



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
TUESDAY 14 JUNE 2016
1.00pm**

City of Launceston

COUNCIL AGENDA

Tuesday 14 June 2016

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

Date: 14 June 2016

Time: 1.00pm

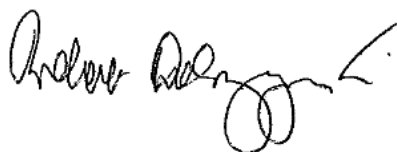
Section 65 Certificate of Qualified Advice

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

ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - ATTENDANCE AND APOLOGIES	1
2	DECLARATIONS OF INTEREST	1
3	CONFIRMATION OF MINUTES	1
4	DEPUTATIONS	1
	No Deputations have been identified as part of this Agenda	
5	PETITIONS	1
	No Petitions have been identified as part of this Agenda	
6	COMMUNITY REPORTS	2
6.1	Starting Point Neighbourhood House	2
7	PUBLIC QUESTION TIME	2
7.1	Public Questions on Notice	2
7.1.1	Public Questions on Notice - Mr Basil Fitch - Council Meeting - 23 May 2016	3
7.1.2	Public Questions on Notice - Mr Raymond Norman - 25 May 2016	8
7.2	Public Questions without Notice	13
8	PLANNING AUTHORITY	14
8.1	Launceston Interim Planning Scheme 2015 - Amendment 24 - Rezone 88, 90, 91A, 92, 93A, 93B, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 and 105 Abels Hill Road and 40631, 40675, 40673 and 40671 Tasman Highway, St Leonards to Rural Living Zone	14

Item No	Item	Page No
8.2	Launceston Interim Planning Scheme 2015 - Amendment 29 and DA0080/2016 - Business and Professional Services - Change of Use to Office - 8 Broadland Drive, Launceston	17
8.3	18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping	20
8.4	13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)	37
9	ANNOUNCEMENTS BY THE MAYOR	53
9.1	Mayor's Announcements	53
10	ALDERMEN'S REPORTS	55
11	QUESTIONS BY ALDERMEN	55
11.1	Questions on Notice	55
	No Questions on Notice have been registered with Council as part of this Agenda	
11.2	Questions without Notice	55
12	COMMITTEE REPORTS	56
12.1	Audit Panel Meeting - 26 May 2016	56
12.2	Tender Review Committee - 23 May 2016	60
12.3	Heritage Advisory Committee Meeting - 28 April 2016	63
12.4	Street Tree Advisory Committee Meeting - 26 May 2016	65

Item No	Item	Page No
12.5	Pedestrian and Bike Committee Meetings - 22 March 2016 and 10 May 2016	68
12.6	Cataract Gorge Advisory Committee Report - 12 May 2016	71
13	COUNCIL WORKSHOPS	73
14	NOTICES OF MOTION	73
	No Notices of Motion have been identified as part of this Agenda	
15	DEVELOPMENT SERVICES DIRECTORATE ITEMS	74
15.1	Youth Engagement Framework	74
15.2	Gold Coast Commonwealth Games 2018	80
16	FACILITIES MANAGEMENT DIRECTORATE ITEMS	82
	No Items have been identified as part of this Agenda	
17	QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS	82
	No Items have been identified as part of this Agenda	
18	INFRASTRUCTURE SERVICES DIRECTORATE ITEMS	83
18.1	102-106 Hobart Road - Acquisition of Pipeline Easement	83
18.2	Concessional Entry to Council's Waste Disposal Facilities	87
18.3	Policy for Delegation of Power to Acquire Land	92
19	CORPORATE SERVICES DIRECTORATE ITEMS	97
19.1	Budget 2016/2017 - City of Launceston Statutory Estimates	97

Item No	Item	Page No
19.2	Budget 2016/2017 - City of Launceston Rating Framework	101
19.3	Budget Amendments 2015/2016 - 26 May 2016	108
19.4	Quarterly Financial Report to Council - 31 March 2016	118
19.5	Unrecoverable Debt Write-Off Policy	125
19.6	Delegation from Council to General Manager - Section 22(2)(ba) of the <i>Local Government Act 1993 (Tas)</i> - Write-off of any Debts Owed to Council	130
19.7	Code of Conduct for Aldermen	132
20	GENERAL MANAGER'S DIRECTORATE ITEMS	154
20.1	Report on Public Meeting Held on Tuesday 7 June 2016	154
21	URGENT BUSINESS	169
	No Urgent Items have been identified as part of this Agenda	
22	CLOSED COUNCIL	169
22.1	Confirmation of the Minutes	169
22.2	Write Off of Non-Recoverable, Non-Rating Debts (30 June 2016)	169
23	MEETING CLOSURE	169

1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 DECLARATIONS OF INTEREST

Local Government Act 1993 - Section 48

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

No Declarations of Interest were identified as part of this Agenda

3 CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 23 May 2016 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS

Local Government Act 1993 - Sections 57 and 58

No Petitions have been identified as part of this Agenda

6 COMMUNITY REPORTS

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

6.1 Starting Point Neighbourhood House**Mrs Mary Rummery****'Growing Food, Growing Community' - an update of the work and activities at the Pioneer Community Garden, Ravenswood and activities at Starting Point Neighbourhood House.****7 PUBLIC QUESTION TIME***Local Government (Meeting Procedures) Regulations 2015 - Regulation 31***7.1 Public Questions on Notice***Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(1)*

(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)

7.1.1 Public Questions on Notice - Mr Basil Fitch - Council Meeting - 23 May 2016**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

QUESTIONS and RESPONSES:

The following questions were submitted to Council on 23 May 2016 by Mr Basil Fitch and have been answered by Mr Robert Dobrzynski (General Manager).

Questions:

I congratulate the Mayor in bringing Mayors of surrounding councils in the northern area to a MEMORANDUM OF UNDERSTANDING to support the proposed UTAs move to Inveresk and Willis Street.

1. Will the Mayor and Aldermen now call on these councils to:

- *share the costs and outgoings associated with this proposed move by UTAs?*
- *contribute to the purchase of the subject land at Willis Street and the Old Velodrome area at Inveresk (value \$5.3M)?*
- *reimburse Launceston ratepayers the loss of \$88,000/annum currently earned from car parking?*
- *contribute to the cost of the proposed footbridge over the North Esk River that is to unite the two campuses?*
- *contribute to the cost of the separation of stormwater and sewerage infrastructure in the Inveresk area and the re-building/upgrading of the Ti-tree Bend Sewerage Treatment Plant to full tertiary treatment standards? (estimated cost \$600M - \$1B).*
- *contribute to the cost of providing car parking for up to 12,000 students? (cost unknown).*
- *contribute to the cost of preparing a Traffic Management Study of the area, and associated costs for new/upgraded road infrastructure? (cost unknown).*
- *contribute to the cost of potentially having to relocate the Royal Launceston Showground and infrastructure? (cost unknown).*

Response:

The City of Launceston continues to be a strong proponent for one Council in the Launceston area to enable a consistent approach to planning for the city's future and fairness in contributing to the cost of services and facilities. The Council believes that the proposed University of Tasmania (UTAS) Inner City Campus project is an opportunity to rejuvenate the Launceston CBD that is intergenerational in nature and provides a unique opportunity for the city to:

**7.1.1 Public Questions on Notice - Mr Basil Fitch - Council Meeting - 23 May 2016
...(Cont'd)**

- Consolidate the future of the UTAS Northern Campus in Launceston (currently losing \$25million per annum).
- Expand the participation rates of young Tasmanians in post-secondary education.
- Offer enormous opportunities for Tasmanians in the associate degree area.
- Provide skilled labour to meet new age industry demands which will propel the region's prosperous economy.
- Have a transformational impact on the local construction industry through a major capital investment of \$260million in the project.
- Provide increased employment and disposable income through expanded activities at the inner city campus.
- Establish a compelling demand model for private sector investment in the CBD to service consumer demand driven by the inner city campus locality adjacent the CBD as the major service centre.

Like all major developments of this order of magnitude, there are matters that will receive priority attention in considering the implementation of this project. Many of these matters are part of the project proposal that has been submitted to the Federal Government. The Council is also aware that the State Government has committed to significant capital funding as a partner in the project should Federal Government funding be achieved.

Many of the statements made in the dot points provided in the question are factually incorrect. These matters are corrected as follows:

- The value of the land at Willis Street and Inveresk is \$4.5million. This is an in kind contribution and not a direct cash contribution by the Council to the project.
 - The proposed footbridge over the North Esk River has been included as part of the total project proposal submitted to the Federal Government and State Government for funding.
 - Stormwater and sewerage arrangements will be part of the development application considerations within the planning process. The development will be required to meet all statutory requirements of TasWater regarding the disposal of sewerage and stormwater. It would be envisaged that stormwater disposal will be consistent with other arrangements at Inveresk, pumped directly into the North Esk River.
 - The construction of a new sewerage treatment plant cannot conceivably be considered as part of this project and is a matter for TasWater to determine. There does not appear to be any science behind the estimated cost of the tertiary treatment plant indicated in the question.
-

**7.1.1 Public Questions on Notice - Mr Basil Fitch - Council Meeting - 23 May 2016
...(Cont'd)**

As a former Alderman, Mr Fitch would be well aware that the Council has no legal capacity to require adjoining independent local government councils to contribute to any of the costs indicated.

2. *Will Launceston City Council ensure that the costs of all LCC staff time dealing with the UTAs relocation be charged on at a full-cost recovery basis? (cost unknown).*

Response:

The Council is delighted to be dealing with the complexities of a major \$260million rejuvenation project within the city boundaries. Whilst development of this magnitude comes with its complexities, the social and economic benefits are massive for the city and region. The City Council will ensure that appropriate resources are provided to plan an orderly development process in conjunction with other key stakeholders such as UTAS, Federal Government and State Government.

3. *As the present Inveresk Car park is fully utilised since the opening of the accommodation units, will council now need to relocate the remainder of QVMAG to the Wellington St site due to parking shortages for visitors at Inveresk?*

Response:

The Inveresk carpark is not fully utilised and contains significant unused capacity.

4. *As LCC ratepayers bear the recurrent costs of providing Regional Facilities losing around \$8M annually, (Queen Victoria Museum and Art Gallery, Aurora Stadium, Launceston Aquatic Centre, Remount Road Tip, Princess Theatre, Albert Hall, Hobblers Bridge Road Netball Centre, St Leonards Athletics Centre), will these losses be passed on to the surrounding councils?*

Response:

The City of Launceston has continually raised with the State Government the inequity of City Council ratepayers being compelled to totally fund local contributions to major regional facilities and services utilised by the broader Launceston region. This is a fundamental aspect of the Council's advocacy for one Council within the Launceston area, to ensure equity of participation and contribution to the services and facilities provided by the City Council.

**7.1.1 Public Questions on Notice - Mr Basil Fitch - Council Meeting - 23 May 2016
...(Cont'd)**

Whilst the Minister for Local Government has initiated a process for councils to engage in discussions on local government reform, the Council will continue to advocate for a fairer representation of State Government support to these regional facilities. The City Council has indicated to the State Government that the City of Launceston is unique in the range and extent of regional facilities funded by its ratepayers.

As a former Alderman, Mr Fitch would be well aware that the City of Launceston has no legal authority to charge adjoining councils for a contribution towards the cost of such regional facilities.

5. *Will LCC now call on Minister for Local Government, Peter Gutwein to convene a meeting of these parties so as to achieve Municipal Amalgamation by November 2017?*

Response:

The Council is engaging with the process initiated by the Minister for Local Government to undertake discussions with adjoining councils on local government reform. The Council will participate in a project aimed at identifying cost savings and efficiencies in shared services as a starting point of considerations of local government reform, as this has been the majority position adopted by councils in the region.

ATTACHMENTS:

1. Questions on Notice - Mr Basil Fitch - 23 May 2016
-

Attachment 1 - Questions on Notice - Mr Basil Fitch - 23 May 2016

23 May 2016
Unit 42/5 Waveney Street
South Launceston 7249
Tel 63 442688

The Mayor and Aldermen
City of Launceston
Town Hall

Questions Without Notice - Launceston Council Meeting 23 May 2016

I congratulate the Mayor in bringing Mayors of surrounding councils in the northern area to a MEMORANDUM OF UNDERSTANDING to support the proposed UTAs move to Inveresk and Willis Street.

Questions on behalf of concerned citizens of Launceston :

1. Will the Mayor and Aldermen now call on these councils to
 - share the costs and outgoings associated with this proposed move by UTAs?
 - contribute to the purchase of the subject land at Willis Street and the Old Velodrome area at Inveresk (value \$5.3M)?
 - reimburse Launceston ratepayers the loss of \$88,000/annum currently earned from car parking?
 - contribute to the cost of the proposed footbridge over the North Esk River that is to unite the two campuses ?
 - contribute to the cost of the separation of stormwater and sewerage infrastructure in the Inveresk area and the re-building/upgrading of the Ti-tree Bend Sewerage Treatment Plant to full tertiary treatment standards ? (estimated cost \$600M - \$1B)?
 - contribute to the cost of providing car parking for up to 12,000 students ? (cost unknown).
 - contribute to the cost of preparing a Traffic Management Study of the area, and associated costs for new/upgraded road infrastructure ? (cost unknown).
 - contribute to the cost of potentially having to relocate the Royal Launceston Showground and infrastructure ? (cost unknown).

And, furthermore:

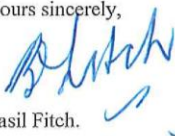
2. Will Launceston City Council ensure that the costs of all LCC staff time spent dealing with the UTAs relocation be charged on at a full-cost recovery basis? (cost unknown).
3. As the present Inveresk Car park is fully utilised since the opening of the accommodation units, will council now need to relocate the remainder of QVMAG to the Wellington St Site due to parking shortages for visitors at Inveresk?
4. As LCC ratepayers bear the recurrent costs of providing Regional Facilities losing around \$8M annually, (Queen Victoria Museum & Art Gallery, Aurora Stadium, Launceston Aquatic Centre, Remount Road Tip, Princess Theatre, Albert Hall, Hobblers Bridge Rd Netball Centre, St Leonards Athletics Centre), will these losses be passed on the surrounding councils?

As LCC Mayor & Aldermen already support amalgamation of council's in the Northern Region, and as all Mayors who have signed the MoU are in harmony and apparently united:

5. Will LCC now call on Minister for Local Government, Peter Gutwein to convene a meeting of these parties so as to achieve Municipal Amalgamation by November 2017?

I thank you for receiving these important questions and suggest that with the forthcoming Public Meeting on June 7 2016, there is an ideal opportunity at the completion of the advertised Agenda, to put all of these matters forward for discussion by the electors and residents of Launceston.

Yours sincerely,



Basil Fitch.

7.1.2 Public Questions on Notice - Mr Raymond Norman - 25 May 2016**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

QUESTIONS and RESPONSES:

The following questions were submitted to Council on 25 May 2016 by Mr Raymond Norman and have been answered by Mr Robert Dobrzynski (General Manager) and Mr Richard Mulvaney (Director, Queen Victoria Museum and Art Gallery).

Questions:

- A) *Given that it was nine months ago in August 2015 that Council approved five (5) recommendations in respect to the Queen Victoria Museum and Art Gallery being:*
1. *That QVMAG Strategic Plan 2012-2107, including its guiding vision, is reviewed to ensure best alignment with the Strategic Themes of the CoL Strategic Plan 2014 and the recommendations in this report.*

Response:

Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

Queen Victoria Museum and Art Gallery (QVMAG) staff continue to be guided by the Strategic Plan 2012-2017 with reference to the relevant sections of the City of Launceston Strategic Plan 2014-2024. In addition many of the actions have been incorporated into Council's Annual Corporate Plan and the QVMAG Directorate Plan.

2. *That beneficial alignments with other Tasmanian museums and galleries be explored in the interests of seeking overall efficiency and equity in use of State Government funds.*

Response:

Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

QVMAG continues to work collaboratively with several Tasmanian museums and galleries and in particular the Tasmanian Museum and Art Gallery to enable common opportunities and efficiencies.

The General Manager has instigated a review to establish a cultural strategy that reflects the higher value placed by the community on the city's cultural assets and develops a more coordinated and coherent approach to how these assets can be more effective strategically, economically and socially.

7.1.2 Public Questions on Notice - Mr Raymond Norman - 25 May 2016 ...(Cont'd)

3. *That an evaluation of QVMAG be commissioned that demonstrates its economic, social and environmental value to its community and the special contribution it makes to the education, intellectual, human, social and natural capital of its community.*

Response:

Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

QVMAG is the primary asset and its contribution to the education, intellectual, human, social and natural capital will be a significant part of the review.

4. *That options for establishment of an independent skills-based Board of Governance be investigated and the best option implemented.*
5. *That the organizational structure of CoL be reviewed and measures be implemented to more effectively leverage opportunities and pool resources across complementary business units.*

Therefore, will Council please provide an up to date report on the implementation of these five (5) recommendation and the details of progress thus far? Moreover, will council please provide all information relevant to the circumstances germane to:

- The apparent delay in implementing Council's recommendations of August 2015? and*
- The expected date upon which Council will receive the report/s? and*
- Any outcomes thus far relevant this overall review process?*

Response:

Robert Dobrzynski (General Manager)

Section 62 of the *Local Government Act 1993* indicates, under **Functions and powers of general manager** (inter alia), as follows:

- (c) to be responsible for the day-to-day operations and affairs of the Council,**
And thereafter
- (h) to manage the resources and assets of the Council.**

Section 62 also indicates under **(2)** as follows:

The general manager may do anything necessary or convenient to perform his or her functions under this or any other Act.

7.1.2 Public Questions on Notice - Mr Raymond Norman - 25 May 2016 ...(Cont'd)

The General Manager has operational and management responsibility of all assets and employees of the Queen Victoria Museum and Art Gallery pursuant to the authority vested in the General Manager under the provisions of Section 62 referred to above and also Section 63 of the *Local Government Act 1993* entitled **Employees**.

The Council cannot "delegate" or otherwise decide to transfer strategic and operational functions to a trust (or other management entity) unless that Trust reported to the General Manager who is responsible for day-to-day operations of council affairs, assets and employees.

The Aldermen of the City of Launceston (the Council) are empowered under the *Local Government Act 1993* to establish a trust.

Section 333 of the *Local Government Act 1993* indicates that the Council is able to sell and exchange the contents of the QVMAG but there is no provision for the Council to sell the QVMAG itself. Therefore, the only way for the Council to devolve responsibility for the QVMAG to a trust would be via legislative change at the State level.

B) *Given that there are variously substantiated reports that a high profile consultant has been commissioned to report on the QVMAG, will Council now:*

1. *Identify the consultant; and*
2. *Publish a copy of her/his brief;*

In the interest of openness and transparency relative to the governance and management of significant component of the City of Launceston's operation and budget?

Response:

Robert Dobrzynski (General Manager)

As indicated in the foregoing, Section 62 of the *Local Government Act 1993*, **Functions and powers of general manager** indicate that the General Manager has the authority and responsibility to:

- Be responsible for the day-to-day operations and affairs of the council,
 - Manage the resources and assets of the council,
-

7.1.2 Public Questions on Notice - Mr Raymond Norman - 25 May 2016 ...(Cont'd)

Section 62 (2) indicate that the general manager may do anything necessary or convenient to perform his or her functions under this or any other Act. This includes engaging external technical expertise in order to perform any of the general manager's functions and powers. These matters are operational and not policy bound.

C) *Will Council please provide:*

1. *A list of all the acquisitions made by the QVMAG for its collections thus in the current financial year; and*
2. *A list of all the items in the QVMAG's collections that have been disposed of or deaccessioned in the current financial year?*

Response:

Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

QVMAG provides a list of major acquisitions during the financial year in the Annual Report, which is tabled at a Council Meeting and AGM and the Tasmanian State Parliament. The Annual Report is also placed on the QVMAG website. Nevertheless a full list of acquisitions and any deaccessioned items for the financial year will be made available after 30 June 2016.

ATTACHMENTS:

1. Public Questions on Notice - Mr Raymond Norman - 25 May 2016
-

Attachment 1 - Public Questions on Notice - Mr Raymond Norman - 25 May 2016

Dear Mayor and Aldermen,

At the ordinary Council meeting scheduled for May 23 I wish to ask the following questions without notice in regard to the Queen Victoria Museum and Art Gallery.

A) Given that it was nine months ago in August 2015 that Council approved five (5) recommendations in respect to the Queen Victoria Museum and Art Gallery being:

1/ That QVMAG Strategic Plan 2012-2107, including its guiding vision, is reviewed to ensure best alignment with the Strategic Themes of the CoL Strategic Plan 2014 and the recommendations in this report.

2/ That beneficial alignments with other Tasmanian museums and galleries be explored in the interests of seeking overall efficiency and equity in use of State Government funds.

3/ That an evaluation of QVMAG be commissioned that demonstrates its economic, social and environmental value to its community and the special contribution it makes to the educational, intellectual, human, social and natural capital of its community.

4/ That options for establishment of an independent skills-based Board of Governance be investigated and the best option implemented.

5/ That the organizational structure of CoL be reviewed and measures be implemented to more effectively leverage opportunities and pool resources across complementary business units.

Therefore, will Council please provide an up to date report on the implementation of these five (5) recommendation and the details of progress thus far? Moreover, will council please provide all information relevant to the circumstances germane to:

- The apparent delay in implementing Council's recommendations of August 2015 ? and
- The expected date upon which Council will receive the report/s? and
- Any outcomes thus far relevant this overall review process?

B) Given that there are variously substantiated reports that a high profile consultant has been commission to report on the QVMAG, will Council now:

1/ Identify the consultant; and

2/ Publish a copy of her/his brief;

In the interest of openness and transparency relative to the governance and management of significant component of the City of Launceston's operation and budget?

C) Will Council please provide:

1/ A list of all the acquisitions made by the QVMAG for its collections thus in the current financial year; and:

2/ A list of all the items in the QVMAG's collections that have been disposed of or deaccessioned in the current financial year?

I look forward with considerable interest to receiving the information requested.

Regards,

Ray

7.2 Public Questions without Notice

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

(Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 Launceston Interim Planning Scheme 2015 - Amendment 24 - Rezone 88, 90, 91A, 92, 93A, 93B, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 and 105 Abels Hill Road and 40631, 40675, 40673 and 40671 Tasman Highway, St Leonards to Rural Living Zone

FILE NO: SF6470

AUTHOR: Maria Chledowska (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission regarding a draft amendment to the Launceston Interim Planning Scheme 2015.

PLANNING APPLICATION INFORMATION:

Applicant: City of Launceston
Properties: 88, 90, 91A, 92, 93A, 93B, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 and 105 Abels Hill Road and 40631, 40675, 40673 and 40671 Tasman Highway, St Leonards
Advertised: 16 April 2016 to 16 May 2016
Representations: Nil

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 15 March 2016 - Agenda Item 8.3 - Council resolved to initiate and publicly exhibit Amendment 24 to the Launceston Interim Planning Scheme 2015.

RECOMMENDATION:

That Council:

1. in accordance with Section 39(2) of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period and that no modification is required to
-

8.1 Launceston Interim Planning Scheme 2015 - Amendment 24 - Rezone 88, 90, 91A, 92, 93A, 93B, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 and 105 Abels Hill Road and 40631, 40675, 40673 And 40671 Tasman Highway, St Leonards to Rural Living Zone ...(Cont'd)

Amendment 24 to the Launceston Interim Planning Scheme 2015 to rezone 88, 90, 91A, 92, 93A, 93B, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 and 105 Abels Hill Road and 40631, 40675, 40673 and 40671 Tasman Highway, St Leonards to the Rural Living Zone; and

2. provides advice to the Tasmanian Planning Commission that Amendment 24 be approved as certified and exhibited.
-

REPORT:

Amendment 24 seeks to rezone existing rural lifestyle properties, which are zoned Rural Resource, located at the upper eastern end of Abels Hill Road to Rural Living to recognise their long standing rural residential character and use.

The Council resolved to initiate and publicly exhibit Amendment 24 at its Meeting on 15 March 2016. The amendment was then placed on public exhibition from 16 April to 16 May 2016. No representations were received during this period.

In accordance with Section 39(2) of *the Land Use Planning and Approvals Act 1993*, Council must, within 35 days of the close of the exhibition period, send a report to the Tasmanian Planning Commission on the amendment.

There are no reasons for Council not to proceed with the amendment. The amendment should be forwarded to the Tasmanian Planning Commission with a recommendation that the amendment be approved without change.

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

- 8.1 Launceston Interim Planning Scheme 2015 - Amendment 24 - Rezone 88, 90, 91A, 92, 93A, 93B, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 and 105 Abels Hill Road and 40631, 40675, 40673 And 40671 Tasman Highway, St Leonards to Rural Living Zone ...(Cont'd)**
-

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

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

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Location Map (distributed electronically)
 2. Instrument of Certification - Proposed Zone (distributed electronically)
-

8.2 Launceston Interim Planning Scheme 2015 - Amendment 29 and DA0080/2016 - Business and Professional Services - Change of Use to Office - 8 Broadland Drive, Launceston

FILE NO: SF6458/DA0080/2016

AUTHOR: Maria Chledowska (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To provide a statement to the Tasmanian Planning Commission subsequent to the public exhibition period for a combined application for an amendment to the Launceston Interim Planning Scheme 2015 and associated development application.

PLANNING APPLICATION INFORMATION:

Applicant:	8 Broadland Drive Pty Ltd
Property:	8 Broadland Drive, Launceston Certificate of Volume 37781 Folio 3
Land area:	987m ²
Date Application Received:	24 February 2016
Advertised:	16 April 2016 to 16 May 2016
Representations:	Nil

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 11 April 2016 - Agenda Item 8.1 - Council resolved to initiate Amendment 29 to the Launceston Interim Planning Scheme 2015 to rezone 8 Broadland Drive Launceston (CT 37781/3) from Light Industrial to Commercial, and approve DA0080/2016 for a Change of Use to Business and Professional Services (office) at 8 Broadland Drive, Launceston subject to conditions.

RECOMMENDATION:

That Council:

1. in accordance with Section 39(2) and 43F(6) of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Amendment 29 to rezone 8 Broadland Drive Launceston from Light Industrial to Commercial and DA0080/2016 for Change of Use to Business and Professional Services - office; and
-

8.2 Launceston Interim Planning Scheme 2015 - Amendment 29 and DA0080/2016 - Business and Professional Services - Change of Use to Office - 8 Broadland Drive, Launceston ...(Cont'd)

2. provides advice to the Tasmanian Planning Commission that Amendment 29 be approved as certified and exhibited.
-

REPORT:

An application was made under Section 43A of the *Land Use Planning and Approvals Act 1993* for a combined planning scheme amendment and development application. The application requests an amendment to the Launceston Interim Planning Scheme 2015 to rezone 8 Broadland Drive, Launceston (CT 37781/3) from Light Industrial to Commercial. The application also includes DA0080/2016 for Change of Use to Business and Professional Services - office at 8 Broadland Drive, Launceston subject to conditions.

Council initiated the planning scheme amendment and approved the development application at its Meeting on 11 April 2016. The combined application was then placed on public exhibition from 16 April 2016 to 16 May 2016. No representations were received during this period.

In accordance with Section 39(2) of the *Land Use Planning and Approvals Act 1993*, Council must, within 35 days of the close of the exhibition period, send a report to the Tasmanian Commission on the amendment and development application.

There are no reasons for Council not to proceed with the amendment and concurrent development application. The combined application should be forwarded to the Tasmanian Planning Commission with a recommendation that it be approved without change.

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

8.2 Launceston Interim Planning Scheme 2015 - Amendment 29 and DA0080/2016 - Business and Professional Services - Change of Use to Office - 8 Broadland Drive, Launceston ...(Cont'd)

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

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

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Instrument of Certification - Proposed Zone (distributed electronically)
 2. Planning Permit (distributed electronically)
 3. Endorsed Plans (distributed electronically)
-

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping

FILE NO: DA0163/2016

AUTHOR: Ashley Brook (Consultant Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider and determine a development application in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993*.

PLANNING APPLICATION INFORMATION:

In accordance with Council's policy, the assessment of this development application was outsourced to an independent consultant town planner as it relates to development on Council owned land.

Applicant:	Launceston City Council
Property:	18A High Street, East Launceston
Zoning:	Recreation
Receipt Date:	27/04/2016
Validity Date:	27/04/2016
Further Information Request:	N/A
Further Information Received:	N/A
Deemed approval:	14/06/2016
Public exhibition period	7/05/2016 to 20/05/2016 (extended to 23/05/2016)
Representations:	Five

PREVIOUS COUNCIL CONSIDERATION:

Council acting as a Landowner and Applicant

Council Meeting – 8 February 2016 - Agenda Item 16.1

Council decided to proceed with a planning application for the proposed fence as currently presented (DA0163/2016).

Council acting as a Planning Authority

Council Meeting – 12 October 2015 – DA0331/2015 - Agenda Item 8.5

The application was withdrawn by the General Manager prior to consideration at the Meeting.

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

RECOMMENDATION:

That in accordance with Sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0163/2016 subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. 'Re-submission – Formerly DA0331/2015) Launceston Aquatic Security Fence' (Letter dated 21/03/2016 authored by Matthew Skirving, Manager Architectural Services).
- b. Launceston Aquatic Perimeter Fence Design Concept, prepared by Karen Johnson Landscape Design, project number 01.01.04.15v1, including:
 - i. Proposed Site Plan; and
 - ii. Diagrammatic Site Plan.
- c. 'Securemax high security fencing' product description.

2. EXTERNAL FINISHES

All external materials, finishes and colours must be non-reflective and in muted natural tones.

3. AMENITY

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

Notes

A General

This permit was issued based on the proposal documents submitted for DA0331/2015.

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
 - b. *Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined.*
-

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

B Other Approvals

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

C Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar 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.

For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au <<http://www.rmpat.tas.gov.au>>

REPORT:

1. PROPOSAL

Council's Facilities Management Directorate proposes to construct a modified and relocated security fence enclosing the outdoor pool and recreation area at Launceston Aquatic Centre.

The proposal is required to provide enhanced site security, and to create an enlarged grassed area for facility patrons with improved shading provided by existing established trees in proximity.

The application for the proposal has been submitted for consideration and determination by Council acting as a Planning Authority. The current application is a re-submission of the proposal presented in DA0331/2015 (withdrawn prior to the Council Meeting on 12 October 2015).

The new fence will be located to the south east of the centre. The pedestrian pathway (and three associated light poles) linking the centre with the Windmill Hill Memorial Hall, East Launceston Bowls Club and adjacent car parking will be realigned to remain outside the fence. The garden bed and plantings located on the external side of the existing fence

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

will also be relocated. All existing viable planting will be salvaged, and be transplanted adjacent to the new fence line, in the same arrangement. Any plants that cannot be salvaged for relocation will be replaced on a like-for-like basis.

The existing mature trees located in the vicinity of the proposed works will be retained. This includes the memorial Turkey Oak tree, planted by the Rotary Club of Launceston. This tree will be retained within the proposed fenced area. Following withdrawal of the previous application, the applicant has agreed to permit free access to the Rotary Club and its members for anniversary or other memorial purposes.

The proprietary anti-climb fence will comprise a small-diameter wire mesh supported on steel posts having a height of 2.4m. Both elements will have a dark grey powder coated finish. A proprietary electronic detection system will be installed along the inner-face of the fence and will provide intrusion notification. The detection wire will be mounted 200mm above mesh fence panels. The structure will therefore have a maximum height of 2.6m.

The current application includes a proposal to extend a new footpath providing formal access to the Memorial Avenue access road and the angled parking area off High Street further to the south. The new footpath will extend from the realigned footpath in the eastern part of the site. It is proposed to recognise an existing pattern of usage by pedestrians through this area.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The Launceston Aquatic Centre is located within Windmill Hill Reserve which is bounded by High Street, York Street, Wellman Street and Adelaide Street in East Launceston. The site contains a diverse range of mature trees, lawns and gardens. It also contains the War Memorial Hall. The bowls, croquet and tennis clubs are located to the south east. The site is largely surrounded by single dwellings although a number of visitor accommodation uses exist.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

18.0 Recreation Zone

18.1.1 Zone Purpose Statements

18.1.1.1 *To provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land.*

18.1.1.2 *To provide for the amenity of residential uses on land adjoining the zone*

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

Consistent

The site is within a Recreation Zone. The Aquatic Centre is a sports and recreation use which is a permitted use in the zone. Use or development associated with the Aquatic Centre is therefore broadly consistent with the zone purpose. Specific proposals are required to comply with the specific standards to ensure consistency is demonstrated. The siting of the fence and associated works complies with the standards for the zone (as detailed below). The specific proposal will therefore not cause an unreasonable impact on the amenity of surrounding residential uses, and is consistent with the zone purpose.

3.2 Use Standards

18.3.1 Hours of operation

Objective

To ensure that used do not cause unreasonable loss of amenity to nearby sensitive uses.

A1 Operating hours, except for office and administrative tasks, must be between:

- a) 8.00am and 10.00pm adjacent to the boundary of the General Residential, Inner Residential, Low Density, Residential urban Mixed Use and Village zones; or*
- b) 6.00am to midnight otherwise.*

Not applicable.

The existing hours of operation are not affected by the application.

18.3.2 Mechanical plant and equipment

Objective

To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.

A1 Air conditioning, air extraction, heating or refrigeration systems or compressors must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by adjoining or immediately opposite sensitive uses.

Not applicable.

Existing mechanical plant and equipment is not affected by the application.

18.3.3 Light spill and illumination

Objective

To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.

A1 The use must:

- a) Not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use and Village Zones; and*
- b) Contain direct light from external light sources within the boundaries of the site.*

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

Complies.

Three existing light poles will be repositioned to suit the proposed pathway realignment. The low-level lighting illuminates the pathway area and is therefore contained within the site boundaries.

18.3.4 External Storage of goods

Objective

To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.

A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.

Not applicable.

The existing external storage of goods is not affected by the application.

3.3 Development Standards

18.4.1 Building height, setback and siting

Objective

To ensure that building bulk and form, and siting of buildings:

- a) accommodates sport and recreation uses;*
- b) is compatible with the streetscape and character of the surrounding area; and*
- c) protects the amenity of adjoining lots and surrounding uses.*

Consistent

The proposed development will replace an existing fence associated with the sport and recreation use within the site. It will therefore be compatible with the streetscape and character of the area, and will protect the amenity of adjoining lots.

A1 Building height must be no greater than 7m.

Complies

The structure will have a maximum height of 2.6m.

A2 Setback from all boundaries must be no less than 10m.

Relies on Performance Criteria

The fence will be within 10m setback of the eastern property boundary.

P2 Buildings must be sited so that there is no unreasonable loss of amenity to the occupiers of adjacent lots, having regard to:

- a) the topography of the site;*
- b) the size, shape, and orientation of the site;*
- c) the requirements of the proposed use;*
- d) the setbacks of surrounding buildings;*
- e) the height, bulk and form of existing and proposed buildings;*
- f) the privacy to private open space and windows of habitable rooms of adjoining lots;*
- g) sunlight to private open space and windows of habitable rooms on adjoining lots;*
- h) any existing screening or the ability to implement screening; and*

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

i) the character of the surrounding area.

Complies

The eastern property boundary is located along the western side of the off-street car park adjacent to High Street. As the adjoining lot is a road reserve which contains the car park and part of the park land associated with the site, there will be no unreasonable loss of amenity.

18.4.2 Landscaping

Objective

To ensure that development is landscaped to be compatible with the recreational uses of the site and the character of the surrounding area.

Consistent

Existing plantings will be relocated where possible or otherwise replaced on a like-for-like basis. Existing mature trees works are not proposed to be removed. The landscape character will therefore be retained. The area involved in the application is being retained for recreation use associated with the Aquatic Centre.

A1 If for:

- a) no permit required uses; or*
- b) an extension or alteration to a permitted use that does not require the removal of existing vegetation*

Relies on Performance Criteria

The proposed development is associated with a permitted uses, however, involves the removal of existing low-level plantings.

P1 Development must be landscaped to reduce the impact on the site and surrounding area, having regard to:

- a) location and height of retaining walls;*
- b) the existing vegetation and its retention where it is feasible to do so;*
- c) the location of any proposed buildings, driveways, car parking, storage areas, signage and utility services;*
- d) proposed height and type of fencing;*
- e) proposed vegetation plantings;*
- f) the location of pedestrian movement routes;*
- g) maintenance of plantings, weed management and soil and water management; and*
- h) the character of the surrounding area;*

as shown in a detailed landscaping plan.

Complies

Landscaping adjacent to the existing fence alignment including a garden bed and plantings will be relocated. All existing viable planting will be salvaged, and be transplanted adjacent to the new fence line, in the same arrangement. Any plants that cannot be salvaged will be replaced on a like-for-like basis. The relocated pedestrian pathway will be located around the outside of the new landscaping area. The existing mature trees located in the vicinity of the proposed works are not proposed to be

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

removed. The landscaping will preserve the existing site character and will assist in reducing the visual impact of the new fence.

3.4 Overlays and Codes

E6.0 Parking and Sustainable Transport Code

The Code applies to all use and development, however, for this application it does not generate a requirement for additional parking because the proposal will not increase the floor area of the swimming pool facility or add more spectator places.

E7.0 Scenic Management Code

E7.1.1 The purpose of the provision is to:

- a) *ensure that siting and design of development protects and complements the visual amenity of scenic road corridors; and*
- b) *ensure that siting and design of development in scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape; and*
- c) *ensure that vegetation is managed for its contribution to the scenic landscape.*

Consistent

The proposed development replaces an existing security fence in a new location. It will involve relocation of existing landscape plantings where possible (otherwise replacement plantings will be provided). Existing mature plantings are able to be retained. The proposed development will therefore be unobtrusive and will retain the existing visual amenity and landscape values.

E7.6.2 Scenic management areas

Objective

The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.

Consistent

See response to E7.1.1. The proposed development is therefore also consistent with the provisions for the Central Hills Precinct (scenic management area).

A1 No acceptable solution

P1 Development (not including development that involves only the clearance or removal of vegetation, or subdivision) must have regard to:

- a) *the scenic management precinct existing character statement and management objectives in clause E7.6.3;*
- b) *the impact on skylines, ridgelines and prominent locations;*
- c) *the nature and extent of existing development on the site;*
- d) *the retention or establishment of vegetation to provide screening;*
- e) *the need to clear existing vegetation;*
- f) *the requirements for any hazard management;*
- g) *the need for infrastructure services;*
- h) *the specific requirements of the development;*

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

<ul style="list-style-type: none"> <i>i) the location of development to facilitate the retention of trees; and</i> <i>j) design treatment of development, including:</i> <ul style="list-style-type: none"> <i>i. the bulk and form of buildings including materials and finishes;</i> <i>ii. any earthworks for cut and fill;</i> <i>iii. the physical (built or natural) characteristics of the site or area;</i> <i>iv. the nature and character of the existing development; and</i> <i>v. the retention of trees.</i>
<p>Complies</p> <ul style="list-style-type: none"> a) The proposed development is consistent with the character statement and management objectives for the Central Hills Precinct taking account that it involves an existing fence that is being replaced, and existing landscaping plantings are proposed to be relocated where possible or otherwise replaced like for like. Existing mature trees are able to be retained. b) The proposed fence will be located within the site and will be screened by vegetation. It will not impact on the skyline and will not be visually prominent. c) The proposed fence will replace an existing fence associated with the larger Aquatic Centre development. d) The vegetation that will assist in reducing the visual impact of the proposed fence includes mature trees (retained) and relocated or replacement plantings associated with the garden bed being relocated. e) Existing plantings will be removed, however, will be relocated or replaced. f) Not applicable. g) Not applicable. h) The fence is required for security purposes and is being replaced to improve its effectiveness. i) The proposed development has been sited to enable existing mature plantings to be retained. j) The visual impact of the proposed fence will be minimised by the proposed finishes (dark grey powder coat) and landscaping.
<p><i>A2 No vegetation is to be removed</i></p>
<p><i>P2 Development that involves only the clearance or removal of vegetation must have regard to:</i></p> <ul style="list-style-type: none"> <i>a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;</i> <i>b) the physical characteristics of the site;</i> <i>c) the location of existing buildings;</i> <i>d) the type and condition of the existing vegetation;</i> <i>e) any proposed revegetation; and</i> <i>f) the options for management of the vegetation.</i>

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

Not applicable
The proposed removal of vegetation is associated with another development (relocated fence). Performance Criteria P1 therefore applies.
<i>A3 Subdivision is in accordance with a specific area plan</i>
Not applicable

E13.0 Local Historic Cultural Heritage Code

<i>The purpose of this provision is to:</i>
<ul style="list-style-type: none"> a) <i>protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;</i> b) <i>encourage and facilitate the continued use of these places;</i> c) <i>encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and</i> d) <i>ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.</i>
Consistent
The proposed development will enhance the continued use of the site for recreation purposes and will not impact on the key physical features which contribute to historic cultural heritage significance.

E13.6 Development Standards

E13.6.1 Demolition

<i>Objective</i>
<i>To ensure that the demolition or removal of buildings and structures does not impact on the historic cultural heritage significance of local heritage places and their setting.</i>
Consistent
The proposed development complies with the performance criteria.
<i>A1 No acceptable solution</i>
<i>P1 Buildings or parts of buildings and structures may be demolished, provided there is no unreasonable impact on the historic cultural heritage significance of the local heritage place and setting, having regard to:</i>
<ul style="list-style-type: none"> a) <i>the physical condition of the local heritage place;</i> b) <i>the extent and rate of deterioration of the building or structure;</i> c) <i>the safety of the building or structure;</i> d) <i>the streetscape or setting in which the building or structure is located;</i> e) <i>the cultural heritage values of the local heritage place;</i> f) <i>the need for the development;</i> g) <i>any options to reduce or mitigate deterioration;</i> h) <i>whether demolition is the most reasonable option to secure the long-term future of a building or structure; and</i> i) <i>any overriding economic considerations.</i>

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

Complies

The existing fence to be removed was constructed during the development of the current Aquatic Centre and its removal will not affect the historic cultural heritage significance of the place.

E13.6.5 Height and bulk of buildings

Objective

To ensure that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.

Consistent

The proposed development complies with the performance criteria.

A1 No acceptable solution.

P1 The height and bulk of buildings are compatible with the historic cultural heritage significance of a place and its setting, having regard to:

- a) the cultural heritage values of the local heritage place and setting;*
- b) the character and appearance of the existing building or place;*
- c) the height and bulk of other buildings in the surrounding area;*
- d) the historic cultural heritage significance of adjacent places; and*
- e) the streetscape.*

Complies

The proposed fence will be slightly larger in scale than the existing fence, however, the overall character and appearance of the site will be retained. Existing mature trees which will assist in reducing its visual impact are able to be retained. Other more recent plantings will either be relocated or replaced in a relocated garden bed outside the fence. The proposed development is therefore compatible with the historic cultural heritage significance of the site.

E13.6.6 Site of buildings and structure

Objective

To ensure that the siting of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.

Consistent

The proposed development complies with the performance criteria.

A1 No Acceptable Solution

P1 The front, side and rear setbacks must be compatible with the historic cultural heritage significance of a local heritage place and its setting, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;*
- (b) the topography of the site;*
- (c) the size, shape, and orientation of the lot;*
- (d) the setbacks of other buildings in the surrounding area;*
- (e) the historic cultural heritage significance of adjacent places; and*
- (f) the streetscape.*

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

Complies

The siting of the proposed fence will not impact the physical features which contribute to historic cultural heritage significance of the site including the semaphore station archaeological site, 1950s swimming pool building (entered on the Tasmanian Heritage Register), War Memorial Hall, Memorial Avenue and historic trees. Existing mature trees are able to be retained.

E13.6.7 Fences

Objective

To ensure that fences are compatible with the historic cultural heritage significance of local heritage places and their setting.

Consistent

The proposed development complies with the performance criteria.

A1 New fences must be designed and constructed to match existing original fences on the site.

Relies on Performance Criteria

The proposed fence will have a different design and construction.

P1 New fences must be compatible with the historic cultural heritage significance of a place and its setting, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;*
- (b) the architectural style of the dominant building on the site;*
- (c) the dominant fencing style in the setting; and*
- (d) the original or previous fences on the site.*

Complies

The existing fence was constructed during the development of the current Aquatic Centre and is therefore not original. The proposed fence will not impact the features which contribute to the historic cultural heritage significance of the site including recreation values. It is therefore compatible.

E13.6.12 Tree and vegetation removal

Objective

To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not impact on the historic heritage significance of local heritage places and their settings

Consistent

The proposed development complies with the performance criteria.

A1 No acceptable solution

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

P1 The removal, destruction or lopping of trees or the removal of vegetation must not unreasonably impact on the historic cultural heritage significance of a local heritage place and its setting, having regard to:

- a) the cultural heritage values of the local heritage place and setting;*
- b) the age and condition of the tree or vegetation;*
- c) the size and form of the tree or vegetation;*
- d) the importance of the tree or vegetation to the historic cultural heritage significance of a local heritage place or its setting; and*
- e) whether the tree or vegetation is located within a garden that is listed as a local heritage place.*

Complies

The historic cultural heritage significance of the site will be retained because the existing mature trees are able to be retained and other more recent plantings will either be relocated or replaced in a relocated garden bed outside the fence.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Roads and Hydraulics	N/A
Environmental Health	N/A
Parks and Recreation	N/A
Heritage/Urban Design	The following comments received in relation to DA0331/2015 are relevant: <i>“The proposed fencing will be more visually obtrusive than the existing fencing, and the line of the fence encloses a greater area of the parkland within the grounds of the Launceston Aquatic complex, however, neither of these aspects are considered to be unacceptable in regard to their impact on the heritage significance of the site”.</i>
Building and Plumbing	N/A
EXTERNAL	
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	Exemption from the provisions of the <i>Historic Cultural Heritage Act 1995</i> granted on 2/05/2016.

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a period of 14 days from 7 May 2016 to 20 May 2016. The period for representations was extended under the delegated authority of Council's Manager Planning Services to 23 June 2016. Five representations were received. All representations were received after the closure of the original advertising period.

ISSUE	COMMENTS
Safety characteristics of the fence could be improved in its current location which would save costs.	The application is to address safety and security at the Aquatic Centre. The application is presently being considered by Council acting as a Planning Authority. Consideration by the planning authority is limited to an assessment of the merits of the relevant issues under the planning scheme. The issue of costs is a separate matter for Council's consideration as part of its broader responsibilities.
Quality of the application.	The application provides sufficient information to enable an assessment of the relevant issues under the planning scheme.
Conflict of interest.	Council has engaged an external consultant to undertake an assessment and provide a recommendation to the Planning Authority.
Heritage assessment required.	The Local Historic Cultural Heritage Code in the planning scheme does not require a detailed assessment by a Heritage Consultant to be included with applications. An assessment of the Code provisions has been included in the present report based on the material included with the application. The assessment is also informed by comments from Council's Urban Design and Heritage Planner to the previous application DA0331/2015.

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

ISSUE	COMMENTS
Appearance and form of the fence is out of character.	The fence is used in a broad range of sites that require enhanced safety and security. The small-diameter mesh will provide visual transparency and powder coated finish will assist in minimising the visual impact. The application indicates that the fence will be installed in a concrete strip footing and is capable of following the slope without the need for a stepped base wall. The relocation of the existing landscaping (supplemented with replacement plantings as needed) will preserve the existing site character and assist in reducing the visual impact of the new fence.
Personal safety concerns due to the placement of landscaping adjacent to the pathway.	Existing viable plantings (excluding mature trees) will be relocated to suit the new pathway alignment. Any new plantings will be to replace existing plants that cannot be salvaged. The proposal will therefore preserve the level of visibility along the pathway to that which currently exists.
Encroachment and loss of parkland park, lack of consideration given to passive recreation users.	The site has a history of supporting a broad range recreational uses, including both passive and active recreation. This is reflected in the application of the Recreation Zone. Sport and Recreation is a permitted use in the Recreation Zone. Use or development associated with the Aquatic Centre, including the proposed extension of the fenced area, is therefore broadly consistent with the zone purpose. By contrast an Open Space Zone, which applies to a number of parks in the City not including the subject site, is focussed more solely towards passive recreation.
Open Space Strategy.	Council's Open Space Strategy is not a document which is incorporated into the planning scheme and therefore does not require specific consideration by the Planning Authority as part of the planning assessment. The issue is a separate matter for Council's consideration as part of its broader responsibilities.

8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)

ISSUE	COMMENTS
Council should subject the proposal to the same rigorous process as the rest of the community.	Council has lodged a valid planning application to enable an assessment of the proposal to be undertaken under the planning scheme requirements. It has therefore followed due process. Council's separate consideration of the proposal as a landowner and applicant was undertaken at an open Council Meeting on 8 February 2016.
The right afforded to the Rotary Club of Launceston to inspect the memorial Turkey Oak tree should be extended to others in the community.	Any such extension would be a separate matter for Council's consideration as part of its broader responsibilities as a landowner and manager of the Aquatic Centre.

6. CONCLUSION

Subject to the recommended conditions it is considered that the proposal complies with the Launceston Interim Planning Scheme 2015 and is recommended for approval.

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

- 8.3 18a High Street, East Launceston - Sports and Recreation - Aquatic Centre; Realignment & Construction of a New Southern Perimeter Fence, Realignment & Extension of Pedestrian Pathways; Associated Works Including Relocation of Light Poles and Landscaping...(Cont'd)**
-

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

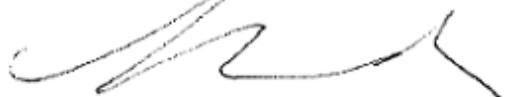
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Map (distributed electronically)
 2. Plans of Proposal (distributed electronically)
 3. THC Certificate of Exemption (distributed electronically)
 4. Representations (distributed electronically)
-

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)**FILE NO:** DA0122/2016**AUTHOR:** Andrew Newton (Development Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Roger Keith Nicklason
Property:	13 Warragul Street, Norwood
Zoning:	General Residential
Receipt Date:	31/03/2016
Validity Date:	26/04/2016
Further Information Request:	29/04/2016
Further Information Received:	11/05/2016
Deemed Approval:	19/06/2016
Representations:	Nil

RECOMMENDATION:

That Council refuses development application DA0122/2016; Residential - single dwelling; construction of two carports, construct and use second crossover access, and construction of a roofed deck (retrospective); because it is contrary to the following provisions of the Launceston Interim Planning Scheme 2015:

- a) 10.4.2 - P2: The application proposes two carports providing three parking spaces within the front setback, which is not compatible with existing development within the street.
 - b) 10.4.5 - P1: The proposal increases the number of carport openings. This increases the potential for the openings of the carports to dominate the frontage, which is contrary to the requirements of the performance criteria and the objective of the clause.
 - c) 10.4.13 - P2 (a) & (d): The proposal is unable to demonstrate how the three proposed parking spaces will minimise the visual impact on the streetscape. The proposal is also inconsistent with the existing nature and character of the street.
-

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

REPORT:

1. THE PROPOSAL

The applicant seeks Council approval for the proposed construction of a number of outbuildings and other works associated with an existing single dwelling at 13 Warragul Street in Norwood. The proposed development is comprised as follows:

- Demolition of an existing unapproved single carport located in front of the existing garage and construction of a new double carport within the front setback;
- Construction of an additional single carport within the front setback adjacent to the northern side boundary;
- Retrospective approval for the activation, use and construction of a second crossover to provide access to the second proposed carport.
- Relocation of an existing shed 600mm towards the rear boundary in order to provide an area for the construction of a second additional shed.
- Retrospective approval for the construction of a roofed deck off the rear of the dwelling.

The roof over the deck and the deck structure itself complies with the acceptable solutions of the planning scheme and does not require planning approval. The proposed shed in the rear yard is also compliant with the acceptable solutions of the planning scheme. Discretion is required as the proposed relocation of the existing shed requires a variation to the rear setback. Variation is also sought for the two carports, the associated parking spaces and the activation of the second crossover.

Single Carport and Crossover

The single carport is proposed to be located in the front setback between the existing dwelling and 1.3m from the frontage, adjacent to the northern side boundary. The applicant is seeking retrospective approval to access this area of the site through the activation of a second driveway crossover and access. The carport is proposed to provide an off-street parking space for the applicant's motorhome. The carport is proposed to be 7.5m in length, 3.5m in width and a maximum overall height of 3.6m. The carport's highest point will be closest to the frontage, as the carport roof is proposed to be angled back towards the existing dwelling in order to drain the stormwater into the existing dwelling gutters and downpipes.

Double Carport

The double carport is proposed to be constructed within the front setback in front of the existing single garage and 1.85m from the front boundary. It is proposed to have a maximum overall height of 2.7m while measuring 5.5m x 5.5m.

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

Rear Sheds

An existing shed located in the rear yard is to be moved 600mm eastwards to accommodate another proposed shed. The existing shed measures 3.2m x 3.5m and has a floor area of 11.5m². The shed has wall height of 2.3m adjacent to the side boundary and a maximum building height of 2.6m. The proposed shed has dimensions of 6.0m x 3.75m and a maximum overall height of 2.4m. Both sheds are to be located adjacent to the southern side boundary and setback a minimum of 475mm. The rear setback will be reduced from 4.0m to 3.4m.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Norwood is situated 5.0km to the south east of the Launceston CBD and 1.0km to the east of the Kings Meadows retail activity centre. The suburb is characterised by a mix of residential development on predominantly 600-700m² lots. Warragul Street is located on the western edge of the suburb immediately to the east of the Launceston Golf Club's eastern boundary. The street is orientated north-south and is bounded by Negara Street to the north and Opossum Road to the south. The street contains 44 single dwellings and the lots have an approximate, gentle 21% gradient fall in a north-westerly direction, with a slight rise located half way along the street.

The subject site is located on the eastern side of the street and 120m south of the Negara Street intersection. The site is rectangular in shape and has a total area of 674m². The site is not subject to landslip risk or any other codes or overlays. The site is developed with an existing brick veneer single dwelling with an existing single car garage within the curtilage of the building.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

10.1.1 Zone Purpose Statements

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

10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.

10.1.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.

10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

networks.
Not Consistent
10.1.1.1 - The proposed residential development is associated with the existing single dwelling in an established suburban area. Full infrastructure services are provided.
10.1.1.2 - No non-residential uses are proposed.
10.1.1.3 - No non-residential uses are proposed.
10.1.1.4 - The proposed residential development is not consistent with the existing neighbourhood character. The proposed carports within the front setback are not compatible or consistent with the established character of the area.
10.1.1.5 - The proposed residential development provides for sufficient solar access to adjoining properties and the existing area of private open space by being located predominantly within the building envelope.

10.4 Development Standards

10.4.2 Setbacks and building envelope for all dwellings

Objective: To control the siting and scale of dwellings to:
(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and
(b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and
(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and
(d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
Not Consistent
a) The proposed carports associated with the existing dwelling provide inadequate separation between the dwelling and the frontage.
b) Warragul Street is not a high traffic volume street and there are no detrimental impacts from existing traffic volumes.
c) The proposed carports are inconsistent in regards to the scale and proportion being located within the front setback.
d) The proposed development demonstrates that there would be no unreasonable loss of amenity to neighbouring residential properties through overshadowing or overlooking.
A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:
(a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

- frontage, of any existing dwelling on the site; or
- (b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or
 - (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or
 - (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.

Complies

The existing dwelling is located 7.5m from the frontage. Standard A2 specifically assesses front setbacks for garages and carports.

A2 A garage or carport must have a setback from a primary frontage of at least:

- (a) 5.5m, or alternatively 1m behind the facade of the dwelling; or
- (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or
- (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.

Does Not Comply

The proposed double carport proposes a setback from the frontage of 1.85m. The proposed carport also requires a variation to be setback from the frontage 1.35m. Both carports are to be located forward of the existing dwelling. Further assessment against the performance criteria is required.

P2 A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.

Relies on Performance Criteria

There are no substantial topographical constraints that apply to the subject site, as the land between the frontage and the dwelling slopes gently in a north-westerly direction with a gentle, approximate 21% gradient. The existing single dwelling already has one single car garage located within the building curtilage. Garages and carports that would be considered as being compatible with existing development must have similarities in regards to their construction, number and visual impacts. The proposal seeks two carports within the front setback to provide three parking spaces in addition to the existing single garage. The following table summarises the garages and carports in Warragul Street that are within 5.5m of the frontage:

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

Garages and Carports in Warragul Street - within 5.5m of Frontage			
Address	Garage	Carport	Total
13 Warragul Street	1	3	4
33 Warragul Street	1	2	3
30 Warragul Street	2	0	2
42 Warragul Street	2	0	2
8 Warragul Street	2	0	2
28 Warragul Street	1	0	1

In assessing similarities between existing garages and carports within the front setbacks of Warragul Street, none of the lots within Warragul Street have two carport structures in front of a dwelling. The two proposed carports providing three parking spaces within the front setback is not compatible with existing development within the street.

A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:

- (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:
 - (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and
 - (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and
- (b) only have a setback within 1.5m of a side boundary if the dwelling:
 - (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or
 - (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).

Does Not Comply

The planning scheme definition for a dwelling includes any outbuilding that forms part of a dwelling, so both carports require assessment.

The proposed single carport has a maximum height of 3.6m and is proposed to be setback 200mm from the northern side boundary. The roof of the proposed carport extends 500mm horizontally beyond the building envelope. The building envelope provisions exclude horizontal protrusions provided they do not exceed 600mm. As the proposed single carport does not have any walls, and that the roof structure does not exceed more than 600mm horizontally beyond the building envelope, the single carport complies with this acceptable solution.

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

The proposed double carport is fully contained within the building envelope.

The two outbuildings proposed in the rear yard also require assessment against this clause as the maximum height of the outbuildings exceeds 2.1m. The proposed 6.0m x 3.4m shed is proposed to be setback 500mm from the side boundary and 1.9m from the rear corner of the house. The existing shed is proposed to be relocated 600mm to the east in order to accommodate the proposed larger shed, and will consequently be located 3.4m from the rear boundary. The combined length of both shed walls is within the 9.0m maximum wall length, as the outbuildings can be constructed closer than 1.5m to the side boundary. As the relocated shed will be located within the rear setback however, further assessment against the performance criteria will be required for the relocated shed.

- P3 The siting and scale of a dwelling must:
- (a) not cause unreasonable loss of amenity by:
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
 - (iii) overshadowing of an adjoining vacant lot; or
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
 - (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Complies

The shed that is proposed to be relocated has wall height of 2.3m adjacent to the side boundary and a maximum building height of 2.6m. There are no habitable rooms in close proximity to the shed on the neighbouring properties that would be impacted by a loss of sunlight. The low height of the shed adjacent to the southern boundary, and the shed being setback 3.4m from the rear boundary, is unlikely to pose an unreasonable amount of overshadowing to the back yards of the neighbouring properties. Visual impacts from the existing shed are minimal due to its established minimal building height. Properties within Warragul Street that have outbuildings are predominantly located close to the side and rear boundaries.

The proposed relocation of the existing shed is consistent with the established form and location of outbuildings in the area, and the proposed relocation of the shed will not cause an unreasonable loss of amenity to the neighbouring properties.

10.4.3 Site coverage and private open space for all dwellings

- Objective:
To provide:
- (a) for outdoor recreation and the operational needs of the residents; and
 - (b) opportunities for the planting of gardens and landscaping; and
 - (c) private open space that is integrated with the living areas of the dwelling; and

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

<p>(d) private open space that has access to sunlight.</p>
<p>Consistent The proposed development complies with the acceptable solutions in providing sufficient area of private open space that has access to sunlight and is integrated with the living areas of the dwelling.</p>
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.
<p>Complies The existing dwelling has a site coverage of 203m². The combined site coverage for the dwelling, two proposed carports and the sheds will be 299m², which equates to a total site coverage of 44%. The rear yard has an area over 200m² that is undeveloped, providing more than 25% of the site being free from impervious surfaces.</p>
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.
<p>Complies The existing dwelling provides an area of private open space in excess of 24m² and the 4.0m minimum dimension. It is directly accessed from the living room via the as-constructed deck. The as-constructed deck and adjacent backyard are located to the north-east of the existing dwelling. The backyard is not used for vehicle access or parking.</p>

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

10.4.5 Width of openings for garages and carports for all dwellings

Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.
Not Consistent The proposed carports located within the front setback are not consistent with the objective of this clause in reducing carport openings dominating the primary frontage.
A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).
Does Not Comply Both carports are located within 12.0m of the primary frontage. The proposed double carport has an opening width of 5.5m, while the single carport has an opening width of 3.5m, equating to a total of 9.0m. Assessment against the performance criteria is required.
P1 A garage or carport must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.
Relies on Performance Criteria The total width of the primary frontage is 18.3m. The total width of carport or garage openings is proposed to be increased from 2.3m of the existing single garage, to a combined 9.0m opening width for the as-constructed double carport and proposed single carport. This correlates to an increased frontage/opening ratio from 12.5% to 49.1%. This ratio exceeds other frontages within Warragul Street. While a carport normally has less detrimental visual impacts due to the structure not having any walls, it is worth noting that there is no planning approval trigger should the applicant or future property owner opt to install roller doors on the front openings of the carports. The proposal increases the potential for the openings of the carports to dominate the frontage, which is contrary to the requirements of the performance criteria and the objective of the clause. The proposed development does not comply with the performance criteria.

10.4.6 Privacy for all dwellings

Objective: To provide reasonable opportunity for privacy for dwellings.
Consistent The proposed development complies with the acceptable solutions.
A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

- (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and
- (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and
- (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m:
 - (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or
 - (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.

Complies

The proposed carports are to be constructed with the finished surface at ground level. The as-constructed deck has a maximum height of 600mm above the existing ground level.

10.4.11 Outbuildings, swimming pools and fences

Objective:

To ensure that:

- (a) outbuildings, swimming pools and fences:
 - (i) do not detract from the character of the surrounding area; and
 - (ii) are appropriate to the site and respect the amenity of neighbouring lots;
- (b) dwellings remain the dominant built form.

Consistent

The proposed outbuildings comply with the acceptable solution.

A1.1 The combined gross floor area of outbuildings must be no greater than 45m² ; and

A1.2 Outbuildings (other than for single or multiple dwellings) must meet the setback and building envelope acceptable solutions of Clause 10.4.2, as if the development were for a dwelling.

Does Not Comply

A1.1 - The existing shed has a floor area of 11.5m². The proposed 6.0m x 3.75m outbuilding has a floor area of 20.4m². The combined gross floor area of the outbuildings is 31.9m².

A1.2 - The proposed shed was assessed as being compliant with Clause 10.4.2. However the existing shed proposed to be relocated is to be located within the rear setback. Further assessment against the performance criteria is required.

P1 Outbuildings must not detract from the character of the surrounding area or the amenity of adjoining lots, having regard to:

- (a) the visual impact on the streetscape;
- (b) any overshadowing of adjoining lots;
- (c) the size and location of outbuildings on adjoining lots;
- (d) existing buildings on the site; and
- (e) the topography of the site.

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

Complies

The shed proposed to be relocated is not visible from the street. The shed that is proposed to be relocated has wall height of 2.3m adjacent to the side boundary and a maximum building height of 2.6m. There are no habitable rooms in close proximity to the shed on the neighbouring properties that would be impacted by a loss of sunlight. The low height of the shed adjacent to the southern boundary, and the shed being setback 3.4m from the rear boundary, is unlikely to pose an unreasonable amount of overshadowing to the back yards of the neighbouring properties. Visual impacts from the existing shed are minimal due to its established minimal building height. Properties within Warragul Street that have outbuildings are predominantly located close to the side and rear boundaries.

The proposed relocation of the existing shed will not detract from the character of the surrounding area and will not have a detrimental impact on the residential amenity of adjoining properties.

10.4.13 Location of car parking

A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage.

A2.2 Turning areas for vehicles must not be located within the primary front setback.

Does Not Comply

No turning areas for vehicles are proposed within the front setback. However, two parking spaces are proposed within the front setback. Further assessment against the performance criteria is required.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

Consistent

The proposed activation and use of a second crossover to provide a second access to the residential property has been assessed as not adversely affecting the safety and efficiency of the street.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.

Consistent

The safety and efficiency of the street is not adversely affected by the proposed use and development of a second crossover.

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

<p>A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>
<p>Does Not Comply Both proposed access will provide separate entry and exit as they service two separate parking areas. Further assessment against the performance criteria is required.</p>
<p>P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
<p>Complies The proposed second access utilises an unused crossover adjacent to the property frontage. There are a number of unused crossovers within Warragul Street which were left in situ as property owners and developers developed in the street. The crossover is located on a section of Warragul Street which is relatively flat and straight. The use of the crossover would be limited to the entry and exit of the campervan and on occasion the passenger vehicles owner by the applicant. An existing street tree located in close proximity to the unapproved second access would need to be removed in order to minimise damage to vehicles and the tree due to the limited clearance. If the planning permit was to be approved, it is recommended that a condition would be placed on the permit requiring the tree to be removed, and a new tree to be replanted in a new location within the nature strip subject to the satisfaction of Council's Roads and Hydraulics and Parks and Recreation departments. The proposed second access could be conditioned so as to be used and constructed to provide safe and appropriate access. The proposed second access is unlikely to pose any unreasonable impacts on the efficiency of traffic within the street.</p>

E4.6.4 Sight distance at accesses, junctions and level crossings

<p>Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>
<p>Consistent The proposal complies with the acceptable solution.</p>
<p>A1 Sight distances at:</p> <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

Complies

The second access has sufficient sight distance in both directions of more than 90m in accordance with Table E4.6.4 for safe intersection sight distances.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

To ensure that an appropriate level of car parking is provided to meet the needs of the use.

Consistent

The proposal complies with the acceptable solution.

A1 The number of car parking spaces must:

- (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
- (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or
- (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or
- (d) be in accordance with an acceptable solution contained within a parking precinct plan.

Complies

Table E6.1 requires two parking spaces to be provided per dwelling within the General Residential zone. The existing garage and driveway already provide the required number of parking spaces to service the use of the land. As the proposal complies with subclause b) the proposal complies with the acceptable solution.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

To ensure that parking areas are constructed to an appropriate standard.

Consistent

The parking areas comply with the acceptable solution.

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

- (a) have a gradient of 10% or less;
- (b) be formed and paved;
- (c) be drained to the public stormwater system, or contain stormwater on the site;
- (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and
- (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

Complies

The proposed and as-constructed parking areas have a gradient of less than 10% and are formed and paved with concrete. The parking areas and the existing driveway drain into the existing public stormwater system.

E6.6.2 Design and layout of parking areas

Objective:

To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.

Consistent

The parking spaces comply with the acceptable solution.

A1.1 Car parking, access ways, manoeuvring and circulation spaces must:

- (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;
- (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;
- (c) have parking space dimensions in accordance with the requirements in Table E6.3;
- (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and
- (e) have a vertical clearance of not less than 2.1m above the parking surface level.

A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.

A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.

A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.

Complies

The proposed access and parking spaces have a width of access in compliance with the requirements of Table E6.2, and space dimensions in accordance with Table E6.3. The single and double carports have a proposed clearance of 3.2m and 2.4m respectively. Vehicles are not required to enter and exit the site in a forward direction as no more than four parking spaces are proposed.

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Roads and Hydraulics	Conditional consent provided.
Environmental Health	Conditional consent provided.
Parks and Recreation	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 14 May to the 27 May 2016. No representations were received.

6. CONCLUSION

Subject to the recommended conditions, it is considered that the proposal does not comply with the Scheme and it is appropriate to recommend for refusal.

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

8.4 13 Warragul Street, Norwood - Residential - Single Dwelling; Construction of Two Carports, Construct and Use Second Crossover Access, and Construction of a Roofed Deck (Retrospective)

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

BUDGET & FINANCIAL ASPECTS:

Not relevant to this report.

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.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Map (distributed electronically)
 2. Plans (distributed electronically)
 3. Streetscape Images (distributed electronically)
-

9 ANNOUNCEMENTS BY THE MAYOR**9.1 Mayor's Announcements****FILE NO:** SF2375

Wednesday 25 May 2016

- Officiated at the official opening of the Kings Meadows High School Oval and Detention Basin at Kings Meadows High School

Thursday 26 May 2016

- Attended Cancer Council Tasmania's Australia's Biggest Morning Tea at the Cancer Support Centre Launceston
- Attended the Crisp Bros & Haywards 20 Year Celebration at the UTAS Academy of Arts at Inveresk
- Attended the official opening of Henry's at 61 Cameron Street Launceston

Friday 27 May 2016

- Attended the 2016 Budget Lunch at the Country Club Casino
- Attended the Tasdance Production of Evolve at the Earl Arts Centre

Saturday 28 May 2016

- Attended the Launceston's Mayor's Peace Cup Charity Football Match at the Rocherlea Recreation Ground
- Attended the Northern Rangers Family Fun Day at the NTCA Grounds

Sunday 29 May 2016

- Attended the Vox Harmony Concert at the City Baptist Church Launceston

Wednesday 1 June 2016

- Attended the 2016 Winterlicious launch at the Penny Royal

Thursday 2 June 2016

- Officiated at the official launch of the Tasmanian Community Achievement Awards at the Town Hall
 - Attended the Pay What You Wish For Fundraiser - Give Me 5 For Kids at Cataract on Paterson Launceston
 - Attended the launch of the Tasmanian Perpetual Trustees Launceston Business Excellence Awards at the Penny Royal Launceston
-

9.1 Mayor's Announcements ...(Cont'd)

Friday 3 June 2016

- Assisted with trophy presentations at the Launceston Competitions at the Earl Arts Centre

Saturday 4 June 2016

- Attended the Riverside Lions Club Changeover Dinner at the Riverside Golf Club

Wednesday 8 June 2016

- Attended the St Patrick's College Schools Auction Final at St Patrick's College

Sunday 12 June 2016

- Officiated and participated in the Launceston Ten Signature Event
-

10 ALDERMEN'S REPORTS

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

11 QUESTIONS BY ALDERMEN**11.1 Questions on Notice**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

No Questions on Notice have been registered with Council as part of this Agenda

11.2 Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12 COMMITTEE REPORTS**12.1 Audit Panel Meeting - 26 May 2016****FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To receive and consider a report from the Audit Panel following the meeting on 26 May 2016.

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held 26 May 2016.

REPORT:

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

6.2 - 6.5 Internal Audit

Details Issues raised by the Internal Auditors (Crowe Horwath) were discussed, issues resolved agreed on and progress on issues not yet resolved discussed.

The audit reviews covered so far have been:

- Risk Review;
- Fraud Management and Prevention;
- Privacy Management;
- Payroll Review; and
- Rates Review.

Action Additional review issues from the Payroll and Rates Reviews were added to the outstanding items list along with completion target dates and since resolved items identified as being completed. Responsible Officers are working on the remaining outstanding items with completion target dates recorded.

12.1 Audit Panel Meeting - 26 May 2016 ...(Cont'd)

7.2 External Audit

Details The Interim Management Audit Report was discussed by Ms Lee of the Tasmanian Audit Office and items that have been resolved were noted and most of the remaining items are expected to be confirmed as resolved by 30 June 2016 once the 2015/16 audit has been completed.

Action The Panel noted the reports.

9.1 - 9.2 Budget Funding Overview and Budget Amendments

Details The Panel received the report that detailed the projects that need to be reclassified from Operations to Capital, Capital to Operations, recognition of external funds received and the reallocation of Waste Reserve funds to Capital.

Action The Panel recommended to the Council that the changes be made (see separate item in this agenda).

9.3 Budget Reallocations

Details The Panel received the report on transfers within the budget that do not require a change to the total budget.

Action The Panel noted the reallocations and transfers.

9.4 - 10.5 Financial Reports and KPI's

Details The Panel received the operating results for the nine months to 31 March 2016 as well as reports on Capital, Debts and Investments.

Action The Panel noted the reports.

11.1 Policy and Legislation Compliance Process

Details This topic was discussed and the preferred Audit Panel approach to this process was determined.

Actions The approach agreed will not require a prescriptive detailed review by the Audit Panel but rather an oversight of policy and legislative compliance managed through a risk management approach with those functions or tasks assessed as having a medium to high inherent organisational risk included in the risk register for review through the Audit Panel.

12.1 Audit Panel Meeting - 26 May 2016 ...(Cont'd)

12.2 Strategic Financial Plan

Details The model for the Strategic Financial Plan was presented and recommendations discussed.

Actions The recommendations contained in the report were acknowledged and endorsed.

12.3 Long Term Strategic Asset Management Plan

Details The Panel received a presentation outlining the work being done to renew the Council's Long Term Strategic Asset Management Plan.

Actions The Panel noted the approach and progress of the Long Term Strategic Asset Management Plan across the suite of plans for the asset groups managed by the Council.

12.4 Integrated Planning Framework

Details The integration of the Council's planning framework was discussed with reference to the State guidelines.

Actions The Panel noted the report.

13.2 Statutory Estimates for Year Ending 30 June 2017

Details The proposed Statutory Estimate for the year ended 30 June 2017 were presented to the Audit Panel.

Action The Panel noted the report.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

12.1 Audit Panel Meeting - 26 May 2016 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To continue to ensure the long-term sustainability of our Organisation

Key Direction -

6. To maintain a financially sustainable organisation

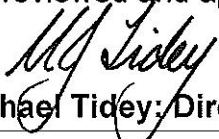
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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

12.2 Tender Review Committee - 23 May 2016

FILE NO: SF0100

AUTHOR: Raj Pakiarajah (Projects Manager)

DIRECTOR: Shane Eberhardt (Acting Director Infrastructure Services)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council receives the report from the Tender Review Committee meeting held on 23 May 2016.

REPORT:

The Tender Review Committee meeting held on 23 May 2016 determined the following:

Periodic Supply of Gravel, Sand and Aggregates - CD.006/2016

The Tender Review Committee accepted the tenders submitted by the following suppliers for the Periodic Supply of Gravel, Sand and Aggregates, as per the table below. Preference will be given to suppliers 1, 2 or 3 subject to operation requirements and locations.

ITEM DESCRIPTION	Supplier 1		Supplier 2		Supplier 3	
Aggregates Per Tonne - 4000						
7mm Single Size Aggregate	Stornoway	\$16.00	Will Dig	\$17.75	Hanson	\$19.00
10mm Single Size Aggregate	Stornoway	\$15.00	Will Dig	\$17.75	Hanson	\$19.00
14mm Graded Aggregate	Stornoway	\$15.00	Will Dig	\$16.80	Hanson	\$17.00
20mm Graded Aggregate	Stornoway	\$15.00	Will Dig	\$16.80	Hanson	\$17.00
7mm Cream Aggregate Blend	Gradco	\$22.00	Stornoway	\$24.00		
10mm Cream Aggregate Blend	Gradco	\$22.00	Stornoway	\$23.00		
14mm Cream Aggregate Blend	Gradco	\$22.00	Stornoway	\$23.00		
20mm Cream Aggregate Blend	Gradco	\$22.00	Stornoway	\$22.00		

12.2 Tender Review Committee - 23 May 2016 ...(Cont'd)

ITEM DESCRIPTION	Supplier 1		Supplier 2		Supplier 3	
Dust - Per Tonne - 1000						
Crusher Dust (FCR)	Stornoway	\$11.00	Hanson	\$12.00	Gradco	\$12.50
Crusher Dust (FCR) with 3%STB	Stornoway	\$25.00				
Road Base Per Tonne - 35,000						
19mm Base A	Hanson	\$13.00	Stornoway	\$14.50		
19mm Base B	Stornoway	\$13.00	Gradco	\$14.50		
25mm Base A	Bardenhagen	\$13.00	Stornoway	\$14.50		
25mm Base B	Bardenhagen	\$12.00	Stornoway	\$13.00		
37mm Base A	Bardenhagen	\$11.00	Stornoway	\$14.00		
40mm Sub Base 1	Bardenhagen	\$11.00	Hanson	\$11.00	Stornoway	\$14.00
75mm Sub Base 1	Bardenhagen	\$9.00	Hanson	\$10.50	Stornoway	\$13.00
Base Class A Silica	Stornoway	\$18.00	Gradco	\$21.00		
20-25mm Scalps (shoulder)	BIS	\$5.10	Stornoway	\$7.00	Gradco	\$7.00
37-40mm Scalps	BIS	\$6.30	Stornoway	\$7.00		
3% Cement Stabilising for 19 -25mm Base A Products	Stornoway	\$25.00				
Pugging						
Sand Per Tonne - 3000						
Sand Quartz	Baker	\$15.50	Gradco	\$21.50	Bardenhagen	\$14.00
Beach Sand	Hanson	\$14.00	Gradco	\$17.00		
Bricky Sand	Gradco	\$17.00	Baker	\$26.00		
Putty Sand	Gradco	\$17.00	Baker	\$26.00		
Top Dressing Sand - Washed	Baker	\$42.80	Gradco	\$37.00		
Top Dressing Sand - Un-Washed	Hanson	\$14.00				
Other						
Top Soil Screened	Stornoway	\$10.00	Gradco	\$16.00	Remount Gravel	\$42.50
Clean Fill	BIS	\$3.10	Will Dig	\$3.50	Gradco	\$5.00
Shale (per cubic metre)	Gradco	\$36.00				
Additional Materials Per Tonne 3000						
Screened Rock - Spalls (various)	Gradco	Various	Will Dig	Various	Stornoway	Various

12.2 Tender Review Committee - 23 May 2016 ...(Cont'd)

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goal - To ensure decisions are made in a transparent and accountable way and to continue to ensure the long-term sustainability of our Organisation

Key Directions -

1. To develop and consistently use community engagement processes
2. To lead the implementation of the Greater Launceston Plan by collaborating on relevant initiatives

BUDGET & FINANCIAL ASPECTS:

These projects are funded in accordance with the approved 2015/2016 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.



Shane Eberhardt: Acting Director Infrastructure Services

12.3 Heritage Advisory Committee Meeting - 28 April 2016**FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Urban Design & Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Heritage Advisory Committee Meeting on 28 April 2016.

RECOMMENDATION:

That Council receives the report from the Heritage Advisory Committee Meeting held on 28 April 2016.

REPORT:

The Heritage Advisory Committee met on Thursday, 28 April 2016.

At its Meeting the Committee noted the following items:

- Heritage List Review - progress update
- Adaptive Reuse and Access Issues for Heritage Buildings

The following items were discussed:

- **Launceston's City Heart Project**
Project Officer (Urban Design) Aaron Mullins, provided an update on the progress of the Launceston City Heart Project including:
 - The Quadrant Mall redevelopment
 - Signage and Wayfinding Project
 - **Launceston Heritage Awards 2016**
The Committee confirmed final preparations for the Awards including:
 - Closing date of the Awards 27 April 2016
 - Promotion of the awards
 - Confirmation of the judging panel
-

12.3 Heritage Advisory Committee Meeting - 28 April 2016 ...(Cont'd)

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders
Key Direction -
1. To develop and consistently use community engagement processes

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



Leanne Hurst: Director Development Services

12.4 Street Tree Advisory Committee Meeting - 26 May 2016**FILE NO:** SF5726**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council receives the report from the Street Tree Advisory Committee Meeting held on 26 May 2016.

REPORT:

The Street Tree Advisory Committee Meeting held on the 26 May 2016 discussed the following items:

1. Works Completed

The following works have been completed:

- As part of the 'City Heart' project Quadrant Stage 1 planting has been completed - three *Ginkgo biloba* and two *Prunus serrulta*
- Charles Street (outside Aromas Café) a Chinese Elm has been planted
- George Street (lower end) two *Pyrus calleryana* have been planted
- William Street/Shield Street, two Golden Elms have been planted. These will reinforce the existing plantings outside the Boags Centre for Beer Lovers and continue the theme for this street

2. Works in Progress (the following projects are currently in design, consultation or construction stage)

- Bridge Road
 - David Street (Newstead)
 - Forster Street (Eastern end)
 - Forster Street (Western end)
 - Invermay Road (Lindsay to Forster Street)
 - Mowbray Link
 - Westbury Road Oakdon Roundabout (in conjunction with Hydraulics Department)
 - Bathurst St Detention Basin (in conjunction with Parks Operations)
-

12.4 Street Tree Advisory Committee Meeting - 26 May 2016 ...(Cont'd)

- 119 Hobart Road
- Hobart Road, Kings Meadows Node (In conjunction with Hydraulics Department)

3. Future Works (the following projects are under documentation)

- City Heart 'CBD Masterplan'
- Upper Elizabeth Street (Tamar to High Street)
- Trevallyn
- Gorge Link

4. Nursery

- Update on status of the nursery
- Ongoing purchases to achieve a five year program
- Purchases to support future CHP works

5. 2016/2017 (the following projects are listed in the implementation plan)

- Eastern Avenue
- Meander Avenue
- City Elizabeth Street
- City Paterson Street
- City St John Street
- Elphin Road
- Gorge Link Stage 2
- Seaport

**Note: Due to no funding commitment for the 2016/2017 financial year these projects will be planned but not completed.*

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

The works provide numerous Sustainability benefits and reduces the impact of climate change.

SOCIAL IMPACT:

Positive social impact as it increases the amenity and attractiveness of the CBD.

12.4 Street Tree Advisory Committee Meeting - 26 May 2016 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Direction -

1. To continue to offer and attractive network of parks, open spaces and facilities throughout Launceston

Priority Area 5 - A city that values its environment

Ten-year goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards

Key Directions -

1. To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders
5. To reduce our and the community's impact on the natural environment

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



Shane Eberhardt: Acting Director Infrastructure Services

12.5 Pedestrian and Bike Committee Meetings - 22 March 2016 and 10 May 2016**FILE NO:** SF0618**AUTHOR:** Julie Tyres (Administration Officer - Roads & Hydraulics)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider reports from the Meetings of the Pedestrian and Bike Committee held on 22 March 2016 and 10 May 2016.

RECOMMENDATION:

That the Council receives the report from the Pedestrian and Bike Committee meetings held on 22 March 2016 and 10 May 2016.

REPORT:**22 March 2016 Meeting:**

- The Pedestrian and Bike Committee agreed to recommend that the City of Launceston sets an example to other businesses by improving its end of trip facilities for active travellers.
- The Pedestrian and Bike Committee agreed to recommend that the Westbury Road bike lane be introduced.
- The Pedestrian and Bike Committee received a report on the operation of Cycling South and supports the concept of a Cycling North Officer.
- The Pedestrian and Bike Committee notes the highest level of cycling and walking across the cordon points since the surveys started in 2009.

10 May 2016 Meeting:

- The Pedestrian and Bike Committee notes the positive outcomes of the Queensland 1.5m passing rule, requests more signage on Council roads and seeks better education.
- The Pedestrian and Bike Committee agreed to endorse Bike Week as an event that CoL should be involved in.

ECONOMIC IMPACT:

Not considered relevant to this report.

**12.5 Pedestrian and Bike Committee Meetings - 22 March 2016 and 10 May 2016
...(Cont'd)**

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Direction -

6. To promote active and healthy lifestyles

Priority Area 3 - A city in touch with its region

Ten-year goal - To ensure Launceston is accessible and connected through efficient transport and digital networks

Key Direction -

2. To improve and maintain accessibility within the City of Launceston area, including its rural areas

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Direction -

5. To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goal - To continue to ensure the long-term sustainability of our Organisation

Key Direction -

5. To strategically manage our assets, facilities and services

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

**12.5 Pedestrian and Bike Committee Meetings - 22 March 2016 and 10 May 2016
...(Cont'd)**

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.



Shane Eberhardt: Acting Director Infrastructure Services

12.6 Cataract Gorge Advisory Committee Report - 12 May 2016**FILE NO:** SF0839**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider a report from the Cataract Gorge Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Cataract Gorge Advisory Committee Meeting held on 12 May 2016.

REPORT:

A Meeting of the Cataract Gorge Advisory Committee (CGAC) was held on 12 May 2016 and the following items were discussed:

1. Hydro Environmental Water Flows Presentation

A 30 minute presentation from Hydro Services Project Manager was informative explaining that the reductions of environmental flows were due to the recent replacement of the turbines at Trevallyn Dam.

2. Basin Cottage Volunteers Progress Update

This item was not discussed or presented; progress report was later distributed.

3. Optus Aerial Proposal Progress Update

Preliminary drawings were discussed by the Committee.

4. General Business

- a) The Committee recognised the valuable input that Eamonn Seddon (Tourism Manager) has made and his past contributions to this Committee and wishes him well in his future endeavours.
 - b) The Chair has requested that at the next Committee Meeting a review and update of the Terms of Reference be undertaken since the last time it was approved was in 2006.
-

12.6 Cataract Gorge Advisory Committee Report - 12 May 2016 ...(Cont'd)

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Directions -

1. To continue to offer and attractive network of parks, open spaces and facilities throughout Launceston
4. To promote Launceston's rich heritage and natural environment
6. To promote active and healthy lifestyles

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



Shane Eberhardt: Acting Director Infrastructure Services

13 COUNCIL WORKSHOPS

Council Workshops conducted on 6 June 2016 were:

- Cimitiere Street Proposal
- Leisure & Aquatic Centre - Lane Hire for Swim Clubs
- Seagull Management - Old Launceston Seaport
- Lease Agreements - Albert Hall
- Fire Service Rates - Retirement Homes
- Rating of Independent Living Units (Retirement Homes)
- TasWater - Extension of Freeze on Distributions
- NTD - New Organisational Model
- Ten Days on the Island
- Commonwealth Games 2018

14 NOTICES OF MOTION

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

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

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**15.1 Youth Engagement Framework****FILE NO:** SF0134**AUTHOR:** Claudia Garwood (Youth Development Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider the Youth Engagement Framework 2016-2018.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 8 September 2014 - Agenda Item 14.1 - Draft Youth Engagement Framework Public Consultation

RECOMMENDATION:

That Council endorses the Youth Engagement Framework 2016-2018 - Document No. 3776720.

REPORT:

The Youth Engagement Framework aims to provide a strategic approach to the City of Launceston's youth engagement in order to ensure that young people's diverse views, experiences and needs are valued and incorporated into the council's strategic planning. This, in turn, ensures that young people are at the centre of the policies, strategies, services and activities being developed for them.

A draft Framework was developed and endorsed for public consultation by Council on 8 September 2014. Through the consultation process, a strategy was developed and 237 Launceston College students answered targeted survey questions. An additional 170 respondents from three secondary schools provided feedback after further consultation about the framework via '*Your Voice, Your Launceston*' online survey and on social media. In total, over 420 people have been involved in providing input into the development of the Framework, with survey results consistent across both survey periods. Due to requiring an additional survey period to create a more representative data sample the overall development of the framework was delayed.

15.1 Youth Engagement Framework ...(Cont'd)

The results of the survey provided an understanding of the top issues young people are currently facing: lack of employment opportunities; balancing work/education with family and friends; housing affordability; and increasing drug and alcohol issues.

It also highlighted the need to include a youth voice into shared decision-making with council for example by working directly with schools, colleges and universities, and specifically building the profile of the Youth Advisory Group (YAG) and making its functions known to the public.

Work experience with Council and skills development; getting a say in local planning and other issues; leadership opportunities; and learning about how Council works all featured as ways of making Launceston a better place to live, work and visit.

The goals contained within the framework include:

- Young people as leaders in shared decision-making with City of Launceston and other agencies
- A diverse and inclusive youth voice in the City of Launceston
- Young people having access to opportunities, resources and support
- Young people having a sense of social connectedness
- Young people with a sense of civic pride and interest in local affairs
- The City of Launceston enabling youth engagement opportunities

The Youth Engagement Framework will be used as a strategic reference for the Youth Development Officer and the City of Launceston. The Youth Engagement Framework will be made available to the public via the City of Launceston website and copies of the framework will be distributed to young people and relevant stakeholders through council networks.

Document is attached to this report.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Consideration contained in report.

15.1 Youth Engagement Framework ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Directions -

1. To understand the needs and requirements of key community service providers and stakeholders
3. To define and communicate our role in promoting social inclusion and equity
6. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life

BUDGET & FINANCIAL ASPECTS:

The actions are proposed to be delivered primarily within existing resources and any additional resources will be considered through the Council's Annual budgeting process.

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.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Youth Engagement Framework
-

City of Launceston's Youth Engagement Framework 2016-18

MAYOR'S MESSAGE

I am proud to deliver the City of Launceston's Youth Engagement Framework as an ongoing step in ensuring our young people are heard, feel valued, contribute, bring new perspectives and play a meaningful role in our community.

True inclusion and empowerment of our young people begins with providing them with the opportunity to voice their ideas, make real decisions, and contribute to and participate in the social, economic, and cultural benefits of our community. It's about sharing power with adults and becoming genuine partners in creating a community we can all be proud of and equally participate in.

Research has shown that active civic engagement increases resilience and protects young people from at-risk environments and behaviour. It also shows that positive youth development helps ease their transition into adulthood.

When young people learn to identify, understand and take responsibility for the issues that affect their lives, they are able to grow in positive, constructive and conscious ways. Access, equity, social justice and empowerment directly lead to positive youth development.

What will success look like? Launceston will have young people who are resilient and can positively handle life's challenges. They will be able to actively participate in education, training, employment and other areas of community life, and, therefore, access the economic, social and cultural benefits of our region. They will provide their voice into decision-making, and become genuine partners in creating an inclusive, creative and thriving community.

The future of our community lies in the hearts and minds of our young people. I hope when we finalise the City's Youth Engagement Framework, it will help give a voice to what they see and what they hope for, so that we can all work together to foster a community that welcomes everyone and has equal opportunities for all.

The City of Launceston Mayor, Albert van Zetten

April 2016

The Vision

The needs, issues and rights of young people are heard, considered, acted upon and upheld in order to create an equitable, cohesive, creative, caring and sustainable community that recognises and values the positive contribution young people make to the City of Launceston.

The Aim

To engage young people in active citizenship so that they are enabled and empowered to voice their ideas and concerns, and take ownership over action and change for a positive future.

The Values

Equity: the right to be heard

Respect: the right to participate

Leadership: the right to youth-led and shared decision-making

Action Plan

Goal 1: Young people as leaders in shared decision-making with the City of Launceston and other agencies

Goal 2: A diverse and inclusive youth voice into and out of the City of Launceston

Goal 3: Young people have access to opportunities, resources and support

Goal 4: Young people with a sense of social connectedness

Goal 5: Young people with a sense of civic pride and an active interest in the local affairs of the municipality

Goal 6: The City of Launceston enables leading-edge youth engagement opportunities

Goal 1: Young people as leaders in shared decision-making with the City of Launceston and other agencies

Actions:

- Develop an internal and external communications plan with YAG to promote YAG as the City of Launceston's primary way to engage with young people and to promote wider communication between YAG, the City of Launceston, Council and external agencies
- Enable YAG to directly present to Council on matters of importance as required

Goal 2: A diverse and inclusive youth voice into and out of the City of Launceston

Actions:

- Review YAG's Terms of Reference and ensure that it is more closely aligned with what young people see as the benefits of joining such a group
-

- Develop an external communications plan with YAG to promote YAG to a wider cohort of young people in Launceston and to increase and diversify membership
- Link YAG more strongly to school-based leadership groups, UTAS and the business community, and develop partnerships of mutual benefit
- Develop a social media strategy to engage a wide cohort of young people

Goal 3: Young people have access to opportunities, resources and support

Actions:

- Develop a strategy to work more closely with high schools and colleges, particularly with SEC and SRC groups, as well as with UTAS and TasTAFE
- Develop and promote a quarterly youth newsletter for distribution via social media, YAG, high schools, colleges, TasTAFE and UTAS
- Explore with the City of Launceston management and officers an opportunity for young people to gain work experience in collaboration with other agencies

Goal 4: Young people with a sense of social connectedness

Actions:

- Continue planning and delivering special activities and events for National Youth Week and other opportunities with YAG and the Northern Youth Coordinating Committee

Goal 5: Young people with a sense of civic pride and an active interest in the local affairs of the municipality

Actions:

- Develop and promote a 'how to engage with the City of Launceston' flyer for young people and distribute through high schools, colleges, UTAS, TasTAFE and YAG
- Identify leadership opportunities for YAG members and promote the 'privilege of membership'
- Develop an orientation and recognition program for YAG members

Goal 6: The City of Launceston enables leading-edge youth engagement opportunities

Actions:

- Promote a whole-of-City of Launceston approach to youth engagement by developing a Youth Engagement Policy for endorsement by Council
 - Review the City of Launceston's Youth Policy and Youth Engagement Framework tri-annually
 - Regularly monitor world trends and best practice in youth engagement.
-

15.2 Gold Coast Commonwealth Games 2018**FILE NO:** SF4186**AUTHOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider a report seeking Council agreement to participate in support activities associated with the 2018 Commonwealth Games.

RECOMMENDATION:

That Council agrees to participate in activities associated with supporting the Gold Coast Commonwealth Games in 2018 in accordance with the protocols and processes prescribed by the Organising Committee.

REPORT:

The next Commonwealth Games will be hosted by the city of Gold Coast in 2018. Traditionally, the host nation's organising committee coordinates a range of community and promotional support activities around the country. These events provide good opportunities particularly for regional areas to promote their town or city to both national and international audiences.

As the lead-time for the pre-Games activities are generally lengthy, and, in anticipation of there being opportunities for Launceston to participate in any pre-Games programming, it is recommended that Council agrees to work with the organising committee on coordinating the implementation of such activities.

Officers would provide further briefings to Council as any opportunities to participate arise.

ECONOMIC IMPACT:

Should Launceston have the opportunity to participate in support activities for the Gold Coast Commonwealth Games, the potential for media exposure for the city as a tourism destination is significant.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

15.2 Gold Coast Commonwealth Games 2018 ...(Cont'd)

SOCIAL IMPACT:

Pre-Games events programmes are generally targeted at community participation, allowing local communities around the country to experience some of the excitement of the event when they may not be able to actually attend the Commonwealth Games.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Direction -

6. To promote active and healthy lifestyles

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Direction -

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

Priority Area 7 - A city that stimulates economic activity and vibrancy

Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston

Key Directions -

3. To promote tourism and a quality Launceston tourism offering

4. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar

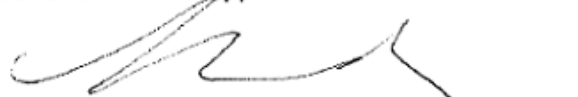
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



Leanne Hurst: Director Development Services

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

18.1 102-106 Hobart Road - Acquisition of Pipeline Easement

FILE NO: 45890

AUTHOR: Robert Holmes (Property Coordinator)

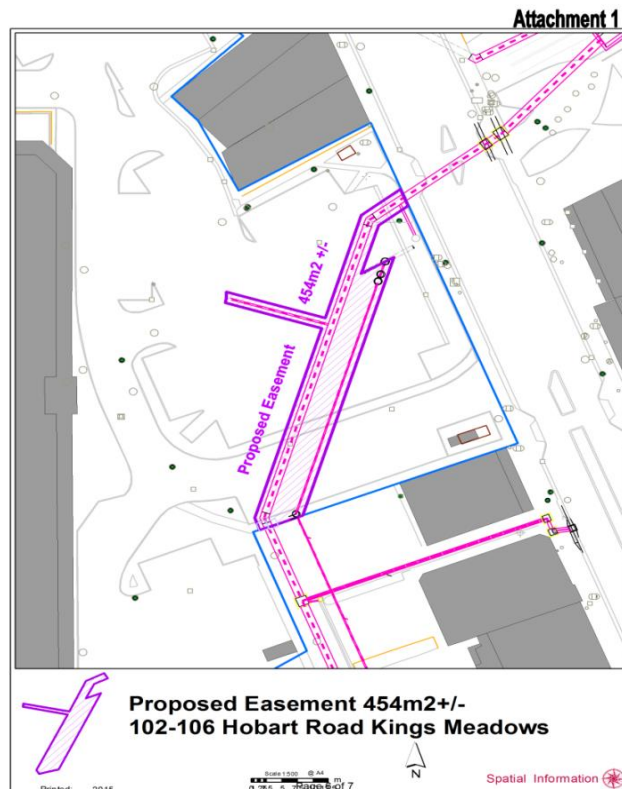
DIRECTOR: Shane Eberhardt (Acting Director Infrastructure Services)

DECISION STATEMENT:

To consider acquiring a pipeline easement.

RECOMMENDATION:

That the Council acquires, by agreement in accordance with Section 9 of the *Land Acquisition Act 1993*, a pipeline easement over part of 102-106 Hobart Road, Kings Meadows. The easement is to have an area of approximately 425m² and the location is indicated on the plan below marked Attachment 1. Compensation payable for the transfer of easement is to be the sum of \$82,500 exclusive of GST.



18.1 102-106 Hobart Road - Acquisition of Pipeline Easement ...(Cont'd)

REPORT:

The Kings Meadows flood alleviation project has necessitated the installation of stormwater drainage and sewerage infrastructure through the "Meadow Mews" car park at 102-106 Hobart Road, Kings Meadows. A pipeline easement having an area of 425m² is necessary in order to provide protection for the new infrastructure - being a 1200 diameter stormwater pipe and a 150 diameter sewer.

The Council has obtained ongoing valuation advice which recommended that the upper level of compensation should be \$72,250. The claimant's initial valuation advice suggested that compensation should be \$115,000. The valuers have subsequently conferred and have indicated that subject to agreement by the Council, that a figure of \$82,500 exclusive of GST would be acceptable to both parties. The location of the pipeline easement is shown on the plan marked [Attachment 1](#).

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 5 - A city that values its environment

Ten-year goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards

Key Directions -

1. To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders
 2. To manage the risks of climate-related events, particularly in the area of stormwater management
 3. To enhance community awareness and resilience to uncertain weather patterns
 4. To implement floodplain management plans in the Invermay area
 5. To reduce our and the community's impact on the natural environment
-

18.1 102-106 Hobart Road - Acquisition of Pipeline Easement ...(Cont'd)

BUDGET & FINANCIAL ASPECTS:

Adequate funds are available within the Kings Meadows flood alleviation project (CP23319).

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.

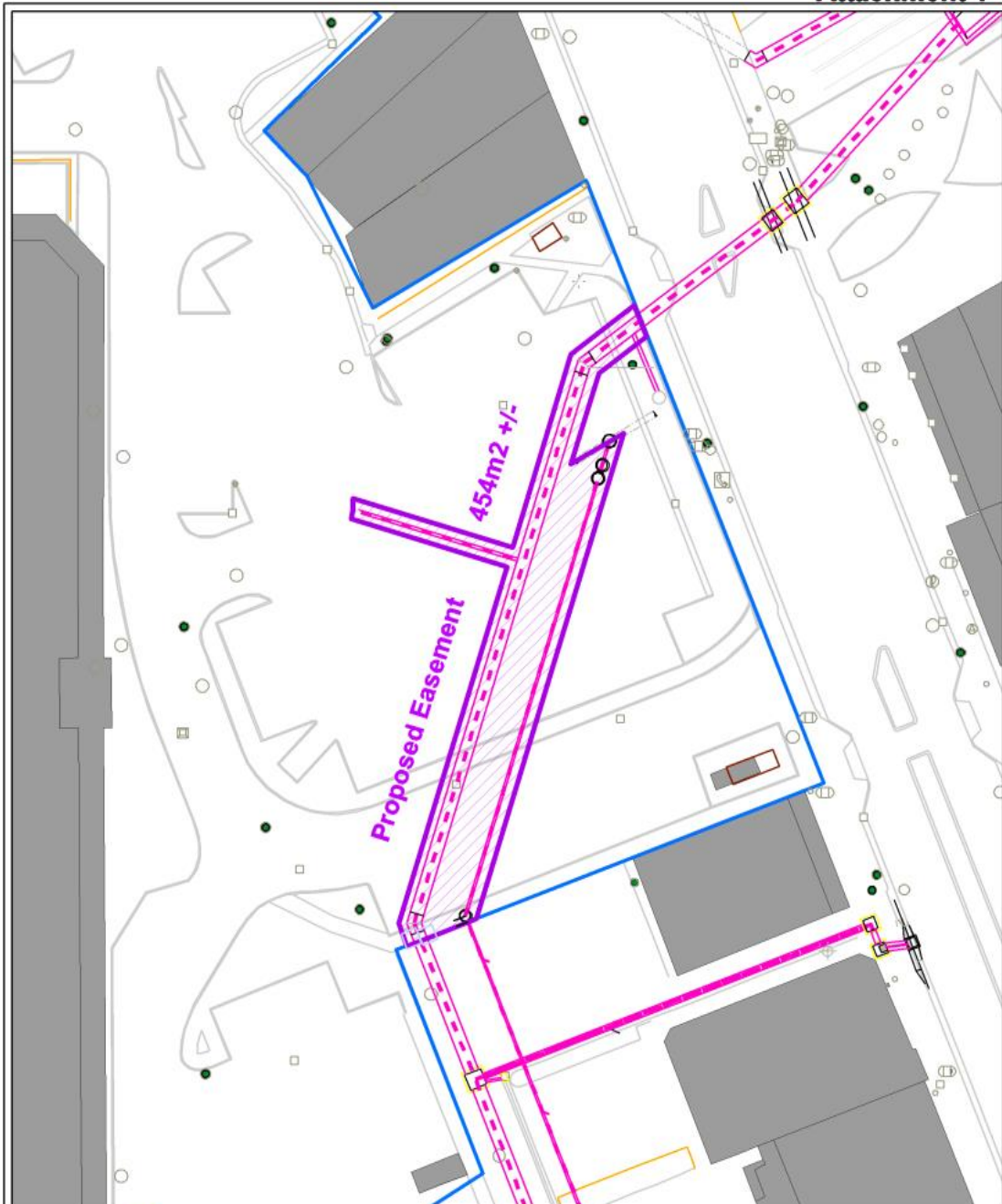


Shane Eberhardt: Acting Director Infrastructure Services

ATTACHMENTS:

1. Plan of proposed easement
-

Attachment 1



**Proposed Easement 454m2+/-
102-106 Hobart Road Kings Meadows**

Printed: 2015

Scale 1:500 @ A4
0 2.5 5 7.5 10 m



Spatial Information 

18.2 Concessional Entry to Council's Waste Disposal Facilities

FILE NO: SF0628

AUTHOR: Regan East (Waste Management Officer)

DIRECTOR: Shane Eberhardt (Acting Director Infrastructure Services)

DECISION STATEMENT:

To determine the value of concessions to approved charitable organisations for waste disposal to the Launceston Waste Centre for the 2016/2017 financial year.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 22 June 2015 - Agenda Item 18.1 - to determine the value of concessions for 2015/2016

RECOMMENDATION:

That the Council, in respect of Clause 4(e) of the '*Concessional Entry to Council's Waste Disposal Facilities*' Policy (12-PI-014), approves the organisations and concessional entry values for the financial year 2016/2017, as shown in Table 1.

Table 1: Recommended concessional entry values, 2016/17

Organisation Name	2016/2017 \$
Cancer Council of Tasmania	0
Connections Op Shop Inc.	400
Door of Hope Christian Church	800
Launceston Benevolent Society Inc.	400
Launceston City Mission	19,000
Launceston Legacy Inc.	120
Lilydale Landcare	100
Lions Club of Kings Meadows	150
New Horizons Club Inc.	110
Northern Occupational Support Service - Bluegum	1,800
RSPCA Tasmania (Launceston Branch)	550
Salvos Store	1,300
Self Help Workplace	4,200
St Michaels Association	900
St Vincent de Paul Society	3,500

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

Organisation Name	2016/2017 \$
Veterans Support Group	500
Worldview Centre for Intercultural Studies	20
Zions Hill Community Care Inc	300
TOTAL	\$34,150

REPORT:**Introduction:**

This is the sixth year that Council has advertised and received applications for *Concessional Entry to Waste Disposal Facilities*. Advertisements were placed in the Examiner newspaper every Saturday for five consecutive weeks from 9 April 2016 to 7 May 2016. Application forms were also forwarded to approved 2015/2016 concessional entry holders. The application period was open for five weeks.

The proposed budget amount for 2016/2017 is \$36,880 and is increased from \$36,697 in 2015/2016.

Policy Details:

The policy requires organisations to meet tests in order to be deemed "charitable" and to be considered for a subsidy to offset their waste disposal charges at the Launceston Waste Centre. The "charitable" test can be satisfied in one of two ways – either by providing an ATO Exemption Certificate or by proving community and charitable benefit. Table 2 shows the applications received together with their nominated subsidy. Each of the charities listed meets the "charitable" test required by Council.

The assessment was completed by the City Services Supervisor, Paul Thomas, the Waste Management Officer, Regan East and endorsed by the Community Grants Committee on 26 May 2016.

Application Assessment:

The first step in the assessment was confirming each organisation's "charitable" status against the two 'tests'. The policy automatically accepts organisations where an *ATO Exemption Certificate* is provided. This certificate also has to comply with the "public benevolent institution" classification. Organisations claiming the alternative test are required to provide proof of community good and community benefit. All organisations must be non-government. Additionally, the Australian Charities and Not-for-profits Commission (www.acnc.gov.au) was used to verify the status of several organisations.

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

Table 2 shows the value of each applicant's claim in previous years and the recommended amount for financial year 2016/2017.

The Committee considered the reasonableness of the claims for financial year 2016/2017 based on the previous history of the organisation, the percentage of approved claim used in 2015/2016 and in previous years, and the description of the charitable activity proposed for the coming year. Given that the value of the total claims exceeded the proposed budget, and to ensure that the total budget limit is not exceeded, it was necessary for the Committee to recommend a reduction where the claims significantly differed from the value of waste disposed in the 2015/2016 year (based on claims processed as at 1 April 2016, unless otherwise noted) and in the preceding years. The results of this assessment are shown in Table 2.

Additionally, given the disparity between the funding requested and the budget available in combination with the overall goal of the Council to reduce waste to landfill, some organisations had their funding value reduced in order to encourage greater uptake of recycling practices. To support this, a letter outlining the availability of the Launceston Recycling Centre to accept domestic sized, sorted loads has been distributed to all application organisations.

Table 2

Organisation Name	2013/14 actual expenditure \$	2014/15 actual expenditure \$	2015/16 actual expenditure as at 1 April 2016 \$	2016/17 Request \$	2016/17 recom \$
Cancer Council of Tasmania	12	21.98	9.14	50	0
Connections Op Shop Inc.	397	383.66	462.20	400	400
Door of Hope Christian Church	525	829.72	735.22	800	800
Fusion Home Support	349	685.04	693.17	-	-
Launceston Benevolent Society Inc	505	423.34	341.64	600	400
Launceston City Mission	19,070	21,067.32	18,418.22	23,000	19,000
Launceston Legacy Inc	79	102.53	90.92	150	120
Lilydale Landcare	-	-	-	250	100
Lions Club of Kings Meadows	99	103.37	146.35	150	150
New Horizons Club Inc.	97	66.11	91.48	150	110
Northern Occupational Support Service - Bluegum	1,070	2,505.98	1,471.70	2,000	1,800
PCYC	132	129.15	88.60	-	-

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

Organisation Name	2013/14 actual expenditure \$	2014/15 actual expenditure \$	2015/16 actual expenditure as at 1 April 2016 \$	2016/17 Request \$	2016/17 recom \$
RSPCA Tasmania (Launceston Branch)	610	1,120.73	247.96	1,000	550
Salvos Store	2,062	3,331.63	1,067.20	3,000	1,300
The Salvation Army Property Trust (Launceston)	26	23.83	-	-	-
Self Help Workplace	2,726	4,336.27	4,159.98	5,600	4,200
St Michael's Association	263	1,016.85	706.01	1,500	900
St Vincent de Paul Society	3,332	4,466.14	3,073.76	4,500	3,500
Veterans Support Group	513	559.37	561.56	500	500
Worldview Centre for Intercultural Studies	12	0	-	300	20
Zions Hill Community Care Inc.	174	202.29	276.31	800	300
TOTAL	32,053	41,375.31	32,641.42	44,750	34,150

The value recommended reflects the proposed 2016/2017 spend. The Committee accepted that the value of the concession between groups would vary significantly – given that the size of the candidate organisations varied from very small to very large and that the benevolent activities would also vary as widely.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

The policy treats concessions to charitable organisations as a Community Service Obligation. The fabric of the community is enhanced by the charitable and benevolent work of these organisations.

18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Direction -

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

BUDGET & FINANCIAL ASPECTS:

The draft budget for 2016/2017 provides an allowance of \$36,880.

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.



Shane Eberhardt: Acting Director Infrastructure Services

18.3 Policy for Delegation of Power to Acquire Land**FILE NO:** SF0081**AUTHOR:** Robert Holmes (Property Coordinator)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

DECISION STATEMENT:

To consider establishing a policy for the delegation of power to acquire land on behalf of the Council.

PREVIOUS COUNCIL CONSIDERATION:

SPPC - 6 June 2016

RECOMMENDATION:

That the Council approves the following Policy as set out below.

PURPOSE:

To establish a policy for the delegation of power to acquire land on behalf of the Council.

SCOPE:

To apply where land is acquired for a prescribed purpose and where Council valuation advice is that the purchase or compensation value is less than \$100,000.

POLICY:

1. That the Council delegates authority under Section 22 of the *Local Government Act 1993* to the General Manager to acquire land either by negotiation or compulsory process as described in Section 37 (b), (d), (e), (f), (g) and (h) of the *Local Government (General) Regulations 2015*. The authority is on the basis that the land is required for a prescribed purpose and the Council's initial valuation advice is that the purchase price or compensation is less than \$100,000.
 2. That Council delegates authority under Section 22 of the *Local Government Act 1993* to the General Manager to issue subdivision exemptions or approvals under Sections 83 and 102 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.
 3. That Council gives authority under Section 64 of the *Local Government Act 1993* to the General Manager to delegate this function to the Council Officers.
-

18.3 Policy for Delegation of Power to Acquire Land ...(Cont'd)

PRINCIPLES:

Not considered relevant to this report.

RELATED POLICIES & PROCEDURES:

Not considered relevant to this report.

RELATED LEGISLATION:

Local Government Act 1993

Local Government (General) Regulations 2015

Local Government (Building & Miscellaneous Provisions) Act 1993

Local Government (Highways) Act 1993

Urban Drainage Act 2013

Land Acquisition Act 1993

REFERENCES:

Not considered relevant to this report.

DEFINITIONS:

'Prescribed purpose' has the same meaning as *Section 37* of the *Local Government (General) Regulations 2015*.

REVIEW:

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

REPORT:

To avoid delay in acquisition processes it is desirable to establish a policy to provide guidance as to the circumstance where it is reasonable for the General Manager to acquire land on behalf of Council.

Section 176 of the *Local Government Act 1993* states that "*a council may acquire land for prescribed purposes in accordance with the Land Acquisition Act 1993*".

18.3 Policy for Delegation of Power to Acquire Land ...(Cont'd)

Under Section 37 of the *Local Government (General) Regulations 2015* "prescribed purposes" include:

- a) *the establishment of, or extension to, the council's public offices;*
- b) *the establishment of, or extension to, a works depot, pound or plant nursery;*
- c) *the establishment of, or extension to –*
 - i. *any education and care service premises, within the meaning of the Education and Care Services National Law (Tasmania), other than any premises for a family day care service, within the meaning of that Law; or*
 - ii. *a child care centre within the meaning of the Child Care Act 2001.*
- d) *the establishment of, or extension to, public land;*
- e) *the establishment or realignment of a highway, or local highway, as defined by section 3 of the Local Government (Highways) Act 1982;*
- f) *the establishment of, or the provision of access to –*
 - i. *a stormwater reticulation system, drainage system, handling system, disposal facility system or pump station; and*
 - ii. *a waste management facility, waste disposal site or waste transfer station;*
- g) *the undertaking of work, or the provision of access for the undertaking of work, for the prevention, control or mitigation of a flood;*
- h) *the establishment and operation of a quarry for the extraction, processing and storage of rock, crushed rock, gravel, or sand, for council works.*

As to the mechanism by which land can be obtained the *Land Acquisition Act 1993* provides that land can be acquired by either agreement or by compulsory process. The *Land Acquisition Act 1993* also deals with compensation and other process matters.

The Council could reasonably make a decision to delegate the power of acquisition to the General Manager based on the convention of the established financial controls set for the Directors of each Division. Where an acquisition exceeded a Director's purchasing limits such acquisition would necessarily need to be referred to a formal meeting of the Council.

Section 22 of the *Local Government Act 1993* provides that "a council, in writing, may delegate with or without conditions to the general manager, controlling authority, a council committee or a special committee, any of its functions or powers under this or any other Act."

In delegating authority from the Council to the General Manager conditions for consideration may be:

- Council budget / availability of funds.
 - Officers delegated purchasing limits / expenditure controls.
 - Effect of acquisition on property eg whole or part acquisition.
 - Preparedness by owner to reach an agreement as to compensation.
 - In the absence of agreement by an owner the need for full compulsory process.
-

18.3 Policy for Delegation of Power to Acquire Land ...(Cont'd)

For example, the need for a small area required for road widening affecting a large property in rural area has minimal impact on the Council's budget, minimal impact on the continuing use of the property, expenditure on compensation and other financial matters fall within established controls, such acquisitions could reasonably be authorised by the General Manager or delegated to the relevant Director.

Delegation from the General Manager to Directors can be established by virtue of Section 64 of the *Local Government Act 1993* which says:

"64. Delegation by general manager

The general manager, in writing, may delegate to an employee of the council –

(a) any functions or powers under this or any other Act, other than this power of delegation; and

(b) any functions or powers delegated by the council which the council authorized the general manager to delegate"

Where it is necessary to acquire part of a property subdivision to create a lot or interest in land arising from an acquisition the plan approval process requires that a Council approval be affixed to the Council approvals page.

Typically the subdivision approval is an exemption such as:

"Approval under Section 83 Local Government (Building & Miscellaneous Provisions) Act 1993 is not required. Acquisition by compulsory process is an alternative means of obtaining lot pursuant to Section 102 Local Government (Building & Miscellaneous Provisions) Act 1993."

To improve efficiency the delegation of approval or exemption of a plan prepared pursuant to *Section 83 Local Government (Building and Miscellaneous Provisions) Act 1993* should be coupled with delegation of land acquisition.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

18.3 Policy for Delegation of Power to Acquire Land ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 6 - A city building its future

Ten-year goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions

Key Direction -

2. To develop and take a strategic approach to development sites to maximise public benefits of development

BUDGET & FINANCIAL ASPECTS:

All land acquisitions are costed as part of the project. The Policy will improve efficiency and reduce administration.

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.



Shane Eberhardt: Acting Director Infrastructure Services

19 CORPORATE SERVICES DIRECTORATE ITEMS**19.1 Budget 2016/2017 - City of Launceston Statutory Estimates****FILE NO:** SF6329**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the adoption of the Council's Statutory Estimates for the financial year ending 30 June 2017.

This decision, pursuant to section 82 of the *Local Government Act 1993* must be adopted by an absolute majority.

PREVIOUS COUNCIL CONSIDERATION:

Considered annually.

RECOMMENDATION:

That Council

1. pursuant to Section 82(3)(a) of the *Local Government Act 1993* adopts the Proposed Statutory Estimates for the full financial year ending 30 June 2017. The Proposed Statutory Estimates are set out in full in Attachment 1; and
2. pursuant to Section 82(2) of the *Local Government Act 1993* adopts

a) Estimated Income	\$107.63m
b) Estimated Expenditure	
- Operating	\$99.61m
- Capital	\$24.49m
c) Estimated Borrowing	
- Loans	\$NIL
- Scheduled Repayments	\$2.24m
d) Estimated Capital Works	
- Council Funded	\$18.41m
- Grant Funded	\$6.08m

19.1 Budget 2016/2017 - City of Launceston Statutory Estimates ...(Cont'd)

REPORT:

The budget preparation process for 2017 has involved:

- Community consultation prior to the preparation of the draft budget;
- Preparation of draft budget;
- Determination of proposed statutory estimates; and
- Release of estimates for community comment.

The process of consulting on the Council's budget continued this year with the opportunity for the community to comment on the budget prior to the release of the proposed budget.

It is important to note that submissions and requests made by residents at any time during the year are assessed for inclusion in the Council's budget.

The formal consultation process extended over four weeks after being advertised in the local newspaper and radio. The process involved a survey using the Council's online engagement tool, 'Your Voice. Your Launceston - 2016/2017 Budget Consultation ' as well as the opportunity for individuals to comment directly on any matters. 'Your Voice. Your Launceston - has 2,213 registered participants that were also invited to complete the survey.

There was a final opportunity to make a submission to the 2016/2017 Proposed Statutory Estimates during the period 31 March 2016 to 14 April 2016 and seven submissions were received.

The submissions were presented together with officer comments to Workshops. The officer comments were received and accepted. A response then provided individually or via online channels.

The Statutory Estimates document comprising the Proposed Operating and Capital Budget, Proposed Rating Resolution and Adopted Fees and Charges for the year ending 30 June 2017 were included in the Agenda for the Audit Panel Meeting of 26 May 2016. The Audit Panel received the report and there were no matters referred to the Council from the consideration of the Agenda item.

The Proposed Statutory Estimates, after consideration of the input and submissions, is now presented to Council for adoption. A critical outcome of this budgeting process is the determination of the rating requirement. The next agenda item gives effect to this through the rating resolution. The following table provides a summary of the Council's Statutory Estimates.

19.1 Budget 2016/2017 - City of Launceston Statutory Estimates ...(Cont'd)

City of Launceston Statutory Estimates	2017 \$m	2016 \$m
Revenue	107.63	105.29
Excluding Capital Funds	101.56	99.09

Expenditure		
Operating	99.61	99.04
Excluding Depreciation	79.52	79.13

Capital	24.49	24.65
---------	-------	-------

City of Launceston Statutory Estimates	2017 \$m	2016 \$m
Borrowing		
Loans	-	-
Repayments		
Scheduled	2.24	2.13

Capital Works Funding		
Council Funded	18.41	18.46
Grant Funded	6.08	6.19

ECONOMIC IMPACT:

The Council has a significant economic impact in the region through its revenue raising and spending.

ENVIRONMENTAL IMPACT:

The budget contains specific projects and ongoing programs to improve environmental outcomes.

SOCIAL IMPACT:

The budget contains specific projects and ongoing programs to improve social outcomes.

19.1 Budget 2016/2017 - City of Launceston Statutory Estimates ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To continue to ensure the long-term sustainability of our Organisation
Key Direction -
6. To maintain a financially sustainable organisation

BUDGET & FINANCIAL ASPECTS:

As per the Statutory Estimates.

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

ATTACHMENTS:

1. 2016/2017 Proposed Statutory Estimates (distributed electronically)
 2. Summary and Detail of 2016/2017 Capital Improvement Budget (distributed electronically)
-

19.2 Budget 2016/2017 - City of Launceston Rating Framework**FILE NO:** SF6329/SF0521**AUTHOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the adoption of the Council's Rating Framework for the financial year ending 30 June 2017.

This decision, pursuant to Part 9 of the *Local Government Act 1993*, must be adopted by absolute majority.

PREVIOUS COUNCIL CONSIDERATION:

Considered annually.

RECOMMENDATION:

That Council pursuant to Part 9 of the *Local Government Act 1993* adopts the following Rating Framework for the financial year ending 30 June 2017.

Rating Resolution**1. General Rate:**

1.1 Pursuant to Sections 90 and 91 of the *Local Government Act 1993*, the Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the municipal area of Launceston for the period commencing 1 July, 2016 and ending 30 June, 2017, which consists of two components as follows:

- (a) A rate of **7.4750** cents in the dollar on the assessed annual value of the land; and
- (b) A fixed charge of **\$250**.

1.2 That pursuant to Section 107(1) and (2) of the *Local Government Act 1993*, by reason of:

- (a) the use or non-use of any land which is within the municipal area; and
- (b) the locality of the land;

Council declares, by absolute majority, that component 1.1(a) of the General Rate is varied for the financial year as follows:

19.2 Budget 2016/2017 - City of Launceston Rating Framework ...(Cont'd)

- (i) For land used for commercial purposes, that is not located within the area known as the CBD Rate Variation Locality, the rate is varied by **increasing** it by **0.5250** cents in the dollar to **8.0000** cents in the dollar;
- (ii) For land used for commercial purposes and which is located within the area known as the CBD Rate Variation Locality, the rate is varied by **increasing** it by **2.1170** cents in the dollar to **9.5920** cents in the dollar;
- (iii) For land used for industrial purposes, the rate is varied by **increasing** it by **0.5250** cents in the dollar to **8.0000** cents in the dollar;
- (iv) For land used for public purposes, the rate is varied by **increasing** it by **0.5250** cents in the dollar to **8.0000** cents in the dollar;
- (v) For land used for primary production purposes, the rate is varied by **increasing** it by **0.5250** cents in the dollar to **8.0000** cents in the dollar;
- (vi) For land used for sporting or recreation facilities, the rate is varied by **increasing** it by **0.5250** cents in the dollar **8.0000** cents in the dollar;
- (vii) For land used for quarrying and mining, the rate is varied by **increasing** it by **0.5250** cents in the dollar to **8.0000** cents in the dollar; and
- (viii) For land which is vacant land, the rate is varied by **decreasing** it by **0.7750** cents in the dollar to **6.7000** cents in the dollar

Definition CBD Rate Variation Locality

1.3 That pursuant to Section 107(1)(c) of the *Local Government Act 1993*, by reason of the location of any land which is within the following parts of the municipal area, namely:

- (a) That portion of the City of Launceston as is bounded by Wellington, Cameron, George and York Streets;
 - (b) Those properties having a frontage on the Eastern side of George Street from numbers 37 to 115 (both inclusive);
 - (c) Those properties having a frontage on the Southern side of York Street from numbers 45 to 123 (both inclusive);
 - (d) Those properties having a frontage on the Northern side of Cameron Street from numbers 44 to 70 (both inclusive) and on the Southern side of that Street from numbers 41 to 93 (both inclusive);
 - (e) Those properties having a frontage on the Eastern side of St John Street from numbers 119 to 153 (both inclusive) and on the Western side of that Street from numbers 116 to 128 (both inclusive);
 - (f) Those properties having a frontage on the Eastern side of Charles Street from numbers 179 to 205 (both inclusive) and on the Western side of that Street from numbers 126 to 156 (both inclusive); and
-

19.2 Budget 2016/2017 - City of Launceston Rating Framework ...(Cont'd)

- (g) Those properties having a frontage on the Northern side of Brisbane Street from numbers 36 to 60 (both inclusive) and those having a frontage on the Southern side of that Street from numbers 43 to 65 (both inclusive),

the Council declares this area to be defined as the **CBD Rate Variation Locality** for the purposes of clause 1.2.

Maximum Percentage Increase

- 1.4 Pursuant to section 88A of the Act, the Council, by absolute majority sets the following maximum percentage increase in component (a) of the general rate in clause 1.1 of 200% and then declares by absolute majority that the maximum percentage is varied under Section 107 of the Act according to the use or predominate use of land, by decreasing the maximum percentage to **20%** for all land which is used or is predominately used for residential purposes.

2. Service Charges – Waste Management Service:

Pursuant to Section 94, of the *Local Government Act 1993*, the Council makes the following service charges on all rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which the Council does not supply any of the following services) for the period commencing 1 July, 2016 and ending on 30 June, 2017, namely:

- 2.1 Service charges for waste management in respect of all land to which the Council supplies different waste management services comprising:

- (i) The supply of mobile garbage bins;
- (ii) The supply of a recycling service;
- (iii) The collection of garbage bags purchased by owners or occupiers of land from the Council;

as follows:

- (a)
 - (i) **\$102** for an existing 85 litre mobile garbage bin and 1 recycle bin;
 - (ii) **\$102** for a 140 litre mobile garbage bin and 1 recycle bin;
 - (iii) **\$215** for a 240 litre mobile garbage bin and 1 recycle bin; and
 - (b) **\$2.50** per bag for the collection of prepaid garbage bags purchased by owners or occupiers from the Council for collection within the area that this service is supplied to.
-

19.2 Budget 2016/2017 - City of Launceston Rating Framework ...(Cont'd)

2.2 Pursuant to Section 94(3) of the *Local Government Act 1993*, and by absolute majority, the Council varies each of the charges at clause 3.1(a) within different parts of the municipal area for land used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities and/or quarrying and mining purposes as follows:

- (i) **\$102** for an existing 85 litre mobile garbage bin;
- (ii) **\$102** for a 140 litre mobile garbage bin;
- (iii) **\$215** for a 240 litre mobile garbage bin.

2.3 In respect of the service charges for waste management:

- (a) If any land to which the waste management service is supplied is the subject of separate rights of occupation which are separately valued in the valuation list prepared under the *Valuation of Land Act 2001*, then the charge applies to each such separate occupation;
- (b) Pursuant to Section 94(3) of the *Local Government Act 1993* and by absolute majority, the Council declares that the service charge varies within different parts of the municipal area by reference to the use or predominant use of land as follows:
 - (i) For all land used for residential purposes where there is more than 1 separate right of occupation which is separately valued in the valuation list prepared under the *Valuation of Land Act 2001* and where the rate payer has elected by notice in writing delivered to the General Manager on or before the 1st day of July 2016 not to have a waste management service, then the service charge is varied to **Nil**;
 - (ii) For all land which is used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities, quarrying and mining purposes and where the rate payer in respect of that land elects by notice in writing delivered to the General Manager on or before the 1st day of July 2016 not to have a waste management service, then the service charge is varied to **Nil**;

3. Service Rates - Fire Service:

3.1 Pursuant to Section 93A of the *Local Government Act 1993* the Council makes the following service rates in respect of the fire service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the municipal area for the period commencing 1 July, 2016 and ending on 30 June, 2017, as follows:

19.2 Budget 2016/2017 - City of Launceston Rating Framework ...(Cont'd)

District	Cents in the dollar of Assessed Annual Value
Launceston Permanent Brigade Rating District	1.3730
Lilydale Volunteer Brigade Rating District	0.4041
General Land	0.3466

3.2 Pursuant to Section 93(3) of the *Local Government Act 1993*, the Council sets a minimum amount payable in respect of this service rate of **\$38.00**.

4. Separate Land:

4.1 Except where it is expressly provided to the contrary, for the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

5. Adjusted Values:

5.1 For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Sections 89 and 89A of the *Local Government Act 1993*.

6. Instalment Payment:

6.1 Pursuant to Section 124 of the *Local Government Act 1993*, the Council:

- (a) Decides that all rates are payable by all rate payers by four instalments which must be of approximately equal amounts.
- (b) Determines that the dates by which instalments are to be paid shall be as follows:
 - (i) The first instalment on or before 31 August, 2016;
 - (ii) The second instalment on or before 30 November, 2016;
 - (iii) The third instalment on or before 31 January, 2017; and
 - (iv) The fourth instalment on or before 30 April, 2017.
- (c) If a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

7. Penalty and Interest:

7.1 Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due then:

19.2 Budget 2016/2017 - City of Launceston Rating Framework ...(Cont'd)

- (a) There is payable a penalty of **3.0%** of the unpaid rate or instalment; and
- (b) There is payable a daily interest charge of **0.02054795%** (7.5% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

8. Words and Expressions:

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

REPORT:

This resolution has the purpose of translating budgeted rate revenue into rates and charges.

ECONOMIC IMPACT:

The Council has a significant economic impact in the region through its revenue raising and spending.

ENVIRONMENTAL IMPACT:

The budget contains specific projects and ongoing programs to improve environmental outcomes.

SOCIAL IMPACT:

The budget contains specific projects and ongoing programs to improve social outcomes. The structure distributes the rates accordingly to property values.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To continue to ensure the long-term sustainability of our Organisation
Key Directions -
6. To maintain a financially sustainable organisation

19.2 Budget 2016/2017 - City of Launceston Rating Framework ...(Cont'd)

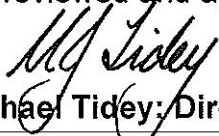
BUDGET & FINANCIAL ASPECTS:

The rate resolution provides the legal authority to levy the rates as detailed in the Council's Statutory Estimates.

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

19.3 Budget Amendments 2015/2016 - 26 May 2016**FILE NO:** SF3611/SF6183**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider changes to the Council's 2015/2016 Statutory Estimates.

This decision, pursuant to Section 82(4) of the *Local Government Act 1993*, must be adopted by an absolute majority.

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 26 May 2016 - Agenda Item 9.2 - *the budget amendments were reviewed by the Audit Panel and it was recommend that it go to Council without change.*

RECOMMENDATION:

1. That, pursuant to Section 82(4) of the *Local Government Act 1993*, Council approves the following amendments to the Statutory Estimates:
 - a) Revenue
 - i. The increase in revenue from external grants of \$171,600.
 - ii. The increase in funding from the Waste Reserve of \$1,000,000.
 - b) Operating Expenditure
 - i. The net increase in expenses from transfers from Capital of \$27,515.
 - ii. The decrease in expenses from transfers to Capital of \$141,315.
 - c) Capital Works Expenditure
 - i. The net decrease in expenditure from transfers to Operations of \$27,515.
 - ii. Reclassification of Operations Grants funds to Capital Grants funds of \$50,000.
 - iii. The net increase from transfers from Operations to Capital of \$141,315.
 - iv. Reallocate Waste Reserve funds to Capital of \$1,000,000.
 - v. The net increase in External Grant funds of \$174,800.
 2. That Council notes the amendments from Point 1 result in:
 - a) the operating surplus (including \$14.275m in capital grants) being amended to \$14.135m; and
 - b) the capital budget being increased to \$33.695m.
-
-

19.3 Budget Amendments 2015/2016 - 26 May 2016 ...(Cont'd)

REPORT:

The budget amendments are changes to budget estimates that require a Council decision. The changes relate to external grant revenue and transfers from Operations to Capital and Capital to Operations expenditure as well as a transfer from the Waste Reserve.

	Operations \$'000	Capital \$'000
Statutory Budget	6,249	24,650
Adjustments approved by Council	7,706	7,706
Balance previously advised as at 31 October 2015	<u>13,955</u>	<u>32,356</u>
Capital to Operations	(27)	(27)
External Funds	171	175
Operations to Capital	142	191
Waste Reserve Transfer	-	1,000
Balance as at 31 March 2016	<u>14,241</u>	<u>33,695</u>
Deduct Capital Grants and Contributions	<u>(14,275)</u>	
Underlying Operating Budget Deficit	<u>(34)</u>	

The table summarises all the other budget agenda items and includes reconciliations of the budgeted operating result and capital expenditure.

Details of the amendments are as follows:

The following items need to be reallocated from Operations to Capital.

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP 23517	Aurora Stadium Master Plan	50,000	-	26,315	76,315
OP 44401	Aurora Stadium Maintenance	815,000	26,315	-	788,685
	TOTAL	865,000	26,315	26,315	865,000

The project scope of works:

The Aurora Stadium Master Plan is considered to be a major data system with an expected life of 15 years. This criteria meets the Asset Capitalisation Framework. The expenditure therefore has been transferred from several Operations work orders into Capital. A budget transfer is required to fund this project.

19.3 Budget Amendments 2015/2016 - 26 May 2016 ...(Cont'd)

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G.14075.12095	Exhibition Operations Grants	(50,000)	50,000	-	-
G.10059.12160	Museum Capital Grants	-	-	(50,000)	(50,000)
	TOTAL	(50,000)	50,000	(50,000)	(50,000)

Transfer of external funds from operational grants to capital grants.

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP 23511	Gallery of the First Tasmanians	50,000	-	50,000	100,000
OP 22377	Exhibition First Tasmanians	15,000	15,000	-	-
OP 21291	Exhibition ANZANG	15,000	6,000	-	9,000
OP 22042	Exhibition CUSP	24,000	4,000	-	20,000
OP 21298	Exhibition Artrage	24,000	8,000	-	16,000
OP 21296	Phenomena Factory	17,000	1,000	-	16,000
OP 22375	UTAS	8,000	3,000	-	5,000
OP 22376	Exhibition ArtHigh	2,000	1,000	-	1,000
OP 22378	Exhibition Science Week	5,000	2,000	-	3,000
OP 22379	Exhibition Mary Scott	10,000	3,000	-	7,000
OP 22385	Exhibition William Kentridge	10,000	4,000	-	6,000
OP 22380	QVM Project Gallery	6,000	2,000	-	4,000
OP 22381	QVM Recent Acquisitions Gallery	2,500	1,000	-	1,500
	TOTAL	188,500	50,000	50,000	188,500

19.3 Budget Amendments 2015/2016 - 26 May 2016 ...(Cont'd)

The project scope of works:

Transfer \$50,000 budgeted operational project expenditure to the Gallery of First Tasmanians Project.

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G 14100	Collections - Labour Recovery	-	59,000	-	(59,000)
CP 23511	Gallery of the First Tasmanians	100,000	-	59,000	159,000
		100,000	59,000	59,000	100,000

The project scope of works:

Allocations of labour to the exhibition and labour recovery.

The Gallery of the First Tasmanians is to be a new permanent exhibition at the Queen Victoria Museum and Art Gallery (QVMAG) to provide educational and cultural resources about Tasmanian aboriginal experience, culture and history. A Grant Deed was entered into with the Tasmanian Community Fund Board for a contribution of \$291,900 towards a total exhibition cost of \$618,587. The exhibition is due to be completed in July 2017. Labour resources from the QVMAG Operations are being diverted to the exhibition works. Budget adjustments are required to allocate labour to the exhibition and record the labour recoveries, transfer \$50,000 of budgeted operations external funding to a Museum Capital Grants contribution and the budget expenditure transfer from several operations projects to the Gallery of First Tasmanians in correlation with the \$50,000 funding transfer and to increase the budgeted external contributions to coincide with the external funding received.

Summary Table

Operations to Capital	Operations	Capital
Aurora Stadium Master Plan	(26,315)	26,315
Gallery of First Tasmanians	(50,000)	50,000
Campbell Douglas Black Spot	(6,000)	6,000
Museum Ops Revenue to Capital Revenue	-	50,000
Gallery of First Tasmanians Labour Recovery	(59,000)	59,000
TOTAL	(141,315)	191,315

19.3 Budget Amendments 2015/2016 - 26 May 2016 ...(Cont'd)

The following items need to be reallocated from Capital to Operations.

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
23204CP	Street Tree Strategy Implementation	192,801	3,496	-	189,305
22372MOP	P&R Transfers from Capital Projects	-	-	3,496	3,496
	TOTAL	192,801	3,496	3,496	192,801

The project scope of works:

The above Capital expenditure does not meet the requirements for the Trees Asset Category under the Capitalisation Framework Document. As these costs cannot be capitalised these actuals have been moved to operations and requires the matching budget amount to be transferred to the applicable operations project.

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP 23444	Rural Roads Reseal Program 2015/2016	300,000	4,719	-	295,281
CP 23446	Urban Roads Footpath Program 2015/2016	350,000	18,940	-	331,060
MOP 22373	Roads Transfers from Capital Projects	-	-	23,659	23,659
	TOTAL	650,000	23,659	23,659	650,000

The project scope of works:

The above Capital expenditure does not meet the threshold required under the Capitalisation Framework Document. As these costs cannot be capitalised these actuals have been moved to operations and requires the matching budget amount to be transferred to the applicable operations project.

Summary Table

Capital to Operations	Operations	Capital
Street Tree Strategy	3,496	(3,496)
Rural Road Reseals	23,659	(23,659)
TOTAL	27,155	(27,155)

19.3 Budget Amendments 2015/2016 - 26 May 2016 ...(Cont'd)

The following items have been affected by external funding changes and affect both the Capital and Operations budgets.

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
N/A - Ext Funds	Lions Club of Launceston	80,000	80,000	-	-
CP 23524	Royal Park Play Space	20,000	-	80,000	100,000
	TOTAL	100,000	80,000	80,000	100,000

The project scope of works:

The Lions Club of Launceston have agreed to fund the supply and installation of a new inclusive play space, including equipment and softfall, which will provide access to children with mobility and visual impairment. The total contribution from the club is to meet the value of the quote from Playtas which is \$80,000.

The Lions Club are forwarding the funds to council so that we will manage the project and obtain the warranty for the installation, equipment and defect period.

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP 23520	LWC Expanded Polystyrene Recycling Mach	-	-	27,500	27,500
	Regional Waste Management Strategy	27,500	27,500	-	-
	TOTAL	27,500	27,500	27,500	27,500

The project scope of works:

A Resource Recovery and Waste Minimisation grant from the Northern Tasmanian Waste Management Group (NTWMG) was awarded to the City of Launceston on 10 December 2015 for an amount of \$27,500. The grant was for the purchase and installation of an expanded polystyrene recycling machine. The conditions of the grant have now been met and the funding payment from the NTWMG has been approved. This transfer reflects the completion of the project.

19.3 Budget Amendments 2015/2016 - 26 May 2016 ...(Cont'd)

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
NA	External Funds to be received from DSG	15,000	15,000	-	-
OPS 20908	Onstreet Bicycle Commuter Route	50,000	15,000	-	35,000
MOP 22392	Elphin Rd Bike Lanes	-	-	30,000	30,000
NA	External Funds to be received from DSG	28,000	28,000	-	-
MOP 22330	Goderich/Forster Black Spot	15,000	-	28,000	43,000
NA	External Funds to be received from DSG	20,000	20,000	-	-
OPS 20907	Assets Transport & Development (Activity PED)	100,000	6,000	-	94,000
CAP 23438	Campbell/Douglas Black Spot	45,000	-	26,000	71,000
	CAPITAL TOTALS	273,000	84,000	84,000	273,000

The project scope of works:

"Please acknowledge approved External Funds from Department of State Growth (DSG) for these projects.

Major Operational Project 22392 Elphin Rd Bike Lanes - DSG funding has been approved and an additional \$15,000 will be required from Operational Project 20908 Onstreet Bicycle Commuter Route because the construction estimate has exceeded the funding allocation from DSG.

Major Operational Project 22330 Goderich/Forster Black Spot - DSG funding of an additional \$28,000 has been approved as a variation to the original Black Spot Project allocation.

Capital Project 23438 Campbell/Douglas Black Spot - DSG funding of an additional \$20,000 has been approved as a variation to the original Black Spot Project allocation and an additional \$6,000 will be required from Operational Project 20907 Assets Transport & Development (Activity PED) because the construction estimate has exceeded the funding allocation from DSG."

19.3 Budget Amendments 2015/2016 - 26 May 2016 ...(Cont'd)

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G.10059.12160	External Capital Grants Received	-	47,300	-	-
CP 23511	Gallery of the First Tasmanians	159,000	-	47,300	206,300
	CAPITAL TOTALS	159,000	47,300	47,300	206,300

The project scope of works:

Increase in external contributions to coincide with the actual funding received from Tasmanian Community Fund Board, in accordance with Grant Deed.

Summary Table

External Funding	Operations	Capital
Royal Park Play Space	(80,000)	80,000
LWC Expanded Polystyrene Recycling	(27,500)	27,500
DSG External Funds	(63,000)	20,000
Increase in Major Project Budgets for Funds Received	43,000	-
Correct Actual Funds Received (Warring Street Pavement Stabilisation)	3,200	-
Gallery of First Tasmanians (Tas Community Fund)	(47,300)	47,300
TOTAL	(171,600)	174,800

Below is a summary of the Gallery of First Tasmanians Capital Project showing Grants Funds and Council Funds over the three years the project takes to complete.

	2015/16	2016/17	2017/18	Total
Council Funding - Non Labour	50,000	52,938	-	102,938
Council Funding - Labour	59,000	130,000	34,749	223,749
Grant Funding	97,300	194,600	-	291,900
	206,300	377,538	34,749	618,587

19.3 Budget Amendments 2015/2016 - 26 May 2016 ...(Cont'd)

The following items have been affected by a waste reserve funds transfer and affects both the Capital and Operations budgets.

Project	Description	Current Approved Amount	Transfer From	Transfer To	New Budget
	LWC Waste Reserve	1,000,000	1,000,000	-	-
23343	LWC Landfill Development Const Stage 3	3,120,000	-	1,000,000	4,120,000
	CAPITAL TOTALS	4,120,000	1,000,000	1,000,000	4,120,000

The project scope of works:

Study by Pitt & Sherry to determine next stage for filling. The current eastern extension will be filled June/July 2016. The next cell needs to be constructed before this time to allow for taking rubbish once the eastern extension is filled.

When the original scoping was prepared for this it was based on the western extension. Additional studies have shown that the northern extension is the preferred option due to site characteristics.

This will be a larger cell and thus more costly to construct."

Summary Table

External Funding	Operations	Capital
Waste Centre Capital Reserve Drawdown	-	1,000,000

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

19.3 Budget Amendments 2015/2016 - 26 May 2016 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

Not considered relevant to this report.

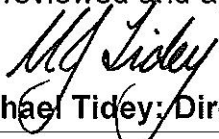
BUDGET & FINANCIAL ASPECTS:

Dealt with in the body of the report.

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

19.4 Quarterly Financial Report to Council - 31 March 2016

FILE NO: SF6183/SF3611

AUTHOR: Paul Gimpl (Manager Finance)

DIRECTOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the Council's financial performance for the quarter ended 31 March 2016.

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 26 May 2016 - *The financial review for the quarter ended 31 March 2016 was noted*

RECOMMENDATION:

That Council adopts the financial report for the quarter ended 31 March 2016 which discloses:

	Actual	Budget	Variance
	\$'000	\$'000	Fav/(Unfav)
	\$'000	\$'000	\$'000
Revenue			
Rates	46,729	46,332	397
Fees	15,936	15,368	568
Capital Grants and Contributions	3,033	2,893	140
Financial Assistance Grants	1,530	3,714	(2,184)
Revenue Operations Grants	3,074	3,153	(79)
Interest (Revenue)	1,637	1,330	307
Asset Disposal Revenue	436	-	436
Distributions	2,596	2,900	(304)
Other Revenues	1,802	1,948	(146)
Total Revenue	76,773	77,638	(865)

19.4 Quarterly Financial Report to Council - 31 March 2016 ...(Cont'd)

	Actual \$'000	Budget \$'000	Variance Fav/(Unfav) \$'000
Expenses			
Labour	26,288	27,721	1,433
Materials and Services	24,042	24,674	632
Bad Debts Provision	158	71	(87)
Interest Expense (Loans)	178	218	40
Provision for Rehabilitation	266	266	-
Depreciation	14,402	14,665	263
Asset Disposal Losses	426	-	(426)
Levies	5,027	5,027	-
Remissions and Abatements	911	725	(186)
Other	312	190	(122)
Total Expenses	72,010	73,557	1,547
Surplus/(Deficit)	4,763	4,081	682
Remove			
Capital Grants and Contributions	(3,033)	(2,893)	(140)
Committed Interest (Capital)	(24)	(5)	(19)
Financial Assistance Grants	2,098	-	2,098
Underlying Result Surplus/(Deficit)	3,804	1,183	2,621

Note: The budget of \$1.183m is year to date (31 March 2016). The full year estimate is an underlying deficit of \$34,000 as indicated in the Budget Amendments agenda item.

REPORT:

At the end of the March 2016 quarter the Council achieved a \$4.763m surplus. After removing Capital Grants and Interest earned on Capital Grants as well as adding Financial Assistance Grant money received in the 2014/2015 financial year, the underlying result shows a \$3.804m surplus.

Detailed financial reports were reviewed at the Audit Panel Meeting of 26 May 2016 with all Aldermen receiving copies of the Agenda and detailed papers. The purpose of this item is for Aldermen to formally review the Council's financial position and the Council's operating results for the first nine months of 2015/2016.

19.4 Quarterly Financial Report to Council - 31 March 2016 ...(Cont'd)

This report provides an overall summary of the operations for the first nine months of the 2015/2016 financial year. The key issues arising from the period ended 31 March 2016 are as follows.

Operations

The following variances are worth noting:

- Revenue Variances
 - Rate revenue is \$397,000 favourable.
 - Parking Meter fees are \$162,000 favourable and offset by unfavourable fines revenue of \$86,000. Overall parking revenue is \$75,000 favourable.
 - Launceston Waste Centre fees are \$80,000 favourable overall and this is despite scrap metal income being \$95,000 unfavourable and gas extraction revenue \$47,000 unfavourable.
 - Interest revenue is \$307,000 favourable.
 - Investment Distributions are \$304,000 unfavourable in the absence of any advice from TasWater to the contrary this is expected to improve in the next quarter.

- Expense Variances
 - Labour expenses are \$1,433,000 favourable.
 - Material and Services expenses are \$632,000 favourable.
 - Depreciation expenses are \$263,000 favourable.

Capital Works

As at 31 March 2016, 35.9 percent (in value) of projects are in the preliminary design, 46.7 percent (in value) are in progress and 13.3 percent (in value) of the projects have been completed.

Analysis of the values included in Preliminary Design and In Progress reveals the following project information:

	In Progress	Preliminary Design
Macquarie House Catalyst Project	3.0m	-
North Bank Master Plan	-	6.9m
Launceston City Heart	2.6m	2.8m
Kings Meadows Stormwater Projects	3.1m	-
	\$8.7m	\$9.7m
	18% of total capital value	20% of total capital value

19.4 Quarterly Financial Report to Council - 31 March 2016 ...(Cont'd)

These projects will be carried over to the 2016/2017 financial year as well as various other smaller value projects to be determined before the 30 June 2016 end of year date.

Financial Position

- Overall - The Council's balance sheet and cash reserves continue to be in accordance with current and long term budgets.
- Loan balances are in accordance with budget.
- Cash balances remain in accordance with long term strategy and are consistent with budgeted project requirements.

As at 31 March 2016 the Council is in a positive operating position compared to budget.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals -
To continue to ensure the long-term sustainability of our Organisation
Key Directions -
6. To maintain a financially sustainable organisation

BUDGET & FINANCIAL ASPECTS:

As per the report

19.4 Quarterly Financial Report to Council - 31 March 2016 ...(Cont'd)

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

ATTACHMENTS:

1. Income Statement to 31 March 2016
 2. Balance Sheet to 31 March 2016
-

CITY OF LAUNCESTON
Quarterly Statement of Comprehensive Income
For Year to Date 31 March 2016

	2015/16	2015/16
	YTD	YTD
	\$	\$
	Actual	Budget
REVENUES FROM ORDINARY ACTIVITIES		
Rates	46,728,931	46,331,612
Fees and Charges	15,936,480	15,368,009
Revenue Grants		
Financial Assistance	1,529,939	3,713,609
Other Grants	3,074,109	3,153,233
Interest	1,637,513	1,330,495
Interest Committed	23,990	4,500
Investment Revenue	2,595,646	2,900,035
Bequests	109,805	145,000
Other Income	2,103,981	1,798,862
	<u>73,740,393</u>	<u>74,745,354</u>
EXPENSES FROM ORDINARY ACTIVITIES		
Maintenance of Facilities and Provision of Services		
Employee Benefits	26,287,551	27,720,686
Materials and Services	24,353,979	24,864,094
Impairment of Debts	158,172	71,100
Finance Costs		
Interest on Loans	178,373	218,409
Provision for Rehabilitation	266,053	266,053
Change in Rehabilitation Provision	-	-
Depreciation	14,401,970	14,665,256
State Government Fire Service Levy	5,026,862	5,026,862
Rate Remissions and Abatements	911,304	724,875
Write Down of Assets Held For Sale	-	-
	<u>71,584,263</u>	<u>73,557,335</u>
OPERATING SURPLUS / (DEFICIT)	2,156,130	1,188,019
Capital Grants	3,032,693	2,892,608
Infrastructure Take Up	-	-
Other Comprehensive Income	-	-
	<u>5,188,823</u>	<u>4,080,627</u>
Non Operating Expenses		
Loss on Disposal of Fixed Assets	426,386	-
Comprehensive Result	<u><u>4,762,436</u></u>	<u><u>4,080,627</u></u>

Unaudited - Internal Use Only

COUNCIL AGENDA

Tuesday 14 June 2016

Attachment 2 - Balance Sheet to 31 March 2016

CITY OF LAUNCESTON
QUARTERLY STATEMENT OF FINANCIAL POSITION
As at 31 March 2016

	2015/16 YTD \$	2014/15 YTD \$	2013/14 YTD \$
EQUITY			
Capital Reserves	161,324,758	157,030,411	153,662,206
Revenue Reserves	888,793,651	881,406,003	863,726,764
Asset Revaluation Reserves	607,044,375	426,370,618	425,562,965
Trusts and Bequests	2,352,662	1,996,192	1,963,816
Operating Surplus	4,762,436	8,414,608	3,476,290
TOTAL EQUITY	<u>1,664,277,883</u>	<u>1,475,217,833</u>	<u>1,448,392,042</u>
Represented by:-			
CURRENT ASSETS			
Cash at Bank and on Hand	878,264	1,560,889	4,329,969
Rate and Sundry Receivables	15,585,525	15,215,812	13,916,908
Less Rates not yet Recognised	(15,464,056)	(14,957,014)	(14,326,333)
Short Term Investments	67,020,087	61,130,103	60,600,188
Inventories	697,374	705,323	688,219
Assets Held for Sale	-	180,000	-
	<u>68,717,195</u>	<u>63,835,112</u>	<u>65,208,951</u>
NON-CURRENT ASSETS			
Deferred Receivables	257,556	257,556	229,607
Investments	229,156,688	227,331,482	262,303,000
Superannuation Surplus	-	-	-
Intangibles	4,356,918	4,670,762	4,349,667
Infrastructure and Other Assets	1,154,781,619	971,052,712	919,837,768
Museum Collection	236,234,766	235,709,148	232,237,706
	<u>1,624,787,546</u>	<u>1,439,021,660</u>	<u>1,418,957,748</u>
TOTAL ASSETS	<u>1,693,504,741</u>	<u>1,502,856,772</u>	<u>1,484,166,699</u>
CURRENT LIABILITIES			
Deposits and Prepayments	1,452,461	1,363,472	1,302,860
Employee Provisions	6,062,505	5,904,339	5,995,493
Rehabilitation Provision	-	-	-
Interest-bearing Liabilities	2,131,602	2,591,615	2,706,541
Lease Liabilities	-	-	-
Sundry Payables and Accruals	8,656,225	3,273,983	3,587,687
	<u>18,302,794</u>	<u>13,133,408</u>	<u>13,592,582</u>
NON-CURRENT LIABILITIES			
Employee Provisions Non Current	1,416,691	1,182,943	836,215
Superannuation Obligation	457,080	1,850,080	2,550,080
Interest-bearing Liabilities Non Current	4,315,241	6,220,205	8,727,000
Lease Liabilities	-	-	-
Rehabilitation Provision	4,735,053	5,252,304	10,068,781
	<u>10,924,065</u>	<u>14,505,532</u>	<u>22,182,075</u>
TOTAL LIABILITIES	<u>29,226,858</u>	<u>27,638,939</u>	<u>35,774,658</u>
NET ASSETS	<u>1,664,277,883</u>	<u>1,475,217,833</u>	<u>1,448,392,042</u>

Unaudited - Internal Use Only

19.5 Unrecoverable Debt Write-Off Policy**FILE NO:** SF0519/SF0520**AUTHOR:** Leanne Purchase (Governance and Planning Coordinator)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider a new policy that allows for the write-off of unrecoverable debts.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 16 April 2012 - Agenda Item 18.2 - *MPES and Unrecoverable Parking Debt Write Off Policy (12-PI-017)*

RECOMMENDATION:

That Council:

1. Rescinds the *MPES and Unrecoverable Parking Debt Write Off Policy (12-PI-017)*; and
2. Adopts, in place of the rescinded *MPES and Unrecoverable Parking Debt Write Off Policy (12-PI-017)*, the new policy *Unrecoverable Debt Write-Off Policy (12-PI-024)* as follows:

Unrecoverable Debt Write-Off Policy (12-PI-024)**PURPOSE:**

To define the circumstances under which Council will write-off debts.

SCOPE:

This policy applies to parking, health, animal, vandalism, building and planning infringements, and any other fines or debts handed by Council to the Monetary Penalties Enforcement Service (MPES) for collection.

This policy does not apply to the correction of calculation or processing errors.

POLICY:**Background**

Council imposes penalties on parking, health, animal, vandalism, building, planning and other infringements. These charges are raised on a daily basis.

19.5 Unrecoverable Debt Write-Off Policy ...(Cont'd)

Over time, these charges are either paid in full, or default and have further penalties applied if possible. If an amount owing to Council is not paid within four (4) months, the debt is handed to MPES for further collection activity.

Parameters

When MPES notifies Council that debts are not collectable (e.g. due to sine die or community service performed in lieu of payment), such amounts will be written-off by the General Manager.

Minor infringement penalties that are incurred by interstate and overseas visitors and are not economic to pursue will be written-off by the General Manager after six (6) months.

Write-offs made under this policy will be presented, at least annually, to the Audit Panel for their scrutiny.

Delegations

To effect this policy, the General Manager requires a delegation of power from Council of Section 22(2)(ba) of the *Local Government Act 1993 (Tas)*. This delegation will be conditional upon MPES notifying Council that the debts are not collectable.

PRINCIPLES:

Council's organisational values apply to all activities.

RELATED POLICIES & PROCEDURES:

N/A

RELATED LEGISLATION:

Local Government Act 1993 (Tas)

REFERENCES:

N/A

DEFINITIONS:

Sine die - "without day", meaning in this context that the debt has no anticipated day of collection

REVIEW:

This policy will be reviewed no more than two (2) years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

19.5 Unrecoverable Debt Write-Off Policy ...(Cont'd)

REPORT:

The new *Unrecoverable Debt Write-Off Policy* (12-PI-024) is substantially similar to the *MPES and Unrecoverable Parking Debt Write Off Policy* (12-PI-017), however, a change to Council's policy template and a renaming of the policy to better reflect its application means that a new policy number is required in Council's Management System. Additionally, the new policy includes extra clarity around the delegation the General Manager requires to effect the policy.

The *MPES and Unrecoverable Parking Debt Write Off Policy* (12-PI-017) that is recommended for rescission is included as attachment 1, for reference.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goal - To continue to meet our statutory obligations and deliver quality services
Key Direction -
4. To continually improve our service delivery and supporting processes

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

19.5 Unrecoverable Debt Write-Off Policy ...(Cont'd)

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

ATTACHMENTS:

1. *MPES and Unrecoverable Parking Debt Write Off Policy (12-PI-017)*
-

Attachment 1 - MPES and Unrecoverable Parking Debt Write Off Policy (12-PI-017)

MPES and Unrecoverable Debt Write Off policy

PURPOSE:

To define the circumstances under which Council will write-off debts.

SCOPE:

Applies to parking, health, animal, vandalism, building, planning infringements and any other fines debts handed to MPES for collection.

Does not apply to the correction of calculation or processing errors.

POLICY:

Objectives

The Council imposes penalties on parking, health, animal, vandalism, building, planning and other infringements. These charges are raised on a daily basis.

Over time these charges are either paid in full or default and further penalties applied if possible. If an amount owing is not paid within four months the debt is handed over to MPES (Monetary Penalty Enforcement Scheme) for further collection activity.

Parameters

Only when MPES notifies the Council that a number of debts are not collectable (due to Sine Die or community service performed in lieu of payment) then such amounts will be written off.

Interstate and overseas visitors that incur minor infringement penalties and are not economic to pursue then such debts will be written off after six months.

Any write-offs made under this Policy will be presented, at least annually, to the Audit Panel for noting.

Delegations

Audit Panel
General Manager

PRINCIPLES:

The General Manager or the Audit Panel are not permitted to use this authorisation just for the reason that a ratepayer is unhappy that any penalty has been imposed.

RELATED POLICIES & PROCEDURES:

N/A

RELATED LEGISLATION:

Local Government Act 1993, Section 22-2(ba) (Delegation by council)
Local Government Act 1993, Section 76 (Writing off bad debts)

REFERENCES:

N/A

DEFINITIONS:

N/A

REVIEW:

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

19.6 Delegation from Council to General Manager - Section 22(2)(ba) of the *Local Government Act 1993 (Tas)* - Write-off of any Debts Owed to Council**FILE NO:** SF0113**AUTHOR:** Leanne Purchase (Governance and Planning Coordinator)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider a delegation of power from Council to the General Manager in respect of the write-off of any debts owed to the Council.

RECOMMENDATION:

That Council delegates to the General Manager, pursuant to section 22(2)(ba) of the *Local Government Act 1993 (Tas)*, the power to write-off any debts owed to the Council, conditional upon the Monetary Penalties Enforcement Service (MPES) notifying Council that the debts are not collectable.

REPORT:

Section 22(2)(ba) of the *Local Government Act 1993 (Tas)* (the Act) permits Council to delegate to the General Manager, the power to write-off any debts owed to the Council on condition that the Council has determined appropriate policies and procedures to be followed in relation to those powers.

Policy 12-PI-017 MPES and Unrecoverable Debt Write-Off Policy describes the circumstances under which Council uses MPES to recover unpaid debts.

MPES delivers a rigorous, cost-effective enforcement service that assists Council with the recovery of unpaid debts, and operates within the legislative framework prescribed by the *Monetary Penalties Enforcement Act 2005 (Tas)*. Debts not able to be recovered by MPES are considered by Council to be unrecoverable. The write-off of these debts can therefore be considered a routine administrative matter.

With this in mind, Council is asked to consider delegation of the power described by section 22(2)(ba) of the Act to the General Manager. This delegation will facilitate operational efficiency by removing the necessity for Council to consider the routine write-off of unrecoverable debts, noting that any debts written-off by the General Manager will be referred at least annually to the Audit Panel for scrutiny as a requirement of the policy *12-PI-017 MPES and Unrecoverable Debt Write-Off Policy*.

**19.6 Delegation from Council to General Manager - Section 22(2)(Ba) of the *Local Government Act 1993 (Tas)* - Write-Off of any Debts Owed to Council
...(Cont'd)**

Also in keeping with the policy *12-PI-017 MPES and Unrecoverable Debt Write-Off Policy*, the delegation to the General Manager will be conditional upon MPES notifying Council that the debts to be written-off are not collectable.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals -
To continue to meet our statutory obligations and deliver quality services
Key Direction -
4. To continually improve our service delivery and supporting processes

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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

19.7 Code of Conduct for Aldermen**FILE NO:** SF2213**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the adoption of the Code of Conduct for Aldermen Policy (14-Plx-032).

PREVIOUS COUNCIL CONSIDERATION:

SPPC Meeting - 6 June 2016 - Agenda Item 4.4.

RECOMMENDATION:

That Council adopts the Code of Conduct for Aldermen Policy (14-Plx-032).

Code of Conduct for Aldermen***PURPOSE:***

The Code of Conduct sets out the standards of behaviour expected of the Aldermen of the City of Launceston, with respect to all aspects of their role.

As leaders in the community, Aldermen acknowledge the importance of high standards of behaviour in maintaining good governance. Good governance supports each Alderman's primary goal of acting in the best interests of the community.

Aldermen therefore agree to conduct themselves in accordance with the standards of behaviour set out in the Code of Conduct.

This Code of Conduct incorporates the Model Code of Conduct made by Order of the Minister responsible for local government on 13 April 2016.

SCOPE:**Application of code of conduct**

This Code of Conduct applies to an Alderman whenever he or she:

- conducts council business, whether at or outside a meeting;
 - conducts the business of his or her office (which may be that of Mayor, Deputy Mayor or Alderman); or
 - acts as a representative of the Council.
-

19.7 Code of Conduct for Aldermen ...(Cont'd)

A complaint of failure to comply with the provisions of the Code of Conduct may be made where the Alderman fails to meet the standard of conduct specified in the Model Code of Conduct.

CODE OF CONDUCT FOR ALDERMEN**Part 1 - Decision Making**

1. An Alderman must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
2. An Alderman must make decisions free from personal bias or prejudgement.
3. In making decisions, an Alderman must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
4. An Alderman must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

Part 2 - Conflict of Interest

1. When carrying out his or her public duty, an Alderman must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
 2. An Alderman must act openly and honestly in the public interest.
 3. An Alderman must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the Alderman is appointed or nominated by the Council.
 4. An Alderman must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
 5. An Alderman must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
 6. An Alderman who has an actual, potential or perceived conflict of interest in a matter before the Council must:
-

19.7 Code of Conduct for Aldermen ...(Cont'd)

- (a) declare the conflict of interest before discussion on the matter begins; and
- (b) act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by the Council.

Part 3 - Use of Office

1. The actions of an Alderman must not bring the Council or the office of Alderman into disrepute.
2. An Alderman must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.
3. In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), an Alderman must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

Part 4 - Use of Resources

1. An Alderman must use Council resources appropriately in the course of his or her public duties.
2. An Alderman must not use Council resources for private purposes except as provided by Council policies or procedures.
3. An Alderman must not allow the misuse of Council resources by any other person or body.
4. An Alderman must avoid any action or situation which may lead to a reasonable perception that Council resources are being misused by the Alderman or any other person or body.

Part 5 - Use of Information

1. An Alderman must protect confidential Council information in his or her possession or knowledge, and only release it if he or she has the authority to do so.
 2. An Alderman must only access Council information needed to perform his or her role and not for personal reasons or non-official purposes.
-

19.7 Code of Conduct for Aldermen ...(Cont'd)

3. An Alderman must not use Council information for personal reasons or non-official purposes.
4. An Alderman must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

Part 6 - Gifts and Benefits

1. An Alderman may accept an offer of a gift or benefit if it directly relates to the carrying out of the Alderman's public duties and is appropriate in the circumstances.
 2. An Alderman must avoid situations in which the appearance may be created that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the Alderman or Council.
 3. An Alderman must carefully consider:
 - (a) the apparent intent of the giver of the gift or benefit; and
 - (b) the relationship the Alderman has with the giver; and
 - (c) whether the giver is seeking to influence his or her decisions or actions, or seeking a favour in return for the gift or benefit.
 4. An Alderman must not solicit gifts or benefits in the carrying out of his or her duties.
 5. An Alderman must not accept an offer of cash, cash-like gifts (such as gift cards or vouchers) or credit.
 6. An Alderman must not accept a gift or benefit if the giver is involved in a matter which is before the Council.
 7. An Alderman may accept an offer of a gift or benefit that is token in nature (valued at less than \$50) or meets the definition of a token gift or benefit (if the Council has a gifts and benefits policy).
 8. An Alderman who accepts a gift or benefit must record it in the Council's register.
-

19.7 Code of Conduct for Aldermen ...(Cont'd)

Part 7 - Relationships with Community, Aldermen and Council Employees

1. An Alderman:
 - (a) must treat all persons with courtesy, fairness, dignity and respect; and
 - (b) must not cause any reasonable person offence or embarrassment; and
 - (c) must not bully or harass any person.
2. An Alderman must listen to, and respect, the views of other Aldermen in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.
3. An Alderman must not influence, or attempt to influence, any Council employee or delegate of the Council, in the exercise of the functions of the employee or delegate.
4. An Alderman must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.
5. An Alderman must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council.

Part 8 - Representation

1. When giving information to the community, an Alderman must accurately represent the policies and decisions of the Council.
 2. An Alderman must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.
 3. An Alderman must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor.
 4. An Alderman must clearly indicate when he or she is putting forward his or her personal views.
 5. An Alderman's personal views must not be expressed in such a way as to undermine the decisions of the Council or bring the Council into disrepute.
 6. An Alderman must show respect when expressing personal views publically.
-

19.7 Code of Conduct for Aldermen ...(Cont'd)

7. The personal conduct of an Alderman must not reflect, or have the potential to reflect, adversely on the reputation of the Council.
8. When representing the Council on external bodies, an Alderman must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

PRINCIPLES:**Principles of good governance**

By adopting this Code of Conduct, Aldermen commit to the overarching principles of good governance by being:

- *Accountable* – Explain, and be answerable for, the consequences of decisions made on behalf of the community.
 - *Transparent* – Ensure decision making processes can be clearly followed and understood by the community.
 - *Law-abiding* – Ensure decisions are consistent with relevant legislation or common law, and within the powers of local government.
 - *Responsive* – Represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.
 - *Equitable* – Provide all groups with the opportunity to participate in the decision making process and treat all groups equally.
 - *Participatory and inclusive* – Ensure that anyone affected by or interested in a decision has the opportunity to participate in the process for making that decision.
 - *Effective and efficient* – Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community.
 - *Consensus oriented* – Take into account the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.
-

19.7 Code of Conduct for Aldermen ...(Cont'd)

ADDITIONAL INFORMATION:***Code of conduct***

Tasmanian councillors are required to comply with the provisions of the Council's Code of Conduct while performing the functions and exercising the powers of his or her office with the council.

The Code of Conduct incorporates the Model Code of Conduct (made by order of the Minister responsible for local government) and may include permitted variations included as attached schedules to the Model Code of Conduct.

Making a code of conduct complaint

A person may make a code of conduct complaint against one Alderman in relation to the contravention by the Alderman of the relevant council's code of conduct.

A person may make a complaint against more than one Alderman if the complaint relates to the same behaviour and the same code of conduct contravention.

Code of conduct complaints are lodged with the general manager of the relevant council and must comply with legislative requirements, as outlined below.

A complaint may not be made by more than two complainants jointly.

A code of conduct complaint is to –

- be in writing;
- state the name and address of the complainant;
- state the name of each Alderman against whom the complaint is made;
- state the provisions of the relevant code of conduct that the Alderman has allegedly contravened;
- contain details of the behaviour of each Alderman that constitutes the alleged contravention;
- be lodged with the general manager within six months after the Alderman or Aldermen against whom the complaint is made allegedly committed the contravention of the code of conduct; and
- be accompanied by the code of conduct complaint lodgement fee.

Once satisfied that the code of conduct complaint meets prescribed requirements, the General Manager forwards the complaint to the Code of Conduct Panel.

19.7 Code of Conduct for Aldermen ...(Cont'd)

Code of conduct complaint lodgement fee

The code of conduct complaint lodgement fee is prescribed under Schedule 3 (Fees) of the *Local Government (General) Regulations 2015*. The lodgement fee is 50 fee units (\$75.50 in 2015/2016).

FURTHER ASSISTANCE:**Alderman dispute resolution**

Aldermen commit to developing strong and positive working relationships and working effectively together at all times.

Prior to commencing a formal code of conduct complaint, the Aldermen who are parties to any disagreement should endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to act in the best interests of the community.

An Alderman who is party to any disagreement should request the Mayor or the General Manager to assist that Alderman in resolving the disagreement informally.

If the informal assistance does not resolve the disagreement, the General Manager may, with the consent of the parties involved, choose to appoint an external mediator to assist in the resolution of the disagreement. If an external mediator is appointed, Aldermen who are party to the disagreement must strive to cooperate with the mediator and use their best endeavours to assist the mediator and participate in the mediation arranged.

Where a matter cannot be resolved through internal processes, the next step may be to lodge a formal code of conduct complaint.

Aldermen should only invoke the provisions of the Code of Conduct in good faith, where it is perceived that another Alderman has not complied with the provisions or intent of the Code of Conduct.

Complaints under the *Local Government Act 1993*

The Director of Local Government is responsible for the investigation of complaints regarding alleged breaches of the Act.

Any person can make a complaint to the Director, via the Local Government Division (contact details below), in accordance with Section 339E of the Act, where it is genuinely believed that a council, Aldermen or general manager may have committed an offence under the Act or failed to comply with the requirements of the Act.

19.7 Code of Conduct for Aldermen ...(Cont'd)

To make a complaint, it is recommended that you first contact the Local Government Division to discuss whether the matter is something that the Division can assist with.

Public Interest Disclosure

Any instances of suspected corrupt conduct, maladministration and serious and substantial waste of public resources or substantial risk to public health or safety or to the environment should be reported in accordance with the *Public Interest Disclosures Act 2002*. Disclosures may be made to the Tasmanian Ombudsman or the Tasmanian Integrity Commission.

Key contacts*Department of Premier and Cabinet's Local Government Division*

Executive Building, 15 Murray Street, HOBART TAS 7000

GPO Box 123, HOBART TAS 7001

Phone: (03) 6232 7022 Fax: (03) 6232 5685

Email: lgd@dpac.tas.gov.au

Web: www.dpac.tas.gov.au/divisions/local_government

Local Government Association of Tasmania

326 Macquarie Street, HOBART TAS 7000

GPO Box 1521, HOBART TAS 7001

Phone: (03) 6233 5966

Email: admin@lgat.tas.gov.au

Web: www.lgat.tas.gov.au

The Tasmanian Integrity Commission

Surrey House, Level 2, 199 Macquarie Street, HOBART TAS 7000

GPO Box 822, HOBART TAS 7001

Phone: 1300 720 289

Email: mper@integrity.tas.gov.au

Web: www.integrity.tas.gov.au

Ombudsman Tasmania

NAB House, Level 6, 86 Collins Street, HOBART TAS 7000

GPO Box 123, HOBART TAS 7001

Phone: 1800 001 170

Email: ombudsman@ombudsman.tas.gov.au

Web: www.ombudsman.tas.gov.au

19.7 Code of Conduct for Aldermen ...(Cont'd)

RELATED POLICIES & PROCEDURES:

14-HLPrx-005 Public Interest Disclosure Procedure

14-Plx-031 Policy for Acceptance of Gifts and Benefits for Aldermen

RELATED LEGISLATION:

The code of conduct framework is legislated under the *Local Government Act 1993* (the Act). The Act is available to view via the Tasmanian Legislation Website at www.thelaw.tas.gov.au.

REVIEW:

This policy will be reviewed within three months after each ordinary Local Government election.

REPORT:

The Draft Code of Conduct for Aldermen Policy (the Policy) is directly aligned with the Local Government (Model Code of Conduct) Order 2016 (the Order) (Attachment 1) and the "Recommended content to accompany the Model Code of Conduct" (recommended content) provided by the Director of Local Government (Attachment 2).

Any amendment to the CODE OF CONDUCT FOR ALDERMEN section of the Policy will require approval from the Minister as this section is taken directly from the Order. The remainder of the Policy has been adapted from the recommended content and can be amended as required.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

19.7 Code of Conduct for Aldermen ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals -To continue to meet our statutory obligations and deliver quality services
and to continue to ensure the long-term sustainability of our Organisation
Key Direction -
4. To continually improve our service delivery and supporting processes

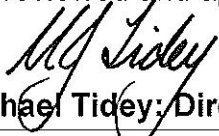
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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

ATTACHMENTS:

1. The Local Government (Model Code of Conduct) Order 2016
 2. Recommended Content to Accompany the Model Code of Conduct
-

Tasmanian Legislation Online

Page 1 of 5



VIEW SUMMARY

The legislation that is being viewed is valid for 13 Apr 2016.

Local Government (Model Code of Conduct) Order 2016 (S.R. 2016, No. 23)

Requested: 13 Apr 2016

Consolidated: 13 Apr 2016

INFORMATION

Notes: Not specified
Links: Not specified
Table of Amending Instruments: ([click to view Table of Amendments](#))
Responsible Minister and Department: Not specified

CONTENTS

Local Government (Model Code of Conduct) Order 2016

1. Short title
 2. Commencement
 3. Interpretation
 4. Model code of conduct
- Schedule 1 - Model Code of Conduct
- Part 1 - Decision making
 - Part 2 - Conflict of interest
 - Part 3 - Use of Office
 - Part 4 - Use of resources
 - Part 5 - Use of information
 - Part 6 - Gifts and benefits
 - Part 7 - Relationships with community, councillors and Council employees
 - Part 8 - Representation
 - Part 9 - Variation of Code of Conduct

Local Government (Model Code of Conduct) Order 2016

I make the following order under section 28R(1) of the *Local Government Act 1993*.

Tasmanian Legislation Online

Page 2 of 5

4 April 2016

PETER GUTWEIN

Minister for Planning and Local Government

1. Short title

This order may be cited as the *Local Government (Model Code of Conduct) Order 2016*.

2. Commencement

This order takes effect on 13 April 2016.

3. Interpretation

(1) In this order –

Act means the *Local Government Act 1993*.

(2) The *Acts Interpretation Act 1931* applies to the interpretation of this order as if this order were by-laws.

4. Model code of conduct

For the purposes of section 28R(1) of the Act, the code of conduct set out in Schedule 1 is the model code of conduct relating to the conduct of councillors.

SCHEDULE 1 - Model Code of ConductClause 4**PART 1 - Decision making**

1. A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
2. A councillor must make decisions free from personal bias or prejudgement.
3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

PART 2 - Conflict of interest

1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
2. A councillor must act openly and honestly in the public interest.

3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.
4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –
 - (a) declare the conflict of interest before discussion on the matter begins; and
 - (b) act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by the Council.

PART 3 - Use of Office

1. The actions of a councillor must not bring the Council or the office of councillor into disrepute.
2. A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.
3. In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

PART 4 - Use of resources

1. A councillor must use Council resources appropriately in the course of his or her public duties.
2. A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.
3. A councillor must not allow the misuse of Council resources by any other person or body.
4. A councillor must avoid any action or situation which may lead to a reasonable perception that Council resources are being misused by the councillor or any other person or body.

PART 5 - Use of information

1. A councillor must protect confidential Council information in his or her possession or knowledge, and only release it if he or she has the authority to do so.
2. A councillor must only access Council information needed to perform his or her role and not for personal reasons or non-official purposes.
3. A councillor must not use Council information for personal reasons or non-official purposes.

4. A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

PART 6 - Gifts and benefits

1. A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances.

2. A councillor must avoid situations in which the appearance may be created that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council.

3. A councillor must carefully consider --

- (a) the apparent intent of the giver of the gift or benefit; and
- (b) the relationship the councillor has with the giver; and
- (c) whether the giver is seeking to influence his or her decisions or actions, or seeking a favour in return for the gift or benefit.

4. A councillor must not solicit gifts or benefits in the carrying out of his or her duties.

5. A councillor must not accept an offer of cash, cash-like gifts (such as gift cards and vouchers) or credit.

6. A councillor must not accept a gift or benefit if the giver is involved in a matter which is before the Council.

7. A councillor may accept an offer of a gift or benefit that is token in nature (valued at less than \$50) or meets the definition of a token gift or benefit (if the Council has a gifts and benefits policy).

8. If the Council has a gifts register, a councillor who accepts a gift or benefit must record it in the relevant register.

PART 7 - Relationships with community, councillors and Council employees

1. A councillor --

- (a) must treat all persons with courtesy, fairness, dignity and respect; and
- (b) must not cause any reasonable person offence or embarrassment; and
- (c) must not bully or harass any person.

2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.

3. A councillor must not influence, or attempt to influence, any Council employee or delegate of the Council, in the exercise of the functions of the employee or delegate.

4. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.

5. A councillor must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council.

PART 8 - Representation

1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council.
2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.
3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor.
4. A councillor must clearly indicate when he or she is putting forward his or her personal views.
5. A councillor's personal views must not be expressed in such a way as to undermine the decisions of the Council or bring the Council into disrepute.
6. A councillor must show respect when expressing personal views publicly.
7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.
8. When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

PART 9 - Variation of Code of Conduct

1. Any variation of this model code of conduct is to be in accordance with section 28T of the Act.

Displayed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 13 April 2016.

This order is administered in the Department of Premier and Cabinet.

Attachment 2 - Recommended Content to Accompany the Model Code of Conduct

Recommended content to accompany the Model Code of Conduct

The Director of Local Government recommends that councils include the following information as an accompaniment to the Model Code of Conduct. Councils may amend, supplement and re-format the content as considered appropriate.

1. Introduction

Purpose of code of conduct

This Code of Conduct sets out the standards of behaviour expected of the councillors of the [x] Council, with respect to all aspects of their role.

As leaders in the community, councillors acknowledge the importance of high standards of behaviour in maintaining good governance. Good governance supports each councillor's primary goal of acting in the best interests of the community.

Councillors therefore agree to conduct themselves in accordance with the standards of behaviour set out in the Code of Conduct.

This Code of Conduct incorporates the Model Code of Conduct made by Order of the Minister responsible for local government.

Application of code of conduct

This Code of Conduct applies to a councillor whenever he or she:

- conducts council business, whether at or outside a meeting;
- conducts the business of his or her office (which may be that of mayor, deputy mayor or councillor); or
- acts as a representative of the Council.

A complaint of failure to comply with the provisions of the Code of Conduct may be made where the councillor fails to meet the standard of conduct specified in the Model Code of Conduct.

Standards of conduct prescribed under the Model Code of Conduct

The model code of conduct provides for the following eight standards of conduct:

1. Decision making

A councillor is to bring an open and unprejudiced mind to all matters being considered in the course of his or her duties, so that decisions are made in the best interests of the community.

2. Conflict of interest

A councillor effectively manages conflict of interest by ensuring that personal or private interests do not influence, and are not seen to influence, the performance of his or her role and acting in the public interest.

3. Use of office

A councillor uses his or her office solely to represent and serve the community, conducting himself or herself in a way that maintains the community's trust in the councillor and the Council as a whole.

4. Use of resources

A councillor uses Council resources and assets strictly for the purpose of performing his or her role.

5. Use of information

A councillor uses information appropriately to assist in performing his or her role in the best interests of the community.

6. Gifts and benefits

A councillor adheres to the highest standards of transparency and accountability in relation to the receiving of gifts or benefits, and carries out his or her duties without being influenced by personal gifts or benefits.

7. Relationships with community, councillors and council employees

A councillor is to be respectful in his or her conduct, communication and relationships with members of the community, fellow councillors and Council employees in a way that builds trust and confidence in the Council.

8. Representation

A councillor is to represent himself or herself and the Council appropriately and within the ambit of his or her role, and clearly distinguish between his or her views as an individual and those of the Council.

Principles of good governance

By adopting this Code of Conduct, councillors commit to the overarching principles of good governance by being:

Accountable – Explain, and be answerable for, the consequences of decisions made on behalf of the community.

Transparent – Ensure decision making processes can be clearly followed and understood by the community.

Law-abiding – Ensure decisions are consistent with relevant legislation or common law, and within the powers of local government.

Responsive – Represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.

Equitable – Provide all groups with the opportunity to participate in the decision making process and treat all groups equally.

Participatory and inclusive – Ensure that anyone affected by or interested in a decision has the opportunity to participate in the process for making that decision.

Effective and efficient – Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community.

Consensus oriented – Take into account the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.

2. Legislation

The code of conduct framework is legislated under the *Local Government Act 1993* (the Act). The Act is available to view via the Tasmanian Legislation Website at

www.thelaw.tas.gov.au

Code of conduct

Tasmanian councillors are required to comply with the provisions of the Council's Code of Conduct while performing the functions and exercising the powers of his or her office with the council.

The Code of Conduct incorporates the Model Code of Conduct (made by order of the Minister responsible for local government) and may include permitted variations included as attached schedules to the Model Code of Conduct.

Making a code of conduct complaint

A person may make a code of conduct complaint against one councillor in relation to the contravention by the councillor of the relevant council's code of conduct.

A person may make a complaint against more than one councillor if the complaint relates to the same behaviour and the same code of conduct contravention.

Code of conduct complaints are lodged with the general manager of the relevant council and must comply with legislative requirements, as outlined below.

A complaint may not be made by more than two complainants jointly.

A code of conduct complaint is to –

- be in writing;
- state the name and address of the complainant;
- state the name of each councillor against whom the complaint is made;
- state the provisions of the relevant code of conduct that the councillor has allegedly contravened;
- contain details of the behaviour of each councillor that constitutes the alleged contravention;
- be lodged with the general manager within six months after the councillor or councillors against whom the complaint is made allegedly committed the contravention of the code of conduct; and
- be accompanied by the code of conduct complaint lodgement fee.

Once satisfied that the code of conduct complaint meets prescribed requirements, the General Manager forwards the complaint to the Code of Conduct Panel.

Code of conduct complaint lodgement fee

The code of conduct complaint lodgement fee is prescribed under Schedule 3 (Fees) of the *Local Government (General) Regulations 2015*. The lodgement fee is 50 fee units (\$75.50 in 2015/16).

3. Further assistance

Councillor dispute resolution

Councillors commit to developing strong and positive working relationships and working effectively together at all times.

Prior to commencing a formal code of conduct complaint, the councillors who are parties to any disagreement should endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to act in the best interests of the community.

A council's internal dispute resolution process should be the first step that is taken when there is a dispute between councillors.

A councillor who is party to any disagreement should request the Mayor (or Lord Mayor) or the General Manager to assist that councillor in resolving the disagreement informally.

If the informal assistance does not resolve the disagreement, the General Manager may, with the consent of the parties involved, choose to appoint an external mediator to assist in the resolution of the disagreement. If an external mediator is appointed, councillors who are party to the disagreement must strive to cooperate with the mediator and use their best endeavours to assist the mediator and participate in the mediation arranged.

Where a matter cannot be resolved through internal processes, the next step may be to lodge a formal code of conduct complaint.

Councillors should only invoke the provisions of the Code of Conduct in good faith, where it is perceived that another councillor has not complied with the provisions or intent of the Code of Conduct.

Complaints under the *Local Government Act 1993*

The Director of Local Government is responsible for the investigation of complaints regarding alleged breaches of the Act.

Any person can make a complaint to the Director, via the Local Government Division (contact details below), in accordance with section 339E of the Act, where it is genuinely believed that a council, councillor or general manager may have committed an offence under the Act or failed to comply with the requirements of the Act.

To make a complaint, it is recommended that you first contact the Local Government Division to discuss whether the matter is something that the Division can assist with.

Public Interest Disclosure

Any instances of suspected corrupt conduct, maladministration and serious and substantial waste of public resources or substantial risk to public health or safety or to the environment should be reported in accordance with the *Public Interest Disclosures Act 2002*. Disclosures may be made to the Tasmanian Ombudsman or the Tasmanian Integrity Commission.

Key contacts

Department of Premier and Cabinet's Local Government Division
Executive Building, 15 Murray Street, HOBART TAS 7000
GPO Box 123, HOBART TAS 7001
Phone: (03) 6232 7022 Fax: (03) 6232 5685
Email: lqd@dpac.tas.gov.au
Web: www.dpac.tas.gov.au/divisions/local_government

Local Government Association of Tasmania
326 Macquarie Street, HOBART TAS 7000
GPO Box 1521, HOBART TAS 7001
Phone: (03) 6233 5966
Email: admin@lgat.tas.gov.au
Web: www.lgat.tas.gov.au

The Tasmanian Integrity Commission
Surrey House, Level 2, 199 Macquarie Street, HOBART TAS 7000
GPO Box 822, HOBART TAS 7001
Phone: 1300 720 289
Email: mper@integrity.tas.gov.au
Web: www.integrity.tas.gov.au

Ombudsman Tasmania
NAB House, Level 6, 86 Collins Street, HOBART TAS 7000
GPO Box 123, HOBART TAS 7001
Phone: 1800 001 170
Email: ombudsman@ombudsman.tas.gov.au
Web: www.ombudsman.tas.gov.au

20 GENERAL MANAGER'S DIRECTORATE ITEMS**20.1 Report on Public Meeting Held on Tuesday 7 June 2016****FILE NO:** SF0097**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To report on the Public Meeting held on Tuesday, 7 June 2016 at 7.00pm at the Albert Hall in compliance with section 60A(5) of the *Local Government Act 1993 (Tas)*.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 11 April 2016 - Agenda Item 5.1 - Tabling of Petition Requesting a Public Meeting About the Transfer of Land to the University of Tasmania (UTAS)

Council Meeting - 9 May 2016 - Agenda Item 20.1 - Action on Petition Requesting a Public Meeting About the Transfer of Land to the University of Tasmania (UTAS)

RECOMMENDATION:

That the Council:

1. In respect of the Public Meeting held on Tuesday, 7 June 2016 at 7.00pm at the Albert Hall, Launceston:
 - (i) Minutes the Summary of Submissions, as detailed below, presented by the General Manager in accordance with section 60A(5)(a) of the *Local Government Act 1993 (Tas)*.
 - (ii) Minutes the following decisions made at the Public Meeting:
 - (a) That Mr Don Wing AM is appointed as chairperson for the purposes of the Public Meeting.
 - (b) That in view of the flood crises that is threatening Launceston and with respect to the efforts and pleadings by the petitioners and their representative for this Public Meeting to be rescheduled to a later date since yesterday, such a request having been refused by Council's representatives, this Meeting now be adjourned forthwith and resume at this same venue on Tuesday, 21 June 2016 at 7.00pm, so that those people attending can now return home safely.
 2. Determines to hold a Public Meeting on Tuesday, 21 June 2016 at 7.00pm at the Albert Hall, Launceston, chaired by Mr Don Wing AM as appointed at the Public Meeting held on Tuesday, 7 June 2016.
-

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

3. Records that the subject matter of the Public Meeting is per the petition tabled at the Council Meeting on 11 April 2016, being:
 1. *That the Launceston City Council call a Public Meeting for the purpose of discussing the Council's decision to transfer (free gift) land, known as Willis Street Car Park and Old Velodrome.*
 2. *Call on Council to rescind the motion passed by the Full Council Meeting 9th November 2015 to transfer said land (free gift) to UTAS.*
 3. *That the said land be placed for sale on the open market via a public auction with a Reserve Price of \$5 million.*
 4. Provides notice by public advertisement which:
 - (i) States the date on which, and the time and place at which, the public meeting is to be held;
 - (ii) States the details of the subject matter of the Public Meeting;
 - (iii) Notes that written submissions in relation to the subject matter have been summarised by the General Manager and will be available to those attending the Public Meeting and can be viewed at www.launceston.tas.gov.au;
 - (iv) States that the Public Meeting will be chaired by Mr Don Wing AM;
 - (v) Sets out the agenda of the meeting; and
 - (vi) Provides a statement in relation to the procedure for the meeting.
 5. Undertakes to record in the minutes of the next ordinary meeting of the Council following the Public Meeting, any decisions made at the Public Meeting.
 6. Proposes the agenda of the public meeting shall be as follows:
 1. Opening remarks from the Mayor, Alderman A M van Zetten
 2. Introductory remarks from the Chair, Mr Don Wing AM
 3. Report on submissions by the General Manager under section 60A(4) of the *Local Government Act 1993 (Tas)*
 4. Statements of position (15 minutes each)
 - (a) Council
 - (b) Petitioner
 5. Motions on the subject matter
 6. Close
-

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

7. Notes the following Summary of Submissions made available at the Public Meeting held on 7 June 2016:

**Local Government Act 1993 (Tas)
Summary of Submissions to the General Manager**

Public meeting - Tuesday 7 June 2016

The Council was petitioned to hold a public meeting, the subject matter of which is -

- 1. That the Launceston City Council call a Public Meeting for the purpose of discussing the Council's decision to transfer (free gift) land, known as Willis Street Car Park and Old Velodrome.**
- 2. Call on Council to rescind the motion passed by the Full Council Meeting 9th November 2015 to transfer said land (free gift) to UTAS.**
- 3. That the said land be placed for sale on the open market via a public auction with a Reserve Price of \$5 million.**

As required by section 60A(1)(c) of the *Local Government Act 1993 (Tas)* (the Act), Council displayed and published notice of the public meeting and invited written submissions in relation to the subject matter. Written submissions were required to be lodged by 5pm Wednesday 1 June 2016, which was within 21 days (as required by the Act) after the first publication of the notice on 11 May 2016.

The General Manager received 22 written submissions from 14 parties. It should be noted that three (3) parties registered 12 submissions. This summary encapsulates the essence of the issues raised as required by section 60(A)(4) of the Act.

Considered responses to each submission will be provided in due course. Where contact details have been provided, responses to specific submissions will be forwarded.

The summary has been set out under headings of the main themes raised within the submissions received.

Of the 22 submissions received, nine (9) expressed concerns relating to due diligence.

Due diligence
Another question is why no apparent attempt to canvass other means of disposing of the land that offered greater ratepayer benefits (e.g. tenders or similar) was made.
When Council made this "in principle" decision to gift land to UTAS, had Alderman sighted a copy of the "Deed of Gift" for the transfer of the Inveresk site from the Federal to State Government?
Why would Council gift the old velodrome site that is strategically important to users of York Park?

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

<p>It is inconceivable as to why Council has agreed "in principle" to gift land as in the petition, treat the ratepayers with such disparagement and with the potential costs to taxpayers running into hundreds of millions of dollars with no credible business plan presented by any associated party.</p>
<p>UTAS claim that they are a business and must operate as one. As a business they should buy the land and not expect handouts. If the Newnham Campus is not viable, this suggests that the business is not being run properly or efficiently and I wonder if the situation would change if relocated to Inveresk. If nothing changes and business practices aren't improved, Launceston would be left with another unviable campus.</p>
<p>What consideration was obtained by the Council in exchange for the gifted land given that, culturally, gift-giving is used to build and maintain relationships, to show respect and express appreciation, or to enhance the image or reputation of the giver?</p>
<p>...Thus the questions arising in regard to Council's reportedly unanimous decision to gift valuable public land to UTAS, are</p> <ol style="list-style-type: none"> 1. What expert advice was sought by, and/or offered by, the General Manager in regard to the decision making? 2. What was the source/s of any advice offered to aldermen? 3. Is the advice documented or recorded anywhere if it was formally/informally offered to the aldermen? 4. By extension, what expertise, experience, evidence and/or modelling backed up any such advice offered? 5. Did any aldermen seek and/or gain independent advice and if so, from what source/s? 6. By extension, was that advice formally acknowledged and/or documented anywhere and available as a public reference.
<p>...I have not seen any sound reasons or solid information to support the current intention of gifting of the land to the university or to support any move from the current campus.</p>
<p>...I further submit...that Council (and by association, the State and Federal Governments) request a full independent analysis on the merits and promotion of the Mowbray-Newnham campus, effects on Mowbray village and shopping centre and northern suburbs, and that similar promotional material on the existing campus (complete with glossy publications) be produced as part of the discussion on the Council's transference of land gratis to the university.</p>
<p>The cost of the land and the amount of funding being given for relocation is not a realistic allocation of funds for Launceston and Northern Tasmania. There are projects that could be and should be carried out to provide true sustainable value for our city and region.</p>
<p>Genuine consideration has not been given to all the implications of a relocation to the said parcels of land to Inveresk-Tamar St-Lindsay St-Boland St-Esplanade-Lower Charles St or to the volume of traffic over the two bridges across the North Esk River.</p>

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

...It seems somewhat extraordinary that Council is considering anything to do with UTAS's proposed development, and on this site, until or unless there is a firm/concrete proposition for Council to consider in the regular way...If there were a DA before Council in the regular way there would be a level of openness and transparency that would allow ratepayers, residents, et al to represent their interests and concerns in the same way as they can in respect to any other development before Council. Why hasn't this been considered?

- I oppose [the gifting of the land to UTAS] because [the scale and intensity of the development] shall -
- disadvantage the suburbs of Mowbray and Newnham because of their loss of activities and existing economic benefits;
 - potentially allow for inappropriate developments to occur at the existing Newnham campus as it will become necessary to put available users into that site in order to maintain and protect the area;
 - waste valuable carbon storages present in the existing Newnham campus buildings as much of that building infrastructure will be potentially destroyed.

Of the 22 submissions received, seven (7) expressed concerns relating to the financial impact on ratepayers.

Financial impact on ratepayers
Why did the Council offer to gift millions of dollars of public assets, in the form of land, to a wealthy and successful university when so many ratepayers were struggling financially?
I strongly disagree that the Launceston City Council should give the land at Inveresk and Willis Street to UTAS for free. There is no guarantee that student numbers can be increased to the extent that students will contribute significantly to Launceston's economy and eventually outweigh the value of the land. Students are usually notoriously poor, so there is a limit to the amount they can contribute to the economy, especially if student numbers remain low. Launceston ratepayers should not have to bear the cost.
If Council's proposal to gift valuable land to UTAS is realised it will equate to a gift to the university in the order of \$150 per rateable property in the municipality. Moreover, if UTAS's plans to shift its campus from Newnham to Inveresk it can be expected that there will be enormous infrastructure implications – road provision and maintenance, sewerage and stormwater, parking, recreational facilities, etc. – that will be ongoing – and potentially increasing over time. Likewise, this will impact upon, and heavily upon, ratepayers without a contribution from the university or any other reliable source. Where is the equity in Council's 'gift decision'? What is Council planning to mitigate against adverse outcomes for ratepayers?...Where is the independent and relevant economic modelling related to this land gift decision and its planned flow-on consequent developments?
Can ratepayers actually afford such gifts?

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

I wish to contest the very notion that Launceston Council should be gifting millions of dollars of community assets to anyone without first testing the market and establishing its real value - fiscal, social, cultural.

...I oppose [the gifting of the land to UTAS] because -

- Universities do not pay rates or otherwise compensate the municipality for the provision of other services and infrastructure that is provided at the expense of ratepayers;
- Universities do not adequately pay for services either as levys or useage charges, thereby increasing the cost imposts on other consumers and payers for such public services;
- Even if argued by proponents and the University that a university stimulates and assists economic improvements for nearby commercial operations, there is no mechanism employed for Council and other statutory authorities to charge such alleged business beneficiaries for the alleged business improvements and hence increased municipal rates and other utility and service charges.

Accordingly these adverse factors are not in the interests of ratepayers and citizens of Launceston.

...I oppose [the gifting of the land to UTAS] because -

- this land is presently utilised for income producing purposes for the benefit of effectively defraying the Launceston rate burden. Site 1 is regularly utilised and leased out for Royal Launceston Show, car parking for York Stadium, visiting circuses and other travelling events (car & caravan shows) etc. Site 2 is utilised as a public car park and other events.
- this land has been identified by Council to be offered for private developments. Site 1 has been mooted by YPIPA as being suitable for hotel/retail developments with parking as a support facility for York Park Stadium; as a site for a cinema complex. Site 2 has been promoted by Council as being suitable for a multi-storey retail and apartment complex with parking (Council funded a comprehensive study and development concept plan at ratepayer expense; a large supermarket with car park facilities; in conjunction with the former Launceston Gasworks site significant multi-storey hotel developments have been proposed by private developers; Housing Tasmania has considered the site for public housing development, the adjacent car museum has expressed interest in acquiring part of this land for expansion of the National Automobile Museum.
- This land presently supports major events in City Park (Festivale, TSO Concerts etc.) and Albert Hall Convention and Exhibition Centre (antique and trade fairs, gala ball and concerts, special events) as essential car parking.

By gifting this land for University purposes, not only will all of the above activities be either prevented, restricted or loses valuable car parking facilities etc., the income presently enjoyed by ratepayers will be significantly reduced as well as income to ratepaying operators and businesses adjacent to these sites will be reduced and tourism and tourist accommodation and food and beverage services will be adversely impacted upon.

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

The loss of revenue has got to be made up from somewhere and who's going to pay for that. The loss of revenue would be about \$800,000 a year.

Of the 22 submissions received, seven (7) expressed concerns relating to the suitability of the site because of e.g. flooding.

Suitability of the site
Recognising the known limitations with any development on Launceston's flood plains, did Alderman request an independent report of both the known political risks together with the potential cost burden to the ratepayers?
The sale or gifting of land to UTAS by implication puts a legal responsibility on the council in that the land is "fit for purpose" when in fact the council knows that the area is subject to flooding with raw sewerage and the Tasmanian Health Department has warned of disease that can be contracted when such inundation occurs. Thus the Launceston City Council is knowingly disposing of land which is actually "unfit for purpose" and could be subject to future legal action by a person or persons so affected on the said land.
The Inveresk Campus will be on a flood plain...I am sure that flood prevention will always be an issue in Launceston and money will be needed to keep the levies in good condition or replaced. If the land at Inveresk and Willis Street is given away free to UTAS, there will be less money available to ensure that Inveresk is kept safe from floods.
No consideration has been given to the problems of flooding and sewerage at Inveresk. No genuine consideration has been given to the implications of such an over-development on flooding and sewerage.
It is a well-known flood zone.
<p>I oppose [the gifting of the land to UTAS] because [the scale and intensity of the university development] shall -</p> <ul style="list-style-type: none"> • increase the pressure for public funding including ratepayer funding of flood protection measures and liabilities for flood damage to structures and their occupants... • increase the risk to buildings and occupants due to the relativity of the sites to known geological fault lines... • increase the demands on public infrastructure such as water, sewerage and stormwater utilities and treatment headworks and outfalls; roads and bridges including foot and bicycle carriageways and bridges • cause significant increases in traffic and parking congestion and environmental pollution • place increased economic pressures on existing land and building users in the vicinity, by forcing up values and rents and pricing out of the market • create a potential ghetto environment and potential social downgrading of the area due to a higher level of low socio-economic residents in this vicinity.

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

Suitability of the site

I oppose [the gifting of the land to UTAS] because [the scale and intensity of the development] shall -

- create an over-intensification of development of these two parcels of land and be inconsistent with the level of intensity in the vicinity thereby changing the character of the area and the present level of enjoyment by ratepayers and citizens in the vicinity;
- change the standard of amenity and alter what is presently available giving an unknown style or gentrification to the locality resulting in potential conflicts.

Of the 22 submissions received, five (5) expressed concerns relating to parking.

Parking

If the Velodrome car park is gifted or sold to UTAS where will...Launceston and surrounding municipality ratepayers park or enjoy events [e.g. York Park hosted sporting events, entertainment or functions, Launceston Show] on week days?

If the Willis St car park is gifted or sold to UTAS where will Launceston and surrounding municipality ratepayers park on week days to visit essential non duplicated services in the adjacent Boland Street offices of Centrelink and Medicare...a fair proportion of the clients are elderly, sick or financially disadvantaged. Many cannot walk any distance...Only limited parking has been provided for Centrelink clients and now combined with the recently introduced Medicare office client numbers have increased and the Commonwealth parking is totally inadequate.

Launceston mothers and child carers park in the Willis St car park and visit the City park daily...Throughout the year many exhibitions and functions are held in the Albert Hall Monday to Friday and a large percentage park in Willis Street. The Cimitiere Tamar St car park is usually full during the day time with visitors to the area and reserved parking for LCC vehicles. Can the LCC respond to these questions with definite answers as to plans for parking should be Willis Street land be gifted or sold to UTAS?

...extra parking will make it very difficult for my carers to pick me up for appointments and attend to my daily needs...

...parking in that [Inveresk] area would be inundated by the hundreds of new parking vehicles if we did get extra hundreds, let alone thousands, of new students - in the extra buildings that would mostly replace current parking allotments.

Residents lose out now to the football with nearby parking.

Also the parking issues for the elderly that live in the area and have carers along with meals on wheels.

We need it for parking during the week, plus the football.

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

Of the 22 submissions received, four (4) expressed concerns relating to community consultation.

Community consultation
Public concerns are not about whether UTAS should move to the city; they are about Council gifting public assets without ratepayer involvement.
Let the people have a say and it is interesting to note that the two public meetings held on the transfer has been overwhelmingly negative to the UTAS proposal (refer Examiner Feb. 9, 2016, 11:18pm "Public meeting slams UTAS campus deal").
No input was sought from Northern suburbs businesses or residents and no impact study on Mowbray and Newnham businesses has been carried out.
Launceston's population has essentially stagnated, and arguably is currently stagnant, and any prospect of 'substantial growth' seems to be some way away. Indeed, the city seems to be facing the prospect of unsustainability in a changing economic environment. That might be turned around if government - State and Local - were to take its constituency into its confidence.

Of the 22 submissions received, three (3) expressed concerns relating to the conduct of Council officers.

Conduct of Council officers
Council staff and executives could be advantaged with other government groups by dispensing favours that could disadvantage ratepayers financially. Council needs to demonstrate that advantages to Council staff cannot be achieved in this way.
What protections have been provided to ratepayers that some consideration in terms of favours was not obtained by individuals within Council - <i>for example protection against corrupt practices?</i>
The nature and scope of UTAS's proposal is a matter exclusively for UTAS to determine unless of course the City of Launceston is intending to be (or already is?!) a collaborating partner (shareholder?) in the 'enterprise'.
...the lack of a DA suggests that there may be something that is being hidden. If there is, what is it? If there is, why is it being hidden and from whom?
Have open and transparent practices been used to assure ratepayers that corrupt practices are not in play?

Of the 22 submissions received, three (3) expressed concerns relating to the displacement of existing users of the site.

Displacement of existing users of the site
The Velodrome is the major site for the Launceston Show Society to stage their annual show...No suitable [alternative] show site has been suggested or maybe exists.

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

This land should be done up with the tramline as was the original plan or kept as is for historical purposes... What about the sportspeople that use the grounds as well as the people accommodating the Esk Markets?...It is not the time to swap now and take away something that is of historical significance and something that is used by thousands of rate payers.

We need it for open spaces for people who use it on the weekend.

Of the 22 submissions received, three (3) expressed concerns relating to traffic.

Traffic

Anecdotal evidence claims that traffic, not just at the Lindsay/Goderich Streets intersection, but also at the Lindsay Street/Invermay Road intersection, has increased since Bunnings, Office Works, JB Hi Fi, etc. opened at Ogilvie Park. Has there been a traffic feasibility study done in that area to see if it can cope with extra traffic generated by a UTAS Campus at Inveresk? If the optimistic vision that eventually there will be 10,000 students at Inveresk is realised, there is going to be a massive traffic problem. Even with the current number of students, there will be traffic problems. How will the Launceston City Council address this? Build another bridge? Build an overpass? Knock down shops, businesses and homes to build a wider road? Turn Launceston into another Melbourne or Sydney and spoil its character and charm which is the very thing that brings visitors to Tasmania?

Traffic congestion would be horrendous.

We don't need the congestion it is going to bring into town.

Of the 22 submissions received, one (1) expressed concerns relating to governance.

Governance

From when this idea was sown, has the General Manager and Finance Manager created an expenditure line in the budget to identify costs, including employees time. If so what are the hourly charge out rates, including that of the General Manager, also advising total costs to date and budgeted costs for ongoing years. If you are unable to provide adequate detail, why it is that Council have failed to commit to good governance and accountability in the interest of ratepayers.

In 1990 the community sowed the seeds for the redevelopment of the Inveresk site for a cultural, recreational and community which attracted some \$18m of Federal Government funds together with community contributions: will these be safe unlike Rotary International's 75th Anniversary Gift that was destroyed by UTAS without any formal apology from the Launceston City Council.

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

Of the 22 submissions received, one (1) expressed a view that the transfer of land is a great investment for the City of Launceston.

A positive investment in the City of Launceston

This is the only proposal in recent years which could be viewed as an appropriate use for the land. We have seen first hand during our travels overseas, what huge benefits a university close to the central business district of a city, brings to the area and its residents. Kingston in Canada, thrives on its student population. The city is a similar size to Launceston, and its accommodation and retail industries rely on the two universities situated there. Employment is also boosted by these institutions. The city of Prince George in Canada is another good example. Education in the form of its university is a driving force in the economy. What an infusion of life it will bring to our city.

REPORT:

The relevant sections of the *Local Government Act 1993 (Tas)* (the Act) that are pertinent to this report are included as Attachment 1.

A petition requesting a Public Meeting about the transfer of land by the Council to UTAS was presented to the Mayor, Alderman A M van Zetten, on 30 March 2016.

The petition was subsequently determined to have complied with section 57 of the Act and was tabled at the Council Meeting on 11 April 2016. The subject matter of the petition is -

1. *That the Launceston City Council call a Public Meeting for the purpose of discussing the Council's decision to transfer (free gift) land, known as Willis Street Car Park and Old Velodrome.*
2. *Call on Council to rescind the motion passed by the Full Council Meeting 9th November 2015 to transfer said land (free gift) to UTAS.*
3. *That the said land be placed for sale on the open market via a public auction with a Reserve Price of \$5 million.*

The Council considered action on the petition at the Council Meeting on 9 May 2016.

A Public Meeting was held on Tuesday, 7 June 2016 at 7.00pm at the Albert Hall, Launceston. Ninety-three (93) community members, 10 Council Officers and 11 City of Launceston Aldermen were in attendance.

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

Section 60A(5) of the *Local Government Act 1993 (Tas)* (the Act) requires that the minutes of the next ordinary meeting of the council following the public meeting are to record -

- (a) a summary of any submission received under this section; and
- (b) any decision made at a public meeting held under this section.

Submissions received in respect of the subject matter of the petition were summarised in a document made available to those attending the Public Meeting, as required by section 60A(4) of the Act.

The following decisions were made at the Public Meeting:

- (a) That Mr Don Wing AM is appointed as chairperson of the meeting - moved, seconded and carried;
- (b) That in view of the flood crises that is threatening Launceston and with respect to the efforts and pleadings by the petitioners and their representative for this Public Meeting to be rescheduled to a later date since yesterday, such a request having been refused by Council's representatives, this meeting now be adjourned forthwith and resume at this same venue on Tuesday, 21 June 2016 at 7.00pm, so that those people attending can now return home safely - moved, seconded and carried.

The Council, by the recommendations contained within this report, will meet its statutory obligations in regard to the Public Meeting held on 7 June 2016 and further will determine to convene a Public Meeting on 21 June 2016 as requested by the 7 June 2016 Public Meeting.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

20.1 Report on Public Meeting Held on Tuesday 7 June 2016 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders and to ensure decisions are made in a transparent and accountable way

Key Directions -

1. To develop and consistently use community engagement processes
3. To ensure decisions are made on the basis of accurate and relevant information

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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. *Local Government Act 1993 (Tas)* - Relevant Sections
-

The complete version of the *Local Government Act 1993 (Tas)* is available at www.thelaw.tas.gov.au

57. Petitions

- (1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.
- (2) A person lodging a petition is to ensure that the petition contains –
- (a) a clear and concise statement identifying the subject matter; and
 - (b) a heading on each page indicating the subject matter; and
 - (c) a brief statement on each page of the subject matter and the action requested; and
 - (d) a statement specifying the number of signatories; and
 - (e) the full printed name, address and signature of the person lodging the petition at the end of the petition.

60. Action on petition

- (1) The general manager, by notice in writing to the person who lodged the petition, is to –
- (a) advise whether the petition complies with [section 59](#) if it seeks a public meeting; and
 - (b) give reasonable notice of when the council is to consider the petition.
- (2) Within 42 days after the tabling of the petition –
- (a) the general manager is to advise the council at a council meeting whether the petition complies with [section 59](#) if applicable; and
 - (b) the council, at that meeting, is to determine any action to be taken in respect of the petition.
- (3) If the petition complies with [section 59](#) or the council otherwise resolves to hold a public meeting regarding the subject matter of the petition, the council, within 30 days after the meeting referred to in [subsection \(2\)](#), is to hold a public meeting to discuss the subject matter of the petition.
- (4) The council is to record in the minutes of the meeting referred to in [subsection \(2\)](#)–
- (a) the subject matter of the petition; and
 - (b) the number of signatories to the petition.

60A. Public meetings and submissions

- (1) Before holding a public meeting under [section 59](#) or [section 60\(3\)](#) a council, in a notice publicly displayed, must –
- (a) state the date on which, and the time and place at which, the public meeting is to be held; and
 - (b) state the details of the subject matter; and
 - (c) invite written submissions in relation to the subject matter to be lodged with the general manager.
-

- (2) A copy of the notice under subsection (1) is to be –
- (a) published on at least 2 occasions in a daily newspaper circulating in the municipal area; and
 - (b) sent to the person who lodged the petition.
- (3) A submission must be lodged within 21 days after the first publication of the notice.
- (4) Any submission received is to be summarised by the general manager in a document, copies of which are to be made available to those attending the public meeting.
- (5) The minutes of the next ordinary meeting of the council following the public meeting are to record –
- (a) a summary of any submission received under this section; and
 - (b) any decision made at a public meeting held under this section.
-

21 URGENT BUSINESS

No Urgent Items have been identified as part of this Agenda

Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Agenda.

22 CLOSED COUNCIL

Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)

22.1 Confirmation of the Minutes**DECISION STATEMENT:**

Pursuant to the *Local Government (Meeting Procedures) Regulations 2015 - Regulation 34(6)* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

22.2 Write Off of Non-Recoverable, Non-Rating Debts (30 June 2016)**RECOMMENDATION:**

That Agenda Item 22.2 - Write Off of Non-Recoverable, Non-Rating Debts (30 June 2016) be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(j) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- 15(2)(j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

23 MEETING CLOSURE
