



LAUNCESTON CITY COUNCIL

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 15 APRIL 2013**

# LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Monday 15 April 2013

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Notice is hereby given that the Ordinary Meeting of the Launceston City Council will be held at the Council Chambers -

Date: 15 April 2013

Time: 1.00 pm

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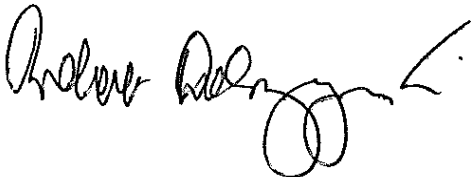
## Section 65 Certificate of Qualified Advice

### Background

Section 65 of the Local Government Act 1993 requires the General Manager to certify that any advice, information or recommendation given to council is provided by a person with appropriate qualifications or experience.

### Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the agenda items for this meeting.



**Robert Dobrzynski**  
General Manager

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# LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Monday 15 April 2013

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- 1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES**
- 2 DECLARATION OF PECUNIARY INTERESTS**
- 3 CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

1. That the Minutes of the meeting of the Launceston City Council held on 25 March 2013 be confirmed as a true and correct record.

**4 DEPUTATION**

**4.1 Deputation - Mr John Fitzgerald, Chief Executive Officer of Tourism Tasmania**

**FILE NO:** SF0147 / SF0094

**GENERAL MANAGER:** Robert Dobrzynski

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**DECISION STATEMENT:**

To receive a deputation from Mr John Fitzgerald, Chief Executive Officer of Tourism Tasmania regarding the vision for Launceston, the Northern Region and Tasmania on the future of Tourism

**PREVIOUS COUNCIL CONSIDERATION:**

Item 13.1, Council Meeting 11<sup>th</sup> February 2013

**RECOMMENDATION:**

N/A

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**REPORT:**

The Council by resolution at its meeting on Monday 11<sup>th</sup> February determined to invite Mr John Fitzgerald, CEO of Tourism Tasmanian to a future Council meeting to give his vision for Launceston, the Northern Region and Tasmania on the future of Tourism.

**ECONOMIC IMPACT:**

N/A

**ENVIRONMENTAL IMPACT:**

N/A

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4.1 Deputation - Mr John Fitzgerald, Chief Executive Officer of Tourism Tasmania...(Cont'd)

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**SOCIAL IMPACT:**

N/A

**STRATEGIC DOCUMENT REFERENCE:**

Priority Area: 3 Social and Economic Environment

Goal: 3.1 Promoting a healthy, prosperous and positive community.


**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Robert Dobrzynski: General Manager



**5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME**

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
25 March 2013	SF2375 SF0763	<p>Aldermen's Question: Alderman A L Waddle asked:</p> <p>Have the three Welcome to Lilydale signs been painted? Noted that they don't look different.</p>	<p>Response provided at meeting:</p> <p>This question was taken on notice.</p> <p>Further reply: The Lilydale 'welcome' signs have not been re-painted at this stage. Arrangements have been made to have the signs re-painted and this will occur within the next few weeks.</p>	Michael Stretton

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**6 PUBLIC QUESTION TIME**

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## 7 ANNOUNCEMENTS BY THE MAYOR

### 7.1 Mayor's Announcements

FILE NO: SF275

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#### Monday 25 March

- Attended Theatre North's 1<sup>st</sup> Opening Performance of 2013 Subscription Season Show

#### Tuesday 26 March

- Officiated at private citizenship ceremony - Town Hall
- Met with Mayor of Flin Flon from Manitoba, Canada - George Fountaine
- Officiated at Book launch of "Rambling Rhymes" by Peacehaven residents

#### Wednesday 27 March

- Attended Northern Croquet Centre - Mayor's Challenge with Deputy Mayors of Meander Valley & West Tamar

#### Thursday 4 April

- Met with Service Clubs and other groups to determine future of Carols by Candlelight

#### Friday 5 April

- Presided at Public Citizenship Ceremony - Albert Hall
- Attended Lifestyle Choices North Variety Show

#### Saturday 6 April

- Attended Northern Tas Junior Soccer Association Season Opening Day and 40<sup>th</sup> Year Celebration
- Attended St Joe's Big Band Concert - Symphony of Swing

#### Monday 8 April

- Attended Ravenswood Action Group Meeting - Ravenswood Heights Primary
- Attended Launceston College Signing of MoU and Welcome of Thai delegation and students

#### Tuesday 9 April

- Officiated at Launch of Launceston Ten - Civic Square
  - Attended White Ribbon Event to meet Stephen Carter, Manager Ambassador & Research Programs
-

## 7.1 Mayor's Announcements...(Cont'd)

---

### Wednesday 10 April

- Attended Launch of 2013 Vinnies CEO Sleepout - Aurora Stadium
- Attended Crime Stoppers Official Dinner

### Thursday 11 April

- Attended Breakfast meeting with Launceston Businessmen
- Officiated at Science & Engineering Challenge - Elphin Sports Centre
- Attended Scholarship & Bursary Ceremony - Town Hall
- Attended function for Recent Release of 2012 Vintage of Devil's Corner Wines at QVMAG
- Attended NBN Tas Limited Board Dinner

### Friday 12 April

- Officiated at Civic Reception to farewell Chief Justice Ewan Crawford
- Officially opened Laminex Group Building at Kings Meadows

### Saturday 13 April

- Officially launched concert as part of National Youth Week
-

8 ALDERMEN'S/DELEGATES' REPORTS

9 QUESTIONS BY ALDERMEN

**10 COMMITTEE REPORTS****10.1 Street Tree Advisory Committee 20 November 2012****FILE NO:** SF5726**AUTHOR:** Andrew Smith (Manager, Parks and Recreation)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Street Tree Advisory Committee.

**RECOMMENDATION:**

That the report from the Street Tree Advisory Committee meeting held on 20 November 2012 be received.

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**REPORT:**

The Street Tree Advisory Committee held a meeting on the 20 November 2012 and discussed the following items:

1. Australian Lung Foundation and Cancer Council  
Gus Green has discussed with Jim Marcos opportunities for a joint project at some stage in the future.
  2. Kingsway Planting Project  
The Kingsway street tree planting is now completed. The project involved extra expenses due to unforeseen circumstances and issues involving the old gas pipes that were found (costs to be settled and reported at next meeting).
  3. Involvement of other organisations or groups  
The committee members have discussed involving other organisations and businesses in future street tree planting projects such as Boags. Kevin Watkins is going to arrange opportunities for Council staff to present the Street Tree Strategy to local service clubs.
-

**10.1 Street Tree Advisory Committee 20 November 2012...(Cont'd)**

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4. Charles Street Project

A map was displayed showing the proposed tree planting between Howick Street to Frankland Street. All underground assets have researched and the public consultation is to be completed shortly, including the LGH. Information will be placed inside LGH to inform the public that no car parking spaces will be lost.

5. Northern Outlet Project

A report was presented together with a sketch plan and discussed.

**ECONOMIC IMPACT:**

N/A

**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

N/A

**STRATEGIC DOCUMENT REFERENCE:**

N/A

**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

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**10.2 Launceston Road Safety Scheme Program 2012/13****FILE NO:** SF5909 SF1264 SF1419 SF1549**AUTHOR:** Nigel Coates (Engineering Officer, Traffic)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To agree on the schemes to be included in the 2012/13 Launceston Road Safety Scheme Program.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council agree to the following schemes being included in the 2012/13 Launceston Road Safety Program:

- Lower Charles Street/Esplanade - Removal of left turn slip lane and introduction of pedestrian crossing to the north of the junction.
  - High Street/Howick Street - Widening of the central island to provide a staggered school crossing
- 

**REPORT:**

The Launceston Road Safety Program is an annual program of engineered schemes designed to improve safety on Launceston's roads which are financed from Council's budget. This is separate from but complimentary to the Black Spot Program which is financed from federal Black Spot funding. Schemes in the Road Safety Program are generally those that would not qualify for Black Spot funding. These schemes have an accident record, usually with a low number of 'injury' accidents but the actions are pre-emptive and proactive steps to reduce road safety risk.

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## **10.2 Launceston Road Safety Scheme Program 2012/13...(Cont'd)**

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A number of schemes have been considered for the program for 2012/13 and these have been discussed by the Launceston Road Safety Consultative Committee at its meetings on 13 February and 18 March. The recommendations of this Committee are presented to Council for consideration when determining the annual road safety program. Normally the annual list of works would be considered alongside the Black Spot program in July/August ready for adoption to implement the coming financial year. The current year's program was delayed pending the formation of the Road Safety Consultative Committee.

The views of the Launceston Road Safety Consultative Committee were considered in forming the annual program. Two schemes that were supported by the committee are recommended to proceed, improved signage is proposed to address crashes at three sites, for which Council approval is not required, and three schemes have been deferred for consideration as part of a future program.

The schemes recommended to proceed are:

### **1. Lower Charles Street/Esplanade ([Attachment 1](#))**

This scheme is proposed to improve the safety of pedestrians crossing Esplanade from Charles Street Bridge; it will also improve the safety of pedestrians crossing Lower Charles Street at the bridge. Currently pedestrians proceeding north across the bridge need to then cross the left turn slip lane into Esplanade. Drivers travelling north and turning left cannot see these pedestrians which results in frequent near conflict situations between vehicles and pedestrians and occasional rear end conflicts between vehicles. In addition to this many pedestrians cross Lower Charles Street south of Esplanade without the protection of pedestrian signals.

To address these safety issues a scheme is proposed comprising two main elements:

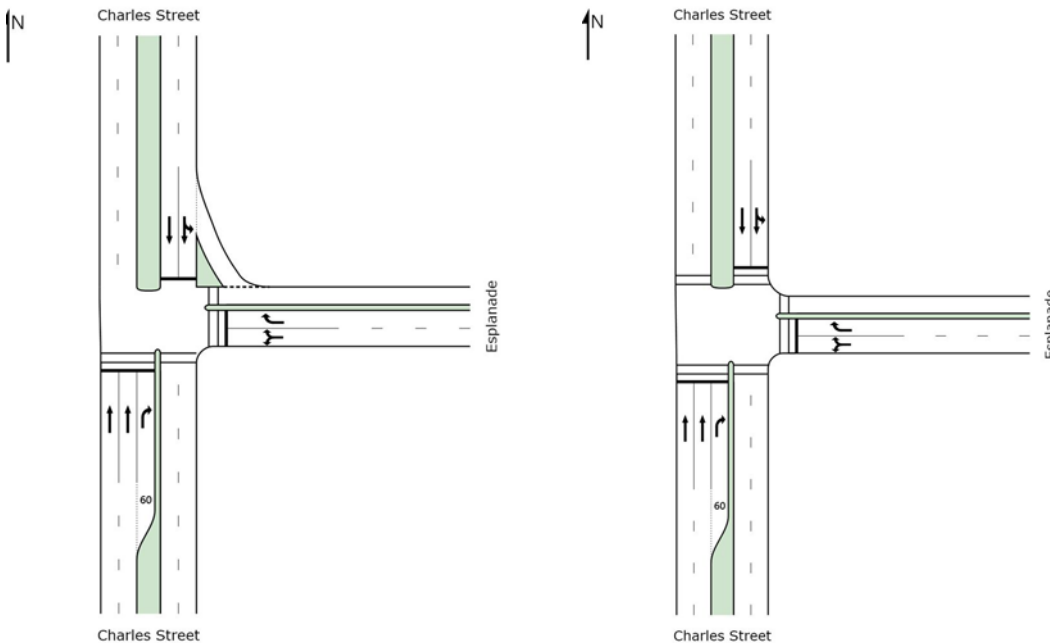
- Removal of the left turn slip lane from Charles Street Bridge into Esplanade, bringing this left turn movement under signal control.
  - Introduction of pedestrian signals on the north side of the junction.
-

**10.2 Launceston Road Safety Scheme Program 2012/13...(Cont'd)**

The existing and proposed configurations are shown in the following diagrams:

Existing configuration

Proposed configuration



These improvements will make pedestrians crossing Esplanade more visible to drivers and will provide a crossing for pedestrians who cross Lower Charles Street on the bridge and pedestrians and cyclists crossing from the flood levee to Seaport.

The capacity implications of this change have been measured and this indicates a minor decrease in capacity.

The estimated cost of this improvement is \$95,000.

**2. High Street/Howick Street (Attachment 2)**

There are frequent reports of potentially dangerous situations at the school crossing of High Street between Howick Street and Mary Street. The crossing is divided by a central island and this can result in drivers not respecting the operation of the crossing if the officer is operating on the opposing lane. At the same time as the crossing is being operated during the morning peak there is also a significant volume of traffic attempting to exit Howick Street through gaps in the High Street traffic. Drivers making the right turn movement do not always respect the operation of the school crossing. There have also been crashes here, outside of the school crossing times, involving right turning vehicles and through traffic in High Street.

## **10.2 Launceston Road Safety Scheme Program 2012/13...(Cont'd)**

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The community were consulted on an earlier proposal to prohibit right turns out of Howick Street during the school crossing operation times to remove this risk. This option has been abandoned in response to the community feedback.

The alternative proposal to address these concerns is to widen the central island and introduce a staggered crossing so that each side of High Street is crossed independently.

The estimated cost of this improvement is \$75,000.

### **ECONOMIC IMPACT:**

The cost of injury accidents and fatalities as a result of road accidents are significant to both the community, in terms of financial cost, and individuals and their families in terms of trauma.

### **ENVIRONMENTAL IMPACT:**

Not applicable to this report.

### **SOCIAL IMPACT:**

Road accidents have a significant social impact on individuals and their families.

### **STRATEGIC DOCUMENT REFERENCE:**

The goal within Council's strategic plan 2008/2013 which is relevant to this report is:

Goal 3.4 - Provide and promote safe city environment.

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

Council's 2012/13 budget has a total of \$237,000 for road safety projects. The \$170,000 required to fund these projects is available in the current budget

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## 10.2 Launceston Road Safety Scheme Program 2012/13...(Cont'd)

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### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

### ATTACHMENTS:

1. Proposed Traffic Safety Scheme 2012/13 - Lower Charles Street/Esplanade
  2. Proposed Traffic Safety Scheme 2012/13 - High Street/Howick Street
-

**PROPOSED TRAFFIC SAFETY SCHEME - 2012/13**

<b>PROJECT TITLE</b> <i>This is also the location</i>		LOWER CHARLES STREET/ESPLANADE Launceston 7250					
<b>WHAT IS PROPOSED</b>		Removal of left turn slip into Esplanade, pedestrian crossing on north side of junction.					
<b>WHY IS IT PROPOSED</b>		<ul style="list-style-type: none"> <li>To improve safety for pedestrians</li> </ul>					
<b>KNOWN CRASH RECORD</b>		(Five years to 31/12/2012) 1 injury (1 minor) 12 property damage					
<b>TRAFFIC INFORMATION</b> 27 March 2012		Lower Charles Street/Esplanade				Ped X Espl.	Ped X LCS
		RT in	LT in	RT out	LT out		
	7.30-8.30	26	205	85	25	41	44
	8.30-9.30	35	260	133	24	47	37
	4.00-5.00	28	225	102	57	50	32
	5.00-6.00	20	161	156	50	83	48
<b>WHAT OUTCOMES DO WE HOPE TO ACHIEVE</b>		Improve safety for pedestrians					
<b>ALTERNATIVE SUGGESTIONS</b>		<u>Close Esplanade or restrict left turn in</u> Any proposal that restricts a traffic movement would have a wider impact and require significant consultation.					
<b>WHAT HAPPENED?</b>	<b>FATAL</b>	<b>SERIOUS</b>	<b>MINOR</b>	<b>FIRST AID</b>	<b>PROPERTY/ UNKNOWN</b>	<b>WHY?</b>	
Opposing directions					2	J1,K2,M1	
Same direction			1		10	A1,B7,D2,G1, J3	
<b>TOTAL ACCIDENT VALUE</b>							
<b>ESTIMATED COST OF WORKS</b>		<b>\$95,000</b>					

**Legend**

**CRASH DEFINITIONS**

FATAL: Where a person dies within 30 days

SERIOUS: Where a person is admitted to hospital for 24 hours or more

MINOR: Where a person is treated in hospital without an overnight stay

FIRST AID: Where an injury is treated without a hospital admission

PROPERTY: Property damage only

**CRASH FACTORS**

A. Inexperience

B. Inattentiveness,

C. Pedestrian on road,

D. Distraction - external to vehicle,

E. Distraction - in vehicle

F. Using a mobile phone,

G. Unwell - infirm,

H. Alcohol

I. Drugs

J. Fail to obey traffic signals

K. Fail to give way

L. Fail to observe road signs and markings

M. Turning without care,

N. Reversing without care

O. Improper overtaking

P. Exceeding speed limit,

Q. Excessive speed for the conditions / circumstances

R. Asleep, fatigue

S. Other obstruction on road

T. Vehicle defect

U. Road defect

V. Using a mobile phone

## PROPOSED TRAFFIC SAFETY SCHEME - 2013/14

### RISK ASSESSMENT

Risk	Existing Controls	Risk rating before treatment			Treatment options	Risk rating after treatment		
		Likelihood	Consequence	Risk		Likelihood	Consequence	Risk
Pedestrian hit	Signage	C	4	H	Pedestrian signals	D	3	M
Opposing direction	Signals	B	1	M	None	B	1	M
Same direction	None	A	3	H	None	A	3	H

Likelihood		
Level	Descriptor	Description
A	Almost certain	Expected to occur in most circumstances (More than 2 occurrences in 5 years)
B	Likely	Will probably occur in most circumstances (2 or less occurrences in 5 years)
C	Possible	Should occur at some time (No recorded occurrence)
D	Unlikely	Could occur at some time
E	Rare	may occur only in exceptional circumstances
F	Never	It is not foreseeable that this will occur

Consequence		
Level	Descriptor	Description
1	Property damage	No Injuries;
2	First Aid	Where an injury is treated without a hospital admission
3	Minor	Where a person is treated in hospital without an overnight stay
4	Serious	Where a person is admitted to hospital for 24 hours or more
5	Fatal	Where a person dies within 30 days

LIKELIHOOD	Consequences				
	1	2	3	4	5
A	S	S	H	H	H
B	M	S	S	H	H
C	L	M	S	H	H
D	L	L	M	S	H
E	L	L	M	S	S

**H** - High  
**S** - Significant  
**M** - Moderate  
**L** - Low



**PROPOSED TRAFFIC SAFETY SCHEME - 2012/13**

<b>PROJECT TITLE</b> <i>This is also the location</i>		HOWICK STREET/HIGH STREET Launceston 7250													
<b>WHAT IS PROPOSED</b>		Widen central island, provide staggered crossing													
<b>WHY IS IT PROPOSED</b>		<ul style="list-style-type: none"> <li>Address crash record and safety issues with school crossing</li> </ul>													
<b>KNOWN CRASH RECORD</b>		(Five years to 31/12/2012) 2 injury (1 minor, 1 first aid) 4 property damage													
<b>TRAFFIC INFORMATION</b>		Traffic flow: High Street 13,000 vehicles per day, 1250 8-9am Howick Street 8-9am LT 162 RT 102 Average delay Howick Street 8-9am LT 15 sec, RT 38 sec Peds crossing High Street 8-9am <table style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <td>Children</td> <td>Adults</td> </tr> <tr> <td>Westbound</td> <td>12</td> <td>5</td> </tr> <tr> <td>Eastbound</td> <td>5</td> <td>5</td> </tr> </table>						Children	Adults	Westbound	12	5	Eastbound	5	5
	Children	Adults													
Westbound	12	5													
Eastbound	5	5													
<b>WHAT OUTCOMES DO WE HOPE TO ACHIEVE</b>		Reduce by 1 injury crashes over 5 years													
<b>ALTERNATIVE SUGGESTIONS</b>		<u>Move crossing northwards.</u> This would be away from the desire line for school children and put the crossing in potential conflict with left turning traffic.													
<b>WHAT HAPPENED?</b>	<b>FATAL</b>	<b>SERIOUS</b>	<b>MINOR</b>	<b>FIRST AID</b>	<b>PROPERTY/ UNKNOWN</b>	<b>WHY?</b>									
Adjacent directions			1	1	3	A2,G2,K7,M3,P1									
Off path on curve					1	A1,M1,Q1									
<b>TOTAL ACCIDENT VALUE</b>			<b>\$244,000</b>												
<b>ESTIMATED COST OF WORKS</b>			<b>\$75,000</b>												

**Legend**

**CRASH DEFINITIONS**

FATAL: Where a person dies within 30 days

SERIOUS: Where a person is admitted to hospital for 24 hours or more

MINOR: Where a person is treated in hospital without an overnight stay

FIRST AID: Where an injury is treated without a hospital admission

PROPERTY: Property damage only

**CRASH FACTORS**

A. Inexperience

B. Inattentiveness,

C. Pedestrian on road,

D. Distraction - external to vehicle,

E. Distraction - in vehicle

F. Using a mobile phone,

G. Unwell - infirm,

H. Alcohol

I. Drugs

J. Fail to obey traffic signals

K. Fail to give way

L. Fail to observe road signs and markings

M. Turning without care,

N. Reversing without care

O. Improper overtaking

P. Exceeding speed limit,

Q. Excessive speed for the conditions / circumstances

R. Asleep, fatigue

S. Other obstruction on road

T. Vehicle defect

U. Road defect

V. Using a mobile phone

**PROPOSED TRAFFIC SAFETY SCHEME - 2012/13**

**RISK ASSESSMENT**

Risk	Existing Controls	Risk rating before treatment			Treatment options	Risk rating after treatment		
		Likelihood	Consequence	Risk		Likelihood	Consequence	Risk
Pedestrian hit	Central island, school patrol	C	4	H	Widen central island	D	4	S
Adjacent directions	Give way	A	3	H	Widen central island	B	1	M
Off path, curve	None	B	1	M	Widen central island	D	1	L

Likelihood		
Level	Descriptor	Description
A	Almost certain	Expected to occur in most circumstances (More than 2 occurrences in 5 years)
B	Likely	Will probably occur in most circumstances (2 or less occurrences in 5 years)
C	Possible	Should occur at some time (No recorded occurrence)
D	Unlikely	Could occur at some time
E	Rare	may occur only in exceptional circumstances
F	Never	It is not foreseeable that this will occur

Consequence		
Level	Descriptor	Description
1	Property damage	No Injuries;
2	First Aid	Where an injury is treated without a hospital admission
3	Minor	Where a person is treated in hospital without an overnight stay
4	Serious	Where a person is admitted to hospital for 24 hours or more
5	Fatal	Where a person dies within 30 days

LIKELIHOOD	Consequences				
	1	2	3	4	5
A	S	S	H	H	H
B	M	S	S	H	H
C	L	M	S	H	H
D	L	L	M	S	H
E	L	L	M	S	S

H - High  
 S - Significant  
 M - Moderate  
 L - Low



**10.3 QVMAG Museum Governance Advisory Board Meeting 20 February 2013****FILE NO:** SF2244**AUTHOR:** Leila Frohmader (Administration Officer)**DIRECTOR:** Richard Mulvaney (QVMAG Director)

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**DECISION STATEMENT:**

To receive and consider a report from the QVMAG Museum Governance Advisory Board.

**RECOMMENDATION:**

That the report from the QVMAG Museum Governance Advisory Board meeting held on 20 February 2013 be received.

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**REPORT:**

The key points raised by the MGAB were:

- Utilising QR codes and the general use of QR codes especially as an interactive tool.
  - It was also raised that the policy at QVMAG of not allowing photography in its exhibitions was not in step with current trends across the sector.
  - Recent key staff changes were noted including the Organisation restructure that comes into effect on 26 March. It was recommended that QVMAG Friends host a small function to welcome new senior staff.
  - That the Strategic Plan was included in the Council meeting papers of 25 February for endorsement. A key element of the plan was to look at other ways that QVMAG could raise income. It was noted that a Hobart based consultancy that has experience in the Museum sector will be engaged to do a independent business study of QVMAG.
-

## 10.3 QVMAG Museum Governance Advisory Board Meeting 20 February 2013...(Cont'd)

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- Key features of 2012/2013 were outlined in the year in review of the MGAB including the introduction of a Strategic Plan 2012-2017, the finance reporting mechanism between the Finance section and QVMAG and general support to the Director.

### **ECONOMIC IMPACT:**

Consideration contained in Report.

### **ENVIRONMENTAL IMPACT:**

Consideration contained in Report.

### **SOCIAL IMPACT:**

Consideration contained in Report.

### **STRATEGIC DOCUMENT REFERENCE:**

Strategic Plan 2008/2013 - Priority Area 4: Cultural Environment

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

N/A

### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Richard Mulvaney: Director Queen Victoria Museum & Art Gallery**

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**10.4 Heritage Advisory Committee Report 28 February 2013****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Urban Designer and Heritage Planner)**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider a report from the Heritage Advisory Committee's meeting held on 28 February 2013.

**RECOMMENDATION:**

That the report from the Heritage Advisory Committee meeting on 28 February 2013 be received.

---

**REPORT:**

The Heritage Advisory Committee met on Thursday 28 February 2013 to discuss the following items.

- Heritage Precinct Project
- Heritage Awards
- Planning Issues for Heritage Listed Properties
- Willis Street Precinct Plan
- North Bank Masterplan and Potential Silo Development

**Heritage Precinct Project**

The Planning Department have committed to an implementation programme for the Pilot Heritage Precinct, Cimitiere Street. This programme includes initial community information exchange sessions to be held on 11-12 April 2013 and these will be hosted by representatives from the Council, Heritage Tasmania and the Launceston Historical Society. All owners and residents of properties within the proposed precinct are invited and information packs have been provided. Follow up sessions will be carried out when draft planning provisions have been developed.

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## 10.4 Heritage Advisory Committee Report 28 February 2013...(Cont'd)

### Heritage Awards

Planning for the 2013 Heritage Awards is underway and a communications strategy has been developed. It was suggested that a partnership with the Examiner Newspaper be sought in the promotion. It was agreed to reduce the first prize money to \$1000 per category.

EVENT	DATE	TIME	
Launch	Thursday 21 March	10.30am	Applications open - Launch at 'Invercargill', Launceston
<b>Applications</b>	<b>Tuesday 30 April</b>	5.00pm	
Judging	Tuesday 14 May	10.00am -	
	Wednesday 15 May	10.00am -	
HAC Meeting	Thursday 16 May	10.00am	Finalise judging of awards
<b>Presentation</b>	<b>Thursday 30 May</b>	11.00am	Awards presented at a reception at the QVMAG - Royal Park

### ECONOMIC IMPACT:

N/A

### ENVIRONMENTAL IMPACT:

N/A

### SOCIAL IMPACT:

N/A

### STRATEGIC DOCUMENT REFERENCE:

N/A

10.4 Heritage Advisory Committee Report 28 February 2013...(Cont'd)

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**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Michael Stretton: Director Development Services**

**10.5 Tender Review Committee Meetings 18 and 25 March 2013****FILE NO:** SF0100**AUTHOR:** Raj Pakiarajah (Manager Projects)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Tender Review Committee (a delegated authority committee).

**RECOMMENDATION:**

That the report from the Tender Review meetings held on 18 and 25 March 2013 be received.

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**REPORT:**

The Committee held meetings on 18 and 25 March 2013 and determined to award the following contracts:

1. Painting of the Great Hall and Stage Walls at Albert Hall - CD.008/2013
    - The Tender Review Committee accepted the tender submitted by Programmed Property Services to prepare and repaint the internal walls of the Great Hall and Stage walls including windows and architrave at a cost of \$30,515.00 (excl. GST).
  2. Racecourse Crescent - Elphin Sports Precent - Car Park and Footpath Construction - CD.001/2013
    - The Tender Review Committee accepted the tender submitted by Venarchie Contracting for Racecourse Crescent - Car Park and Footpath Construction at a cost of \$246,704.00 (excl. GST).
-

**10.5 Tender Review Committee Meetings 18 and 25 March 2013...(Cont'd)**

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**3. Amy / Penquite Road Intersection - Traffic Light Installation and Intersection Upgrade - CD.012/2013**

- The Tender Review Committee accepted the tender submitted by Crossroads Civil Contracting for Amy / Penquite Road Intersection - Traffic Light Installation and Intersection Upgrade (civil works only) at a cost of \$110,371.00 (excl. GST).

**ECONOMIC IMPACT:**

The economic impact has been considered in the development of each project.

**ENVIRONMENTAL IMPACT:**

The environmental impact has been considered in the development of each project.

**SOCIAL IMPACT:**

The social impact has been considered in the development of each project.

**STRATEGIC DOCUMENT REFERENCE:**

Launceston City Council Budget 2012/2013.

**BUDGET & FINANCIAL ASPECTS:**

The project is funded in accordance with the approved 2012/2013 Budget.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

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**10.6 Strategic Planning and Policy Committee Meeting - 8 April 2013****FILE NO:** SF4401**AUTHOR:** Michael Tidey (Director Corporate Services)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To receive and consider a report from the Strategic Planning and Policy Committee.

**RECOMMENDATION:**

That the report from the Strategic Planning and Policy Committee meeting held on 8 April 2013 be received.

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**REPORT:**

The following items were discussed at the meeting:

1. Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council and University of Tasmania.
2. Public Events - Request for fee waiver or reduction.
3. Goderich/Lindsay Street Intersection - Treatment Options.
4. North Eastern Mountain Bike Development Project.

**ECONOMIC IMPACT:**

There is no economic impact on the community.

**ENVIRONMENTAL IMPACT:**

There is no environmental impact on the community.

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## 10.6 Strategic Planning and Policy Committee Meeting - 8 April 2013...(Cont'd)

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### **SOCIAL IMPACT:**

There is no social impact on the community.

### **STRATEGIC DOCUMENT REFERENCE:**

Launceston City Council Strategic Plan 2008-2013 -

*5.5 Implement enhanced community engagement*

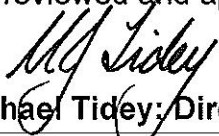
### **BUDGET & FINANCIAL ASPECTS:**

N/A

### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey: Director Corporate Services

**11    PETITIONS**

**Nil**

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**Under the provisions of the Land Use Planning and Approvals Act 1993, Council acts as a Planning Authority in regard to items 12.1 - 12.2**

**12 PLANNING AUTHORITY****12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure****FILE NO:** DA0049/2013**AUTHOR:** Pip Glover (Town Planner)**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider an application for the installation of a 25m high monopole and associated infrastructure.

**PLANNING APPLICATION INFORMATION:**

Applicant	Aurecon Australian Pty Ltd
Property	178-188 George Town Road, Newnham
Area of Site	3.85ha
Zoning	Light Industrial
Existing Uses	Manufacturing and processing (wood processing)
Classification	Utilities - telecommunication tower
Date Received	18 February 2013
Deemed Approval	16 April 2013
Representations	Two

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That the Council approves DA0049/2013 for the installation of a 25m high monopole and associated infrastructure at 178-188 George Town Road, Newnham subject to the following:-

**1. ENDORSED PLANS**

The use must be carried out as shown on the endorsed plans to the satisfaction of the Planning Authority.

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**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

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**2. 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 George Town Road.

**3. HOURS OF CONSTRUCTION**

Construction works may be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or Public Holidays.

**4. EXTERIOR MATERIALS**

The exterior finish of the tower and associated above ground infrastructure must be of non-reflective materials in a muted colour scheme such as grey, green, brown or similar colour to the satisfaction of the Planning Authority.

**5. RADIATION PROTECTION STANDARDS**

The telecommunications facility must comply with the Radiation Protection Standard established by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

**6. NUISANCE CONTROL**

During operation of this use, the best practicable means shall be taken to prevent nuisance or annoyance to any person not associated with the use. Air, noise and water pollution matters may be subject to provisions of the Environmental Management & Pollution Control Act 1994 and Regulations thereunder.

**7. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

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**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

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**8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

All works in (or requiring the occupation of) the road reserve must be undertaken by, or under the supervision of a tradesman/contractor who is registered with Council as a "Registered Contractor".

Prior to commencing any works the applicant must prepare a detailed traffic management plan specifying the following:

- a) The nature and the duration of the occupation and may include the placement of skips, building materials or scaffolding in the road reserve and time restrictions for the works,
- b) The traffic management works that are to be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles,
- c) Any temporary works required to maintain the serviceability of the road or footpath,
- d) Any remedial works required to repair damage to the road reserve resulting from the occupation.

The traffic management plan must be prepared in accordance with the relevant Australian Standard, codes of practice and guidelines. A copy of the traffic management plan must be maintained on the site and presented for inspection upon request by a Council officer.

**9. LAPSING OF PERMIT**

This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

NotesOther Approvals

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

- (a) *Building permit*
  - (b) *Plumbing permit*
  - (c) *License from the Australian Communications and Media Authority (ACMA)*
-

**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

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Restrictive Covenants

- B. *The granting of this permit takes no account of any covenants applicable to the land that contradict the Launceston Planning Scheme. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is effected, 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.*

Objections to Proposal

- C. *This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource Management and Planning Appeal Tribunal.*

Appeal Provisions

- D. *Attention is directed to Sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:*

*A planning appeal may be instituted by lodging a notice of appeal with the Clerk of the Resource Management and Planning Appeal Tribunal.*

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

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**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

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*Permit Commencement.*

- E. This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. 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.*
- 

**REPORT:****1. THE PROPOSAL**

The Proposal is for the construction of anew mobile phone tower. It will be a 25 meter high monopole structure with a triangular headframe and 12 associated antennas. An equipment shelter is proposed at the base of the monopole. The equipment shelter has a floor area of 7.5m<sup>2</sup> and is 3 metres high. The equipment shelter and monopole will be secured with a 2.4 metre high security fence. The compound will adjoin the northern boundary of the site and located at the rear of the existing buildings. The closest residential dwelling is located 100m from the proposed compound.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject site is located within the Light Industrial zone in the suburb of Newnham. The site is operating as a wood processing yard which includes the sale of landscaping supplies. This site has been utilised for general industrial purposes since 1968. Numerous buildings are located on the site with outdoor storage for landscaping materials and a stockpile of old machinery. The site and surrounding area is relatively flat and is not visible from viewpoints through out the city.

The land adjoining to the north and the land on the opposite side of George Town Road is zoned General Residential. The adjoining property to the north consists of a large area of green pasture with a residential dwelling located in the north west corner of the site. This dwelling is located 100m from the proposed telecommunication facility. There are two properties adjoining the southern boundary on George Town Road which are zoned Light Industrial, while the remaining properties adjoining the southern boundary are zoned General Residential. To the east of the site is a rail corridor which is zoned Utilities and the land beyond the rail corridor is zoned General Residential.

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**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

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**3. PLANNING SCHEME REQUIREMENTS**

**3.1 Zone Purpose**

The subject site is located within the Light Industrial zone.

24.1.1	<i>To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.</i>
	The purpose of the proposed facility is to improve the current mobile telecommunication congestion and to provide improved coverage within the locality. The off-site impacts are considered insignificant because of the industrial use of the site and the facility being located 100m from residential dwellings.
24.1.2	<i>To focus light industrial use and development into appropriate areas suitable for its needs.</i>
	The proposed monopole and associated facilities will cover an area of 60m <sup>2</sup> . This will not affect the current use of the site.
24.1.3	<i>To provide 'non-industrial' uses that support, supply or facilitate industrial development.</i>
	The proposed facilities will improve the current mobile telecommunication coverage within the locality which will contribute to support the local economy without compromising the industrial use of the site.

**3.2 Use**

**3.2.1 Use table**

The proposal telecommunication facility is within the Utilities use class which has a permitted status.

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**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

**3.2.2 Use Standards**

24.3.1	<i>Emissions</i>
A1	<i>Use or development not listed in Clauses E12.6.2 or E12.6.3 must be set back from residential uses a minimum of 100m.</i>
N/A. This provision applies to industrial uses which may cause emissions including noise, smoke, odour, dust and illumination.	
A2	<i>All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of:</i> <i>a) by a licensed waste removal operator; or</i> <i>b) in accordance with a management plan approved by the Environment Protection Authority.</i>
N/A. There will be no waste generated by the telecommunication facility.	
24.3.2	<i>Storage of goods</i>
A1	<i>Storage of goods, materials or waste, other than for retail sale, must not be visible from any road or public place.</i>
N/A. No goods will be stored from the property.	

**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

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**3.3 Development Standards**

24.4.1	<i>Building design and siting</i>
A1	<i>Building height must not exceed: a) 10.0m; or b) the average of the building heights on immediately adjoining titles.</i>
N/A. The Telecommunication Code override the zone provisions, therefore the height is assessed under the Telecommunications Code.	
A2	<i>Buildings must be set back a minimum distance of 5.5m from a frontage.</i>
Complies. The telecommunication facility will be located 83m from the front boundary.	
A3	<i>Buildings can be built up to the side and rear boundaries of the site.</i>
N/A. The proposed facility is to be located approximately 1.1m from the northern side boundary and 85m from the western rear boundary.	
A4	<i>Where the subject site is located on the boundary of a residential zone, new buildings or alterations to existing buildings must be set back a minimum distance of 3.0m from the zone boundary; and have solid fencing along at least 1.8m high on all boundaries to residential properties.</i>

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**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

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Assessment against performance intent of the standard and performance criteria is required.

*P4 Buildings must be designed and sited such that there is no unreasonable loss of amenity to the occupiers of adjoining residential uses having regard to:*

- a) the bulk and form of the building;*
- b) the impact on the solar access of habitable room windows and private open space of adjoining dwellings;*
- c) the impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings;*
- d) the size and proportions of the lot;*
- e) the extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation;*
- f) the desirability of locating building openings away from sensitive uses;*
- g) the need to orientate external lighting away from sensitive uses; and*
- h) the need to screen unsightly open storage and other outdoor use areas from public view.*

The proposed equipment shelter is located 1.1m from the boundary adjoining a residential zone and the base of the telecommunications tower is located 2.5m from the boundary.

The equipment shelter is relatively small and will not negatively impact on the visual bulk of the adjoining property. The closest dwelling is located 100m from the proposed facility and therefore it will not suffer reduced solar access or privacy. The visual impacts when viewed from the adjoining property will be minimal as the slimline monopole design minimises bulk and a condition is recommended to ensure the finish is non-reflective and of a muted colour. The application does not propose external lighting or require goods to be stored.

As the adjoining site to the north is currently green pasture there is the opportunity that the land will be developed for residential use in the future. Any future application for residential development will be assessed on the merits at the time taking into consideration the potential impacts of the telecommunication facility. However, considering the site is currently used for manufacturing and processing this industrial use is likely to have a greater impact on the amenity than the proposed telecommunication facility.

It is considered that the proposed development meets the performance criteria.

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**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

24.4.2	<i>Streetscape</i>
A1	<i>Excepting walls built to the lot boundary, new buildings or extensions to existing buildings must:</i> <i>a) have external walls constructed of a minimum of 50% brick, concrete, masonry or glass. Unless brick or glass, external walls must be painted or finished with a texture coat; and</i> <i>b) have a minimum of 50% glazing to the external walls of offices component of the buildings; and</i> <i>c) be designed and orientated to ensure the main pedestrian entrance into the primary building is visible from the road; and</i> <i>d) incorporate a protected (by curb, landscaping, bollards or similar device) pedestrian pathway must be provided from the road to the main entrance to the building.</i>
N/A. The telecommunications facility will be located behind the existing buildings on site and will not impact on the streetscape. The facility is not for public access.	
A2.1	<i>Where employee car parking is proposed it must be located behind or to the side of the principal buildings on the site; and</i>
N/A. No car parking is proposed with this development.	
A2.2	<i>Car parking spaces for visitors and people with a disability must be located as close as practicable to the main entrance to the building.</i>
N/A. No public access.	
24.4.3	<i>Turning and access</i>
A1	<i>It must be demonstrated that a standard rigid truck of 10m can enter, turn, unload and exit in a forward direction without impact or conflicting with areas set aside for parking and landscaping.</i>
N/A. Not required with this proposal.	
24.4.4	<i>Site landscaping</i>
A1.1	<i>Unless a building is built to the boundary of the lot, a landscaped area with a minimum width of 3.0m must be provided along the frontage of the property (excluding the vehicle crossover); or</i>
A1.2	<i>A minimum of 50% of the areas within the frontage setback is to be landscaped; and</i>
A1.3	<i>A minimum of 1 tree (capable of growing to a minimum height of 10.0m in height) per 250m<sup>2</sup> of lot area must be provided. Trees must be located , within a minimum 3.0m diameter landscaped area; and</i>
A1.4	<i>All security fencing over 1.5m high must be located a minimum of 1.0m back from the frontage and the space between the fence and the boundary must be landscaped.</i>
N/A. As the proposed telecommunication facility will be located behind the existing buildings on the site there is no requirement for landscaping.	

**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

**3.4 Overlays and Codes**

**3.4.1 Telecommunications Code**

**3.4.1.1 Development Standards**

<i>E.15.5.1</i>	<i>VISUAL AMENITY</i>
<i>A1</i>	<i>No acceptable solutions</i>
<i>P1</i>	<ul style="list-style-type: none"> <li><i>a) The location of infrastructure is within existing utility corridors and sites and uses exiting infrastructure, unless a need to do otherwise is demonstrated; and</i></li> <li><i>b) best practice methods are used to reduce the visual impact of infrastructure or to conceal infrastructure within the surrounding natural or built environment; and</i></li> <li><i>c) clearing for infrastructure corridors and facilities is minimised to limit visible prominence while responding to functional and safety requirements; and</i></li> <li><i>d) new telecommunications infrastructure should avoids skyline positions (i.e. Where a structure would be seen in silhouette) unless a need to do otherwise is demonstrated; and</i></li> <li><i>e) equipment housing and other visually intrusive infrastructure is screened or concealed from public areas.</i></li> </ul>
<p>The proposed facility is required as there are no existing telecommunication facilities within the area that are suitable for co-location opportunities. A new tower is necessary to improve the mobile network coverage within the locality. The facility will have minimal visual impact as the facility is located amongst the existing industrial buildings on the site and will be located a minimum of 100m from adjoining residential dwellings. The equipment shelter is located within the projection of the existing buildings on site. A monopole design was selected as it reduces the visual dominance and a condition is recommended to ensure the finish is non-reflective and of a muted colour to blend into the surrounds.</p> <p>No clearing is required for the proposed development and the site is not visually prominent.</p> <p>The proposed facility will be visible in the landscape however it is considered that there will be minimal impact on the visual amenity and therefore it is considered the proposal meets the performance criteria.</p>	

**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

A2	<i>The height of freestanding aerials, towers and masts are within the following limits: a) Rural zones - 30m b) Industrial Zones - 30m c) Commercial and Business Zones 20m</i>
Complies. The proposed 25 m monopole is within the Light Industrial zone.	
E15.5.2	<b>RESIDENTIAL AMENITY</b>
A1	<i>Infrastructure servicing a network (facilities not requiring installation on an individual street basis) is not located in a Residential zone.</i>
Complies. The proposed facility is not located in a Residential zone.	
E15.5.3	<b>ENVIRONMENTAL VALUE</b>
A1	<i>No acceptable solutions</i>
P1	<i>The proposed infrastructure does not adversely affect areas identified as having significant natural values; and the proposed infrastructure uses best practise environmental management to minimise harm to the environment.</i>
Complies. The subject site is used for industrial purposes and there are no significant natural values on the site.	
E15.5.4	<b>AGRICULTURAL LAND</b>
A1	<i>Infrastructure is placed within 5m of property boundaries or fence lines.</i>
The site is not agricultural land.	

**4. REFERRALS**

The proposal was referred to the following departments and their responses are included below:

**Infrastructure Asset**

Two conditions recommended relating to damage to council infrastructure and works within/occupation of the road reserve.

**Environmental Services**

Two conditions recommended relating to radiation protection standard and nuisance control.

**Tas Rail**

Tas Rail has no objections to the proposal however a standard response has been prepared detailing the potential impacts the rail way may have on adjoining properties. The rail way line is 100m from the proposed telecommunication facility and is not subject to the Road and Railway Assets Code.

**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

**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 9 March 2013 to 25 March 2013. Two representations were received.

The issues raised are as follows:

<b>Issues</b>	<b>Comments</b>
The potential health risks from the telecommunication tower.	<p>The health impact of telecommunications facilities is regulated by the Federal Australian Radiation Protection and Nuclear Safety Agency and is not a planning consideration.</p> <p>The EME report submitted (see attached) predicts that the total maximum exposure output will be 1.3% of public exposure limit set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). This is well within acceptable exposure limits.</p>
The tower is too high and will affect the surrounding area.	The proposed tower complies with the height limit under the Telecommunication Code and as it is located within an industrial site it is unlikely to have an adverse impact on the surrounding area.
The telecommunications tower cannot be located within a residential area.	The Launceston Interim Planning Scheme provisions state that telecommunication infrastructure must not be located within a residential zone. As the facility is located within the Light Industrial zone it meets this requirement.

**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

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**6. CONCLUSION**

Subject to the recommended conditions it is considered that the proposal complies with the Launceston Interim Planning Scheme 2012 and is appropriate to recommend for approval.

**ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2012 contains 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 Launceston Interim Planning Scheme 2012 contains 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 Launceston Interim Planning Scheme 2012 contains 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:**

Launceston Interim Planning Scheme 2012

**BUDGET & FINANCIAL ASPECTS:**

N/A.

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**12.1 178-188 George Town Road, Newnham - Installation of a 25m high monopole and associated infrastructure...(Cont'd)**

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Michael Stretton: Director Development Services**

**ATTACHMENTS:**

The following attachment has been distributed separately and includes.

1. Location Map
  2. Plans
  3. EME Report
  4. Copy of representation
-

**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)****FILE NO:** DA0009/2013**AUTHOR:** Maria Chledowska (Town Planner)**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider an application for a change of use from a temporary dwelling to a serviced apartment (visitor accommodation).

**PLANNING APPLICATION INFORMATION:**

Applicant: PDS Planning Development Services  
Property: 80 Belgrave Parade, Youngtown  
Area of Site: 1.5ha  
Zoning: Low Density Residential  
Existing Uses: Single Dwelling  
Classification: Visitor accommodation - (serviced apartment)  
Date Received: 29 January 2013  
Deemed Approval: 15 April 2013  
Representations: Two

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council approves DA0009/2013 for a change of use from a temporary dwelling to visitor accommodation - (serviced apartment) at 80 Belgrave Parade, Youngtown subject to the following:

**1. ENDORSED PLANS**

The use must be carried out generally as shown on the endorsed plans to the satisfaction of the Council. Any other proposed development will require a separate application to and assessment by the Council.

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## **12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

---

### **2. LEGAL TITLE**

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

### **3. BUSHFIRE SAFETY**

Prior occupation of the serviced apartment, the approved bushfire hazard management plan titled 'D & T Frost 80 Belgrave Parade Youngtown Serviced Apartment Drawing No 02 drawn by Kel Clark must be implemented. This includes the installation of water supply dedicated for fire fighting purposes; establishment and maintenance of the hazard management areas; maintenance of a safe egress route and any other requirements as specified by the plan.

### **4. EMERGENCY EVACUATION PLAN**

Prior to the occupation of the serviced apartment, an emergency evacuation plan must be prepared under the guidelines and approved by the Tasmanian Fire Service. The plan must include designated emergency meeting points, which provide protection to fire fighters and evacuees; and information to staff, occupants and visitors on bushfire safety and evacuation procedures.

### **5. AMENITY**

The amenity of the area must not be detrimentally affected by the use through the emission of noise and traffic movement, smoke, odour, dust and illumination.

### **6. EXTERNAL LIGHTING**

External lighting must not not unreasonably impact on the amenity of adjoining land; and all direct light must be contained within the boundaries of the site.

### **7. USE LIMITATION (SERVICED APARTMENT)**

This permit allows the use and development of a Serviced Apartment, categorised as Visitor Accommodation in the Interim Launceston Planning Scheme 2012. The use is limited to:

- a) The building shown on endorsed plan Drawing No 02 drawn by Kel Clark, dated Dec 2012;
- b) Must not be used as a separate dwelling (ie. Unit);
- c) Must not be strata titled separately from the main dwelling;
- d) No more than 90 days for a single occupancy; and
- e) No return occupancy within 30 days.

A new permit will be required to extend, substantially change or intensify the use on the site. If the use ceases, the building must be vacated and converted to garage or remote house extension.

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**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

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**8. LAPSING OF PERMIT**

This permit will expire if the development and use is not commenced within two years of the date of granting of this Permit. The Planning Authority may extend periods referred to if a request is made in writing before this Permit expires.

**Notes**

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Restrictive Covenants

- A. *Council does not enforce restrictive covenants that contradict the Interim Launceston Planning Scheme 2012. However, 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.*

Other Approvals

- B. *This permit does not imply that any other approval required under any other by-law or legislation has been granted.*

Representations to Proposal

- C. *This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource Management and Planning Appeal Tribunal.*

Appeal Provisions

- D. *Attention is directed to Sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:*

*A planning appeal shall be instituted by lodging a notice of appeal with the Clerk of the Resource Management and Planning Appeal Tribunal.*

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

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**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

**REPORT:**

**1. PROPOSAL**

The applicant seeks a change of use from a temporary dwelling to a serviced apartment. The temporary dwelling was associated with the construction of a four bedroom dwelling on the site. This single storey building contains a living room, two bedrooms, a kitchen and a bathroom and has a total floor area of 82.5m<sup>2</sup>. It is situated 19m from the western boundary, 4.5m from the southern boundary and over 30m from the northern boundary. The construction material and colour scheme matches the existing dwelling which is situated 1m to the east.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject site is an internal lot with an irregular shaped title of an area of 1.5ha. The site is accessed via a concrete sealed driveway with gravel verges, with a total width of 6.0m. The site contains a four bedroom dwelling (429.4m<sup>2</sup>) situated in the centre and a temporary dwelling subject to this application within 1m to the west. The land has an average 9% slope down to the north-east. The front is relatively flat and the rear of the site is steeper.

The site is within the residential subdivision in the southern end of the Launceston urban area. All adjoining sites contain single dwellings or are vacant residential lots. The area is primarily used for residential purposes. The Youngtown Regional Park adjoins the site from the east and privately owned reserve is to the north.

**3. PLANNING SCHEME REQUIREMENTS**

**3.1 Zone purpose**

12.1.1	<i>To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.</i> N/A. The proposal is for non-residential use.
12.1.2	<i>To provide for non-residential uses that are compatible with residential amenity.</i> The proposed two bedroom serviced apartment is compatible with residential use of the site.
12.1.3	<i>To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.</i> The existing building matches the scale and colour of the dwelling. The substantial landscaping on the site mitigates the visual impacts on public views.

**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

**3.2 Use**

**3.2.1 Use table**

The proposal is for a serviced apartment within the Visitor Accommodation class which has discretionary status.

**3.2 .2 Use standards**

12.3.1	<i>AMENITY (NON-RESIDENTIAL USES)</i>
A1	<i>If for permitted or no permit required uses</i>
The proposal is discretionary use and accordingly must be assessed against performance criteria.	
P1	<i>The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.</i>
Complies. Due to the nature of its use the serviced apartment is not likely to cause an environmental nuisance, however, a relevant condition is recommended to ensure that the proposed use has no detrimental impact on residential amenity in the area.	
A2	<i>Commercial vehicles for discretionary uses must only operate between 7am and 7pm Monday to Friday and 8am to 6pm Saturday and Sunday</i>
N/A. No commercial vehicles are involved with the proposal because of its small scale and location within the residential property.	
A3	<i>If for permitted or no permit required uses</i>
The proposal requires a discretionary permit and accordingly must be assessed against performance criteria.	
P3	<i>External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.</i>
Complies. The external lighting will be similar to that of a single dwelling, however, a relevant condition is recommended to prevent any unreasonable impacts on the amenity of adjoining land.	

**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

12.3.2	<i>LOW DENSITY RESIDENTIAL CHARACTER</i>
A1	<i>Commercial vehicles for discretionary uses must be parked within the boundary of the property</i>
N/A. No commercial vehicles are involved with the proposal because of its small scale and association with residential property.	
A2	<i>Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public</i>
N/A. There will be no waste material storage visible from adjacent properties, the road or public areas.	
A3	<i>Waste materials storage for discretionary uses must: (a) not be visible from the road frontage (b) use self-contained receptacles designed to ensure waste does not escape to the environment</i>
N/A. There will be no waste material storage visible from the road frontage and waste receptacles would be used to store waste.	

**3.3. Development Standards**

N/A. No development is proposed.

**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

**3.4 Overlays and Codes.**

**3.4.1 Car Parking and Sustainable Transport**

<i>E6.6</i>	<i>USE STANDARDS</i>
<i>E6.6.1</i>	<i>CAR PARKING NUMBERS</i>
<i>A1</i>	<i>The number of car parking spaces: a) will not be less than 90% of the requirements of Table E6.1; or b) will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater; or c) will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</i>
Complies. The proposed visitor accommodation requires one space per unit and sufficient spaces are provided.	
<i>E6.6.2</i>	<i>BICYCLE PARKING NUMBERS</i>
<i>A1.1</i>	<i>Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</i>
N/A. Visitor accommodation requires 1 space per 10 beds. The two bedroom building cannot accommodate 10 beds.	
<i>A1.2</i>	<i>The number of spaces must be in accordance with a parking precinct plan that has been incorporated into the planning scheme for a particular area.</i>
N/A. See the above.	
<i>E6.6.3</i>	<i>TAXI DROP-OFF AND PICK UP</i>
<i>A1</i>	<i>One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof.</i>
N/A.	
<i>E6.6.4</i>	<i>MOTORBIKE PARKING PROVISIONS</i>
<i>A1</i>	<i>One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.</i>
N/A.	



**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

<i>E6.7</i>	<i>DEVELOPMENT STANDARDS</i>
<i>E6.7.1</i>	<i>CONSTRUCTION OF CAR PARKING SPACES AND ACCESS STRIPS</i>
<i>A1</i>	<i>All car parking, access strips manoeuvring and circulation spaces must be:</i> <i>a) formed to an adequate level and drained; and</i> <i>b) except for a single dwelling, provided with and impervious all weather seal; and</i> <i>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</i>
Complies. The car parking and access strip are adequately levelled and drained, provided with impervious all weather seal and clearly delineated on the site.	
<i>E6.7.2</i>	<i>DESIGN AND LAYOUT OF CAR PARKING</i>
<i>A1.1</i>	<i>Where providing for 4 or more spaces, parking areas must be located behind the building line; and</i>
N/A. Less than 4 spaces are required.	
<i>A1.2</i>	<i>Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</i>
N/A. The proposal is within the Low Density Residential zone.	
<i>A2.1</i>	<i>Car parking and manoeuvring space must:</i> <i>a) have a gradient of 10% or less; and</i> <i>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</i> <i>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</i> <i>d) have a combined width of access and maneuvering space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:</i> <i>i) there are three or more car parking spaces; and</i> <i>ii) where parking is more than 30m driving distance from the road; or</i> <i>iii) where the sole vehicle access is to a category I, II, III or IV road; and</i>
Complies. The car parking and manoeuvring space has a gradient of less than 10%, complies with Table E6.2; while subclauses b) and d) are not applicable.	
<i>A2.2</i>	<i>The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking.</i>
Complies. The car parking has been designed to meet the Australian Standards AS 2890.1 - 2004.	

**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

<i>E6.7.3</i>	<i>CAR PARKING ACCESS, SAFETY AND SECURITY</i>
<i>A1</i>	<i>Car parking areas with greater than 20 parking spaces must be: a) secured and lit unauthorized cannot enter or; b) lit and visible from buildings on or adjacent to the site during the times when parking occurs.</i>
N/A. The proposal is required to provide only two spaces.	
<i>E6.7.4</i>	<i>PARKING FOR PERSONS WITH A DISABILITY</i>
<i>A1</i>	<i>All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</i>
Complies. The designated space is close to the entry to the building.	
<i>A2</i>	<i>One of every 20 parking spaces or part there of must be constructed and designated for use by persons with disabilities in accordance with Australian Standards AS/NZ 2890.6 2009.</i>
N/A. The proposal is required to provide only two spaces.	
<i>E6.7.6</i>	<i>LOADING AND UNLOADING OF VEHICLES – DROP-OFF AND PICK UP</i>
<i>A1</i>	<i>For retail, commercial, industrial, service industry or warehouse or storage uses: a) least one loading bay at must be provided in accordance with Table E6.4; and b)loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use the site.</i>
N/A. The proposal is not for retail, commercial, industrial, service industry or warehouse or storage uses.	
<i>E6.8</i>	<i>PROVISIONS FOR SUSTAINABLE TRANSPORT</i>
<i>E6.8.1</i>	<i>BICYCLE END OF TRIP FACILTIES</i>
<i>A1</i>	<i>For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycles spaces thereafter.</i>
N/A. No bicycle space is required.	

**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

<i>E6.8.2</i>	<i>BICYCLE PARKING ACCESS, SAFETY AND SECURITY</i>
<i>A1.1</i>	<i>Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and be d) available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and</i>
<i>N/A. No bicycle space is required.</i>	
<i>A1.2</i>	<i>Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</i>
<i>N/A. No bicycle space is required.</i>	
<i>A2</i>	<i>Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.</i>
<i>N/A. No bicycle space is required.</i>	
<i>E6.8.5</i>	<i>PEDESTRIAN WALKWAYS</i>
<i>A1</i>	<i>Pedestrian access must be provided for in accordance with Table E6.5.</i>
<i>N/A. The pedestrian access is not required.</i>	
<i>E6.6.1</i>	<i>PRECINCT 1 – LAUNCESTON CBD PARKING EXEMPTION AREA</i>
<i>E6.6.4</i>	<i>LOCAL AREAS PROVISIONS</i>
<i>A1</i>	<i>No onsite parking provision.</i>
<i>N/A. The site is not within the CBD.</i>	

**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

**3.4.2 Bushfire Prone Areas**

E1.5	<i>USE STANDARDS</i>
E1.5.1.1	<p><i>STANDARDS FOR VULNERABLE USE</i></p> <p><i>Vulnerable uses, other than visitor accommodation, should only be in exceptional circumstances located on land which is in bushfire-prone areas. If a vulnerable use is proposed to be located on land which is in a bushfire-prone area, bushfire protection measures must reflect the risk arising from the bushfire-prone vegetation and the characteristics, nature and scale of the use taking into consideration the specific circumstances of the occupants including their ability to:</i></p> <ul style="list-style-type: none"> <li><i>a) protect themselves and defend property from bushfire attack;</i></li> <li><i>b) evacuate in an emergency; and</i></li> <li><i>c) understand and respond to instructions in the event of a bushfire.</i></li> </ul> <p><i>Bushfire protection measures must also reduce the risk to fire fighters.</i></p>
A1	<i>No acceptable solution</i>
Assessment against performance criteria is required.	
P1	<i>Vulnerable uses, other than visitor accommodation, must demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site.</i>
N/A. The proposal is for visitor accommodation.	
A2	<p><i>Vulnerable uses must demonstrate bushfire protection measures, addressing the characteristic, nature and scale of the vulnerable use, the characteristics of its occupants and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, and that the plan provides for:</i></p> <p><i>emergency evacuation plans including designated emergency meeting points, which provide protection to fire fighters and evacuees; and</i></p> <p><i>information to staff, occupants and visitors on bushfire safety and evacuation procedures.</i></p>
<p>Complies. A Bushfire Hazard Management Plan for the serviced apartment at 80 Belgrave Parade was certified by the Tasmanian Fire Services (TFS). Accordingly, a condition is recommended that the operator of the proposed use must provide an emergency evacuation plan which is to be implemented and approved by the TFS prior to the commencement (occupancy) of the use.</p>	

**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

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**4.0 REFERRALS**

The proposal was referred to the following departments and their responses are included below:

**Infrastructure Asset**

No comments.

**Environmental Services**

No comments.

**Tasmanian Fire Services**

Endorsed a Bushfire Hazard Management Plan for a serviced apartment at 80 Belgrave Parade, Youngtown and provided the following comments: 'The Plan for the serviced apartment provides BAL 12.5 separation distances, acceptable access and an acceptable water supply for fire fighting. The Plan also commits the applicants to development of an approved emergency plan for the apartment.'

**5.0 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 February 2013 to 18 March 2013. Two representations were received.

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**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

The table below represents a summary of the major issues contained within the representations. This should be read in conjunction with the full representation.

<b>Issue</b>	<b>Comments</b>
The approval of this application will set precedence for more of this type of commercial dwellings e.g. Cosy Cabin, Motels, B & Bs etc. This will increase traffic and 'spoil what we are hoping for whilst living at our new home'.	There is no evidence that this sort of uses will be further introduced in this area. Visitor accommodation (serviced apartment) requires a discretionary approval and each application is assessed on its merits. Two bedroom serviced apartment within the residential site will not cause significant traffic increase.
The possible impacts are: traffic increase, noise and access to the adjoining block. What is guarantee that the building will not become a granny flat or a rental unit?	Conditions are recommended to prevent any adverse impact on the adjoining residential. It is not expected that traffic that the proposal will cause significant increase in traffic.  Any future change of use will require a separate planning approval. A relevant condition is recommended.

**6.0 CONCLUSION AND RECOMMENDATION**

Subject to the recommended conditions it is considered that the proposal complies with Launceston Interim Planning Scheme 2012 and is appropriate to recommend for approval.

**ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2012 contains 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.

**12.2 80 Belgrave Parade, Youngtown - Change of use from a temporary dwelling to a serviced apartment (visitor accommodation)...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

The Launceston Interim Planning Scheme 2012 contains 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 Launceston Interim Planning Scheme 2012 contains 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:**

Launceston Interim Planning Scheme 2012

**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Michael Stretton: Director Development Services**

**ATTACHMENTS:**

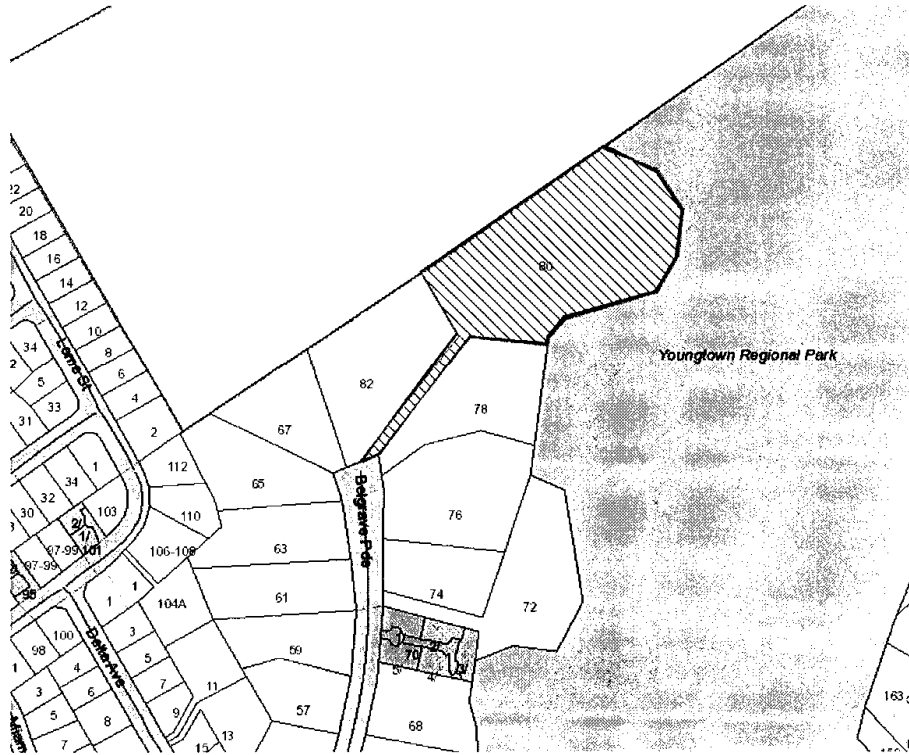
1. Location Map
  2. Plans
  3. Representations
-



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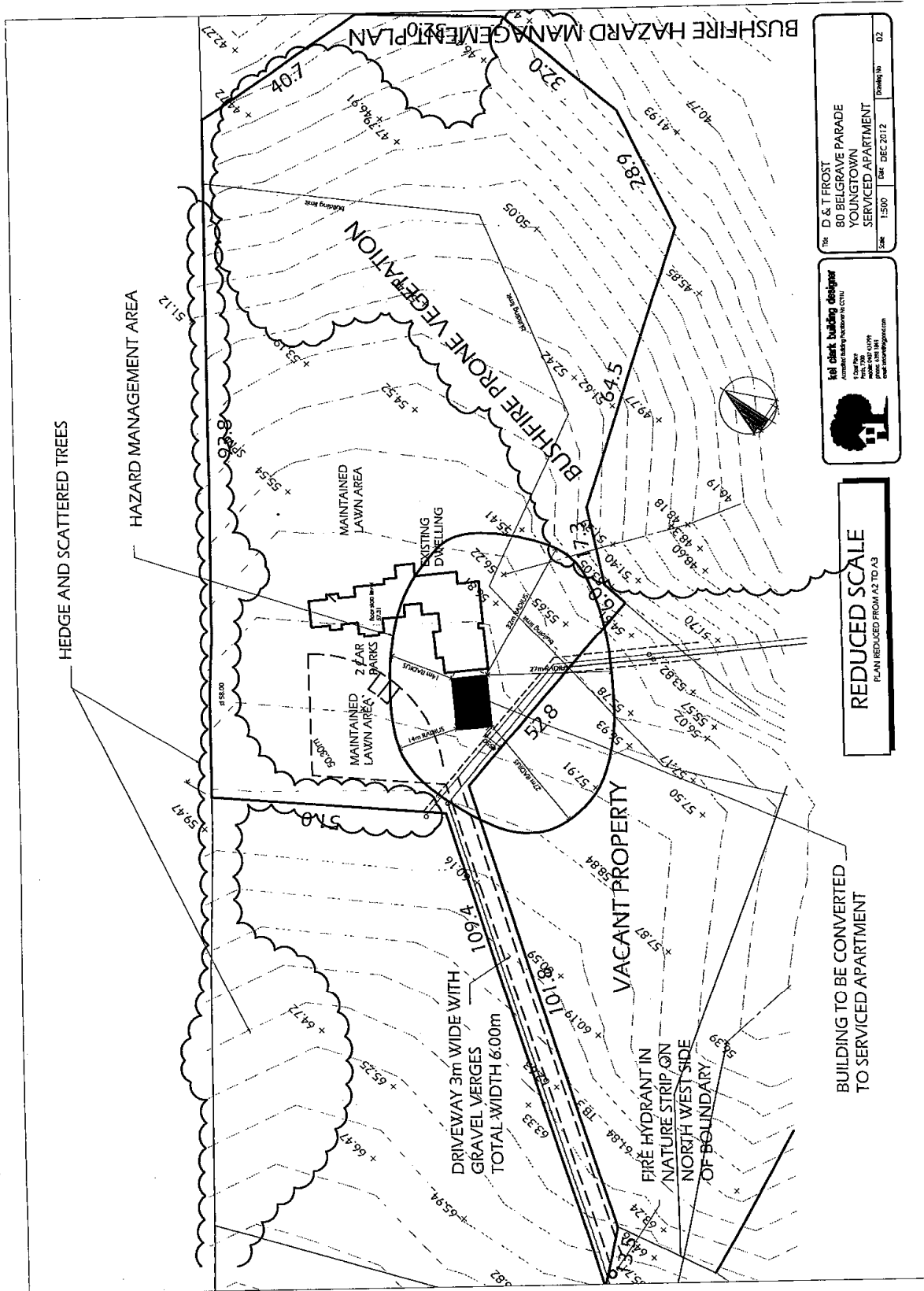


**LOCALITY MAP - DA0009/2013**  
**80 Belgrave Parade, Youngtown**



**Locality Map**  
Scale: This Map Is Not to Scale







17/3/2013

From- Richard Davey

FILE No.	DA0009/2013		
EO	OD	Box	
RCV'D 18 MAR 2013 LCC			
Doc No.	289,8980		
Action Officer	Noted	Replied	
C. WILKINSON			

To-Launceston City Council Planning

EGW - M CHLEWICKI

Town Hall Launceston

I would like to submit an objection to the proposed change to visitors accommodation from garage at 80 Belgrave Parade

I own the block this proposal which has an internal drive along the northern boundary also the unit is closest to my

My main concern is the possible increase in traffic on this drive also the added noise and privacy issues by the increase in people using this unit there are no fences on either of these boundary to stop people accessing my block or retarding and noise

We purchased this property for its low density zoning which would be quite and private

The garage was approved as temporary accommodation and that is the way it should be, and it should be returned to that purpose a garage

What guarantee have we got that it will not end up being a rental or granny flat once the dust settles I believe 4 weeks is the maximum time allowed for one lot of people to stay at a time who polices this

This property was put on the market 8 weeks ago and the owners have moved to NSW I guess it is worth more with a unit than a garage and would not be able to be sold until his issue is resolved

It will not be an issue for the present owner as they moved

I would hope that common sense will prevail and the original approval stays in place

Thanking you for your time Richard Davey



**Maria Chledowska** | Planner | Launceston City Council  
T 6323 3302 | F 6323 3385 | [www.launceston.tas.gov.au](http://www.launceston.tas.gov.au)

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**From:** Julia Allen  
**Sent:** Tuesday, 19 March 2013 9:19 AM  
**To:** Maria Chledowska  
**Subject:** FW: 80 Belgrave Parade

This is a rep to DA0009/2013.

**Julia Allen** | Town Planner | Launceston City Council  
T 03 6323 3398 | F 03 6323 3395 | [www.launceston.tas.gov.au](http://www.launceston.tas.gov.au)  
Workdays Monday to Wednesday

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**From:** M & M Young  
**Sent:** Monday, 18 March 2013 6:01 PM  
**To:** Julia Allen  
**Subject:** 80 Belgrave Parade

As future residents of Belgrave Parade we object to the proposal to allow an accommodation residence for commercial use at 80 Belgrave Parade Youngtown.  
Our concerns relate to the fact that it may mean there will be applications for more of this type of commercial dwellings eg. Cosy Cabin, Motels, B&B's etc.  
We fear it may open up a Pandora's box creating extra traffic flow and spoil what we are hoping for whilst living at our home on Belgrave Parade.  
We will be moving in approximately 4 weeks time.

Regards Max & Mandy Young

**13 NOTICES OF MOTION - FOR CONSIDERATION****13.1 Alderman Cox - Notice of Motion - Review of Aldermen Numbers****FILE NO:** SF5547 / SF0326 / SF0081**AUTHOR:** Alderman Cox**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

---

**DECISION STATEMENT:**

To consider a Notice of Motion from Alderman Cox regarding Launceston City Council to be included in the 2013 Local Government Board review of Aldermanic numbers.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**NOTICE OF MOTION:**

That the Council make submission to the Local Government Board seeking to be included in the 2013 Board program for review of Councillor numbers, in order to determine the most appropriate level of Aldermanic representation of Launceston City Council's residents and ratepayers.

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**REPORT:**

Alderman Cox will speak to this item.

*Officer Comments -*

*Motion self explanatory, doesn't require officer comments.*

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**13.1 Alderman Cox - Notice of Motion - Review of Aldermen Numbers...(Cont'd)**

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**ECONOMIC IMPACT:**

N/A

**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

N/A

**STRATEGIC DOCUMENT REFERENCE:**

N/A


**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Robert Dobrzynski: General Manager**

**ATTACHMENTS:**

1. Notice of Motion - Alderman Cox
-

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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FILE NO: SF5547 : SF0326 : SF0081  
JC/EL  
DATE: 27 March 2013

TO: Robert Dobrzynski                      General Manager  
Cc      Committee Clerks

FROM: Jim Cox                                      Alderman

**SUBJECT: Notice of Motion - Review of Aldermen Numbers**

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In accordance with Clause 16 (5) of the Local Government Regulations 2005 (Meeting Procedures) please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on Monday 15 April 2013.

#### Motion

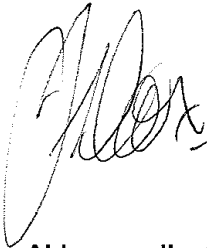
That the Council make submission to the Local Government Board seeking to be included in the 2013 Board program for review of Councillor numbers, in order to determine the most appropriate level of Aldermanic representation of Launceston City Council's residents and ratepayers.

#### Background

Alderman Cox will speak on this matter.

#### Attachments

Nil



Alderman Jim Cox





**13.2 Alderman Ball - Notice of Motion - Common-sense Compliance Workshop****FILE NO:** SF5547**AUTHOR:** Alderman Ball**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider a Notice of Motion from Alderman Ball regarding the establishment of a Common-sense Compliance Workshop

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**NOTICE OF MOTION:**

That in recognition of the socio-economic contribution made by service clubs and other organisations through fundraising, events and other projects and in light of recent issues involving the complexity, cost, constraints and burden of compliance with regulatory regimes (local, state and federal) Council resolves to;

1. Convene a 'Common-sense Compliance' workshop, with assistance from the Department of Economic Development in order to address these issues in a practical and informed manner.
  2. Contact and invite key stakeholders, including but not limited to; relevant service clubs in the greater Launceston area, local government officers from the LCC, Meander Valley, West Tamar and George Town councils; representatives from key events and community groups, senior representatives and decision makers from the relevant state government departments, individuals with experience and expertise in relevant areas as well as pertinent organisations such as NTD, TCCI, Master Builders Association (MBA) Tourism Northern Tasmania etc., to invite them to participate in the workshop.
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**13.2 Alderman Ball - Notice of Motion - Common-sense Compliance Workshop...(Cont'd)**

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3. Draft a discussion paper prior to the workshop with input from invitees to define the challenges faced and matters of contention and also to provide case studies for the workshop to focus on; such as the Building Act requirement that Temporary Occupancy Permits are required for tents greater than 10 square metres which contain an ignitable fuel source (i.e. BBQ)
  4. Engage an independent facilitator to run the workshop, funded dollar for dollar by LCC and DED at an estimated cost of between \$750 and \$1000 for each party, to allow for a free and frank exchange of information, to ensure that issues are systematically worked through and that outcomes from the session are maximised.
- 

**REPORT:**

Alderman Ball will speak to this item.

**Background information provided by Alderman Ball:**

In recent months there have been a series of reports indicating the growing burden that compliance with regulatory regimes, be they local, state or federal, is having on individuals, service clubs, community groups, events and the wider community.

This issue is complex and involves a number of different regulatory bodies as well as state and federal legislation; however by taking a systems approach to tackling the issues and focusing on community organisations and events in the first instance I believe Council can play a role in brokering as well as delivering outcomes for those involved.

It is recognised that LCC is already engaging with service clubs however there are still matters outstanding and more importantly a reply from our Director Mr Stretton was incorporated in correspondence from clubs in a letter dated January 25<sup>th</sup> in which it was acknowledged that some issues such as the building regulations that require a Temporary Occupancy Permit for structure were state matters over which Council has no control.

It is time to grasp the nettle on these issues and for Council to take a lead by working in partnership with the Department of Economic Development (DED) to convene a facilitated workshop where these matters can be addressed logically, systematically and in an informed manner with all relevant parties present.

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## **13.2 Alderman Ball - Notice of Motion - Common-sense Compliance Workshop...(Cont'd)**

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It will be an opportunity for LCC to show the proactive work it is doing but more importantly it will allow a discussion to occur involving surrounding municipalities so that we can work towards having a common approach across municipal boundaries to make processes as efficient and accessible as possible for service clubs, events and community groups.

It is understood that LCC is undertaking an online survey of event organisers in 'early 2013' and in view of this it would be sensible to hold the workshop once this data has been collected.

- Fees need to be discussed and costs accounted for;
- The volume of paperwork needs to be addressed (can it be reduced for smaller events as per the Lilydale District Progress Association's correspondence (see attached)),
- Building regulations need to be examined and if illogical then changed so as to be practical,
- common templates across the region need to be discussed to see if we can achieve a uniform approach across councils when dealing with organisers of events.

Service clubs, community organisations, fund-raising events and other celebrations contribute an enormous amount to our social capital, regional economy and our cultural understanding of ourselves and others.

We need these events and the groups that put them on and we need to do everything in our power to assist them by examining our increasingly complex regulatory system and questioning whether form is really following function or are we regulating ourselves out of existence?

We often pay tribute to the work of service clubs and community groups and events; now it is time to prove that respect by doing our bit and providing every assistance we can to lead this discussion and get some outcomes.

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## **13.2 Alderman Ball - Notice of Motion - Common-sense Compliance Workshop...(Cont'd)**

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As of writing, in principle support and/or expressions of interest to attend the 'Common-sense Compliance' workshop have been received from the following;

- Indication from senior advisor at Minister David O'Byrne's office that DED would be open to the idea of matching Council's costs dollar for dollar re the provision of an independent facilitator for the workshop (day rate between \$1500 and \$2000 thus \$750 to \$1000 cost to LCC and DED).
- Indication from Minister's office that they would assist in ensuring that relevant and senior departmental representatives are present.
- In principle support from Lou Clark of Festivale
- Correspondence supporting the proposal and indicating desire to attend from Rotary Club of South Launceston (provided as hard copy to aldermen)
- Email indicating interest to attend from Riverside Lions Club
- Support from Michael Bailey of TCCI for the proposal.
- Support from Derek Le Marchant of NTD for the proposal.
- Support from Chris Griffin of Tourism Northern Tasmania for the proposal.
- Support from Michael Kerschbaum of the Master Builders Association (MBA) for the proposal.
- Support for proposal from Lilydale District Progress Association (see attached)
- Phone conversation indicating support for the proposal from Secretary of Rotary Club of Launceston providing there is specific discussion around building regulations as well as supportive comments from other service club members.

Officer Comments - Michael Stretton (Director Development Services)

*The Notice of Motion seeks Council endorsement for a compliance workshop to be held between various stakeholders to discuss the issues being faced by service clubs and other organisations when undertaking public events.*

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**13.2 Alderman Ball - Notice of Motion - Common-sense Compliance Workshop...(Cont'd)**

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*It is important to note that the legislative framework which exists within the State for public events is extremely important as it ensures that events are conducted in a safe and healthy manner. Many people consider controls such as food business licensing, or temporary occupancy permits to be unnecessary 'red-tape', however, when incidences of food poisoning or building collapses infrequently occur it reinforces the necessity for such controls to be in place. This said however, it is important to ensure that legislative controls are regularly reviewed to ensure that they are only applied where they are absolutely necessary. Additionally, it is important that the legislation is administered in the most consistent and reasonable manner possible.*

*The Council is already being extremely pro-active in this area and held a workshop with local service clubs on 25 January 2013 to discuss the issues that they are experiencing in complying with legislative requirements when organising public events. This workshop was helpful and has resulted in a number of positive outcomes:*

- Fees – The service clubs have requested that the Council offer reduced or no fees for the licences and permits which are required for public events. A report has been included on the agenda for this meeting to address this matter.*
  - Portability of Temporary Food Licences – Since the workshop, the Council has allowed temporary food business licences to cover multiple events within the municipal area.*
  - On-line applications – The Council is currently developing an on-line application service which will reduce the paperwork burden for event organisers. It is intended that once an event has been run for the first time in subsequent years the application information will be pre-populated on the forms and only changes in the event details will need to be made.*
  - Central Point of communication with the Council – The Council agrees that a central point of communication for event organisers is an important service improvement and is currently making arrangements for this to occur.*
  - Map of Council parks and venues – The Council's Spatial Services Department are currently preparing downloadable maps of the Council's parks and reserves which are used for public events. Organisers will be able to download these maps and use them as their event site plans.*
  - Consistency between the way that the Councils administers the legislative framework – a workshop between the professional officers from each of the Northern Councils is proposed to be arranged through NTD to improve the consistency between Councils in event approval and compliance.*
-

**13.2 Alderman Ball - Notice of Motion - Common-sense Compliance Workshop...(Cont'd)**

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*Some additional matters have been identified which need to be addressed by the State Government:*

- *Portability of Temporary Occupancy Permits, so that a temporary structure may be set up at various locations throughout the state under the one Permit;*
- *Portability of Temporary Food Business registrations, so that temporary food businesses may be set up at various locations throughout the state under the one Permit; and*
- *The introduction of a 'risk-based' threshold for Specific Event Places of Assembly. Currently the Public Health Act requires that the Council licence all public events held within the municipal area as Specific Event Places of Assembly. It is argued that there should be a threshold developed (i.e. based on occupancy) which would exempt smaller public events from requiring Specific Event Place of Assembly Licenses.*

***Given that the issues concerning public event fees will be addressed by another report which is on this agenda and that the Council has already undertaken a compliance workshop with service clubs to identify the legislative issues which are causing concerns for event organisers, an alternative and perhaps more timely approach would be to raise these matters with the LGAT in order for them to lobby the State Government to have them suitably addressed.***

**ECONOMIC IMPACT:**

Public events are a major economic driver for Launceston and any easing in the costs associated with organising and conducting an event would assist in supporting the continuation of the many and varied events that are offered in Launceston each year.

**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

Public events make a positive social impact to the community by providing a variety of attraction for the community to attend should they wish to do so.

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**13.2 Alderman Ball - Notice of Motion - Common-sense Compliance Workshop...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

Strategic Plan Priority Area 4: Cultural Environment - 4.3 Continue to support community arts and events

Events Strategy 2012-2015

**BUDGET & FINANCIAL ASPECTS:**

The cost of organising and conducting a compliance workshop could be accommodated within existing resources.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Robert Dobrzynski: General Manager**

**ATTACHMENTS:**

1. Notice of Motion - Alderman Ball
  2. Letter from Lilydale Progress Association
  3. LDPA Email received Thursday 4 April
-

## LAUNCESTON CITY COUNCIL

## MEMORANDUM

FILE NO: SF5547  
JB  
DATE: 5 April 2013

TO: Robert Dobrzynski                      General Manager  
Cc        Committee Clerks

FROM: Jeremy Ball                              Alderman

**SUBJECT: Notice of Motion - Common-sense Compliance Workshop**

In accordance with Clause 16 (5) of the Local Government Regulations 2005 (Meeting Procedures) please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on Monday 15 April 2013.

**Motion**

That in recognition of the socio-economic contribution made by service clubs and other organisations through fundraising, events and other projects and in light of recent issues involving the complexity, cost, constraints and burden of compliance with regulatory regimes (local, state and federal) Council resolves to;

1. **Convene a 'Common-sense Compliance' workshop**, with assistance from the Department of Economic Development in order to address these issues in a practical and informed manner.
2. **Contact and invite key stakeholders**, including but not limited to; relevant service clubs in the greater Launceston area, local government officers from the LCC, Meander Valley, West Tamar and George Town councils; representatives from key events and community groups, senior representatives and decision makers from the relevant state government departments, individuals with experience and expertise in relevant areas as well as pertinent organisations such as NTD, TCCI, Master Builders Association (MBA) Tourism Northern Tasmania etc., to invite them to participate in the workshop.
3. **Draft a discussion paper prior to the workshop** with input from invitees to define the challenges faced and matters of contention and also to provide case studies for the workshop to focus on; such as the Building Act requirement that Temporary Occupancy Permits are required for tents greater than 10 square metres which contain an ignitable fuel source (i.e. BBQ)
4. **Engage an independent facilitator to run the workshop, funded dollar for dollar by LCC and DED** at an estimated cost of between \$750 and \$1000 for each party, to allow for a free and frank exchange of information, to ensure that issues are systematically worked through and that outcomes from the session are maximised.



## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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#### Background

**In recent months there have been a series of reports indicating the growing burden that compliance with regulatory regimes, be they local, state or federal, is having on individuals, service clubs, community groups, events and the wider community.**

**This issue is complex and involves a number of different regulatory bodies as well as state and federal legislation;** however by taking a systems approach to tackling the issues and focusing on community organisations and events in the first instance I believe Council can play a role in brokering as well as delivering outcomes for those involved.

**It is recognised that LCC is already engaging with service clubs however there are still matters outstanding** and more importantly a reply from our Director Mr Stretton was incorporated in correspondence from clubs in a letter dated January 25<sup>th</sup> in which it was acknowledged that some issues such as the building regulations that require a Temporary Occupancy Permit for structure were state matters over which Council has no control.

**It is time to grasp the nettle on these issues and for Council to take a lead by working in partnership with the Department of Economic Development (DED) to convene a facilitated workshop where these matters can be addressed logically, systematically and in an informed manner with all relevant parties present.**

It will be an opportunity for LCC to show the proactive work it is doing but more importantly it will allow a discussion to occur involving surrounding municipalities so that we can work towards having a common approach across municipal boundaries to make processes as efficient and accessible as possible for service clubs, events and community groups.

**It is understood that LCC is undertaking an online survey of event organisers in 'early 2013' and in view of this it would be sensible to hold the workshop once this data has been collected.**

- Fees need to be discussed and costs accounted for;
- The volume of paperwork needs to be addressed (can it be reduced for smaller events as per the Lilydale District Progress Association's correspondence (see attached),
- Building regulations need to be examined and if illogical then changed so as to be practical,

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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- common templates across the region need to be discussed to see if we can achieve a uniform approach across councils when dealing with organisers of events.

Service clubs, community organisations, fund-raising events and other celebrations contribute an enormous amount to our social capital, regional economy and our cultural understanding of ourselves and others.

We need these events and the groups that put them on and we need to do everything in our power to assist them by examining our increasingly complex regulatory system and questioning whether form is really following function or are we regulating ourselves out of existence?

We often pay tribute to the work of service clubs and community groups and events; now it is time to prove that respect by doing our bit and providing every assistance we can to lead this discussion and get some outcomes.

**As of writing, in principle support and/or expressions of interest to attend the 'Common-sense Compliance' workshop have been received from the following;**

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## LAUNCESTON CITY COUNCIL

### MEMORANDUM

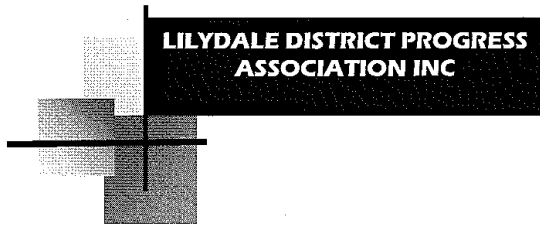
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#### Attachments

Letter from Lilydale Progress Association



**Alderman Jeremy Ball**



Alderman Jeremy Ball  
Deputy Mayor  
Launceston City Council

c/o Lilydale Post Office  
Lilydale 7268  
04/04/2013

Dear Jeremy

**Re: Common-sense Compliance**

In 2008 the Lilydale District held an open forum for residents to come together and develop a vision for the future development of both the physical and social attributes of the community.

Key amongst the priorities for social development and lifestyle enhancement was the revitalisation of community based activities such as markets, shows, concerts and other functions and forums that serve to bring the community together. There has, in recent years, been some marked successes in this area with the Lilydale Village Market and the 150th Anniversary Celebrations in 2011 and latterly the very successful Festival of Wood and Grand Opening of the Mural Painted Poles on the 16th and 17th of March.

The latter two events have been made possible by generous sponsorship from the LCC. For this the community is indeed grateful. Without the financial assistance of the Council and access to Council managed facilities, communities such as Lilydale would have great difficulty in arranging such events. From the experience gained in hosting such events, however, it has become clear to event organisers that there is another area in which the Council could provide very valuable assistance.

It is increasingly the case that event organisers have to deal with multiple regulations covering all aspects of events. The tendency has been for such regulation to become steadily more onerous on event organisers with the result that they feel ever more constrained in their ability to meet members and community expectations. These constraints operate in three ways:

1. Clearly defined restrictions that disallow planned activities.
2. Guidelines and regulations that allow for a degree of interpretation but which are often applied rigidly.

3. The sheer mass of regulation that requires an increasingly untenable amount of time, dedication and tenacity to navigate, understand and allow for.

The latter two categories are the source of immense frustration to those selfless and energetic members of any community who wish to organise an event from which the community would benefit greatly. Indeed it is now hard to find people prepared to undertake such effort due to the overly onerous nature of navigating such regulations. It is doubly difficult because those who attempt this invariably start from a position of relative ignorance and, as a result, have to spend an inordinate amount of effort understanding the regulatory requirements, tackling them and learning who and where to get advice from.

#### **Suggested Remedies**

No one wishes to host an event that puts people's safety at risk or inconveniences others. That said, there is always an element of risk in every human activity and to avoid all risk would be to do nothing. Hosting events, as in all of life's activities involves balancing risk with the reward from the experience and pleasure gained. That risk is sensibly curtailed by both the expertise supplied by the Council and by the regulations involved. It is, however, evident to those who have hosted community events that the regulatory guidelines are applied so rigidly that there seems to be no element of trust either in the conscientiousness of the organisers or in the general public's ability to assume any responsibility for their own actions and wellbeing. It seems unreasonable to expect community events, for which the aim is the enhancement of community wellbeing rather than profit, to suffer the same level of scrutiny and risk avoidance that would sensibly apply to large commercial events. Would it therefore not be sensible to introduce a classification or allowance for community events of restricted scope that:

- allows for far greater freedom of interpretation of guidelines and regulations (in line with the reduced risk)
- provides amnesty from much of the more pedantic regulations that are clearly drafted with large commercial events in mind.

Another way in which these issues could be ameliorated for community groups would be for the Council to provide a 'one stop shop' for event organisers. Feedback from organisers has always been positive about the encouragement and support gained from the Events team at the council. From first contact through the grant application system the level of advice and mentoring received has been most welcome. However, the majority of difficulty is encountered when dealing with the 'technical' details of more specialised considerations such as health and safety, traffic management, structures and permits etc. To cover off these issues the organisers are required to deal with a plurality of officers and experts each seemingly 'armed' with a battery of baffling regulations and procedural hurdles. With decisions affecting one aspect of the event often having repercussions for other aspects there results a lot of

discussions backwards and forwards trying to line up a viable event. This can be exasperating for the organisers and, no doubt, diverts and distracts Council staff away from their core duties. Perhaps a more mutually advantageous approach would be for the Council to appoint an officer whose core role would be to act as the 'one stop shop' and work with Council staff to realise the vision of the would be event organisers, interceding and advocating on their behalf to smooth an otherwise fraught process.

This is not a manifesto for change but a sincere call for review based on the experiences of an active community. In these days of electronic media and impersonal entertainment the social aspects of community can often be overlooked or undervalued. However, research shows, and the experience of the Lilydale community would concur, that communities that work, play and celebrate together are those that provide resilience and a more cohesive and fulfilling lifestyle for residents. Surely all levels of government as well as the communities they serve should be keen to encourage community activities and events that can underpin sense of community and not allow the inexorable encroachment of regulation and restriction to stifle the enthusiasm of volunteer organisers and community groups.

Sincerely

Mike Scott  
President, LDPA  
0448 540 251  
mkscott@ipstarmail.com.au

Email received Thursday April 4

Dear Jeremy

Your initiative on this matter could not have come at a more opportune moment for the Lilydale Progress Association. This is an issue that has been troubling us greatly. Recently the Lilydale Arts group organised a terrific weekend event, a 'Festival of Wood' coinciding with the opening of the repainted pole murals in the village. To say the regulatory hurdles that they had to overcome were overly burdensome is almost certainly an understatement and the word you use 'commonsense' seemed to be very lacking.

Accordingly, at a general meeting of the LDPA on 5th March this very issue was discussed and a motion passed for the LDPA to write a letter voicing our concerns to the LCC and other relevant bodies (LGAT, Minister for Local Govt etc). This was drafted and circulated to other community groups to determine if it struck a chord with them as well ... and it has.

Since receiving your excellent letter it seems appropriate to redirect the LDPA letter to you (attached) and advised some of the other local community groups to do likewise and to describe some of the specific difficulties that they have encountered. Please forward as you see fit in order to bolster the case for a more commonsense approach to these matters.

I trust you find this input useful.

Regards

Mike Scott

President, Lilydale District Progress Association

**DIRECTORATE AGENDA ITEMS****14 DEVELOPMENT SERVICES****14.1 Review of Public Event Fees****FILE NO:** SF4604, SF0069, SF0924, SF4382**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider the outcomes of a review of the Council's fees for public event approvals.

**PREVIOUS COUNCIL CONSIDERATION:**

2012/13 Fees and charges

**RECOMMENDATION:**

That the Council discontinue the charging of fees for Specific Event Place of Assembly Licences, Temporary Occupancy Permits and Temporary Food Business Licences for non-profit organisations.

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**REPORT:**

Public events are a major economic driver in any city, region and/or State and the Launceston City Council continues to make a significant contribution to ensuring that the Northern Region is provided with a vast array of quality events, which in turn stimulates economic activity and provides many social and economic outcomes for the community. In 2011/2012 Launceston City Council, via its Event Sponsorship Programs, directly supported 39 community events which were held in the Launceston Municipal area. This involved a financial commitment of \$376,000.

To ensure that public events are conducted in a safe and healthy manner, a framework of legislative requirements has been developed within the State. The main requirements include:

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**14.1 Review of Public Event Fees...(Cont'd)**

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*Building Act 2000*

All prescribed temporary structures (including tents greater than 10m<sup>2</sup>, stages etc) require a Temporary Occupancy Permit to ensure that they are suitable for occupation because they are both safe and healthy. In determining whether a temporary structure is suitable for occupation it is a requirement that they are accessible to all members of the public and more recently this has included a requirement for lifts or ramps to be provided for stages where the general public would have access.

*Food Act 2000*

Any stall or premises which sell food to the public must be licensed as a food business. A food business licence ensures that stalls are appropriately fitted-out, have essential facilities (i.e. hand washing, refrigeration, food handling utensils (etc)) to ensure that food is safely handled.

*Public Health Act 1997*

Public events must either be conducted in a venue which has a permanent Place of Assembly licence under this Act, or alternatively, a specific event place of assembly must be issued. The Place of Assembly licence controls issues such as safe access/egress, toilet numbers, overcrowding, risk management, emergency evacuation, smoking, nuisances (ie. noise, odour).

A public event includes any performance, public gathering, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance, publicly advertised lecture or other similar entertainment for the public. A public event does not include a religious service or ceremony, unless the functional control authority considers it is necessary to apply a specific event licensing requirement

*Local Government (Highways) Act 1982*

If a public event requires the use of a local highway, or part of a local highway, the event organisers must apply to the Council for a temporary road closure.

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## 14.1 Review of Public Event Fees...(Cont'd)

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The Council has established a suite of fees and charges for the assessment and issuing of the above-mentioned approvals which are based on the level of work involved. It should be noted that the fees are not calculated on a full-cost recovery basis and are already providing a 'community benefit' reduction. The Council's 2012/13 fees are:

Service	Fee
Temporary food business (if tent/marquee)	\$20.80
Temporary Occupancy Permits	\$124.80
Place of Assembly – Specific Event	\$104.00
Road Closure	Applicant pays advertising cost

In addition to these fees there are other compliance costs for event organisers which are beyond the Council's control such as Building Surveying fees (for Form 45 Suitability for Occupancy Certificates), Insurance costs and security costs (etc).

Over recent months the Council has received several requests from service clubs which conduct events in Launceston to consider reducing or waiving the fees included in the above table. It is argued by the clubs that the cost of achieving legislative compliance for public events has become prohibitively expensive and that the Council's fees as well as the legislative requirements are threatening the future of some events. Following these requests the Council has completed a review of its fees for public event approvals.

While it is accepted that there are many costs associated with organising and conducting a public event, the Council's fees are considered to be reasonable given the level of work required by Council officers. Were the Council to seek full cost recovery for these services the fees would be significantly higher. This said, however, a recent review of Tasmanian City Councils has identified that the following fees are set for the above-mentioned services:

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14.1 Review of Public Event Fees...(Cont'd)

	Hobart City Council	Glenorchy City Council	Clarence City Council	Burnie City Council	Devonport City Council
Temporary Food Business Licence (1 Day)	\$50 <u>Charity/ Schools</u>  Fee discretionary (exempt)	\$10 <u>Major events</u>  \$25.80	<u>Commercial or for profit activity</u>  \$26  <u>Raising money for charity</u>  No fee	<u>Permit to set up or use a stall to sell goods</u>  \$120	\$24
Temporary Occupancy permit	\$75	\$133	\$95	\$131	\$74
Specific Event Place of Assembly Licence	<u>Commercial</u>  \$150  <u>Charities/ Schools</u>  \$50.00	<u>Commercial</u>  \$166 per hour to assess + an inspection fee  <u>School fairs/ charitable &amp; community events</u>  \$70.90	\$131 plus \$78 per inspection	No fee set  Place of Assembly  \$120	\$130

## 14.1 Review of Public Event Fees...(Cont'd)

In addition to the above, a review of the West Tamar Council's fees and charges confirmed that it does not currently charge a fee for Temporary Food Business Licences or Specific Event Places of Assembly Licences for charitable or not-for-profit organisations, however, they do charge a fee of \$145.00 for Temporary Occupancy Permits with no exemptions for charitable or not-for-profit organisations.

It is clear that Councils throughout the State typically set a reduced fee or no fee for issuing Temporary Food Business Licences and Specific Event Place of Assembly licences to charitable organisations and schools. Therefore, to be consistent with the industry standard it is recommended that the Council discontinues its fees for Specific Event Place of Assembly Licences, Temporary Occupancy Permits and Temporary Food Business Licences for non-profit organisations.

It is suggested that a non-profit organisation should be as defined by the Australian Taxation Office:

- a company that is not carried on for the purposes of profit or gain to its individual members and is, by the terms of the company's constituent document, prohibited from making any distribution, whether in money, property or otherwise, to its members; or
- a friendly society dispensary.

A revised fee structure is provided below:

Service	Fee
Temporary Food Business	\$20.80
Temporary Food Business (non-profit organisation)	No fee
Temporary Occupancy Permit	\$124.80
Temporary Occupancy Permit (non-profit organisation)	No fee
Place of Assembly – Specific Event	\$104.00
Place of Assembly – Specific Event (non-profit organisation)	No fee

### **ECONOMIC IMPACT:**

Public events are a major economic driver for Launceston and any easing in the costs associated with organising and conducting an event would assist in supporting the continuation of the many and varied events that are offered in Launceston each year.

**14.1 Review of Public Event Fees...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

Public events make a positive social impact to the community by providing a variety of attraction for the community to attend should they wish to do so.

**STRATEGIC DOCUMENT REFERENCE:**

Strategic Plan Priority Area 4: Cultural Environment - 4.3 Continue to support community arts and events

Events Strategy 2012-2015

**BUDGET & FINANCIAL ASPECTS:**

The Council currently provides event sponsorship of \$376,000 annually for public events.

In 2011/12 the Council issued 108 Specific Event Place of Assembly licences which generated revenue of \$11,000; 455 temporary food business licences which generated revenue of \$9,000 and 70 temporary Occupancy Permits which generated revenue of \$9,000. Therefore, the total annual revenue for the permits required for public events is around \$29,000. Should the Council decide to discontinue the fees for non-profit organisation this revenue will be significantly decreased.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Michael Stretton: Director Development Services**

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**15 FACILITY MANAGEMENT AND GOVERNANCE SERVICES****15.1 Junction Arts Festival - Lease of Albert Hall Western Vestibule****FILE NO:** SF0367, SF0369, SF0200**AUTHOR:** Matthew Skirving (Manager Architectural Services)**DIRECTOR:** Rod Sweetnam (Director Facility Management and Governance Services)

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**DECISION STATEMENT:**

To consider the transfer and renewal of a Lease Agreement for the Western Vestibule of the Albert Hall.

**PREVIOUS COUNCIL CONSIDERATION:**

Item 12.2 - Council Meeting - 14 February 2011  
Notice of Motion: *Junction 2011 Funding & Support*

Item 13.3 - Council Meeting - 11 July 2011  
Report: *Event Sponsorship (Round 1) 2011/12*

Item 14.1 - Council Meeting - 9 July 2012  
Report: *Signature Event Sponsorship*

**RECOMMENDATION:**

That Council:

1. Transfer the current Lease agreement for the Western Vestibule at the Albert Hall from Tasmanian Regional Arts, to Junction Arts Festival Inc.
  2. At the conclusion of the current agreement, provide a new Lease to Junction Arts Festival Inc. for a further two year term at no cost.
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**REPORT:**

This report was deferred at the Council meeting held on the 25<sup>th</sup> March to enable Council officers to meet with representatives from Junction Arts Inc. This meeting was held on the 4<sup>th</sup> March.

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## **15.1 Junction Arts Festival - Lease of Albert Hall Western Vestibule...(Cont'd)**

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The Western Vestibule at the Albert Hall is currently leased to Tasmanian Regional Arts (TRA), with the current agreement due to expire on the 31<sup>st</sup> May 2013.

Junction Arts Festival Inc. (JAF) has requested that Council:

1. Transfer the remaining Lease term from Tasmanian Regional Arts, to Junction Arts Festival Inc.
2. Grant an additional Lease term of 2 years, on the same terms and conditions as the existing agreement.

Under the terms of the current agreement, Council waived the \$25,000 per annum Lease Fee (based on the Fee received from the previous tenant of this space). In considering the request to continue this subsidy, Council's support of the Junction Arts Festival as a recipient of Signature Event funding is of direct relevance.

As a Signature Event, Council provides \$35,000 per annum for a three year period from 2012-2014 (inclusive). The Manager of Community, Tourism & Events has provided the following summary of relevant matters for Council to consider in relation to the Signature Event funding assessment, and this request for continuation of additional "in-kind" support via the waived Lease Fee:

*Clause 4 of the Signature Event Sponsorship Agreement stipulates that 'No additional funding or assistance (including in-kind assistance) will be provided by Council for the event as sponsored.'*

*Under the Signature Events guidelines, applicants may include Council costs as part of their application budget, however payment of any Council costs associated with the event will be the responsibility of the applicant. All relevant Council services provided under this Policy will be charged at cost.*

*The logic of these provisions of the funding agreement would therefore be that, if the organisation made a case for requiring year-round accommodation in order to organise the event, then the full rental costs would need to be included as a part of their funding application. Junction Arts Festival Inc. did include the accommodation costs in their budget, but it is shown as \$25,000 in-kind contribution from the Council. It should be noted that the assessment panel did draw this fact to the attention of Council when making its recommendation that \$35,000 Signature Events Sponsorship be provided to the Junction Arts Festival each year for a period of three years.*

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**15.1 Junction Arts Festival - Lease of Albert Hall Western Vestibule...(Cont'd)**

---

*The difficulty with the accommodation subsidy having been assumed as an ongoing arrangement within the Signature Events application, is that an expectation has been established, albeit inadvertently.*

The original (subsidised) Lease agreement with Tasmanian Regional Arts, was granted subject to a resolution of Council in 2011:

**Item 12.2 - Council Meeting - 14 February 2011**

*Notice of Motion: Junction 2011 Funding & Support*

*That in view of the significant social and economic benefits that will flow from the establishment of a nationally and internationally recognised annual arts festival in Launceston, Council;*

1. allocates \$30 000 from the 2010/11 Budget, in addition to any Events Sponsorship funds, to the Junction 2011 festival and also provides in-kind support to the value of \$50 000;
  2. notes the strong support from the state government for an annual arts festival in Launceston through the allocation of \$200 000 per year for the next three years from Events Tasmania;
  3. notes that within the LCC 2008-13 Strategic Plan; arts and cultural development activities can be found in four out of the five Priority Areas and that Priority Area 4, the 'Cultural Environment' has a specific goal of 'Supporting and developing arts and cultural activities'; whilst in Council's 'Community Plan' the development of arts and cultural events activities is recognized in several priority areas.
-



**15.1 Junction Arts Festival - Lease of Albert Hall Western Vestibule...(Cont'd)**

---

**RESOLUTION: (1):**

*Moved Alderman J D Ball, seconded Alderman R J Sands.*

*That in view of the significant social and economic benefits that will flow from the establishment of a nationally and internationally recognised annual arts festival in Launceston, Council;*

1. allocates \$30 000 from the 2011/12 Budget, in addition to any Events Sponsorship funds, to the Junction 2011 festival and also provides in-kind support to the value of \$50 000;
2. notes the strong support from the state government for an annual arts festival in Launceston through the allocation of \$200 000 per year for the next three years from Events Tasmania;
3. notes that within the LCC 2008-13 Strategic Plan; arts and cultural development activities can be found in four out of the five Priority Areas and that Priority Area 4, the 'Cultural Environment' has a specific goal of 'Supporting and developing arts and cultural activities'; whilst in Council's 'Community Plan' the development of arts and cultural events activities is recognized in several priority areas.
4. That the Launceston Travel and Information Centre arrange bookings for the Festival.
5. The mover and seconder agreed to variations of the motion during debate.

The subsidised Lease of the Western Vestibule at Albert Hall for two years represents the in-kind funding included in the Notice of Motion described above.

On the basis of the already established Lease arrangements, and ongoing support provided to the Junction Arts Festival as a recipient of Signature Event funding, it is recommended that Council continue its in-kind support of Junction Arts Inc. by:

1. Transfer the current Lease agreement for the Western Vestibule at the Albert Hall from Tasmanian Regional Arts, to Junction Arts Festival Inc.
2. At the conclusion of the current agreement, provide a new Lease to Junction Arts Festival Inc. for a further two year term.

**ECONOMIC IMPACT:**

Major events held within the City, have proven to have a positive economic impact.

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**15.1 Junction Arts Festival - Lease of Albert Hall Western Vestibule...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

Major events are part of the social fabric of the City and add to the quality of life within the region.

**STRATEGIC DOCUMENT REFERENCE:**

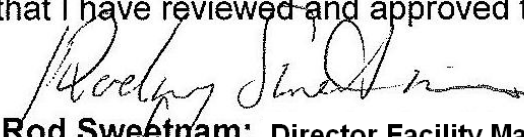
For Signature Event Funding: *Launceston Community Plan 2010 - Preferred Future Six: A Creative and Learning Community. PF6.1 - Support a series of arts and cultural events*

**BUDGET & FINANCIAL ASPECTS:**

The additional in-kind contribution represents approximately \$25,000 per annum of foregone rental revenue for the Albert Hall.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

<p>I certify that I have reviewed and approved this advice and recommendation.</p>  <p><b>Rod Sweetnam: Director Facility Management &amp; Governance Services</b></p>	
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**ATTACHMENTS:**

1. Albert Hall Western Vestibule - request by Junction Arts to extend lease
-



17 December 2012

Robert Dobrzynski  
General Manager  
Launceston City Council  
PO Box 396, Launceston TAS 7250  
robert.dobrzynski@launceston.tas.gov.au

Dear Robert,

Re: *Lease of Western Vestibule – Albert Hall*  
*File No. SF 0200/SF0367/SF0369 DHR*

I would like to request a review of the current Tasmanian Regional Arts/Junction Arts Festival's lease of the Western Vestibule at Albert Hall, and request a renewal for an equal period under the same terms.

Our current 2-year lease agreement with Launceston City Council will expire on 31 May 2013.

As a new Signature Event, I trust that Council will see this as a continuation of its commitment to the support of the local community and the ongoing development of the Festival.

Junction Arts Festival provides free access to the community to over 65 events, as well as significant community engagement for free throughout the year to almost 2,000 community members including those in outlying lower socio-economic suburbs, community groups, school children and at-risk youth. The Festival contributes not only to the liveability of the city and its economic growth, but also to the greater social and community development goals of Launceston City Council.

Albert Hall has been a perfect office space for Junction Arts Festival, accessible for local community groups and artists who we work with to meet here, and as the staff expands and contracts throughout the festival year and in the lead-up to the event it gives us the much-needed working space for our staff and board. We are extremely proud to host Tasmanian, national and international artists visiting us at our Junction HQ in one of Launceston's most beautiful heritage buildings, further promoting the city's rich architectural history.

As I'm certain that Dennis Robson and his team can attest, we have been excellent tenants of the space. We have ensured that it remains clean, in working order (including monitoring and saving frozen pipes) and have provided added security and overnight protection for the building annex that would otherwise remain empty and vulnerable. We contribute financially to the weekly cleaning, security surveillance and utility costs upwards of \$8,000 annually.



We have over the past 18 months worked with Hotel Grand Chancellor to ensure clear communication of all Albert Hall events, and also recently initiated discussions with Council staff to support efficiencies and energy saving measures to better support Council's efforts to manage Council-owned properties. We also regularly and unofficially act as tourist guides to the many visitors to Albert Hall and our office entrance.

As the current lease end date falls at a heavy pre-Festival time, I request that at the very least should Council be unable to renew the lease as requested for another full 2-year term, that you consider allowing us to remain in the building through to post-Festival, as the disruption of moving at that time would have detrimental impact on the event.

As you may also be aware, this past January 2012, Tasmanian Regional Arts successfully incorporated Junction Arts Festival as an independent not-for-profit organisation. The Festival remains linked to TRA through the secondment of myself, Natalie De Vito as Festival Director, and a Board Member position held by TRA's Executive Director Paul Jenkins.

Should you be able to extend our lease, we also request the transfer of the existing Lease of Space in the Western Vestibule – Albert Hall, as well as its associated access security cards, keys and the two bay parking permits located at Albert Hall, from Tasmanian Regional Arts (ABN 34 018 079 587) to the new organisation, known as Junction Arts Festival Inc. (ABN 36 414 918 339). As such, I would be the new primary contact and liaison on the contract once it is taken over by Junction Arts Festival Inc. at:

Natalie De Vito, Festival Director  
Junction Arts Festival  
PO Box 898  
Launceston TAS 7250

Thank you for all of the support that you have given to both TRA and Junction Arts Festival over the past several years, and we look forward to a prosperous and long-term partnership.

Should you have any questions, or wish to clarify next steps with this request, I can be reached at 0415 196 230 or [Natalie@junctionartsfestival.com.au](mailto:Natalie@junctionartsfestival.com.au).

With kind regards,

A handwritten signature in black ink, appearing to read 'Natalie De Vito'.

Natalie De Vito  
Festival Director

**17 INFRASTRUCTURE SERVICES****17.1 Coffee Van Licence - Civic Square****FILE NO:** SF0600**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider the licence terms of a coffee van in Civic Square.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council approve a licence to Scott D Freeburg for the operation of a mobile coffee van in Civic Square, subject to the following terms:

1. Applicant to meet planning and environmental services requirements
  2. The term shall be five (5) years commencing on 1 July 2013
  3. The licence amount shall be \$6,000.00 per annum plus GST linked to CPI
  4. For the term of the licence:
    - o tenant to be responsible for:
      - energy costs
      - volumetric charges for water
      - provide and service a rubbish bin in the immediate vicinity of the van
    - o tenant shall continuously maintain:
      - public liability insurance of at least \$10 million
- 

**REPORT:**

Mr Scott D Freeburg submitted a proposal (Attachment 1) on the 30 October 2012 to operate a mobile coffee van in Civic Square.

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## **17.1 Coffee Van Licence - Civic Square...(Cont'd)**

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The proposal is for a modified vehicle rather than a trailer (as per the Two Hands coffee trailer, and an earlier coffee trailer located in the same place). This proposal includes the supply of a small range of takeaway food to support the coffee sales and is proposed to include a seating area of 36 m<sup>2</sup>. The area requested for the placement of the van is closer to the Police Station and on the opposite side of Civic Square from where the previous vans have been placed. This is to take some advantage of shade from the adjacent trees and potentially a reduction in wind exposure. In the short term the van would be located on the other side of the square where the Two Hands Coffee cart was located until the Civic Square lighting upgrade project is completed. This lighting upgrade will provide the opportunity for a power outlet to be located along side the preferred location.

After receiving Mr Freeburg's proposal Council Officers were advised that a number of other parties including community based groups were also interested in developing a project involving a coffee van in Civic Square. Given the potential interest amongst other organisations, the Parks & Recreation Department advertised for expressions of interest on the 26 January 2013. Submissions closed on Wednesday 13 February 2013 and one other application was received from Koffi Pty Ltd trading as Doppios Coffee. The applications were assessed by a selection committee against the selection criteria established in the EOI process with Mr Freeburg's application being the preferred submission.

Mr Freeburg has proposed a license fee of \$6,000 per annum (inclusive of GST) which will be a useful addition to the Parks & Recreation Department's income. With the applicant paying for services used and providing a serviced rubbish bin, it is not believed that the activity will generate any additional costs to Council.

The long term vision for the future of Civic Square has not been determined and it may be that at some stage in the future, a mobile coffee van may not fit into the vision for the square. Given that what is proposed is a licence it wouldn't exclude the possibility of additional licenses being issued or the operation of a café in another building facing onto Civic Square. If a process is started to develop a long term plan for Civic Square the process is likely to take at least 12 months and possibly longer so the five year license term is likely to be significantly eroded by the time a funded redevelopment project is fully developed. Its placement would not interfere with a future tramway through the square or additional tree planting, both of which have been proposed recently.

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**17.1 Coffee Van Licence - Civic Square...(Cont'd)**

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Section 178 of the Local Government Act requires that the leases/licences of public land that exceed five years be advertised. Given that this licence does not exceed five years then public notice is not required, as per section 179 of the Local Government Act.

**ECONOMIC IMPACT:**

The business will employ a small number of new staff and have small positive economic impact.

**ENVIRONMENTAL IMPACT:**

There will be no environmental impact of any significance with this decision.

**SOCIAL IMPACT:**

There will be a minor positive social impact through the provision of an additional service to Civic Square which may facilitate some additional passive recreational use of the Square.

**STRATEGIC DOCUMENT REFERENCE:**Launceston Community Plan

Preferred Future Seven: A Prosperous Economy - Strategy One Encourage business development within the city.

---

**17.1 Coffee Van Licence - Civic Square...(Cont'd)**

---

**BUDGET & FINANCIAL ASPECTS:**

\$6000 per annum income for the Parks & Recreation Department

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. Proposal received from Scott D Freeburgh
-



**Attachment 1.**

30 October 2012

Mr. Andrew Smith  
Manager Parks and Recreation  
PO Box 396  
Launceston  
Tasmania 7250

Scott d Freeburgh  
The Square – Coffee Van  
[REDACTED]  
Launceston  
Tasmania 7250

**Re: PROPOSAL TO ESTABLISH A NEW COFFEE VAN IN THE CIVIC SQUARE**

Dear Andrew,

Thank you very much for meeting with me and discussing my proposal to gain a license on a small piece of land in the Civic Square Launceston to run my mobile coffee van. I believe this is the perfect time to establish a new outlet in the Civic Square, considering the funding for the previous *Two Hands Coffee Cart* has come to an end.

I believe the northern end of Launceston City precinct is under serviced with food and coffee outlets. I am willing to take the financial risk to set up a mobile coffee venture, were I able to secure a license for 5 years starting 1<sup>st</sup> January 2013.

I believe this venture will initially provide up to 3 part time jobs, including the opportunity for staff members to gain qualifications in Hospitality Certificate 2 & 3.

My mobile coffee van, *The Square*, would operate from 7.30am till 4pm Monday to Friday and will pack up and leave the site each day. There will be no impact at all on the Civic Square as my coffee van will be totally closed circuit (all wastes will be removed daily). I do not believe the mobile coffee van will have a significant impact on nearby businesses, with the closest coffee shop being approximately 600m away (as shown on figure 1.1). My customer base would include staff at the Launceston Police Station, Town Hall Building, Service Tasmania Building and other surrounding businesses.

Coffee plays a big part in how a lot of people start their day. I believe *The Square* mobile coffee van will be well accepted, and a place where people will grab their morning coffee, take away drink, healthy lunch, sit down and read the daily newspaper or have a chat with friends.

The space required to make this venture realistic will be the vans footprint and an approximate 6x6m area for tables and chairs – surrounded by bollards/screens. Please refer to 1.2 and 1.3 for further details. I will provide and be responsible for recycling and general waste facilities within these premises. As discussed, water will be drawn from the nearby garden (Launceston City Council staff to install a tap) and electricity will be provided to a location at my expense. I am willing to pay for my water and power usage.

With the very high cost of getting power to the said garden bed I am willing to use the previous site of Two Hands for approximately the first six months until the new lighting has been installed in the Civic square and then move to my preferred site.

The Square will be willing and keen to work with other organizations that use the Civic Square, plus we would vacate the site for up to 7 days per annum if there was a need. Preferably we would relocate to another part of the Civic Square while such events were being run.

For this licensed area I am willing to pay \$6000 per annum all inclusive, plus the cost of setting up the license. In these hard economic times I believe my investment and the service it provides to the Civic Square will liven up and create a community atmosphere in this quieter part of the city.

The concept behind this venture is the coffee – however to make this viable long term I will need to sell a small selection of healthy take away lunches and snacks. Coffee itself will not create a sustainable turnover. Please refer to 1.4 for a sample menu.

All the staff and myself at *The Square* will be willing to exit the vehicle to serve any customers that might have a disability or are unable to reach the service window. The van will have security cameras and monitors. All staff will be first aid trained and there will be a first aid kit on site. We will also be environmentally responsible – where possible disposable cups will be made from recyclable materials.

My coffee van concept is designed around our community, and due to my personal interest in cycling I wish to support the local cycling races on the weekends around the North and North West of Tasmania. My plan will be to sponsor feature races annually so these clubs can continue to operate and encourage healthy lifestyles.

Once again I would like to thank you for taking the time to work with me on this new and exciting venture.

Kind Regards

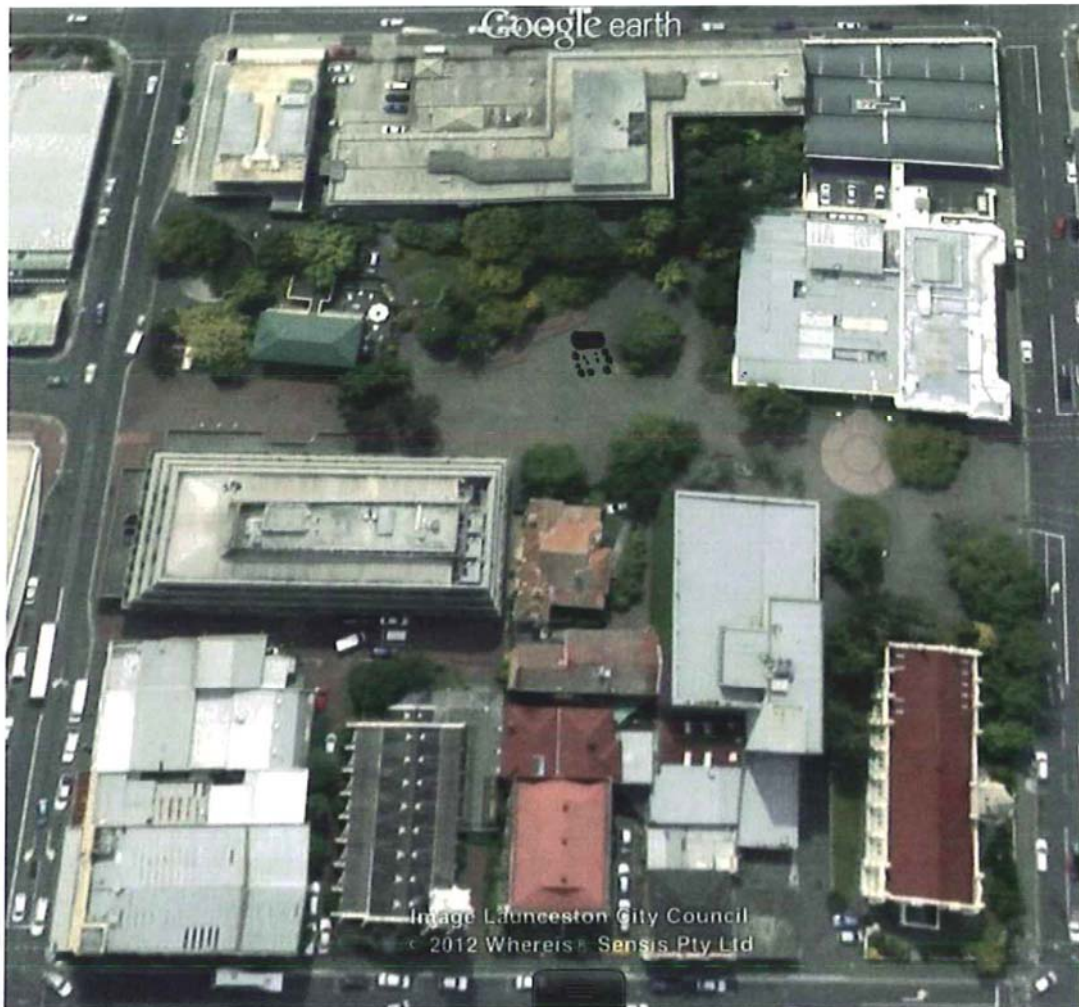


Scott d Freeburgh  
*The Square*

M  
E



*1.2 Satellite image of Civic Square showing proposed location of The Square.*



*1.4 Sample Menu*

*THE SQUARE*

- Coffee
  - Tea
  - Hot Chocolate
  - Juices (pre purchased)
  - Water
  - Flavoured Milk
  - Fruit Buns
  - Muffins
  - Wraps (made off site)
  - Salads (made off site)
  - Chocolates
  - Daily newspaper
-





**17.2 Launceston Road Safety Consultative Committee - 13 February and 18 March 2013****FILE NO:** SF5909**AUTHOR:** Harry Galea (Director Infrastructure Services)

---

**DECISION STATEMENT:**

To receive and consider a report from the Launceston Road Safety Consultative Committee.

**RECOMMENDATION:**

That the reports from the Launceston Road Safety Consultative Committee meetings held on 13 February and 18 March be received.

---

**REPORT:**

The Launceston Road Safety Consultative Committee (LRSCC) held meetings on 13 February and 18 March 2013 to provide comment on seven projects likely to form the road safety program for 2012/13. The road safety projects and the decisions of the committee are as listed below.

1. Lower Charles Street/Esplanade - to remove the left turn slip into Esplanade, pedestrian crossing on north side of junction.

**Recommendation:** The Launceston Road Safety Consultative Committee inform Council that the proposal to remove the turn left slip lane to the Esplanade is supported.

2. Tompsons Lane - paint edge lines along both sides of the road

**Recommendation:** The Launceston Road Safety Consultative Committee supports the withdrawal the road edge line proposal. Instead, erect 50kph signage at both ends of the road.

3. David Street, Newstead - to paint edge lines along both sides of the road

**Recommendation:** Nil

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**17.2 Launceston Road Safety Consultative Committee - 13 February and 18 March 2013...(Cont'd)**

---

4. Howick St/High Street - to widen the central island, provide a staggered crossing

**Recommendation:** The Launceston Road Safety Consultative Committee inform Council that the proposal to widen the central island and provide a staggered crossing is supported.

5. Bathurst Street/Balfour Street - Non skid treatment

**Recommendation:** The Launceston Road Safety Consultative Committee inform Council that the proposal to erect 'advanced warning' signage is supported.

6. Bathurst Street (Balfour Street/Brisbane Street) - 50 kph speed limit

**Recommendation:** The Launceston Road Safety Consultative Committee inform Council that the proposal to introduce a 50kph speed limit is deferred until the group is in receipt of a copy of the accident statistics from DIER. This will therefore, move this proposal to 2013/2014 Program.

7. Wellington Street (Paterson Street to Balfour Street) - 50 kph speed limit

**Recommendation:** The Launceston Road Safety Consultative Committee inform Council that the proposal to introduce a 50kph speed limit is deferred until the group is in receipt of a copy of the accident statistics from DIER. This will therefore, move this proposal to 2013/2014 Program.

The next meetings of the Committee will be held in July to provide comment on the Black Spot Road Safety Program 2014/15 and road safety program 2013/14.

**ECONOMIC IMPACT:**

N/A

**ENVIRONMENTAL IMPACT:**

N/A

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**17.2 Launceston Road Safety Consultative Committee - 13 February and 18 March 2013...(Cont'd)**

---

**SOCIAL IMPACT:**

N/A

**STRATEGIC DOCUMENT REFERENCE:**

N/A

**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**



**17.3 Launceston Interim Planning Scheme 2012 - Raglan Street Specific Area Plan****FILE NO:** SF1901 SF3854**AUTHOR:** Harry Galea (Director Infrastructure Services)

---

**DECISION STATEMENT:**

To finalise the construction cost of the roundabout at the intersection of Raglan Street and Kings Meadows Connector and make the necessary adjustments within the Launceston Interim Planning Scheme 2012.

**PREVIOUS COUNCIL CONSIDERATION:**

Item 10.5 - 20 April 2009

Council initiated planning scheme amendment to include the Raglan Street Specific Area Plan.

**RECOMMENDATION:**

That Council, in respect to the construction of a roundabout and related road infrastructure at the intersection of Raglan Street, Connector Park Drive and Kings Meadows Connector, resolves to:

1. Endorse the final cost of the works, as submitted by the Director Infrastructure Services, at a cost of \$1,032,571.
-

### 17.3 Launceston Interim Planning Scheme 2012 - Raglan Street Specific Area Plan...(Cont'd)

2. Make a submission to the Tasmanian Planning Commission that the table at F3.3.2 A1 of the Launceston Interim Planning Scheme 2012 be changed as follows:

*A1 Subdivision or multiple dwelling must not be approved until the infrastructure contribution for that land is paid as specified below or paid in amounts proportional to the stage of a subdivision prior to sealing of each particular stage. The contribution must be increased by the loan rate applicable from time to time calculated from 1 January 2012.*

<i>Property (Title reference)</i>	<i>Area (ha)</i>	<i>Road Asset Contribution (As of 1 July 2009)</i>
24388/1	8.292	\$254,019
39931/1	1.101	33,728
24356/3	4.963	152,038
11240/1	5.358	164,139
131894/3	7.171	219,678
64608/1	0.224	6,863
CNV 22/263	4.280	131,114
<b>TOTAL</b>	<b>31.389</b>	<b>\$961,579</b>

3. Reimburse to RV Pty Ltd an amount of \$23,508.

#### REPORT:

Council in 2009 approved the construction of a roundabout at the intersection of Raglan Street, Connector Park Drive and Kings Meadows Connector. The project facilitated a new road entrance (Raglan Street) and the residential zoning of approximately 30 hectares of broad acreage on the southern side of Kings Meadows Connector. Although the project was financed by Council, the costs were to be recovered over time as a developer charge as each of the broad acre lots were developed. A new section was incorporated into the Launceston Planning Scheme which listed the *Road Asset Contribution* (i.e. developer charge) which was calculated proportional to the size of the lot.

**17.3 Launceston Interim Planning Scheme 2012 - Raglan Street Specific Area Plan...(Cont'd)**

---

The estimated cost of the project (which included road construction, property acquisition, design and project administration) totalled an estimate of \$1,280,000. Soon after the approval of the Planning Scheme amendment - incorporating the *Raglan Street Specific Area Plan* and developer contributions - a permit was issued to RV Pty Ltd for the subdivision of land at the Mt Pleasant Estate which included connection of the internal road network to Connector Park Drive thereby increasing the volume of traffic using the Kings Meadows Connector/Connector Park Drive intersection. It was considered reasonable that RV Pty Ltd be charged a developer contribution of \$94,500 as its share to the proposed roundabout works (excluding road works and ancillary charges on the southern side of Kings Meadows Connector) which provided additional funding over and above the estimate in the event that the delayed lead time to construction would force the cost of the project beyond the estimate.

The road construction works and the corresponding 12 months defects liability period are complete at a total project cost of \$1,032,571.

Land Acquisition	\$142,097
Design & Survey	65,738
Contract Administration	20,255
Construction	<u>804,481</u>
<b>Total Project Cost</b>	<b><u>\$1,032,571</u></b>

Given that the project costs are below the estimated cost, it is appropriate to revise the developer contribution charges as listed in the scheme, and revise the contribution by RV Pty Ltd.

---

### 17.3 Launceston Interim Planning Scheme 2012 - Raglan Street Specific Area Plan...(Cont'd)

Revised calculations compared to current developer charges (as shown in the Interim Launceston Planning Scheme 2012) are shown in the table below.

Property (Title reference)	Area (ha)	Road Asset Contribution	
		In current Planning Scheme (as of 1 July 2009)	Revised calculations (as of 1 Jan 2012)
24388/1	8.292	\$338,136	\$254,019
39931/1	1.101	\$44,897	33,728
24356/3	4.963	\$202,385	152,038
11240/1	5.358	218,492	164,139
131894/3	7.171	\$292,423	219,678
64608/1	0.224	\$9,135	6,863
CNV 22/263	4.280	\$174,532	131,114
<b>Sub total</b>	<b>31.389</b>	<b>\$1,280,000</b>	<b>961,579</b>
RV Pty Ltd	N/A	\$94,500	70,992
<b>TOTAL</b>		<b>\$1,374,500</b>	<b>1,032,571</b>

(Note: Enclosed as Attachment 1 is a plan showing location of titles referenced)

Since the approval of the Raglan Street Specific Area Plan an operational difficulty has become evident. The Scheme requires payment of the developer contribution before issue of the planning permit. It is considered reasonable and enforceable to allow multi stage subdivisions to pay by 'instalments' proportional to the area paid prior to sealing each stage of the subdivision. Changes to the description under F3.3.2 A1 (Launceston Interim Planning Scheme 2012) are recommended to facilitate a more practical method to apply the developer charge.

#### ECONOMIC IMPACT:

The implementation of this project and corresponding land zoning has provided the opportunity for large scale housing development relatively close to Launceston central area.

**17.3 Launceston Interim Planning Scheme 2012 - Raglan Street Specific Area Plan...(Cont'd)**

---

**ENVIRONMENTAL IMPACT:**

Not applicable.

**SOCIAL IMPACT:**

Not applicable.

**STRATEGIC DOCUMENT REFERENCE:**

The goals within Council's Strategic Plan (2008-2013) which is considered relevant are:

- 2.1 Facilitate a sustainable approach to enhanced access to and within the municipality.
- 3.3 Develop an effective land use blue print for a sustainable future

**BUDGET & FINANCIAL ASPECTS:**

On the basis that RV Pty Ltd have already paid the developer charge (for the Mt Pleasant Estate subdivision) then a refund of the difference (i.e. \$23,508) is necessary.

In due course Council will be reimbursed (at current day value) the full cost of the Raglan Street projects given that an inflation rate is applied to the developer charges.

The budget adjustment consideration of this item has been approved by the Director Corporate Services.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

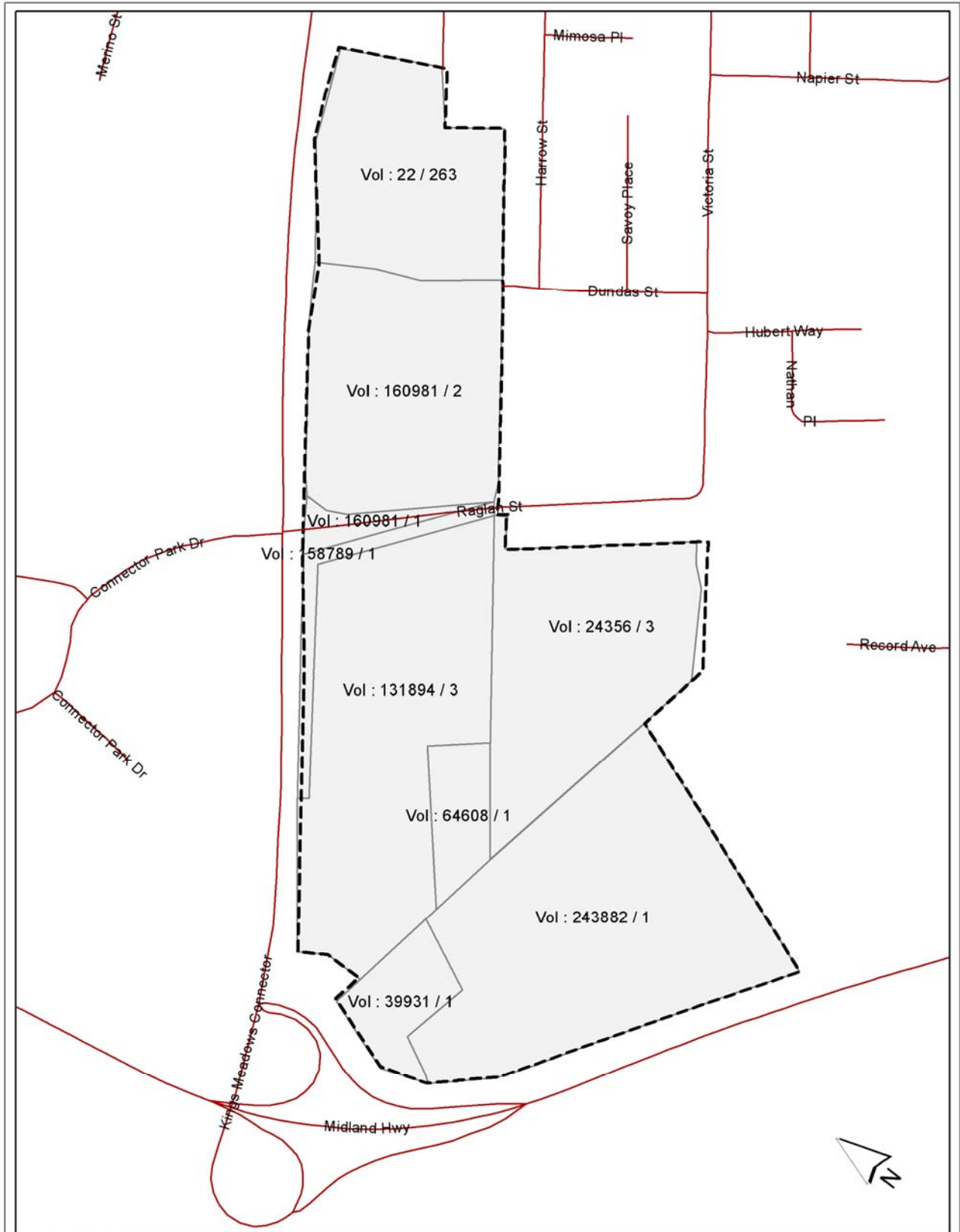
I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. Plan showing location of titles referenced.
-



Printed: 27/03/2013

NOTE:  
While all reasonable care has been taken to ensure the accuracy of the information portrayed on this plan its purpose is to provide a general indication of the location of Council services. The information provided may contain errors or omissions and the accuracy may not suit all users. A site inspection and investigation is recommended before commencement of any project based on this data. This note forms an integral part of this plan.  
©Launceston City Council 2013

Raglan Street  
Specific Area Plan

Scale at A4 :  
1:5,000



Spatial Sciences



**17.4 Funding Commitments for the North Eastern Mountain Bike Development Project****FILE NO:** SF3532**AUTHOR:** Michael Tidey (Director Corporate Services) and Harry Galea (Director Infrastructure Services)

---

**DECISION STATEMENT:**

To consider the provision of both financial and in-kind commitment to the North Eastern Mountain Bike Development Project.

**PREVIOUS COUNCIL CONSIDERATION:**

Item 4.1 - SPPC Meeting 6 November 2012

NTD submission on project seeking support to lodge a Regional Development Fund (RDA) Expression of Interest.

Item 4.4 - SPPC Meeting 8 April 2013

Discussion on project and funding required from Council.

**RECOMMENDATION:**

That the Council defers a decision on the request to provide support for the North Eastern Mountain Bike Development Project pending advice from:

1. Northern Tasmania Development on a number of outstanding matters.
2. Council staff relating to the Council's ability to accommodate the requested funding within the Strategic Financial plan.

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Northern Tasmania Development (NTD) made a presentation to the Council's Strategic Planning and Policy Committee in November 2012 on the North Eastern Mountain Bike Project.

The request from NTD was for

- support to lodge an application for RDA funding and
  - for LCC (together with Dorset and Break O'Day) to equally share the Local Government contribution
-

## **17.4 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)**

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The Local Government funding was to be added to the other co-contributors such as the State Government, Tourism Tasmania, NRM North etc. The State Government has provided \$800,000 directly toward the Hollybank course (but this amount was also being used by NTD to bolster the co-contribution to make up the 50% RDA request).

The outcome of this discussion was that while the Council was prepared to support the lodgement of an application to Regional Development Fund (RDA) for funding a separate decision would be required to be made by the Council to determine its final support and financial commitment to the project. In order for the Council to be in a position to consider the matter further NTD were advised that there needed to be a number of matters addressed.

The RDA has approved the project to move to the next round and make a full application. This being one of only three Tasmanian projects approved to the full submission stage. The North Eastern Mountain Bike Development Project consists of three trails at Hollybank (18km), Blue Tier (43km) and Derby (35km).

Since the initial discussions the Council's staff have actively worked with the NTD and others involved in the project to address a range of matters that have been raised so that a detailed project specification could be presented to the Council for consideration.

NTD have not as yet been able to advise the approach to the following matters:

- A clear unambiguous indication of FT's position (responsibilities, accountabilities and funding).
  - Clarification of a committed position regarding the provision of toilets so that the matter does not remain unresolved.
  - What is the potential to seek funding for the project from the Timber Industry transition program, given the economic activity generating potential of the project.
  - What risk is there with maintenance funding after 5 years and how do you address the likelihood that collection of user charges may prove to be difficult.
  - Has advice been sought on the potential for each of the partners in the project to be held jointly and severally liable for any incident that occurs from a public liability perspective.
  - A number of our Aldermen appeared anxious regarding the "Business Case" and saw a high risk that the costs could significantly exceed estimates and that the revenues projected may not eventuate.
-



## **17.4 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)**

- The Tourism Tasmania figure of \$300,000 was queried as being "in-kind" yet the marketing plan appears to indicate a requirement for marketing funding which is not identified to a source. This may fall back on to the Councils.
- Some of the case study examples are quite old (15 years in one instance) and do not appear directly comparable to the circumstances of northern Tasmania.
- To enter into an agreement with Forestry Tasmania (FT) that five years after practical completion of construction that maintenance, management and reconstruction responsibilities revert to FT.
- That the maintenance and management of the three trails be considered as one regional contract with the NTD as the sole managers of a maintenance contract agreement with direction provided by a steering committee consisting of the three Councils, Forestry Tasmania and Sport and Recreation. Separate public liability insurance to be obtained by NTD for the five year maintenance period.
- NTD seek a licence from Parks and Wildlife Service or Forestry Tasmania (as appropriate) - Licence for Commercial Visitor Activities to allow levies to be applied for specific events. NTD to establish a system to register event users and promotion of facility;

NTD have now written to the three councils involved in the project seeking both financial and in-kind commitment to the project.

Financial details of the project are:

<b>Set Up Funding</b>		<b>Total</b>	<b>Cash</b>	<b>In-kind</b>
State Government	17.2%	\$800,000	\$800,000	
Local Government	15.2%	\$707,750	\$427,750	\$280,000
Tourism Tasmania	6.4%	\$300,000		\$300,000
Sport & Recreation	8.6%	\$400,000		\$400,000
RDA	52.6%	\$2,450,000	\$2,450,000	
<b>Total</b>	<b>100.0%</b>	<b>\$4,657,750</b>	<b>\$3,677,750</b>	<b>\$980,000</b>

The Local Government funding of \$707,750 is to be shared equally between the three councils, that is \$236,917 each. This is made up of a cash component of \$142,583 and the balance of \$94,334 in-kind.

## **17.4 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)**

The cash amount of \$142,583.33 primarily paid in one financial year (albeit between Councils it may be staggered depending on the construction sequence and timing) and the in-kind contribution as the works occur. The time spent on the project (ie the value of the in-kind contribution) will divert resources from other projects or defer projects to a later financial year.

The maintenance cost is an additional \$52,000 each per year for five years (\$156,000 each) = \$775,250. The in-kind contribution during the five year maintenance period is expected to be insignificant.

<b>LCC contribution</b>	<b>Total</b>	<b>Cash</b>	<b>In-kind</b>
Set Up	\$236,917	\$142,583	\$94,334
Maintenance (five years)	\$260,000	\$260,000	-
<b>Total</b>	<b>\$496,917</b>	<b>\$402,583</b>	<b>\$94,334</b>

The assumptions made by NTD and as generally presented to SPPC are:

- Each Councils' in-kind support will be to project manage the construction of the trail within their municipal boundary - for Launceston this will be Hollybank
- All sites are on Forestry Tasmania land but Forestry Tasmania won't be involved with assisting construction or maintenance. Forestry Tasmania expect a five year maintenance agreement (assuming that Local Government can then walk away from the sites)
- NTD expect to draw a significant income from major events (but have not as yet determined how will an organiser 'book' the facility and be charged fees)
- A specialist contractor will be engaged to conduct the maintenance inspections and co-ordinate the voluntary labour (i.e. mountain bike clubs) to maintain the course. Hence pooling maintenance money and spending across the board on a needs basis - this means cross subsidisation.

The Council officers (Manager Parks and Recreation and the Director Infrastructure Services) have been recently seconded to implementation and oversight committees and make the following comments on matters that need to be addressed:

- As Project Managers Local Government will be responsible for Workplace Health and Safety requirements.
- It appears that Forestry Tasmania are seeking that Local Government will underwrite the maintenance for a five year period. The responsible organisation must ensure that a proper inspection regime is in place, maintenance completed and adequate public liability.

**17.4 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)**

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- No toilet allowed for at Hollybank - reliance on use of private toilet used by Tree Top Adventures or at the Forestry Tasmania run McNeil buildings.
- Part of the Hollybank trail is to be built through a production forest. One section is in a logging coupe that is scheduled to be harvested over the next 12 months. From time to time use of the trail will be unavailable when the logging coupes are being harvested.
- It is not resolved who will collect and set the fees for Hollybank (or the other trails) when a major event/group wish to use the facility. This income would be used to off-set maintenance activities.
- If construction or maintenance costs increase then Local Government will be underwriting these increased costs.
- Tourism Tasmania has listed their \$300,000 as in-kind. The marketing plan contains items which require cash but this has not been identified as being funded from Tourism Tasmania. Marketing and promotion will be the key to the success of the project. If Tourism Tasmania does not fund promotion then NTD (and sponsoring councils) will need to budget for marketing.

The matters above have been raised with NTD who provide a reply enclosed as Attachment 1 and Attachment 2. One matter that should be recognised is the concept that the mountain bike project is seen as a regional tourism project and hence the costs (set up, maintenance and in-kind) are divided equally among the three Councils - even though the scale of the development within each region differs [Hollybank (18km), Blue Tier (43km) and Derby (35km)]. In the officers view the argument that supports this arrangement is that cost apportionment should not be based on infrastructure provision (given that ultimately it is not Local Government that will be the asset owner) but instead on tourism benefit derived. Given the latter is virtually impossible to estimate and that the conduit to access these trails will start and finish in Launceston then equal shares in the project is reasonable.

Council's Economic Development Officer and Tourism Manager provided the following comments:

- Project provides a free 'public good' to the occasional user, the benefits of which are captured by a diversity of businesses (motels, hospitality, transport and supplier etc). There isn't a mechanism to capture fees/charges for those who will be expected to foot the costs of ongoing maintenance. The commercial and administrative arrangements for charges associated with events need to be resolved.
-

**17.4 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)**

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- There is little data or analytical information that can be added in relation to the value of the proposition, feasibility or market for this activity.
- The V8 Super Cars attracts 60,000 spectators over the three days and generates \$3.5m in economic stimulus per year. At that rate and given the three councils intend to contribute \$1.5m over the five years, the break even usage is approximately 20,000 day users over the five years - 4,000 per year.
- The tourism figures are very optimistic, base case shows natural growth 5,776 to 6,214 over five years an increase of 7.6%. The plan estimates a total of 21,360 users after the trails are constructed which is an increase of 343% on the base case.
- This is made up of a number of large multipliers
  - 15% growth in interstate market share (south to north Tasmania)
  - 100% growth in visitors biking whilst visiting Tasmania (not necessarily mountain bikes)
  - Growth in segmentation of 25% that are mountain bikers compared with other cyclists
  - 240% increase in intrastate share of mountain bikers
- In addition there is no substantiated evidence of original numbers.
- Anecdotally a significant number of visitors are intrastate day trippers, as a consequence there would be little or no economic growth impact of these visitors therefore the economic benefits I believe have been overstated.
- The investment bid is against a background of a new bike trail opening up in Trevallyn, existing trails over Mount Reid and the guaranteed investment of \$800,000 at Hollybank (could be run as a private venture). Question the need, at this stage, for an expansion of trails over and above what is already in place. The projected growth could be better tested over a period without the projected investment by Council.

**ECONOMIC IMPACT:**

The development of three trails in the north east of Tasmania will provide a sufficient scale to promote mountain bike tourism that should draw visitor from all parts of Australia. The trails can each be negotiated as day long ventures and as a result promote 3 - 4 day stays. The expenditure by visitors will add to the economic health of the north east region. The trails assist to add to the diversity of activities that tourist (and locals) can experience in northern Tasmania.

The business credentials of the project are provided in Attachment 3 'Potential for Mountain Biking in North Eastern Tasmania' and Attachment 4 'North Eastern Mountain Bike Development - Business Case' (particularly Section 7 Cost/Benefit Analysis).

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## **17.4 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)**

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### **ENVIRONMENTAL IMPACT:**

The trails will be designed and constructed to minimise the impact on the environment. Mountain biking has no effect on air quality except for transportation between venues.

### **SOCIAL IMPACT:**

The project will provide distinct benefits to the residents of northern Tasmania as an alternative recreation venue is available to the community. The issues that contribute positively to the social fabric of the community are entertainment, social interaction, recreation and family. .

### **STRATEGIC DOCUMENT REFERENCE:**

The goal within Council's Strategic Plan (2008-2013) which is considered relevant is:  
3.2 - Facilitate effective regional and economic development in the Launceston area.

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

The following comments are provided by the Director Corporate Services.

The project was primarily developed to provide an experience and activity to generate tourism in the north east of Tasmania - hence the funding should be treated as tourism expenditure.

The facilities are not owned by the Council so all funding contributions would be treated as operational (not capital) expenses. The Council's Strategic Financial Plan has as fundamental objectives the reduction of operating expenses and the critical scrutiny of any expenditure on new facilities that has the potential to increase operating costs into the future.

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## **17.4 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)**

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The cash and in-kind cost to Launceston is in the order of \$500,000 (\$400,000 cash and \$100,000 in kind) over the five year timeframe. The addition of funding for this project to the 2014 and subsequent budgets will require the offsetting removal of other operating costs. Given the regional facilities that the Council currently funds without a clear decision on offsetting savings the Council's current budgetary position does not have the scope for this level of funding increase.

### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

### **ATTACHMENTS:**

1. Letter from NTD - seeking commitment to project and providing information to questions raised
  2. Email from NTD - to supplement information provided in Attachment 1
  3. 'Potential for Mountain Biking in North Eastern Tasmania' - distributed electronically
  4. North Eastern Mountain Bike Development Business Case - distributed electronically
-



## ATTACHMENT 1

Level 1, Cornwall Square Transit  
12-16 St John Street, Launceston  
PO Box 603, Launceston TAS 7250  
T 03 6380 6800 F 03 6331 9400  
E [admin@northerntasmania.org.au](mailto:admin@northerntasmania.org.au)  
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[www.northerntasmania.org.au](http://www.northerntasmania.org.au)

20 March 2013

### **RE: FUNDING COMMITMENTS FOR THE NORTH EASTERN MOUNTAIN BIKE DEVELOPMENT PROJECT**

I write to ask for consideration and confirmation of funding commitments from your Council for the North Eastern Mountain Bike Development Project (NEMTB).

In December, NTD coordinated the submission of an Expression of Interest for the Regional Development Australia Fund – Round 4. This EOI was successful being one of only three across Tasmania to be accepted by RDA.

The RDAF application is now being prepared and has a total project cost of \$4.6 million, of which approximately 50%, will be sought from the Australian Government. The Tasmanian Government has been asked for \$1.5million (including \$300 000 from Tourism Tasmania). The project will be a joint initiative between Break O’Day Council, Dorset Council (Lead Applicant), Launceston City Council and NTD.

We are finalising a detailed project plan for submission to RDAF. This plan includes the following basic details and commitments:

#### **Council cash contribution toward trails and associated infrastructure**

\$142,583.33 plus gst (3% of total project cost) per Council in 2013/14

#### **In Kind contributions to the capital/construction components**

##### **Dorset/Break O’Day**

- Project Management of Derby/Blue Tier construction
- Project Management of RDAF Activity items (e.g. RDAF Reporting)
- Coordination of Derby/Blue Tiers Implementation Team with support from NTD

##### **Launceston City Council**

- Project Management of Hollybank construction tasks
- Coordination of Hollybank Implementation Team with support from NTD
- Management of funds secured for Hollybank (\$800 000) and associated Grant Deed requirements through Sport and Recreation Tasmania.



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#### NTD

- Project Management – Regional-level activities (non-construction) e.g. commissioning marketing plan, developing community engagement platform, communications/PR during construction and Steering Committee administrative support.

In addition, we have developed a maintenance model for your endorsement. The Australian Government's support will be dependent on us providing surety and certainty about ongoing maintenance of trails built through the NEMTB project for a period of five years.

NTD is recommending a centralised, commercial arrangement for maintenance of the trails. That is, one contract, held by Dorset Council as the Lead Applicant to cover the NEMTB network. Other methods, including skills and volunteer programs, will be developed during the construction phase but are considered too conceptual to include in the RDAF application.

The model we propose is that Councils fund and coordinate maintenance.

**Cash contributions:** Each Council is being asked for cash contributions of \$51,683.00 each, per annum (plus gst) for five years following trail construction (practical completion), likely to be from 2014/15 to 2019/20 depending on construction timetables.

**In-kind contributions:** Apart from the capital/construction components above, the need for in-kind is minimal. There may be some materials (e.g. gravel) and/or expertise from time to time. NTD is recommending an outsourced commercial arrangement for trail maintenance thereby reducing in-kind contributions for maintenance.

Other responsibilities of Councils:

**Public Liability Insurance.** Each Council will need to consider the implications of jointly funding and maintaining trails on public land (State Forest and Forest Reserves). From initial discussions with Councils, this coverage should be able to be included in existing policies held by Councils.

**Management of Commercial Agreements:** It is proposed that Licences for Commercial Operations will be through the established Parks and Wildlife Service - Licence for Commercial Visitor Activities. We also propose a specific event levy that will be managed through Forestry Tasmania's existing systems.





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**Volunteer Management:** We have not proposed a system of formalised volunteer management for the first one-two years given we will be in a construction phase. NTD would then coordinate arrangements to build on the existing efforts of volunteer organisations that are already involved in trail maintenance and funding, such as the Launceston Mountain Bike Club and Rotary Clubs.

This project is the highest priority for NTD, and I am extremely excited by the prospect of obtaining funding for what I believe to be a truly regional project. The cooperative spirit and efforts that we have experienced from Councils and other project partners is extremely encouraging and motivating.

I ask that you provide a letter confirming the support of your Council for the project, and the contributions outlined in this letter, by 5 April 2013. I understand that this support may be specific to the outcome of the RDAF application. Please let me know if you require any further information.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Derek Le Marchant', is written in dark ink.

Derek Le Marchant  
**Executive Officer**

## ATTACHMENT 2

Received via email from Derek LeMarchant NDT - 18/03/2013

**Details to be included in formal letter to Councils**

### **Upfront/immediate cash contribution to the capital costs**

2013/14 - \$142,583.33 plus GST being 3% of total project cost per Council

### **Description of "in-kind" contributions in regards to the capital/construction components**

Launceston City Council

- Project Management of Hollybank construction
- Coordination of Hollybank Implementation Team
- Management of funds for Hollybank (\$800K) and associated Grant Deed requirements through Sport and Rec.

Dorset/BODC Partnership

- Project Management of Derby/Blue Tier construction
- Project Management of RDAF Activity items (eg RDAF Reporting)
- Coordination of Derby/BT Implementation Team

NTD

- Project Management – Other regional-level activities (non-construction) eg commissioning marketing plan, developing pilot website/platform, Comms/PR, Steering Committee Admin Support.

### **Envisaged model for the ongoing (or specified term of) maintenance of the trails which details:**

#### *- Cash contributions*

Each Council is being asked for cash contributions of \$51,683.00each per annum (plus GST) for 5 yearspost construction.

#### *- Description of in-kind contributions*

Apart from the capital/construction componentsabove, the need for in-kind is minimal. Maybe some materials (gravel etc) and/or expertise from time to time. NTD is recommending an outsourced commercial arrangement for trail maintenance thereby reducing in-kind contributions.

#### *- Specific responsibilities of council (i.e., public liability, management of commercial agreements, management of volunteers, contracting specialist track maintenance company etc.)*

Public Liability. Each Council will need to consider the implications of jointly funding and maintaining trails on public land. I would love your thoughts on this but from initial discussions it should be able to be covered by existing policies held by Councils.

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Management of Commercial Agreements: We have recently had conversations with FT about Licences. Licences for Commercial Operations will be through the established Parks and Wildlife Service Licence for Commercial Visitor Activities. We would also have an event levy managed through FT. Not sure about Policing this Levy but we will check with FT.

Volunteer Management: We have not proposed a system of formalised volunteer management for the first 2 years given we would be in a construction phase. We (NTD) would then look to build on the existing efforts of volunteer organisations that already contribute (eg Launceston Mountain Bike Club, Rotary etc). But Councils may wish to be involved in municipal-specific initiatives to rally communities around trails.

Track Maintenance: NTD is proposing a centralised (commercial) arrangement for maintenance of the trails. That is, one contract, held by Dorset Council (NTD's recommendation) to cover the NEMTB network. Other methods including skills programs will be development during the construction phase but were considered too conceptual to include in the RDAF application.

**There are other matters that I seek NTD to also address in the letter - these are:**

- **Please explain the rationale on why funding should be equal between councils given the disproportional track lengths in the three council areas (both for capital contribution and maintenance activities)**

Maintenance is a function of usage, climate, soil type, build quality, trail grade, trail length and other variables. Until we construct and maintain the trails, we will not know fully the per annum cost for each trail. We feel there is no other way to divide the maintenance cost at this stage.

However, it is fair to assume that Hollybank will have the most usage (volume) and therefore will (probably) have higher maintenance requirements (all other things being equal). It will also be the major 'green' (easy) section of the network, therefore needing a higher level of care.

Other issues to consider when dividing costs include the ability of trail localities to attract volunteers for maintenance given trail proximity to population centres, regularity of events (therefore levies) plus the likelihood that many visitors will fly in and stay in Launceston. The question of cost must be in the context of benefits.

Note: We also propose to equally split levies/revenues equally as well as spread the benefits of any training programs and cost offsets.

- **The proposal is to collect fees from major events to assist with maintenance activities - hence please explain the framework for the collection of fees and technique to regulate noncompliance**

We have not counted the levy/revenue activity in the RDAF application. We feel that it is too risky at this early stage. But we still feel that there is potential for revenue over the first 5 years of operation. Licences managed through PWS via their existing system and levies

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(events) managed through FT also through an existing process. Not sure about compliance but we will check.

- **What would happen if the NTD application for RDA funding was unsuccessful?**

We would be very upset. But Hollybank is funded and we would still like LCC to contribute cash for the build as per the RDAF proposal (including maintenance). It is a sensible project and would still have merit as a stand-alone trail given the Trevallyn and Kate Reed tracks.

NTD would still assist with sourcing funding either through the IGA process (hmmm) or via election commitments (also hmmm).

- **Have the other two councils already fully committed to the project?**

Not yet.

**Also can you please address, either within the above letter or separate reply, the following matters:**

- **Who is project managing the entire project?**

In effect, Tim Watson Dorset GM, will be the Project Director with Project Managers assigned to the different elements as per above.

- **Please explain the apparent conflict that the Tourism Tas \$300,000 "in-kind" is identified to pay cash expenses**

Good point. We are hoping that TT will contribute some cash (for strategic plans etc) and then in-kind. We will amend the budget to make this clearer. We are still waiting for formal confirmation but we do not expect any issues given they have supported us to date and this project is a good fit for their activities.

- **A separate toilet facility is not proposed for 'Hollybank' on the basis of sharing facilities with Tree Top Adventures. However how confident is this outcome and are contingencies proposed?**

There are two toilets at Hollybank: One at the McNeil Buildings (Primary Trail Head) and one at the Tree Tops Adventure Site (Secondary Trail Head). We are yet to finalise arrangements with the Tree Tops Adventure people but I have spoken with Peter During on a couple of occasions and they have the draft Master Plan. We have a meeting at Treetops next week to finalise.

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## COUNCIL AGENDA

Monday 15 April 2013

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### 17.5 Proposed Street Name - Whisky Road

**FILE NO:** SF0621; DA0109/2010

**AUTHOR:** Sonia Smith (Engineering Officer - Development)

**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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#### **DECISION STATEMENT:**

To approve a name for the new rural road constructed off Boomer Road as part of a subdivision.

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

N/A

#### **RECOMMENDATION:**

That Council approve the name Whisky Road for the new rural road constructed off Boomer Road.

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#### **REPORT:**

A new rural road has been constructed off Boomer Road. The developer has submitted the name Whisky Road for consideration given the proximity of the lots to Distillery Creek.

The information submitted on behalf of the developer references the Caledonian Distillery constructed at 157 Ravenswood Road by James Towers in 1824 which drew water from the creek, albeit at a location further down the creek. The actual location of the distillery is quite remote, approximately 3.5 km, from the location of the subdivision.

No alternative names have been submitted.

The Nomenclature Board of Tasmania has advised that there are no instances of Whisky Road in Tasmania, although the following do exist:

- Whisky Creek - Central Coast
  - Whisky Creek - Huon Valley
  - Whisky Hill - Southern Midlands
  - Whisky Jims Hill - Meander Valley
-

**17.5 Proposed Street Name - Whisky Road...(Cont'd)**

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The following comments were also provided:

*'This is a matter of spelling, association to the other named places, and if it is appropriate to name streets after alcohol, without a long standing history. There are four uses in the state... None of the other uses are roads, but there may be confusion, not being close to the location of the other names.'*

The current street naming guidelines used in vetting names for consideration requires, in part, that;

2. *The form and character of the name should be concise, euphonious and in good taste. The name should be in keeping with any street name theme that has been established in an existing suburb.*
3. *Forms which are to be avoided are:*
  - *Names of two or more words, except where such can be combined.*
  - *Unnatural combinations of words.*
  - *The use of hyphens, or similar diacritical marks.*
  - *Long and difficult botanic or scientific names.*
  - *Corrupted or modified names.*
  - *Alternative names.*
  - *Names that could be construed as advertising a particular commercial or industrial enterprise.*
  - *The use of both Christian and surname or a combination of the two.*

It is not considered that the proposed name conflicts with point 2 or that it could be categorised as one of the dot points listed in point 3. The question as to the appropriateness of associating a street name with alcohol raised by the Nomenclature Board is qualified (*'without a longstanding history'*) and it is on the basis of the association with Distillery Creek that the name is recommended for approval.

**ECONOMIC IMPACT:**

This decision has no economic impact.

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## 17.5 Proposed Street Name - Whisky Road...(Cont'd)

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### ENVIRONMENTAL IMPACT:

This decision has no environmental impact.

### SOCIAL IMPACT:

Considered in the above report.

### STRATEGIC DOCUMENT REFERENCE:

The goal within Council's Strategic Plan (2008-2013) which is considered relevant is:

Goal 2.1 - Facilitate a sustainable approach to enhanced access to and within the municipality.

### BUDGET & FINANCIAL ASPECTS:

N/A

### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

### ATTACHMENTS:

1. Location Plan - Whisky Road
-

Location Plan: Whisky Road





**19 GENERAL MANAGER****19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]****FILE NO:** SF2385**AUTHOR:** Bruce Williams (Economic Development Officer)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

Approve and authorise the General Manager to sign the Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council and University of Tasmania.

**PREVIOUS COUNCIL CONSIDERATION:**

26.6 - 12 June 2012 Flood Levees at Inveresk (Closed Council Meeting)

089/2008 - MOU between LCC and UTAS (SF 3364)

2012 Draft Inveresk Precinct Plan (scheduled for Council Meeting but withdrawn 26 November 2012)

17 December 2012, Item 5.1

- Council agreed in principle to transfer to UTAS freehold title to four land areas at Inveresk for a nominal consideration.
  - Council agreed to enter into a Memorandum of Understanding [MOU] with UTAS
  - Council agreed to six conditions relating to the transfer of title and the development of the MOU
-

## **19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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### **RECOMMENDATION:**

That the Council:-

1. Approve the entering into a Memorandum of Understanding with the University of Tasmania in the terms indicated hereunder
2. Authorise the execution of the Memorandum of Understanding by the General Manager as follows and as per maps located under electronic attachment 1 (ECM document number: 2896829)

### **Parties**

The Parties to this Memorandum of Understanding are:

Launceston City Council, pursuant to the provisions of the Local Government Act 1993, a body corporate and local authority of the State of Tasmania, of Town Hall, St. John Street, Launceston in Tasmania A.B.N. 73 149 070 625 (LCC)

And

University of Tasmania, an incorporated charitable institution and including its various faculties and institutes, of care of the Office of the Vice Chancellor, Private Mail Bag 51, Hobart in Tasmania A.B.N. 30 764 374 782. (UTAS)

### **1. Preamble**

- 1.1 In 1996, the University of Tasmania (**UTAS**) and the Launceston City Council (**LCC**) entered into an agreement (the **1996 Agreement**) with the State Government (the **State**) further to which the parties would develop parts of the Inveresk Railyard Precinct (the **Inveresk Precinct**). The Inveresk Precinct was at that time owned by the State.
  - 1.2 Further to the 1996 Agreement, UTAS expended approximately \$5 million to redevelop the building known as the Stone Building on the Inveresk Precinct.
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## **19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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- 1.3 In December 2000, UTAS entered a lease with the Inveresk Railyards Management Authority (a State instrumentality) in respect of the Stone Building for a period of 10 years (the **Stone Building Lease**). The UTAS School of Performing and Visual Arts currently operates out of the Stone Building.
- 1.4 The Inveresk Precinct was transferred from the State to LCC in 2003. Since taking ownership LCC has made significant investment in the precinct and provided community facilities including Queen Victoria Museum and Art Gallery, Aurora Stadium, boardwalks, and cycle and path ways.
- 1.5 Launceston City Council's Vision for the York Park and Inveresk Precinct is
- The Inveresk Precinct will be a well planned, vibrant multifunctional centre providing high class sporting, educational (including accommodation), entertainment and cultural facilities that contribute significantly to the City's high quality of life.
  - The Precinct will feature complimentary commercial development that services the needs of visitors and tenants.
  - Integrated planning, a high standard of contemporary urban design and a permeability of the site for pedestrian and bicycle movements are high priorities. The Precinct will establish strong linkages to the Launceston CBD area.
  - The Precinct will engage actively with the Invermay Road frontage and will form an important part of an iconic corridor route of tourist features incorporating Cataract Gorge, Kings Park, Seaport, North Bank and Inveresk.
  - Development of the Precinct will place a heavy emphasis on leveraging the advantages gained from integrated planning incorporating the adjacent features of the North Esk River, Willis Street and City Park.
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**19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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UTAS is supportive of these aims.

- 1.6 In March 2006, UTAS and LCC entered into a Heads of Agreement (the **2006 HOA**) further to which LCC would lease the Exhibition Building to UTAS at a rent of \$1 for a 49 year term, with a 49 year option (the **Exhibition Building Lease**). In return for this commitment, UTAS expended significant funds to fully redevelop the Exhibition Building. The UTAS School of Architecture now operates out of the Exhibition Building.
  - 1.7 In mid-2007, UTAS and LCC entered into negotiations for UTAS to relocate the Australian School of Fine Furniture to the Inveresk Precinct. To facilitate this, UTAS constructed a new building on an area adjacent to the Exhibition Building (the **Fine Furniture Building**).
  - 1.8 The parties have been engaged in negotiations regarding leases for the Stone Building, Fine Furniture Building and Exhibition Building (referred to collectively hereafter as the **Existing Buildings**) for some time. In addition, UTAS and LCC are currently engaged in discussions relating to the novation of the lease of the Powerhouse Building between LCC and the Tasmanian University Union Inc (**TUU**) to UTAS.
  - 1.9 UTAS and LCC have a joint commitment to achieve the shared vision of "Launceston – City of Learning and innovation, open to the world". This shared vision was articulated in the Memorandum of Understanding entered into by LCC and UTAS on 11 September 2008 (the **2008 MOU**). Its purpose was *"for the development and implementation of collaborative programs, the sharing of expertise, and other activities that enrich the economic and social wellbeing of the Launceston region and the University of Tasmania"*. One of its specific objectives of the 2008 MOU was for UTAS and LCC to build the "City of Learning" profile by *"working together to promote the "liveability" attributes of Launceston to attract more domestic and international students to Launceston"*
  - 1.10 The Inveresk Precinct with its concentration of major facilities already:
    - a) operates as a vibrant cultural centre for entertainment, education and recreation for the northern region of Tasmania;
    - b) provides a focus for many community activities; and
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## **19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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c) is of great importance to the vitality of the city of Launceston.

1.11 The intention of this memorandum of understanding (**MOU**) is to further the 2008 MOU by developing and enhancing the status of the Inveresk Precinct as a Higher Education Precinct, such development and enhancement to occur consistent with the pursuit of the vision of LCC for the Precinct as set out in Clause 1.5.

1.12 In the short term, UTAS proposes to develop part of the Inveresk Precinct for use as student accommodation to be delivered under the National Rental Affordability Scheme (**NRAS Accommodation**). It is estimated that this development (the **NRAS Development**) will cost UTAS in the vicinity of \$18 million. This will be additional to the \$25 million already expended by UTAS on the redevelopment or construction of the Existing Buildings. LCC is fully supportive of locating the NRAS Accommodation on the Inveresk Precinct.

1.13 The parties agree that the previous financial contributions by UTAS to the Inveresk Precinct combined with a commitment by UTAS to develop the NRAS Accommodation and to contribute \$500,000 to Council towards the construction of a concrete flood protection levee on the site, warrants the transfer of freehold title for peppercorn consideration of the portions of the land on which:

a) the Existing Buildings are located;

b) the NRAS Accommodation will be sited.

(together referred to as the **Education Precinct**).

1.14 At its meeting on 17 December, 2012, LCC by decision of its elected representatives sitting as Council, agreed in principle to the transfer for the Education Precinct to UTAS. Minutes of the decision of such Council meeting are now reproduced:

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**19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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1. *That Council agree in principle to transfer for nominal consideration to the University of Tasmania (UTAS) freehold title to the land areas at Inveresk as indicated below and in Site Map 1 (Attachment 1) and Site Map 2 (Attachment 2), subject to the conditions detailed in 2, below:*
    - i. *Part of the Stone Building as indicated in the Site Map 1,*
    - ii. *The Exhibition Building/School of Architecture as indicated in the Site Map 1,*
    - iii. *Fine Furniture Building as indicated in the Site Map 1,*
    - iv. *That portion of land for student accommodation as indicated in hatched form in Site Map 2, UTAS Inveresk Residences Site Plan,*
  2. *That the Council enter into a Memorandum of Understanding with UTAS which reflects (inter alia) the legal advice obtained from Temple Smith Partners, together with the matters indicated within 1. above and 3. below.*
  3. *The conditions relating to the agreement in 1 above are:*
    - i. *UTAS shall agree to construct no less than 120 student accommodation units at Inveresk at an agreed location;*
    - ii. *UTAS shall agree that the land transferred from the Launceston City Council shall be used at all times for education purposes;*
    - iii. *UTAS shall agree that if at any time it is intended by UTAS to sell, lease or licence the land transferred from the Launceston City Council or any part of it so that the land or any part of it is not intended to be used at all times for education purposes, then the Launceston City Council shall be entitled to claim from UTAS compensation equivalent to the assessed value of the land by licensed valuation at the time of sale, lease or licence;*
    - iv. *UTAS bear all costs associated with the subdivision and transfer of land within the intent of this resolution, with each party bearing its own legal costs;*
-

## **19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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- v. UTAS shall agree that it will transfer the land indicated in 1.iv above back to Council if the student accommodation development at the site has not substantially been completed by 30 June 2016;*
- vi. UTAS shall make a payment of \$500,000 to Council as a contribution to meeting the additional capital investment of \$1.3 million made by the Council in constructing a concrete flood protection levee on the site which, in part, is proposed for construction of student accommodation.*

1.15 The transfer to UTAS of freehold title in the Education Precinct will:

- a) provide greater certainty for UTAS at the Inveresk Precinct;
- b) deliver the capacity for UTAS to further develop and invest in the Education Precinct in response to changing educational needs;
- c) strengthen the ability and flexibility of UTAS in mobilising resources for further strategic investments in the north of Tasmania; and
- d) meet the objectives of clause 1.2 of the 2008 MOU.

## **2. Agreement for transfer of land to UTAS**

2.1 As soon as practicable after the date of this MOU, the parties will negotiate the terms of, and enter into an agreement. The terms of such agreement include:

- A. LCC will cause to be created titles to:
    - a) the land on which the Existing Buildings are located, and being more or less the land shaded on the attached plan; and
    - b) the land on which the NRAS Accommodation will be sited, the position and dimensions of such land not presently ascertainable, but being an area located adjacent to the south of the existing footpath and otherwise more or less as marked on the attached aerial photograph.
-

## **19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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Such titles shall be created through subdivision either under the provisions of the Local Government (Building and Miscellaneous Provisions) Act 1993, or the Strata Titles Act 1998.

B. When created, LCC will transfer to UTAS unencumbered title to each lot (except for any encumbrances now registered on the existing title, and registration of the agreement referred to in paragraph G).

C. Provision for continuing access to all such sites across the land of LCC;

D. A term or terms to grant to UTAS the right to use land for car parking;

E. There be no monetary consideration for such transfers; provided however that UTAS will pay to LCC the contribution to levy construction costs of \$500,000 referred to in clause 1.13 prior to transfer.

F. UTAS will meet all necessary survey costs, fees and costs of any utility service provider e.g. Ben Lomond Water, the cost of any building work necessary to permit subdivision of the Stone Building, registration fees and stamp duty, it being the intention of the parties that UTAS should meet all costs, except for legal costs, each party bearing their own legal costs;

G. A condition that the use of the existing buildings transferred shall continue to be for educational purposes as defined in clause 3.2, that the land transferred for NRAS accommodation continue to be used for student accommodation, and that such continuing uses be secured by registration on all relevant titles of an agreement under Part 5 of Land Use Planning and Approvals Act 1993 (LUPA), entered into by the parties.

H. If any part of the existing buildings, or any part of the NRAS accommodation shall at any time cease to be used for educational purposes, then UTAS shall, on demand, pay to LCC:

- (a) in respect of the existing buildings, the then value of the land comprised in the title or titles of which the building or buildings not used for educational purposes forms part; and
  - (b) in respect of the NRAS accommodation, the then value of the land transferred by LCC to UTAS.
-



## **19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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Such valuation shall be made in respect of the value of the land without including the value of the building or buildings on the land, and shall be determined by a registered valuer appointed for that purpose by LCC.

I. All necessary applications to LCC for planning approvals to give effect to terms of the agreement shall be prepared by and at the expense of UTAS. LCC through its General Manager will as required by Section 52(1B) of LUPA, give written permission to the making of the applications.

UTAS acknowledges that LCC in its capacity as planning authority must determine such applications considering only those matters as prescribed by law, and particularly as prescribed in Division 2 of Part 4 of LUPA.

2.2 Such agreement shall also incorporate any further conditions necessary to give effect to the decision of LCC set out in preamble Clause 1.14.

### **3. Use of Existing Buildings**

3.1 UTAS will be entitled to lease or licence parts of the Existing Buildings to third parties (and the land on which they are located) provided they continue to be used for educational purposes.

3.2 For the purposes of this MOU, "educational purposes" includes the provision of core educational services as well as the provision of services necessary or ancillary to the provision of core educational services, including the provision of accommodation, small scale retail or catering services for students and/or staff.

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**19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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#### **4. NRAS Development**

4.1 UTAS proposes to construct NRAS Accommodation on the Inveresk Precinct:

- a) in the form of 120 student dwellings;
- b) consisting of four floors of apartments above parking with a building footprint of approximately 2,500 sq m and a site area of approximately 3,750 sq m; and
- c) to be located on that land identified as outlined in blue on the attached aerial photograph (the **NRAS Site**).

4.2 UTAS will use its best endeavours to ensure that construction of the NRAS Accommodation will be completed no later than 30 June 2016 to meet the requirements of the NRAS program.

4.3 The NRAS accommodation should generally accord with the principle of the parapet height reflected in the existing Stone building at Inveresk, that is, a height up to 13m to the parapet.

4.4 If the NRAS Development has not substantially been completed by 30 June 2016 then the NRAS Site will be transferred back to LCC for nil consideration.

#### **5. Powerhouse Building**

5.1 UTAS and LCC will finalise the lease arrangements in respect of the Powerhouse Building as soon as practicable after the date of this MOU on the basis that UTAS will continue to enjoy the rights formerly enjoyed by the TUU as tenant of that building (including in relation to the rent concession made available to the TUU).

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**19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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**6. Further developments on and relating to the Inveresk Precinct**

6.1 LCC recognises UTAS as a foundation occupant at Inveresk, with rights of consultation for any future development of the Inveresk Precinct.

6.2 LCC acknowledges that UTAS requires sufficient space to grow the Education Precinct through future additional developments.

6.3 LCC and UTAS will work cooperatively to further develop sustainable and safe transport links to ensure easy and safe access for students between the Newnham and Inveresk Campuses through a mix of bike or walking tracks or public bus services.

6.4 LCC and UTAS will work towards establishing consultative mechanisms aimed at the strategic development of the Inveresk Precinct and the multiplicity of functions that it delivers to the Launceston community with sufficient resources to effectively support any mechanisms put in place.

**7. Miscellaneous**

7.1 In light of the tight timeframes associated with the NRAS program, LCC agrees to take steps to formalise the arrangements envisaged in this MOU by instructing its solicitors to draft any documents it considers necessary to give it effect without delay.

7.2 LCC agrees that until the arrangements in this MOU are formalised, UTAS will not be disadvantaged in terms of its current occupancy rights on the Inveresk Precinct.

**Dated:** **2013**

**Signed**

**General Manager  
Robert Dobrzynski  
Launceston City Council**

**Vice-Chancellor  
Professor Peter Rathjen  
UTAS**

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**19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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**REPORT:**

At its meeting on 17 December, 2012, Council made the following decision:

1. That Council agree in principle to transfer for nominal consideration to the University of Tasmania (UTAS) freehold title to the land areas at Inveresk as indicated below and in Site Map 1 (Attachment 1) and Site Map 2 (Attachment 2), subject to the conditions detailed in 3, below:

- i. Part of the Stone Building as indicated in the Site Map 1, ECM Document Number 2831519
- ii. The Exhibition Building/School of Architecture as indicated in the Site Map 1, ECM Document Number 2831519
- iii. Fine Furniture Building as indicated in the Site Map 1, ECM Document Number 2831519
- iv. That portion of land for student accommodation as indicated in hatched form in Site Map 2, UTAS Inveresk Residences Site Plan, ECM Document Number 2832708

2. That the Council enter into a Memorandum of Understanding with UTAS which reflects (inter alia) the legal advice obtained from Temple Smith Partners, together with the matters indicated within 1. above and 3. below.

3. The conditions relating to the agreement in 1 above are:

- i. UTAS shall agree to construct no less than 120 student accommodation units at Inveresk at an agreed location;
  - ii. UTAS shall agree that the land transferred from the Launceston City Council shall be used at all times for education purposes;
  - iii. UTAS shall agree that if at any time it is intended by UTAS to sell, lease or licence the land transferred from the Launceston City Council or any part of it so that the land or any part of it is not intended to be used at all times for education purposes, then the Launceston City Council shall be entitled to claim from UTAS compensation equivalent to the assessed value of the land by licensed valuation at the time of sale, lease or licence;
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**19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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- iv. UTAS bear all costs associated with the subdivision and transfer of land within the intent of this resolution, with each party bearing its own legal costs;
- v. UTAS shall agree that it will transfer the land indicated in 1.iv above back to Council if the student accommodation development at the site has not substantially been completed by 30 June 2016;
- vi. UTAS shall make a payment of \$500,000 to Council as a contribution to meeting the additional capital investment of \$1.3 million made by the Council in constructing a concrete flood protection levee on the site which, in part, is proposed for construction of student accommodation.

The terms of the MOU have been negotiated between UTAS and Council. The draft MOU (attachment) is now put before Council for its approval.

The draft MOU incorporates two maps. One Map is identical with the map before Council at its meeting of 17 December, 2012 and includes two areas of land which house the buildings to be transferred to UTAS.

The MOU incorporates all elements of the Council decision taken at the December 17 Meeting.

**ECONOMIC IMPACT:**

Accommodation construction value is in the order of \$18 million. Students living close to the CBD are likely to provide significant economic returns to the hospitality and retail sectors in the City over time.

**ENVIRONMENTAL IMPACT:**

Nil to report.

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## **19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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### **SOCIAL IMPACT:**

Students living at Inveresk and close to the CBD - along with other inner city residents - are likely to provide more people in the city after hours, which research indicates reduces anti-social behaviour and increases the perception of personal safety.

### **STRATEGIC DOCUMENT REFERENCE:**

The following Vision Statement for the York Park and Inveresk Precinct was adopted by Council on the 12 June 2012 Council meeting with the intent that it would serve as the basis upon which the Inveresk Precinct development would be pursued in the future.

#### York Park and Inveresk Vision Statement

- The Inveresk Precinct will be a well planned, vibrant multifunctional centre providing high class sporting, educational, entertainment and cultural facilities that contribute significantly to the City's high quality of life.
- The Precinct will feature complementary commercial development that services the needs of visitors and tenants.
- Integrated planning, a high standard of contemporary urban design and a permeability of the site for pedestrian and bicycle movements are high priorities. The Precinct will establish strong linkages to the Launceston CBD area.
- The Precinct will engage actively with the Invermay Road frontage and will form an important part of an iconic corridor route of tourist features incorporating Cataract Gorge, Kings Park, Seaport, North Bank and Inveresk.
- Development of the Precinct will place a heavy emphasis on leveraging the advantages gained from integrated planning incorporating the adjacent features of the North Esk River, Willis Street and City Park.

### **LAUNCESTON STRATEGIC PLAN 2008-2013**

3.2 Facilitate effective regional and economic development in Launceston and the Tamar Valley in order to achieve enhanced investment, development, liveability, tourism, employment and competitiveness.

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**19.1 Memorandum of Understanding for the Development and Enhancement of the Inveresk Precinct between Launceston City Council [Council] and University of Tasmania [UTAS]...(Cont'd)**

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**BUDGET & FINANCIAL ASPECTS:**

Potential foregone income of any rateable development resulting from private sector investment on the site.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Robert Dobrzynski: General Manager**

**ATTACHMENTS:**

1. Maps - Development and Enhancement of the Inveresk Precinct between Launceston City Council and University of Tasmania (distributed separately)
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**20 URGENT BUSINESS**

**Nil**

**21 WORKSHOP REPORT(S)**

**Nil**

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**22 INFORMATION / MATTERS REQUIRING FURTHER ACTION**

**22.1 Information / matters requiring further action**

**FILE NO:** SF3168

**AUTHOR:** Daniel Gray (Committee Clerk / Administration Officer)

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This report outlines requests for information by Aldermen when a report or agenda item will be put before Council or a memorandum circulated to Aldermen.

It will be updated each Agenda, with items removed when a report has been given.

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**ATTACHMENTS:**

1. Information / matters requiring further action - 15 April 2013
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**MATTERS ARISING FROM COUNCIL - REQUIRING FURTHER ACTION - AT 15 APRIL 2013**

Meeting Date, Item # & File No.	Outstanding Items & Action Requested	Officer Responsible & Officer Comment	Due Date
<p>27 June 2011 Council 12.1 SF5547 / SF5445</p>	<p><b>Notice of Motion - Rating System Analysis</b> That Council;</p> <ol style="list-style-type: none"> <li>1. Presents modelling undertaken on the implementation of a rating system based on Unimproved Capital Value (Land) and the impacts, positive and negative that this would have on ratepayers;</li> <li>2. Provides written advice on the advantages and disadvantages of the implementation of such a system and presents the advice to the public;</li> <li>3. That, more importantly, Council undertakes a major public review of the current rating system and determines, in consultation with the community, the fairest, most progressive and simplest rating system available in Australia; and</li> <li>4. Implements the system agreed upon, for the rating period beginning 2012-13</li> </ol>	<p>Michael Tidey</p> <p><b>Project will have a number of phases.</b></p> <p><b>First presentation occurred in December 2011.</b></p> <p><b>Further action deferred pending the State Government review.</b></p> <p><b>The preparatory work for the State Government report is currently being finalised with the report expected by the end of August.</b></p> <p><b>It is now expected that the analysis and modelling will be completed during October with a presentation in early November.</b></p> <p><b>State Government report was received on 19 October 2012 and listed for discussion at SPPC on 6 November 2012.</b></p> <p><b>Item listed for discussion at the SPPC meeting on 17 December 2012.</b></p> <p><b>Information will be presented as part of the budget consultation process.</b></p>	<p>April 2012 August 2012</p> <p>Nov 2012</p> <p>April 2013</p>
<p>13 March 2012 Council 14.1 SF0841</p>	<p><b>Duck Reach Redevelopment</b></p> <p><u>Resolution at Council Meeting 13/03/2012: additional point 4</u></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Consider the report outlining recent investigation into a redevelopment of the Duck Reach site.</li> <li>2. Endorse the investigation of third-party investment opportunities for the redevelopment of the Duck Reach Site.</li> <li>3. On finalisation of the</li> </ol>	<p>Rod Sweetnam</p> <p><b>Correspondence has been received from Hydro Tasmania indicating their agreement to enter into a MOU with Council. The MOU is being drafted in consultation with Hydro.</b></p> <p><b>The MOU will be presented to Council for consideration.</b></p> <p><b>Finalisation of the MOU will allow the business case analysis to proceed.</b></p> <p><b>The draft MoU has been sent to Hydro Tasmania for review and comment prior to report to Council.</b></p> <p><b>Awaiting formal response to the draft MoU as presented. This includes a binding agreement on water supply.</b></p>	<p>Nov 2012</p> <p>Dec 2012</p> <p>July 2013</p>

**MATTERS ARISING FROM COUNCIL - REQUIRING FURTHER ACTION - AT 15 APRIL 2013**

Meeting Date, Item # & File No.	Outstanding Items & Action Requested	Officer Responsible & Officer Comment	Due Date
	<p>business case analysis outlined in the report, and identification of potential third party development opportunities, Council review the redevelopment options for the Duck Reach site based on a future report.</p> <p>4. Agree that further investigation by Council is predicated upon Hydro Tasmania formally committing to a minimum base flow of 2.5 cumecs which is the current voluntary release by Hydro Tasmania.</p>		

**23    ADVICE OF FUTURE NOTICES OF MOTION**

**24    REPORTS BY THE MAYOR**

**25    REPORTS BY THE GENERAL MANAGER**

**26    CLOSED COUNCIL ITEM(S)**

**Nil**

**27    MEETING CLOSURE**

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