



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 8 AUGUST 2024
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: 8 August 2024

Time: 1.00pm

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.



Sam Johnson
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.

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, 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 25 July 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 Workshops Report - 25 July 2024 to 1 August 2024

FILE NO: SF4401

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

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 25 July 2024:

Building Heights and Massing Project Update

Councillors were briefed on the Building Height and Massing Study Finalisation which commenced in June 2024 and which will inform the Specific Area Plan to be introduced into the Tasmanian Planning Scheme – Launceston.

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 Prof 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 1 August 2024:

Public Interest Disclosures

Councillors workshopped recommended changes to the Public Interest Disclosure Procedure (14-HLPrx-005) in accordance with the Ombudsman's Model procedure.

Land Use Planning in Levee Protected Areas Project

Councillors received a briefing on the draft Levee Protected Areas Specific Area Plan (SAP) and the way forward of the project.

Visitor Strategy 2030

Councillors were briefed on the proposed direction and format of the Visitor Strategy 2030.

Notice of Motion - Tamar Valley Peace Festival Funding - Councillor D C Gibson

Councillors workshopped a Notice of Motion as raised at the 25 July 2024 Council Meeting.

213-215 and 217-229 Wellington Street, Launceston - Request to Waive Planning Permit Fees

Councillors workshopped a request for a fee dispensation to waive the fees for two of three proposed Development Applications (213-215 and 217-229 Wellington Street, Launceston) and to apply a single maximum fee pro rata across the three.

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, Councillor S Cai and Councillor A J Britton

Apologies: Councillor L M McMahon

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

Councillors' Leave of Absence Applications will be considered in Closed Council at Agenda Item 23.6 - Councillors' Leave of Absence.

7. COMMUNITY REPORTS

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

7.1. Community Report - Reece McDowall (Program Coordinator) - National Joblink

FILE NO: SF6368

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson (Chief Executive Officer)

SUMMARY OF PRESENTATION

National Joblink is a not-for-profit community-based organisation that works with parents to help them set education and employment goals, develop a pathway to achieve their goals, and link them to services and activities in the local community, by the time their children go to school.

With ParentsNext offices in Launceston, Burnie and Devonport, National Joblink has been delivering accredited training for over 30 years.

7.2. Community Report - Mark Deverell (Chief Executive Officer) - Welcome Cultural Services

FILE NO: SF6368

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson (Chief Executive Officer)

SUMMARY OF PRESENTATION

Welcome Cultural Services provides practical assistance and guidance to multicultural communities as they settle in Tasmania including help with language acquisition, employment opportunities, housing, education, and accessing essential services.

Welcome advocates alongside communities, working closely with local government agencies, businesses, and other organisations to address systemic barriers and promote equal opportunities for all residents.

Through a collaborative approach and commitment to diversity and inclusion, Welcome plays a vital role in enriching the social fabric of Northern Tasmania and ensuring that all people feel welcomed and supported in their new home.

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 - Malcolm Cowan - Wood Fire Emissions, and a Clean Air Strategy - 19 July 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 19 July 2024 by Malcolm Cowan, have been answered by David Mullenger (Manager Health and Compliance).

Questions:

1. With the increasing number of wood fires emitting smoke in Launceston and the recent number of "Poor Quality" readings on Air Rater, has the State Government made any changes to Regulations or Laws that will weaken or override the Council Bylaw that bans backyard burning?

Response:

State government have not made any changes that will impact the Council's ability to implement or regulate a clean air strategy or weaken any current by-laws. Council will work with all relevant agencies on the implementation of a clean air strategy so we can work towards the cleanest air possible for our community.

2. With the Council's commitment to develop a Clean Air Strategy, when can we expect a public consultation process to commence please?

Response:

Council is completing the scope of the strategy and we are investigating all pollutants and industries that are impacting our city and its air quality, not just wood smoke. The strategy will be completed and will be available for public consultation and feedback in the coming year.

ATTACHMENTS:

1. Public Question on Notice - Malcolm Cowan - Wood Fire Emissions, and City of Launceston Clean Air Strat [8.1.1.1 - 1 page]

8.1.2. Public Questions on Notice - Jack Bower - Community Housing - 24 July 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 24 July 2024 by Jack Bower, has been answered by Chelsea van Riet (General Manager Community and Place Network).

Questions:

1. Given the need and the successes of direct deliberative democracy initiatives elsewhere in Australia, especially so in the context of local government, will Launceston Council in collaboration with adjoining councils now look with an open mind at how initiatives like the one in North Sydney can now be put in place so that the concept of community housing in the region might have a better chance of helping more people in need of housing, plus property owners, plus developers and investors, plus builders and designers, along with government planners, in the region, and in the city as well as the region's towns might better deal with housing issues more effectively and more productively and in much wider community housing context?

Response:

Thank you for bringing the initiatives of other jurisdictions to the attention of the City of Launceston. The report from this event notes housing affordability is a complex problem and its final recommendation centred around promoting "more medium-density, diverse and affordable housing around public transport hubs." Broadly, these are policy positions that are well supported by existing Council strategies.

Council is currently scoping the development of a housing strategy as one of its Annual Plan Actions for 2024/25. As part of this strategy we will bring an open mind to how we can do things differently or work with other stakeholders to address the issue of constrained housing supply in Launceston. Our population is going to grow and to house new residents we need to be delivering approximately 320 homes per year, but our long term average hovers around 200 homes per year. There are many challenges and opportunities that the City of Launceston will explore over the coming year and there will be an opportunity for community feedback on that strategy.

ATTACHMENTS:

1. Public Question on Notice - Jack Bower - Community Housing - Received 24 July 2024 Redacted [8.1.2.1 - 2 pages]

8.1.3. Public Question son Notice - Rocelyn Ives - Celebrating Tasmania's Unique Built Heritage - 25 July 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 25 July 2024 by Rocelyn Ives, has been answered Jess Horton (Place and Heritage Officer).

Question:

It is recognized that Launceston has the most intact and extensive collection of heritage buildings nationally. International travellers also gasp with astonishment at the extensiveness often commenting on the unexpected historic architectural delights not seen elsewhere. How can the Launceston community better value and celebrate what they may walk past but not consciously appreciate how special these architectural treasures are and the significance of intact street-scapes and differing architectural styles? Would Council consider establishing a public annual celebration of heritage through scheduling a calendar event? Initially maybe a day event alongside Junction Arts Festival could be used for a trial. Architectural students, historical society leaders, QVMAG staff etc. could be guides or operate as leaders and interpreters. Would it be plausible to have a celebration of churches one year, halls, theatres and public facilities and institutions the next, commercial beginnings and maritime and transport in the following year?

Response:

The City of Launceston works with its Heritage Advisory Committee to discover opportunities to promote heritage in the municipality, and encourage the community to learn more about our significant heritage places. Whilst Council-led competitions, events and projects such as Heritage Snap and the Heritage List Review inspire the community to explore and collaborate together on heritage matters, private organisations and interested members of the community are strongly encouraged to contact Council's Heritage Officer for discussion and support for heritage initiatives in the city.

ATTACHMENTS:

Nil

8.1.4. Public Questions Without Notice - Robin Smith - Hooning and What Council Can Do, Customer Service Charter - 25 July 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 25 July 2024 by Robin Smith, has been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network) and Chelsea van Riet (General Manager Community and Place Network).

Questions:

1. *Council's Response to Question on Notice Agenda for 25th July 2024 item 8.1.2 Launceston CBD Traffic Road Racing: Is there not more council could have provided to the questioner in response to tackling antisocial behaviour from the way cars are being driven in the CBD at the weekends? Might you consider mentioning the Launceston Safer Communities Partnership, Traffic Inspectors and random drug and alcohol road-side testing checkpoints?*

Response:

While anti-social behaviour in the Central Business District (CBD) has been discussed at the Launceston Safer Communities Partnership on numerous occasions, it is the responsibility of individual organisations to deliver their legislative requirements. The items you raise such as vehicle inspections and drug and alcohol testing are matters for Tasmanian Police.

Mr Smith's concerns will be referred to the Launceston Safer Communities Partnership for consideration at their next meeting.

As part of City Heart Stage 2 Council is considering making some of Launceston's streets two way. Two way traffic is anticipated to significantly calm traffic through the CBD. Council will also work more closely with Tasmania Police to ensure the area is monitored regularly, and especially on weekends, to reduce speeding behaviour in the city. While we work on the plans for two way streets, the Placemaking team and Roads teams are also looking at other infrastructure, which can be placed throughout the city to act as traffic calming infrastructure.

ATTACHMENTS:

1. Public Question on Notice - Robin Smith - Launceston CBD Traffic Road Racing, and Customer Service C [8.1.4.1 - 1 page]

8.1.5. Public Question on Notice - Robin Smith - Parking Promotion, and Customer Service Requests - 31 July 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 31 July 2024 by Robin Smith, have been answered by Michelle Ogulin (Acting Manager Community Relations).

Questions:

1. Council runs a parking promotion in Paterson Street East, Paterson Street West and Elizabeth Street multi-level car parks offering free parking between 3.30pm and 5.30pm. Council officers identified that this was a time when these facilities were underutilised and provides an opportunity for promoting visitation by the extension of an existing stay or attracting someone to stop by the city. Promoting an ending at 5.30pm may however be unintentionally giving the impression that fees recommence thereafter, as in actuality, the car parks appear to be free from 3.30pm through the remainder of the day (provided they exit before lock up to avoid incurring the \$2 overnight fee).

Would it be an enhancement and thereto help the businesses still operating after 5.30pm (late shopping and night-time economy) to avail motorists of this feature and avoid this emphasis on a 5.30pm ending?

Response:

The free parking from 3.30pm – 5.30pm is an initiative of Council to encourage people to use Council's multi-storey car parks in off-peak times to encourage visitation into the Central Business District (CBD) when the majority of retail businesses are open.

There is no mention of cessation of parking fees at the conclusion of the free parking period on any signage, and a nominal parking fee applies after the free period has ended.

Further, of an evening from 5.30pm, on street parking is free, and there is sufficient capacity for the community to use on street parking throughout the CBD which provides more flexibility for the community as the multi-story car parks are locked at midnight.

If, over time, there is a significant increase in night-time dining or retail we will consider revising the free parking initiative at that point.

2. In response to creating a customer service request, council sends out an automated acknowledgement by email but does not include anything that indicates the subject matter except for the directorate responsible. To assist in identifying an unresolved matter in the future, in this instance I searched for a record of my previous report of the broken gate between the kid's play end of City Park leading out onto Cimitiere Street (an approved National Class 2 B-double truck route (with 2 semitrailers).

Would council consider adding a subject line in the customer service request to include the topic?

Response:

When a customer service request is created the community member who lodges the request receives a confirmation email which includes a customer service reference number which can be used to enquire about the status of a complaint or request. If a work order is created from the customer's request, the customer receives an automated response which outlines the following:

1. *Customer service reference number*
2. *The customer's name*
3. *The location of the issue reported*
4. *The subject of the reported issue.*

The reference number provided in emails to customers is a unique identifier number for the specific issue reported and can be easily looked up by Council officers to check on the status of reported issues.

The current system used to manage customer service requests is limited on how we can share a more descriptive subject line. The IT Department has undertaken to look at alternatives in the interim while we await the delivery of the new corporate application system.

ATTACHMENTS:

1. Public Question on Notice - Robin Smith - Parking Promotion - Received 31 July 2024 Redacted [8.1.5.1 - 1 page]
2. Public Question on Notice - Robin Smith - Customer Service Requests - Received 31 July 2024 Redacted [8.1.5.2 - 1 page]

8.2. Public Questions Without Notice

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

9. PETITIONS

No Petitions have been identified as part of this Agenda

10. DEPUTATIONS

No Deputations have been identified as part of this Agenda

11. 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.

11.1. PSA-LLP0014 30 Merino Street, Kings Meadows - Scheme Amendment - Change of Zone

FILE NO: PSA-LLP0014

AUTHOR: Iain More (Senior Town Planner Policy and Projects)

APPROVER: Chelsea Van Riet (General Manager Community and Place Network)

DECISION STATEMENT:

To decide whether to reject or agree to initiate and exhibit Amendment PSA-LLP0014 to the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme.

PLANNING APPLICATION INFORMATION:

Applicant:	City of Launceston
Address:	30 Merino Street, Kings Meadows (CT132062/1)
Existing Zones:	Light Industrial & Low Density Residential
Existing Use:	Vacant land

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston
Northern Tasmania Regional Land Use Strategy

RECOMMENDATION:

That Council, pursuant to:

1. section 40D of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates Amendment PSA-LLP0014, to the Launceston Local Provisions Schedule, to:
 - (a) Rezone 3.9ha of land from Light Industrial to Low Density Residential at 30 Merino Street, Kings Meadows; and
 - (b) Insert the priority vegetation overlay map over the rezoned land area.
 2. section 40F of the *Land Use Planning and Approvals Act 1993*, certifies draft amendment PSA-LLP0014; and
 3. sections 40G and 40H of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.
-

TASMANIAN PLANNING SCHEME - LAUNCESTON Amendment PSA-LLP0014

Rezoning part of 30 Merino Street, Kings Meadows from Light Industrial to Low Density Residential, as described below:

Titles included: 132062/1

Amend the Tasmanian Local Provisions Schedule maps as below:



Zoning  Low Density Residential Zone

THE COMMON SEAL
of the City of
Launceston was
hereunto affixed in the
presences of: -

Date

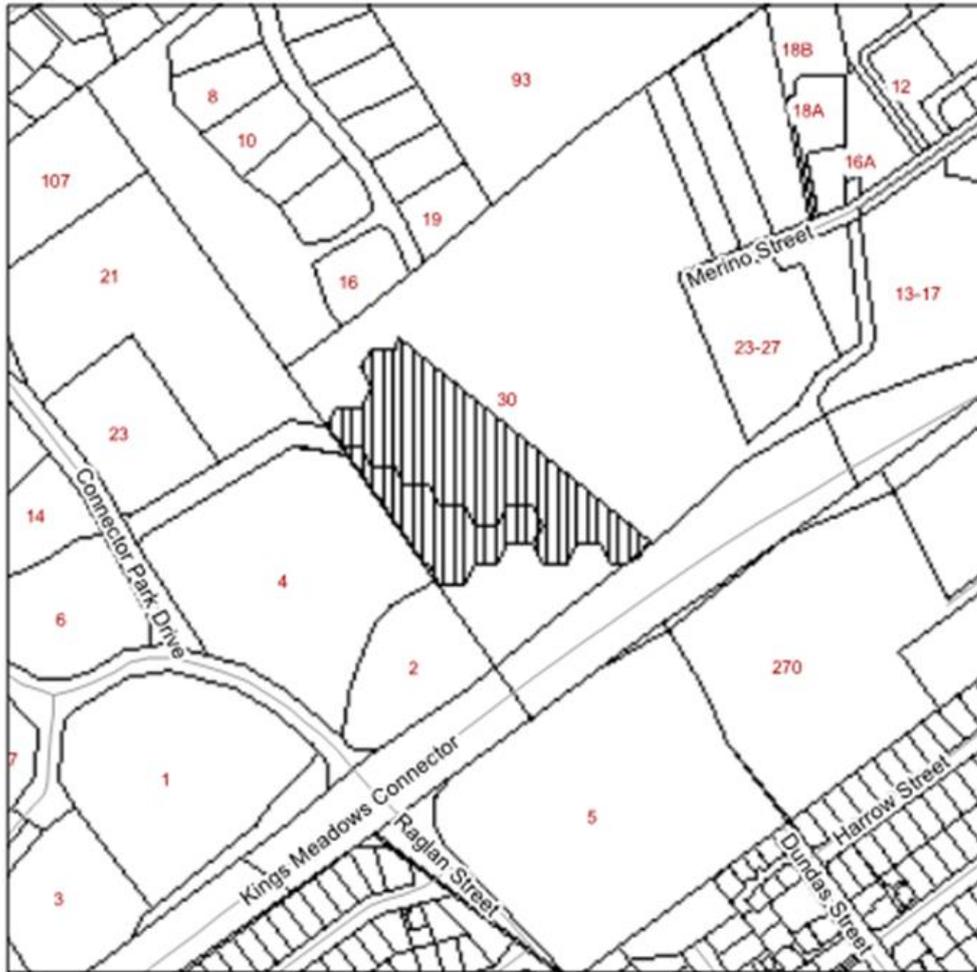
Sam Johnson
Chief Executive Officer

Service Layer Credits: the LIST State of
Tasmania

Instrument 1 - Light Industrial to Low Density Residential

TASMANIAN PLANNING SCHEME - LAUNCESTON Amendment PSA-LLP0014

Apply the Priority Vegetation Overlay to part of 30 Merino Street, Kings Meadows,
as described below:
Titles included: 132062/1
Amend the Tasmanian Local Provisions Schedule maps as below:



Code Overlay  Priority Vegetation

THE COMMON SEAL
of the City of
Launceston was
hereunto affixed in the
presences of: -

Date

Sam Johnson
Chief Executive Officer

Service Layer Credits: the LIST State of
Tasmania

Instrument 2 - Priority Vegetation Overlay

REPORT: APPLICATION FOR PLANNING SCHEME AMENDMENT

1. EXECUTIVE SUMMARY

The site has been identified as an underutilised parcel of land within the Kings Meadows area. As part of the transition from the Launceston Interim Planning Scheme to the statewide scheme, a Low Density Residential Zone Project was undertaken reviewing sites within the municipality. The report recognised that the subject site warranted further investigation and it was recommended that the split zoning not be retained, however due to transitional timeframes, a rezoning was unable to be implemented. The report did conclude that discussion with the property owner should be entered into to ascertain plans for the future. Being split zoned in its current layout, the site is difficult to develop for sensitive uses noting the constraints that an industrial zone present when working in conjunction with residential uses.

This amendment will ensure the land is able to be fully utilised in the future based on those discussions and compliance with the regional strategy. It has been identified that the 3.9ha area of land located on the western side of the site currently zoned Light Industrial is underutilised, with limited likelihood of being developed for future industrial use due to site constraints. It is considered the rezoning to residential land will allow for larger lots to be developed in the future, which will be well located and serviced, and be of a size that will enable attenuation consideration of the adjoining industrial areas. Existing access is via Merino Street to the east, which connects into Hobart Road and the surrounding transport network. Future development will have the ability to explore other connections.

1.1 Why the site is not suited for Industrial Development

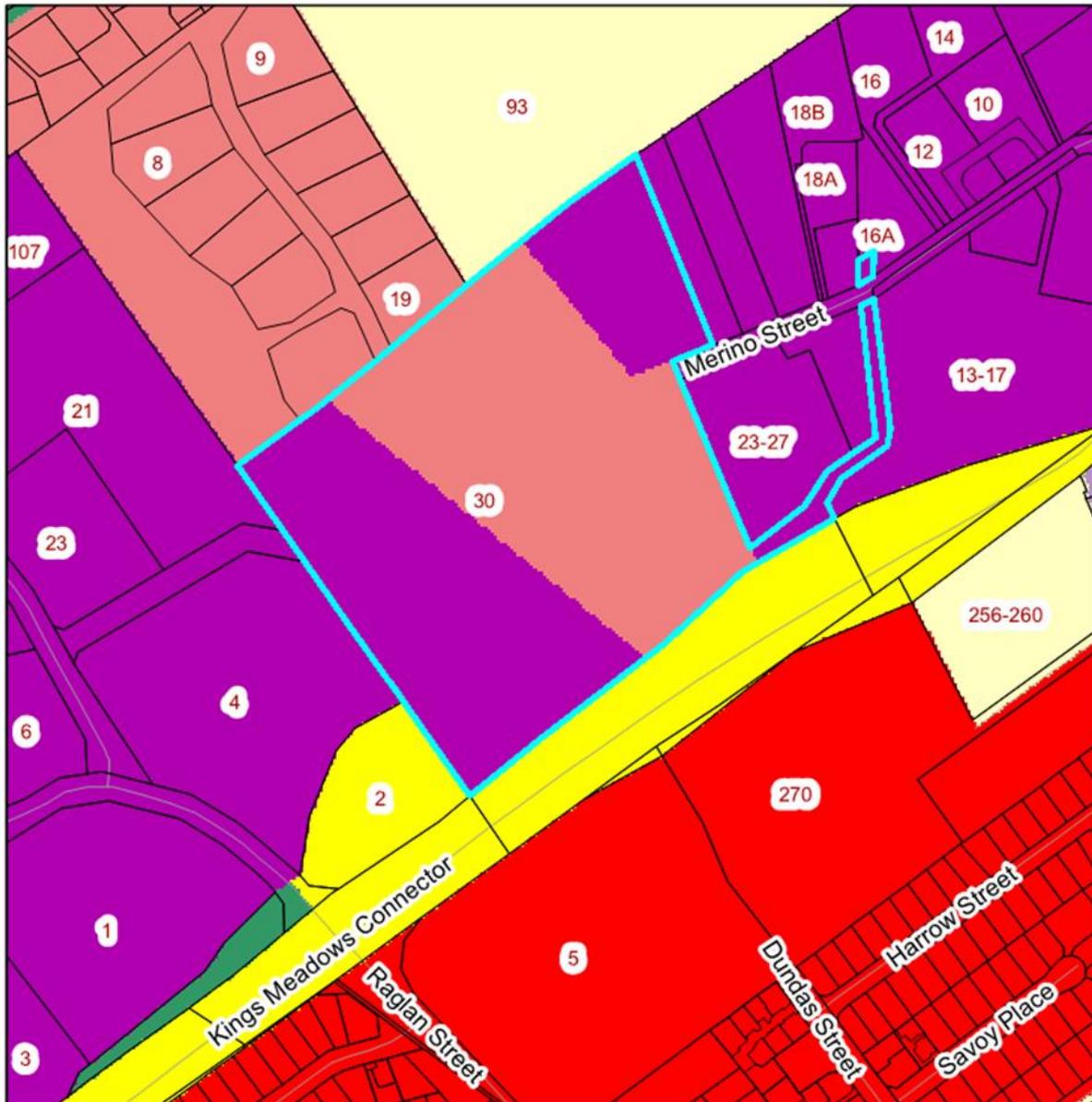
The area of Industrial land to be rezoned from Light Industrial to Low Density Residential is currently unsuitable for industrial development. This is predominantly due to the slope of the site, with a gradient of up to 37 degrees. Industrial development generally requires larger, flat sites to allow for bulkier uses and large vehicle traffic movements. If the area were to be utilised for industrial use, significant works would be required to facilitate such development, and further consideration of the existing residential land to the east would be required to ensure the interface between the industrial and residential uses is managed appropriately. The sites characteristics such as priority vegetation, scenic protections, and proximity to residential uses limit the viability of industrial activity.

1.2 Why the Low Density Residential Zone is preferred

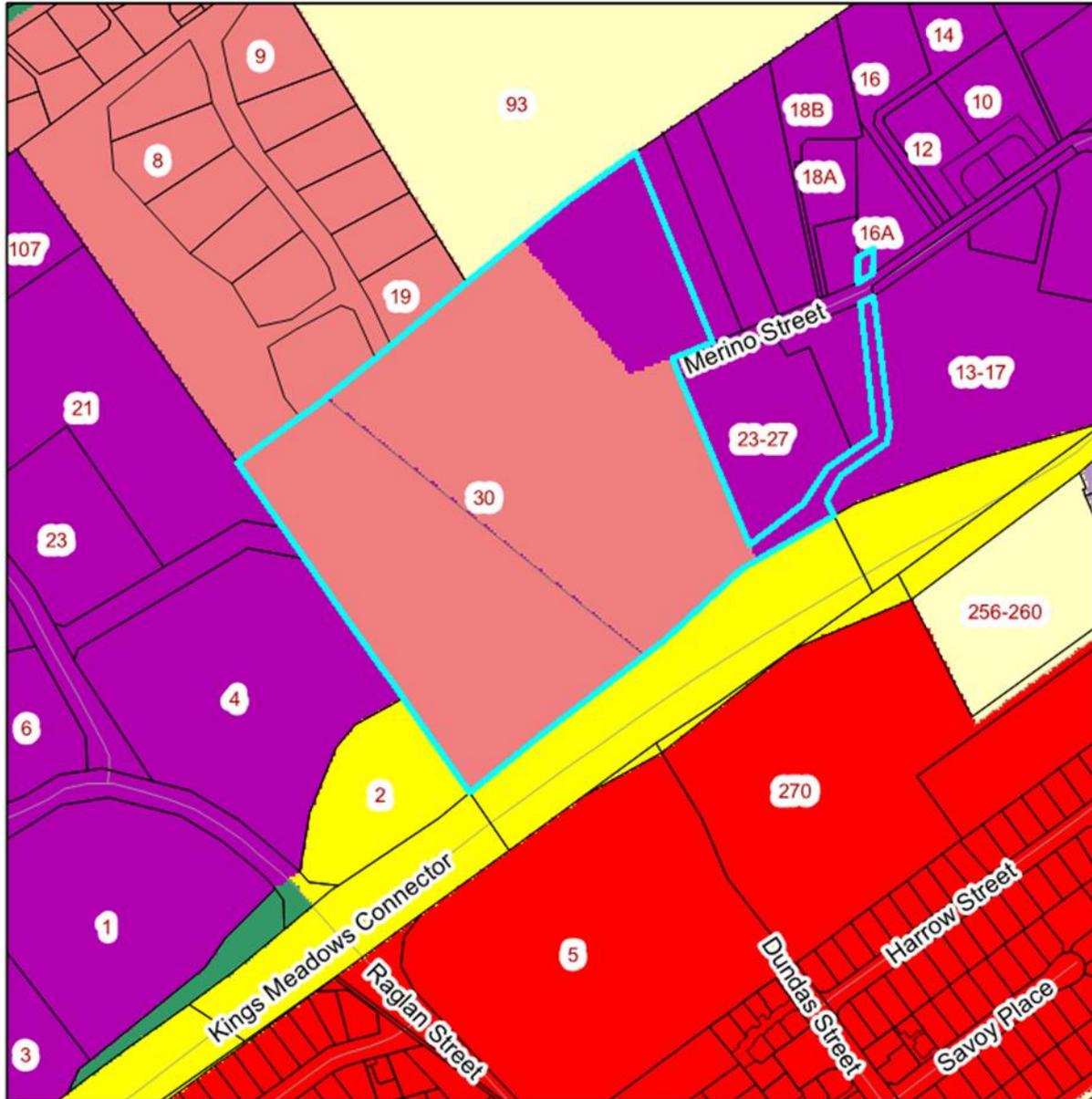
The rezoning from Light Industrial to Low Density Residential is considered an appropriate outcome for the split zoned site. Rather than being a dormant undeveloped parcel of land, the rezoning would allow for an expansion of the existing residential land on the property. This residential expansion would allow a greater opportunity to develop the site noting the industrial buffer constraints to the west and east. Whilst it is unlikely the entirety of the site would be able to be developed due to constraints such as slope, vegetation, and adjoining land uses, the rezoning would allow meaningful development to occur, and be a logical continuation of the Low Density Residential land to the north in Ridgewood Lane, maintaining existing land use patterns of the area. This is further supported by the Northern Tasmania Regional Land Use Strategy, which states that the site is within a supporting consolidation area.

It is recognised that earthworks would also be required to facilitate new residential development, however this could be achieved at a level that is responsive to the site conditions and constraints.

The proposed zoning changes will result in the site having a total of approximately 9.5ha of Low Density Residential zoned residential land, and will retain approximately 1.3ha of Light Industrial zoned land in the north eastern corner of the lot (refer to Figure 1 below). The newly rezoned residential area will also include the priority vegetation overlay.



Current Zoning



New Zoning

Figure 1 - Zoning comparison

Based on the low density zone subdivision provisions, discretion would allow for a theoretical yield of 33 new lots for the proposed rezoned area (3.9ha), and 79 new residential lots for the site in its entirety. However, due to site constraints such as topography and waterways, as well as overlays such as scenic and natural values, bushfire, and further due to the site's proximity to industrial uses and the requirements of buffer areas, it is highly unlikely this yield could be achieved. The provision of infrastructure such as a new road will further reduce its potential yield.

1.3 Why the split zoning should not be retained

The third option is the 'do nothing' option whereby the site retains its split zoning of Low Density Residential and Light Industrial. This essentially quarantines the site from being developed for industrial purposes or residential purposes, or at the very least would only allow minor and conflicting development to occur. Such an option is not considered desirable or appropriate, noting the potential of the site for development.

2. PROPOSED AMENDMENT

The City of Launceston has prepared by its own motion, under section 37(1) and section 40D(b) of *the Land Use Planning and Approvals Act 1993* (the Act), a scheme amendment to:

- a) Rezone 3.9ha of land from Light Industrial to Low Density Residential at 30 Merino Street, Kings Meadows; and
- b) Insert the priority vegetation overlay map over the rezoned land area.

The Tasmanian Planning Scheme - Launceston, will be referred to as the scheme in this report. The Launceston Local Provisions Schedule will be referred to as the LPS in this report.

The amendment will ensure that existing underutilised land will assist in meeting the housing needs of the city. The change is considered consistent with all levels of policy and will encourage appropriate subdivision in an underutilised area of the Launceston municipality, whilst being respectful of the character of the area.

It is important to note that where anomalies and inconsistencies in zoning become known across the municipality, it is best practice to endeavour to find a solution and enact change. In many instances an applicant may lodge an amendment to the Planning Scheme, however the City Development department, on behalf of the City of Launceston, can also prepare amendments in such instances.

3. SITE & SURROUNDS

The subject site is located at 30 Merino Street, Kings Meadows and comprises a single title (CT132062/1) 10.85ha in size. The irregular shaped site contains frontages to Merino Street and Kings Meadows Connector. The site currently sits vacant with heavy vegetation and steep slopes.

The site is located south of the Launceston Central Business District (CBD) in the suburb of Kings Meadows. The site adjoins a residential strata community to the north (Ridgewood Lane) as well as Kings Meadows High School, the Connector Park industrial estate to the west, and another industrial estate to the east. South of the site over the Connector Road is residential land currently being developed, known as Oaken Park Estate.

The site is currently split zoned, with approximately 5.2ha zoned Light Industrial, located along the western boundary and the north eastern boundary of the site. The remaining 5.65ha is zoned Low Density Residential.



Figure 1 - Subject site aerial (source: SAM mapping)

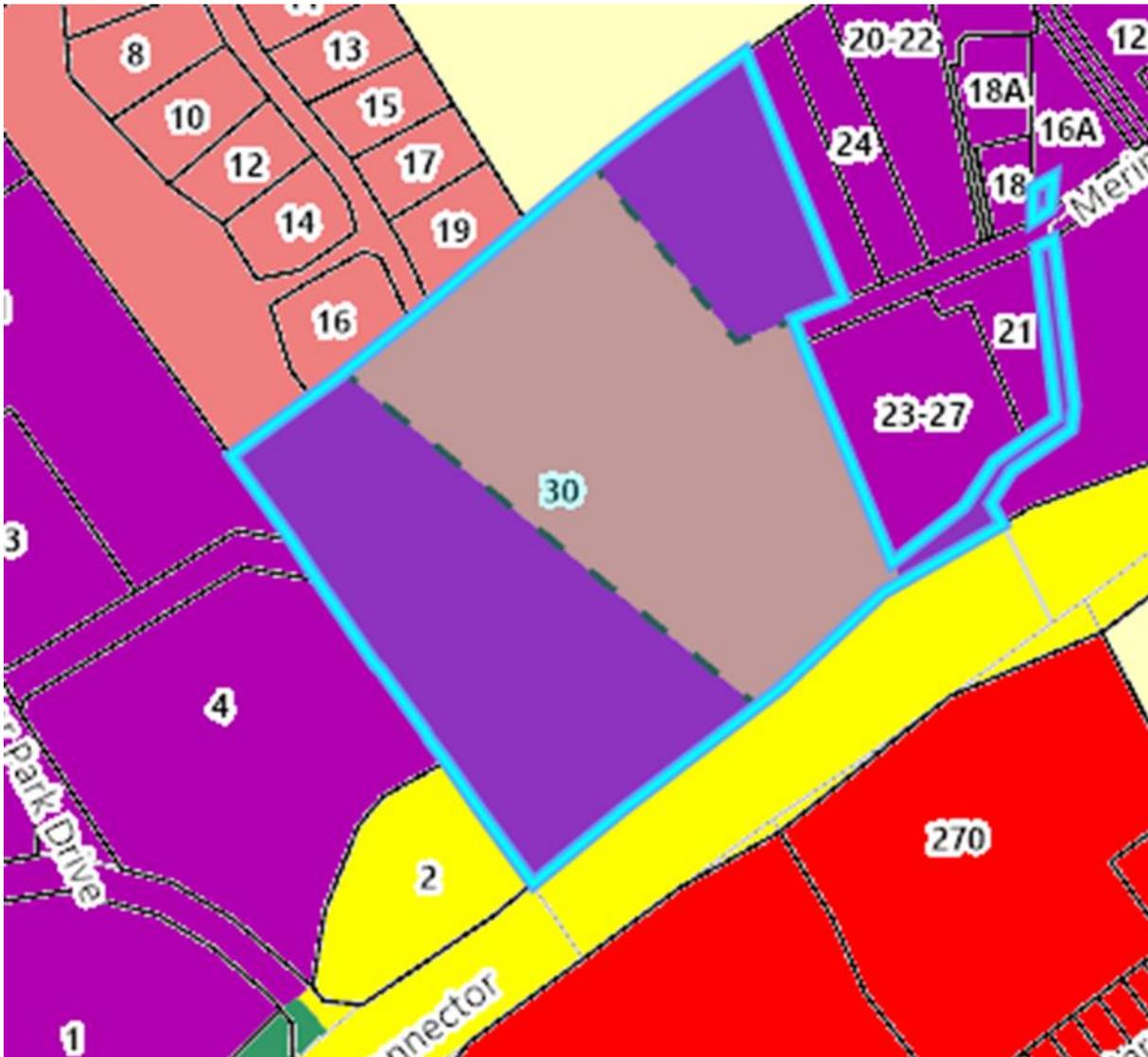


Figure 2 - Subject site and zoning (source: SAM mapping)

3.1 Heritage Values

There are no heritage listings over the site.

3.2 Scenic Values

The southern portion of the site facing the Kings Meadows connector contains the Southern Gateway Specific Area Plan (SAP) which considers scenic amenity. Future development will be subject to compliance against this SAP.



Figure 3 - Specific Area Plan (source: SAM mapping)

The following also provides photographs of the sites existing condition:



Figure 3A - Photo looking west from Merino Street



Figure 3B - Photo looking east from the road reserve off Connector Park Drive



Figure 3C - Photo looking south-east along the Kings Meadows Connector



Figure 3D - Photo looking north from Kings Meadows Connector

3.3 Natural Values

The land over the site currently zoned Low Density Residential contains the priority vegetation overlay. It is noted that the state mapping also has the overlay further extended into the area proposed to be rezoned.

A Threatened Flora and Fauna Assessment, prepared by Peripatus Environmental Services, concluded that the biodiversity of the site is significantly degraded, noting however that where native vegetation is present, that it should be retained and restored where possible. Accordingly, it is recommended that the overlay be retained and expanded on the site, noting that works associated with any future subdivision will be required to minimise adverse impacts on the vegetation.

Code C7.0 Natural Assets Code within the Planning Scheme is able to evaluate any risk, subject to detailed design in any future applications.

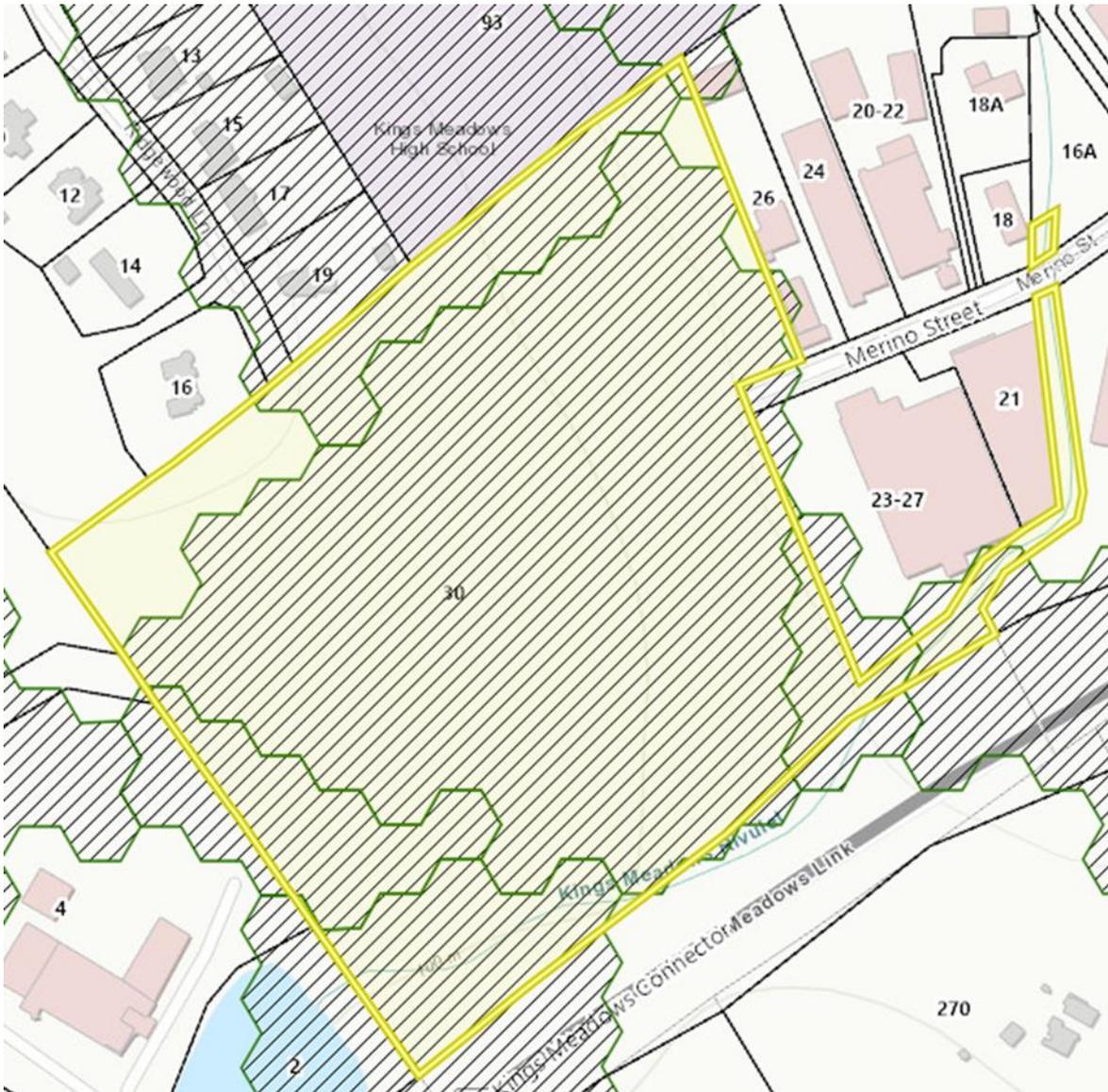


Figure 4 - Priority Vegetation (source: SAM mapping)

3.4 Land Capability

The site is not located within a rural area.

3.5 Contamination

There are no known contaminants over the site.

3.6 Bushfire

The entirety of the study area is mapped within a bushfire prone area. Code C13.0 Bushfire-Prone Hazards Area Code within the Planning Scheme is able to evaluate any risk, subject to detailed design in any future applications.



Figure 5 - Bushfire Hazard (source: SAM mapping)

3.7 Flood Hazard

A creek line exists along the southern boundary adjoining the Kings Meadows Connector. Code C7.0 Natural Assets Code within the Planning Scheme is able to evaluate any risk, subject to detailed design in any future applications.



Figure 6 - Waterways (source: SAM mapping)

3.8 Landslip & Slope

The study area contains land subject to low and medium landslip hazard. Code C15.0 landslip Hazard Code within the Planning Scheme is able to evaluate any risk, subject to detailed design in any future applications. It is noted however that the area subject to the rezoning does not contain any areas of identified landslip.

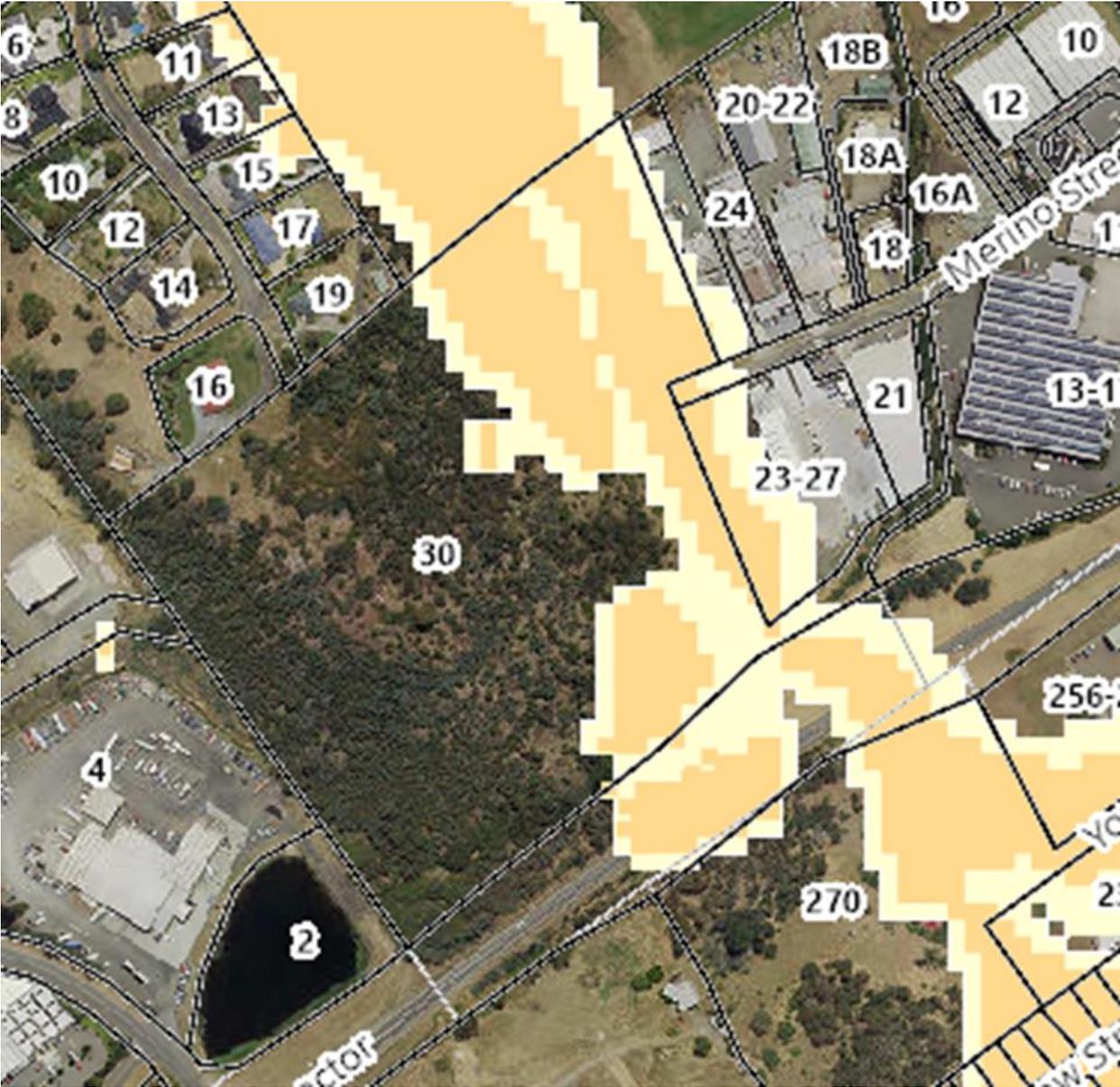


Figure 7 - Landslip (source: SAM mapping)



Figure 8 - Slope (source: SAM mapping)

The site has an uneven topography, ranging from 95m AHD at the south western corner of the site, and 75m AHD at the south eastern corner of the site. This increases to 120m AHD at the north western corner of the site, and 70m at the north eastern corner of the site. The site is 315m in width from Kings Meadows Connector to the northern boundary of the site. This results in the site predominantly sloping downward from north to south, as well as west to east.

3.9 Attenuation

To understand the site and its constraints, it is prudent to also understand the adjoining industrial uses, and the potential buffer areas that would need to be considered under Table C9,1 Attenuation Distances under C9.0 Attenuation Code. These are generalized from the table within the Planning Scheme, noting that future development on the subject site would generally require an attenuation report to understand the impacts and to ensure there are no constraints to existing industrial uses, nor any impact on proposed residential uses.

Address	Use	Buffer (Table C9.1)
2 Connector Park Drive	Drainage Basin	Nil
4 Connector Park Drive	Truck depot and sales yard	Nil
21 Connector Park Drive	Garages and Sheds	Nil
23 Connector Park Drive	Vacant	Nil
23-27 Merino Street	Clennett vehicle hire	Nil
21 Merino Street	Spectran Group vehicle depot	Nil

It is further understood that the site is not suitable for industrial development, and that the site constraints would be better suited to and managed by a residential zone.

4. STRATEGIC OUTCOMES

4.1 Local Strategies and Impacts

4.1.1 Residential Strategy 2009-2029

The aim of the Residential Strategy (LRS) is to create choice, diversity and desirability to sustainably maximise Launceston's housing market.

The LRS provides a strategy for housing within the Launceston municipality over the next 20 years. The LRS focuses on five tiers of development. The most relevant to the current proposal is Tier 1: Urban redevelopment for new houses in accessible locations. The site meets this tier as it will allow for residential development on a vacant site in an accessible location.

The LRS identifies that there are 7 vacant parcels of low density residential land greater than 1ha and it is estimated that between 2614 and 4397 houses will be needed by 2024. The LRS continues that between 96 and 201 additional lots may be sought up to 2024. The LRS anticipates that around 85% of housing would be provided in residential areas.

Furthermore, the dwelling projections detailed in the Council's Draft Residential Land Demand and Supply Assessment (March 2019) establishes the demand to be 4,330 dwellings by 2031 across the Greater Launceston Area.

Noting the established surrounding mixed use nature, and the constraints to develop at higher densities, a rezoning to low density residential is consistent with the purpose of the strategy and through an amendment will achieve the requirements of Tier 1.

4.1.2 Launceston Industrial Strategy 2009-2029

The intent of the Industrial Strategy is to ensure Launceston has a co-ordinated supply of industrial land providing a choice of location to service the Launceston regional centre and to establish Launceston as the industrial centre of choice for new and emerging high technology and research and development industries.

To implement the strategy, the aim is to create opportunities through the planning scheme and by identifying and prioritizing areas within supporting policies and guidance.

The subject site is not recognised in Figure 5: Precinct 8.4 Connector Park. The subject land goes against the key industrial policies in that the subject land is not of high quality, not serviced, not appropriate due to slope, and is therefore inappropriately zoned.

The proposal seeks to remove 3.9ha of Light Industrial land from the current supply.

4.1.3 City of Launceston Corporate Strategic Plan 2014-2024

Section 20(1) of the *Local Government Act 1993* (Tas) requires a planning scheme amendment to have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the Act.

Attachment 4 includes an assessment against the Corporate Strategic Plan.

4.1.4 Infrastructure Impacts

In accordance with section 56S(1) of the *Water and Sewerage Industry Act 2008*, the proposal was referred to TasWater for comment. On 16 April 2024 TasWater provided a submission to the Planning Authority noting they have no objection.

The site is relatively constrained in terms of the creation of roads and connections to services for future subdivision. Due to the slope of the site any future subdivision layout would need to carefully consider road and lot layout design to ensure slope is appropriate. The provision of stormwater will also be constrained, noting the water would likely need to be drained to the Kings Meadows Rivulet which may require a significant upgrade of infrastructure outside of the property. This supports Low Density Residential zoning as such zoning allows for and requires larger lots that can assist with on-site absorption.

Notwithstanding, the proposed zoning allows for reticulated connections of on-site servicing through the subdivision provisions. As such, consideration of infrastructure will need to be dealt with at the detailed design stage of any future subdivision, noting the constraints of the site.

Notwithstanding, the current proposal is not for a subdivision, and relevant detailed design would need to be considered at a future subdivision stage.

4.1.5 Environmental Impacts

The proposed amendment will allow development to occur that is less intrusive than the existing industrial zoning. The site has been identified as having natural values, noting that larger lots will enable sensitive design to existing values on site.

4.1.6 Amenity Impacts

The site is located between the Merino Street industrial area to the east, and Connector Park industrial area to the west. Expanding the existing residential zoning of the site will allow for greater buffer areas to ensure reasonable amenity is able to be achieved. The existing Southern Gateway Specific Area Plan will assist in maintaining scenic amenity on the site.

4.1.7 Social and Economic Impacts

The proposed amendment is considered to have positive social and economic impacts by providing an appropriate zoning for an area in close proximity to the commercial and retail area of Kings Meadows. Its location is also in close proximity to the Kings Meadows Connector and Midland Highway, allowing direct access into Launceston City, and other settlements to the south.

4.2 Regional Strategy

The Northern Tasmanian Regional Land Use Strategy (NRLUS) was originally declared by the Minister for Planning in accordance with the relevant provisions of LUPAA on 27 October 2011. The current version was amended on 23 June 2021 and provides a framework for the sustainable use and development of land within the region.

The NRLUS is a strategic regional plan for the eight council areas in the north and north-east of Tasmania. It has a 20-year time horizon to 2032 for integrated infrastructure, land use development and transport planning, and is underpinned by economic development, social and environmental strategies. It defines three land use categories to direct the allocation of all land in the region:

- Urban Growth Areas
- Rural Areas
- Natural Environment Areas

This site falls within the Supporting Consolidation Area under the land use categories, an identified urban growth area. The proposed rezoning to Low Density Residential aligns with the objectives of the consolidation area by promoting cohesive communities through the continuation of zoning pattern within the area and maintain a residential site with existing access to activity centres.

The detailed assessment against the relevant principles, policies and actions of the NRLUS is provided in **Attachment 4** to this report.

4.3 State Strategy

The amendment furthers the objectives in Schedule 1 of LUPAA, by promoting sustainable and orderly development through more efficient use of underutilised, serviced, highly accessible, urban land. **Attachment 4** also includes an assessment against the objectives of Schedule 1 of LUPAA and the State Policies.

4.4 Statutory Considerations

4.4.1 Section 40D(b) - Land use Planning and Approvals Act 1993

Section 40D allows the Planning Authority, by its own motion, to prepare a draft amendment of a Local Provision Schedule (LPS).

4.4.2 Section 32 - Land Use Planning and Approvals Act 1993

Section 32 of LUPAA provides for the contents of a LPS, and Section 34 outlines the LPS Criteria. Attachment 4 provides a detailed assessment of the amendment against the requirements of these provisions. The amendment is considered to satisfy all the listed considerations and meet the LPS Criteria.

4.4.3 Section 56S - Water and Sewerage Industry Act 2008

Under Section 56S(1) of the *Water and Sewerage Industry Act 2008*, a Planning Authority must refer a draft planning scheme amendment to the relevant regulated entity. Under Section 56S(2) of the same Act, the relevant regulated entity may provide comments during the public notification period. TasWater were referred the application and on 28/06/2024 provided their submission, noting they have no objection and no formal comments.

4.4.4 Landowner Consent

Owner's consent has been provided.

5. CONCLUSION

The proposed amendment seeks to apply a residential zone to an existing vacant light industrial zoned area on a split-zoned site. The zoning is considered appropriate and will allow the currently underutilised site to develop taking into considerations the surrounding land uses and site constraints.

For the above reasons, it is assessed that the proposed planning scheme amendment is consistent with the objectives and other requirements of the *Land Use Planning and Approvals Act 1993*, the intent of the Tasmanian Planning Scheme - Launceston and is consistent with the Northern Tasmanian Regional Land Use Strategy and State policies.

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. PS A- LL P 0014 - Attachment 1 - Planning Scheme Amendment Map LL P 0014 Merino St [**11.1.1** - 1 page]
2. PS A- LL P 0014 - Attachment 2 - Planning Scheme Amendment Map LL P 0014 Merino St Overlay [**11.1.2** - 1 page]
3. PS A- LL P 0014 - Attachment 3 - Natural Values Report [**11.1.3** - 14 pages]
4. PS A- LLP0014 Attachment 4 Response to Requirements for Local Provisions Schedule u [**11.1.4** - 26 pages]

11.2. DA0158/2024 - 74 Margaret Street, Launceston - Sports and Recreation - Change of Use to a Pilates Studio and an Illuminated Below Awning Sign

FILE NO: DA0158/2024

AUTHOR: Rachael Huby (Town Planner)

APPROVER: {custom-field-general-manager}

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Stuart Oates Services
Property:	74 Margaret Street, Launceston
Zoning:	Inner Residential
Receipt Date:	16/04/2024
Validity Date:	17/04/2024
Further Information Request:	24/04/2024
Further Information Received:	03/07/2024
Deemed Approval (extension granted):	9/08/2024
Representations:	3

RELEVANT LEGISLATION:

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

STANDARDS REQUIRING PLANNING DISCRETION:

9.3.1 Inner Residential Zone – P1 and P4 Discretionary uses
C1.6.1 Signs Code – P1.1 and P2 Design and siting of signs
C1.6.2 Signs Code – P1 Illuminated signs
C3.5.1 Road and Railway Assets Code - P1 Traffic generation at a vehicle crossing, level crossing or new junction

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 DA0158/2024 - Sports and Recreation - Change of Use to a Pilates Studio and an Illuminated Below Awning Sign at 74 Margaret Street, 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. Cover Sheet, Prepared by Stuart Oates Services and Lez Penzes Architects, Drawing No. 01, Project No: 24010, Project name: Pilates Studio Fitout, Revision No. 2, Dated 23.05.2024.
- b. Site Plan, Prepared by Stuart Oates Services and Lez Penzes Architects, Drawing No. 02, Project No: 24010, Project name: Pilates Studio Fitout, Revision No. 2, Dated 23.05.2024
- c. Floor Plan - Fitout, Prepared by Stuart Oates Services and Lez Penzes Architects, Drawing No. 03, Project No: 24010, Project name: Pilates Studio Fitout, Revision No. 2, Dated 23.05.2024
- d. Signage Plan, Prepared by Stuart Oates Services and Lez Penzes Architects, Drawing No. 04, Project No: 24010, Project name: Pilates Studio Fitout, Revision No. 2, Dated 23.05.2024
- e. Vehicle Turning Paths, Prepared by Stuart Oates Services and Lez Penzes Architects, Drawing No. 05, Project No: 24010, Project name: Pilates Studio Fitout, Revision No. 2, Dated 23.05.2024
- f. Vehicle Turning Paths, Prepared by Stuart Oates Services and Lez Penzes Architects, Drawing No. 06, Project No: 24010, Project name: Pilates Studio Fitout, Revision No. 2, Dated 23.05.2024
- g. Planning Notes, Prepared by Stuart Oates Services and Lez Penzes Architects, Drawing No. 07, Project No: 24010, Project name: Pilates Studio Fitout, Revision No. 2, Dated 23.05.2024
- h. Reflected Ceiling Plan, Prepared by Stuart Oates Services and Lez Penzes Architects, Drawing No. 08, Project No: 24010, Project name: Pilates Studio Fitout, Revision No. 2, Dated 23.05.2024
- i. Technical Memo - Environmental Noise Assessment of a proposed pilates studio at 74 Margaret Street, Launceston, prepared by Tarkarri Engineering, Reference: 5951_AC_R, dated 27 June 2024.

2. LEGAL TITLE

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

3. 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.

4. BUSINESS HOURS

The operation of the Pilates studio must be confined to:

Monday-Friday- 5:30am - 8:00pm

Saturday- 8am - 6pm

Sunday- 8am - 6pm

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 - 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).

6. SIGNAGE CONTENT (STATIC)

Content of the sign may be updated or changed without separate approval of Council, subject to:

- a. The structure, location and size of the signage not changing.
- b. The content of the signage relating to the site.
- c. Compliance with the requirements of the planning scheme.

7. SIGN MAINTENANCE (STATIC)

The sign(s) must be constructed and maintained in good condition to the satisfaction of the Council.

8. SIGN ILLUMINATION (STATIC)

The illuminated signs permitted by this permit must have a maximum luminance level of 1200 nit and must only be illuminated from 6.30am to 9pm.

Flashing or intermittent lighting must not be used in the signs permitted by this permit.

9. DRIVEWAY AND PARKING AREA CONSTRUCTION

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a) Be properly constructed to such levels that they can be used in accordance with the plans;
- b) Be surfaced with an impervious all-weather seal;
- c) Be adequately drained to prevent stormwater being discharged to neighbouring property;
- d) Be line-marked or otherwise delineated to indicate each car space and access lanes.

Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

10. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to Council 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 Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

11. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

12. 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 Council standards. All costs associated with these contractors are to be borne by the applicant.

13. 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.

14. EXTERIOR AND SECURITY LIGHTING

Exterior lighting and security lighting is to comply with the Australian Standard AS4282 'Control of the obtrusive effects of outdoor lighting' or any subsequent versions.

15. NOISE EMISSION LIMITS

- a) Noise emissions from the activity when measured within the premises expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
 - i. 73dB(A) between 5:30am and 7:00am (day time); and
 - ii. 73dB(A) between 07:00pm and 08:00 pm (evening time).

16. 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.

17. POTENTIAL SITE CONTAMINATION - NEW INFORMATION

Any new information which comes to light during demolition or construction works that has the potential to alter previous conclusions about site contamination must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery. Works on site must immediately cease until the new information has been assessed. Works can only recommence:

- a) once the site has been assessed by a site contamination practitioner certified under the Environment Institute of Australia and New Zealand Inc's Certified Environmental Practitioners (Site Contamination) scheme; and
- b) in accordance with any additional recommended control measures as specified by the site contamination practitioner.

18. 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 DA0158/2024. 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>>

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. Access for People with a Disability

This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act. The developer is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.

F. Other Approvals

This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:

- Council Building permit
- Council Plumbing permit
- Occupancy Permit

G. Environmental Management and Pollution Control Act 1994 - Commercial and industrial activities

The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.

REPORT:

1. THE PROPOSAL

The proposal is for a change of use from a retail business to a Pilates studio. The proposed studio will be situated within the existing footprint area of the current commercial building.

To facilitate the new use a new front door will be installed and there will be obscured glazing film fixed to the exterior of the front windows. The side entrance will be refurbished with the removal of an existing roller door access and the installation of a doors and an overhead exterior awning. Two (2) existing outbuildings at the rear of the building will also be demolished to facilitate the provision of carparking at the rear of the site. Six (6) parking spaces (including 1 disability space) will be constructed.

The proposal also includes the rebranding of the existing awning fascia signage and the reinstatement of a below awning sign which will also be illuminated. The proposed hours of operation of the Pilates studio are:

Monday-Friday- 5:30am - 8:00pm
Saturday- 8am - 12pm
Sunday- 9am -12pm

Acoustic absorbing panels are to be installed within the activity room to minimise internal noise. An air-conditioning system and passive ventilation will also be installed. An environmental noise assessment was conducted by Tarkarri Engineering for the proposed use. The assessment concluded that there will unlikely be any loss of amenity for adjoining sensitive uses.

The existing access from Margaret Street and concrete driveway will remain unchanged.

2. LOCATION AND NEIGHBOURHOOD CHARACTER



74 Margaret Street, Launceston (not to scale)

The site is a 936m² rectangular lot situated within the Inner Residential Zone. The site is relatively flat at the front portion where the existing buildings are located, however the lot then slopes upwards at a moderate gradient toward the rear south-west of the site. There are some established garden beds and garden arbour structures present at the rear of the site.

Directly opposite across Margaret Street is the Brickfields Reserve. To the north of the site is terrace housing and a café/restaurant on the corner of Margaret and Frederick Streets. To the south is the Bible Salvation Assembly at 80 Margaret Street. There is otherwise a mix of residential and light commercial use on neighbouring properties to the rear.

The site is subject to the Landslip Low Hazard Area and is within the Airport Obstacle Limitation Area. There are no other constraints.

3. PLANNING SCHEME REQUIREMENTS

The assessment against the Tasmanian Planning Scheme - Launceston is detailed in Attachment 1.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	The application was not referred to TasWater.
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 6 July 2024 to 24 July 2024. Three (3) representations were received. The issues raised are summarised in the following table. All representations received for this application were circulated to Councillors on 1 August 2024.

<p>Issue 1 The proposed hours of operation are outside the Acceptable Solutions within the Inner Residential Zone and this will have an impact on the amenity for the local residents.</p>
<p><i>Response 1</i> <i>Development applications are assessed on individual merit. A variation to hours of operation is assessed against the performance criteria at 9.3.1 P1. The proposed use is situated within an existing commercial building. An environmental noise assessment was conducted by Tarkarri Engineering for the proposed use and was submitted to support the application. The assessment concluded that there will unlikely be any loss of amenity for adjoining sensitive uses.</i></p>
<p>Issue 2 How are noise levels monitored in the carpark and emanating from the building?</p>
<p><i>Response 2</i> <i>Adherence to noise levels is highlighted in the application of conditions on planning and building permits.</i></p>
<p>Issue 3 The activity should be restricted to gentle Pilates exercises, and as a Health Studio not expanded into ZOOMBA exercises or fitness workouts that typically have louder accompanying music.</p>
<p><i>Response 3</i> <i>Development applications are assessed on individual merit. The planning assessment team are only able to assess and condition the proposed activity at the time of application. Any changes to the use may be subject to further planning consideration.</i></p>
<p>Issue 4 The number of anticipated clients at any time is 12, yet there are only 6 off street parks.</p>
<p><i>Response 4</i> <i>The proposed use requires approximately 5 spaces (rounded up) per Table C6.1 of the Parking and Sustainable Transport Code. The development application has provision for 6 off-street carparking spaces and therefore meets the acceptable solutions of the planning scheme.</i></p>
<p>Issue 5 The category of the application is for Sports and Recreation requires a change of use from the Planning Scheme, which is not close to any other Sports and Recreation facility or planning area. It is too close to residential properties</p>
<p><i>Response 5</i> <i>The use table at 9.2 determines what is permitted, discretionary and prohibited in the zone. Sports and Recreation is a discretionary use, and therefore there is a performance-based assessment pathway for proposed use and development in the Inner Residential Zone. The application is further assessed at clause 9.3.1 P4.</i></p>
<p>Issue 6 There is a risk of extraneous noise interrupting the church service. The work done does not include impact on church routines.</p>
<p><i>Response 6</i> <i>An environmental noise assessment was conducted by Tarkarri Engineering for the proposed use and was submitted to support the application. The assessment</i></p>

concluded that there will unlikely be any loss of amenity for adjoining sensitive uses. The emissions generated from the use is further assessed at clause 9.3.1 P4.

Issue 7

There has not been a Traffic Impact Assessment submitted to support the application - there is a potential risk to the vulnerable children and elderly who may be arriving and departing from the adjoining premises.

Response 7

The Council's Infrastructure Team have assessed the application in terms of traffic generation and circulation and have deemed the proposal as being compliant.

Issue 8

The proposed hours of operation has not considered the arrival/departure times from the church property when elderly and children movements are being managed.

Response 8

Development applications are assessed on individual merit. A variation to hours of operation is assessed against the performance criteria at 9.3.1 P1. The proposed use is situated within an existing commercial building. The commercial use operated from this property and there were no recorded issues arising from the previous activity.

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 interest to declare in this matter.

ATTACHMENTS:

1. DA0158 2024 74 Margaret Street Launceston Planning Scheme Assessment [**11.2.1** - 16 pages]
2. D A 0158-2024 - 74 Margaret Street Launceston - Plans to be Endorsed [**11.2.2** - 14 pages]

12. ANNOUNCEMENTS BY THE MAYOR

12.1. Mayor's Announcements

FILE NO: SF2375

Thursday 25 July 2024

- Attended the opening of St Luke's Launceston Wellness Hub, Cimitiere Street

Friday 26 July 2024

- Attended the LGAT Networking Dinner, Devonport

Saturday 27 July 2024

- Attended the LGAT Professional Development Day, Devonport
- Attended the Barbie and Ken Ball (New Horizons), Tailrace Centre

Tuesday 30 July 2024

- Joined in the Street Art / Skate Art Class, Indie School

Thursday 1 August 2024

- Participated in Salvo's Sleep Out 2024, Penny Royal

Friday 2 August 2024

- Officiated at the agriCULTURED Opening Plenary, The Workshop Building, UTAS Campus
- Guest speaker to the Launceston Club, Tamar Street

Sunday 4 August 2024

- Officiated at TasPin, Australian Italian Club

Wednesday 7 August 2024

- Officiated at the start of Walk to Raise Awareness for Homelessness 2024, City Park
 - Attended *Bring It On* (Launceston College Production), Princess Theatre
-

13. 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).

14. QUESTIONS BY COUNCILLORS

14.1. 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

14.2. 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).

15. NOTICES OF MOTION

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

No Notices of Motion have been identified as part of this Agenda

16. COMMITTEE REPORTS

No Community Reports have been identified as part of this Agenda

17. COMMUNITY AND PLACE NETWORK

17.1. Non Application of Public Tender Process for the St Leonards Structure Plan and Infrastructure Funding Framework

FILE NO: CD024/2024

AUTHOR: Matt Morgan (Team Leader Procurement)

APPROVER: Chelsea van Riet (General Manager Community and Place)

DECISION STATEMENT:

To consider action in respect of Contract CD024/2024 St Leonards Structure Plan and Infrastructure Funding Framework.

The decision on Recommendation 1 requires an absolute majority of Council.

RELEVANT LEGISLATION:

*Local Government Act 1993 (Tas)
Local Government (General) Regulations 2015*

RECOMMENDATION:

That Council:

1. pursuant to regulation 27(i) of the *Local Government (General) Regulations 2015*, resolves by absolute majority that the public tender process will not be applied to the procurement of a consultant to deliver contract CD024/2024 St Leonards Structure Plan and Infrastructure Funding Framework because of extenuating circumstances, being that -
 - a) the constraints of the grant deed require the project to be completed within a 12-month timeframe; and
 - b) a public tender process may take up to 20% of the time available, therefore compromising the timelines required to complete the project on time.
 2. accepts the tender submitted by Mesh Livable Communities Pty Ltd for the St Leonards Structure Plan and Infrastructure Funding Framework under Contract No. CD027/2024 at a cost of \$514,450 excluding GST.
-

REPORT:

1. Introduction

The City of Launceston has been successful in its application for Federal Government funding under the Housing Support Program (HSP) to deliver a Structure Plan and supporting Infrastructure Funding Framework for the St Leonards residential growth area. The grant awarded is \$327,000. The Council has budgeted \$200,000 for this project, taking the total available project funds to \$527,000.

This report recommends that the Council appoints Mesh Livable Urban Communities Pty Ltd as lead consultant to deliver the project.

The grant requires the Structure Plan and Infrastructure Funding Framework to be completed by 31 May 2025.

2. The project

The St Leonards Structure Plan and Infrastructure Funding Framework will provide a plan for the sustainable development of the St Leonards-Waverley area over the next 30 years and beyond. This St Leonards-Waverley area is identified in the Greater Launceston Plan as a key growth area for the municipality.

The Structure Plan will provide a framework for the delivery of the growth corridor including new residential areas for an anticipated 3,500 new homes, an enhanced village core, provision for new retail and community facilities and improved infrastructure connectivity and services.

The project is required to ensure:

- the City of Launceston can address its critical land supply shortage;
- the residential growth in St Leonards is coordinated and contributes high amenity neighbourhoods for the City; and
- infrastructure funding and delivery is coordinated from the outset of the project.

The Structure Plan will be embedded in the Tasmanian Planning Scheme - Launceston, to streamline planning permit applications to unlock high quality development faster.

3. Why do we need a Structure Plan?

St Leonards has developed in a linear settlement pattern in response to the natural features of the area – the North Esk River and flood plain to the west, and the hills to the east. It also has a compact village core, with a heritage character that distinguishes it from newer suburbs. While St Leonards continues to retain a village atmosphere, over time this is being diluted due to new development that conflicts with the traditional patterns of development. Recent subdivisions developed in the absence of an overall structure plan are largely disconnected from each other and the existing road network. If the incremental nature of housing growth continues unplanned, it will further compromise the road network, impact on natural features and potentially erode the historic character of the area.

The village core has community facilities and services that make St Leonards an attractive place to live. However, the core is constrained by lack of available land. To improve local services, this shortfall will need to be considered to facilitate a broader range of shops and facilities.

St Leonards is a strong employment area, with a clear economic relationship with neighboring suburbs, particularly to the west and north. Most jobs are within the industrial precinct between Waverley and St Leonards, with manufacturing, construction, transport, postal services and warehousing providing the largest number of jobs and the greatest gross revenue. The area is, however, fractured in terms of land use and there are traffic and amenity impacts on neighbouring residential areas. Key issues that are being experienced are a lack of:

- connectivity in road and footpath connections, to ensure a permeable and safe network;
- provision of an equitably distributed and connected open space network;
- consideration of broader connections to high amenity areas like the North Esk River and connections into the Launceston CBD; and
- understanding of broader retail and community services, and where these are best located to serve the future community.

Without a Structure Plan, the risk is development in St Leonards continues to occur in an ad-hoc way, comprising the ability to deliver on good urban design outcomes and with the amenities that residents would expect.

4. Timing of Delivery

The project delivery milestones are as follows:

Activity	Timing	Payment
State or Territory signing the Federal Funding Agreements Schedule (Default Payment Milestone 1)	Payments will be made to the State/Territory at the earliest available payment run after signing.	60% of HSP1 funding (\$196,000)
Commencement of Project	No earlier than the date of State/Territory signing the Federal Funding Agreements Schedule. No later than 31 July 2024*.	
Complete project and provide acceptable post completion report (Default Payment Milestone 2)	No later than 31 May 2025.	40% of HSP1 funding (\$130,800)

**This date was outlined by the Federal Government and has been queried by officers directly as to commencement. We are still engaging to establish funding mechanism.*

This timeline is challenging for a project of the scale proposed. While the timeline is achievable it will require a streamlined process.

A full open public tender process on average takes 6-8 weeks. This is not achievable given the circumstances. For this reason, the Council's support for utilising regulation 27(i) of the *Local Government (General) Regulations 2015* is sought.

To facilitate this, a Request for Tender package was prepared and sent to Mesh Liveable Communities Pty Ltd. This consultant was selected because they have:

- demonstrated national experience in growth area residential planning and infrastructure contribution planning;
- the capacity and skills to meet the grant timeline; and
- a local office and are familiar with the area, having undertaken prior work in the St Leonards growth corridor.

The fee submission response to the Request for Tender provides a comprehensive analysis of how the project can be delivered on time and within budget.

Reasons for non-application of public tender process

Relevant legislation

Section 333A of the *Local Government Act 1993* (Tas) requires Council to invite tenders for any contract it intends to enter for the supply or provision of goods or services valued at or above \$250,000.

Regulation 27 of the *Local Government (General) Regulations 2015* provides for the non-application of the public tender process in particular circumstances:

27. Non-application of public tender process

The following situations and contracts are prescribed for the purposes of *section 333A(3) of the Local Government Act 1993* (Tas):

(i) a contract for goods or services, if the council resolves by absolute majority and states the reasons for the decision, being that a satisfactory result would not be achieved by inviting tenders because of –

(i) extenuating circumstances; or

(ii) the remoteness of the locality; or

(iii) the unavailability of competitive or reliable tenderers;

(j) a contract of employment with a person as an employee of the council.

RISK IMPLICATIONS:

The risk is failure to deliver the project for the community of St Leonards and financial consequences.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

The project will have a significant social and economic impact on the City of Launceston, laying the foundations for best practice coordinated development for a 20 to 30-year horizon.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

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:

5. To support sustainable population growth in the Northern Region.

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:

1. To ensure that our application of the land-use planning system at a local and regional level is effective and efficient.
2. To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.
4. To ensure our suite of strategic planning initiatives are coordinated and representative of our community's needs and aspirations.

BUDGET AND FINANCIAL IMPLICATIONS:

The HSP Grant funding for the project will contribute most of the cost at \$327,000. The payment schedule from the Federal Government is structured into two milestones.

Milestone 1 is the commencement of the project at which point 60% of the funding is provided. Milestone 2 is the project completion by 31 May 2025 at which point 40% of the funding is provided.

\$200,000 has been allowed for this project in the 2024/25 budget, bringing the total funds available to \$527,000.

Failure to deliver the project by the deadline would have financial implications for the project budget.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

Nil

18. CREATIVE ARTS AND CULTURAL SERVICES NETWORK

No items have been identified as part of this Agenda

19. INFRASTRUCTURE AND ASSETS NETWORK

No items have been identified as part of this Agenda

20. ORGANISATIONAL SERVICES NETWORK

20.1. Use of Coat of Arms

FILE NO: SF0156

AUTHOR: Elizabeth Clark (Civic Affairs Officer)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

To consider a request for the use of Council's Coat of Arms.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council, pursuant to section 336 of the *Local Government Act 1993 (Tas)*, approves the use of the City of Launceston's Coat of Arms by the Historical Aircraft Restoration Society (HARS) for a restoration project of a Qantas Boeing 707.

REPORT:

A request has been received from the Historical Aircraft Restoration Society (HARS) based at Shellharbour Airport, just south of Wollongong, New South Wales.

HARS has requested permission to paint the City of Launceston's Coat of Arms on the forward fuselage section of a Boeing 707 to represent one of QANTAS' early Boeing 707s VH-EBM.

The restoration of this piece of a Boeing 707 is in support of their current project in the United States of America where they are restoring the actual ex Qantas aeroplane *EBM* which was donated by John Travolta. It is their intention to fly this aircraft back to Australia as part of their vast collection of historical aircraft. The aircraft in the United States of America will not have any reference to the City of Launceston on the nose; it will remain the same as when John Travolta operated the aircraft.

The HARS project uses a forward section of fuselage that is the only remaining piece of what was once an ex-QANTAS B707-338 VH-EAG, which eventually entered RAAF service as A20-627 in 1979. The aircraft was retired from service in 2001 and was broken up in 2009. HARS was fortunate enough to retrieve the remaining section, being the forward fuselage and cockpit.

This section of fuselage will remain in the historical aircraft collection for promotional purposes. HARS is happy to promote Launceston in support of our City and in appreciation for assisting with the request.

QANTAS would name all their aircraft in the 1960s and 1970s with the names of cities. One of the *EBMs* was named *City of Launceston* and the Launceston Coat of Arms was placed on the nose of the aircraft.

Section 336 of the *Local Government Act 1993* (Tas) says:

336. Council arms

(1) A council may adopt arms in the form of a badge, crest or flag or a combination of these.

(2) A council may display and use the arms in any manner it thinks fit.

(3) A person must not use or display the arms of a council without its approval.

Penalty: Fine not exceeding 10 penalty units.

RISK IMPLICATIONS:

The City of Launceston Coat of Arms is a symbol of our municipal identity. As an important and unique symbol, the Coat of Arms should be used with dignity and respect.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

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:

4. To promote tourism and the development of a quality tourism offering for 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. Request for use of Coat of Arms - Kerry Gnaden [20.1.1 - 1 page]
2. City of Launceston Nose Art [20.1.2 - 1 page]

20.2. Section 75CA Agreement for Protrusions over a Footpath at 15 Quadrant, Launceston

FILE NO: SF3699

AUTHOR: Michelle Grey (Properties and Legal Officer)

APPROVER: Louise Foster (General Manager Organisational Services Network) and Shane Eberhardt (General Manager Infrastructure and Assets)

DECISION STATEMENT:

To consider a request from the owner of 15 Quadrant Mall, Launceston that Council make a declaration to allow for protrusions from the building façade (awning and plinth) to remain over the adjacent mall so long as the building remains.

RELEVANT LEGISLATION:

Conveyancing and Law of Property Act 1884 (Tas)

Local Government (Highways) Act 1982 (Tas)

Local Government Act 1993 (Tas)

Land Use Planning and Approvals Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 20 June 2024 - Protrusions Over Roads and Footpaths

Workshop - 25 July 2024 - Section 75CA Agreements for Protrusions Over Footpaths (*Conveyancing and Law of Property Act 1884 (Tas)*)

RECOMMENDATION:

That Council:

1. declares, pursuant to section 75CA of the *Conveyancing and Law of Property Act 1884 (Tas)*, that the protrusions currently extending from the building façade at 15 Quadrant Mall, Launceston, located more than 2.4m above the mall (the protrusions), as indicated at Attachment 1 (part of ECM Doc Set ID 5033164), may remain so long as the building remains.
 2. requests the Chief Executive Officer to do all things and exercise all functions and/or powers necessary to execute and affix Council's seal to a Deed declaring that the protrusions may remain so long as the building remains.
 3. makes Recommendations 1. and 2. conditional upon the owner of 15 Quadrant Mall, Launceston paying any costs associated with preparing the relevant Deed and registering it with the Recorder of Titles.
 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:

Introduction

Rodney and Elizabeth Jesson (the applicants) are the owners of 15 Quadrant Mall, Launceston (the property). The applicants have approached the City of Launceston (the Council) seeking to obtain the Council's permission to allow protrusions from the building's front façade to remain above the public mall in front of the property.

The applicants have engaged local surveyor, Colin Smith of Nova Land Consulting (initially Woolcott Surveys), who has made an application on their behalf to remedy the protrusion by seeking formal permission from the Council as highway authority.

Colin Smith has made the application to Council pursuant to section 75CA of the *Conveyancing and Law of Property Act 1886* (Tas) as part of a strata title proposal. Such proposal requires the surveyor to certify that the building the subject of the strata title scheme is wholly within the title boundary, and that any protrusions or extensions beyond the title boundary are lawful.

Title details

The property is comprised of a 200m² building contained within Certificate of Title Volume 112084 Folio 14. The property is zoned Central Business. An extract from Folio Plan 1120847 is shown below (Figure 1):

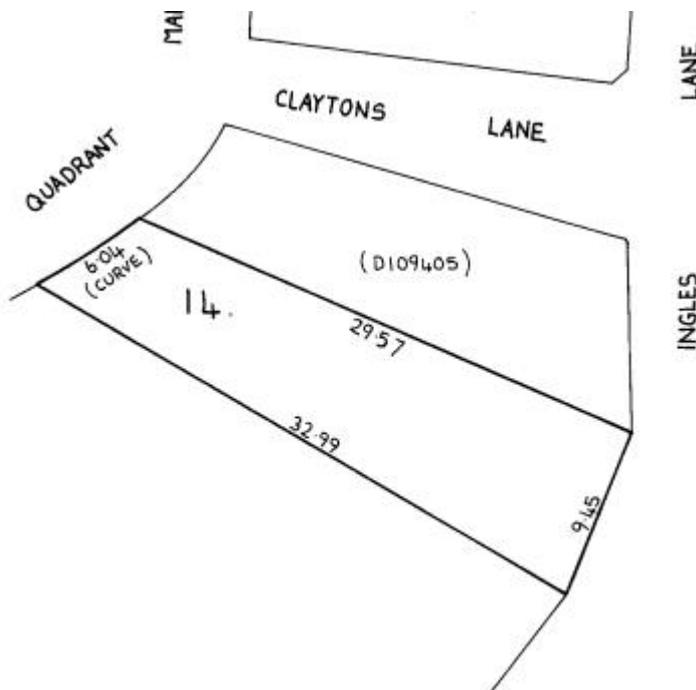


Figure 1 - Folio Plan Extract for Certificate of Title 112084/14

Background

Information available from the Land Titles Office Tasmania (*The List*) indicates that the building was constructed in 1950.

A recent photograph of the front of the building, which shows where the protrusions are located, is shown below (Figure 2):



Figure 2 - Frontage at 15 Quadrant Mall

The protrusions exist at least 2.4m above the footpath's surface along the property's boundary with Quadrant Mall. The surveyor's application states that the widest point of the protrusions into Quadrant Mall encroaches over the footpath by 2.28m. The applicants have owned the property since 2020.

The Council's records do not evidence any previous authority or declaration being made in relation to the protrusions in question.

Survey Plan

An extract of the Survey Plan showing a plan of the extent of the protrusions is shown in the image below (Figure 3):

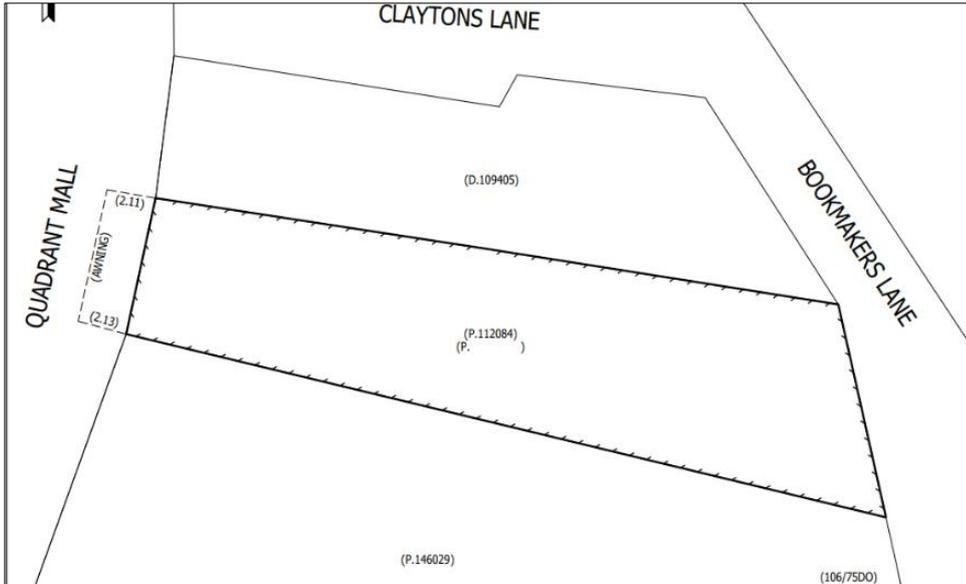


Figure 3 - Extract from Survey Plan

Council as Highway Authority

The Council is both owner of and relevant highway authority responsible for the care, control and management of Quadrant Mall. This is evidenced by the Council's Section 208 Map, an extract of which is shown below showing Quadrant Mall as a Council-maintained highway in red (Figure 4):

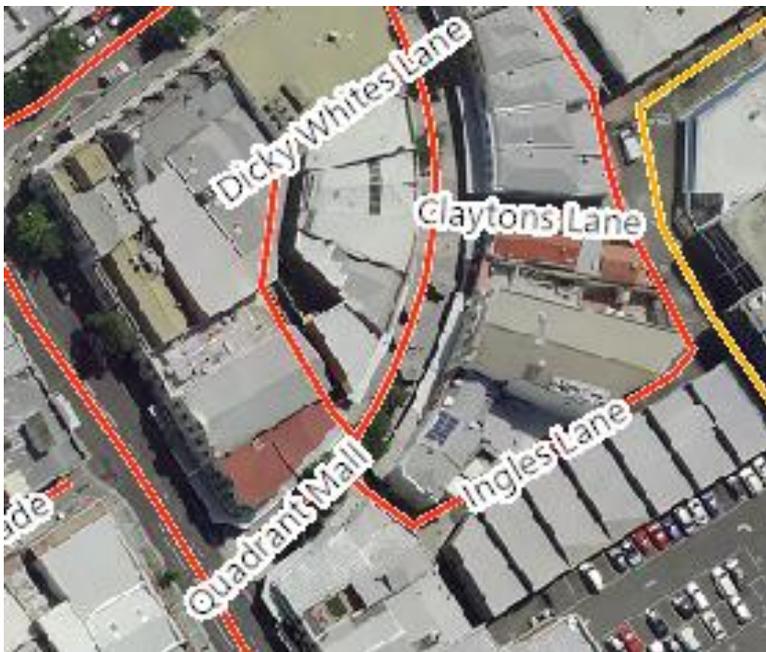


Figure 4 - Extract from the Council's Local Government Act 1993 (Tas) Section 208 Map

Applicable Legislation

Section 75CA of the *Conveyancing and Law of Property Act 1884* (Tas) (section 75CA) provides that a highway authority may sign a Deed declaring that protrusions may remain above a footpath if certain requirements are met. The relevant section states:

Section 75CA - Irregular boundary with highway

- (1) *Where a building is built on land a boundary of which is a boundary of an adjoining highway and the building extends -*
- (a) ...
 - (b) over -
 - (i) a footpath of that highway and at least 2.4m above it;

the authority having the care and management of that highway may declare by deed that the extensions or any of them (in all cases specifying them) may remain so long as the building remains.

The Council, as highway authority, has the necessary authority to make such declarations with respect to Quadrant Mall, Launceston. This authority arises from subsection 21(3) of the *Local Government (Highways) Act 1982* (Tas) which states:

The local highways in a municipality that are maintainable by the corporation vest in the corporation and, for the purpose of the exercise of its functions in respect of those highways, the corporation has, subject to the Traffic Act 1925 and the Vehicle and Traffic Act 1999 , the care, control, and management of those highways.

In this instance the Surveyor has advised that the protrusions are at least 2.4m above the mall. This is consistent with a physical inspection of the protrusion. Therefore, the height requirements of subsection 75CA(1)(b)(i) of the *Conveyancing and Property Law Act 1884* (Tas) are met.

The process of making the declaration and registering the deed will constitute a disposal of an interest in land. Section 61 of the *Local Government (Highways) Act 1982* (Tas) provides Council with the power as Highway Authority to grant private interests over highways. That power is in addition to Council's power to dispose of interests in land under the *Local Government Act 1993* (Tas).

Council Officers consider that given the specific requirements of section 75CA, section 75CA is the appropriate mechanism for Council to consider declaring that the protrusions may remain as long as the building does. If this is not acceptable to the Council section 71 of the *Land Use Planning and Approvals Act 1993* (Tas) may be an alternative mechanism to regularise a protrusion over Council's local highway.

Heritage

The whole of Quadrant Mall is listed on both the State and local Heritage Registers. The significance of this fact is that if there is anything to be removed from a registered building, Heritage Tasmania would need to be consulted.

The recommended declaration is in accordance with legislative requirements.

Deed

The proposed Deed will include a copy of the Survey Plan and the wording would be based on the following text:

The awning:

- (i) extends beyond the title boundary by 2.13m as shown on the enclosed declaration plan; and*
- (ii) is more than 2.40m above the footpath*

The awning over the highway may remain so long as the building remains.

Conclusion

The granting of permission for the protrusions to remain will not impact any users of Quadrant Mall.

The Council's Infrastructure and Assets Network has been consulted and advised that there are no present or future plans for Quadrant Mall that the protrusions would affect.

Accordingly, it is recommended that Council agree to the request to declare that the protrusions may remain, pursuant to section 75CA of the *Conveyancing and Law of Property Act 1884* (Tas), with all costs, including those costs associated with the Deed's registration, to be borne by the applicant.

RISK IMPLICATIONS:

Risks relevant to this item are discussed in the report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Heritage considerations are discussed 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:

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

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. Attachment 1 - part of ECM Doc Set ID 5033164 [20.2.1 - 2 pages]

20.3. Section 75CA Agreement for Protrusions over a Footpath at 17 Paterson Street, Launceston

FILE NO: SF1848

AUTHOR: Michelle Grey (Properties and Legal Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider a request from the owner of 17 Paterson Street, Launceston that Council make a declaration to allow for a protrusion from the building façade (awning) to remain over the adjacent footpath so long as the building remains.

RELEVANT LEGISLATION:

Conveyancing and Law of Property Act 1884
Local Government (Highways) Act 1982
Local Government Act 1993
Land Use Planning and Approvals Act 1993

PEVIOUS COUNCIL CONSIDERATION:

Workshop – 15 February – Section 75CA Agreement for Protrusions over a footpath at 17 Paterson Street, Launceston
Workshop – 20 June 2024 - Protrusions over Roads and Footpaths
Pre-Council Workshop – 25 July 2024 - Section 75CA Agreements for Protrusions Over Footpaths (*Conveyancing and Law of Property Act 1884* (Tas))

RECOMMENDATION:

That Council:

1. decides, pursuant to section 75CA of the *Conveyancing and Law of Property Act 1884*, that the protrusion currently extending from the building façade at 17 Paterson Street, Launceston, located more than 2.4m above the footpath (the protrusion), as identified at Attachment 1 (Doc Set ID 5084705) and Attachment 2 (Doc Set ID 5084716), may remain so long as the building remains.
2. requests the Chief Executive Officer to do all things and exercise all functions and/or powers necessary to execute and affix Council's seal to a Deed declaring that the protrusion may remain so long as the building remains.
3. makes Recommendations 1. and 2. conditional upon the owner of 17 Paterson Street, Launceston paying any costs associated with preparing the relevant Deed and registering it with the Recorder of Titles.

4. 5. 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:

Introduction

Ferndale Cottage Pty Ltd (the applicant) is the owner of 17 Paterson Street, Launceston (the property). The applicant has approached the City of Launceston (the Council) seeking to obtain the Council's permission to allow a protrusion from the building's front façade to remain above the public footpath in front of the property.

The applicant has engaged local surveyor, Brett Woolcott of Woolcott Surveys, who has made an application on its behalf to remedy the protrusion by seeking formal permission from the Council as highway authority.

Brett Woolcott has made the application to Council pursuant to section 75CA of the *Conveyancing and Law of Property Act 1884* (Tas) as part of a strata title proposal. Such proposal requires the surveyor to certify that the building the subject of the strata title scheme is wholly within the title boundary, and that any protrusions or extensions beyond the title boundary are lawful.

Title details

The property is comprised of a 103m² building contained within Certificate of Title Volume 172997 Folio 1. The property is zoned Central Business. An extract from Folio Plan 172997 is shown below (Figure 1):

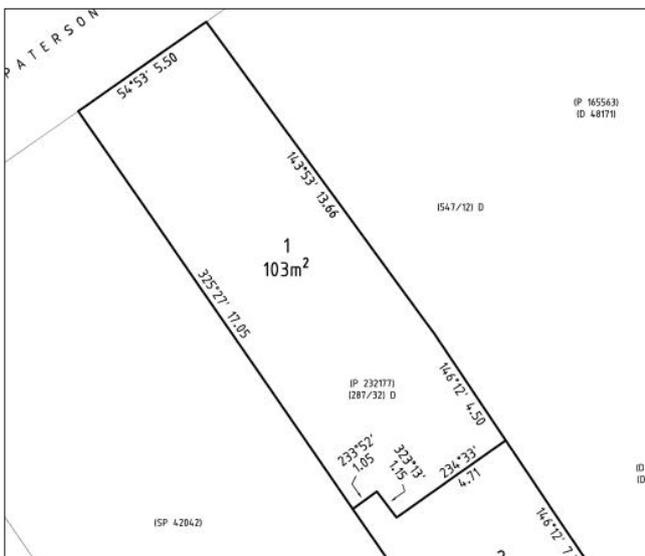


Figure 1 - Folio Plan Extract for Certificate of Title 172991/1

Background

The Surveyor estimates that the building including protrusion is around 50 years old. The property report on The List has no original building date identified.

A recent photograph of the front of the building, which shows where the protrusion is located, is shown below (Figure 2):



Figure 2 - Frontage at 17 Paterson Street

The protrusion exists at least 2.4m above the footpath's surface along the property's boundary with Paterson Street. The widest point of the protrusion into Paterson Street encroaches over the footpath by 2.28m. The applicant has owned the property since 2020.

The Council's records do not evidence any previous authority or declaration being made in relation to the protrusion in question.

Survey Plan

An extract of the Survey Plan showing a plan of the protrusion is shown in the image below (Figure 3):

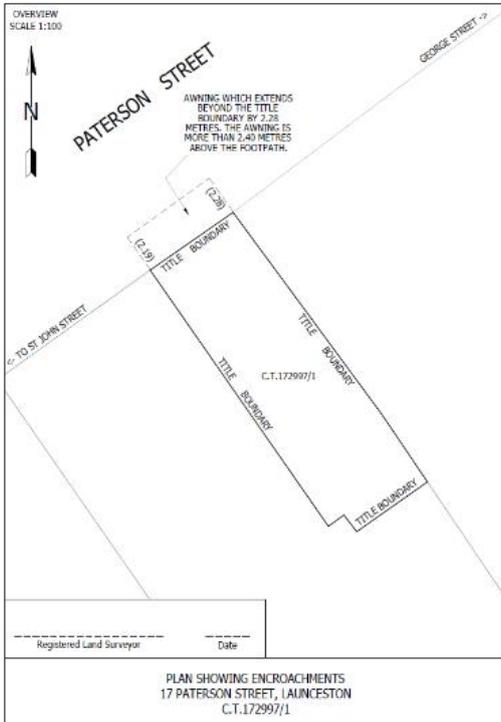


Figure 3 – Extract of Survey Plan showing protrusion

Council as Highway Authority

Whilst the Crown may own the road lot comprising Paterson Street, the Council is the relevant highway authority responsible for the care, control and management of Paterson Street, including the relevant footpath. This is evidenced by the Council's Section 208 Map, an extract of which is shown below showing Paterson Street as a Council-maintained highway in red (Figure 4):



Figure 4 - Extract from the Council's Local Government Act 1993 Section 208 Map

Applicable Law

Section 75CA of the *Conveyancing and Law of Property Act 1884* (Tas) (section 75CA) provides that a highway authority may sign a Deed declaring that protrusions may remain above a footpath if certain requirements are met. The relevant section states:

Section 75CA - Irregular boundary with highway

- (1) *Where a building is built on land a boundary of which is a boundary of an adjoining highway and the building extends -*
 - (a) *...*
 - (b) *over -*
 - (i) *a footpath of that highway and at least 2.4m above it;*

the authority having the care and management of that highway may declare by deed that the extensions or any of them (in all cases specifying them) may remain so long as the building remains.

The Council, as highway authority, has the necessary authority to make such declarations with respect to Quadrant Mall, Launceston. This authority arises from subsection 21(3) of the *Local Government (Highways) Act 1982* (Tas) which states:

The local highways in a municipality that are maintainable by the corporation vest in the corporation and, for the purpose of the exercise of its functions in respect of those highways, the corporation has, subject to the Traffic Act 1925 and the Vehicle and Traffic Act 1999 , the care, control, and management of those highways.

In this instance the Surveyor has advised that the protrusions are at least 2.4m above the mall. This is consistent with a physical inspection of the protrusion. Therefore, the height requirements of subsection 75CA(1)(b)(i) of the *Conveyancing and Property Law Act 1884* (Tas) are met.

The process of making the declaration and registering the deed will constitute a disposal of an interest in land. Section 61 of the *Local Government (Highways) Act 1982* (Tas) provides Council with the power as Highway Authority to grant private interests over highways. That power is in addition to Council's power to dispose of interests in land under the *Local Government Act 1993* (Tas).

Council Officers consider that given the specific requirements of section 75CA, section 75CA is the appropriate mechanism for Council to consider declaring that the protrusions may remain as long as the building does. If this is not acceptable to the Council section 71 of the *Land Use Planning and Approvals Act 1993* (Tas) may be an alternative mechanism to regularise a protrusion over Council's local highway.

Deed

The proposed Deed will include a copy of the Survey Plan and photograph and the wording would be based on the following text:

The awning:

- (i) extends beyond the title boundary by 2.28m as shown on the enclosed declaration plan; and*
- (ii) is more than 2.40m above the footpath*

The awning over the highway may remain so long as the building remains.

Conclusion

The granting of permission for the protrusion to remain will not impact any users of Paterson Street.

The Council's Infrastructure and Assets Network has been consulted and advised that there are no present or future plans for Paterson Street that the protrusion would affect.

Accordingly, it is recommended that Council agree to the request to declare that the protrusion may remain, pursuant to section 75CA of the *Conveyancing and Law of Property Act 1884* (Tas), with all costs, including those costs associated with the Deed's registration, to be borne by the applicant.

RISK IMPLICATIONS:

Risks relevant to this item are discussed in the report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Risk relevant to this item are discussed 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:

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

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. Attachment 1 - Photo 17 Paterson Street [20.3.1 - 1 page]
2. Attachment 2 - Survey Plan 17 Paterson Street [20.3.2 - 1 page]

20.4. Launceston Central - Funding Variation 2024/2025

FILE NO: SF0016, SF7346

AUTHOR: Sarah McRobbie (Manager Innovation and Performance)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

To consider an increase of 4.5% to the 2024/2025 City of Launceston funding contribution to Launceston Central.

RELEVANT LEGISLATION:

Local Government (Meeting Procedures) Regulations 2015

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting – 16 June 2022 – Agenda Item 15.6 Cityprom Reform - Central Launceston Marketing Inc. - Operational Agreement
Workshop – 4 July 2024 – Agenda Item 1.4 Launceston Central CPI Request

RECOMMENDATION:

That Council:

1. notes the previous decision of Council made on 16 June 2022, Agenda Item 15.6 Cityprom Reform - Central Launceston Marketing Inc. - Operational Agreement (ECM Doc Set ID 4735743) agreeing to fund \$563,862 exclusive of GST per annum to Central Launceston Marketing Inc. for the provision of services;
 2. notes that Central Launceston Marketing Inc. is now known as Launceston Central; and
 3. approves an additional 4.5 % increase to the funding contribution to Launceston Central under the Launceston Central Operational Agreement for the financial year 2024/2025, noting that the operational agreement is for a three-year term and this proposed increase is for the final year of this agreement.
-

REPORT:

Launceston Central operates as a marketing agency for the Launceston Central Business District (CBD), designed to lead marketing and promotional activities within the area. The organisation is fully funded by the City of Launceston. The current funding agreement does not include an allowance for any annual increase to the funding level provided.

Launceston Central wrote to the City of Launceston requesting an increase to assist with the significant inflationary pressures being experienced within the economy and community.

An increase of 4.5%, which is the City of Launceston's general rate increase for 2024/2025, has been deemed an appropriate increase to be applied. This will allow Launceston Central to continue to carry out their activities without compromising on the current service level.

A budget of \$563,862 has been approved as a cash contribution to Launceston Central in 2024/2025. This amount has previously been raised by increased rates for commercial properties within a defined CBD boundary, however a decision of Council to phase this out over a four-year period was made in 2022.

RISK IMPLICATIONS:

Rising living costs are already affecting the community. With a reduction in consumer spending, there is the potential for reduced visitation to the CBD and the negative impact this will have on CBD businesses.

Rising costs of doing business presents a risk to Launceston Central's operational model due to external factors which include:

- Increase in minimum wage award (3.75% with effect from 1/7/24)
- General business cost increases ie utilities and rent
- Event sector cost increases

The risk of a reduction in marketing the Launceston Central Business District at this time could be detrimental for CBD businesses.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Businesses in the core Launceston Central Business District equate to over 20% of businesses in the entire Launceston Local Government Area.

Number of businesses by area:

Launceston Central Business Activity District = 1206 (majority retail and hospitality)

Source: City of Launceston Business Activity Survey

Launceston Local Government Area (LGA) = 6007 Source: ABS 2023

STRATEGIC DOCUMENT REFERENCE:

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:

1. To actively market the City and region and pursue investment.
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.

BUDGET AND FINANCIAL IMPLICATIONS:

A 4.5% increase will be \$25,374 for the financial year 2024/2025.

An existing budget of \$563,862 has been approved as a cash contribution to Launceston Central in 2024/2025. The budget total including the 4.5% increase will be \$589,236.

A budget amendment has been prepared for discussion in Item 20.5, Council Meeting 8 August 2024.

Recent discussions regarding contributions to regional bodies funded/supported by Council, have included the notion that any future agreements will stipulate that annual increases are the lesser of CPI or Council's general rate increase for that year. This manages Council's risk, provides a level of financial certainty for both parties and ensures an appropriate level of funding will be provided. This will be included in the next update of the relevant policy document(s).

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. Council Agenda - Agenda Item 15.6 - Cityprom Reform - Central Launceston Marketing [20.4.1 - 19 pages]
2. Council Minutes 16 June 2022 - Agenda Item 15.6 Cityprom Reform - Central Launceston Marketing Inc. - Operational Agreement [20.4.2 - 2 pages]

20.5. 2024/2025 Budget - Budget Amendments

FILE NO: SF6817/SF7334

AUTHOR: Samuel Kelty (Manager Finance)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

For Council to consider changes to the Council's 2024/2025 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).

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 2024/2025 Statutory Estimates:
 - (a) Revenue
 - i. the net increase in revenue from external grants and contributions of \$15,859,925.
 - (b) Expenses
 - i. the net increase in operations expenditure of \$25,374.
 - (c) Capital Works Expenditure
 - i. the net increase in expenditure from external funds of \$15,859,925.
 2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$12,769,574 (including capital grants of \$18,415,925) for 2024/2025.
 - (b) the capital budget being increased to \$42,770,925 for 2024/2025.
-

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 additional Council Funds.

	Operations \$'000	Capital \$'000
Statutory Budget as 01/07/2024	(3,065)	26,911
<u>Amendments</u>		
Additional Council Funds	(25)	0
Capital to Operations	0	0
Operations to Capital	0	0
External Funds	0	0
External Funds Not Received	15,860	15,860
Statutory Budget as at 31/07/2024	<u>12,770</u>	<u>42,771</u>
Deduct Capital Grants and Contributions	(18,416)	
Underlying Operating Budget Surplus/(Deficit)	<u>(5,646)</u>	
<u>Underlying Results Adjustment</u>		
Tamar Estuary River Health Action Plan Contribution	5,000	
Underlying Operating Budget Surplus/(Deficit)	<u>(646)</u>	

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

Details of the amendments are as follows:

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

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
GL10.0.1090.1 000.21210	Contribution CBD Promotional	\$563,862	\$0	\$25,374	\$589,236
	TOTALS	\$563,862	\$0	\$25,374	\$589,236

The project scope of works:

Launceston Central operate as a marketing agency for the Launceston Central Business District, designed to lead marketing and promotional activities within the area. The organisation is fully funded by the City of Launceston. The current funding agreement, in its final year and due to be renewed for next year and beyond, does not include an allowance for any annual increase to the funding level provided. Launceston Central wrote to the City of Launceston requesting an increase to assist with the significant inflationary pressures being experienced within the economy and community. An increase of 4.5%, which is the City of Launceston's general rate increase for 2024/2025, has been deemed

an appropriate increase to be applied. This will allow Launceston Central to continue to carry out their activities without compromising on the current service level.

Additional Council Funding	Operations	Capital
Contribution CBD Promotional	\$25,374	\$0
TOTAL	\$25,374	\$0

1(b) The following items have been affected by external funding not received in 2023/2024 that are now expected to be received in 2024/2025:

Project Number	Project Description	External Funds
CP24693	Flood Intelligence System 24/25	\$100,250
CP24441	QVMAG Phenomena Factory Redevelopment	\$800,000
CP24140	Albert Hall Upgrade	\$8,800,000
CP24609	St Leonards Sports Hall Access Ramp	\$200,000
CP24360	Launceston Aquatic Air Handling Unit Replacement	\$790,088
CP24616	Birch Avenue Facilities Upgrades	\$250,000
CP24565	Royal Park Skate Park	\$200,000
CP24143	Reimagining the Cataract Gorge	\$530,000
CP23705	Alexandra Suspension Bridge	\$37,022
CP24358	Duck Reach Engineering Museum Equipment	\$50,000
CP24571	Road Safety Centre Stabilisation Stg 3/4	\$472,931
CP24570	Workers Memorial Garden Upgrade Prj Mgmt	\$232,000
CP24556	Blackspot Program 23/24	\$83,000
CP24603	North Lilydale Road Guard Rail	\$22,000
CP24423	Forster Street Bike Path	\$260,000
CP24614	Bus Stop Upgrade Project 2024	\$236,450
CP24613	Lilydale & Golconda Road Safety Improvement Program	\$696,184
CP24056	Tennis Centre Upgrade	\$2,100,000
	TOTAL	\$15,859,925

The project scope of works:

For the projects listed, the Council had budgeted for and expected to receive external funding in 2023/2024. These funds are now expected to be received in 2024/2025. This amendment reinstates the external funds budgets which are now expected to be received during 2024/2025.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

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

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

Focus Areas:

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

BUDGET AND FINANCIAL ASPECTS:

As per the report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

Nil

20.6. Representation at the National Local Government Housing Summit - 16 August 2024

FILE NO: SF0121, SF7000

AUTHOR: Alison Flood (Executive Assistant Mayor)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

To consider City of Launceston representation at the National Local Government Housing Summit in Adelaide on 16 August 2024.

RECOMMENDATION:

That Council approves the attendance of Mayor Matthew Garwood and Sam Johnson OAM (Chief Executive Officer) at the National Local Government Housing Summit in Adelaide on 16 August 2024.

REPORT:

It is considered appropriate that the Council is represented at the National Local Government Housing Summit (the Summit) as the learnings will have direct benefit for a number of current key Council priorities.

The key themes for the Summit are:

- Managing Director Equity Economics
- Housing Challenges for Local Government
- Examples of Successes
- Other solutions worth exploring

A decision of the Council is sought in respect of the Mayor's attendance at the Summit pursuant to the Councillor's Expenses and Resources Policy 14-Plx-016 which says, in part, that *the Council will pay for the cost of Councillors to attend Council approved seminars, conferences and training programmes, including accommodation and travel expenses...*

A decision of the Council is sought in respect of Chief Executive Officer Sam Johnson OAM's attendance at the Summit, as the Summit is not currently included in the list of conferences to be attended by the Chief Executive Officer.

The Mayor and Chief Executive Officer will be accompanied by two Council officers, arrangements for which will be determined at an operational level.

RISK IMPLICATIONS:

It is important for Council to be informed of known and emerging issues and solutions in relation to housing, so learnings can be applied in a local context.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Participation in the Summit will provide important learnings about what has worked and what has not in other local government areas along with network opportunities to continue receiving updates as other projects progress.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 1: We connect with our community and our region through meaningful engagement, cooperation and representation.

10-Year Goal: To seek out and champion positive engagement and collaboration to capitalise on the major opportunities and address the future challenges facing our community and region.

Focus Areas:

- 3 To advocate and collaborate to enhance regionally significant services and infrastructure for the benefit of our communities.

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

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:

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

BUDGET AND FINANCIAL IMPLICATIONS:

Registration fees and travel expenses for the Mayor and Chief Executive Officer are estimated at (per person):

- \$250 registration fees
- \$1,200 accommodation
- \$ 775 airfares.

These costs will be met from existing budget allocations.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. National- Local- Government- Housing- Summit-program [20.6.1 - 1 page]

21. CHIEF EXECUTIVE OFFICER NETWORK

No items have been identified as part of this Agenda

22. LATE ITEMS

No items have been identified as part of this Agenda

23. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

23.1. Confirmation of the Minutes

REASON FOR CLOSED COUNCIL:

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.

23.2. Annual Remission of Rates and Charges - Year Ended 30 June 2024 - Charitable Organisations

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with regulation 15(2)(g) and (j) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.
- (j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

23.3. Hardship and Other Remissions 2023/2024

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with regulation 15(2) (g) and (j) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.
- (j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

23.4. Tender CD012/2024 - Launceston Waste Centre Mulching of Green Waste

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with regulation 15(2)(d) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

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

23.5. Tender CD019/2024 - Consultancy Services Panel 2024 to 2026

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with regulation 15(2) (d) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

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

23.6. Councillors' Application for Leave

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- 15(2)(h) applications by councillors for a leave of absence.

23.7. Chief Executive Officer's Professional Memberships and Subscriptions

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with regulation 15(2) (a) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters, including complaints against an employee of the council and industrial relations matters.

23.8. Chief Executive Officer's Performance Review - Appointment of Consultant

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with regulation 15(2)(a) and (d) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters, including complaints against an employee of the council and industrial relations matters.

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

24. MEETING CLOSURE

25. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 22 August 2024 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.