an adverse impact on sensitive uses located closer to the stonemasonry than the subject property and/or in the same direction. City of Launceston Environmental Officers have confirmed that no complaints have been received based on emissions caused by the operation of the stonemasonry itself.
- (b) Considering that subdivision is not required to be categorised into a use class but residential use is likely, please refer to (a).

The proposal complies with the performance criteria.

#### C15.0 Landslip Hazard Code

The purpose of the Landslip Hazard Code is:



C15.1. To ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.

**Not Applicable**

A small area of the lot is within the low landslip hazard band. Under Clause C15.4.1 (e), development, including subdivision is exempt from the Code if significant works are not proposed. The planning assessment report provided by PDA states that only minor works are required. A condition is recommended to ensure that the subdivision meets applicable exemptions and if significant works are required, a Landslip Hazard Report must be provided before any works commence on site.

**LAU-S13.0 Western Hillside Specific Area Plan**

The purpose of this specific area plan is:

LAU-S13.1.1 To protect the built and landscape character of the hillside.

LAU-S13.1.2 To minimise the visual impact of development on the hillside, particularly when viewed from public roads and places.

LAU-S13.1.3 To encourage the retention and planting of trees, particularly species that have a height and form that will contribute to the canopy cover within the area.

**Consistent**

The built and landscape character of the hillside will be retained. Visual impact of development on the hillside, particularly when viewed from public roads and places, will be minimised. The retention of planting of trees is encouraged by minimising the amount of vegetation that requires removal.

**LAU-S13.7 Development Standards for Building and Works**

**LAU-S13.7.2 Vegetation**

That the siting of development protects the existing landscape character of the West Launceston hillside.

**Consistent**

The siting of subdivision services protects the existing landscape character of the West Launceston hillside.

A1 Buildings and works must be separated from a prominent tree by a distance of not less than 4m.

**Complies**

No buildings/works would be located within 4m of a prominent tree.

A2 Building and works must not result in the removal or destruction of prominent trees.

**Complies**

No buildings/works would require the removal or destruction of a prominent tree.

**LAU-S13.8.1 Lot design**

That subdivision is designed to allow development in keeping with the existing built and landscape character of the area.

**Consistent**

The proposed subdivision is designed to allow development that is commensurate with the existing built and landscape character of the area.

A1 Each lot, or a lot proposed in a plan of subdivision, must:

(a) be required for public use by the Crown, a council or a State authority;

(b) be required for the provision of Utilities; or

(c) be for the consolidation of a lot with another lot provided each lot is within the same zone.

**Relies on Performance Criteria**

Each proposed lot is not required for public use by the Crown, a council or a State authority; is not required for the provision of Utilities and consolidation is not proposed.

P1 Subdivision must be designed to promote development that is compatible with the existing built and landscape character, having regard to:

- (a) the physical characteristics of the site and locality;
- (b) the existing landscape character;
- (c) the scenic qualities of the site;
- (d) the size, shape and orientation of the lots proposed;
- (e) the density of potential development on lots created;
- (f) the need for the clearance or retention of vegetation;
- (g) the location of boundaries and building envelopes to reduce the future removal of prominent trees;
- (h) the requirements for any hazard management;
- (i) the need for infrastructure services;
- (j) the specific requirements of the subdivision;
- (k) the extent of works required for roads or to gain access, including any cut and fill; and
- (l) any agreement under section 71 of the Act affecting the land.

**Complies**

The proposed subdivision is designed to promote development that is compatible with the existing built and landscape character, having regard to the following:

- (a) The locality contains a variety of infill development for residential purposes. It is noteworthy that land zoned Low Density Residential to the northeast contains strata development at a density higher than that practically achievable at the subject property, which is zoned General Residential.
- (b) The existing landscape character of the proposed lots would remain unchanged by the subdivision. The proposed Lot 1 will contain the existing dwelling and the proposed Lot 2 would retain trees in the northern extent of 38A Prospect Street.
- (c) The subject property used to have more buildings than it currently has, with outbuildings previously existing on the property before they were demolished in accordance with DA0543/2021. The property itself therefore has minimal scenic qualities where the proposed building area is located and the removal of trees in the northern portion of 38A Prospect Street would require additional assessment.
- (d) The size, shape and orientation of the proposed lots allows sufficient room to construct development that is commensurate with the Western Hillside Specific Area Plan without removal of prominent vegetation.
- (e) The average density of lots created would be 605m<sup>2</sup>, which is over 1.5 times more than the acceptable solution for subdivision in the General Residential Zone allows. It is noteworthy that the proposed Lot 2 is vacant and would have an area of 668m<sup>2</sup>.
- (f) The need for clearance of vegetation would be minimal, with vegetation that requires clearance located along property boundaries and is obstructed from view by existing development.
- (g) The location of the building envelope for the proposed Lot 2 is located sufficiently clear from established trees within the northern extent of 38A Prospect Street that their removal can be avoided.
- (h) While the land is subject to landslide risk, a condition is recommended to ensure that the subdivision of 38A Prospect Street can maintain a tolerable risk.
- (i) As zoned General Residential, full infrastructure services (water supply/stormwater/wastewater connections) are required to be provided to each lot at the time of subdivision. A water supply main connection would be located underneath the proposed right of carriageway while stormwater/wastewater connections will utilise existing wastewater/stormwater main infrastructure located between the proposed Lot 1's eastern boundary and the existing dwelling.
- (j) Please refer to (i).

- |   |
|---|
| <ul style="list-style-type: none"><li>(k) There are no works required for access to both proposed lots.</li><li>(l) The properties are not affected on Section 71 agreements.</li></ul> <p>The proposal complies with the performance criteria.</p> |
|---|



## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	DA0335/2023	<b>Council notice date</b>	01/08/2023
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2023/01021-LCC	<b>Date of response</b>	04/08/2023
<b>TasWater Contact</b>	Jake Walley	<b>Phone No.</b>	0467 625 805
<b>Response issued to</b>			
<b>Council name</b>	CITY OF LAUNCESTON		
<b>Contact details</b>	Planning.Admin@launceston.tas.gov.au		
<b>Development details</b>			
<b>Address</b>	38A PROSPECT ST, PROSPECT	<b>Property ID (PID)</b>	9321176
<b>Description of development</b>	Subdivision - 2 Lots		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
PDA	50897 P02	--	27/07/2023
<b>Conditions</b>			
<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><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connection and sewerage system and connection 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.</li> <li>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.</li> <li>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.</li> </ol> <p><b>FINAL PLANS, EASEMENTS &amp; ENDORSEMENTS</b></p> <ol style="list-style-type: none"> <li>4. 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. <i>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.</i></li> <li>5. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.</li> <li>6. The Plan of Survey must include private service easements over the proposed private pipes located on Lot 1, servicing Lot 2. The easement must benefit Lot 2 and burden Lot 1.</li> <li>7. Prior to the issue of a TasWater Consent to Register a Legal Document, the applicant must submit a .dwg file, prepared by a suitably qualified person to TasWater's satisfaction, showing:</li> </ol>			



- a. the exact location of the existing sewerage infrastructure,
- b. the easement protecting that infrastructure.

The developer must locate the existing TasWater infrastructure and clearly show it on the .dwg file. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost.

#### **DEVELOPER CHARGES**

8. Prior to TasWater issuing a Consent to Register a Legal Document, the applicant or landowner as the case may be, must pay a developer charge totalling \$3,514.00 to TasWater for water and sewerage infrastructure for 1 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.

#### **DEVELOPMENT ASSESSMENT FEES**

9. The applicant or landowner as the case may be, must pay a development assessment fee of \$234.64 and a Consent to Register a Legal Document fee of \$248.30 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.
10. 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.

#### **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>

##### **Developer Charges**

For information on Developer Charges please visit the following webpage - <https://www.taswater.com.au/building-and-development/developer-charges>

##### **Water Submetering**

As of July 1 2022, TasWater's Sub-Metering Policy no longer permits TasWater sub-meters to be installed for new developments. Please ensure plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) reflect this. For clarity, TasWater does not object to private sub-metering arrangements. Further information is available on our website ([www.taswater.com.au](http://www.taswater.com.au)) within our Sub-Metering Policy and Water Metering Guidelines.

##### **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) 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 <https://www.taswater.com.au/building-and-development/service-locations> for a list of companies.



(c) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.  <b>NOTE:</b> In accordance with the WATER AND SEWERAGE INDUSTRY ACT 2008 - SECT 56ZB A regulated entity may charge a person for the reasonable cost of – (a) a meter; and (b) installing a meter.			
<b>Declaration</b>			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			
<b>TasWater Contact Details</b>			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au



# PLAN OF SUBDIVISION



# PDA

## SURVEYORS, ENGINEERS & PLANNERS

3/23 Brisbane Street,  
Launceston, Tasmania, 7250  
PHONE: +61 03 6331 4099  
FAX: +61 03 6334 3098  
EMAIL: [pda.ltn@pda.com.au](mailto:pda.ltn@pda.com.au)  
[www.pda.com.au](http://www.pda.com.au)  
Also at: Hobart, Burnie,  
Devonport & Kingston

Owners	Amy Jukes & Logan Price Sarah Anthony			Address	38a & 40 Prospect Street, Prospect		This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.	
				Council	Launceston City Council			
				Planning Scheme	Tasmanian Planning Scheme - Launceston			
Title References	FR 179993/2, FR 179993/1			Zone	General Residential			
Schedule Of Easements								As shown.
Scale	1:300	Date	27 July 2023	PDA Reference	50897 P02	Map reference	PID 9321176 & 9321175	Point of Interest GDA94 MGASS 511644E, 5409770N



Document Set ID: 4931065  
Version: 2, Version Date: 08/08/2023

## **11. ANNOUNCEMENTS BY THE MAYOR**

### **11.1. Mayor's Announcements**

**FILE NO:** SF2375

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#### **Thursday 7 September 2023**

- Attended the Opening Night of Launceston Players' Production *Clockwork Orange*, Earl Art Centre

#### **Friday 8 September 2023**

- Attended the Investiture for Recipients of the 2023 King's Birthday Honours and Meritorious Services Awards, Government House, Hobart

#### **Saturday 9 September 2023**

- Attended The Ferguson Brothers - *Dusk/Dawn* Album launch concert, Launceston Conference Centre

#### **Sunday 10 September 2023**

- Officiated at and participated in the Women's 5K, City Park

#### **Monday 11 September 2023**

- Attended the *Out of the Shadows* - Suicide Prevention Walk, City Park

#### **Tuesday 12 September 2023**

- Joined in student career and life planning classes at Prospect High School
- Officiated at *Singfest*, Launceston Conference Centre

#### **Wednesday 13 September 2023**

- Joined in a question and answer session during school assembly, Big Picture School

#### **Thursday 14 September 2023**

- Spoke to Rotary Club of South Launceston, Hotel Grand Chancellor

#### **Friday 15 September 2023**

- Attended Starting Point Neighbourhood House Annual General Meeting, Ravenswood
- Officiated at the *Wetlands* exhibition launch, Queen Victoria Museum and Art Gallery, Inveresk



**Saturday 16 September 2023**

- Attended the Northern Tasmanian Football Association Premier Division Grand Final luncheon and derby, UTAS Stadium
- Attended Northern Championships 2023 Awards Night (Football Tasmania), The Tramsheds

**Sunday 17 September 2023**

- Officiated at the Launceston Karate Championships, Scotch Oakburn Junior School Gym
- Attended the West Launceston Bowls and Community Club Opening Day, South Launceston

**Monday 18 September 2023**

- Joined in The Smith Family Future Seekers Program at St Leonards Primary School

**Wednesday 20 September 2023**

- Officiated at Citizenship Ceremony, Tramsheds
-

**12. COUNCILLORS' REPORTS**

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

**13. QUESTIONS BY COUNCILLORS**

**13.1. Councillors' Questions on Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 30*

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

**13.1.1. Councillor's Questions on Notice - Councillor S Cai - Parking Issues**

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following questions, asked at the Council Meeting on 7 September 2023 by Councillor S Cai, have been answered by Dan Ryan (General Manager Community and Place Network).

**Questions:**

1. Can you please explain why parking infringements have increased by more than the 39% originally advised when the increase in parking infringements came to the Council for decision?
2. Will the Council consider reinstating the discounted infringement cost or early rate if a ticket is paid before the due date?

**Response:**

*At the 15 June 2023 Council Meeting, the City of Launceston formally endorsed two parking-specific by-laws, both of which came into effect in July 2023 on publication in the Tasmanian Government Gazette: The Launceston City Council On-Street Parking Penalties By-Law No. 1 of 2023 on 5 July 2023 and the Launceston City Council Parking Facilities By-Law No. 2 of 2023 on 6 July 2023.*

*One of the more significant changes in both by-laws was the move away from listing specific dollar amounts against the various parking infringements to a penalty unit system, set by the State Government, which brought the City of Launceston into line with other Tasmanian Councils who utilise a similar system. Whilst the value of a penalty unit is set by the State Government, the by-law sets the proportion of a penalty unit applicable to each specific offence.*

*The value of a penalty unit at the time of the report being tabled was \$181, which was the value used to determine the 39% increase. That 39% increase simply reflected the change (Consumer Price Index) in the value of money from 2013 when the offence amounts were previously set.*

*The report tabled at the 15 June 2023 Council Meeting highlighted the likelihood of an increase to the State Government penalty unit as of 1 July 2023. At the time of the publication of the Agenda, the exact increase was unknown. This has now been established as \$195 per unit. This change has resulted in the increase of some infringements from 39% to 50%.*

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*Notably, the report also referenced the removal of discounts for early payment of infringements in order to maintain a consistent approach with councils within Tasmania. This change is applicable to Launceston City Council Parking Facilities By-Law No. 2 of 2023 and relates to infringements that apply to off-street parking areas, such as at our Bathurst Street, Park Street, York Street, Inveresk and Launceston Aquatic Centre car parks.*

*Whilst the removal of the early payment discount has not directly increased the infringement amount, it has removed the potential of a reduction in these costs if infringements occur at these facilities.*

*The early payment discount remains in place for on-street, paid parking.*

*Given the community concerns that have been raised, the Council's Officers will Workshop this matter with Councillors to determine if any changes are necessary.*

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**13.1.2. Councillors Questions on Notice - Councillor T G Walker - Midlands  
Highway Exit Ramp to Kings Meadows**

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 7 September 2023 by Councillor T G Walker has been answered by Michael Stretton (Chief Executive Officer).

***Questions:***

1. There are ongoing traffic issues with the off-ramp to Kings Meadows from the Midland Highway and there has been talk of a more substantial truck lay area. Is there an update from the State Government regarding traffic movements and improvements for the off-ramp?

***Response:***

*The Council's Officers are continuing to engage with the Department of State Growth on both of these matters, however, at this stage there is no final determination on either that can be provided to Councillors.*

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**13.2. Councillors' Questions Without Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 29*

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

**14. NOTICES OF MOTION**

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

**14.2. Notice of Motion - Councillor A E Dawkins - Establishing a Leadership Role for City of Launceston in the Prevention of Child Sexual Abuse**

**FILE NO:** SF5547

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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**DECISION STATEMENT:**

To consider a Notice of Motion submitted by Councillor A E Dawkins regarding the prevention of child abuse in the community.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

*Child and Youth Safe Organisations Act 2023 (Tas)*

**RECOMMENDATION:**

To show local community leadership and responsiveness to the revelations of widespread historic and contemporary child sexual abuse in Launceston, as evidenced in the recent Commission of Inquiry\* hearings, it is moved that Council:

1. investigates opportunities to acknowledge victim/survivors of child sexual abuse through the inclusion of an appropriate public art installation in the next stage of the City Heart development.
2. engages with the organisers of the National Child Sexual Abuse Survivors Day to support community events planned for the Launceston municipality.
3. includes an assessment criterion for grant applications to the Council requiring respondent entities (clubs, associations, etc.) to demonstrate how they comply with the Child and Youth Safe Standards.
4. requests the Council's Officers report to a future Council Meeting on:
  - a. the feasibility of conducting site visits to two peer communities\*\* where the councils have assumed a Child Sexual Abuse Prevention role and make recommendations as to how the City of Launceston can show further leadership\*\*\*.
  - b. progress against compliance with the National Principles for Child Safe Organisations, including Child Sexual Abuse prevention awareness for Councillors.

- \* *Commission of Inquiry (COI) into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings.*
  - \*\* *Possible peer communities include Ballarat, Victoria and Maitland, New South Wales.*
  - \*\*\* *Examples of further leadership roles for local government might include:*
    - *Co-delivery of Child Sexual Abuse Prevention Community Awareness Campaigns in conjunction with the Child Safe Regulator.*
    - *Co-convening standards compliance workshops for local clubs, associations and businesses with the Regulator.*
    - *Auspicing and participating as part of a Launceston consortium of community organisations committed to Child Sexual Abuse prevention in non-institutional settings.*
- 

## REPORT:

This motion is presented to the City of Launceston by victim/survivors of child sex abuse and must be considered from a lived experience perspective. The evidence is clear, and becoming clearer, that for too long public institutions have backed away from meaningful reforms and in some cases actively blocked disclosures and the charges that should have been brought against abusers, leading victim/survivors to the conclusion that their plight was not important. There is no doubt that this motion will make people feel uncomfortable, as it rightly should, but from that discomfort must come a sense of obligation to ensure that child sexual abuse is brought into the light and that abusers find no place of safety within any public institution.

This motion enables an opportunity to work with other local government areas who have already acted to bring this issue into the light. Ballarat has been the site of child sex abusers who were sheltered by an institution, making it a leader in a contemporary response. This motion enables an opportunity to learn from that experience and to turn the historic crimes into community sentiment with a *never again* message.

The City of Launceston can follow suit and ensure that the victim/survivors of the alleged notorious paedophile, who operated in Launceston's hospital system are memorialised, along with any community member who has shared this experience in any setting.

Including an assessment criteria in our grants applications shows our community that we understand that child sex abuse can occur anywhere, it shows our role in prevention and invites the community to be a part of the solution.

The City of Launceston can serve as an exemplar in its response to child sex abuse by undertaking a CSA prevention role, inducting all staff and Councillors into the appropriate standards.



## Officer Comments

*(Leanne Purchase - Acting General Manager Organisational Services)*

The Recommendation is supported by the Council's Officers.

If the Recommendation is supported by Council, and in respect of each of the Recommendation's four parts:

1. *Investigates opportunities to acknowledge victim/survivors of child sexual abuse through the inclusion of an appropriate public art installation in the next stage of the City Heart development.*

The Council's Officers would seek to investigate and engage with the community around the proposal to ensure it reflects community sentiment. By way of example to a possible approach, it is noted that the Ballarat memorial/public art example was guided by a Continuous Voices Community Reference Group which involved the City of Ballarat in partnership with the Ballarat Centre Against Sexual Assault (CASA), LOUD Fence, Care Leavers Australasia Network, the Art Gallery of Ballarat and Beyond Empathy.

2. *Engages with the organisers of the National Child Sexual Abuse Survivors Day to support community events planned for the Launceston municipality.*

National Survivors' Day is an initiative of In Good Faith Foundation and LOUD fence. The Council's Officers would seek to engage with these groups to understand what activities they might have planned so as to understand how the City of Launceston could support them.

3. *Includes an assessment criterion for grant applications to the Council requiring respondent entities (clubs, associations, etc.) to demonstrate how they comply with the Child and Youth Safe Standards.*

This is something the Council can move towards implementing quite quickly, in consultation with the Community Grants Committee, for those organisations that meet the definition of an entity under the *Child and Youth Safe Organisations Act 2023 (Tas)*.

4. *Requests the Council's Officers report to a future Council Meeting on:*
  - a. *the feasibility of conducting site visits to two peer communities\*\* where the councils have assumed a Child Sexual Abuse Prevention role and make recommendations as to how the City of Launceston can show further leadership\*\*\*.*
  - b. *progress against compliance with the National Principles for Child Safe Organisations, including Child Sexual Abuse prevention awareness for Councillors.*

The Council's Officers will prepare a report for Council's consideration, detailing recommended participants, itinerary and costings. This will provide transparency in terms of budget implications, noting that the Council is still working through the resourcing implications of its obligations under the *Child and Youth Safe Organisations Act 2023 (Tas)*. This includes compliance with the Child and Youth Safe Standards.

Evidence of training and awareness is one of the ways the Council will seek to demonstrate its compliance with the National Principles for Child Safe Organisations. Relevant training and awareness will be made available to Councillors, however, it may be appropriate for this to be offered outside the induction process so that the significance of the subject matter is not lost amongst the many other matters Councillors are briefed on during their induction.

Council may also be interested to note:

The Local Government Association of Tasmania (LGAT) has engaged with the Office of Local Government and Department of Justice regarding the implementation of the Child Safe Organisations and Framework, as well as Recommendation 6.12 from the Royal Commission into Institutional Responses to Child Sexual Abuse Report. Recommendation 6.12 is:

*With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:*

- a. developing child safe messages in local government venues, grounds and facilities*
- b. assisting local institutions to access online child safe resources*
- c. providing child safety information and support to local institutions on a needs basis*
- d. supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.*

At the time of writing, LGAT is awaiting the appointment of the Regulator so their engagement can continue directly with this key role.

Councillors are also reminded that City of Launceston facilitates Councillors to maintain their *Working With Vulnerable People* clearance as necessary to discharge their committee and representative responsibilities.

#### **RISK IMPLICATIONS:**

Consideration is included in the report.

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

Consideration is included in the report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

1. To provide for the health, safety and welfare of the community.

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

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

Focus Areas:

3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Acting General Manager has no interests to declare in this matter.

**ATTACHMENTS:**

1. Notice of Motion - Councillor A E Dawkins - Establishing a Leadership Role for the City of Launceston [14.2.1 - 2 pages]

## CITY OF LAUNCESTON

### MEMORANDUM

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FILE NO: SF5547 / SF0134  
LP  
DATE: 13 September 2023

TO: Michael Stretton Chief Executive Officer  
Anthea Rooney Council and Committees Officer

FROM: Andrea Dawkins Councillor

SUBJECT: **Notice of Motion - Establishing a leadership role for City of Launceston in the Prevention of Child Sexual Abuse**

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In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 21 September 2023.

#### Motion

To show local community leadership and responsiveness to the revelations of widespread historic and contemporary child sexual abuse in Launceston, as evidenced in the recent COI\* hearings, it is moved that Council:

1. Investigate opportunities to acknowledge victim/survivors of child sexual abuse (CSA) through the inclusion of an appropriate public art installation in the next stage of the City Heart development.
2. Engage with the organisers of the National CSA Survivors Day to support community events planned for the Launceston municipality.
3. Include an assessment criterion for grant applications to Council requiring respondent entities (clubs, associations, etc.) to demonstrate how they comply with the Child and Youth Safe Standards.
4. Request Council officers report to a future Council Meeting on -
  - a. the feasibility of conducting site visits to 2 peer communities\*\* where Councils have assumed a CSA Prevention role and make recommendations as to how LCC can show further leadership\*\*\*.
  - b. progress against compliance with the National Principles for Child Safe Organisations, including CSA prevention awareness for Councillors.

\*Commission of Inquiry (COI) into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings.

\*\*Possible peer communities include Ballarat, Victoria and Maitland, New South Wales.

\*\*\*Examples of further leadership roles for local government might include:

- Co-delivery of CSA Prevention Community Awareness Campaigns in conjunction with the Child Safe Regulator
- Co-convening 'standards compliance' workshops for local clubs, associations, and businesses with the Regulator
- Auspicing and participating as part of a Launceston consortium of community organisations committed to CSA prevention in non-institutional settings.

## CITY OF LAUNCESTON

### MEMORANDUM

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#### Background

This motion is presented to the City of Launceston by victim/survivors of child sexual abuse and must be considered from a lived experience perspective. The evidence is clear and becoming clearer that for too long public institutions have backed away from meaningful reforms and in some cases actively blocked disclosures and the charges that should have been brought against abusers, leading victim/survivors to the conclusion that their plight was not important. There is no doubt that this motion will make people feel uncomfortable, as it rightly should but from that discomfort must come a sense of obligation to ensure that child sexual abuse is brought into the light and that abusers find no place of safety within any public institution.

This motion enables an opportunity to work with other local government areas who have already acted to bring this issue into the light. Ballarat has been the site of child sexual abusers who were sheltered by an institution, making it a leader in a contemporary response. This motion enables an opportunity to learn from that experience and to turn the historic crimes into community sentiment with a 'never again' message.

City of Launceston can follow suit and ensure that the victim/survivors of the alleged notorious paedophile, who operated in Launceston's hospital system are memorialised, along with any community member who has shared this experience in any setting.

Including assessment criteria in our grants applications shows our community that we understand that child sexual abuse can occur anywhere, it shows our role in prevention and invites the community to be a part of the solution.

The City of Launceston can serve as an exemplar in its response to child sexual abuse by undertaking a CSA prevention role, inducting all staff and councillors into the appropriate standards.

#### Attachments

N/A



**Councillor Andrea Dawkins**

## 15. COMMITTEE REPORTS

### 15.1. Audit Panel Meeting - 29 August 2023

**FILE NO:** SF3611

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

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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#### **DECISION STATEMENT:**

To receive a report from the Audit Panel Meeting held on 29 August 2023.

#### **RECOMMENDATION:**

That Council receives the report from the Audit Panel Meeting held on 29 August 2023.

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#### **REPORT:**

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

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

**Details** A summary of the IT Vulnerability scan being undertaken this month will be presented to the next Audit Panel Meeting.

**Action** The Audit Panel noted the June 2023 quarter edition of the publication *Curious Eyes* and verbal reports presented at the Meeting.

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

**Details** The Tasmanian Audit Office report of the site visit currently being conducted will be forwarded to the Council once complete.

**Action:** The Audit Panel noted the reports presented by the external auditors.

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

**Details** The Panel noted the progress being made in finalising outstanding internal and external audit tasks.

**Action:** The Business Continuity Plan update will be presented at the next Meeting.

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

**Details** The Panel noted the results for the quarter ending 30 June 2023.

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

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

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

**Action** The 2022/2023 Budget Amendments were approved at Council Meetings held on 18 May, 15 June and 27 July 2023.

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**10.1 Investment Returns and Balances**

Details The Panel discussed the provided summaries and noted that a Working Party would be established to discuss items related to an Investment Governance Review.

Action The Audit Panel noted the item.

**11.1 Risk Report**

Details The Panel discussed issues relating to staffing appointments with the Risk Officer position within the Council.

Action The Audit Panel noted the item.

**11.2 Work Health and Safety**

Details The Panel noted the Work Health and Safety report dated August 2023.

Action The Audit Panel noted the item.

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

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

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

**13.1 Organisational Cultural Survey Results**

Details The Chief Executive Officer provided a presentation on the results of the recently conducted cultural survey.

Action The Audit Panel received the report and discussed the various issues raised.

**13.2 Financial Statements 2022/2023**

Details Financial Statements for the period ended 30 June 2023 were provided.

Action The Audit Panel received the item.

**13.3 Strategic Asset Management Plan**

Details The recently approved Strategic Asset Management Plan was provided to the Panel.

Action The Strategic Asset Management Plan was endorsed at the Council Meeting held on 27 July 2023.

**13.4 Work Plan Item - Integration and Alignment of Plans**

Details The Panel was asked to provide feedback on the City of Launceston's approach to the integration of key strategic and operational documents.

Action Documentation will be provided to the Council's Officers by the Panel's Chair to allow for an assessment around the need for the Audit Panel to be provided with further information.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil



**15.2. Tender Review Committee Meeting - 7 September 2023**

**FILE NO:** SF0100/CD.030/2023

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

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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**DECISION STATEMENT:**

To receive a report from the Tender Review Committee.

**RECOMMENDATION:**

That Council notes the decision of the Tender Review Committee to accept the tender submitted by Stabilised Pavements of Australia Pty Ltd for Emita Parade - Pavement Rehabilitation, Contract Number CD.030/2023 at a cost of \$189,980.47 (exclusive of GST).

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**REPORT:**

The Tender Review Committee Meeting, held on 7 September 2023, determined the following:

That the tender submitted by Stabilised Pavements of Australia Pty Ltd for Emita Parade - Pavement Rehabilitation, Contract Number CD.030/2023 at a cost of \$189,980.47 (exclusive of GST)

be accepted.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

## 16. INFRASTRUCTURE AND ASSETS NETWORK

### 16.1. Use of Existing Street Name - Regent Street

**FILE NO:** DA0058/2014/SF0621

**AUTHOR:** Jaclyn Galea (Infrastructure Development Officer)

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

#### DECISION STATEMENT:

To consider approval to extend the use of the street name Regent resulting from a subdivision off the current Regent Street, Waverley.

#### RELEVANT LEGISLATION:

*Local Government (Highways) Act 1982*  
*Survey Co-ordination Act 1944*

#### RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the extension of use of Regent Street as part of the continuation of the existing Regent Street:



**REPORT:**

Regent Street is an existing street within Waverley that is being extended as a result of the development of vacant land to residential.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

## 17. ORGANISATIONAL SERVICES NETWORK

### 17.1. Lease - 38-40 Doaks Road, Lilydale

**FILE NO:** SF0907

**AUTHOR:** Michelle Grey (Lease and Licensing Officer)

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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#### DECISION STATEMENT:

To consider leasing an area of land situated at 38-40 Doaks Road, Lilydale to the Lilydale Football Club Inc.

*This decision requires an absolute majority of Council.*

#### RELEVANT LEGISLATION:

*Local Government Act 1993 (Tas) (Section 178(3))*

#### PREVIOUS COUNCIL CONSIDERATION:

Council - 22 February 2016 - Agenda Item Number 18.1 - Lilydale Football Club Lease

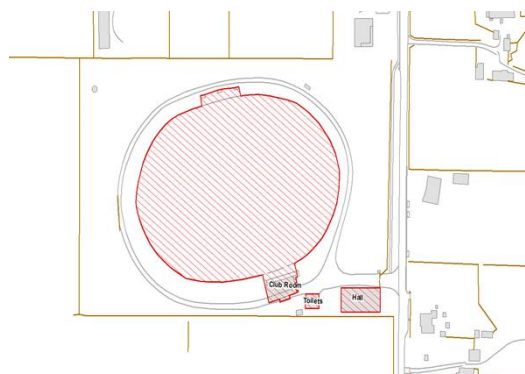
Council - 7 May 2018 - Agenda Item 18.1 - Lease - Lilydale Football Club

Council 29 March 2010 - Agenda Item Number 12.2 - Lilydale Football Club Lease

#### RECOMMENDATION:

That Council:

1. by absolute majority, in accordance with section 179 of the *Local Government Act 1993 (Tas)*, agrees to lease part of 38-40 Doaks Road, Lilydale (CT49467/1) known as the Lilydale Recreation Ground to the Lilydale Football Club Inc. as indicated by red hatch on the plan below, for the purposes of a community recreational area:



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
    - (a) the term shall be five years commencing on 1 June 2023;
    - (b) the commencing rent shall be \$323.96 per annum based on 182 fee units;
    - (c) tenant to be responsible for all outgoing costs such as:
      - i energy costs;
      - ii volumetric usage and service charges for water;
      - iii fire service checks;
      - iv security monitoring fees; and
      - v all other service fees and charges associated with maintenance of the building.
    - (d) tenant shall continuously maintain:
      - i contents insurance; and
      - ii public liability insurance of at least \$20 million.
    - (e) the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.
  3. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the lease.
  4. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
- 

#### **REPORT:**

The Council has leased the club rooms at the Lilydale Recreation Ground to the Lilydale Football Club Inc. (the Club) for many years.

The lessee looks after management of the Lilydale Recreation Ground, hall and toilet facility. This includes the mowing maintenance of the oval.

The Club has always maintained its independence and rarely sought any assistance from the Council for funding or maintenance and to date they have been model tenants.

Together with its own funding, the Council obtained an election promise grant from the Tasmanian Government to support extension of the club rooms and provision of accessible facilities at the property. The project, the Lilydale Football Club Amenities Extension and Upgrade Project has now commenced. This is welcomed by the lessee.

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

#### **RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

This proposal will allow a popular sport to continue to grow at the site, as well as other community events.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

1. To provide for the health, safety and welfare of the community.
2. To fairly and equitably discharge our statutory and governance obligations.

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

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

Focus Areas:

5. To promote and support active and healthy lifestyles of our community.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

**17.2. Lease - 45-51 Tamar Street, Launceston**

**FILE NO:** SF2337

**AUTHOR:** Michelle Grey (Lease and Licensing Officer)

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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**DECISION STATEMENT:**

To consider leasing an area of land situated at 45-51 Tamar Street, Launceston (CT50902/1) known as the City Park Stables to the Tasmanian Family History Society Inc.

*This decision requires an absolute majority of Council.*

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas) (Section 178(3))*

**PREVIOUS COUNCIL CONSIDERATION:**

Council – 9 September 2021 - Agenda Item 19.3 - Lease - Tasmanian Family History Society Inc.

Council - 10 October 2016 - Agenda Item 18.3 - Lease Tasmanian Family History Society Inc.

Council - 24 October 2011 - Agenda Item 16.3 - Lease Tasmanian Family History Society Inc.

**RECOMMENDATION:**

That Council:

1. by absolute majority, in accordance with section 179 of the *Local Government Act 1993* (Tas), agrees to lease part of 45-51 Tamar Street, Launceston (CT50902/1) known as the City Park Stables to the Tasmanian Family History Society Inc. as indicated on the plan below, for the purposes of keeping and maintaining records for public viewing:





2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
    - (a) the term shall be five years commencing on 1 November 2023;
    - (b) the commencing rent shall be \$323.96 per annum based on 182 fee units;
    - (c) tenant to be responsible for all outgoing costs such as:
      - i energy costs;
      - ii volumetric usage and service charges for water;
      - iii fire service checks;
      - iv security monitoring fees; and
      - v all other service fees and charges associated with maintenance of the building.
    - (d) tenant shall continuously maintain:
      - i contents insurance; and
      - ii public liability insurance of at least \$20 million.
    - (e) the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.
  3. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the lease.
  4. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
- 

#### **REPORT:**

The City Park Stables building is located next to the Albert Hall and has been leased to the Tasmanian Family History Society Inc. (the Society) since the end of 2008. The Society is a good tenant that continues to maintain the City Park Stables building in good orderly manner.

The Society was first founded in Hobart in April 1980 as the Genealogical Society of Tasmania. Following that, the Launceston Branch was formed on 4 November 1980. Currently, approximately 250 members belong to the Launceston branch.

The Society has a number of significant collections and nowhere else to house the collections, which are able to be viewed by members of the public. The Society has indicated they have nowhere else to house the collections and a desire to remain at the premises.

It is recommended in these circumstances that the Council considers offering a new Lease.

#### **RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

**17.3. 2023/2024 Budget - Budget Amendments**

**FILE NO:** SF6940/SF7558

**AUTHOR:** Samuel Kelty (Manager Finance)

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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**DECISION STATEMENT:**

For Council to:

1. consider changes to the Council's 2023/2024 Statutory Estimates.

*A decision for Recommendation 1 requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).*

2. consider adjustments made during 1 August to 31 August 2023 by the Chief Executive Officer to the 2023/2024 Budget.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**RECOMMENDATION:**

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2023/2024 Statutory Estimates:
    - (a) Revenue
      - i. the net increase in revenue from external grants and contributions of \$63,500.
    - (b) Expenses
      - i. the net increase in operations expenditure of \$157,100.
    - (c) Capital Works Expenditure
      - i. the decrease in the Council's funded expenditure of \$91,800.
  2. notes that amendments from Recommendation 1. result in:
    - (a) the operating surplus being amended to \$12,812,841 (including capital grants of \$17,731,131) for 2023/2024.
    - (b) the capital budget being decreased to \$36,934,744 for 2023/2024.
  3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2023/2024 budget for the period 1 August to 31 August 2023.
-

**REPORT:**

**1. Budget Amendments**

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

	<b>Operations \$'000</b>	<b>Capital \$'000</b>
<b>Statutory Budget as 01/07/2023</b>	(2,406)	20,636
Adjustments Approved by Council to 31/08/2023	15,311	16,391
Balance Previously Advised as at 31/08/2023	12,905	37,027
<u>Amendments</u>		
Council Funds	0	0
Capital to Operations	(92)	(92)
Operations to Capital	0	0
Operations	(65)	0
External Funds	65	0
External Funds Not Received	0	0
<b>Statutory Budget as at 31/08/2023</b>	<b>12,813</b>	<b>36,935</b>
Deduct Capital Grants and Contributions	(17,731)	
<b>Operating Budget Surplus/(Deficit)</b>	<b>(4,918)</b>	
<u>Underlying Result Adjustments</u>		
Tamar Estuary River Health Action Plan Contribution	4,500	
South Esk Road Retaining Wall Project	1,080	
<b>Underlying Operating Budget Surplus/(Deficit)</b>	<b>662</b>	

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

Details of the amendments are as follows:

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

<b>Project Number</b>	<b>Project Description</b>	<b>Current Approved Amount</b>	<b>Transfer From</b>	<b>Transfer To</b>	<b>New Budget</b>
CP24553	Vulnerable Road User Program 2023/2024	\$150,000	\$27,800	\$0	\$122,200
OPM25297	Hoblers Bridge Pedestrian Refuge	\$0	\$0	\$27,800	\$27,800
	<b>TOTALS</b>	<b>\$150,000</b>	<b>\$27,800</b>	<b>\$27,800</b>	<b>\$150,000</b>

**The project scope of works:**

It has been identified that a pedestrian refuge is required at Hoblers Bridge Road. This project has been nominated under the Department of State Growth, Vulnerable Road User program.

It has been identified that the works will be operational in nature and therefore, it is required that the associated budget is transferred from Capital to the newly created Major Operational project.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24554	Safer Rural Roads Program 2023/2024	\$150,000	\$64,000	\$0	\$86,000
OPM25298	John Lees Drive/Windermere Road Intersection	\$0	\$0	\$64,000	\$64,000
	<b>TOTALS</b>	<b>\$150,000</b>	<b>\$64,000</b>	<b>\$64,000</b>	<b>\$150,000</b>

**The project scope of works:**

It has been identified that a right turn lane and central island are required to be installed at the intersection of John Lees Drive and Windermere Road. This project has been nominated under the Department of State Growth, Safer Rural Roads program.

It has been identified that the works will be operational in nature and therefore, it is required that the associated budget is transferred from Capital to the newly created Major Operational project.

Capital to Operations	Operations	Capital
Vulnerable Road User Program 2023/2024	\$27,800	(\$27,800)
Safer Rural Roads Program 2023/2024	\$64,000	(\$64,000)
<b>TOTAL</b>	<b>\$91,800</b>	<b>(\$91,800)</b>

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

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
GL.10.0.6080.1000.12750	Major Operations State Grants - Roads	(\$72,413)	\$65,300	\$0	(\$137,713)
OPM25296	Bus Stop Upgrade Program	\$34,700	\$0	\$65,300	\$100,000
	<b>TOTALS</b>	<b>(\$37,713)</b>	<b>\$65,300</b>	<b>\$65,300</b>	<b>(\$37,713)</b>

**The project scope of works:**

External grant funding has been allocated to the City of Launceston to be used for Bus Stop Upgrades. This funding needs to be recognised as funding not yet received against the newly created Major Operational project.

<b>External Funding</b>	<b>Operations</b>	<b>Capital</b>
Major Operations State Grants - Roads	(\$65,300)	\$0
Bus Stop Upgrade Program	\$65,300	\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>

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

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

<b>Project Number</b>	<b>Project Description</b>	<b>Budget Before This Adjustment</b>	<b>Adjustment</b>	<b>Revised Budget</b>	<b>Type of Change</b>
24475	Launceston Waste Centre - R3/R6 Side Wall Treatment	\$866,609	(\$142,000)	\$724,609	Decrease
24588	Launceston Waste Centre - Hook Bin Replacement Program	\$0	\$42,000	\$42,000	Increase
24587	Launceston Waste Centre - Organics Processing Facility Sort Pad Replacement	\$0	\$100,000	\$100,000	Increase
24509	Footpath Reseal Program 2023/2024	\$1,090,000	(\$150,000)	\$940,000	Decrease
24508	Road Reseal Program 2023/2024	\$1,600,000	\$150,000	\$1,750,000	Increase
	<b>TOTALS</b>	<b>\$3,556,609</b>	<b>\$0</b>	<b>\$3,556,609</b>	

The following capital project adjustments have occurred in the period 1 August to 31 August 2023:

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
24475	Launceston Waste Centre - R3/R6 Side Wall Treatment	\$866,609	\$142,000	\$0	\$724,609
24588	Launceston Waste Centre - Hook Bin Replacement Program	\$0	\$0	\$42,000	\$42,000
24587	Launceston Waste Centre - Organics Processing Facility Pad Replacement	\$0	\$0	\$100,000	\$100,000
	<b>TOTALS</b>	<b>\$866,609</b>	<b>\$142,000</b>	<b>\$142,000</b>	<b>\$866,609</b>

**The project scope of works:**

It has been identified that the hook bins at the Launceston Waste Centre require replacement. It is proposed that this be programmed over a three year period, with budget from the current year to be redistributed from a current year capital project.

The stage 2 organics processing facility pad replacement is considered emergency works. The pad has failed due to the heavy rainfall experienced over the last 18 months and has led to significant wear and tear. The pad requires replacement ahead of time.

This will still leave sufficient budget within the Launceston Waste Centre - R3/R6 Side Wall Treatment project to complete current works.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
24509	Footpath Reseal Program 2023/2024	\$1,090,000	\$150,000	\$0	\$940,000
24508	Road Reseal Program 2023/2024	\$1,600,000	\$0	\$150,000	\$1,750,000
	<b>TOTALS</b>	<b>\$2,690,000</b>	<b>\$150,000</b>	<b>\$150,000</b>	<b>\$2,690,000</b>

**The project scope of works:**

The quantity of preparation works associated with the current years' reseal program is greater than what was originally expected.

Some higher cost treatments have also been proposed, above what was originally scoped. This includes a high-friction seal on Trevallyn Road and strain-alleviating membrane layers beneath some seals to reduce the risks of future cracking.

Advice from contractors indicates that we will not be able to fully expend the budget allocated to our footpath reseal program due to their capacity limitations, allowing for additional funds to be transferred to the road reseal program.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL ASPECTS:**

As per the report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil



**17.4. Community Member Recognition and Civic Functions Policy (05-Plx-024)**

**FILE NO:** SF0207/SF5190/SF6695/SF0202

**AUTHOR:** Elizabeth Clark (Civic Affairs Officer)

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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**DECISION STATEMENT:**

To rescind the Community Member Recognition and Civic Functions Policy (05-PI-006), Hall of Fame Policy (05-PI-009), Conferring the Honour of Honorary Freedom of the City and Key to the City Policy (05-PI-004) and Honorary Citizens of Launceston Policy (05-PI-005) and approve Community Member Recognition and Civic Functions Policy (05-Plx-024).

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 10 February 2014 - Agenda Item 18.2 - Community Recognition and Civic Functions Policy (05-PI-006)

Council - 10 February 2014 - Agenda Item 18.1 - Conferring the Honour of Honorary Freedom of the City and Key to the City of Launceston Policy (05-PI-004)

Council - 12 May 2008 - Honorary Citizens of Launceston Policy (05-PI-005)

Council - 28 August 2006 - Agenda Item 15.2 - Consider a Policy in Relation to the Launceston Hall of Fame

**RECOMMENDATION:**

That Council:

1. rescinds the Community Member Recognition and Civic Functions Policy (05-PI-006), Hall of Fame Policy (05-PI-009), Conferring the Honour of Honorary Freedom of the City and Key to the City Policy (05-PI-004) and Honorary Citizens of Launceston Policy (05-PI-005); and
2. adopts the Community Member Recognition and Civic Functions Policy (05-Plx-024) as indicated below:

## ***Community Member Recognition and Civic Functions Policy (05-Plx-024)***

### **PURPOSE**

To establish the framework for the recognition by the Council of significant contributions to the municipality and the region by community members or organisations (including former residents).

### **SCOPE**

The policy applies to requests to hold a civic event in recognition of a significant contribution or achievement by a community member or organisation.

The policy applies to the Mayor and/or Council approving the holding of civic events.

### **POLICY**

This policy seeks to provide a framework for the recognition of significant achievement by members of the community.

The types of recognition and functions related to this policy are outlined below.

### **Freedom of Entry to the City of Launceston**

Freedom of Entry is the highest honour the City can confer on an Australian military or civilian unit. Once conferred, the Freedom of Entry gives the *Title, Privilege, Honour and Distinction of march through the streets of the City of Launceston on all ceremonial occasions with swords drawn, bayonets fixed, colours flying, drums beating and band playing.*

### ***Eligibility Criteria:***

Freedom of Entry to the City of Launceston is restricted to Australian military and civilian units which have, through their command, a significant attachment to the City of Launceston.

The granting of Freedom of Entry is conferred in recognition of a unit's achievement while on active service or overseas duty or as a mark of respect and gratitude for their efforts in defence of Australia.

The normal military protocol applies for the conferring of the Freedom of the City.

### ***Decision Making:***

As granting Freedom of Entry is the highest honour Council can bestow on an Australian military, nominations are considered on a case by case basis. Council will consider nominations at a Closed Council meeting and determine to grant or refuse conferral of the honour of Freedom of Entry to the City.

### **Honorary Freeman of the City of Launceston**

This is the most prestigious form of honour or recognition the City can place on an individual. It is a title given only in rare and exceptional circumstances to those who have made an outstanding and exceptional contribution to the community.

The title *Freeman of the City* is an historic one and may be conferred on women and men.

The following criteria shall be taken into account when consideration is being given to the conferring of the title of Honorary Freeman of the City of Launceston.

***Eligibility Criteria:***

1. Recipients should either be Launceston born or more importantly have lived in the Launceston area for a significant part of their life (at least 20 years).
2. Honorary Freeman of the City should not be conferred more than once every five years, except in exceptional circumstances.
3. The recipient must have given outstanding service to the City of Launceston in at least two of the following areas:

Government Bodies

Federal Government  
State Government  
Local Government  
Semi-Government Authorities

Community Service

Charitable  
Business  
Sporting  
Cultural

The only exception to this would be in the case of those who have held high political office in Tasmania or Australia.

4. Recipients should have played a significant role in Australia wide or Tasmania wide organisations.
5. The nominee's exceptional service must be recognised as a matter of public record.
6. The nominee's endeavours must have clearly benefited the Launceston Community.
7. The title shall not be bestowed on anyone holding the office of Councillor of the City of Launceston.

**Key to the City of Launceston**

Conferral of the Key to the City of Launceston is a high honour, though it conveys no legal right. The honour of the Key to the City is conferred through presentation of a commemorative key mounted on a plaque.

The decision to bestow this honour is often spontaneous and has traditionally been used to provide an opportunity for mass public recognition.

***Eligibility Criteria:***

1. Nominees must either be Launceston born or more importantly have lived in the Launceston area for significant part of their life (at least 20 years).
2. The recipient must be a group/individual with a highly recognised national and/or international profile.
3. The recipient must have made a nationally/internationally recognised achievement in sport, cultural or humanitarian work.
4. The recipient must be prepared to act as an ambassador for Launceston.

***Decision Making:***

Council will consider nominations at a Closed Council Meeting and determine to grant or refuse conferral of the honour of the Key to the City.

The nominee's acceptance of the honour is to be confirmed prior to public announcement.

### **Civic Receptions**

A civic reception is an event or function hosted by the Mayor which recognises an important occasion or circumstance.

#### ***Eligibility Criteria:***

##### ***Visiting Dignitaries***

Visits to Launceston by Royalty, Vice-Regal, Ambassador, Prime Minister, Premier and Politicians and Sister City dignitaries.

##### ***Recognition of significant contribution by a community organisation***

Community organisations must continuously carry out work for the economic, cultural and/or charitable well-being of Launceston's community. In all cases the groups are non-profit. No period under 20 years is recognised and it is normal to recognise 10 year intervals.

##### ***Recognition of Individual Outstanding Achievement/Service***

A civic event may be held in recognition of outstanding achievement/service and is reserved for high levels of excellence in any field.

##### ***Conventions, Conferences, Championships and Major Events***

(In accordance with Policy 05-PI-013)

No further payment or in-kind support (eg. Event Sponsorship, Community Grant, road closure fees, hire of Council venues or Civic Receptions) will be provided beyond that detailed above.

A request for a civic reception for delegates attending conventions, conferences, championships and major events in the City may be approved as part of a successful application, if requested, with all costs covered by the applicant up to a maximum of 100 people.

#### ***Decision Making:***

Recognition provided:

##### ***On the decision of the Mayor***

- informal Mayoral function and gift
- formal Civic Reception

##### ***On the decision of Council***

- public plaque, sculpture or art work in accordance with Plaques and Memorials in Public Open Space Policy (26-Plx-020)

Areas of significant service or achievement:

- Defence or peace keeping services
- Sporting or cultural excellence
- Community service including charitable activities
- Commercial activity or economic benefit to the region

Pre-requisites for recognition:

- Significantly contributed to the City in one of the areas of significant service or achievement
- Viewed as promoting or identified with the City
- Support from relevant reference organisations (eg. RSL Club, sporting bodies, etc.)

In determining the recognition provided the Council will consider the significance of the service in the context of the activity.

The Council will consider any other recognition from other levels of government and consider whether further recognition would complement or duplicate this.

### **Community Recognition Awards**

The Community Recognition Awards aim to recognise Australian citizens who have made a significant contribution to the Launceston municipal area through volunteer work and/or paid employment (in which case the contribution is significantly beyond what is normally expected without recompense or reward).

#### **1. Citizen and Young Citizen of the Year Awards**

- The award should be given to a person who has made a significant contribution in the Launceston area.
- The nominee must reside in the Launceston municipal area and be an Australian citizen.
- A person can only receive one Citizen/Young Citizen Award during their lifetime.
- A person must be 27 years of age or older (Citizen Award) or under 27 years of age (Young Citizen Award) on 1 January.

#### ***Eligibility criteria:***

##### **1.1 Criteria for Citizen Award**

All nominations received will be assessed against the following criteria:

- The impact of the person's contribution to either a particular field, locality, group, community or humanity at large.
- The period of time that the person has made a major commitment.
- Whether the person's contribution has been recognised elsewhere (eg. in the media, by other awards, interest groups or local councils).
- The level of excellence that the person has demonstrated in their chosen field.
- The person has contributed service that is worthy of recognition.

##### **2. Criteria for Sports Award**

Persons can be nominated for a Sports Awards for any of the following criteria:

- Persons who have a noteworthy record of achievement in sport.
- Persons who have made a significant contribution to sport as a coach, official or administrator.
- A person can only receive one Sports Award during his/her lifetime.
- It is not necessary for the nominee for the Sports Award to reside in the Launceston municipality, but they should reside in the Greater Launceston area and have contributed to sport in the city of Launceston.

### 3. Criteria for Community Event of the Year Award

Consideration is given, but not limited to, the following selection criteria:

- the event must be held in the Launceston municipality.
- benefit to the community, ie. how the event *gave back* to the community;
- the amount of hours spent organising and running the event;

The number of community volunteers who assisted with organising and/or running the event:

- number of attendees at the event;
- where were the proceeds (if any) allocated;
- accessibility to the event; and
- cost to enter the event.

#### **Decision Making:**

Nominations will be assessed by a panel of Councillors and will remain confidential until the announcement of the Awards.

The nominee's acceptance of the honour is to be confirmed prior to public announcement.

#### **Annulling an Award**

In the rare event that an Award has been brought into disrepute or that the reputation of the Office of the Mayor and/or Council more generally is damaged because of the actions of the recipient, Council has the right to vote to annul the Award and seek the return of any presentation item.

The criteria for annulling the Award from an individual or group include any of the following:

1. a recipient is found to have a criminal conviction or is found guilty in a court of law anywhere in the world. Alternatively a group receiving the Award has been brought into disrepute;
2. there is verifiable evidence to suggest the award was made on the basis of false information provided during the data-gathering process; and
3. there are other verifiable grounds on which it can be argued that the status of the Award, the Office of the Mayor and/or Council has been undermined in some way by the actions of the recipient(s).

The revocation of an Award is likely to be considered in the closed session of a Council Meeting, pursuant to regulation 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

The name of the recipient will be removed from any Honour Board or publication following a determination by Council to revoke the Award.

Annulling an Award is a serious matter. The recipient shall be advised of the intention to annul the Award prior to the decision of Council. The Council's intention is to maintain the integrity and value of the Awards rather than punish the recipient.

## **PRINCIPLES**

The policy objective is to recognise significant or outstanding achievement through public acknowledgement. The application of the policy must ensure that the thresholds for the different types or levels of recognition appropriately acknowledge the achievements.

If applied inappropriately or inconsistently then the importance of the recognition may be diminished.

Recognition activities may only be approved by the Mayor if the date of the reception or function falls within the Mayor's current term or three months after the end of his/her current term of office. All other requests are to be decided upon by Council.

The Council's organisational values apply to all activities.

## **ORGANISATIONAL VALUES:**



## **RELATED POLICIES AND PROCEDURES**

Volunteers Recognition Policy (04-PI-003)  
Mayoral Communication Flowchart (17-HLPr-002)  
Communications Writing and Sign off Procedure (05-Pr-009)  
Community Grants (Organisations) Policy (05-PI-018)  
Community Grants Individuals-Teams-Groups Policy (05-PI-019)  
Events Sponsorship Policy (05-PI-012)  
Conferences Conventions and Championships Incentives Policy (05-PI-013)  
Plaques and Memorials in Public Open Space Policy (26-Plx-020)

## **RELATED LEGISLATION**

Not Applicable

## **REFERENCES**

Not Applicable

## **DEFINITIONS**

Civic Events - activities organised in the name of the Council and presided over by the Mayor or Council delegate.

Community Member - Includes current and former residents of the municipality and may include the region.

## REVIEW

This policy will be reviewed no more than five years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

## REPORT:

The various civic recognition policies have been combined into a single policy to assist with the assessment of appropriate recognition of members of the community. The Community Member Recognition and Civic Functions Policy (05-Plx-024) outlines the criteria and decision-making process for each area of recognition.

## Changes to Policy

None of the policies to be rescinded provided scope to annul an award. The proposed policy makes provision for this in relation to all recognition awards.

To communicate the differences between the policies to be rescinded and the new policy proposed in this report, changes between the policies are detailed in this table. Aside from headings, text is bolded where it is helpful to highlight a point of difference.

Policy to be Rescinded	Proposed Policy
<b><i>Conferring the Honour of Honorary Freedom of the City and Key to the City Policy 05-PI-004</i></b>	
No equivalent provision.	Freedom of Entry to the City of Launceston has been restricted to military units only.
(Individual) Recipients should either be Launceston born or more importantly have lived in the Launceston area for a significant part of their life.	(Individual) Recipients should either be Launceston born or more importantly have lived in the Launceston area for a significant part of their life <b>(at least 20 years)</b> .
The recipient must have given outstanding service to the City of Launceston in at least two of the following areas: <u>Government Bodies</u> Federal Government State Government Local Government Semi-Government Authorities <u>Community Service</u> Charitable Business Sporting Cultural <b>Other</b>	The recipient must have given outstanding service to the City of Launceston in at least two of the following areas: <u>Government Bodies</u> Federal Government State Government Local Government Semi-Government Authorities <u>Community Service</u> Charitable Business Sporting Cultural
No equivalent provision.	The nominee's exceptional service must be recognised as a matter of public record.



Policy to be Rescinded	Proposed Policy
<b><i>Conferring the Honour of Honorary Freedom of the City and Key to the City Policy 05-PI-004</i></b>	
No equivalent provision.	The nominee's endeavours must have clearly benefited the Launceston Community.
No equivalent provision.	The title shall not be bestowed on anyone holding the office of Councillor of the City of Launceston.
The Key to the City is a symbolic gesture to recognise outstanding achievement in: (a) Defence or peace keeping services; (b) Sporting or cultural excellence; (c) Community service, humanitarian work including charitable activities; or (d) Commercial activity or economic benefit to the region.	Eligibility Criteria: 1. Nominees must either be Launceston born or more importantly have lived in the Launceston area for significant part of their life (at least 20 years). 2. The recipient must be a group/individual with a highly recognised national and/or international profile. 3. The recipient must have made a nationally/internationally recognised achievement in sport, cultural or humanitarian work. 4. The recipient must be prepared to act as an ambassador for Launceston.
<b><i>Community Member Recognition and Civic Functions Policy (05-PI-006)</i></b>	
In determining the recognition provided the Council will consider the significance of the service in the context of the activity. Possible factors would include the period of service (e.g. 20 years), the standard reached (national or international) or the funds raised.	In determining the recognition provided the Council will consider the significance of the service in the context of the activity.
Recognition periods are 25 years	Recognition periods are 20 years and it is normal to recognise 10 year intervals.
<b><i>Hall of Fame Policy (05-PI-009)</i></b>	
The following criteria are to be used in selecting the individual for induction into the Launceston Hall of Fame: - The person must have made a significant contribution to Launceston. - The person must be deceased. - The person contribution demonstrates broad community involvement. - The person's contribution shows a commitment to or foresight for promotion of Launceston and our region to the world.	No equivalent provision. The proposed policy allows for recognition of outstanding individual achievement or service in different ways, which could include posthumously.

Policy to be Rescinded	Proposed Policy
<b><i>Honorary Citizens of Launceston Policy (05-PI-005)</i></b>	
(a) The Council has an Award titled:- "Honorary Citizen of the City of Launceston". (b) The guide-lines which the recipient of such Award should meet are: (i) Must be a resident of an area outside the City of Launceston; (ii) To have contributed to the economy of the City in a most substantial way; (iii) To have promoted goodwill through contributions to the civic cultural and commercial welfare of the City; and (iv) To have had a continuous association with the City for not less than ten years.	No equivalent provision.

**RISK IMPLICATIONS:**

As noted in the proposed policy, if recognition is applied inappropriately or inconsistently the importance of the recognition may be diminished and the Council's reputation may suffer as a result. The proposed policy seeks to mitigate this risk by streamlining current means of recognition, removing those which are not used and contemporising those that remain.

**SOCIAL IMPACT:**

Consideration contained in the report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflect the needs and expectations of our community.

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

Focus Areas:

4. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Costings for civic recognition events will be funded from the Civic Affairs budget.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

1. Conferring the Honour of Honorary Freedom of the City and Key to the City (05-PI-004) [**17.4.1** - 3 pages]
2. Honorary Citizens of Launceston Policy (05-PI-005) [**17.4.2** - 3 pages]
3. Hall of Fame Policy (05-PI-009) [**17.4.3** - 3 pages]
4. Community Member Recognition and Civic Functions Policy (05-PI-006) [**17.4.4** - 4 pages]

Launceston City Council  
Reference No. 05-PI-004  
Version: 10/02/2014  
Approved By: Council

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## **Conferring the Honour of Honorary Freedom of the City and Key to the City Policy**

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### **PURPOSE:**

To determine the principles for the conferring Honorary Freedom of the City and Key to the City.

### **SCOPE:**

This Policy applies to Council's decision making in relation to conferring Honorary Freedom of the City and Key to the City.

### **POLICY:**

1. Recipients should either be Launceston born or more importantly have lived in the Launceston area for significant part of their life.
2. The title "Freeman of the City" is an historic one and may be conferred on women and men.
3. Honorary Freedom of the City should not be conferred more than once every five years, except in exceptional circumstances.
4. The recipient must have given outstanding service to the City of Launceston in at least two of the following areas:

#### Government Bodies

Federal Government  
State Government  
Local Government  
Semi-Government Authorities

#### Community Service

Charitable  
Business  
Sporting  
Cultural  
Other

The only exception to this would be in the case of those who have held high political office in the State or Commonwealth.

5. Recipients should have played a significant role in Australia wide or Tasmania wide organisations.
6. The normal military protocol applies for the conferring of the Freedom of the City to a military unit.
7. The Key to the City is a symbolic gesture to recognise outstanding achievement in
  - a) Defence or peace keeping services;
  - b) Sporting or cultural excellence;
  - c) Community service, humanitarian work including charitable activities; or
  - d) Commercial activity or economic benefit to the region.

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Launceston City Council  
Reference No. 05-PI-004  
Version: 10/02/2014  
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**Conferring the Honour of Honorary Freedom of the City  
and Key to the City Policy**

**PRINCIPLES:**

Council's Organisational Values apply to all activities.

**RELATED POLICIES & PROCEDURES:**

[Guidelines for the Holding of Civic Events \(05-HLPr-006\)](#)

[Honorary Citizens of Launceston Policy \(05-PI-005\)](#)

**RELATED LEGISLATION:**

N/A

**REFERENCES:**

N/A

**DEFINITIONS:**

N/A

**REVIEW:**

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

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Launceston City Council  
Reference No. 05-PI-004  
Version: 10/02/2014  
Approved By: Council

## Conferring the Honour of Honorary Freedom of the City and Key to the City Policy

### DOCUMENT INFORMATION:

<b>Reference Number:</b>	05-PI-004
<b>Version:</b>	10/02/2014
<b>Review:</b>	10/02/2019
<b>Key Function:</b>	Community Relations
<b>System:</b>	Citizenship
<b>Document Type:</b>	Policy
<b>Responsible Directorate:</b>	Corporate Services
<b>Approved by:</b>	Council
<b>Action Officer:</b>	John Davis
<b>Text Search Key Words</b>	Freedom city honour key

<b>Hard Copy Distribution</b>	Policy Manuals: Director Corporate Services
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<b>To be Communicated To:</b> <i>(To be identified by Action Officer or Approver)</i>  (Insert ✓ in relevant row)		Department/Area only
		Directorate via Director and Managers
		Specific Areas:
	✓	Council-wide
		Council Website
		Intranet

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Document Information Page 1 of 1

## Honorary Citizens of Launceston policy

### **PURPOSE:**

To determine the principles for conferring Honorary Citizenship of Launceston.

### **SCOPE:**

This policy applies to Council's decision making in relation to conferring Honorary Citizenship of Launceston.

### **POLICY:**

This City, over the years, has developed relationships with people from many Countries. All of these relationships are important, but naturally some develop and are on-going to become more important than others.

As a means of fostering international goodwill, and promoting Launceston as a place to visit, and a place with which to trade, consideration has been given to the establishment of an appropriate Award, to recognise the relationships.

(a) The Council has an Award titled:-

"Honorary Citizen of the City of Launceston".

(b) The guide-lines which the recipient of such Award should meet are:-

- (i) Must be a resident of an area outside the City of Launceston;
- (ii) To have contributed to the economy of the City in a most substantial way;
- (iii) To have promoted goodwill through contributions to the civic cultural and commercial welfare of the City;
- (iv) To have had a continuous association with the City for not less than ten years.

### **PRINCIPLES:**

The Council's Organisational Value's apply to all activities.

### **RELATED POLICIES & PROCEDURES:**

- [Guidelines for the Holding of Civic Receptions \(05-HLPr-006\)](#)
- [Conferring the Honorary Freedom of the City and Key to the City Policy \(05-PI-004\)](#)

### **RELATED LEGISLATION:**

N/A

***REFERENCES:***

N/A

***DEFINITIONS:***

N/A

***REVIEW:***

This policy will be reviewed no more than 5 years after the date of approval or more frequently, if dictated by operational demands and with Council's approval.



CITY OF LAUNCESTON - Honorary Citizens of Launceston policy

**DOCUMENT INFORMATION**

Reference number	05-PI-005
Version	21/09/2016
Review	21/09/2021
Key function	Community Relations
System	Citizenship
Document type	Policy
Responsible Directorate	Corporate Services
Approved by	Council
Action Officer	John Davis
Text search key words	citizen Launceston citizenship honorary honour

To be communicated to (To be identified by Approver) (Insert ✓ in relevant row)		Department/Area only
		Directorate via Director and Managers
		Specific Areas:
	✓	Organisation-wide
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		Intranet (via a link)

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Launceston City Council  
Reference No. 05-PI-009  
Version: 16/03/2015  
Approved By: Council.

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## Hall of Fame Policy

### **PURPOSE:**

To determine the criteria for induction of an individual into City of Launceston Hall of Fame.

### **SCOPE:**

This Policy applies to City of Launceston employees and Aldermen in relation to the recommendation and selection of each individual to be inducted into the Hall of Fame.

### **POLICY:**

The following criteria are to be used in selecting the individual for induction into the Launceston Hall of Fame -

- The person must have made a significant contribution to Launceston
- The person must be deceased
- The person contribution demonstrates broad community involvement
- The person's contribution shows a commitment to or foresight for promotion of Launceston and our region to the world

### **PRINCIPLES:**

The policy is to recognise an individual's significant contribution to Launceston and the region posthumously.

The Hall of Fame inductee ceremony will be granted on an irregular basis determined by the merit and timing of the nomination. It is important that the award maintains the highest standards of achievement.

It was formerly aligned with Australia Day which has taken on greater significance with other activities such as the citizenship ceremony and awards.

The Council's Organisational Values apply to all activities.

### **RELATED POLICIES & PROCEDURES:**

[05-PI-005 Honorary Citizens of Launceston Policy](#)

[05-PI-006 Community Member Recognition and Civic Functions Policy](#)

[05-HLPr-006 Guidelines for the Holding of Civic Receptions](#)

[05-PI-004 Conferring the Honour of Honorary Freedom of the City Policy](#)

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Launceston City Council  
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Version: 16/03/2015  
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## Hall of Fame Policy

### [04-PI-003 Volunteers Recognition Policy](#)

#### **RELATED LEGISLATION:**

N/A

#### **REFERENCES:**

N/A

#### **DEFINITIONS:**

N/A

#### **REVIEW:**

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with the Council's approval.

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Launceston City Council  
Reference No. 05-PI-009  
Version: 16/03/2015  
Approved By: Council.

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## Hall of Fame Policy

### **DOCUMENT INFORMATION:**

<b>Reference Number:</b>	05-PI-009
<b>Version:</b>	16/03/2015
<b>Review:</b>	16/03/2020
<b>Key Function:</b>	Community Relations
<b>System:</b>	Civic Affairs
<b>Document Type:</b>	Policy
<b>Responsible Division:</b>	General Manager
<b>Approved by:</b>	Council
<b>Action Officer:</b>	Elizabeth Clark
<b>Text Search Key Words</b>	Hall fame civic affairs
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Launceston City Council  
Reference No. 05-PI-006  
Version: 10/02/2014  
Approved By: Council

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## Community Member Recognition and Civic Functions Policy

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### **PURPOSE:**

To establish the framework for the recognition by the Council for significant contributions to the municipality and the region by community members (including former residents).

### **SCOPE:**

The policy applies to requests to hold a civic event in recognition of a significant contribution or achievement by a community member.

The policy applies to the Mayor and or Council approving the holding of Civic events.

### **POLICY:**

This policy seeks to complement the existing conferring of Honorary Freedom of the City, Honorary Citizens and the Volunteers Recognition Policies by providing a framework for the recognition of significant achievement by members of the community.

Recognition provided:

On the decision of the Mayor

1. Informal Mayoral function and gift
2. Formal Civic Reception.

On the decision of the Council

3. Public plaque, sculpture or art work.
4. Other.

Areas of significant service or achievement:

1. Defence or peace keeping services
2. Sporting or cultural excellence.
3. Community service including charitable activities.
4. Commercial activity or economic benefit to the region.

Pre-requisites for recognition:

1. Significantly contributed to the City in one of the areas of significant service or achievement.
2. Viewed as promoting or identified with the City.
3. Support from relevant reference organisations (e.g. RSL Club, sporting bodies etc).

In determining the recognition provided the Council will consider the significance of the service in the context of the activity. Possible factors would include the period of service (e.g. 20 years), the standard reached (national or international) or the funds raised.

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Launceston City Council  
Reference No. 05-PI-006  
Version: 10/02/2014  
Approved By: Council

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## **Community Member Recognition and Civic Functions Policy**

The Council will consider any other recognition from other levels of government and consider whether further recognition would complement or duplicate this.

### **PRINCIPLES:**

The policy objective is to recognise significant or outstanding achievement through public acknowledgement. The application of the policy must ensure that the thresholds for the different types or levels of recognition appropriately acknowledge the achievements.

If applied inappropriately or inconsistently then the importance of the recognition may be diminished.

Recognition activities may only be approved by the Mayor if the date of the reception or function falls within the Mayor's current term or three months after the end of his/her current term of office. All other requests are to be decided upon by the Council.

The Council's organisational values apply to all activities.

### **RELATED POLICIES & PROCEDURES:**

[05-PI-005 Honorary Citizens of Launceston Policy](#)  
[04-PI-003 Volunteers Recognition Policy](#)  
[05-HLPr-006 Guidelines for the Holding of Civic Receptions](#)  
[17-HLPr-002 Mayoral Communication Flowchart](#)  
[05-Pr-009 Council's Communication Sign Off Procedure](#)  
[05-PI-010 Community Grants \(Organisations\) Policy](#)  
[05-PI-019 - Community Grants Individuals-Teams-Groups Policy](#)  
[05-PI-012 Events Sponsorship Policy](#)  
[05-PI-004 Conferring the Honour of Honorary Freedom of the City Policy](#)

### **RELATED LEGISLATION:**

N/A

### **REFERENCES:**

N/A

### **DEFINITIONS:**

Civic Events - activities organised in the name of the Council and presided over by the Mayor or Council delegate.

Community Member - Includes current and former residents of the municipality and may include the region.

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Launceston City Council  
Reference No. 05-PI-006  
Version: 10/02/2014  
Approved By: Council

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## Community Member Recognition and Civic Functions Policy

### **REVIEW:**

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

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Launceston City Council  
Reference No. 05-PI-006  
Version: 10/02/2014  
Approved By: Council

## **Community Member Recognition and Civic Functions Policy**

### **DOCUMENT INFORMATION:**

<b>Reference Number.</b>	05-PI-006
<b>Version:</b>	10/02/2014
<b>Review:</b>	10/02/2019
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<b>System:</b>	Receptions
<b>Document Type:</b>	Policy
<b>Responsible Division:</b>	Corporate Services
<b>Approved by:</b>	Council
<b>Action Officer:</b>	John Davis
<b>Text Search Key Words</b>	Community Member Recognition and Civic Functions Policy

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		Directorate via Director and Managers
		Specific Areas:
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	✓	Council-wide
		Council Website
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<b>Hard Copy Distribution</b>	Policy Manuals: Director Corporate Services
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**18. CHIEF EXECUTIVE OFFICER NETWORK**

**18.1. 126-128 Russells Plains Road, Rocherlea**

**FILE NO:** SF2963

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**DECISION STATEMENT:**

This report has been prepared for Council to consider management issues and future options for the Council owned property at 126-128 Russells Plains Road, Rocherlea.

**RECOMMENDATION:**

That Council:

1. determines that the dwelling at 126-128 Russells Plains Road, Rocherlea not be made available for leasing due to safety concerns that exist for tenants from persons regularly trespassing on the site;
  2. given the extensive theft and damage that has occurred to the dwelling on the site, that it be demolished;
  3. prioritises making a decision on whether the site will be required to house a new landfill site once the current landfill at the Remount Road site is closed; and
  4. in the event that it is determined that the site is not required for a future landfill, undertake a land use study to investigate options for its potential development.
- 

**REPORT:**

Introduction

On 14 March 1997 the Council purchased 126-128 Russells Plains Road, Rocherlea (the site) for \$725,000 as a future landfill site to service the City. The site is denoted by the white line markings in Figure 1.

In considering the purchase, the General Manager at the time, Bob Campbell stated

*... It will become increasingly difficult to locate future landfill sites close to town... The Russells Plains property is adjacent to Remount Road and looks suitable for a future landfill. It is a big area of land and would secure Launceston's landfill requirements well into the future... It would not be needed for 20 years, so a decision to acquire it now is strategic and long term... If for some reason the land ended up not being used for landfill it could be resold.*

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Figure 1: 162-164 Russells Plains Road, Rocherlea

Since purchasing the site it has presented the Council with many challenges in terms of its use and management as well as its potential for future use. Many of these issues have been a result of the incompatibility between the rural/urban interfaces. This report will outline the management challenges that the Council has been dealing with for many years and will make recommendations in respect to some short-term management options.

Equally, the report will examine the strategic opportunities and constraints that exist for the site in the longer term.

### Site Description

The site comprises approximately 862ha of cleared and vegetated agricultural land which separates the valley and plain from the residential areas of Mowbray, Mayfield, Alanvale, Rocherlea and the Mowbray Golf course. The site is accessed off Russells Plains Road, which provides access to the site and contains approximately 12 residential dwellings generally sited in close proximity to the road.

The site is bounded by the steep bushland of Boomers Hill to the east and a range of moderately sloping and lightly vegetated hills to the west.

There are a number of rocky, vegetated outcrops throughout the site. The cleared section of the land has historically been used for sheep grazing and, until the last couple of years, it contained several residential dwellings, barns, shearing shed and transmission towers. The dwellings and outbuildings that existed on the site are identified in Table 1:

Buildings	Construction	Area
House 1	Circa 1980	161m <sup>2</sup>
House 2	Circa 1950	125m <sup>2</sup>
Shearing Shed	Circa 1990	464m <sup>2</sup>
Workshop	Circa 1970	288m <sup>2</sup>
Old Shed	Unknown	41m <sup>2</sup>
Old Shearing Shed	Unknown	266m <sup>2</sup>

Table 1

The site also contains an existing clay borrow pit that is located approximately 200m from the nearest (western) boundary. The pit is approximately 650m to the north of the Council's landfill site and is utilised to access clay for landfill management purposes.

A land capability assessment was carried out on the site by GHD's Natural Resource Planner in 2006 which identified that approximately 2% of the site consists of Class 4 land (suitable for grazing and marginally suitable for cropping), 13% Class 5 (not suitable for cropping) and 76% class 6/7 land (not suitable for cropping and marginal for rough grazing).

According to the land capability survey, there is no prime agricultural land (class 1, 2 and 3) on the site. The best quality land (class 4) consists of approximately 20ha which forms part of the flood plain area adjoining Barnards Creek. The land is marginal for cropping but is well suited for grazing. Importantly, the report concluded that *the site is unlikely to remain economically viable for grazing as a result of the small size of the property and the costs involved to improve production.*

In terms of land use planning, the site is zoned Rural under the Tasmanian Planning Scheme - Launceston and contains overlays in respect to the Attenuation Code, Natural Assets Code and Bushfire-Prone Code. The overlay in respect to the Attenuation Code is in place due to the fact that the site is located adjacent to the Launceston Waste Centre at Remount Road, Mowbray.

#### Site Management History

Upon purchasing the site in March 1997 the Council entered into a lease with the former owners (R & J Chugg) to use the site for agricultural purposes. When the initial lease concluded in July 1998 the site was leased to Grant Hazelwood. Mr Hazelwood also leased the dwelling at 126 Russells Plains Road.

Mr Hazelwood leased the house and the farmland for over 19 years and during this time the site was regularly impacted by persons entering the site illegally. People have always utilised the site to travel between the adjoining suburbs, while it also experiences trespassing from people illegally harvesting firewood and by people engaging in the illegal dumping of waste and other items. In accessing the site for these activities the fences are cut and gates damaged on a very regular basis which has caused many problems for the tenant, community and the Council with livestock being permitted to roam in adjoining areas. The attached article from *The Examiner* on 19 March 2014 outlined the community concerns, which have existed at some level ever since the property has been used for animal grazing. The Council has also previously hired a private investigator to try and catch the wood hookers operating on the site, however, this proved impossible due to all the many different entry/exit points.



Figure 2: *The Examiner* article - 19 March 2014 (reproduced with permission)

In March 2016 the Council considered issues in respect to the lease, and more specifically the difficulty in managing livestock on the site. According to the report:

### **Current Management Issues**

*The Launceston Waste Centre has had continual issues with livestock on the landfill from the leased property posing significant risks to staff and the livestock. Repeated attempts to have the livestock removed by the owner fail and Waste Centre staff end up removing the stock themselves.*

*Vandals have made the issue harder by repeatedly destroying fences that keep the livestock out of the landfill. Waste Centre staff organise for the repair work to the perimeter fences but at times it can be a daily occurrence repairing fences and removing livestock.*

*It has been noted access to the landfill and surrounding land is being gained through this property to cut firewood and dispose of rubbish.*

*In addition, it is a biosecurity issue having livestock on a landfill and potentially feeding on food wastes containing or contaminated by animal matter. There should be no livestock on any landfill site used for the disposal of household and other food waste material. Food wastes pose a risk of an emergency or exotic animal disease outbreak if fed to susceptible stock.*

*Environmental Services have also had a long standing issue with livestock escaping the tenant's property and roaming the Rocherlea neighbourhood causing a nuisance to residents and safety risk for road users. Between 26 December 2015 and 6 January 2016 10 complaints were received by the Council regarding livestock roaming nearby neighbourhoods. Delays by the tenant to remove the livestock resulted in the Council's Officers attending five of the complaints. For the October 2015 to December 2015 quarter there were approximately two-three after hours call outs per week to address livestock roaming owned by the tenant. Call outs to tend to the tenant's livestock is estimated to account for approximately two-thirds of Environmental Services after hours budget.*

The report recommended the termination of the lease for the grazing of livestock on the property. The lease was subsequently changed by the Council from commercial to residential until January 2017 with the tenant continuing to reside in the dwelling on the site. However, this lease was subsequently terminated due to a failure to vacate livestock from the property.

The report also stated that the Russells Plains Farm property, due to its location, will likely be subject to vandalism and as such it is suggested by the Council's Officers that:

- a tender is issued for the purchase and removal of the newer shearing shed; and
- a stripping and demolition of dwellings and outbuildings is undertaken

However, this recommendation was not put to Councillors and it was indicated that the Council will continue to manage the land as required. It was believed that grazing by native animals should be sufficient to maintain grass heights to prevent fire hazards. It was also noted that other options for the management of the land will be further investigated including:

- releasing of the property either as the same parcel of land or smaller;
- forestry opportunities; or
- passive recreation opportunities.

During the meeting to consider the issue, (former) Alderman Finlay suggested that the Council commence discussions with a suitable business in order to be proactive in the use of the land and as a means of utilising space to encourage youth participation activities.

Since this time the site has been managed nearly exclusively as the buffer for the waste centre, with the two dwellings continuing to be leased to individuals for residential purposes. However, the site is also open to passive recreational users, with horse riders using the site and orienteering clubs holding up to five events a year. These users are always asked to leave the site before late afternoon.

It should be noted that when the dwelling was vacated in 2016, it required approximately \$150,000 in repairs to enable it to be leased to a new tenant.



In late March 2022 the tenants of one of the dwellings on the site decided to end the lease, thus leaving the dwelling vacant for a period of time. The dwelling was almost immediately vandalised and required the Council to attend to repairs prior to considering it for re-renting. However, before a new tenant could be found for the dwelling it was the subject of an arson attack on 16 June 2022 causing its total destruction. The matter was reported to the police and the Council insurers at the time. It was clearly a difficult property on which to reside which is explained in an e-mail to the Council from the former tenant detailing their experience as they were vacating the dwelling in March 2022:

*...Just emailing you after our discussion earlier. Just stating that thieves have already got into the house last night and took all our cleaning products right down to paper towel and scouring pads lol and so things around house hadn't gone yet. I am very concerned that they are already in the house before we have even fully moved out. To the likelihood of word getting around no-one is in it and others getting into house and vandalising the house or worse...*

*As per our discussion I understand you were unaware as to how bad it is up in the Russells Plain farm area. As to the criminal element that have pretty much taken control of the farm. And the thievery up there.. Every Straight gate has been stolen on the farm. As well as every steel fence dropper and sections of brand new fencing that was put in couple years ago.*

*If anyone takes on that house again I believe they should be given the heads up as to the criminal element that's constantly up there. And to the likelihood of house and sheds getting broken into as had occurred on multiple occasions in my time there. To the point I had to move all shed belongings that had left to family members shed. And only had bare minimal belongings in the house. They don't care day or night. Because house is so isolated. And there is the presence of firearms on the property frequently.*

*I don't believe anyone in council have any real idea what's happening on the property. Has to be seen to be believed lol. It's just constant fear of being robbed and having cars or belongings taken. There is no presence of council and or police to stop this sort of thing happening... Farm is used for a back road between Rocherlea area to Ravenswood... Stolen cars usually come one way or the other and burnt out not far from house... Those types seem to run and own that property at the moment unfortunately.*

*...Pitty as it is a nice spot up there...*

Soon after the arson attack on the dwelling, in April 2023 the disused shearing shed on the site was destroyed by another arson attack along with a nearby agricultural shed. The shearing shed was totally destroyed by the fire, however, the shed was only partially burnt and the Council was instructed by the fire brigade to demolish it.



Shearing Shed



Agricultural Shed

The remaining dwelling on the site is experiencing similar issues as the former dwelling and sheds.

Earlier this year the tenant abruptly vacated the dwelling without the Council's knowledge and it was immediately broken into with a large amount of items being stolen and the dwelling vandalised. The matter was reported to police and the house was security fenced in order to afford an increased level of security.



Existing Dwelling at 126 Russells Plains Road

The damage and theft that has occurred to the dwelling means that the estimated cost to make it habitable is around \$300k as follows:

Item	Price
Site Establishment	\$ 5,800.00
Demolishing/Rubbish Removal	\$ 4,200.00
Electrical Rough in	\$ 28,000.00
Plumbing Rough in	\$ 24,000.00
Plastering	\$ 18,000.00
Painting	\$ 32,000.00
Windows	\$ 4,000.00
Gutter	\$ 8,600.00
Water Tank	\$ 5,400.00
Septic Tank	\$ 4,800.00
Kitchen	\$ 21,000.00
Floor Coverings	\$ 28,000.00
Labour	\$ 68,000.00
White Goods	\$ 12,000.00
External Rural Fence	\$ 12,000.00
Sub-total	\$ 275,800.00
GST	\$ 27,580.00
<b>Total</b>	<b>\$ 303,380.00</b>

Alternatively, to demolish the property the cost is estimated to be under \$50K as follows:

Item	Price
Site Establishment	\$ 5,800.00
Float Machinery to / from site	\$ 3,900.00
Removal of burnt rubbish around site	\$ 4,200.00
Labour	\$ 13,200.00
Tipping Fees	\$ 6,400.00
Excavator / Truck / Skid Steer	\$ 9,300.00
Sub-total	\$ 42,800.00
GST	\$ 4,280.00
<b>Total</b>	<b>\$ 47,080.00</b>



Given that tenants continue to experience problems with regular trespassers on the property, it does not seem that the site can be safely tenanted by the Council. Much of the illegal trespassing activity that is occurring is of a potentially serious nature and therefore, it is not recommended that the dwelling be made available for renting in the future. While it is appreciated that there is a view that having a tenant in the dwelling reduces the illegal activity on the site, the reality is that it has very little impact. This is demonstrated by the experience of the former tenant. Additionally, it would not be safe to place a person in the dwelling in some form of caretaker role for similar reasons. The site is extremely large and it is considered that a caretaker role would be ineffectual in reducing the illegal trespassing and activities that are occurring.

Consideration could be given to opening up the site through the provision of a network of more formalised trails to create more of a nature reserve use which may increase the level of passive recreation activities that occur. However, given the level of illegal and unsociable behaviour that occur throughout the site, the provision of trails would not be overly attractive to people due to safety concerns, and would not serve to prevent the current illegal activities that occur.

#### Launceston Waste Centre

The landfill at the Launceston Waste Centre opened in 1983 and has been gradually expanding and now occupies 60 hectares of a 235 hectare property owned and managed by the Council.

In addition to the landfill, the Launceston Waste Centre includes a waste transfer station with a walking floor, recycling centre, resale shop and organics processing facility.

The landfill currently operates as a regional facility for the North of the state receiving waste outside of the Municipal Area from West Tamar, Northern Midlands and George Town.

The site operates in accordance with the Permit No. DA 0477/2002 issued by the Launceston City Council (LCC) in 2004 under the *Land Use Planning and Approvals Act 1993* and an Environment Protection Notice (EPN) 7175/1 issued by the then Department of Primary Industries Water and Environment (now the Environment Protection Authority) under the *Environmental Management and Pollution Control Act 1994*.

A Planning Permit was issued in 2020 to increase the filling height from 96m above sea level to 107m above sea level, which increased the life of the landfill by an additional 17 years.

A Landfill Development Plan Review was carried out in 2022 which determined that the landfill is expected to operate for a further 27 years, with closure expected circa 2050.

The Council's decision in 1997 to purchase the Russells Plains site was a sound strategic move as it has enabled the Council to control a large swathe of the landfill/transfer station attenuation area and also presents the opportunity to establish a new landfill post 2050 if required. Equally, however, the decision to purchase the site was based on a premise that a new landfill would be required within 20 years (or 2017), which was a significant under estimation of the landfill life and has caused the Council to have to manage the heavily encumbered site for a significant period of time.

#### A Future Landfill?

At this point in time no decision has been made on whether the Russells Plains Road site will be required to house a new landfill site once the current landfill at the Remount Road site is closed. It certainly does not seem desirable for councils to be establishing new landfills in 2050 when there has been and will continue to be developments in waste management technologies and options. However, for many options (such as incineration) the market conditions in Northern Tasmania make it difficult to generate a scale of waste that would be required to make them sustainable and affordable. Landfilling remains the most cost effective waste management option, but is by no means the preferred option.

In July 2021, Council adopted the *Towards Zero Emissions Action Plan*, which identified the action to transition out of landfilling by 2050. Action number 2.10 of the plan is to commence scoping a phasing out of landfill transition plan.

Rather than establishing a new landfill site, it may be an option for the Council to cease landfilling and transport waste to an alternative landfill site. Under this scenario the Launceston Waste Centre would continue to operate as a waste transfer station, recycling centre, resale shop and Organics Processing facility.

The Council needs to invest the time and resources into determining its waste management future. In doing so it will be necessary to investigate new technologies and waste management methodology and work with neighbouring councils and the State Government as it is likely that a regional and/or State-wide approach will be required.

Clearly, however, until a decision can be made on the post 2050 waste management approach there will not be any certainty on the availability of the Russells Plains Road site for an alternative use. Aside from this, a majority of the site will continue to be encumbered by the landfill attenuation area until the landfill operation ceases. The existence of the attenuation area effectively prevents much of the site from being considered for more sensitive uses (such a residential), however, it could be developed for industrial uses once a decision on a future waste management option is made.

#### Land Use Planning - Future Planning for the Site

As previously stated, the site is zoned Rural under the Tasmanian Planning Scheme - Launceston and contains overlays in respect to the Attenuation Code, Natural Assets Code and Bushfire-Prone Code (Refer Figure 3).

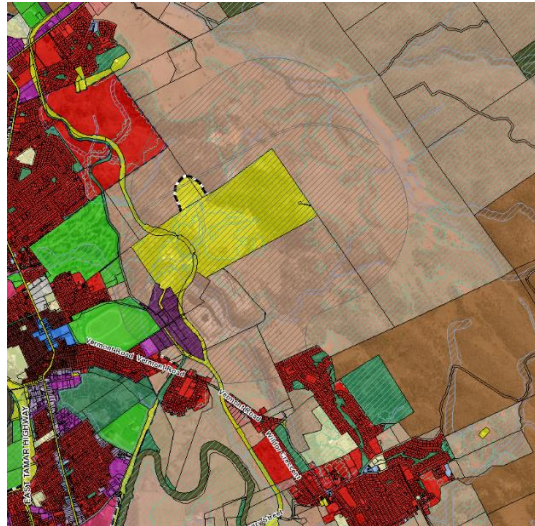


Figure 3 - Zoning Map

The purpose of the Rural Zone is:

- To provide for a range of use or development in a rural location:
  - where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;
  - that requires a rural location for operational reasons;
  - is compatible with agricultural use if occurring on agricultural land;
  - minimises adverse impacts on surrounding uses.
- To minimise conversion of agricultural land for non-agricultural use.
- To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

The site contains an Attenuation Code overlay as it is located adjacent to the Launceston Waste Centre (Utilities Zone coloured yellow in Figure 3). The Launceston Waste Centre is classified as a level 2 waste depot for putrescible waste, which means that 500m attenuation distance applies from the boundary of the site. The transfer station on the site also has a 150m attenuation distance.

The existence of an attenuation area on the property imposes restrictions on how it may be developed and/or used. It is particularly restrictive for uses which are considered more sensitive, such as residential. While sensitive use development within the attenuation area is allowable as a discretionary use, it can only occur where it can demonstrate that it would not interfere or constrain the operation of the waste centre. Similarly, subdivision to create a lot intended for a sensitive use (residential) must not result in the potential for a sensitive use to be impacted by emissions from the waste centre.

It is considered that the Attenuation Code makes it difficult for the Russells Plains Road site in its entirety to be considered for residential use while the Launceston Waste Centre remains in operation. The only scenario under which this land can be considered for more sensitive uses such as residential would be if the Launceston Waste Centre were to close, the site is not required for use as a future landfill operation and a re-zoning to a Residential or Low Density Residential zone is successfully made. Should this occur, it would still be necessary to manage any adverse impacts on the sites natural values as well as bush fire risks for any future residential development of the site.

### *Northern Regional Land Use Strategy*

The Regional Land Use Strategy (RLUS) is the statutory regional plan for Northern Tasmania. It applies to all land in the northern region of Tasmania. It sets out the strategy and policy basis to facilitate and manage change, growth, and development to 2032. Across the Northern Region the RLUS will guide land use, development and infrastructure decisions made by State and local government, and by key infrastructure providers.

The RLUS has identified sufficient Urban Growth Areas to sustainably meet the region's urban development needs, considering population, housing, employment projections and reasonable assumptions about future growth. These areas are spatially shown in the Regional Framework Plan, which is provided a Figure 4.

The site is not currently identified in the RLUS as an urban growth area.

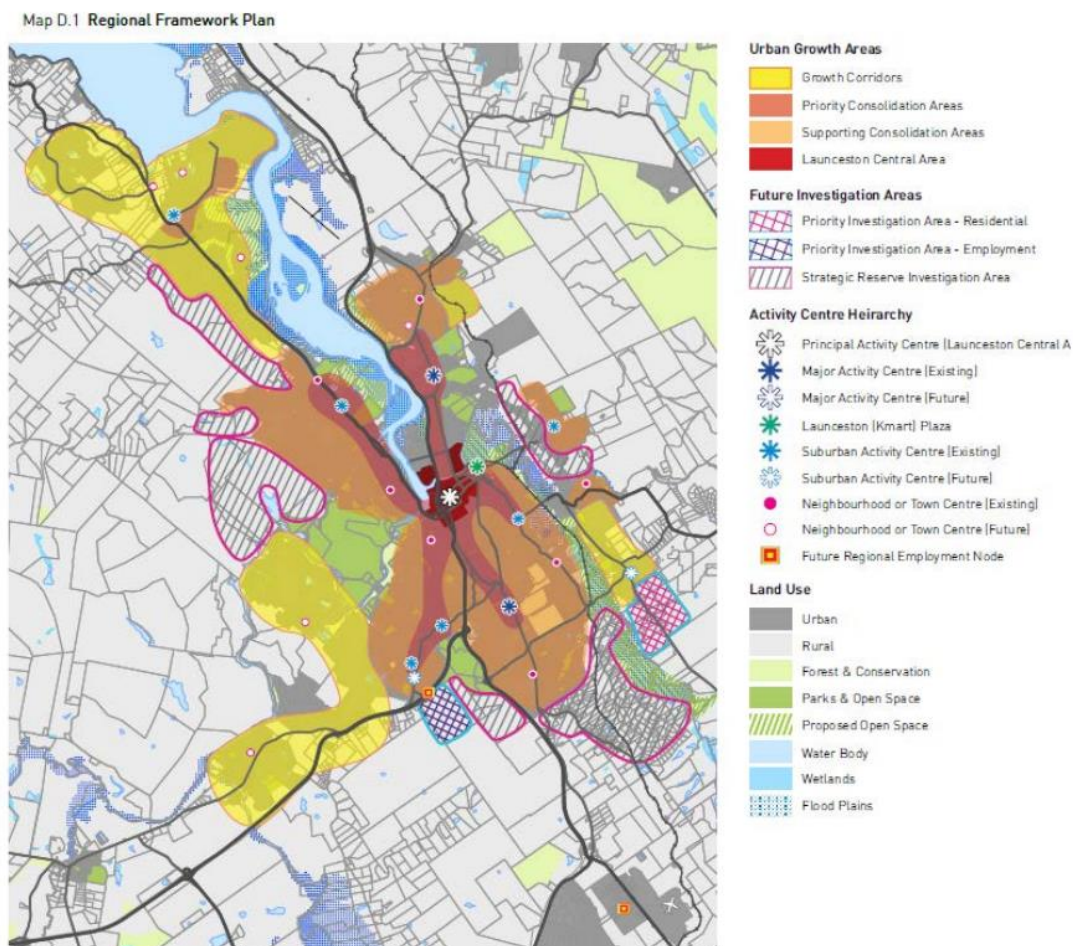


Figure 4 - Regional Framework Plan

### *Potential for Russells Plains Road to be an industrial estate*

In 2006 the Council engaged GHD to complete an investigation and report on the suitability for Russells Plains Road to be developed as an industrial estate as it represents one of the few areas in Launceston comprising flat land able to be buffered from more sensitive land use and provide for larger-scale development.



The report concluded that:

*...From the preliminary studies undertaken for this report it has been determined that the Russells Plains site does have the essential characteristics to provide for a modern industrial estate. What is not known is the demand for such land. Given the lack of infrastructure and the high cost necessary to develop the land it is essential that economic forecasting be undertaken to determine the long term demand for a new industrial site at Russells Plains, particularly for large scale development.*

The report recommended that the Council undertake a forecasting assessment of industrial land for the next 20 years. This should be undertaken on a subregional basis and include further investigation of the TRANSlink site.

The Council subsequently developed the 20-year *Launceston Industrial Strategy 2009-2029* to ensure the Launceston has a coordinated supply of industrial land.

The strategy included the following commentary for Remount Road:

*...The existing industrial zone at Remount Road (shown as sub precinct 2.4 in Figure 4) has very little scope for infill development. It has an overall area of approximately 24ha, with only some 4ha of vacant land. Future expansion is limited by access constraints at this time... Council owns land to the north of Sub-precinct 2.4 and industrial development could be located here without impacting on residential areas and without having an adverse impact on the environment. If this area was expanded it would provide accommodation for industrial development in the long-term while providing Council with a long term and valuable source of revenue from rates ... Council considers that there is at least one option for better access to the area. Options could be explored for access from Lilydale Road through Russells Plains farm (Council owned). Until access issues are addressed there is limited potential for any more infill development.*

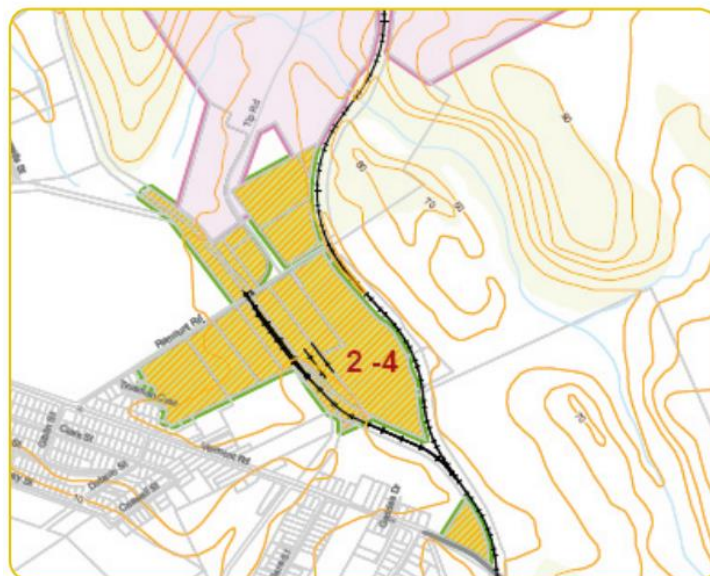


Figure 4 - Remount Road

The Strategy concluded that:

- there is enough scope for existing sites to accommodate manufacturing, logistics and service industry uses in the short to mid-terms;
- Council should closely monitor land availability and patterns of supply and demand and;
- if an acceptable access solution can be found, then the Remount Road site could be expanded to the north.

### *Discussion*

The site is very large and therefore, it cannot be characterised as a singular land use. For instance, if there was some industrial demand (ie. 20-40ha) in the next 20 years, there would still be balance land that is suitable for other development.

If the site is considered in conjunction with existing vacant land within the vicinity, there is a very large amount of developable land (circa 1,100ha) which exists, therefore, presenting potential for multiple new suburbs and urban expansion in the post 50 year timeframe. This may suggest that if a cost effective way to manage the land long term (next 30+ years) can be found, it would place a future Council in an enviable position to influence the growth of the city when the time comes.

The first piece of the site (outside the attenuation) for example is near 100ha, which could a lot of Rural Living land and would actually be bigger than the Drivers Run estate.

Taking this into account there would be merit in examining the potential for a range of uses across the site perhaps a mixture of residential, industrial, and/or new or expanded reserves and look at the potential for how the land may be able to be connected back into the surrounding land

This could be done in two stages - firstly based on the landfill existing and a more blue sky scenario should the landfill revert to a transfer station. One thing to consider would be looking at what the Council may want to retain to facilitate a beneficial future 50 years +/- for example key connections for roads, structural open space.

The future of the landfill site will also need to be considered as part of the future planning for the area. Common after-uses of landfills include sports grounds, public open space and golf courses. Closed landfill are not suitable sites for building or structures, as landfill gas emitted from the cap presents a safety risk and the capping of a landfill is not a stable platform to build on. Historically, some landfills have been developed for commercial or industrial building development.

One of the benefits would be the ability to imagine a future where some of the issues created by remote single tenure government housing estates can be addressed by integrating them better into the City, providing better transport connections so that bush tracks are not necessary and introducing a wider range of land uses and different tenures.

### Future Options

It has been demonstrated that the site presents the Council with many challenges in terms of its use and management as well as its potential for future use, largely due to the incompatibility between the rural/urban interfaces and the need for the site to be retained until a decision can be made on the future waste management option for the City.

Given that tenants continue to experience problems with regular trespassers on the property and the resultant illegal behaviours that occur, it does not seem that the site can be safely tenanted by the Council.

The site is not suitable for grazing as a result of its small size and the costs involved to improve production. Many of these cost relate to the need to constantly repair/replace fences and gates which are damaged and removed from persons trespassing on the site, together with the need to continually herd livestock away from public areas.

The Council needs to prioritise making a decision on whether the Russells Plains Road site will be required to house a new landfill site once the current landfill at the Remount Road site is closed.

In the event that it is determined that the site is not required for a future landfill, the Council needs to undertake a land use study to investigate options for its potential development. There are cases that can be made for residential or industrial development to be considered for the site, however, this would require significant work to understand how the area would connect with existing settlements and what the development would comprise.

### **RISK IMPLICATIONS:**

Not acting to determine the Council's future goals for the site appears to present the most significant risk because current unacceptable use and behaviours at the site will continue and perhaps escalate. Demolishing the dwelling minimises the loss to the Council, and eliminates the risk of trespassers being injured in their attempts to remove material from the dwelling.

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

These impacts will be identified as part of the investigations around the possible future use of the site.

### **STRATEGIC DOCUMENT REFERENCE:**

The project is consistent with the following Greater Launceston Plan Key Directions:

Creativity and innovation - Encourage and facilitate creativity and innovation in all aspects of the daily life and business of greater Launceston and its relationship with the wider region.

Liveability and amenity - Support initiatives that build improvements to sustainable liveability and amenity that contribute to the health and wellbeing of the community.

Connected and networked region - Encourage and foster the development of world's best practice in information and digital technology in greater Launceston and the wider region to create business and employment opportunities for new services and product development.

Social inclusion and equity - socially inclusive communities will view individuals, families and communities through the lens of their inherent potentials or strengths, rather than deficits.

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

2. To facilitate direct investment in the local economy to support its growth.
3. To provide an environment that is supportive to business and development within the municipality.

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

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

Focus Areas:

4. To support the central business district (CBD) and commercial areas as activity places during day and night.
5. To support sustainable population growth in the Northern Region.

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

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

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.

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

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

Focus Areas:

2. To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.
3. To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.



**BUDGET AND FINANCIAL IMPLICATIONS:**

The report is for discussion purposes only at this stage.

**DISCLOSURE OF INTERESTS:**

The Chief Executive Officer has no conflict of interest in this item.

**ATTACHMENTS:**

Nil

**19. CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

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

**19.1 Confirmation of the Minutes**

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

**19.2 Petition to Amend Sealed Plan 19533 - 304-308 Penquite Road, Norwood**

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

- (f) proposals for the council to acquire land or an interest in land or for the disposal of land.
- (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

**19.3 End of Closed Session**

*To be determined in Closed Council.*

**20. MEETING CLOSURE**

**21. NEXT COUNCIL MEETING DATE**

**The next Ordinary Meeting of Council will be held at 1.00pm on 5 October 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.**