



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
THURSDAY 9 MARCH 2023  
1.00PM**

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

Date: 9 March 2023

Time: 1.00pm

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### Certificate of Qualified Advice

#### Background

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

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

#### Certification

I certify that:

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



**Michael Stretton**  
Chief Executive Officer

### **AUDIO of COUNCIL MEETINGS**

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

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

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

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

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

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

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

## PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

## LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

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**ORDER OF BUSINESS**

<b>1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES.....</b>	<b>8</b>
<b>2. MAYORAL ACKNOWLEDGEMENTS .....</b>	<b>8</b>
<b>3. DECLARATIONS OF INTEREST .....</b>	<b>8</b>
<b>4. CONFIRMATION OF MINUTES.....</b>	<b>8</b>
<b>5. COUNCIL WORKSHOPS .....</b>	<b>9</b>
<b>5.1. Council Workshop Report - 23 February and 2 March 2023 .....</b>	<b>9</b>
<b>6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS .....</b>	<b>11</b>
<b>7. COMMUNITY REPORTS .....</b>	<b>11</b>
<b>8. PUBLIC QUESTION TIME .....</b>	<b>12</b>
<b>8.1. Public Questions on Notice.....</b>	<b>12</b>
<b>8.1.1. Public Question on Notice - Ray Norman - Delegated Authorities -                 1 March 2023 .....</b>	<b>12</b>
<b>8.1.2. Public Question on Notice - Ray Norman - Intellectual Property                 Concerns .....</b>	<b>13</b>
<b>8.1.3. Public Questions on Notice - Ray Norman - Housing Crisis .....</b>	<b>14</b>
<b>8.2. Public Questions Without Notice.....</b>	<b>15</b>
<b>9. DEPUTATIONS .....</b>	<b>16</b>
<b>9.1. Deputation - Inspector Nathan Johnston - Tasmania Police .....</b>	<b>16</b>
<b>10. PLANNING AUTHORITY .....</b>	<b>17</b>
<b>10.1. DA0744/2023 - 10 St Georges Square, Launceston - Residential -                 Demolition of Existing Dwelling and Construction of a New Dwelling .....</b>	<b>17</b>
<b>10.2. PSA-LLP0002 and DA0439/2022 - 9 Rose Lane, South Launceston -                 Section 40K Report .....</b>	<b>29</b>
<b>10.3. Amendment PSA-LLP0004 - Substantial Modifications Amendment -                 Relbia - Rezoning Land from Agricultural to Rural.....</b>	<b>36</b>
<b>10.4. Amendment PSA-LLP0005 - Substantial Modifications Amendment -                 East Tamar Highway - Rezoning Land from Agriculture to Rural and                 Application of the Priority Vegetation Overlay .....</b>	<b>40</b>

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10.5. Amendment PSA-LLP0006 - Substantial Modifications Amendment - Local Heritage Precinct Datasheet - Revised Local Heritage Precinct Datasheet .....	45
10.6. DA0757/2022 - 30 Oxford Street, East Launceston - Residential - Construction of Alterations and Additions to a Dwelling.....	48
11. ANNOUNCEMENTS BY THE MAYOR.....	58
11.1. Mayor's Announcements.....	58
12. COUNCILLORS' REPORTS .....	60
13. QUESTIONS BY COUNCILLORS .....	60
13.1. Councillors' Questions on Notice.....	60
13.1.1. Councillors' Questions on Notice - Councillor S Cai - Queen Victoria Museum and Art Gallery Volunteer Guides - 23 February 2023.....	61
13.1.2. Councillors' Questions on Notice - Councillor A G Harris - St Leonards Residential Strategy - 23 February 2023 .....	62
13.2. Councillors' Questions Without Notice .....	63
14. COMMITTEE REPORTS .....	64
14.1. Cultural Advisory Committee Meeting - 1 February 2023.....	64
14.2. Tender Review Committee Meeting - 23 February 2023 .....	66
14.3. Audit Panel Meeting - 21 February 2023 .....	68
15. COMMUNITY AND PLACE NETWORK .....	71
15.1. Public Art Strategy 2023-2031 .....	71
15.2. Heritage Advisory Committee - Appointment of Community Representatives.....	74
16. CREATIVE ARTS AND CULTURAL SERVICES NETWORK.....	76
16.1. Ten Days on the Island - Remission of Fees and Charges .....	76
17. INFRASTRUCTURE AND ASSETS NETWORK.....	79
17.1. Cataract Gorge Reserve Advisory Committee - Appointment of Community Representatives.....	79

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<b>18. ORGANISATIONAL SERVICES NETWORK .....</b>	<b>81</b>
<b>18.1. Financial Report to Council 31 December 2022 .....</b>	<b>81</b>
<b>19. CHIEF EXECUTIVE OFFICER NETWORK .....</b>	<b>91</b>
<b>19.1. Draft Aboriginal Partnership Plan.....</b>	<b>91</b>
<b>20. CLOSED COUNCIL .....</b>	<b>95</b>
<b>20.1. Confirmation of the Minutes.....</b>	<b>95</b>
<b>20.2. Councillor's Leave of Absence .....</b>	<b>95</b>
<b>20.3. Councillor's Leave of Absence .....</b>	<b>95</b>
<b>20.4. Councillor's Leave of Absence .....</b>	<b>95</b>
<b>20.5. End of Closed Session .....</b>	<b>95</b>
<b>21. MEETING CLOSURE.....</b>	<b>95</b>
<b>22. NEXT COUNCIL MEETING DATE.....</b>	<b>95</b>

**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 23 February 2023 be confirmed as a true and correct record.

**5. COUNCIL WORKSHOPS**

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

**5.1. Council Workshop Report - 23 February and 2 March 2023**

**FILE NO:** SF4401

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

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

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RELEVANT LEGISLATION:**

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

**RECOMMENDATION:**

That Council, 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 23 February 2023

**Princess Theatre**

*Councillors toured the Princess Theatre and received an update from Theatre North.*

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

*Apologies:* Councillor A J Britton

*Absent:* Councillor T G Walker

2. Workshop conducted on 2 March 2023:

**Northern Tasmania Development Corporation**

*Councillors discussed proposed governance changes for the organization.*

**Budget and Annual Plan Discussion**

*Councillors received a briefing on the preparation of the 2023/2024 Budget, Annual Plan and Fees and Charges.*

**Aboriginal Partnership Plan**

*Councillors received a summary presentation of the feedback collected and discussed the recommended changes to the Plan.*

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**Short Stay Accommodation in Launceston**

*Councillors received a briefing on the draft report and discussed its findings.*

**25 South Esk Drive, Trevallyn**

*Councillors received a briefing on matters relating to 25 South Esk Road, Trevallyn.*

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

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**REPORT:**

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

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

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

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**6. COUNCILLOR'S LEAVE OF ABSENCE APPLICATIONS**

**Councillors' Leave of Absence Applications will be considered in Closed Council at Agenda Items 20.2, 20.3 and 20.4 - Councillor's Leave of Absence.**

**7. COMMUNITY REPORTS**

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

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

**8. PUBLIC QUESTION TIME**

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

**8.1. Public Questions on Notice**

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

**8.1.1. Public Question on Notice - Ray Norman - Delegated Authorities -  
1 March 2023**

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to the Council in writing on 1 March 2023 by Ray Norman, has been answered by Michael Stretton (Chief Executive Officer).

**Questions:**

1. Given that it is a prudent, judicious and sound administrative practice and despite the Mayor deeming that it would be too difficult to do, will Council - that is the 12 elected representatives on Council - now move with some urgency to remove All Delegated Authorities from the Council's Register of Delegated Authorities and over time assign the Delegated Authorities to the appropriate people who currently have the appropriate qualifications and skill sets to hold the delegated authority assigned to them when and if the need arises?

**Response:**

*At this point in time there is no intention to alter the current practice of assigning or administering Delegated Authorities within the Council. Councillors, should they wish to have the practice altered or reviewed, have the opportunity to raise any concerns in a variety of discussion forums whilst undertaking their role as an elected member.*

*The response provided in the Council Agenda of 15 December 2022 provides clear details of the functioning of the Council's Delegations Register. It has been reproduced for reference.*

*... Delegations enhance efficiency at the City of Launceston by devolving the execution of administrative matters and functions to appropriate levels within the organisation. The City of Launceston's Delegations Register is publicly available via [www.launceston.tas.gov.au](http://www.launceston.tas.gov.au). The Delegations Register clearly indicates the functions and powers that have been delegated by a decision of Council. Decisions of Council are frequently sought in relation to the review of delegations, or to respond to changes in legislation.*

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**8.1.2. Public Question on Notice - Ray Norman - Intellectual Property Concerns**

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to the Council in writing on 1 March 2023 by Ray Norman, has been answered by Dan Ryan (General Manager Community and Place Network).

**Questions:**

1. Given that, in regard to the ownerships of intellectual property, the Council has been found to be poorly informed, in regard to intellectual property (IP) rights, the moral rights of authors, the payment of appropriate fees to cultural producers and copyright law generally, will Council now ensure that all appropriate staff and all Councillors are adequately briefed in regard to IP rights, the moral right of authors, current conventions in the field and the appropriate sources of advice and especially so given that the Council has been seen to be wanting in the past and at the expense of ratepayers and there being a current instance?

**Response:**

*A response to a previous Question on Notice from Mr Norman regarding the Council's understanding of copyright appeared in the Council Agenda of 21 April 2022. The response detailed the Council's approach to its obligations under the Copyright Act 1968.*

*The Council has conducted a number of workshops and seminars for its staff regarding the issues of copyright in the workplace. Access to professional development opportunities for Councillors around such topics are provided as required.*

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**8.1.3. Public Questions on Notice - Ray Norman - Housing Crisis**

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted in writing to the Council on 1 March 2023 by Ray Norman, has been answered by Dan Ryan (General Manager Community and Place Network).

**Questions:**

1. Given the State Government's somewhat concerning disinclination to act, against audible community concern and distress, the increasing numbers of people in the municipality dealing with housing stress and the reported large number of vacant residential properties in the municipality and properties that are reportedly deliberately left vacant for long periods of time in order to win a some financial cum taxation advantage, against this background, will the Council maintain a register of currently vacant residential properties that the Council ensures has their access to power and water removed and that are required to display a metre square sign at the front of the property denoting that it is a registered vacant residential property.

**Response:**

*The Council has no plans to initiate or maintain a register of currently vacant residential properties within the Municipality, nor is it within Council's remit to apply for or request disconnection of services such as power and water with regard to privately owned properties. The Council does not intend to request that property owners display any signage that denotes that a property is vacant and considers that such notification would contribute to vandalism and other related issues.*

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**8.2. Public Questions Without Notice**

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

**9. DEPUTATIONS**

**9.1. Deputation - Inspector Nathan Johnston - Tasmania Police**

**FILE NO:** SF0097

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

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**SUMMARY OF PRESENTATION**

Inspector Nathan Johnston, Tasmania Police, will provide Council with information regarding public order, crime, road policing and safety trends within the Launceston Division.

**10. PLANNING AUTHORITY**

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

**10.1. DA0744/2023 - 10 St Georges Square, Launceston - Residential - Demolition of Existing Dwelling and Construction of a New Dwelling**

**FILE NO:** DA0744/2022

**AUTHOR:** Duncan Payton (Town Planner)

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Cumulus Studio
Property:	10 St Georges Square, East Launceston
Zoning:	General Residential
Receipt Date:	15/12/2022
Validity Date:	19/12/2022
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	24/03/2023
Representations:	Six

**RELEVANT LEGISLATION:**

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

*8.4.2 P3 Setbacks and building envelopes for all dwellings*  
*C2.6.2 P1 Design and layout of parking areas*

**RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0744/2022 - Residential - Demolition of existing dwelling and construction of a new dwelling at 10 St Georges Square, East Launceston, subject to the following conditions:

## 1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover Page, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK01, dated 13/12/2022 (to be amended).
- b. Proposed Site Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK02, dated 13/12/2022 (to be amended).
- c. Demolition Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK03, dated 13/12/2022 (to be amended).
- d. Ground Floor Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK04, dated 13/12/2022 (to be amended).
- e. Upper Floor Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK05, dated 13/12/2022 (to be amended).
- f. Elevations, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK06, dated 13/12/2022 (to be amended).
- g. Elevations, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK07, dated 13/12/2022 (to be amended).
- h. Sections, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK08, dated 13/12/2022 (to be amended).
- i. Sections, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK09, dated 13/12/2022 (to be amended).
- j. Axonometric Views, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK10, dated 13/12/2022 (to be amended).
- k. Winter Shadows Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK11, dated 13/12/2022 (to be amended).
- .l. Winter Shadows Axo, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK12, dated 13/12/2022 (to be amended).
- m. Summer Shadows Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK13, dated 13/12/2022 (to be amended).
- o. Summer Shadows Axo, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK14, dated 13/12/2022 (to be amended).
- p. Equinox Shadows Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK15, dated 13/12/2022 (to be amended).

- q. Equinox Shadows Axo, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK16, dated 13/12/2022 (to be amended).

## **2. AMENDED PLANS REQUIRED**

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

- a. a reduction in the southern roof profile to comply with the acceptable solution;
- b. a reduction in the northern roof profile to reduce protrusions beyond the prescribed building envelope; and
- c. must be substantially in accordance with Version 3 of plans SK01 - SK33, dated 27/02/2023 forming Attachment 1 to this permit.

## **3. LEGAL TITLE**

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

## **4. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7am to 6pm

Saturday - 8am to 5pm

No works on Sunday or Public Holidays

## **5. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/02091-LCC, dated 05/01/2023 and attached to the permit.

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

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

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

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

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

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

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

#### **8. 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.

#### **9. FACILITIES AND HIGHWAYS BY-LAW**

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). No such items are to be placed within the road reserve without approval.

#### **10. AMENITY**

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

#### **11. 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.

#### **12. NO BURNING OF WASTE**

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

## Notes

### A. General

*This permit was issued based on the proposal documents submitted for DA0646/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning staff can be contacted on 6323 3000.*

*This permit takes effect after:*

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

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

### B. Restrictive Covenants

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

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

### C. Appeal Provisions

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

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

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

### D. Permit Commencement

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

**E. Fixed Equipment Use**

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

**F. No Approval for alterations to Driveway Crossover**

*No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.*

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**REPORT:**

**1. THE PROPOSAL**

It is proposed to demolish the existing dwelling, wall and outbuilding at 10 St Georges Square, East Launceston and to construct a new two-storey dwelling.

The new dwelling will be located similarly close to the frontage. The ground level will be built to the southern boundary, with the existing boundary wall, adjacent to 12 St Georges Square, to be rebuilt. The wall adjacent to 4 Scott Street will have a 100mm setback. The boundary walls are effectively single-storey. At the front of the proposed dwelling the wall is to the four-car garage, with the upstairs section of the dwelling being setback some 2.5m, reducing to 1.5m for the stairwell. At the rear (adjacent to 4 Scott Street) the wall is to a single-storey rumpus room.

The upstairs section will be setback the required 3m from the northern boundary (clause 8.4.6 A2(a)) and will contain multiple windows and a deck.

The proposed building protrudes beyond the building envelope (clause 8.4.2 A1 and A3) making the proposal discretionary.

The existing vehicular access to St Georges Square is to be retained.

The existing front fence will be removed and replaced with a 1,800mm high fence of vertical poles, compliant with the scheme exemption at table 4.6.

Following consideration of the issues raised in the representations and to bring the application as close as practicable with the acceptable solutions, the proponents requested the application be withdrawn from the Council Meeting held on 23 February 2023 to enable consideration of modifications to bring the proposal into greater compliance with the planning scheme.

Modified plans have subsequently been submitted to the Council and form Attachment 3 to this permit. These modified plans demonstrate that the impact of the proposal can be significantly reduced with minor changes to the roofline. It is the opinion of the Council's officers that these modifications can be implemented through a conditional approval of the application.

## 2. LOCATION AND NEIGHBOURHOOD CHARACTER



10 St Georges Square East Launceston - not to scale

The subject site is a generally level lot of approximately 482m<sup>2</sup> and contains a single-storey dwelling.

Opposite the site, to the east, is the large public park, St Georges Square. This parkland, bisected by High Street, features many mature exotic trees and is a popular recreational area. There is also a busy take away food shop on this section of the Square, north of the subject site, whilst on the southern end of the square are the ABC offices, a butcher, cafe and a florist/gift shop.

To the north, west and south, the site is surrounded by a mix of single - and double-storey dwellings.

Whilst some dwellings in the area are relatively new, the character of the area is clearly residential in a setting of established parks and gardens and mature trees, including the two significant sequoia trees in the garden of the heritage listed Torkington (56 Ann Street, East Launceston) which are clearly visible landmarks from multiple view-points.

## 3. PLANNING SCHEME REQUIREMENTS

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

#### 4. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
<b>EXTERNAL</b>	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2022/02091-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

#### 5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 24 December 2022 to 16 January 2023. Six representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p><b>Issue 1</b>  <b>Extensive and detrimental impact on the single-storey dwelling and garden at 1 Spencer Street. Given limited mobility the resident relies upon the garden and courtyard for outdoor recreation, the privacy of which will be significantly reduced by the increased size of and overlooking from the new two-storey dwelling.</b></p> <p><i>Response 1</i>  <i>The representor's submission provides a sketched up image of the scale and bulk of the proposed building, as seen from their courtyard. Whilst this clearly presents as imposing, the majority of the structure is within the building envelope and consideration is largely confined to the impact of that component projecting beyond the envelope - the proponents have provided revised plans significantly reducing the projection beyond the envelope to effectively the proposed vertical shade screens at the side of several windows. Being the top of the building and the top of the windows and open deck, this is likely to initially draw the neighbour's attention to the size and scale of the structure. However, the extent to which these components actually contribute to the size and scale of the dwelling is considered to be relatively small as they tend to project forward rather than up.</i></p> <p><b>Issue 2</b>  <b>The increased size of the building exceeds the prescribed 50% site coverage, with 80% coverage.</b></p>
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<p><i>Response 2</i></p> <p><i>Site coverage is defined as the proportion of a site, excluding any access strip, covered by roofed buildings. The proposed building, therefore, has an area of approximately 254m<sup>2</sup>, or some 53% site coverage. An assessment against the relevant performance criteria is included in the report. The suggestion of 80% site coverage is based on total floor area rather than the area of the site covered by roofed buildings and is incorrect.</i></p>
<p><b>Issue 3</b></p> <p><b>The proposal plans do not correctly show the footprint of 1 Spencer Street and the location of trees adjacent to the boundary.</b></p>
<p><i>Response 3</i></p> <p><i>The plans show the indicative location of structures on adjoining properties close to the boundaries. It is correct that the two trees shown as being on 1 Spencer Street are indeed on the subject site, however, the impact of this is inconsequential as all relevant parties were aware of the error, as evidenced by it being raised in the representations.</i></p>
<p><b>Issue 4</b></p> <p><b>The Council has required the proponents of other developments in Launceston to install landscaping or screening to reduce the impact of overlooking (eg. 26 Welman Street and 6 Spencer Street).</b></p>
<p><i>Response 4</i></p> <p><i>Screening and landscaping are often used to reduce potential overlooking issues where the proposal relies upon performance criteria and every proposal is considered on its merits. In this particular case, the proposed northern windows and deck are all located with more than the 3m separation required by the acceptable solution.</i></p>
<p><b>Issue 5</b></p> <p><b>The proposal includes up to six car parking spaces which seems excessive and may result in noise and traffic issues. Is this for a commercial use?</b></p>
<p><i>Response 5</i></p> <p><i>The proposal includes garaging for four cars and the potential for additional cars (eg. visitors) to park in the driveway. Car parking is assessed in the report. Essentially, the relevant code seeks the provision of not less than two car parking spaces and does not set a maximum or require further assessment for additional spaces. There is no suggestion that there will be any commercial use of the site and the application is for a single dwelling. If the parking of vehicles associated with the use of the dwelling creates a nuisance through noise, this will be dealt with through the appropriate legislation separate of the planning approval process.</i></p>
<p><b>Issue 6</b></p> <p><b>The demolition of the boundary wall between 10 and 12 St Georges Square will surely cause extensive damage to the north side access, walkway and drainage of 12 St Georges Square. The front security gates are attached to the wall and will have to be detached, resulting in a loss of privacy and security for the resident and dog. Access to the side door, gas and bin storage will be compromised.</b></p>
<p><i>Response 6</i></p> <p><i>The planning scheme does not provide for inconvenience and disturbance during the construction process. Nevertheless, if approval is granted, it would be reasonable to include a requirement for a construction management plan having regard to the safety and security of neighbouring properties.</i></p>

<p><b>Issue 7</b> <b>Removal of the boundary wall and construction of a new one could impact the structural integrity of the 1930's brick dwelling at 12 St Georges Square. Is it necessary to remove the wall or can it be retained and used as part of the new dwelling.</b></p>
<p><i>Response 7</i> <i>The planning scheme does not provide for consideration of potential damage to adjacent buildings. This is a matter to be considered by the building surveyor during the assessment of the building permit.</i></p>
<p><b>Issue 8</b> <b>The proposed diagrams show that 12 St Georges Square will lose all of its winter sun to the north and west sides, rear courtyard and clothes drying area. These are my only outside areas, which the second-storey of the development will completely overshadow.</b></p>
<p><i>Response 8</i> <i>The overshadowing of adjoining properties stems from the southern elevation of the proposed roof. A condition has been recommended to require the proposal to be amended so that the southern elevation is contained within the prescribed envelope, other than for allowed minor protrusions of less than 900mm. If the proposal meets the relevant acceptable solution, it is deemed to comply with the standard.</i></p>
<p><b>Issue 9</b> <b>There is a proposed south facing stairwell window which looks directly into the courtyard at 12 St Georges Square. Could this have obscure glass?</b></p>
<p><i>Response 9</i> <i>The relevant clause, 8.4.6 A2, refers to a window or glazed door to a habitable room. The stairwell is not a habitable room and the clause does not apply. Overlooking from the stairwell is likely to be only incidental and not unreasonable.</i></p>
<p><b>Issue 10</b> <b>The paling fence on the northern boundary of 12 St Georges Square should not be disturbed and any damage to the fence or garden should be restored.</b></p>
<p><i>Response 10</i> <i>This is beyond the jurisdiction of the planning scheme. Potential for structural damage to adjoining properties is a matter to be considered by the building surveyor during the assessment of the building permit.</i></p>
<p><b>Issue 11</b> <b>I ask that the builder undertake a Dilapidation Report on my home before the start of construction and that there be some discussion regarding protection of privacy, safety and security as well as repairs or compensation for damage.</b></p>
<p><i>Response 11</i> <i>This is beyond the jurisdiction of the planning scheme. The representor's home does not form part of the subject site of the application. Potential for structural damage to adjoining properties is a matter to be considered by the building surveyor during the assessment of the building permit.</i></p>
<p><b>Issue 12</b> <b>The wall on the northern boundary of 4 Scott Street may be on our property rather than forming the boundary.</b></p>
<p><i>Response 12</i> <i>The applicants have provided a boundary and detail survey plan that the wall is wholly within 10 St Georges Square.</i></p>

<p><b>Issue 13</b> Our exterior laundry wall is incorporated in the boundary wall, which also supports laser-lite roofing providing a sheltered area fitted with external storage units. Demolition of the wall will have a major detrimental impact.</p>
<p><i>Response 13</i> The wall is wholly within 10 St Georges Square. Any rights the representor may have to rely upon this wall are beyond the scope of the planning scheme and the representor may wish to seek independent advice. Potential for structural damage to adjoining properties is a matter to be considered by the building surveyor during the assessment of the building permit.</p>
<p><b>Issue 14</b> New wall footings could significantly damage the house at 4 Scott Street.</p>
<p><i>Response 14</i> This is beyond the scope of the planning scheme. Potential for structural damage to adjoining properties is a matter to be considered by the building surveyor during the assessment of the building permit.</p>
<p><b>Issue 15</b> Winter shadows from the proposed new structure will almost entirely block the winter sun from the northern aspect of 4 Scott Street.</p>
<p><b>Response 15</b> The majority of overshadowing on 4 Scott Street will be from its own structures and vegetation. Nevertheless, there is likely to be some additional overshadowing from the proposed new building and this will reduce what little direct sunlight that currently reaches the site. The proposed conditions will bring the southern elevations of the proposal substantially within the building envelope minimising the impacts to the extent possible.</p>
<p><b>Issue 16</b> The proposal includes upper floor windows and terrace overlooking 8 St Georges Square and significantly impacting upon privacy and enjoyment of the living room and kitchen. Given that the living area proposes full windows overlooking St Georges Square, could those facing my property be raised higher than eye level to restore my privacy? Could the terrace be fitted with screening for both privacy and to mitigate sound?</p>
<p><i>Response 16</i> These concerns have been raised with the applicant. The windows and deck all meet the required 3m setback of the acceptable solution. Nevertheless, consideration has been given in the amended plan condition and the proposed revisions reduce the scale of the impact modestly.</p>
<p><b>Issue 17</b> Could the window overlooking 1 Spencer Street similarly be raised or replaced with a window to the west overlooking the proponents own garden?</p>
<p><i>Response 17</i> These concerns have been raised with the applicant but have not been adopted. The windows and deck all meet the required 3m setback of the acceptable solution.</p>
<p><b>Issue 18</b> The proposed design and scale is detrimental to the architectural and heritage values of 8 St Georges Square and is out of character with the streetscape and adjoining properties.</p>

*Response 18*

*There is no capacity within the planning scheme to have regard to this. The proposal is substantially within the building envelope and as such complies with the requirements for character.*

**Issue 19**

**The proposal does not address protection of the heritage listed stable and house at 8 St Georges Square.**

*Response 19*

*There is no capacity within the planning scheme to have regard to this.*

## **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 Tasmania 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*  
Tasmania 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. DA0744/2022 - 10 St Georges Square, East Launceston - Planning Scheme Assessment [**10.1.1** - 8 pages]
2. DA0744/2022 - 10 St Georges Square, East Launceston - Plans to be Endorsed [**10.1.2** - 16 pages]
3. DA0744/2022 - 10 St Georges Square, East Launceston - Revised Plans [**10.1.3** - 33 pages]
4. DA0744/2022 - 10 St Georges Square, East Launceston - TasWater SPAN [**10.1.4** - 1 page]
5. DA0744/2022 - 10 St Georges Square, East Launceston - Representations [**10.1.5** - 25 pages]

**10.2. Amendment PSA-LLP0002 - Rezoning of land at 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1, and CT200709/1) from the General Residential Zone and Recreation Zone to Community Purpose Zone, and Development Application DA0439/2022 - Subdivision - Consolidate three titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking**

**FILE NO:** PSA-LLP0002 and DA0439/2022

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

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

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**DECISION STATEMENT:**

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a Draft Amendment to the Launceston Local Provisions Schedule.

**PLANNING APPLICATION INFORMATION:**

Applicant: ERA  
Area of the Site: 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1, CT200709/1, CT210081/1, CT226165/2 and CT68237/1)  
Existing Zones: General Residential and Recreation  
Existing Use: Vacant Land  
Receipt Date: 10 September 2022  
Representations: Nil

**RELEVANT LEGISLATION:**

*Land Use Planning and Approvals Act 1993*  
Launceston Interim Planning Scheme 2015

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 15 December 2022 - Agenda Item 9.3 - PSA-LLP0002 - Rezoning of land at 9 Rose Lane, South Launceston (CT159336/1, CT247578/2 and CT200709/1) from General Residential and Open Space to Community Purpose and DA0439/2022 to consolidate three titles into one.

Initiated Draft Amendment PSA-LLP0002 to the Launceston Local Provisions Schedule, to initiate Amendment PSA-LLP0002, to rezone land at 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1 and CT200709/1 and approve DA0439/2022 - Subdivision - Consolidate four titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston.

**RECOMMENDATION:**

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to Draft Amendment PSA-LLP0002 and DA0439/2022;
2. amends Permit DA0439/2022:
  - a. Condition 1 be revised as follows:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Location Plan, prepared by Artas Architects, Drawing No. A001-Sk07, dated 19/10/2022.
  - b. Site Plan, prepared by Artas Architects, Drawing No. A002-Sk05, dated 12/09/2022.
  - c. Elevations, prepared by Artas Architects, Drawing No. A003-DA01, dated 05/07/2022.
  - d. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A730-Sk01.
  - e. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A731-Sk01.
  - f. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A732-Sk01.
  - g. Supporting Planning Report, prepared by ERA Planning and Environment, Version 3, dated 4 November 2022.
  - h. Traffic Impact Assessment, prepared by GHD, Version 5, dated 21 October 2022.
  - i. Landslide Risk Assessment, prepared by Scherzic, Ref: 7390B, dated 6 July 2022.
  - j. Environmental Site Assessment, prepared by ES&D, Ref: 7928, Version 4, dated November 2022.
  - k. Concept Servicing and Stormwater Report, prepared by AD Design + Consulting, dated 16/09/2022.
  - l. Water and Sewer General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-10-01, Revision B, dated 09/12/22
  - m. Stormwater General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-01-01, Revision B, dated 09/12/22.
- b. Amend the permit description as follows:

DA0439/2022 - Subdivision - Consolidate three titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston.

3. recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP0002 and DA0439/2022 be approved with the recommended changes.

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**REPORT:**

**1. INTRODUCTION AND BACKGROUND**

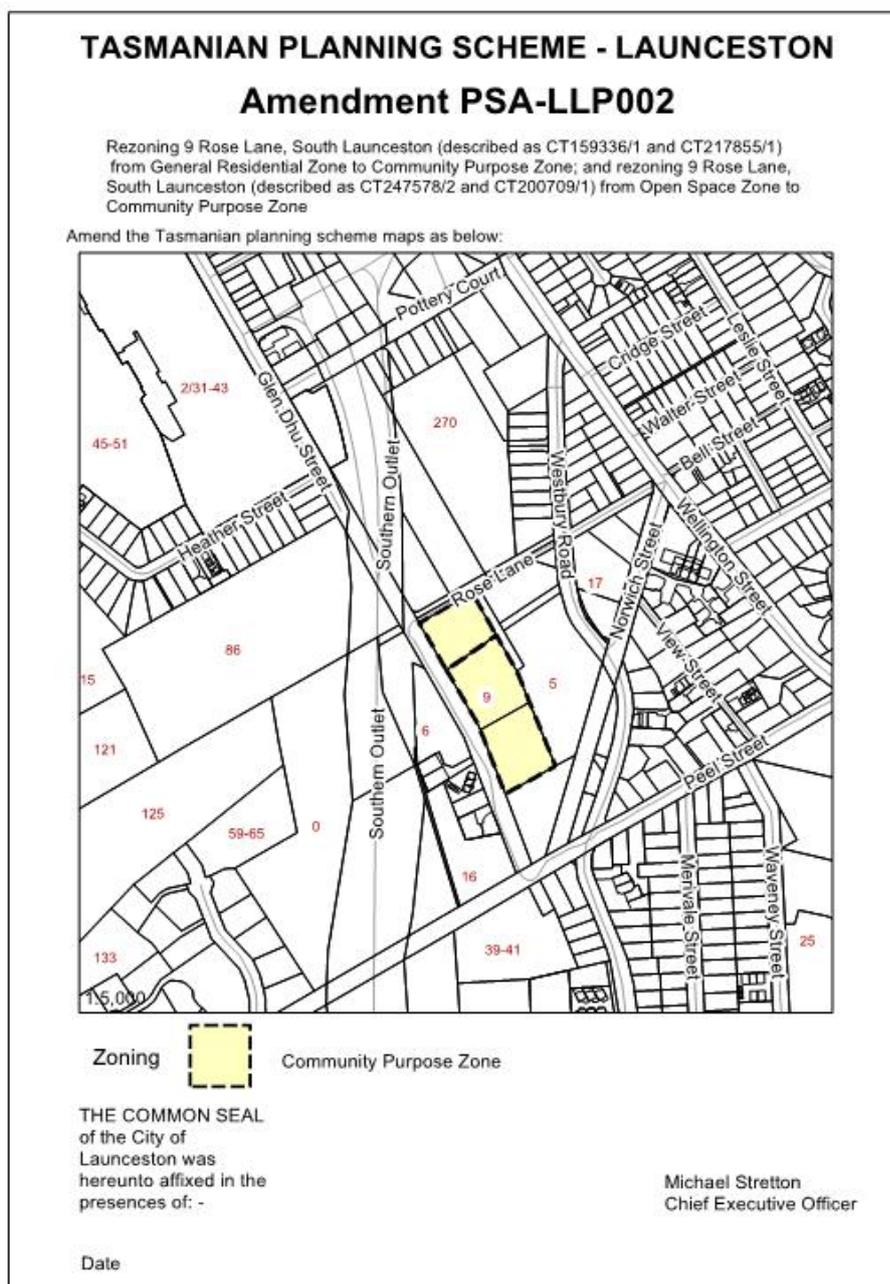
An application was lodged under sections 37, 38 and 40T of the *Land Use Planning and Approvals Act 1993* (the Act), by ERA Planning, for a rezoning and concurrent Development Application. The purpose of the scheme amendment is to facilitate the subdivision and development:



At its Meeting on 15 December 2022, Council resolved to:

1. pursuant to sections 37, 38 and 40T of the *Land Use Planning and Approvals Act 1993*, agrees to and initiate Amendment PSA-LLP0002, to rezone land at 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1 and CT200709/1).

2. *pursuant to section 40F of the Land Use Planning and Approvals Act 1993, certifies Draft Amendment PSA-LLP0002, as shown below:*



3. *pursuant with sections 40G and 40F of the Land Use Planning and Approvals Act 1993 determines the period for public exhibition to be 28 days; and 4. pursuant to sections 40T and 40Y of the Land Use Planning and Approvals Act 1993, approves DA0439/2022 - Subdivision - Consolidate four titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston.*

## 2. SUMMARY OF REPRESENTATIONS

The application was advertised from 14 January until 8 February 2023. No representations were received during the public notification period. Notwithstanding, the Council was made aware of several omissions to the original application, which relate to incorrect endorsed documents, title consolidation and advertised plans. These changes have been incorporated into the permit through the following changes:

### Condition 1 - Endorsed Plans and Documents

Plans cited in (b), (c), (e), (f), (l) and (m) are incorrect. The correct references are below highlighted in bold.

- a. Location Plan, prepared by Artas Architects, Drawing No. A001-Sk07, dated 19/10/2022.
- b. Site Plan, prepared by Artas Architects, Drawing No. A002-**Sk05**, dated 12/09/2022.
- c. Elevations, prepared by Artas Architects, Drawing No. A003-**DA01**, dated 05/07/2022.
- c. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A730-Sk01.
- e. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. **A731**-Sk01.
- f. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. **A732**-Sk01.
- g. Supporting Planning Report, prepared by ERA Planning and Environment, Version 3, dated 4 November 2022.
- h. Traffic Impact Assessment, prepared by GHD, Version 5, dated 21 October 2022.
- i. Landslide Risk Assessment, prepared by Scherzic, Ref: 7390B, dated 6 July 2022.
- j. Environmental Site Assessment, prepared by ES&D, Ref: 7928, Version 4, dated November 2022.
- k. Concept Servicing and Stormwater Report, prepared by AD Design + Consulting, dated 16/09/2022.
- l. **Water and Sewer General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-10-01, Revision B, dated 09/12/22**
- m. **Stormwater General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-01-01, Revision B, dated 09/12/22**

This was an omission in writing the condition and it has been recommended that the endorsed documents condition be amended.

### Title Consolidation

The planning report to Council references CT217855/1 as being part of the consolidation of four titles, which is also reflective in the description of the application. This is the very small corner remnant title (8m<sup>2</sup>) in the northwest of the site. The intention was for this lot to be retained within the road reserve. It is considered that this is a minor omission and does not affect the overall development. In particular, the title in question reflects the alterations to the road network. It is recommended that the description of the proposal be amended to read:

*DA0439/2022 - Subdivision - Consolidate three titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston*

### Endorsed Documents

The Council was made aware that the endorsed renders and supporting planning report were superseded versions. Notwithstanding, the renders were not required to make an assessment of the proposal and the endorsed version of the planning report was sufficient to make an assessment. As such, it is still considered appropriate for the application to proceed to the Commission for decision.

#### **4. CONCLUSION**

No representations were received and there are no reasons for the Council not to proceed with the Draft Amendment PSA-LLP0002 and DA0439/2022.

#### **ECONOMIC IMPACT:**

The amendment to the Launceston Local Provisions Schedule has been assessed against the requirements of the Act. The Tasmanian Planning Scheme - Launceston and the Launceston Local Provisions Schedule also contain provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

#### **ENVIRONMENTAL IMPACT:**

The amendment to the Launceston Local Provisions Schedule has been assessed against the requirements of the Act. The Tasmanian Planning Scheme - Launceston, and the Launceston Local Provisions Schedule also contain provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

#### **SOCIAL IMPACT:**

The amendment to the Launceston Local Provisions Schedule has been assessed against the requirements of the Act. The Tasmanian Planning Scheme - Launceston, and the Launceston Local Provisions Schedule also contain provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

#### **STRATEGIC DOCUMENT REFERENCE:**

*Land Use Planning and Approvals Act 1993*

Tasmanian Planning Scheme - Launceston and Launceston Local Provisions Schedule

Northern Tasmania Regional Land Use Strategy (NTRLUS) 2021

Greater Launceston Plan (GLP) 2014

Launceston Residential Strategy (LRS) 2009-2029

City of Launceston Corporate Strategic Plan 2014-2024

#### **BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

**ATTACHMENTS:**

1. DA0439/2022 - section 40K Report - Amended Permit [**10.2.1** - 11 pages]

**10.3. Amendment PSA-LLP0004 - Substantial Modifications Amendment - Relbia - Rezoning Land from Agricultural to Rural**

**FILE NO:** PSA-LLP0004

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

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

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**DECISION STATEMENT:**

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Local Provisions Schedule.

**PLANNING APPLICATION INFORMATION:**

Applicant: Not Applicable  
Properties: Part of 299 Relbia Road, Relbia folio of the Register 122876/1,  
288 Relbia Road, Relbia folio of the Register 129968/2 and  
332 Relbia Road, Relbia  
Received: Not Applicable  
Advertised: 19/11/2022 - 16/12/2022  
Representations: One

**PREVIOUS CONSIDERATION:**

Under section 35KB(1) of the *Land Use Planning and Approvals Act 1993*, the Tasmanian Planning Commission directed the Launceston Planning Authority to prepare Draft Amendments under Part 3B of the *Land Use Planning and Approvals Act 1993*, of the Launceston Provisions Schedule (LPS).

**RECOMMENDATION:**

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to Draft Amendment PSA-LLP0004; and
  2. recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP0004 be approved as advertised.
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**REPORT:**

**1. INTRODUCTION**

The proposed amendment seeks to apply the Rural Zone to the following properties at Relbia as shown in Figure 1 below:

- a. that part of 299 Relbia Road, Relbia folio of the Register 122876/1 located on the western side of Relbia Road;
- b. 288 Relbia Road, Relbia folio of the Register 129968/2;
- c. 332 Relbia Road, Relbia folio of the Register 211126/1; and
- d. adjoining road to the centrelines as shown in the diagram.



Figure 1 - Application of the Rural Zone at Relbia

The amendment was required under section 35KB(1) of the *Land Use Planning and Approvals Act 1993*, where the Tasmanian Planning Commission directed the Launceston Planning Authority to prepare Draft Amendments under Part 3B of the *Land Use Planning and Approvals Act 1993*, of the Launceston Provisions Schedule (LPS).

The signed instrument follows in Figure 2 below:

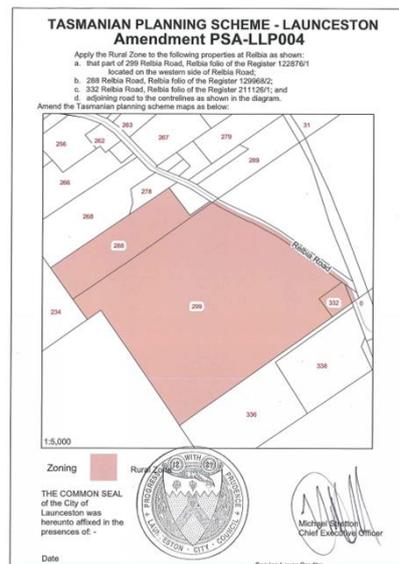


Figure 2 - Signed Instrument

## 2. SUMMARY OF REPRESENTATIONS

The amendment was advertised from 19/11/2022 to 16/12/2022. One representation was received during the public notification period (Attachment 1). The representation was received from TasRail on 16 December 2022.

The representation states:

*In relation to PSA-LLP0004-Relbia, TasRail notes that future development of land at 332 Relbia Road, Relbia (CT211126/1) will likely be limited given a large proportion of the lot is within a Road and Railway Attenuation Area.*

The concern raised by TasRail is noted, noting however, that the attenuation area is existing and considering the zoning is moving from Agriculture to Rural, its development potential is still restrictive. This will be need to be dealt with in any future development over the site, noting however, that 332 Relbia Road, Relbia is already fully developed.

## 3. CONCLUSION

The representation has been considered and it has been determined that there are no reasons for the Council not to proceed with the Draft Amendment PSA-LLP0004.

### RISK IMPLICATIONS:

Not considered relevant to this report.

### ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

The amendment to the Launceston Local Provisions Schedule has been assessed against the requirements of the Act. The Tasmanian Planning Scheme - Launceston, and the Launceston Local Provisions Schedule also contain 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:

City of Launceston Corporate Strategic Plan 2014-2024  
*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston and Launceston Local Provisions Schedule  
Northern Tasmania Regional Land Use Strategy (NTRLUS) 2021  
Greater Launceston Plan (GLP) 2014  
Launceston Residential Strategy (LRS) 2009-2029

### 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

**10.4. Amendment PSA-LLP0005 - Substantial Modifications Amendment - East Tamar Highway - Rezoning Land from Agriculture to Rural and Application of the Priority Vegetation Overlay**

**FILE NO:** PSA-LLP0005

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

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

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**DECISION STATEMENT:**

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Local Provisions Schedule.

**PLANNING APPLICATION INFORMATION:**

Applicant: Not Applicable  
Properties: East Tamar Highway, and Swan Drive, Mount Direction  
Received: Not Applicable  
Advertised: 25/01/2023 - 22/02/2023  
Representations: Nil

**PREVIOUS CONSIDERATION:**

Under section 35KB(1) of the *Land Use Planning and Approvals Act 1993*, the Tasmanian Planning Commission directed the Launceston Planning Authority to prepare Draft Amendments under Part 3B of the *Land Use Planning and Approvals Act 1993*, of the Launceston Provisions Schedule (LPS).

**RECOMMENDATION:**

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to Draft Amendment PSA-LLP0005; and
  2. recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP0005 be approved as advertised.
-

**REPORT:**

**1. INTRODUCTION**

The proposed amendment seeks to apply the Rural Zone to the following properties at Mount Direction as shown in Figure 1 below:

- a. 2147 East Tamar Highway, Mount Direction folio of the Register 153121/1;
- b. 58 Swan Drive, Swan Bay folio of the Register 169223/1;
- c. 2235 East Tamar Highway, Mount Direction folio of the Register 131672/1;
- d. 2303 East Tamar Highway, Mount Direction folio of the Register 144205/3;
- e. 2305 East Tamar Highway, Mount Direction folio of the Register 144205/2;
- f. 2087 East Tamar Highway, Dilston folio of the Register 86593/1; and
- g. User road adjacent to the East Tamar Highway and surrounded by folio of the Register 153121/1.

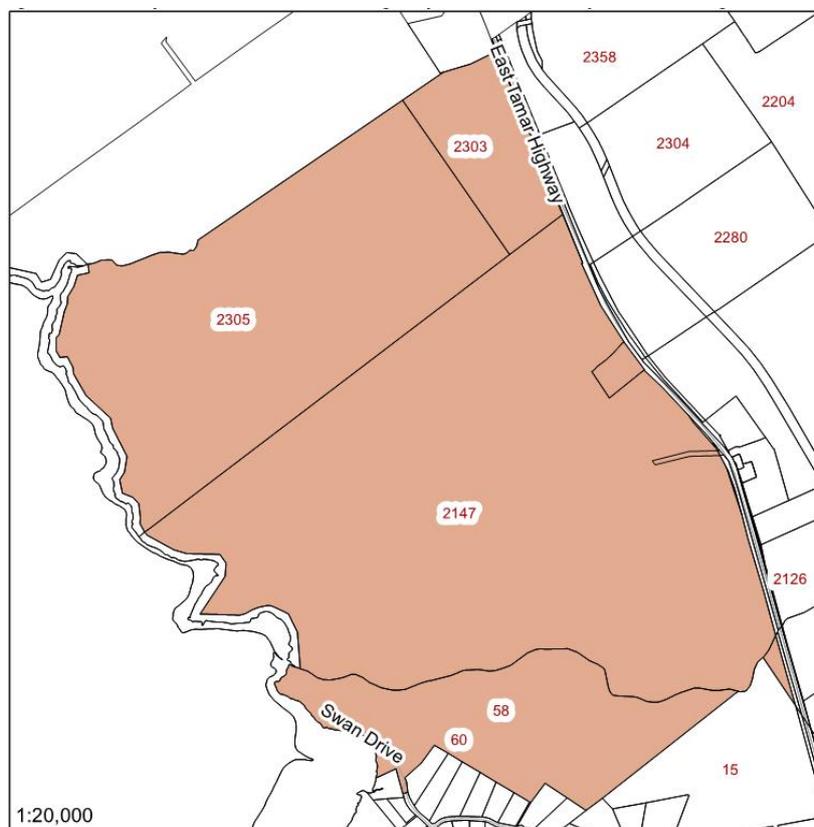
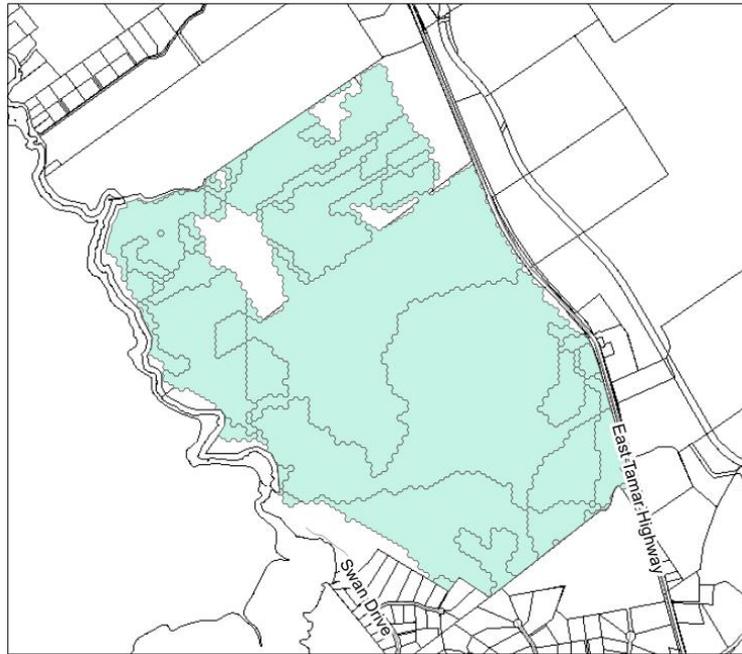


Figure 1 - Rezoning Map

The amendment also seeks to apply the Priority Vegetation Area overlay to the following properties at Mount Direction as shown in Figure 2 below:

- a. 2147 East Tamar Highway, Mount Direction folio of the Register 153121/1;
- b. 58 Swan Drive, Swan Bay folio of the Register 169223/1;
- c. 2235 East Tamar Highway, Mount Direction folio of the Register 131672/1;
- d. 2303 East Tamar Highway, Mount Direction folio of the Register 144205/3;
- e. 2305 East Tamar Highway, Mount Direction folio of the Register 144205/2;
- f. 2087 East Tamar Highway, Dilston folio of the Register 86593/1; and
- g. User road adjacent to the East Tamar Highway and surrounded by folio of the Register 153121/1.



*Figure 2 - Vegetation Overlay*

The amendment was required under section 35KB(1) of the *Land Use Planning and Approvals Act 1993*, where the Tasmanian Planning Commission directed the Launceston Planning Authority to prepare Draft Amendments under Part 3B of the *Land Use Planning and Approvals Act 1993*, of the Launceston Provisions Schedule (LPS).

The signed instrument follows in Figures 3 and 4 below:

**TASMANIAN PLANNING SCHEME - LAUNCESTON  
Amendment PSA-LLP005**

Apply the Rural Zone to the following properties at Mount Direction as shown:

- a. 2147 East Tamar Highway, Mount Direction folio of the Register 153121/1;
- b. 58 Swan Drive, Swan Bay folio of the Register 169223/1;
- c. 2235 East Tamar Highway, Mount Direction folio of the Register 131672/1;
- d. 2503 East Tamar Highway, Mount Direction folio of the Register 144205/3;
- e. 2305 East Tamar Highway, Mount Direction folio of the Register 144205/2;
- f. 2087 East Tamar Highway, Diston folio of the Register 86593/1; and
- g. User road adjacent to the East Tamar Highway and surrounded by folio of the Register 153121/1.

1:25,000

Zoning ■ Rural Zone

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

Michael Stetton  
Chief Executive Officer

Date \_\_\_\_\_ Service Layer Credits \_\_\_\_\_

*Figure 3*

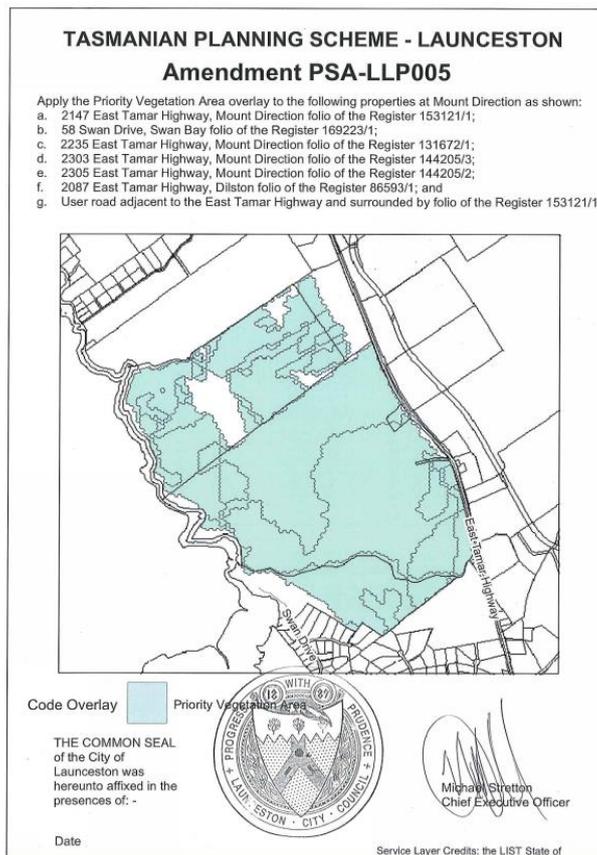


Figure 4

## 2. SUMMARY OF REPRESENTATIONS

The amendment was advertised from 25/01/2023 to 22/02/2023. No representations were received during the public notification period. It is noted, however, that several telephone calls were taken in which concerns were raised regarding the numbering of the properties. Notwithstanding, the property addresses and title reference numbers were provided by the Tasmanian Planning Commission to the Council and were required to be advertised. There is always the possibility that addressing may differ slightly depending on how it is searched. However, with the provided map as well as the registered numbers, it is clear as to which properties the amendment relates.

### RISK IMPLICATIONS:

Not considered relevant to this report.

### ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

The amendment to the Launceston Local Provisions Schedule has been assessed against the requirements of the Act. The Tasmanian Planning Scheme - Launceston, and the Launceston Local Provisions Schedule also contain 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:**

City of Launceston Corporate Strategic Plan 2014-2024  
*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston and Launceston Local Provisions Schedule  
Northern Tasmania Regional Land Use Strategy (NTRLUS) 2021  
Greater Launceston Plan (GLP) 2014  
Launceston Residential Strategy (LRS) 2009-2029

**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

**10.5. Amendment PSA-LLP0006 - Substantial Modifications Amendment - Local Heritage Precinct Datasheet - Revised Local Heritage Precinct Datasheet**

**FILE NO:** PSA-LLP0006

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

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

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**DECISION STATEMENT:**

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Local Provisions Schedule.

**PLANNING APPLICATION INFORMATION:**

Applicant: Not Applicable  
Properties: N/A  
Received: N/A  
Advertised: 19/11/2022 - 16/12/2022  
Representations: Nil

**PREVIOUS CONSIDERATION:**

Under section 35KB(1) of the *Land Use Planning and Approvals Act 1993*, the Tasmanian Planning Commission directed the Launceston Planning Authority to prepare Draft Amendments under Part 3B of the *Land Use Planning and Approvals Act 1993*, of the Launceston Provisions Schedule (LPS).

**RECOMMENDATION:**

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993* considers the merit of each of the representations received to Draft Amendment PSA-LLP0006; and
  2. recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP0006 be approved as advertised.
-

**REPORT:**

**1. INTRODUCTION**

The amendment seeks to revise the Local Heritage Precinct Datasheet - LAU-C6.2.1 in table LAU-C6.2 (C6.0 Local Historic Heritage Code). The precinct applies to multiple properties as illustrated in the signed instrument below:

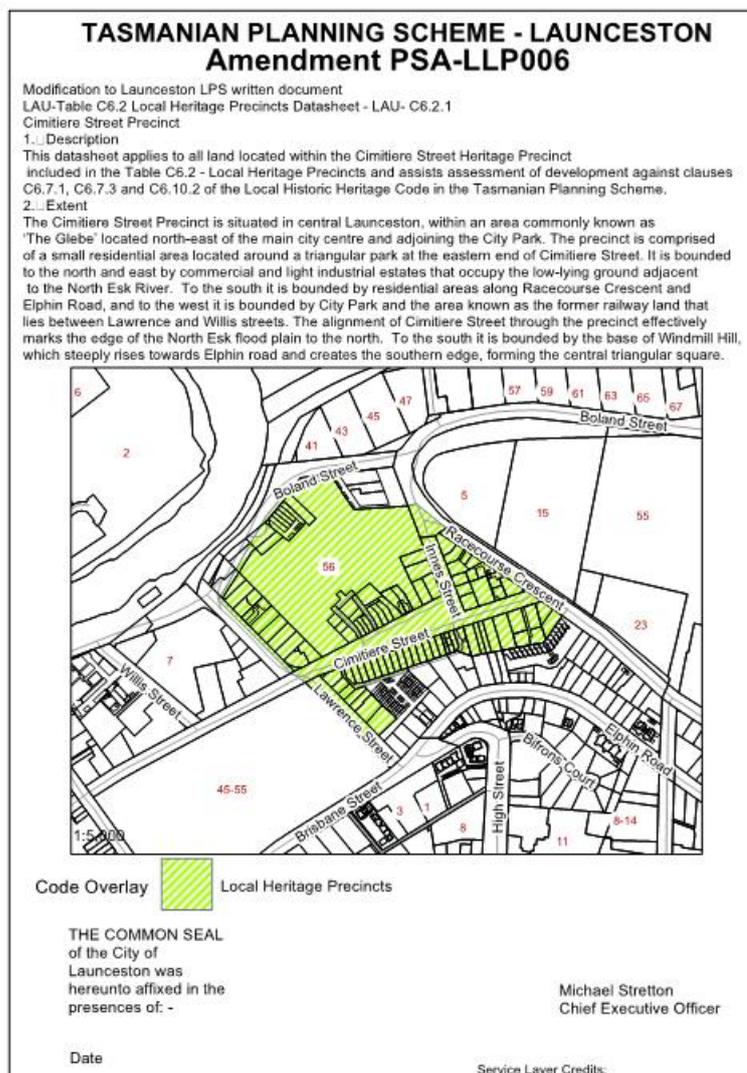


Figure 1 - Local Heritage Precinct

The amendment was required under section 35KB(1) of the *Land Use Planning and Approvals Act 1993*, where the Tasmanian Planning Commission directed the Launceston Planning Authority to prepare Draft Amendments under Part 3B of the *Land Use Planning and Approvals Act 1993*, of the Launceston Provisions Schedule (LPS).

**2. SUMMARY OF REPRESENTATIONS**

The application was advertised from 19/11/2022 to 16/12/2022. No representations were received during the public notification period.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

The amendment to the Launceston Local Provisions Schedule has been assessed against the requirements of the *Land Use Planning and Approvals Act 1993*. The Tasmanian Planning Scheme - Launceston, and the Launceston Local Provisions Schedule also contain 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:**

City of Launceston Corporate Strategic Plan 2014-2024  
*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston and Launceston Local Provisions Schedule  
Northern Tasmania Regional Land Use Strategy (NTRLUS) 2021  
Greater Launceston Plan (GLP) 2014  
Launceston Residential Strategy (LRS) 2009-2029

**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

**10.6. DA0757/2022 - 30 Oxford Street, East Launceston - Residential - Construction of Alterations and Additions to a Dwelling**

**FILE NO:** DA0757/2022

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

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Design To Live Pty Ltd
Property:	30 Oxford Street, East Launceston
Zoning:	General Residential
Receipt Date:	20/12/2022
Validity Date:	3/01/2023
Further Information Request:	04/01/2023
Further Information Received:	17/01/2023
Deemed Approval:	9/03/2023
Representations:	Four

**RELEVANT LEGISLATION:**

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

**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 DA0757/2022 Residential - Construction of alterations and additions to a dwelling at 30 Oxford Street, East Launceston, subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Cover Page, Prepared by Design to Live, Job No OXFR30, Drawing No. 1/22, R1, Dated 17/01/2023.
  - b. Site Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 2/22, R1, Scale 1:200, Dated 17/01/2023.
  - c. Existing Ground Floor Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 3/22, R1, Scale 1:100, Dated 17/01/2023.
  - d. Proposed Basement Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 4/22, R1, Scale 1:100, Dated 17/01/2023.
-

- e. Proposed Ground Floor Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 5/22, R1, Scale 1:100, Dated 17/01/2023.
- f. Proposed First Floor Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 6/22, R1, Scale 1:100, Dated 17/01/2023.
- g. Northern Elevation, Prepared by Design to Live, Job No OXFR30, Drawing No. 9/22, R1, Scale 1:100, Dated 17/01/2023.
- h. Southern Elevation, Prepared by Design to Live, Job No OXFR30, Drawing No. 10/22, R1, Scale 1:100, Dated 17/01/2023.
- i. Eastern Elevation, Prepared by Design to Live, Job No OXFR30, Drawing No. 11/22, R1, Scale 1:100, Dated 17/01/2023.
- j. Western Elevation, Prepared by Design to Live, Job No OXFR30, Drawing No. 12/22, R1, Scale 1:100, Dated 17/01/2023.

## **2. AMENDED PLANS REQUIRED**

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of Manager City Development to replace plans annotated as *Amended Plans Required* and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit.

The amended plans must show a reduced overall height of 300mm.

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

## **3. LEGAL TITLE**

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

## **4. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/00007-LCC, dated 09/01/2023 and attached to the permit.

## **5. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

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

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

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

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

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

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

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

## **8. SINGLE STORMWATER CONNECTIONS**

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains.

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

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

An application for such work must be lodged electronically via the Council's e-Services web portal or on the approved hard copy form.

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

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

## 10. 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.

## 11. AMENITY

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

## 12. NO BURNING OF WASTE

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

## 13. 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.

## Notes

### A. General

*This permit was issued based on the proposal documents submitted for DA0757/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning staff can be contacted on 6323 3000.*

*This permit takes effect after:*

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

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

**B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

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

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

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

**D. Permit Commencement**

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

**E. Fixed Equipment Use**

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

**F. No Approval for alterations to Driveway Crossover**

*No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.*

**G. Facilities and Highways By-Law (No. 1 of 2021)**

*Prior to the placement of any skip bin, security fencing, hoarding, shipping container, site office or amenity within a local highway, a permit must be issued pursuant to the Facilities and Highways By-Law (No. 1 of 2021). No such items are to be placed within the road reserve without approval.*

*Failure to comply with the Facilities and Highways By-Law (No. 1 of 2021) or any permit issued pursuant to the by-law may result in enforcement action including the issuing of infringement notices and penalties in accordance with Schedule 1 of the By-Law.*

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**REPORT:**

**1. THE PROPOSAL**

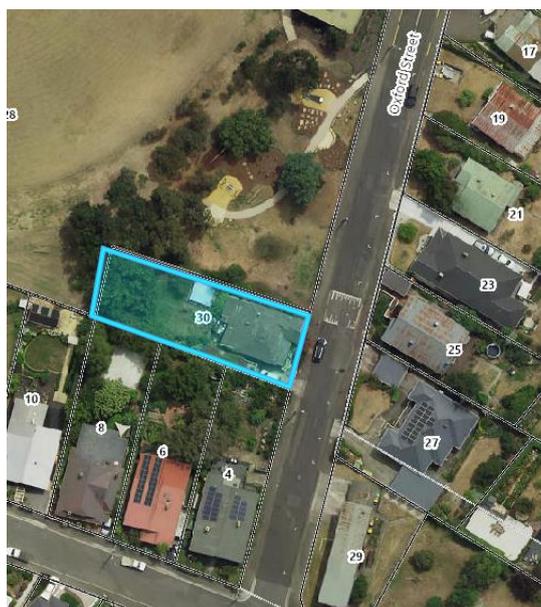
It is proposed to demolish part of the rear of the existing dwelling and an existing car port to facilitate extensions to the dwelling at 30 Oxford Street, East Launceston. The extensions will be constructed over three levels, in part due to the terrain of the site, at the rear of the existing dwelling.

Currently the dwelling is clad in traditional hardwood weather boards with these to be removed and the cladding to primarily be James Hardie Line weather boards, but broken up with Easylap, Axon and fine texture sheeting, a light colour to the front with the rear and top level are a dark colour. Some additional elements will include screening to raised decks. The existing tiled roofing will be removed and the total dwelling clad with Custom Orb with Monument coloured finish.

The proposed building extension protrudes beyond the building envelope and as part of the top-storey extends to a height of approximately 10.5m with setbacks of 5m from the southern boundary and 1.798m from the north. The mid/ground level extends to 7m with setbacks of 1.95m from the southern boundary and 900mm and 1.798m from the northern side. This level includes a section of the building proposed built to the southern side boundary and with a height of up to 6m.

The works includes some low retaining walls adjoining the northern boundary and north western rear corner of the site.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**



30 Oxford Street, East Launceston (not to scale)

The property is located in the inner city suburb of East Launceston on the eastern hill face below High Street. Oxford Street runs primarily north/south between Tasma and Abbott Streets. It shares its north and western boundaries with the East Launceston Primary School oval and southern boundary with three dwellings fronting Tasma Street. The land rises 5m in height with a gradual slope from the rear north western corner to the front south eastern corner.

Development in the area is primarily of single dwellings principally clad in weatherboard and constructed from around the 1920s. Opposite is a brick dwelling and on the south western corner of Tasma and Oxford Streets, is a two-storey block of four brick units.

### **3. PLANNING SCHEME REQUIREMENTS**

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

### **4. REFERRALS**

<b>REFERRAL</b>	<b>COMMENTS</b>
<b>INTERNAL</b>	
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
<b>EXTERNAL</b>	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2023/00007-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

### **5. REPRESENTATIONS**

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 21 January to 6 February 2023. Four representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p><b>Issue 1</b> <b>The scale of the project does not complement the existing residential properties in the area.</b></p>
<p><i>Response 1</i> While the proposal is partly three-storey the basement sits below the existing ground level of the dwelling. The site is also at a lower elevation than the adjoining properties so when viewed from adjoining dwellings the proposal would be perceived as a two-storey development. A number of properties in the area are partly two-storeys and therefore, the proposal is not considered to be inappropriate or out of character. The proposed additional first floor is considerably smaller than the ground floor and only occupies an area of 95m<sup>2</sup> of the total footprint of the dwelling extensions and while the level may be visible it does not occupy the total footprint of the dwelling.</p>
<p><b>Issue 2</b> <b>Why have a building envelope? Is it possible to exceed it?</b></p>
<p><i>Response 2</i> Applications are treated on their merits with each site and proposal having individual characteristics. The building envelope is one way of meeting the objectives of the relevant clauses with the Performance Criteria offering an alternative solution to comply with the planning scheme</p>
<p><b>Issue 3</b> <b>The shading diagrams should the impact on the current status of development upon the adjoining properties in Tasma Street. How is it fair that those residents will be for evermore restricted in the uses they can make of their own properties due to shading? Current living costs require sun to the back yard to grow food.</b></p>
<p><i>Response 3</i> The shading diagram of the adjoining sites is shown for the 21 June and for part of the rear of the properties which are currently vegetated. The extent of shadows cast allows for each property to receive a suitable level of sunlight.</p>
<p><b>Issue 4</b> <b>The trees on neighbouring sites which provide screening from the proposed development could be removed. A number of these are deciduous and so have a limited time of providing a visual screen. Screening trees should be on the subject site requiring them.</b></p>
<p><i>Response 4</i> The development does not require screening trees - the extent and species of vegetation on each property is at the determination of each owner.</p>
<p><b>Issue 5</b> <b>Use of the new upper level entertainment area will increase noise transmission.</b></p>
<p><i>Response 5</i> The planning scheme does not have use standards for a use as a single dwelling in the General Residential zone. The upper most level has a 'DJ' room and gin deck but is a principally a bedroom. The deck is located on the northern side of the property. The ground floor has a deck off the same north western corner off the dining area. Any extraordinary noise is not a matter the planning scheme can address.</p>
<p><b>Issue 6</b> <b>Other recent upgrades/extensions to dwellings in the area have done so without exceeding the height of their roof lines.</b></p>

*Response 6*

*Each application must be treated on its own merits. Following further discussion with the applicant, the dwelling can be lowered by 300mm by altering the structural design of the of the first floor. This will reduce the height and bulk of the building and reduce the shadows cast by the proposal. A condition is to be imposed for the first floor to be reduced by 300mm.*

**Issue 7**

**Interesting that the building can be proposed so close to the existing stormwater and sewerage when other development has had to be 1.5m from similar drains.**

*Response 7*

*The site is not burdened by any mains. TasWater has issued an approval for the works.*

## **6. CONCLUSION**

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

### **RISK IMPLICATIONS:**

Not considered relevant to this report.

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

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

### **STRATEGIC DOCUMENT REFERENCE:**

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

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

Not considered relevant to this report.

### **DISCLOSURE OF INTERESTS:**

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

### **ATTACHMENTS:**

1. DA0757/2022 - 30 Oxford Street, East Launceston - Planning Scheme Assessment  
[10.6.1 - 11 pages]
2. DA0757/2022 - 30 Oxford Street, East Launceston - Plans to be Endorsed  
[10.6.2 - 10 pages]
3. DA0757/2022 - 30 Oxford Street, East Launceston - TasWater SPAN  
[10.6.3 - 3 pages]

4. DA0757/2022 - 30 Oxford Street, East Launceston - Representations  
[10.6.4 - 4 pages]
5. DA0757/2022 - 30 Oxford Street, East Launceston - Winter Sun Study  
[10.6.5 - 5 pages]
6. DA0757/2022 - 30 Oxford Street, East Launceston - Autumn Sun Study  
[10.6.6 - 6 pages]

## 11. ANNOUNCEMENTS BY THE MAYOR

### 11.1. Mayor's Announcements

FILE NO: SF2375

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#### Thursday 23 February 2023

- Attended the Northern Tasmania Tourism, Business and Local Government Leaders' breakfast

#### Friday 24 February 2023

- Participated in the GMC Workshop, Campbell Town

#### Saturday 25 February 2023

- Welcomed delegates to the Tasmanian State RSL Women's Auxiliary 74<sup>th</sup> Conference, RSL Launceston

#### Sunday 26 February 2023

- Met with His Excellency Michel Goffin, Belgian Ambassador to Australia and Hon Consul Paul de Moor

#### Monday 27 February 2023

- Attended the Migrant Resource Centre North temporary premises in Broadland Drive

#### Tuesday 28 February 2023

- Met with President and Vice-President of Lilydale Progress Association in Lilydale
- Attended Communities for Children *kanamaluka* Council Meeting

#### Thursday 2 March 2023

- Hosted a Civic Function to mark the 90<sup>th</sup> Anniversary of St Andrews Caledonian Pipe Band

#### Friday 3 March 2023

- Attended the launch of the Brand Tasmania Little Tasmanian project at the Launceston Library
- Officiated at the launch of the Anniversary Book and Exhibition *FaceTime* to mark 85 years of St Giles
- Attended the opening of the McGrath Launceston new premises

#### Sunday 5 March 2023

- Officiated at Soggy Bottom Boat Regatta (represented by Deputy Mayor, Councillor M J Garwood)
- Presented trophies at the Henley Regatta (represented by Councillor J J Pentridge)

**Tuesday 7 March 2023**

- Met with Former Mayor of Ikeda, Mr Kaoru Kurata

**Wednesday 8 March 2023**

- Officiated at event to celebrate International Women's Day
-

**12. COUNCILLORS' REPORTS**

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

**13. QUESTIONS BY COUNCILLORS**

**13.1. Councillors' Questions on Notice**

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

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

**13.1.1. Councillors' Questions on Notice - Councillor S Cai - Queen Victoria Museum and Art Gallery Volunteer Guides - 23 February 2023**

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, asked at the Council Meeting on 23 February 2023 by Councillor S Cai, has been answered by Shane Fitzgerald (General Manager Creative Arts and Cultural Strategy).

**Questions:**

1. I have been asked when the Council is going to recommence the community engagement via volunteer guides at the Queen Victoria Museum and Art Gallery?

**Response:**

*Since the adoption and endorsement of the QVMAG Futures Plan in June 2022 the institution has appointed an Advisor Special Projects and Strategy who has been working closely with the QVMAG team in the development and subsequent delivery of the many sub-strategies and frameworks identified as part of the Organisational Strategic Development Program (pp145-146 Futures Plan). An important part of these strategies is the identification and implementation of holistic invigilation frameworks and supporting Volunteer Programs which includes how QVMAG will activate a gallery guide program that engages community volunteers and QVMAG Museum Attendants. These frameworks will be integrated as part of the Accessibility and Audience Development strategies, respectively. The development and implementation of these core umbrella strategies will provide a considered and holistic approach towards invigilation and are expected to be concluded in the latter part of 2023. Successful adoption of the strategies will allow QVMAG a platform through which to identify, develop and implement an invigilation program which not only meets best practice in contemporaneous outcomes but further allows for genuine and active participation from community members and staff alike. It is envisaged that the implementation of the QVMAG Invigilation Program will be piloted in 2024.*

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**13.1.2. Councillors' Questions on Notice - Councillor A G Harris - St Leonards Residential Strategy - 23 February 2023**

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, asked at the Council Meeting on 23 February 2023 by Councillor A G Harris, has been answered by Dan Ryan (General Manager Community and Place Network).

**Questions:**

1. I have been asked by residents of the St Leonards area about the St Leonards Residential Strategy which is listed to occur this financial year - 2022/2023, will it happen this year or is it likely to be deferred and will there be an opportunity for residents to have input into public consultation regarding relevant planning strategies?

**Response:**

*The Council has limited resources and it has been necessary to focus available resources on the progression of the urban growth area south of Prospect to enable the timely development of up to 2,000 residential lots. While work has commenced on the St Leonards Residential Growth Strategy, it has not been able to be substantially progressed. The Council is currently reviewing opportunities to fast-track this project. Community consultation will be undertaken at the appropriate stage once this work is able to be advanced.*

---

**13.2. Councillors' Questions Without Notice**

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

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

## 14. COMMITTEE REPORTS

### 14.1. Cultural Advisory Committee Meeting - 1 February 2023

**FILE NO:** SF7357

**AUTHOR:** Mengda Liu (Cultural Development Officer)

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

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#### **DECISION STATEMENT:**

To receive a report from the Cultural Advisory Committee Meeting held on 1 February 2023.

#### **RECOMMENDATION:**

That Council receives the report from the Cultural Advisory Committee Meeting held on 1 February 2023.

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#### **REPORT:**

The first meeting of 2023 of the Cultural Advisory Committee (the Committee) was held on 1 February 2023.

An Acknowledgement of Country was delivered by Councillor Tim Walker.

Councillor Walker was nominated as the Chairperson of the Committee.

Michelle Ogulin (Acting Manager Liveable Communities) and Marcus Grantham (Acting Team Leader Place Making) introduced themselves to the Committee.

James McKee (Manager Innovation and Performance) provided an update on the development of the *Draft Aboriginal Partnership Plan*.

Graham Lillywhite (Place Activation Officer) presented to the Committee on the activation of the City, including Christmas activations and proposals for Civic Square activation.

Mengda Liu (Cultural Place Development Officer) provided an update on the Committee's community representative recruitment. Liu also updated the Committee on the progress of the *Public Art Strategy 2023-2031* and the street art register project, which requires some additional work before it is finalised.

#### **RISK IMPLICATIONS:**

Not considered relevant to this report.

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**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

Strategic Priority 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:

1. To develop and consistently utilise contemporary and effective community engagement processes.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

**14.2. Tender Review Committee Meeting - 23 February 2023**

**FILE NO:** SF0100/CD.053/2022

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

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

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**DECISION STATEMENT:**

To receive a report from the Tender Review Committee.

**RECOMMENDATION:**

That Council notes the decision of the Tender Review Committee to accept the tender submitted by AusSpan - Total Bridge Management for the 2022-2025 Bridge Condition Assessment, Contract No. CD053/2022 at a cost of \$197,183.97 (exclusive of GST).

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**REPORT:**

The Tender Review Committee Meeting, held on 23 February 2023, determined the following:

That the tender submitted by AusSpan - Total Bridge Management for the 2022-2025 Bridge Condition Assessment, Contract No. CD053/2022 at a cost of \$197,183.97 (exclusive of GST) be accepted.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

### 14.3. Audit Panel Meeting - 21 February 2023

**FILE NO:** SF3611

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

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

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#### **DECISION STATEMENT:**

To receive a report from the Audit Panel Meeting held on 21 February 2023.

#### **RECOMMENDATION:**

That Council receives the report from the Audit Panel Meeting held on 21 February 2023.

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#### **REPORT:**

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

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

**Details** Crowe provided an update on the scheduling of the BCP Non-IT internal audit, the Employee/Volunteer Safety and the Contractor Safety Audit Reviews which will be completed by 30 June 2023.

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

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

**Details** The Tasmanian Audit Office presented its Financial Audit Strategy for the year ending 30 June 2023.

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

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

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

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

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

**Details** The Panel noted the results for the quarter ending 31 December 2022.

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

##### **9.2 Budget Amendments (for Audit Panel)**

**Details** The Panel noted the 2022/2023 Budget Amendments and reallocations for the 2022/2023 financial year.

**Action** The 2022/2023 Budget Amendments were approved at Council Meetings held on 15 December 2022 and 25 January 2023.

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

Details The Panel noted the results for the six months ending 31 December 2022.

Action The Financial Statements for the six months ending 31 December 2022 are included in this Agenda.

**10.1 Investment Returns and Balances**

Details Discussed the provided summaries.

Action The Audit Panel noted the item.

**11.1 Risk Report**

Details Discussed approved Management documents relating to fraud risk and control

Action The Audit Panel noted the item.

**11.2 Work Health and Safety**

Details Noted the Work Health and Safety report dated February 2023 (for January 2023).

Action The Audit Panel noted the item.

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

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

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

**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

## 15. COMMUNITY AND PLACE NETWORK

### 15.1. Public Art Strategy 2023-2031

**FILE NO:** SF3547

**AUTHOR:** Mengda Liu (Cultural Development Officer)

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

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#### **DECISION STATEMENT:**

To endorse the Public Art Strategy 2023-2031 and note the intention to develop an implementation framework with actions aligned to the strategy objectives.

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

Council - 21 September 2022 - Agenda Item 14.1 - Draft Public Art Strategy

Workshop - 31 March 2022 - Public Art Strategy Presentation

Workshop - 18 August 2022 - Draft Public Art Strategy

Workshop - 16 February 2023 - Public Art Strategy Final Draft

#### **RECOMMENDATION:**

That Council:

1. endorses the *Public Art Strategy 2023-2031* (Doc Set ID No 4856943); and
  2. notes the intention to develop an implementation framework with actions aligned to the *Public Art Strategy 2023-2031* objectives once the strategy is endorsed.
- 

#### **REPORT:**

On 26 November 2020, Council unanimously endorsed the adoption of the *City of Launceston Cultural Strategy 2020-2030*. The cultural strategy represents the first strategic cultural plan for Launceston and sets out five strategic focus areas:

1. Value and respect Aboriginal Culture
2. Realise the potential of our cultural places and assets
3. Foster creative practice
4. Reveal our cultural stories
5. Build and extend partnerships

Strategic focus area four - *Reveal our cultural stories* - referred to the potential to develop a public art policy and program. Following the Cultural Advisory Committee's establishment in 2021, support was given to the development of a public art strategy in alignment with the *City of Launceston Cultural Strategy 2020-2030*.

---

A consultant was appointed in late 2021 to develop a public art strategy for the Council, with the strategy's development guided by an internal working group from the City of Launceston. Both qualitative and quantitative research was undertaken during the public consultation phase to understand how public art can impact on quality of life and a sense of place in Launceston.

The public consultation during the strategy development included the following:

- one-on-one interviews with members of the council's staff and the local community.
- two focus groups with the arts community, a council workshop and a public meeting to facilitate group discussions about public art.
- presentations to various council committees, including the Youth Advisory Group, the Heritage Advisory Committee and the Heritage Advisory Committee and to a meeting of councillors to seek their input and advice.
- an online community survey, receiving over 300 responses, through *Your Voice Your Launceston*.

The consultation process successfully captured and integrated community input, resulting in a draft strategy that was finalised in September 2022.

On 21 September 2022, Council unanimously endorsed the *Draft Public Art Strategy 2023-2031* for community consultation prior to its adoption. The community consultation closed in October 2022.

Following the consultation, minor amendments to the public art strategy were made, such as inclusion of the Kings Meadows mural in the Community Connections section, and corrections to image credit captions. No major content changes were made. The final version of the *Public Art Strategy 2023 - 2031* is attached (Attachment 1).

Once the public art strategy is endorsed, work will begin on establishing an implementation framework with actions aligned to the strategy's objectives.

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

The budget adjustment consideration of this item has been approved by the General Manager Organisational Services Network.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

1. *Public Art Strategy 2023-2031* [15.1.1 - 24 pages]

## 15.2. Heritage Advisory Committee - Appointment of Community Representatives

**FILE NO:** SF2965

**AUTHOR:** Marcus Grantham (Team Leader Place Making)

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

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### **DECISION STATEMENT:**

To appoint community representatives to the Heritage Advisory Committee.

### **RECOMMENDATION:**

That Council endorses:

1. the appointment of Bruce Crerar, Dr John Forge and Rocelyn Ives as Community Representative members of the Heritage Advisory Committee.
  2. the re-appointment of Lez Penzes to this role for a third term.
- 

### **REPORT:**

The primary purpose of the Committee is to provide advice to the Council on heritage matters and to promote the value of heritage places within the Municipality in line with the role and objectives set out in the Committee's Terms of Reference.

The Terms of Reference also states that the membership should include:

- *Two City of Launceston Councillors (Councillors Cai and Councillor Pentridge);*
- *Representatives from:*
  - *Heritage Tasmania*
  - *the National Trust of Australia (Tasmania)*
  - *UTAS School of Architecture and Design*
  - *the Real Estate Institute of Tasmania (REIT)*
  - *the Launceston Historical Society (LHS) and*
- *At least two Community Representative members.*

Community Representatives are appointed by Council with the initial term being up to two years. Community Representatives may re-apply and be considered for further terms.

Nominations for at least two vacant Community Representative positions were sought from community members through a publicly advertised Expression of Interest (EOI) process. Notices seeking EOI submissions were advertised in *The Examiner* on Saturday, 20 January 2023, with written submissions closing on Monday, 6 February 2023.

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Four EOIs were received which were considered by an Assessment Panel consisting of Michelle Ogulin (Acting Manager Liveable Communities), Marcus Grantham (Acting Team Leader Place Making) and Fiona Ranson (Place and Heritage Officer). As all four of the applicants bring relevant and diverse skills and experience which are considered to be valuable to the Committee, the recommendation of the panel was that the four applicants be appointed.

**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 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:

1. To develop and consistently utilise contemporary and effective community engagement processes.

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

**16. CREATIVE ARTS AND CULTURAL SERVICES NETWORK**

**16.1. Ten Days on the Island - Remission of Fees and Charges**

**FILE NO:** SF2968

**AUTHOR:** Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)

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

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**DECISION STATEMENT:**

To consider the Remission of Fees and Charges under section 207 of *the Local Government Act 1993* for the Ten Days on the Island Festival.

**RELEVANT LEGISLATION:**

*Local Government Act 1993* (Tas)

**RECOMMENDATION:**

That Council, pursuant to section 207 of the *Local Government Act 1993* (Tas), approves the remission of any venue hire fees for the Ten Days on the Island Festival for the 2022/2023 financial year.

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**REPORT:**

A Funding Agreement (Agreement) between the City of Launceston and Ten Days on the Island (Ten Days) was entered into in December 2021 for four years (Attachment 1). This Agreement sets out roles and responsibilities relevant to the Council's funding of the event. It has been identified, in order to provide further transparency in the support the Council provides to the event that the remission of relevant fees and charges be formalised by Council.

This Agreement is founded on a shared vision-based and values-based approach. It is the manifestation of a relationship of mutual respect, trust and integrity. Through this Agreement, Ten Days and the Council seek to pursue common interests and achieve shared objectives through the provision of creativity, capacity building, resources and audience access. The purpose of the Agreement is to provide a framework for the relationship, to articulate the value that Ten Days brings to Launceston and to clarify the expectations of both Parties.

Ten Days presents *lutruwita*/Tasmania in a global exchange of arts and culture that is deeply connected to place. The Statewide biennial international arts festival provides opportunities for Tasmanian artists to present new work in an international program, brings high quality arts experiences to Tasmanians all over the State and helps to build Tasmania's cultural capital. Since 2001, Ten Days has celebrated Tasmania's unique identity and island culture and offered a platform on which to profile Tasmania's innovative, creative and resourceful character.

In its Cultural Strategy for Launceston, Council described its vision for Launceston as a *culturally vibrant community which is an attractive place to establish and grow businesses and to ensure we have events and activities year-round*. The strategic driver for the Council is to have a successful City and to make Launceston one of Australia's most liveable and innovative regional cities. The Council supports festivals and events that celebrate, develop and engage the City's communities.

**Legislative Power**

Section 205 of the Act enables the Council to establish a fee or charge for the use of a facility or service offered by the Council. In order to remit a fee or charge set under section 205 a decision of Council is required in accordance with section 207 of the Act.

**Section 205 Fees and Charges 813-849**

813	<b>Venue Hire</b>		
814	<u>Museum Meeting Room</u>		
815	Half Day	Taxable	\$415.00
816	Full Day or Evening	Taxable	\$515.00
817	<u>Museum Auditorium</u>		
818	Half Day	Taxable	\$410.00
819	Full Day or Evening	Taxable	\$560.00
820	<u>Museum Learning Centre</u>		
821	Half Day	Taxable	\$200.00
822	Full Day or Evening	Taxable	\$275.00
823	<u>Museum Foyer / Phenomena Factory</u>		
824	Evenings	Taxable	\$695.00
825	<u>Museum Foyer / Phenomena Factory and Courtyard</u>		
826	Evenings	Taxable	\$1,170.00
827	<u>Museum Temporary Gallery</u>		
828	Full Day or Evening	Taxable	\$1,340.00
829	<u>Art Gallery Meeting Room</u>		
830	Half Day	Taxable	\$115.00
831	Full Day or Evening	Taxable	\$205.00
832	<u>Art Gallery Creativity Centre</u>		
833	Half Day	Taxable	\$260.00
834	Full Day or Evening	Taxable	\$390.00
835	<u>Art Gallery Gallery 2</u>		
836	Full Day or Evening	Taxable	\$1,325.00
837	<u>Art Gallery, Gallery 1</u>		
838	Full Day or Evening	Taxable	\$1,325.00
839	<u>Art Gallery, Gallery 4</u>		
840	Half Day	Taxable	\$115.00
841	Full Day or Evening	Taxable	\$205.00
842	<u>Art Gallery, Gallery 5,6,7 (combined spaces)</u>		
843	Full Day or Evening	Taxable	\$1,325.00
844	<u>Art Gallery, Gallery 8</u>		
845	Full Day or Evening	Taxable	\$400.00
846	<u>Art Gallery, Gallery 9</u>		
847	Full Day or Evening	Taxable	\$1,325.00
848	<u>Art Gallery, Gallery 10</u>		
849	Full Day or Evening	Taxable	\$1,200.00

**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 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:

3. To provide an environment that is supportive to business and development within the municipality.
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. Ten Days on the Island agreement [16.1.1 - 6 pages]

## 17. INFRASTRUCTURE AND ASSETS NETWORK

### 17.1. Cataract Gorge Reserve Advisory Committee - Appointment of Community Representatives

**FILE NO:** SF0839

**AUTHOR:** Kathryn Pugh (Manager Infrastructure and Engineering)

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

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#### **DECISION STATEMENT:**

To consider the appointment of four community representatives to the Cataract Gorge Reserve Advisory Committee.

#### **RECOMMENDATION:**

That Council appoints Anna Povey, Tracey Mallett, Denise Delphin and Cherrilyn Parker as community representative members for the Cataract Gorge Reserve Advisory Committee.

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#### **REPORT:**

The City of Launceston Cataract Gorge Reserve Advisory Committee received Expressions of Interest from Anna Povey, Tracey Mallett, Denise Delphin and Cherrilyn Parker as community representative members to the Cataract Gorge Reserve Advisory Committee.

Applications were reviewed by the Council's officers. Following that review, the Committee's Councillors met to discuss the applications and are in agreement that the applicants have the appropriate expertise and experience to contribute to the aims of the Committee. It is the recommendation of the Panel that Anna Povey, Tracey Mallett, Denise Delphin and Cherrilyn Parker be appointed to the Committee.

Anna Povey has close to 30 years' professional experience in bushland conservation, and is the current President of the Friends of Trevallyn Reserve. Tracey Mallett has extensive experience in tourism and post-colonial, Aboriginal and natural heritage management. Denise Delphin has a long history representing the Launceston community, including those in the northern suburbs and migrant community. Denise Delphin will bring experience in recreational planning and community support to the Committee. Cherrilyn Parker is a Tasmanian *palawa* descendent and member of the Melythina Tiakana Warrana Aboriginal Corporation. Cherrilyn Parker is also a school library manager and will bring experience and expertise in heritage management and working with young people to the Committee.

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The Cataract Gorge Reserve Advisory Committee Terms of Reference states, in part, that members of the Committee will include up to four community representatives with appropriate expertise and experience in the management of a major urban park of national significance, tourism, heritage management, bushland conservation and recreation planning to contribute to the objectives of the Committee and appointed by Council.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

**18. ORGANISATIONAL SERVICES NETWORK**

**18.1. Financial Report to Council 31 December 2022**

**FILE NO:** SF3611

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

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

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**DECISION STATEMENT:**

To consider the Council's financial performance for the period ended 31 December 2022.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**PREVIOUS COUNCIL CONSIDERATION:**

Audit Panel - 21 February 2023 - Agenda Item - 9.1 Capital Report

Audit Panel - 21 February 2023 - Agenda Item 9.3 - Financial Statements Analysis and Commentary

**RECOMMENDATION:**

That Council adopts the operational and capital financial reports for the period ended 31 December 2022, noting the operational report discloses an underlying deficit of \$4.870m as compared to the budgeted underlying deficit of \$5.822m, comprising of a \$2.654m favourable revenue variance and a \$1.702m unfavourable expenditure variance.

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**REPORT:**

**Operational Report:**

The Statement of Comprehensive Income for the six months ending 31 December 2022 follows the commentary below which discusses significant variances.

The report discloses an underlying deficit of \$4.870m as compared to the budgeted underlying deficit of \$5.822m, comprising of a \$2.654m favourable revenue variance (excluding Capital Grants) and a \$1.702m unfavourable expenditure variance (excluding loss on disposal of fixed assets).

The majority of the favourable revenue variance is attributable to growth in fees and charges, infringement income and interest income.

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The expenditure variance recognises labour savings due to vacancies, and a flow on effect of additional contract labour costs. Other items in the expenditure variances include the costs for the flood response and clean-up (expected to be partially recovered), new corporate software costs, increased road and building maintenance expenditure and fuel price increases.

Importantly the Council's Underlying Result is favourable as compared to the 2023/2024 Budgeted Underlying Result.

<b>Revenue</b>	<b>Budget Variance Favourable/(Unfavourable)</b>		
<b>Rates Income</b> Attributable to supplementary valuations and favourable growth in rating base.			<b>\$235,258</b>
<b>User Fees and Charges</b>			
QVMAG - <i>Archies 100</i> Exhibition - the highly successful exhibition raised an unbudgeted \$134,000 in admission charges. The exhibition provided additional temporary employment for attendants and benefits to the local community in recognition of the state-wide and Melbourne promotional campaign.	\$134,000		
Other QVMAG Activities - Learning, Public Programs and Venue Hire.	\$50,510		
QVMAG - Bookshop Revenue - The variance represents the highest July - December YTD income in the history of the bookshop and is \$110,000 greater than the same period last year. The large-scale Exhibitions do increase the bookshop sales, combined with the bookshop's online sales presence. Bookshop purchases have also increased.	\$149,746	\$334,256	
Launceston Waste Centre - External Trade Income (excluding State Government Landfill Levy). This represents a (\$102,000) income decrease as compared to July - December 2021 when an increase was expected due to growth and an increase in the waste disposal fees.		(\$215,846)	
State Government Landfill Disposal Levy - eroded by the Levy liability payable by Council to Natural Environment and Resources.		\$90,623	
Gas Regeneration at Launceston Waste Centre - Sale of Australian Carbon Credit Units.		\$85,700	
On-street Parking - the uptake of the <i>EasyPark</i> app has seen compliance across the city increase over the past 12 months.	\$182,247		

Another contributing factor has been the installation of the new parking meters which offer credit card payments, reducing the down time of meters due to faults.			
Off street Parking - there has been a shift from off street parking to on-street parking as part of response to the <i>EasyPark</i> App.	(\$25,861)	\$156,386	
Carr Villa Income - favourable budget variance and an increase of \$132,000 compared to July - December 2021.		\$141,042	
York Park Match Trading Income, derived from Catering Rights and Other Event Income.		\$59,571	
Other Fees and Charges where net variance is individually +/- \$50,000.		\$9,651	\$661,383
<b>Statutory Fees and Charges</b>			
Parking Infringements - A full team of parking officers is now employed, which has allowed parking to broaden their patrol footprint. A new enforcement approach has been engaged, which provides for the infringements to be issued more accurately and faster than before.		\$404,280	
<b>Building Survey Fees</b>		\$107,049	
Property Transfers of Ownership - issue of Rates Certificates and Certificate of Powers and Rights Over Land.		(\$47,172)	
Other variances individually +/- \$50,000		(\$1,044)	\$463,113
<b>Capital Grants</b>			\$57,750
<b>Other Operational Grants</b>			
Federal Government Employee Traineeships and Incentives - apprentices employed by Parks Services and Road Services.		\$83,076	
Funding for Suicide Prevention Officer.		\$50,000	
Other Operational Grants variances individually +/- \$50,000.		\$52,418	\$185,494
<b>Interest Revenue</b> Increases to the Official Cash Rate have been higher than budgeted for.			\$492,402
<b>Investment Revenue</b>			\$7,896
<b>Bequests Income</b>			\$4,148

<b>Other Income</b>			
Refund of Workers Compensation Premium for prior years, in accordance with the Workers Compensation Burning Cost Adjustments.		\$199,699	
Insurance Settlement for Russell Plains House.		\$180,128	
Asset Disposal Gains - Fleet Services.		\$71,212	
Other Asset Disposal Gains where individual gain is +/- \$50,000.		\$154,145	\$605,184
<b>Total Revenue Variances from Ordinary Operating Activities</b>			<b>\$2,712,628</b>
<b>Expenditure</b>			
<b>Employee Benefits</b> Labour variance attributable to staff vacancies, noting there is a flow on effect with an unfavourable contract labour variance of \$399,840 incurred in maintaining operations due to vacancies.		\$1,697,059	
<b>Employee Benefits</b> Workers Compensation Premium - represents an increase of \$229,000 as compared to the prior year. Please note the Workers Compensation Premium may vary in accordance with a Burning Cost Adjustment calculation in June 2023.		(\$204,207)	<b>\$1,492,852</b>
<b>Materials and Services</b>			
<i>Corporate Software Applications Replacement Program (CARP)</i> - A budget amendment has been to Council for approval to move the approved capital budget to fund this operational expenditure.		(\$530,554)	
<i>Road Asset Management and Road Services</i> - comprises of \$234,000 works on Golconda Road. The Road Services Team are aiming to contain the spending within their annual budget by 30 June.		(\$314,941)	
<i>Northern Recreation Hub Asbestos Removal</i> - Council Contribution as approved by Council (not budgeted).		(\$355,672)	
<i>Contract Labour</i> - significant contract labour has been incurred to maintain operations due to vacancies - Launceston Waste Centre (\$197,228), other contract labour across CoL within a +/- \$50,000 variance attributable to a single area (\$202,612).		(\$399,840)	

<i>Flood Response</i> - clean-up and recovery to be partially funded by insurance claim and grant funding.		(\$212,513)	
Impact of higher fuel costs affecting Major Plant and the Light vehicle fleet.		(\$208,781)	
Kerbside Waste, Recycling and FOGO Collection Contract - attributable to the high fuel cost and a higher than forecast annual CPI increase.		(\$124,730)	
York Park Stadium Facility Maintenance.		(\$115,177)	
QVMAG Building Maintenance.		(\$60,360)	
Churchill Park Sportsground Maintenance.		(\$57,205)	
Land Tax (State Revenue Office adjusting land values after Council's Budget was set).		(\$53,943)	
Electricity.		\$218,074	
Expert Advice.		\$75,798	
Bequest Expenditure.		\$114,144	
Other Net Variances, where the individual variance is within a +/- \$50,000 tolerance.		(\$46,845)	(\$2,072,545)
<b>Impairment of Debts</b>			<b>\$7,750</b>
<b>Depreciation</b>			
<i>Roads</i> - a full revaluation was undertaken during the 2021/2022 year for the Roads Asset Class. The revaluation resulted in overall increases across the asset class of approximately 12%.		(\$650,840)	
<i>Buildings</i> - a full revaluation was undertaken during the 2021/2022 year for the Buildings Asset Class. This independent valuation resulted in an approximate asset cost increase of 13.5% for the buildings asset class. In addition, the Council took on the YMCA Building at Kings Meadows towards the end of the 2021/2022 year. This building does not have a depreciation budget for the 2022/2023 year and an annual unbudgeted depreciation cost of \$25,000 will be incurred.		(\$192,291)	
<i>Plant</i> - A replacement plant item for the Launceston Waste Centre was purchased during 2021/2022 after the 2022/2023 budget calculations were finalised. Additionally, the original plant item was not disposed of and was retained as a backup. The total variance attributable to this decision is approximately \$125,000 for the financial year.		(\$125,878)	

<i>Computers</i> - A timing difference has contributed to the variance in which a large batch of replacement laptop computers were received and installed earlier than the estimated purchase date used for depreciation purchases.			
		(\$152,462)	
Other Variances.		\$124,955	(\$996,516)
<b>State Government Landfill Levy</b> Offset by an increase in Landfill Levy Income favourable variance of \$90,623.			(\$136,237)
<b>Rate Remissions and Abatements</b>			\$2,613
<b>Loss on Disposal of Fixed Assets</b>			
Includes: (i) Replacement of on-street parking meters as part of Capital Renewal Project, and (ii) Road Disposals, noting the majority of the losses on Road Disposal relate to current capital project replacements and some lighting replacements.			(\$323,297)
<b>Total Expenditure Variance from Operating Activities</b>			(\$2,025,381)
<b>Comprehensive Result - Variance from Operations</b>			\$687,247

**CITY OF LAUNCESTON**  
**Statement of Comprehensive Income**  
**For Six Months Ending 31 December 2022**

	2022/23 YTD \$ Actual	2022/23 YTD \$ Budget	Variance YTD \$ Fav/(Unfav)
<b>REVENUES FROM ORDINARY ACTIVITIES</b>			
Rates	39,701,743	39,466,485	235,258
User Fees and Charges	12,377,099	11,715,716	661,383
Statutory Fees & Charges	3,077,321	2,614,209	463,113
Capital Grants	7,937,875	7,880,125	57,750
Financial Assistance Grants	790,654	790,654	-
Other Operational Grants	727,862	542,368	185,494
Interest	1,334,464	842,062	492,402
Interest Committed	-	-	-
Investment Revenue	1,369,896	1,362,000	7,896
Bequests	61,648	57,500	4,148
Other Income	1,594,410	989,226	605,184
	<u>68,972,973</u>	<u>66,260,345</u>	<u>2,712,628</u>
<b>EXPENSES FROM ORDINARY ACTIVITIES</b>			
Maintenance of Facilities and Provision of Services			
Employee Benefits	23,301,373	24,794,225	1,492,852
Materials and Services	23,311,462	21,238,918	(2,072,545)
Impairment of Debts	-	7,750	7,750
Finance Costs			
Interest on Loans	79,878	79,878	-
Provision for Rehabilitation	25,000	25,000	-
Change in Rehabilitation Provision	-	-	-
Depreciation	13,518,123	12,521,606	(996,516)
State Government Fire Service Levy	4,392,729	4,392,729	-
State Government Landfill Levy	1,012,299	876,062	(136,237)
Rate Remissions and Abatements	264,357	266,970	2,613
Loss on Disposal of Fixed Assets	523,297	200,000	(323,297)
Write Down of Assets Held For Sale	-	-	-
	<u>66,428,518</u>	<u>64,403,137</u>	<u>(2,025,381)</u>
<b>Comprehensive Result Surplus/(Deficit)</b>	<u><b>2,544,455</b></u>	<u><b>1,857,208</b></u>	<u><b>687,247</b></u>
Loss on Disposal of Fixed Assets	(523,297)	(200,000)	(323,297)
Capital Grants	7,937,875	7,880,125	57,750
Infrastructure Take Up	-	-	-
Other Comprehensive Income	-	-	-
	<u>7,414,578</u>	<u>7,680,125</u>	<u>(265,547)</u>
<b>Underlying Result Surplus/(Deficit)</b>	<u><b>(4,870,123)</b></u>	<u><b>(5,822,917)</b></u>	<u><b>952,794</b></u>

**CITY OF LAUNCESTON  
STATEMENT OF FINANCIAL POSITION  
As at 31 December 2022**

	2022/23 YTD \$	2021/22 YTD \$	2020/21 YTD \$
<b>EQUITY</b>			
Capital Reserves	241,794,778	222,424,332	216,781,254
Revenue Reserves	969,157,021	969,529,758	1,031,679,000
Asset Revaluation Reserves	886,685,961	765,657,870	686,351,864
Investment Reserves	(21,054,758)	(27,404,666)	(44,153,432)
Trusts and Bequests	2,548,018	2,318,197	2,362,739
Operating Surplus	2,544,455	351,397	(4,121,039)
<b>TOTAL EQUITY</b>	<u>2,081,675,475</u>	<u>1,932,876,887</u>	<u>1,888,900,387</u>
Represented by:-			
<b>CURRENT ASSETS</b>			
Cash and Cash Equivalents	40,861,407	96,355,901	1,047,408
Rates and Sundry Receivables	34,352,779	27,892,495	25,521,606
Less Rates not yet Recognised	(39,322,666)	(37,347,280)	(35,564,776)
Investments	54,728,938	-	65,792,600
Inventories	1,073,324	902,934	714,836
Assets Held for Sale	1,116,285	4,518,168	3,401,885
	<u>92,810,067</u>	<u>92,322,218</u>	<u>60,913,559</u>
<b>NON-CURRENT ASSETS</b>			
Deferred Receivables	257,556	257,556	257,556
Investments	232,052,353	225,702,446	208,956,687
Superannuation Surplus	2,864,000	2,025,000	-
Intangibles	3,907,598	4,163,393	4,975,253
Infrastructure and Other Assets	1,605,836,475	1,475,119,169	1,418,413,478
Right of Use Assets	187,937	223,175	258,413
Museum Collection	203,866,696	203,691,191	240,800,370
	<u>2,048,972,615</u>	<u>1,911,181,929</u>	<u>1,873,661,756</u>
<b>TOTAL ASSETS</b>	<u>2,141,782,682</u>	<u>2,003,504,147</u>	<u>1,934,575,315</u>
<b>CURRENT LIABILITIES</b>			
Deposits and Prepayments	2,877,547	2,522,246	574,365
Employee Provisions	7,420,519	7,483,670	7,974,359
Rehabilitation Provision	8,400,351	7,919,825	-
Interest-bearing Liabilities	-	9,000,000	-
Lease Liabilities	30,519	28,506	26,586
Contract Liabilities	-	-	-
Sundry Payables and Accruals	4,604,121	5,051,003	3,135,131
	<u>23,333,056</u>	<u>32,005,249</u>	<u>11,710,440</u>
<b>NON-CURRENT LIABILITIES</b>			
Employee Provisions Non Current	1,016,438	1,024,329	942,964
Superannuation Obligation	-	-	2,906,000
Interest-bearing Liabilities Non Current	26,000,000	26,000,000	15,000,000
Lease Liabilities	204,472	234,991	263,497
Rehabilitation Provision	9,553,241	11,362,691	14,852,028
	<u>36,774,151</u>	<u>38,622,011</u>	<u>33,964,489</u>
<b>TOTAL LIABILITIES</b>	<u>60,107,207</u>	<u>70,627,260</u>	<u>45,674,929</u>
<b>NET ASSETS</b>	<u>2,081,675,475</u>	<u>1,932,876,887</u>	<u>1,888,900,387</u>

Unaudited - Internal Use Only

**Change in Accounting Treatment:**

A change in the accounting treatment for the 2021/2022 year discloses:

1. Term deposits maturing in less than 90 days are now recognised as *Cash and Cash Equivalents*. These term deposits were included under the heading of *Investments* in prior years.
2. Rates paid in advance as at 30 June are now recognised as a Current Liability as of the 2021/2022 financial year (included under Deposits and Prepayments). Previously the value of prepaid rates as at 30 June was deducted from the value of the Rates and Sundry Receivables Current Asset.

**Loan Balances:**

The loan balance as at 31 December 2022 is \$26m. The loan balance is interest free in accordance with the State Government's Local Government Loans Program, with repayments due on the below dates:

22 Jan 2024	\$10,000,000
27 May 2024	\$10,000,000
21 May 2025	<u>\$6,000,000</u>
	\$26,000,000

**Capital Report:**

The Capital Report shows a total approved budget of \$82.1m, including both the Council's and external funds.

Total actual and committed expenditure year-to-date is \$28.6m, which is comprised of:

- work in progress expenditure, from capital projects that which have been carried over from previous financial years of \$11.6m;
- actual year-to-date expenditure of \$8.4m; and
- committed expenditure of \$8.6m.

**Available Funds**

	<b>Total \$m</b>
Gross Carryover 1 July 2022	43.5
Funding - Council 31 December 2022	14.9
Funding - Other 31 December 2022	<u>23.7</u>
Total Estimate	<u><u>82.1</u></u>

The following table provides a progress report showing the number and value of projects

Program Status	Projects		Budget	
	No.	%	\$'000	%
NS - Not Started	66	32.6	9,071	11.1
PD - Preliminary Design	39	19.2	30,430	37.1
IP - In Progress	59	29.1	40,499	49.3
PC - Practical Completion	25	12.3	2,062	2.5
CA - Cancelled	14	6.8	0	0.0
	<b>203</b>	<b>100.0%</b>	<b>82,062</b>	<b>100.0%</b>

The table shows that 49.3% (47.5% as at 30 September 2022) of projects in value are in progress and 2.5% (1.8% as at 30 September 2022) are completed as at 31 December 2022.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

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

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

Focus Areas:

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

**BUDGET AND FINANCIAL IMPLICATIONS:**

As per the report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

1. Capital Expenditure Report 1 [**18.1.1** - 1 page]
2. Capital Expenditure Report 2 [**18.1.2** - 1 page]

**19. CHIEF EXECUTIVE OFFICER NETWORK**

**19.1. Draft Aboriginal Partnership Plan**

**FILE NO:** SF1780

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**DECISION STATEMENT:**

To consider the endorsement of the draft Aboriginal Partnership Plan.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 26 May 2022 - Draft Aboriginal Partnership Plan - Community Engagement Strategy

Council - 20 October 2022 - Agenda Item 16.1 - Draft Aboriginal Partnership Plan

Workshop - 2 March 2023 - Draft Aboriginal Partnership Plan

**RECOMMENDATION:**

That Council endorses the Draft Aboriginal Partnership Plan (ECM Doc Set ID No 4798133).

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**REPORT:**

The City of Launceston (CoL) has a strong desire and responsibility to respond to the needs of Aboriginal people in the Launceston region. This can include an advocacy and facilitation role regarding Aboriginal cultural heritage and its contemporary expression, health, wellbeing and economic issues.

For some time now, the Council has been on a journey of understanding and learning in this space and has made a number of positive steps forward in recent years. For instance, the Aboriginal flag now permanently flies over Town Hall, while the Council no longer supports the celebration of Australia Day activities on 26 January.

The Council has a sound and progressive community engagement approach which is informed by the CoL's Community Engagement Framework and Community Engagement Strategy. However, the Council also acknowledges that previous approaches have tended not to effectively engage with as large a cross-section of local Aboriginal people as it would like.

The Council wishes for this to change and has identified the need to have a meaningful partnership with local Aboriginal people, so as to improve the CoL's engagement and understanding of the respective needs and cultural requirements.

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This Draft Aboriginal Partnership Plan (the draft plan) (Attachment 1) has been developed to enhance the CoL's Community Engagement Strategy. It outlines a focused and agreed approach for the CoL to engage with Aboriginal people in a culturally respectful and genuine manner.

Practically, the draft plan will remove the hurdles and create dialogue with Aboriginal people on proposed significant maintenance work, capital works, plans, strategies, services, policy changes and anything else that may impact on the lifestyle or amenity of Aboriginal residents. It also provides an opportunity to learn, to gain a new understanding, to forge stronger and more meaningful relationships and to reflect on our past and future by sharing knowledge.

The draft plan has been developed through meaningful conversations with a range of Aboriginal people in Launceston and surrounds. The Council considered the draft plan at its Meeting on 20 October 2022 and determined that it was suitable for release for a community engagement process.

Following this decision, the draft plan underwent a comprehensive public engagement process whereby it was viewed 1,432 times with 31 comments being received. These comments were all considered by the Council and modifications to the draft plan were made. However, one comment was not considered in respect to any potential changes to the draft plan due to its offensive nature.

The draft plan was included in the Council's e-News on 22 November 2022 which was opened by 10,908 individuals.

In terms of social media engagement, there were over 1,880 impressions, with 1,840 people being reached and 42 engaged, while on *Instagram* 1,103 accounts were reached with 22 accounts engaged. It should be noted that the social media statistics were significantly lower than normal, due to the nature of the comments. This is the first ever consultation promotion that the Council has had to turn comments off on, because within 24 hours of posting it there were a flurry of inappropriate/offensive comments received both in support of and in opposition to the draft plan.

#### **RISK IMPLICATIONS:**

Not considered relevant to this report.

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

The draft plan, consistent with the approaches and practices of other levels of government, are being guided by the *Closing the Gap* initiative.

*Closing the Gap* began in response to a call for governments to commit to achieving equality for Aboriginal and Torres Strait Islander people in respect of health and life expectancy within a generation. The priorities of the initiative have changed over time and so *Closing the Gap* (2020) has evolved from health and life expectancy measures to overcome inequality faced by too many Aboriginal and Torres Strait Islander people so their life outcomes are equal to all Australians.

The development of this plan is a significant step for Tasmania's local government sector. One that will enable the City of Launceston to celebrate and recognise the history, achievements and culture of Aboriginal people.

Through the development of this plan, the Council has pledged its commitment to seeking greater truth-telling, openness and transparency in all of our dealings with Aboriginal people.

The Council believes that it is incredibly important to promote to the broader community just what the City of Launceston stands for in this respect. The City of Launceston aspires to be a respected leader of all people.

### **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:

1. To develop and consistently utilise contemporary and effective community engagement processes.

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

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

Focus Areas:

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

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

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

Focus Areas:

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

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

Should the Council agree with the recommendations of this report there will be a cost for the delivery of the plan, however, this will be managed within existing resources.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

**20. CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

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

**20.1 Confirmation of the Minutes**

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

**20.2 Councillor's Leave of Absence**

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:  
(h) applications by councillors for a leave of absence.

**20.3 Councillor's Leave of Absence**

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:  
(h) applications by councillors for a leave of absence.

**20.4 Councillor's Leave of Absence**

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:  
(h) applications by councillors for a leave of absence.

**20.5 End of Closed Session**

*To be determined in Closed Council.*

**21. MEETING CLOSURE**

**22. NEXT COUNCIL MEETING DATE**

**The next Ordinary Meeting of Council will be held at 1.00pm on 23 March 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.**