



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
THURSDAY 4 APRIL 2024  
1.00PM**

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

**Date: 4 April 2024**

**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.



**Shane Eberhardt  
Acting 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 QUESTION TIME - AGENDA ITEM 8**

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

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

### **PUBLIC COMMENT ON AGENDA ITEMS**

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

## LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

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

**2. MAYORAL ACKNOWLEDGEMENTS**

**3. DECLARATIONS OF INTEREST**

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

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

**4. CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 21 March 2024 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 - 21 March 2024 and 28 March 2024**

**FILE NO:** SF4401

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

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

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RELEVANT LEGISLATION:**

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

**RECOMMENDATION:**

That Council, 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 21 March 2024:

**Chief Executive Officer Appointment**

*Councillors were provided with an opportunity to discuss the ongoing Chief Executive Officer appointment.*

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

*Apologies:* Deputy Mayor Councillor D H McKenzie, Councillor Prof G Razay and Councillor A J Britton.

2. Workshop conducted on 28 March 2024:

**Duck Reach Mini Hydro Regeneration Project**

*Councillors were provided with a presentation on the Duck Reach Mini Hydro Regeneration Project and the next proposed stage of the project.*

**Residential Demand and Supply Study**

*Councillors received a Briefing from Nick Byrne, Director REMPLAN on the Northern Tasmanian Regional Demand Supply Study, which is an important element of a future land use strategy.*

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**City Heart Place Plan Urban Design Manual**

*External consultants presented an information session on place planning.*

**Part Closure of a Highway and Disposal of Land - Corner of Nairana Street and Forster Street, Invermay**

*Council considered a previous Council decision (16/21/2021) to close part of a highway at the corner of Nairana and Forster Streets, Invermay, and disposal of land.*

*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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, and Councillor S Cai.

*Apologies:* Councillor L M McMahon 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 - Ron Baines - Light Angle Rule, Budget for Greening Launceston, Building Developments in Invermay - 21 March 2024**

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 21 March 2024 by Ron Baines, have been answered by Richard Jamieson (Manager City Development) and Kathryn Pugh (Manager Parks and Sustainability).

**Questions:**

1. Why won't this Council initiate a light angle rule to protect the amenities of its ratepayers and residents and ratepayers?

**Response:**

*The Tasmanian Planning Scheme has a number of clauses specifically designed to protect access to sunlight in residential zones. The intent of these clauses is to ensure that the siting and scale of dwellings provide for consistent separation between properties, as well as allowing for reasonable access to daylight and sunlight for habitable rooms and private open spaces. Outside of residential zones the scheme provisions simpler and provide less protection as the primary intent is to facilitate commercial development.*

*The City of Launceston cannot modify the provisions of the Tasmanian Planning Scheme. Local provisions can be considered in response to a locally specific issue, however it is unlikely that a locally specific light angle rule that varies from the state-wide approach would be supportable.*

2. What is the budget for the Greening Launceston Program? Which Streets are to be included in this project?

**Response:**

*The City of Launceston funds the implementation of the Urban Greening Strategy in several ways, including a \$400,000 capital project budget for the current financial year to fund projects within the strategy. Urban greening also forms part of other capital works across the city, such as City Heart, landscaping at the Road Safety Centre and revegetation works at Newnham Creek.*

*The Strategy was endorsed by the Council on November 30, 2023, and is supported by the Urban Greening Implementation Plan (Rev\_01, November 2023), which is available on the Council's website, published alongside the agenda papers for the meeting. The Strategy covers the entire urban footprint of Launceston (within this municipality). Currently, we are in the planning phase to translate this vision into reality, with priority given to areas with the lowest canopy coverage. The Council has appointed an Urban Forester whose dedicated role is to deliver the Strategy through the Implementation Plan.*

3. Given the ongoing climate change problem, will council stop any more building developments in Inveresk?

**Response:**

*The City of Launceston has implemented specific planning provision managing appropriate development in the levee protected areas of Inveresk for at least the past 10 years. The approach taken has been more nuanced than simply stopping any more development, and has been tailored to align to the level of risk the community is able to tolerate.*

*Some sectors of development are tightly controlled for example higher density residential development, community and emergency service facilities as these uses are generally more vulnerable to inundation and less able to manage the risk of flooding. Other sectors such as commercial and industrial development are considered more able to tolerate inundation and manage their own risk as a cost of doing business and so the planning scheme continues to provide opportunities in these area.*

*All new development in Inveresk is required to develop and maintain a flood response plan to maximise their preparedness and resilience in case of inundation.*

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**8.1.2. Public Questions Without Notice - Noel Christensen - Trees at Talbot Road Lookout - 21 March 2024**

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 21 March 2024 by Noel Christensen, have been answered by Kathryn Pugh (Manager Parks and Sustainability).

**Questions:**

1. Were the trees blocking the view from atop the Talbot Road lookout planted with the intention to negate the effect and purpose of the tower?

**Response:**

*Launceston's street trees were planted to provide shade for pedestrians and amenity in our suburbs.*

2. If not, then why are they left in place to effectively negate the purpose of erecting the tower in 1935?

**Response:**

*In previous years Council has investigated the option of extending the height of the Talbot Road lookout tower above the tree line, however this has significant accessibility and engineering constraints, and as such this it is not a feasible option.*

3. How long does Council intend for this ludicrous situation to continue and so deprive locals and tourists of Launceston's version of viewing platforms equal to the Eiffel Tower (Paris), empire State Building (New York) or Sydney Tower (Centrepont)?

**Response:**

*The eastern and northern view is mostly affected due to the close proximity of the sheaok trees adjacent to the lookout, which provide afternoon shade on the path. The trees would be unsightly if pruned below the view level, and such pruning would decrease the health of the trees causing increased risk to the public. These trees would require removal, rather than pruning. Removal of healthy trees is contrary to the City of Launceston's Urban Greening Strategy, which aims to increase the city's urban forest cover. The south-west and west trees are within a land slip area, and as such pruning that would compromise the trees or tree removal, is not recommended.*

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**8.1.3. Public Questions on Notice - Jim Dickenson - Albert Hall - 24 March 2024**

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 24 March 2024 by Jim Dickenson, have been answered by Michael Newby (Acting General Manager Infrastructure and Assets Network).

**Questions:**

1. It can be noticed that demolition of the existing east wing is proceeding carefully almost piece by piece rather than by wrecking ball. While this is a good approach it is very time-consuming and after some 3 months the project is not yet site ready for the rebuild. Is the rebuild still on schedule for a final quarter 2024 completion?

**Response:**

*The Albert Hall Renewal Project program currently lists a contract completion date of 27 March 2025.*

2. Ignoring the fact that the TSO will be in Launceston in April playing a special with the Wolfe Brothers, it has been years since a normal orchestral concert has been performed. I would imagine the TSO is at present preparing for its 2025 season. Has Council advised the TSO that the redeveloped Albert Hall, our Concert Hall, will be available in 2025 for the long awaited return of Launceston's concert season?

**Response:**

*Council officers have been in contact with the Tasmanian Symphony Orchestra as recently as the week of Monday 18 March to provide them an update and to advise them of the expected contract completion date, 27 March 2025.*

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**8.2. Public Questions Without Notice**

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



**9. PLANNING AUTHORITY**

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

**9.1. DA0586/2023 - 11 Spencer Street, East Launceston - Residential - Demolition of a Dwelling and Construction of a New Dwelling and New Crossover**

**FILE NO:** DA0586/2023

**AUTHOR:** Rachael Huby (Town Planner)

**GENERAL MANAGER APPROVAL:** Chelsea van Riet (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:	Jac Group
Property:	11 Spencer Street, East Launceston
Zoning:	General Residential
Receipt Date:	13/12/2023
Validity Date:	23/02/2024
Further Information Request:	03/01/2024
Further Information Received:	09/02/2024
Deemed Approval:	5/04/2024
Representations:	Four (4)

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**STANDARDS REQUIRING PLANNING DISCRETION:**

8.4.2 P3 Setbacks and building envelope for all dwellings  
8.4.6 P1 Privacy for all dwellings  
C2.6.3 P1 Number of accesses for vehicles

## 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 DA0586/2023 Residential - Demolition of a dwelling and construction of a new dwelling and new crossover at 11 Spencer Street, East Launceston, subject to the following conditions:

### 1. ENDORSED PLANS & DOCUMENTS

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

- a. Contents / Index Page, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 01, Dated 19/1/2024
- b. Strata Plans - Proposed And Existing, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 02, Dated 19/1/2024
- c. Proposed Site Plan, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 03, Dated 19/1/2024 **AMENDED PLANS REQUIRED**
- d. Proposed Floor Plans, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 04, Dated 19/1/2024 **AMENDED PLANS REQUIRED**
- e. Proposed Elevations, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 05, Dated 19/1/2024
- f. Shadow Projection Diagrams, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 06, Dated 19/1/2024
- g. Shadow Projection Diagrams, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 07, Dated 19/1/2024
- h. Proposed Driveway Apron and Stormwater House Connection Revision, Prepared by 6ty, Drawing No. C01, Project name: Cocker Residence, Dated 12/02/2024.

### 2. AMENDED PLANS REQUIRED

Prior to the commencement of any work and/or use, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- a. *the nominated waste storage area on the eastern side of the proposed dwelling*
- b. *Privacy Screening: The aluminium framed double glazed walls on the first floor pool and private space area must include fixed obscure glazing extending to a height of not less than 1.7m above the floor level along the western side of the proposed dwelling to ensure reasonable privacy for the adjoining property.*
- c. *Privacy Screening: The glass balustrade height for the pool and deck area is to be raised to a minimum height of 1.7m and have obscure glazing extending to a height of not less than 1.7m above the floor level along the western side of the dwelling OR an additional privacy screen is erected to the height of 1.7m*

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the planning officer.

### **3. USE OF PARKING AREAS**

Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose.

### **4. 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.

### **5. EXTERIOR AND SECURITY LIGHTING**

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

### **6. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/01757-LCC, dated 04/01/2024 and attached to the permit.

### **7. 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 - 7 am to 6 pm; and
  - ii. Saturday - 8 am to 6 pm.
- b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

### **8. AMENITY**

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

### **9. 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 (e.g. Launceston Waste Centre), reclaimed or recycled.

### **10. DEMOLITION**

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;

d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

## **11. BUILDING ACT 2016 REQUIREMENTS**

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

### **Notes**

#### **A. General**

*This permit was issued based on the proposal documents submitted for DA0586/2023. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.*

*This permit takes effect after:*

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Tasmanian Civil & 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 (2) 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 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 & 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 & 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.*

*E. Demolition*

*Planning approval is granted for demolition of the existing building/s so indicated on the endorsed plan. However, Building Approval for the demolition is required before demolition can proceed.*

*F. Recycling and Re-use of demolished building materials*

*It is recommended that any heritage features and/or other serviceable components i.e. bricks, roof tiles, joinery and decorative architectural elements including windows, doors, floorboards chimney pieces and ceiling roses, are salvaged for re-use on the project, stored for future reuse on the project, and/or recycled in an appropriate manner (i.e. transferred to an established second hand building material dealer for reuse) that contributes to a reduction in landfill and lessens the demand for manufacture of new materials.*

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**REPORT:**

**1. THE PROPOSAL**

The development proposal is for the demolition of an existing dwelling and the construction of a dwelling with enclosed garage and pool. The site, comprising a strata lot encompassing properties at 35 and 37 Welman Street, will accommodate the new construction within the existing footprint of the current dwelling.

The dwelling will comprise two storeys, the ground floor comprising a garage and studio apartment with open kitchen/living/bedroom and adjoining bathroom. The pool plant equipment will also be housed in a dedicated space on the ground floor. The first storey will comprise a spa, 9m x 3m pool and deck area and pergola / pool house structure and an additional bathroom with external shower. There is an external stairwell to access the upper floor.

The proposed dwelling is to be constructed with rendered finished masonry walls and aluminium framed glazed doors and hardwood timber cladding and a frameless glass balustrade.

The building has an overall height above natural ground level of 6.2m.

A new crossover and driveway onto Spencer Street are proposed at the eastern side of the subject site.

As the proposal is located on a strata lot, the proposal is assessed considering all of the land contained within the strata plan and therefore the multiple dwelling standards apply to the development.

## 2. LOCATION AND NEIGHBOURHOOD CHARACTER



11 Spencer Street East Launceston not to scale

The subject site is located within the General Residential Zone and the overall size of the site is 794m<sup>2</sup>, and 11 Spencer Street has an area of 135m<sup>2</sup>.

The subject site a corner lot is situated at the junction of Welman and Spencer Streets.

The site slopes downwards from Spencer Street to Welman Street from east to west, with 11 Spencer Street having reasonably mild slope.

The site has three (3) existing single dwellings and associated outbuildings and has planted residential gardens and vegetation. The property is connected to all reticulated services.

The site is surrounded by single and multiple dwellings on residentially zoned land.

The site is located within the Landslip Hazard overlay and within the Airport Obstacle Limitation Area.

## 3. PLANNING SCHEME REQUIREMENTS

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

#### 4. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
<b>EXTERNAL</b>	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2023/01757-LCC, dated 04/01/2024
State Growth	N/A
TasFire	N/A
Tas Heritage Council	The property is not State Heritage listed or locally listed.
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 28 February 2024 to 15 March 2024. Four (4) representations were received. The issues raised are summarised in the following table. All representations received for this application were circulated to Councillors within the Workshop Agenda dated 28 March 2024.

<p><b>Issue 1</b> <b>The visual impact on the streetscape design and the compatibility with the character of the area</b></p>
<p>Response 1 The property 11 Spencer Street is not state or locally heritage listed and as such the Local Historic Heritage Code or State Heritage assessment are not triggered for this property. The compatibility with the streetscape is addressed at clause 8.4.2 P3 Setbacks and building envelope for all dwellings.</p>
<p><b>Issue 2</b> <b>Privacy for adjoining properties from the second storey of the proposed dwelling</b></p>
<p>Response 2 This is addressed at clause 8.4.6 Privacy for all dwellings. A condition for the provision of additional privacy screening is also applied to the permit.</p>

<b>Issue 3</b> <b>Setback distances from the proposed development and existing boundary fences</b>
Response 3 As the proposal is located on a strata lot, the proposal is assessed considering all of the land contained within the strata plan and therefore the multiple dwelling standards apply to the development. The setback distance to the western side boundaries do not trigger the assessment of privacy from a second storey. The proposal includes privacy screens along the western side pool area.
<b>Issue 4</b> <b>Building height of the proposed dwelling and overshadowing caused by the building</b>
Response 4 This is addressed at clause 8.4.2 P3 Setbacks and building envelope for all dwellings.
<b>Issue 5</b> <b>There is a natural spring that runs through the area</b>
Response 5 This is not considered in the planning scheme provisions. The applicant's architect and/or engineer are required to address these site constraints. Similarly, the application has been referred to TasWater and their conditions form part of the permit. Council's infrastructure team have assessed the development as being compliant.
<b>Issue 6</b> <b>Can the current stormwater system handle this development</b>
Response 6 Council's infrastructure team have assessed the development as being compliant. The application has also been referred to TasWater and their conditions form part of the permit.
<b>Issue 7</b> <b>Is the replacement building an actual dwelling for occupants to rent, long term lease, Air B&amp;B or for use of the neighbouring dwelling.</b>
Response 7 The application has been lodged as a residential development.
<b>Issue 8</b> <b>The site is part of a stratum title and the potential impact on the other two flats.</b>
Response 8 As the proposal is located on a strata lot, the proposal is assessed considering all of the land contained within the strata plan and therefore the multiple dwelling standards apply to the development.



**Issue 9**

**Noise concerns emitting from the pool and spa plant equipment - they have enquired whether the orientation of pump/pool equipment room etc be repositioned to the eastern side along the boundary line of 9 and 11 Spencer Street**

**Response 9**

Adherence to noise levels is highlighted in the application of Environmental Health amenity conditions on planning and building permits. Property occupants are subject to the EPA *Noise Regulations under Environmental Management and Pollution Control Act 1994* (EMPCA) as regulated by Councils Environmental Health team. Similarly, occupants are also subject to other Tasmanian law (*Local Government Act 1993*) which is regulated by the Tasmanian Police Service. The repositioning of the plant equipment has been highlighted to the applicant.

**Issue 10**

**Concerns with the impact of the pool construction on the structural integrity of neighbouring dwelling and related drainage capacity**

**Response 10**

This is not considered in the planning scheme provisions. The applicant's architect and/or engineer are obligated to comply with building standards. The application has been referred to TasWater and their conditions form part of the permit.

**6. CONCLUSION**

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

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

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

**STRATEGIC DOCUMENT REFERENCE:**

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

1. DA0586 2023 11 Spencer Street East Launceston Planning Scheme Assessment  
[9.1.1 - 12 pages]

## 10. ANNOUNCEMENTS BY THE MAYOR

### 10.1. Mayor's Announcements

FILE NO: SF2375

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#### Thursday 21 March 2024

- Attended the *Tasmania Reads Week* Celebration, Launceston Library
- Attended the Engage for Change, Community Talk Series - Climate Change, Health and Disaster Management

#### Friday 22 March 2024

- Spoke with Grade 3 and 4 Students at St Thomas Mores, Newstead
- Officiated at the Launceston Ukulele Jaboree 2024 Concert, Earl Art Centre

#### Sunday 24 March 2024

- Presented Medals at the Tasmanian Open Karate Championships, Scotch Oakburn College

#### Tuesday 26 March 2024

- Participated in Panel on "Civics and Citizenship", Summerdale Primary School

#### Thursday 28 March 2024

- Attended the 28th Annual Refresh Civic Leaders' Breakfast, Legana

#### Friday 29 March 2024

- Attended *Lets Launch Sunshine Coast with Bonza*, Launceston Airport

#### Saturday 30 March 2024

- Attended the Ladbrokes Easter 2024 Easter Cup race meeting, Mowbray

#### Monday 1 April 2024

- Welcomed players to the Golf Croquet Easter Tournament, St Leonards

#### Wednesday 3 April 2024

- Officiated at Private Citizenship Ceremony, Town Hall
-

**11. COUNCILLORS' REPORTS**

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

**12. QUESTIONS BY COUNCILLORS**

**12.1. Councillors' Questions on Notice**

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

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

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

**12.2. Councillors' Questions Without Notice**

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

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

### 13. COMMITTEE REPORTS

#### 13.1. Audit Panel Meeting - 6 March 2024

**FILE NO:** SF3611

**AUTHOR:** Nathan Williams (Chief Financial Officer)

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

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#### **DECISION STATEMENT:**

To receive a report from the Audit Panel Meeting held on 6 March 2024.

#### **RECOMMENDATION:**

That Council receives the report from the Audit Panel Meeting held on 6 March 2024.

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#### **REPORT:**

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

##### **6.1 External Audit Report**

**Details** The Tasmanian Audit Office provided an update on the Audit Team, the Audit Strategy and the audits in progress.

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

##### **7.1 Internal Audit Report**

**Details** The internal auditors provided an update on their activities.

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

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

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

**Action** The Audit Panel approved one outstanding items as resolved.

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

**Details** The Panel noted the results for the quarter ending 31 January 2024.

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

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

**Details** The Panel noted the 2023/2024 Budget Amendments.

**Action** The 2023/2024 Budget Amendments were approved at Council Meetings held on 16 November 2023, 25 January 2024 and 22 February 2024.

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

**Details** The Panel noted the results for the Year-to-Date period ending 31 January 2024

**Action** The Financial Statements for the period ending 31 January 2024 were presented to Council on 21 March 2024.

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**10.1 Investment Returns and Balances**

Details Discussed the provided summaries.

Action The Audit Panel noted the item.

**11.1 Risk Report**

Details Received an update on resourcing the Risk Officer role.

Action The Audit Panel noted the item.

**11.2 Work Health and Safety**

Details Noted the Work Health and Safety report dated December 2023.

Action The Audit Panel noted the item.

**13.1 Acting Chief Executive Officer's Risk Certificate**

Details The Acting 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.

**14.1. Auditor General's Report on Private Works Undertaken by Councils**

Details Considered the report and its attachments

Action The Audit Panel noted the item.

**14.2. Council's Annual Report 2022/2023**

Details The City of Launceston's Annual Report 2022/23 was distributed.

Action The Audit Panel noted the item.

**14.3. Audit Panel Self Evaluation Summary**

Details Audit Panel Self Evaluation questionnaire to be distributed and completed by Panel Members.

Action Audit Panel Members to complete the Audit Panel Self Evaluation.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

## 14. INFRASTRUCTURE AND ASSETS NETWORK

### 14.1. Gorge Chairlift

**FILE NO:** SF0842

**AUTHOR:** Michael Newby (Infrastructure and Assets Network)

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#### **DECISION STATEMENT:**

To consider providing consent to the Gorge Chairlift upgrade proponents to lodge the associated Development Application.

*Recommendation 1 requires an absolute majority of Council.*

#### **RELEVANT LEGISLATION:**

*Local Government (Meeting Procedures) Regulations 2015  
Local Government Act 1993 (Tas)*

#### **RECOMMENDATION:**

That Council, by absolute majority, authorises the Acting Chief Executive Officer to provide consent to lodge the Development Application associated with the proposed Gorge Chairlift upgrade.

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#### **REPORT:**

In order for the proposed Gorge Chairlift upgrade to be appropriately assessed, a Development Application is required. Written consent is required from your local council General Manager for any use or development that impacts on any council-owned or administered land. A development application is submitted to the Council to assess a proposal to use or develop land against the requirements of a planning scheme and other relevant legislation.

The Development Application process also provides the opportunity for Launceston community members to provide feedback through representations with regard to the proposed development.

The existing chairlift was constructed in 1972. At the time of construction the chairlift conformed to accepted standards and best design practices. These standards and practices have shifted over time and the existing chairlift no longer conforms to more modern expectations; including accessibility expectations. It is not possible to upgrade the chairlift on the existing alignment and meet the current standards and expectations.

It is typical for proposals such as this to be assessed under Councils - Unsolicited Proposals to Develop Council Owned Property High Level Procedure. It is not viewed that this procedure applies in this case due to the existing chairlift infrastructure having reached the end of its design life.

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Relevant information pertaining to this proposal is attached.

It is important to note that this recommendation for consent does not indicate an approval for a change in the leasing arrangements as this needs to be a separate decision of Council. Therefore, consent to lodge a Development Application is not to be considered as approval for the project to proceed.

**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.

**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:**

1. Gorge Chairlift Supporting Documentation ARTAS [14.1.1 - 4 pages]

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**15. ORGANISATIONAL SERVICES NETWORK**

**15.1. Lease - Punchbowl Community Garden**

**FILE NO:** SF0865, SF2967

**AUTHOR:** Michelle Grey (Properties and Legal Officer)

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

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**DECISION STATEMENT:**

To consider leasing an area of land at Punchbowl Reserve (part of PID 2784822) to the Punchbowl Garden Group.

This decision requires an absolute majority of Council.

**RELEVANT LEGISLATION:**

Sections 177A and 179 of the *Local Government Act 1993* (Tas).

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 26 June 2017 - Agenda Item 18.2 - Licence - Rotary Club of Youngtown Inc.

**RECOMMENDATION:**

That Council:

1. by absolute majority, in accordance with section 179 of the *Local Government Act 1993*, agrees to lease an area of land situated at Punchbowl Reserve (part of PID 2784822), shown in blue below to the Punchbowl Garden Group Inc. for the purposes of a community access garden.



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 April 2024;
- 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
  - 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).

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#### **REPORT:**

Council licensed an area at Punchbowl Reserve to the Rotary Club of Youngtown between 1999 and about 2022, as a community access garden. For over 20 years the garden has been a successful community project, with local gardeners able to access plots to grow fresh produce whilst obtaining health benefits of satisfying labour and community connection.

The Punchbowl Garden Group Inc. has been working at the garden under the auspices of the Rotary Club of Youngtown for some years, and now wishes to lease the property in its own right. The Rotary Club of Youngtown are supportive of this approach.

<b>RENTS AND RENTAL SUBSIDIES</b>		
<b>ELEMENT</b>	<b>AMOUNT</b>	<b>HOW AMOUNT CALCULATED</b>
Current Market Rental Value of Property	\$42,400 - calculated estimate	From the AAV result from the Valuer-General's inspection dated 25/09/2020.
Less Rental Rebate (if applicable)	100%	Based on Council's Lease and Licence Policy
Rental	\$323.96 for the first year	Based on 182 fee units for 23/24
Add other expense allowances to rent	As per Part B	As per Part B.
Add GST on applicable Rent		10% of goods and services.

It is proposed to grant a five year lease which pursuant to section 179 of the Local Government Act 1993 does not require public notice.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

There is a positive social impact with this proposal by allowing a successful user group to continue to provide an important recreational opportunity for Launceston.

**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

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**15.2. Next steps in expression of interest process - 56 Frederick Street, Launceston**

**FILE NO:** CD037/2023

**AUTHOR:** Leanne Purchase (Manager Governance)

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

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**DECISION STATEMENT:**

To consider the next steps regarding the future use of 56 Frederick Street, Launceston.

**PREVIOUS COUNCIL CONSIDERATION:**

Council – 14 December 2023 - Agenda Item Number 16.3 - Next steps in Expression of Interest Process – 56 Frederick Street, Launceston

Workshop – 22 February 2024 – Expression of Interest Process – 56 Frederick Street, Launceston

Workshop - 4 May 2023 - Disposal of 56 Frederick Street, Launceston Workshop - 23

November 2023 - Expression of Interest Process - 56 Frederick Street, Launceston

Workshop - 30 November 2023 - 56 Frederick Street, Launceston - Next Steps

**RECOMMENDATION:**

That Council:

1. Endorses the proposal submitted by the Launceston History Centre Inc. as its preferred proposal for the future use of 56 Frederick Street, Launceston;
2. Authorises the Chief Executive Officer to work with the Launceston History Centre Inc. to progress a lease in alignment with the Council's Lease and Licence Policy 19-Plx-002 for managing the ongoing use of 56 Frederick Street, Launceston; and
3. Notes that the Council will be asked to formally consider granting the lease with appropriate terms at a future meeting of the Council.

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**REPORT:**

**Background**

56 Frederick Street, Launceston, has been a Council-owned property since 1885, when the title was transferred to the Launceston City Council by Rev. William Price on the condition that it continue to be used for its original purpose. This was the case until January 2023 when the property's last tenants vacated the site.

At a Workshop held on 4 May 2023, Council officers tested the Councillors' views on sale of the property. Councillors indicated that they wished to consider a range of options for future use of 56 Frederick Street including the sale, lease or development of the premises.

### Expression of interest process

In September 2023, the Council ran a five-week Expression of Interest process that called for submissions for the sale, lease or development of the premises. The Expression of Interest document is provided as attachment 1.

Sixteen submissions were received. One submission was subsequently withdrawn.

All submissions (as submitted), except the submission that was withdrawn, were provided to Councillors at a Workshop held on 23 November 2023. Feedback from Councillors was used to plan the next steps, which were tested with Councillors at a pre-Council Workshop held on 30 November 2023.

The Workshop discussions indicated that Councillors:

- preferred to lease the premises, not sell
- were open to a future use not restricted to educational purposes and/or a school
- seek a future use that delivers broad community benefit
- would like to understand the type of entity (for example incorporated association, suitably qualified and experienced individual) and business experience of the entity with which/whom the Council may enter a lease; and
- would like to understand the investment the applicant intends to make in the premises, beyond any investment by the Council to attend to identified maintenance and structural matters.

Consequently, at the Council Meeting held on 14 December 2023, the Council noted that 15 expressions of interest were received for the future use of 15 Frederick Street, Launceston. The Council determined that -

- 56 Frederick Street, Launceston is not to be sold and notes that because of this decision, two expressions of interest that seek to buy the premises will now be excluded from further consideration*
- a lease in alignment with the Council's Lease and Licence Policy 19-Plx-002 is the appropriate mechanism for managing the ongoing use of 56 Frederick Street, Launceston; and*
- the remaining 13 applications will be assessed against weighted criteria of community benefit (25%), location fit for purpose (25%), ongoing viable use (25%) and activation of the site (25%).*

In relation to matter (a) above, we contacted two applicants by phone to advise them of the Council's decision and followed up with written correspondence.

Also on 14 December 2023, the Council requested that the Chief Executive Officer -

*progresses the Expression of Interest process by providing the remaining applicants with an opportunity to provide additional information by 11.59pm on Thursday, 1 February 2024 in response to:*

- the weighted criteria; and*

*(b) questions around the structure of the entity with which/whom the Council may enter a lease, the business experience of that entity and the investment the applicant intends to make in the premises, beyond any investment by the Council to attend to identified maintenance and structural matters.*

In keeping with these decision of the Council, the remaining 13 applicants were invited to respond to questions that would allow Council officers to assess their applications against the four equally weighted criteria:

**1. Community benefit**

Does the proposed use provide a benefit to a broad section of the community? Does it support the delivery of programs and events for people to connect with each other through participation in community activities and civic life?

**2. Location fit for purpose**

Is the proposed use suitable for the location i.e. accessible by user groups, provides adequate parking, permitted under the Planning Scheme?

**3. Ongoing viable use**

Can the tenant meet the ongoing costs of overheads e.g. insurance, power, water?

**4. Activation of the site**

What days each week and hours per day will the site be utilised?

Applicants were also asked to provide details on:

- the structure of the entity with which/whom Council may enter a lease
- the business experience of that entity; and
- the investment the applicant intends to make in the premises, beyond any investment by Council to attend to identified maintenance and structural matters.

This information was sought from the remaining applicants on 20 December 2023. Responses were required by 11.59pm on 1 February 2024.

**Assessment of submissions**

Responses were received from nine of the 13 remaining applicants:

Discovery Early Learning Centres  
Lapidary Club of Northern Tasmania Inc.  
Launceston City Mission Inc.  
Launceston History Centre Inc.  
Launceston Improvised Music Association  
ROOKE  
School Of The Arts  
St Andrew's Caledonian Pipe Band  
Strike It Out Inc.



The responses were assessed by Council Officers against the equally weighted criteria explained above:

<b>Applicant</b>	<b>Attribute values</b>				<b>Total</b>
	<b>Community benefit</b>	<b>Location fit for purpose</b>	<b>Ongoing viable use</b>	<b>Activation of the site</b>	
Discovery Early Learning Centres	175	150	250	175	<b>750</b>
Lapidary Club of Northern Tasmania Inc.	150	150	175	150	<b>625</b>
Launceston City Mission Inc.	100	175	125	250	<b>600</b>
Launceston History Centre Inc.	175	225	225	200	<b>825</b>
Launceston Improvised Music Association	175	175	125	150	<b>625</b>
ROOKE	150	150	125	200	<b>625</b>
School Of The Arts	125	150	150	175	<b>600</b>
St. Andrew's Caledonian Pipe Band Inc.	125	175	100	100	<b>300</b>
Strike It Out Inc.	200	125	125	250	<b>700</b>

Noting that the Council determined on 14 December 2023 not to sell the property, the Discovery Early Learning Centres proposal was scored on leasing rather than buying the property.

The information that applicants provided in relation to the structure of the entity, the business experience of that entity, and the investment the applicant intends to make in the premises, was summarised for Councillors (attachment 2 – distributed confidentially).

The scoring table and summary formed the basis of a Workshop with Councillors on 22 February 2024.

All proposals (attachment 3 – distributed confidentially) were discussed. On balance, Council Officers felt Councillors were generally supportive of the proposal put forward by the Launceston History Centre Inc. because the entity's ability to support itself financially provides Council with an opportunity spend funds elsewhere in the community. The use proposed by Launceston History Centre Inc. is also sympathetic to the building's past and the conditions on which it was gifted to the Launceston City Council.

This report seeks the Council's endorsement of the Launceston History Centre Inc. as the preferred applicant and asks that the Chief Executive Officer be authorised to progress discussions with the applicant so that a lease with appropriate terms can be considered by the Council at a future Council Meeting.

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

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

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.
4. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Subject to Council approval, provision will be made in the 2024/2025 capital works budget for \$1M to address maintenance and structural matters on the premises.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

1. Expression of Interest - 56 Frederick Street [15.2.1 - 11 pages]
2. CONFIDENTIAL REDACTED - 56 Frederick Street - Assessments [15.2.2 - 3 pages]

### 15.3. Fees and Charges 2024/2025

**FILE NO:** SF2968

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

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

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#### **DECISION STATEMENT:**

To determine various Council fees for the 2024/2025 financial year in accordance with the requirements of the Local Government Act 1993 (Tas).

#### **RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

#### **PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 7 December 2023 - 2024/2025 Budget

Workshop - 29 February 2024 - 2024/2025 Fees & Charges

#### **RECOMMENDATION:**

That Council, pursuant to section 205 of the Local Government Act 1993 (Tas), sets the fees as detailed in ECM Doc Set ID 5046892 which is attachment 1 to this agenda item, for the financial year ending 30 June 2025:

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#### **REPORT:**

Fee revenue for 2024/2025 is estimated at 23.9% of total operating revenue (excluding capital grants and contributions). Not all fees that comprise this revenue are set by Council through this process, for example, property certificates fees and other types of fees associated with penalty units are set by the State Government.

A schedule of the proposed fees for 2024/2025 is provided in the attachment and in general a 3% increase has been applied as a baseline increase in line with Councils adopted Long Term Financial Plan. In some instances, where the fee amounts are small, a change may appear as a larger percentage increase. Rounding also impacts percentage increases. The annual Consumer Price Index for Hobart to December 2023 increased by 3.3%, with most fees having increased by less than this.

## Principles

The review of fees for 2024/2025 continues to be predicated on the same principles as applied in previous years:

- the real value of fees should be maintained over time; must increase annually by at least the consumer price index or in line with Council's adopted Long Term Financial Plan.
  - in the context of this budget a general baseline of 3.00% increase has been applied. This has been affected by rounding in many instances.
- the majority of fees and charges should be commercially appropriate.
  - competitive in the market (not subsidised by rates).
  - provide an adequate business return.
  - ensure compliance with competitive neutrality principles.
- fees and charges that relate to services provided should be cost reflective.
- fee concessions should be provided in a consistent and strategic context.
  - targeted provision of concession.
  - appropriate relativity between full and concessional fees.
- structure fees with payment incentives rather than payment penalties (where appropriate).
- structure fees to assist with the achievement of strategic customer outcomes and behaviours.
- continued simplification and consolidation of fees wherever possible.
- the appropriate setting of fees is an important way in which the City of Launceston can obtain a wider contribution to regional facilities.

## Goods and Services Tax (GST)

An explanation of the varying GST status is as follows:

<b>GST Status</b>	<b>Description</b>
GST Exempt (Div. 81)	Excluded from GST by Division 81
GST Free	Supply is specifically GST Free under the GST Act
Mixed	Part is subject to GST and part is exempt under Division 81
Non Taxable	Beyond the scope of the GST Act
Taxable	Represents a taxable supply under the GST Act, GST is applicable

## Specific Comments:

### Parking Fees

On street meters have increased by \$0.10 per hour for one hour, three hour and nine hour meters.

Off street parking costs have remained the same as the prior year in most cases, for multi storey car parks which have not increased in recent years, an increase of \$0.20 per hour has been applied.

Statutory Services

Based on customer feedback, a review of fees was undertaken. Benchmarking of comparable municipalities found statutory services fees at the City of Launceston were well below the average and an increase of 5% has been applied.

Launceston Visitor Information Centre

New fees introduced for new seasonal products offered.

Launceston Waste Centre

Fees associated with the Launceston Waste Centre continue to be impacted by the Tasmanian Government imposed Landfill Levy which will double from 12 to 24 Fee Units from 1 July 2024. This increase in the levy has resulted in a 20% increase in the fees for disposals at the waste centre.

Carr Villa Cemetery and Crematorium

New fees introduced for new products offered.

**RISK IMPLICATIONS:**

The Council ensures all fees and charges are in accordance with the Local Government Act 1993 (Tas) and any other relevant legislation.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

To the extent to which some fee changes impact behaviour through reduction in waste disposal or increase use of public transport, there is likely to be a positive environmental impact. The effect on household budgets has the potential to have some impact, but this is considered to be marginal given the spread of the impact of increased fees across the broader community.

**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 IMPLICATIONS:**

As per the report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

1. Proposed Fees and Charges 2024-25 [**15.3.1** - 28 pages]

**15.4. Proposed 2024/2025 Annual Plan and Statutory Estimates**

**FILE NO:** SF6938/SF7153

**AUTHOR:** Nathan Williams (Chief Financial Officer)

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

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**DECISION STATEMENT:**

To consider the release of the proposed 2024/2025 Annual Plan and Statutory Estimates for public consultation.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*  
*Waste and Resource Recovery Act 2022*

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 29 February - Draft Budget and Annual Plan 2024/25

**RECOMMENDATION:**

That Council:

1. approves the release of the draft 2024/2025 Annual Plan (Doc Set ID 5044344) and proposed Statutory Estimates (Doc Set ID 5046718) including the Capital Projects 2024/2025 (Doc Set ID 5046717) and Major Operational Projects 2024/2025 (Doc Set ID 5046719).
  2. invites submissions from the community on the 2024/2025 Annual Plan and Statutory Estimates.
  3. determines to close the submission period at 5.00pm on Friday, 3 May 2024.
  4. notes that submissions will be discussed at the Workshop to be held on Thursday, May 23, 2024.
  5. notes that the Council Meeting of Thursday, 13 June 2024 is the intended date at which Council will be asked to consider the adoption of the City of Launceston Annual Plan, Statutory Estimates and Rating Resolution for 2024/2025. [OBJ]
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**REPORT:**

The Council has determined to initiate a community consultation process prior to the final determination of the annual plan, annual budget and rating resolution for the 2024/2025 financial year.

The proposed Statutory Estimates document includes the budget and supporting information. The recommendation is to authorise the release of these documents to the community for the consultation period.

The budgeted underlying surplus, the Council's key measure of recurrent operating revenues and expenditure, is forecast to be \$0.216m. Recurrent revenue is expected to increase by \$10.4m, to \$142.0m from 2023/2024 with Rates, Fees & Charges, Interest Earnings and Investments all budgeted to increase. Recurrent expenditure is forecast to increase by \$10.9m to \$141.8m from 2023/2024 due to increases in Employee Costs, Materials and Services and State Government Waste Levy.

Commentary and analysis is provided in the attached Statutory Estimates and on the Council's website. The Council will continue to update its annual budget as information becomes available, which will be presented for final approval in June 2024.

Consistent with the Council's Long-Term Financial Plan, the proposed rate increase for 2024/2025 is 4.50%, with a growth factor of 0.75% included. Council regularly reviews its Long Term Financial Plan with a view to maintaining a small underlying surplus annually.

The Waste Management Charges are recommended to not change from the 2023/2024 charges. These charges are proposed to remain at \$170.00 per 85 litre bin, \$215.00 per 140 litre bin, and \$368.00 per 240 litre bin. The Council has identified some savings, that will allow for other increases relating to waste management such as Consumer Price Index increases and the cost of other inputs such as fuel and additional collections to be absorbed and not passed on to ratepayers.

The State Government Landfill Levy is expected to double in cost in 2024/2025 as per the *Waste and Resource Recovery Act 2022*. A charge of \$21.90 is proposed per property to offset the levy in 2024/2025 (an increase of \$11.40).

A capital works program of \$26.5m has been budgeted for, including grant funds of \$2.6m. 92% of the works are for renewal of existing infrastructure and assets. Significant inclusions in the proposed capital works program are;

Road & Footpath Resealing & Reconstruction Programs	\$6.9m
Launceston City Heart – Design & Construction Works	\$2.5m
Invermay Road & Lindsay Street Traffic Signals	\$1.9m
Alexandra Suspension Bridge Renewal Works	\$1.4m
City Park Conservatory Refurbishment	\$1.0m
Princess Theatre & Earl Arts Centre Masterplan	\$0.9m
NTCA Precinct Redevelopment	\$0.7m
QVMAG Tasmanian Connections Exhibition	\$0.5m
Hoblers Bridget Netball Court Renewal	\$0.5m
Street Tree & Urban Greening	\$0.3m



A contribution to the Tamar Estuary River Health Action Plan (TERHAP) of \$5.0m is included, bringing Council's total contribution to \$11.0m since 2022/2023.

Repayment of an interest free loan of \$6.0m is due during 2024/2025, once repaid this will bring the Council's debt level to zero.

In accordance with *Local Government Act 1993* (Tas), the City of Launceston has prepared a Draft Annual Plan for 2024/2025. The proposed annual plan actions for 2024/2025 are key actions the Council proposes to undertake in 2024/2025 to work toward achieving the goals and strategies in Council's 10-year City of Launceston Corporate Strategic Plan 2014-2024 (the Plan).

Annual Plan actions have one or more of the following features:

- close alignment with the strategic intent defined in the Plan.
- may include internal and external items.
- any internal and external strategy, key policy or plans due for review.
- any action to do work on advocacy projects.
- any work proposed that has a significant impact on Council or the community. Actions are directly linked to the strategic framework delivered in the Plan. The strategic framework takes the form of Strategic Priority Areas, 10-Year Goals and Focus Areas.

At this stage, the proposed 2024/2025 Annual Plan includes 49 actions that cover all seven Strategic Priority Areas from the Plan. The actions detailed in the proposed 2024/2025 Annual Plan link to 25 of the 32 Focus Areas in the Plan, however, all the Focus Areas will be addressed over the life of the Plan.

The proposed structure of the community information and consultation process are:

- 4 April 2024 - Council considers approving the release of the proposed 2024/2025 Annual Plan and Statutory Estimates for comment.
- 8 April 2024 – Consultation opens on Council's website.
- 3 May 2024 - submissions close at 5.00pm.
- 23 May 2024 – submissions and feedback will be presented to Councillors for discussion.
- 13 June 2024 - Council considers adoption of the City of Launceston Annual Plan, the rating resolution and the budget.

### **RISK IMPLICATIONS:**

The risk program provides an effective and transparent prioritisation tool for decision making when long term and annual financial resource allocations are decided. This process contributes to the quality of the longer term financial plans of the Council (including the capital works and asset management programs) and assists in effective decision making in strategic planning which in part need to recognise the future implications of today's decisions. Through the use of a common framework to assess priorities, sound, transparent and defensible financial decisions and recommendations are possible.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

The Council has a significant economic impact in the region through revenue raising and expenditure. The budget and annual plan contain specific projects and ongoing programs to improve environmental outcomes. The budget and annual plan contain specific projects and ongoing programs to improve social outcomes.

**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.

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Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

As per the attached estimates.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

1. 2024-2025 Proposed Capital Projects [15.4.1 - 2 pages]
2. 2024-2025 Proposed Major Operational Projects [15.4.2 - 1 page]
3. 2024-2025 Proposed Annual Plan - for public consultation [15.4.3 - 17 pages]
4. 2024-2025 Proposed Statutory Estimates [15.4.4 - 16 pages]

**16. CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

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

**16.1 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.

**16.2 CD031/2023 Bookings and Access Control (Keyless Entry) for Council Facilities, Outdoor Spaces and Sports Fields**

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:  
(d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

**16.3 CD020/2023 - Home Point Pontoon Refurbishment - Separable Portion No 2**

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:  
(d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

**16.5 End of Closed Session**

*To be determined in Closed Council.*

**17. MEETING CLOSURE**

**18. NEXT COUNCIL MEETING DATE**

**The next Ordinary Meeting of Council will be held at 1.00pm on 18 April 2024 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.**