



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 24 OCTOBER 2016
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 24 October 2016

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

Date: 24 October 2016

Time: 1.00pm

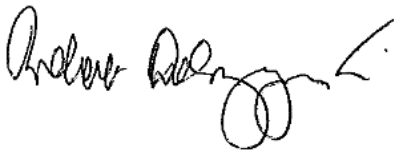
Section 65 Certificate of Qualified Advice

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

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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 10 October 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

5.1 Petition - Proposed Tamar Valley Steiner School

FILE NO: SF0097

AUTHOR: John Davis (Manager Corporate Strategy)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider a petition submitted by Ms Suzanne Swierc and Mr Henry Swierc objecting to the proposed development of the Tamar Valley Steiner School.

PLANNING APPLICATION INFORMATION:

This petition relates to Development Application DA0415/2016.

RECOMMENDATION:

That, pursuant to Section 58(2) of the *Local Government Act 1993*, Council receives the petition objecting to the proposed development of the Tamar Valley Steiner School, tabled by the General Manager and submitted by Ms Suzanne Swierc and Mr Henry Swierc.

REPORT:

A petition, with 21 signatures, submitted by Ms Suzanne Swierc and Mr Henry Swierc, has been received by the Council (Attachment 1). The petition states:

We reject the proposed Tamar Valley Steiner School on grounds of:

- 1. Extra vehicle activity and parking already causing stress on Station Road due to two schools already active being St Leonard Primary and Larminier School.*
- 2. Also extra noise pollution to surrounding properties.*
- 3. Park land at rear lost to community.*

This petition has been forwarded to the Director of Development Services for action and as required under Section 60(2)(b) of the *Local Government Act 1993*, a report will be brought back to Council within 42 days for Council to determine any action to be taken in respect of the petition.

5.1 Petition - Proposed Tamar Valley Steiner School ...(Cont'd)

The Manager Corporate Strategy will give reasonable notice to Ms Swierc and Mr Swierc of when the Council is to consider this petition.

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


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. Petition submitted by Ms Suzanne Swierc and Mr Henry Swierc
-

Attachment 1 - Petition submitted by Ms Suzanne Swierc and Mr Henry Swierc

Launceston City Council
(Template)

~~Formal~~
Statutory Petition - Lodgement Form
INFORMAL

Please complete this form and attach it to the first page of the Petition(s)
Only one form is required for the entire petition


I/~~We~~ the proposer(s) of the petition, being electors of the Launceston Municipal area, declare:

There are 21 signatories to the petition.
(number of signatories)

To the knowledge of the proposer(s), the signatories are electors of the Launceston Municipal area.

The petition was signed between 01/10/2016 and 04/10/2016.
(Commencement Date) (Completion Date)

The petition is proposed by (please print):

Full Name of Proposer	Address	Signature
Susanne Jill Swierc	10/B Station Rd St Leonards	
Henry F. Swierc	10/B Station Rd St Leonards	

FILE No.	DA0415/2016		
EO	OD	<input checked="" type="checkbox"/>	Box <input checked="" type="checkbox"/>
RCVD 07 OCT 2016 LCC			
Doc No.			
	Action Officer	Noted	Replied

Reference No. 14-Fm-001
Version: 11/01/2009
Template Approved By: General Manager

① J. Davis
② C. Wankmore
E-copy: G. Walker

page 1

Launceston City Council
(Template)

Statutory ~~Form~~ Petition
INFORMAL

Please read Council's "How to Lodge a Petition with Council" information sheet first.

Application ID - DA0415/2016

Proposed development - 14 Station Rd PETITON
(Please print the title of petition on the above line. E.g. "Development on river edge")

To the Aldermen of Launceston City Council:

We, the **electors** of the Launceston Municipal Area, petition the Aldermen for a public meeting in accordance with section **INFORMAL** of the Local Government Act 1993 to:
Petition

(Please clearly state the purpose of your petition and the action you require of Council in the space provided below)

We - the following below - Reject the proposed Tamar Valley Steiner School on grounds of
 ↳ Extra vehicle activity ^{#parking} already causing stress on Station Rd due to two schools already active being St Leonard Primary & Larminier School. Also extra noise pollution to surrounding properties ^{#park land at rear.}
 Petitioners, please PRINT your full name and address, and then sign. Thank you. lost to community.

Full Name	Address	Signature
KAYLENE ANN WOODCOCK	10 STATION RD ST LEONARDS 7250	
Lindsay R. Kemp	" "	
Jason Anthony Hardinge	12 Station Rd St Leonards 7250	
Amanda Hardinge	12 Station Rd St Leonards	
Henry F. Swire C	10 (b) Station Rd. St Leonards	
Lyn Flint	17 Station Rd	
GRAHAM CROOKS	6 STATION RD	
NATHAN CROOKS	" "	
GRIZ MORRISON	21 KERTCH RD	
Judy Morrison	21 Kertch Rd	
Andy Phillips	276 St Leonards rd	
Kellie Saunders	8 Station Rd St. Leonards	

To be valid, a formal petition must meet the requirements specified in the Local Government Act 1993

page 2

Launceston City Council
(Template)

Attached to 14 Station Rd. Petition

Statutory ~~Formal~~ Petition
INFORMAL

Please read Council's "How to Lodge a Petition with Council" information sheet first.

Stiener School	PETITION
(Please print the title of petition on the above line. E.g. "Development on river edge")	

To the Aldermen of Launceston City Council:

We, the **electors** of the Launceston Municipal Area, petition the Aldermen for a public meeting in accordance with section _____ of the *Local Government Act 1993* to:

(Please clearly state the purpose of your petition and the action you require of Council in the space provided below)

As per page 1

Petitioners, please PRINT your full name and address, and then sign. Thank you.

Full Name	Address	Signature
Sam Swierc	326 St Leonards Rd	[Signature]
BROOKE GIBSON	49 STATION RD	[Signature]
JANINE BUSBY	20 STATION Rd	[Signature]
PHIL BUSBY	20 STATION ROAD	[Signature]
Simon Swierc	49 Station Rd	[Signature]
Hannah Walber	49 Station Rd	[Signature]
Lenea Woodcock	10C station Rd	[Signature]
Rick Gester	10C Station Rd	[Signature]
Sue Swierc	10/B Station Rd	[Signature]

To be valid, a formal petition must meet the requirements specified in the *Local Government Act 1993*

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.)

No Community Reports have been registered with Council as part of this Agenda

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 Peter Cameron - Council Meeting - 10 October 2016**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Robert Dobrzynski (General Manager)

QUESTION and RESPONSE:

The following question was submitted to Council on 10 October 2016 by Mr Peter Cameron and has been answered by Mrs Leanne Hurst (Director Development Services).
Question:

What is the purpose of the Launceston Planning Scheme if it can not be enforced?

Response:

As the question does not provide a specific context, the answer provided will be necessarily general. However, any resident who is concerned about potential breaches of the Launceston Interim Planning Scheme is encouraged to contact the Planning Services Department to provide details of their particular concerns.

The *Land Use Planning and Approvals Act 1993* provides remedies where planning schemes or conditions of planning permits are not complied with. In cases where an approved development is underway, officers will seek to work with the permit holder to ensure compliance with the permit conditions, particularly where it appears that compliance may not be achieved in accordance with endorsed plans. Enforcement action is initiated where developers fail to act within the permit conditions.

It should be noted that there is also provision within the Act to allow for applications for minor amendments. Whenever a valid application is received - for a permit, retrospective permit, minor amendment, for example - officers are required to assess that application against the provisions of the Launceston Interim Planning Scheme and in accordance with the Act.

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 28 Tasman Highway, Waverley - Residential - third party advertising signage; relocation of existing billboard sign (existing nonconforming use)

FILE NO: DA0320/2016

AUTHOR: Marilyn Burns (Urban Design Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Planning Development Services Ross Blandford
Property:	28 Tasman Highway, Waverley
Zoning:	General Residential
Receipt Date:	25/07/2016
Validity Date:	28/07/2016
Further Information Request:	05/08/2016
Further Information Received:	14/09/2016
Deemed Approval:	24/10/2016
Representations:	Four

RECOMMENDATION:

That, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015 - DA0320/2016 for relocation of existing billboard sign at 28 Tasman Highway, Waverley, be refused on the following grounds:

1. The Development Application does not comply with Clause 9.1.1 (a), (b) and (c) of the Launceston Interim Planning Scheme 2015 on the basis that the proposal would cause detrimental impact on adjoining uses, would cause detrimental impact on the amenity of the locality and includes substantial intensification of the existing non-conforming sign.
-

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

2. The Development Application does not comply with Clause 10.4.14 P1 (a), (b), (d), (e), (f), (i), (k) and (m) of the Launceston Interim Planning Scheme 2015 on the basis that the proposal is not compatible with the form and scale of residential development and unreasonably impacts on the amenity of nearby sensitive uses in regards to negative visual impact, the character of the surrounding area and passive surveillance.
 3. The Development Application does not comply with Clause E18.5.2 P2 (b) and (d) of the Launceston Interim Planning scheme 2015 on the basis that the proposal results in an unreasonable loss of amenity to adjoining residential properties in regards to negative visual impact, the character of the surrounding area and passive surveillance.
-

REPORT:

1. THE PROPOSAL

The proposal is to replace the existing nonconforming third party sign at 28 Tasman Highway, Waverley with a new nonconforming third party sign 13m to the northwest of where the existing sign is located. The proposed sign is 12.66m wide and 3.35m high. It is set off the ground by a 2m high limestone block plinth. It is the same dimensions as the existing sign, and will have no increase in the size of the advertisements. The proposed sign has a steel frame set on steel uprights. It is setback 6.5m from the primary frontage and 1m from the boundary of 30 Tasman Highway.

The applicant wants to relocate the sign for greater visibility and so that the trees on 75-77 St Leonards Road are not a visual obstruction to the right hand side billboard.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the south-western side of the highway between St Leonards Road and Anson Street, Waverley. The neighbouring properties are primarily developed with single dwellings in the form of single and two storey buildings with gable or hip roofs.

Site Description

The site is a quadrilateral shape with an area of 2,820m².

Location of existing access to the site

Access to the site is directly off the street.

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

Slope

The site falls to the west with an approximate slope of 18.5%. The site is not likely to be within a landslip area.

Vegetation

The site is largely undeveloped, with a number of trees on the eastern half of the site. The site is within 100m of bushfire prone vegetation but the code does not apply.

Location of any existing buildings on the site and surrounding area

Currently the site is developed with an existing non-conforming third party sign. The sign is 12.66m long and 5.35m high overall. The sign was constructed while the site was under the jurisdiction of the St Leonard's Council. Whilst there is no documentation existing on the validity or approval of the sign, there is a statutory declaration provided with the application that states the existing sign has been on the site for an excess of 40 years. There is a reference to the previous owner remembering a trip to St Leonard's Council with his father to pay fees for the sign.

The proposal has a setback of 1m from 30 Tasman Highway. As the development is to the south of the nearest residence it is unlikely to cause any overshadowing. However, the sign will affect the possibility of passive surveillance between 28 and 30 Tasman Highway and the road. The proposed sign is replacing an existing sign of the same use and dimensions.

Site Services

The street is sealed and drained to Council standard.

There is no vehicular access to the site.

The site is able to be connected to reticulated sewerage, stormwater and water supply services.

There are no watercourses within 50m of the site.

- 8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

3. PLANNING SCHEME REQUIREMENTS

<p>Part C - Special Provisions</p> <p>9.1 Changes to an Existing Non-conforming Use</p> <p>9.1.1 Notwithstanding any other provision of this planning scheme, whether specific or general, the planning authority may at its discretion, approve an application:</p>
<p>a) to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme; or</p>
<p>b) to extend or transfer a non-conforming use and any associated development, from one part of the site to another part of that site; or</p>
<p>Does Not Comply</p> <p>The proposal involves replacing the existing non-conforming use sign with another nonconforming use sign approximately 13m northwest of where the existing sign is located.</p>
<p>c) for a minor development to a non-conforming use, where there is –</p>
<p>a) no detrimental impact on adjoining uses; or</p>
<p>Does Not Comply</p> <p>The proposed location would cause the sign to block a large portion of the site from view. It also shields the backyard of 30 Tasman Highway from the road. This reduces the possibility of passive surveillance between 28 and 30 Tasman Highway and the road. If the proposal was a residence, it could be assumed that the occupants of the dwelling could provide passive surveillance.</p> <p>Placing the new sign 13m west of the existing location will make the sign appear to be visually larger, especially with the proposed relocation including a 2m elevation of the sign from the ground. The sign is large and bulky; it has a total height that is greater than single dwellings in the area. The southern window of 30 Tasman Highway will look onto the back of the sign. The sign does not suit the character of the area and will have a negative visual impact on neighbouring uses.</p>
<p>b) the amenity of the locality; and</p>
<p>Does Not Comply</p> <p>The immediate surrounding area of the site is zoned General Residential and comprises of residential development. Clause 9.1 of the scheme means the zone purpose does not specifically apply, but as noted below at the end of this clause 9.1.1, <i>the planning authority may have regard to the purpose and provisions of the zone and any applicable codes</i>, and the proposal must not cause a negative visual impact to the amenity of the locality. The sign's current location is such that it is seen from a distance on the road.</p>

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

<p>While the movement of the sign will reduce the distance from which the sign can be seen, it will be much more prominent from the bend in the road and nearby residences. The sign is out of character with the surrounding residences, and putting the sign closer to the road will cause it to appear much larger than it did further up the slope. The proposed sign would have the same setback from the street as the residence at 30 Tasman Highway and its height at 5.35m will be similar in height to the residence. The sign would cause an impact to the amenity of the locality.</p>
<p>c) no substantial intensification of the use of any land, building or work,</p>
<p>Does Not Comply The proposed sign is 12.66m wide and 3.35m high. It is the same dimensions as the existing sign, and will have no increase in the size of the advertisements.</p> <p>However, where the existing sign is a simple billboard, the proposed sign includes a 2m high limestone block plinth. The plinth increases the height of the overall structure. The solid foundation suggests a long-term permanence to the sign and would be harder to remove from the site, making it less likely that the site could be later developed into a more-conforming use as per clause 9.1.1 a) of b). This is considered an "intensification" of the sign.</p>
<p>In exercising its discretion, the planning authority may have regard to the purpose and provisions of the zone and any applicable codes.</p>

3.1 Zone Purpose
10.4 Development Standards
10.4.14 Development for discretionary uses

<p>Objective: To ensure that development for discretionary uses is compatible with the form and scale of residential development and does not unreasonably impact on the amenity of nearby sensitive uses.</p>
<p>Not Consistent The proposal is not compatible with the existing residential development and negatively impacts on the amenity of nearby sensitive uses.</p>
<p>A1 No acceptable solution</p>
<p>Relies on Performance Criteria</p>
<p>P1 Development must be compatible with the form and scale of residential development and not unreasonably impact on the amenity of nearby sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the setback of the building to a frontage; (b) the streetscape; (c) the topography of the site; (d) the height, bulk and form of the building; (e) the height, bulk and form of adjacent buildings and buildings in the surrounding area;

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

- (f) the setbacks to side and rear boundaries;
- (g) solar access and privacy of habitable room windows and private open spaces of adjoining dwellings;
- (h) the degree of overshadowing and overlooking of adjoining lots;
- (i) mutual passive surveillance between the road and the building;
- (j) any existing and proposed landscaping;
- (k) the visual impact of the building when viewed from adjoining or immediately opposite lots;
- (l) the location and impacts of traffic circulation and parking; and
- (m) the character of the surrounding area.

Does Not Comply

The proposed development is not considered to be compatible with the form and scale of residential development and will impact on the amenity of nearby sensitive uses.

The sign is 12.66m wide and 3.35m high. It is set off the ground 2m by a limestone block plinth. It will be a similar size to surrounding two storey dwellings but while the dwellings have windows and extrusions to break up their form, the proposed sign is in effect a large wall. It should be noted that if classified as a dwelling, the sign would not fit within the building envelope.

The sign does not allow for mutual passive surveillance between the road and the building. People can easily pass through the site behind the sign from the reserve largely unseen.

The neighbouring properties are primarily single residences. The proposed sign would be setback 6.5m from the frontage, the same setback as the residence at 30 Tasman Highway. While the "advertising" portion will be the same size as the existing sign, the proposed sign will be much more prominent from the bend in the road and nearby lots and is to be set 2m above the ground on a limestone plinth. The proposed sign has a setback of 1m from either side boundary. It is to the south of the dwelling at 30 Tasman Highway. While it will not cause overshadowing, the residence will look onto the back of the sign from their southern window. The sign is bulky and out of character in regards to the surrounding residences. It will have a negative visual impact on the residential character of the area.

There is no proposed change to landscaping.

Officers from Infrastructure Services - traffic and State Growth state that the change in location of the sign will not negatively impact road safety.

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

E18.0 Signs Code

E18.1 The purpose of this provision is to:

- (a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity;
- (b) promote the use of well-designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality; and
- (c) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

Consistent

E18.5 Development Standards

E18.5.2 Design and siting of signage

Objective:

To:

- (a) provide for appropriate signage and to ensure the visual scale and impact of signage is managed; and
- (b) ensure that the design and siting of signs achieves the purpose of this code.

Not Consistent

The proposed sign's visual scale and impact is not appropriately managed.

A2 A sign must be a minimum distance of 2m from the boundary of any lot in the General Residential, Inner Residential, Low Density Residential, Rural Living, Environmental Living or Village zones.

Relies on Performance Criteria

The sign is situated within the General Residential zone, and has a 1m setback from the neighbouring property.

P2 A sign must not result in the unreasonable loss of amenity to adjoining residential properties, having regard to:

- (a) the topography of the site and the surrounding area;
- (b) the relative location of buildings;
- (c) any overshadowing; and
- (d) the nature and type of the sign.

Does Not Comply

The proposed sign will be placed 13m down the slope from the existing sign. While the movement of the sign will reduce the distance from which the sign can be seen, putting the sign closer to the road will make it appear larger than it did further up the slope. The sign will be 1m from 30 Tasman Highway. It will not cause overshadowing. However, the sign will have a negative visual impact on the residential character of the area. The sign is large in relation to the dwelling at 30 Tasman Highway. Whereas the form of nearby residences are broken up with protrusions and windows, the sign will effectively be a large wall.

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

While there is an existing billboard on the site, it is much further up the slope and is not as visually large and prominent as the proposed sign will be.
A3 A building or tenancy must have: (a) a maximum of one of each sign type per building or tenancy, unless otherwise stated in Table 1 of E18.6; and (b) no more than three individual signs in total.
Complies The site has only one sign proposed.
A4 A sign must not be illuminated.
Complies The sign is not illuminated.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Officers agree with the comments from State Growth, and add that the relocation of the sign may be safer as the sign will be less hidden by trees. They note there are no injury crashes on record in the last five years.
Environmental Health	Conditional consent provided.
Parks and Recreation	N/A
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	N/A
State Growth	Officers have stated that: "as the sign is a static billboard with no electronic or variable message displays (as per the existing arrangement) State Growth does not have any objection to the proposal. It is noted that the existing sign has been in place without known issue for a considerable time period and it is within a low speed urban environment. Given the location outside the road reservation there are no traffic safety risks with the installation."
TasFire	N/A
Tas Heritage Council	N/A

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

REFERRAL	COMMENTS
EXTERNAL	
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 17 September 2016 to 30 September 2016. Four representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised, it should be read in conjunction with the representations received which are attached to this report.

ISSUE	COMMENTS
<p>The existing sign and location are well known to motorists and provide little distraction at the current time. Location of the sign at 28 Tasman Highway is right on a corner lot where the highway heading east goes into two lanes, with a single lane heading west. There have been a number of accidents on this quite steep bend in the last seven years, as well as a number of instances where accidents were fortuitously avoided by a matter of centimetres. As the sign is designed for motorists to notice the advertising, having the sign relocated much closer to the road means, the risk of distraction and the risk of accidents increase.</p> <p>Furthermore, currently the sign can only be seen by east bound traffic. If the sign is moved down it will be seen by the traffic travelling west thereby increasing the distraction factor by 50%. Also there is the distraction of dozen of trucks moving in and out of the Liquor Market daily 30m from the corner.</p>	<p>State Growth and Council's Engineering Traffic Officer have advised that the new location is not considered to pose a safety concern.</p>

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

ISSUE	COMMENTS
<p>The police should be consulted on the relocation of the sign as a potential traffic and resident footpath hazard.</p>	<p>The planning department are not required to consult the police in regards to potential traffic and footpath hazards. State Growth and Council's Traffic Officer do not have any traffic concerns.</p>
<p>The window on the southern wall of property at 30 Tasman Highway directly faces the property at No. 28 and the view will be greatly impacted by this sign. Relocation of the structure would block a substantial portion of the vegetation/reserve currently visible from the window. In addition to removing a very pleasant outlook, a relocated structure would result in a decisively unpleasant and ugly view of the rear of such a structure from that window.</p>	<p>The planning scheme does not protect distant property views. Amenity refers to overlooking, overshadowing, noise levels, and the visual impact of adjoining development when assessing variations to some provisions. It should be noted that if a property was to be built on the site, it would also block views of the adjoining bushland reserve.</p>
<p>The property across the road from the sign, 35 Tasman Highway, has a tricky driveway entrance to the road, right on the bend. 33, 37 and 39 Tasman Highway also have driveways that present challenging entry and exit. Any new or further distraction to drivers along the highway may increase the potential for accidents when vehicles are leaving and entering these properties.</p>	<p>State Growth and Council's Engineering Traffic Officer have advised that the new location is not considered to pose a safety concern.</p>
<p>The views from 33, 35 and 37 Tasman Highway would also be adversely affected. At this time their views are of the bush reserve and the sign is quite distant. With relocation this sign will substantially block these views. A much closer structure, more imposing and visibly larger would certainly detract from the tranquil nature view currently enjoyed by all nearby residents.</p>	<p>The planning scheme does not protect distant property views. Amenity refers to overlooking, overshadowing, and noise levels; and the visual impact of adjoining development when assessing variations to some provisions. It should be noted that if a property was to be built on the site, it would also block views of the adjoining bushland reserve.</p>

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

ISSUE	COMMENTS
There is no mention if the sign will be at some stage lit by lighting? At if so this would be totally inappropriate in this setting.	The sign is not proposed to be illuminated. If the proposal is approved there will be a condition on the permit to ensure the signage is not illuminated.
Property values in the immediate area would be negatively impacted should the relocation go ahead.	The planning scheme does not directly take into account property values in the assessment.
The relocation of the billboard structure closer to the highway would screen from the view of passing traffic and passers-by a significantly larger area of the site, thus providing ample cover to any ill-intentioned person wishing to trespass into adjoining properties. The relocation of the billboard structure would undeniably increase my security concerns going forward. On several occasions unidentified young people have travelled the length of the vacant block at No. 28 from the highway as a short cut to the top of the hill. A billboard concealing a greater section of that block would encourage more frequent unauthorised movements within the block.	Possible impacts of the modified sign have been considered in the assessment.

6. CONCLUSION

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.

8.1 28 Tasman Highway, Waverley - Residential - Third Party Advertising Signage; Relocation of Existing Billboard Sign (Existing Nonconforming Use) ... (Cont'd)

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.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

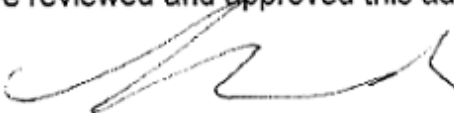
BUDGET & FINANCIAL ASPECTS:

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. Location Map (distributed electronically)
 2. Plans and Documents (distributed electronically)
 3. Representations (distributed electronically)
 4. Photo of Existing Sign (distributed electronically)
 5. Photo Montage of Proposed Sign (distributed electronically)
-

8.2 Amendment 30 - to remove Forestry Area Specific Area Plan and Rural Resource - subdivide land into two lots at 887 Lilydale Road, Underwood**FILE NO:** SF7040/DA0387/2016**AUTHOR:** Maria Chledowska (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider and decide whether to initiate Amendment 30 to the Launceston Interim Planning Scheme 2015 to remove the Forestry Area Specific Plan overlay and determine a development application to subdivide land into two lots.

PLANNING APPLICATION INFORMATION:

Applicant:	Rebecca Green & Associates
Property:	887 Lilydale Road, Underwood
Zoning:	Rural Resource
Receipt Date:	2/09/2016
Validity Date:	7/09/2016
Further Information Request:	No
Representations:	N/A

PREVIOUS COUNCIL CONSIDERATION:

DA0063/2014 - Resource development - subdivision: subdivide land into three lots at 659 Lilydale Road, Underwood

RECOMMENDATION:

That, pursuant to Section 33 of the *Land Use Planning and Approvals Act 1993*, (the Act), Council:

1. Initiates Amendment 30 to the *Launceston Interim Planning Scheme 2015* to remove the Forestry Area Specific Area overlay from the property at 887 Lilydale Road, Underwood.
 2. Authorises Officers to prepare draft Amendments 30.
 3. In accordance with Section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under Section 35(1) of the Act.
-

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

4. Pursuant to former Section 38(a) of the *Land Use Planning and Approvals Act 1993*, determines the period of public exhibition to be 28 days.
5. In accordance with Section 43A of the *Land Use Planning and Approval Act 1993*, approves DA0387/2016 for Rural Development - subdivision of land into two lots at 877 Lilydale Road, Underwood subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- (a) Plan of Subdivision Ref: 27-73 (7228) prepared by Cohen and Associates Pty Ltd; Sheet 1 & 2;
- (b) Bushfire Site Assessment prepared by Cohen & Associates Pty Ltd dated 2 September 2016.

2. LEGAL TITLE

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

3. COVENANTS ON SUBDIVISIONS

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- (a) Such covenants or controls are expressly authorised by the terms of this permit; or
- (b) Such covenants or similar controls are expressly authorised by the consent in writing of the Council.
- (c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0387/2016. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

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; or.*

This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least six weeks prior to the expiration date.

B. Restrictive Covenants

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

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

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>>

D. Permit Commencement.

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

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

Note:

Aldermen are advised that under Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the **former provisions** remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.

REPORT:

PART A - APPLICATION FOR PLANNING SCHEME AMENDMENT

1.1 Introduction

Application is made under Section 43A of the *Land Use Planning and Approvals Act 1993* for a combined amendment and development application. The application requests an amendment to the Launceston Interim Scheme 2015 (the planning scheme) to remove the Forestry Area Specific Area Plan overlay from Rural Resource zoned property at 887 Lilydale Road, Underwood (the subject site). The application also seeks an approval to subdivide the subject site into two lots.

The Forestry Area Specific Area overlay allows a minimum lot subdivision of 90ha. The amendment will allow a subdivision of land with a minimum lot size of 35ha in accordance with the zone provisions. In this instance, the proposed subdivision is to create two lots: Lot 1 - 36ha and Lot 2 - 77ha.

1.2 Act Requirements

The legislation allows for a combined application for a development permit and a planning scheme amendment to be considered jointly in accordance with Section 43A of the *Land Use Planning and Approvals Act 1993*.

43A. Application for a permit when amendment requested

(1) *A person who requests a planning authority to amend a planning scheme may also request the planning authority to consider, in accordance with this Division, an application for a permit which would not be allowed if the planning scheme were not amended as requested.*

(2) *Where a planning authority has decided to initiate an amendment under section 33(3), it may consider the application for a permit referred to in subsection (1) concurrently with the preparation of the requested amendment to the planning scheme.*

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

(3) *An application may be made for a permit under this section even if it could not be granted under the existing planning scheme.*

The amendment must be decided under Section 33(3) which reads:

33. Request for amendment of planning scheme

(3) *A planning authority must, within 42 days of the receipt of a request or such longer time as the Commission may allow, make a decision as to whether or not to initiate an amendment of the planning scheme and serve on the person who made the request notice of its decision within 7 days of making the decision.*

(3AA) *If the planning authority decides under subsection (3) to initiate an amendment of a planning scheme after receipt of a request from a person under subsection (1), it must –*

(a) *initiate the amendment under section 34; and*

(b) *certify the draft amendment under section 35 –*

within 42 days of receiving the request or such longer time as the Commission allows.

The matters which Council must consider when making a decision whether to reject or exhibit the application are listed in Section 32 and 43C of the Act and are set out in detail in section 5.1 of this report.

Section 38 of the Act sets out that after making a decision on an application made under Section 43A it is to be publicly advertised for a period of 28 days:

38. Public exhibition of draft amendment

(1) *After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in section 32, the planning authority must –*

(a) *cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and*

(b) *advertise, as prescribed, the exhibition of the draft amendment.*

(2) *If the period referred to in subsection (1)(a) includes any days on which the office of the planning authority is closed during normal business hours in that part of the State where the planning scheme to be amended applies, that period is to be extended by the number of those days.*

2. Site and surrounding area

The amendment applies to the Rural Resource zoned property at 887 Lilydale Road, Underwood. The title (CT168954/3) was created by the recent subdivision as per DA0063/2014. Access to the site is directly off Lilydale Road via an existing gravel driveway. The site is vacant and occupies an area of 112ha.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

The subject property is located approximately 9km to the south-west of the township of Lilydale and is surrounded by Rural Resource zoned land and comprises forestry and resource development uses. The subject property is located on the northern side of Lilydale Road and primarily comprises remnant and regrowth vegetation. The property is surrounded by smaller parcels to the west and south many containing residential dwellings. Overall, the surrounding land is characterised by rural resource, forestry and residential uses.

3. Existing conditions on the site

3.1 Heritage Values

No known heritage values occur on the land subject to this amendment.

3.2 Scenic Values

The Scenic Management Code applies to the subject site. No changes are proposed to that code. The changes proposed in this amendment will not affect the application of the Scenic Management Code in addressing scenic values.

3.3 Land capability

The land is mapped as class 6 according to the state wide land capability mapping.

3.4 Environmental Hazards

The subject land is not identified as an area of potential landslip.

The site is not known as potentially contaminated.

3.5 Infrastructure

The lands subject to this amendment are un-serviced. The servicing requirements for any use proposed are covered by the zone standards and also any relevant building and plumbing requirements which are not proposed to be changed by this amendment.

4. Proposal

The amendment proposes to remove the Forestry Area Specific Area plan from the Rural Resource zoned property at 887 Lilydale Road, Underwood.

In accordance with the Launceston Interim Planning Scheme 2015, clause F8.0 Forestry Area Specific Area Plan applies to the site.

The purpose statement of the Forestry Area Specific Area Plan is to:

Set an appropriate lot size in the Rural Resource zone to prevent fragmentation of land generally unsuitable for agriculture and maintain the capacity of the land for forestry.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

The specific area plan pursuant to F8.2.1 applies to:

....the area of land designated as SAP8 - Forestry Area Specific Area Plan shown on the planning scheme overlays map.

The specific area plan contains one standard only pertaining to subdivision, clause F8.3.1. Table F8.3 causing that standard of the specific area plan apply to all uses.

Critically that standard prevents lots from being less than 90ha by performance criteria P1.1. The implication of that standard is that, for any subdivision beyond a boundary adjustment pursuant to 9.3, is prohibited unless a lot size of 90ha can be achieved.

Clause 26.4.2 of the Rural Resource zone provides for a minimum lot size of 35ha, with the opportunity to create lots with an area less than that where the performance criteria can be met. This lot area provided for by the zone is significantly less than what is allowed by the Forestry area specific area plan.

The use class Resource Development, defined as:

Use of land for propagating, cultivating or harvesting plants or for keeping and breeding or livestock or fishstock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing.

The resource development use class is the use class applied for forestry activities, which in the Rural Resource zone is allowable unless it is on prime agricultural land pursuant to Table 26.2. The removal of the overlay does not preclude use of the site for forestry practices.

4.1 Landowner Consent

The landowner's consent to lodge a combined amendment and subdivision application was provided.

4.2 Considerations for an Amendment

32. Requirements for preparation of amendments

(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)–

- (a)*
- (b)*
- (c)*
- (d)*

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

- (e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
(ea) must not conflict with the requirements of section 30O; and
(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

The proposed amendment will not cause land use conflicts with adjoining uses. There is no change of use proposed. The zoning of the subject site will remain unchanged and land will be used accordingly.

In regard to (ea), Section 30O is considered in detail below.

30O. Amendments under Divisions 2 and 2A of interim planning schemes

- (1) An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the scheme applies.*
- (2) An amendment, of a planning scheme, that would amend a local provision of the scheme or insert a new provision into the scheme may only be made under Division 2 or 2A if –*
 - (a) the amendment is not such that the local provision as amended or inserted would be directly or indirectly inconsistent with the common provisions, except in accordance with section 30EA, or an overriding local provision; and*
 - (b) the amendment does not revoke or amend an overriding local provision; and*
 - (c) the amendment is not to the effect that a conflicting local provision would, after the amendment, be contained in the scheme.*
- (3) Subject to section 30EA, an amendment may be made to a local provision if –*
 - (a) the amendment is to the effect that a common provision is not to apply to an area of land; and*
 - (b) a planning directive allows the planning scheme to specify that some or all of the common provisions are not to apply to such an area of land.*
- (4) An amendment may not be made under Division 2 or 2A to a common provision of a planning scheme unless the common provision, as so amended, would not be inconsistent with a planning directive that requires or permits the provision to be contained in the planning scheme.*
- (5) Subject to section 30EA, an amendment of a planning scheme may be made under Division 2 or 2A if the amendment consists of –*
 - (a) taking an optional common provision out of the scheme; or*
 - (b) taking the provision out of the scheme and replacing it with another optional common provision.*

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

The proposed amendment concerns the removal of the forestry area specific area overlay from one parcel of land, which is considered to be a local provision for the purposes of this assessment. The amendment will not directly or indirectly be inconsistent with any common provisions or a planning directive.

43C. Applications referred to in section 43A

- (1) *In determining an application referred to in section 43A, a planning authority, in its opinion –*
- (a) *must seek to further the objectives set out in Schedule 1; and*
 - (b) *must take into consideration such of the prescribed matters as are relevant to the use or development subject of the application.*

Section 43C(1) (a) requires the objectives set out in Schedule 1 to be considered.

Schedule 1, Part 1 - Objectives of the Resource Management and Planning System of Tasmania

- (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity*

The ecological values are protected through the Rural Resource zone and the Scenic Management overly. The proposed amendment facilitates the sustainable development of land and maintains ecological processes and genetic diversity.

- (b) *to provide for the fair, orderly and sustainable use and development of air, land and water*

The amendment allows the use and development of land in accordance with the zone provisions and it is considered to be a fair, orderly and sustainable.

- (c) *to encourage public involvement in resource management and planning*

The public will have the opportunity to comment on this proposal during the exhibition period which will run for four weeks, should the Council decide to exhibit the application. The public has the opportunity to lodge a written representation to the application during the public exhibition period. The Tasmanian Planning Commission may also decide to hold a public hearing to deal with any representations that may be received.

- (d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)*
-

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

The proposed amendment facilitates economic development consistent with the previous objectives by removing a subdivision constraint on the subject land that supports economic development.

- (e) *to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State*

This application was referred to the State Roads Division of State Growth who replied that they have no comments to make regarding to the proposal. The Council and the Tasmanian Planning Commission will be involved in the consideration of the application and it will be advertised for public comment.

Schedule 1, Part 2 - Objectives of the planning process established by the Act

The objectives of Part 2 must also be considered -

- (a) *to require sound strategic planning and co-ordinated action by State and local government*

The proposal is consistent with the objectives of the Launceston Interim Planning Scheme and the Northern Regional Land Use Strategy.

- (b) *to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land*

An application made pursuant to Section 43A of the Act must be considered against the objectives of the Act and the planning system of Tasmania more broadly for compliance. The Council must then decide to initiate or reject the amendment on the basis of these considerations

- (c) *to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land*
- (d) *to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels*

The proposed amendment complies with the regional and state policies.

- (e) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals*
-

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

The application is made under former Section 43A of the Act and includes a removal of the forestry area specific area plan and subdivision of land. This process allows for the concurrent assessment of an application which would otherwise require two separate processes.

- (f) *to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation*

The amendment would allow for development and use of a land in accordance with the Rural Resource zone and applicable codes to secure a pleasant, efficient and safe working, living and recreational environment.

- (g) *to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*

The subject site is not listed as a local heritage place by the Tasmanian Heritage Council or by the City of Launceston.

- (h) *to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community*

The amendment has no impact on this objective.

- (i) *to provide a planning framework which fully considers land capability.*

The amendment has no impact on this objective.

4.3 State Policies

State policy on the *Protection of Agricultural Land 2009*

Addressed by parts of the interim scheme which are not be affected by the amendment.

State Coastal Policy 1996

Addressed by parts of the interim scheme which are not be affected by the amendment.

State Policy on *Water Quality Management 1997*

Addressed by parts of the interim scheme which are not be affected by the amendment.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

National Environment Protection Measures

Section 12A of the *State Policies and Projects Act 1993* states that a National Environment Protection Measure (NEPM) is taken to be a State Policy. The following, therefore, require consideration:

- Ambient air quality 2002
- Diesel vehicle emissions 2001
- Assessment of site contamination 1999
- Used packaging materials 1999
- Movement of controlled waste between States and Territories 1998
- National pollutant inventory 2000

The site is not identified as being potentially contaminated due to a prior use.

5. Gas Pipelines Act 2000

The gas pipeline is not located near to the subject property. The requirements of the *Gas Pipelines Act 2000* are not relevant to the proposed amendment.

6. Planning Strategies

Northern Regional Land Use Strategy (NRLUS)

The Regional Land Use Strategy of Northern Tasmania, version 5, January 2016, is intended to provide a 20 year planning policy to guide integrated infrastructure, land use development and transport planning decisions for the northern region of Tasmania.

The proposed amendment will reflect the prevailing or intended land use on the property to support the orderly development of that land.

Greater Launceston Plan

The Greater Launceston Plan (GLP) provides a long term strategy to inform a coordinated approach for land use and development of the greater urban area of Launceston. The amendment proposed will reflect the prevailing or intended land use on those properties and orderly development of that land.

There are no conflicts with the GLP in the proposal.

Launceston Open Space Strategy 2007

Not applicable.

Launceston Residential Strategy 2009

The strategy provides a detailed assessment of housing needs and current land stocks. The strategy provides a priority ranking of types (tiers) of housing development which would best meet the needs of the community and also represent good planning outcomes.
Serviced Residential

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

Tier 1 Residential development on 'brownfield' sites, for example surplus public land, sites where industry has relocated, mixed use developments in accessible locations on the CBD fringes or adjacent district centres or neighbourhood centres.

Tier 2 Increased density in existing residential areas where opportunities exist or where capacity for change has been identified, primarily through unit developments or redevelopment.

Tier 3 Development on vacant land in urban infill locations including undeveloped portions of existing residential areas and vacant land currently within a residential zone.

Tier 4 Development on the most appropriate areas.

Partly Serviced Residential

Tier 5 Rural Residential development in the most appropriate areas.

Unserviced Residential

Tier 6 Individual rural houses unconnected to a primary industrial uses.

All properties are generally surrounded by residential development.

The land is zoned Rural Resources and represents 6th Tier land in the strategy. The strategy supports utilising existing land zoned for residential purposes to accommodate future growth rather than expanding into new areas. Removal of the Forestry Area Specific Area overlay from the subject site will achieve this objective by enabling development of that land to be optimised for that purpose without compromising resource development use.

7. Referral Agencies

The application was referred to the Department of State Growth who replied that they have no comments regarding this proposal.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

PART B. DEVELOPMENT APPLICATION

8. Planning Scheme Requirements

Clause 26 - Rural Resource Zone

<p>26.1.1 Zone Purpose Statements</p> <p>26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</p> <p>26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.</p> <p>26.1.1.3 To provide for uses that add value to primary industries.</p> <p>26.1.1.4 To provide for uses that support or service rural communities.</p>
<p>Consistent</p> <p>The proposed subdivision is considered to be consistent with the intent and purpose of the zone because it will enable the continuance of the established forestry and agricultural use of the subject property and no other uses have been proposed which have the potential to constrain and/or conflict with resource development uses.</p>
<p>26.4.2 Lot size and dimensions</p> <p>Objective:</p> <p>To ensure that subdivision is only to:</p> <ul style="list-style-type: none"> (a) improve the productive capacity of land for primary industry uses; or (b) enable Resource processing use where compatible with the zone; or (c) facilitate use and development for allowable uses in the zone; and (d) enable natural and cultural heritage protection.
<p>Consistent</p> <p>The proposed lot sizes will not reduce the productive capacity of the land for resource development and forestry activities and it will not preclude the continuance of the established resource development use of the land. Therefore, is considered to be consistent with the objective of the standard.</p>
<p>A1.1 Each lot, or a lot on a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or (b) be required for the provision of public utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and <p>A1.2 Lots must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>
<p>Relies on Performance Criteria</p> <p>The proposed subdivision does not comply with the acceptable solutions as it is for subdivision to create two additional lots and it is not required for public use or provision of public utilities. As such assessment against the performance criteria is required.</p>

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

P1.1 Each lot, or a lot on a plan of subdivision, must have sufficient useable area and dimensions suitable for Resource development use, having regard to:

- (a) not materially diminishing the productivity of the land;
- (b) the capacity of the new lots and the balance lot for productive agricultural use;
- (c) any topographical constraints to agricultural use;
- (d) current irrigation practices and the potential for irrigation; and
- (e) have an area of no less than 35ha and be able to contain a minimum inscribed circle of no less than 100m in diameter; or

P1.2 Each lot, or a lot on a plan of subdivision, must have sufficient useable area and dimensions that comply with a non-Resource development use other than Residential uses, approved under this scheme, having regard to:

- (a) the development area of the approved use; and
- (b) any conditions of approval; or

P1.3 Each lot, or a lot on a plan of subdivision, must have sufficient useable area and dimensions to facilitate the protection of a place of Aboriginal, natural or historic cultural heritage; or

P1.4 A dwelling existing at the effective date, may be excised, where:

- (a) the balance land is no less than 35ha, or through consolidation with adjoining land is no less than 35ha;
- (b) an agreement pursuant to section 71 of the Act is entered into and registered on the title preventing future Residential use where there is no dwelling on the balance lot;
- (c) any existing dwellings must meet the performance criteria for setback standards to new boundaries of clause 26.4.1; and
- (d) excised lots are no greater than 12.5ha; or

P1.5 Subdivision not creating additional lots and not meeting the requirements of clause 9.3 may be approved, having regard to:

- (a) the size, shape and orientation of the lots;
- (b) the setback to any existing buildings;
- (c) the capacity of the lots for productive agricultural use;
- (d) any topographical constraints to agricultural use; and
- (e) current irrigation practices and the potential for irrigation.

Complies

Each of the proposed lots will have an area greater than 35ha, has the size and ability to contain and treat wastewater and stormwater onsite in addition to an inscribed circle with a minimum diameter of 100m. The site has limitations for any irrigation to be undertaken due to the topography of the site and the distance to water sources.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

26.4.3 Frontage and access

Objective: To ensure that lots provide: (a) appropriate frontage to a road; and (b) safe and appropriate access suitable for the intended use.
Consistent The proposed lots will have an appropriate access and frontage to a road.
A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.
Complies Both proposed lots have frontage to Lilydale Road which is Council maintained road. Lot 1 is proposed to have 165m frontage and Lot 2 is proposed to have a minimum 180m frontage.
A2 No acceptable solution.
Relies on Performance Criteria As there are no acceptable solutions for this standard, the proposal must be assessed against the performance criteria.
P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area; and (e) the advice of the road authority.
Not Applicable Both lots will be accessed via one newly created crossover from Lilydale Road as per DA0063/2016. A right of way is to be created along their boundaries to provide internal driveways.

26.4.4 Wastewater management

Objective: To ensure each lot provides for appropriate wastewater disposal.
Consistent Each lot has a sufficient area to provide for waste water disposal.
A1 No acceptable solution.
Relies on Performance Criteria An assessment against the performance criteria is required.
P1 It must be demonstrated that each lot, or a lot proposed in a plan of subdivision, is capable of accommodating an on-site wastewater management system for the intended use, which does not have adverse environmental impacts.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

Complies
 The minimum lot size is 36ha. Each lot will have sufficient areas with the ability to contain and treat waste water and stormwater on the site. No new use is proposed as part of this application.

Clause E1.0 Bushfire-Prone Areas Code

E1.1 The purpose of this Code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

Consistent
 The applicant has submitted a Bushfire Site Assessment (BSA) and Bushfire Hazard Management Plan (BHMP) from an accredited person stating the relevant acceptable solutions of this Clause are met.

E1.6 Development Standards

E1.6.1 Development standards for subdivision

E1.6.1.1 Subdivision: Provision of hazard management areas

Objective:
 Subdivision provides for hazard management areas that:

- (a) facilitate an integrated approach between subdivision and subsequent building on a lot;
- (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and
- (c) provide protection for lots at any stage of a staged subdivision.

Consistent
 The applicant has submitted a bushfire assessment and Bushfire Hazard Management Plan (BHMP) from an accredited person stating the relevant acceptable solutions of this Clause are met.

A1

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or
- (b) The proposed plan of subdivision:
 - (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions;
 - (ii) shows the building area for each lot;
 - (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 - 2009 Construction of Buildings in Bushfire Prone Areas; and
 - (iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

- greater than the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 - 2009 Construction of Buildings in Bushfire Prone Areas; and
- (v) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

Complies

A Bushfire Site Assessment and Bushfire Hazard Management Plan prepared by Bill Armstrong of Cohen and Associates Pty Ltd who is an Accredited Person as defined in the *Land Use Planning and Approvals Act 1993* accompanied the application for subdivision. The report indicates that hazard management areas can be provided to each lot with separation distances equal to or greater than that required for BAL 19. This satisfies the requirements of Clause E1.6.1.1 (A1) (b) (iv) of the Code. Hazard management areas are shown on the Plan.

E1.6.1.2 Subdivision: Public and fire-fighting access

Objective:

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, firefighters and emergency service personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;
- (c) are designed and constructed to allow for fire appliances to be manoeuvred;
- (d) provide access to water supplies for fire appliances; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Consistent

The applicant has submitted a bushfire assessment and Bushfire Hazard Management Plan (BHMP) from an accredited person stating the relevant acceptable solutions of this Clause are met.

A1

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire-fighting; or
- (b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent necessary with Tables E3, E4 & E5, is included in a bushfire hazard management plan certified by the TFS or accredited person.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

Complies
The BSA and BHMP indicate that the layout of roads, fire trails and private access to the nominated building areas of each lot are consistent with the objective. This satisfies the requirements of Clause E1.6.1.2 (A1) (b) of the Code.

E1.6.1.3 Subdivision: Provision of water supply for fire-fighting purposes

Objective: Adequate, accessible and reliable water supply for the purposes of fire-fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.

Consistent
The applicant has submitted a bushfire assessment and Bushfire Hazard Management Plan (BHMP) from an accredited person stating the relevant acceptable solutions of this Clause are met.

A1 In areas serviced with reticulated water by a Regional Corporation: (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire-fighting purposes; or (b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or (c) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E6.

Complies
The BHA and BHMP indicate that both lots have sufficient area for future development with compliant water supply to satisfy the requirements of Clause E1.6.1.3 (A1) (b) of the Scheme.

A2 In areas that are not serviced by reticulated water by the water corporation: (a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire-fighting purposes; or or (b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire-fighting, will be provided and located compliant with Table E7.
--

Complies
The BHA and BHMP indicate that both lots have sufficient area to provide static water supply for fire-fighting purposes. This satisfies the requirements of Clause E1.6.1.3 (A2) of the Scheme.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

Clause E7.0 Scenic Management Code

<p>E7.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (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.
<p>Consistent The proposed subdivision of land has been assessed as being consistent with the purpose of the Code on the basis that the subdivision will be unobtrusive and compatible with the established pattern of development within the immediate area.</p>

E7.6 Development Standards
 E7.6.1 Scenic road corridor

<p>Objective: To ensure the visual amenity of the scenic road corridors is managed through appropriate siting and design of development, including subdivision, to provide for views that are significant to the traveller experience and avoid obtrusive visual impacts on skylines, ridge lines and prominent locations.</p>
<p>Consistent The proposed subdivision of land is considered to be consistent with the purpose of the Code because no development, other than subdivision, is proposed, no vegetation removal is proposed and the proposed subdivision will be consistent with the established pattern of development along Lilydale Road.</p>
<p>A1 Development (not including subdivision), must not be visible when viewed from the scenic road.</p>
<p>Not Applicable The proposal involves the subdivision of land.</p>
<p>A2 Subdivision must not alter any boundaries within the scenic road corridor.</p>
<p>Relies on Performance Criteria In this situation the subject property is within 100m of the frontage to the scenic management tourist road corridor of Lilydale Road. Therefore, assessment against the performance criteria is required.</p>
<p>P2 Subdivision that alters any boundaries within the scenic road corridor must have regard to:</p> <ul style="list-style-type: none"> (a) the size, shape and orientation of the lot; (b) the density of potential development on lots created; (c) the need for the clearance or retention of vegetation; (d) the requirements for any hazard management; (e) the need for infrastructure services; (f) the extent of works required for roads or to gain access to sites, including cut and fill; (g) the specific requirements of the subdivision;

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

<p>(h) the physical characteristics of the site and locality; (i) the pattern of development in the surrounding area; and (j) the scenic qualities of the site.</p>
<p>Complies The proposed subdivision is considered to be consistent with the performance criteria based on the following grounds:</p> <ul style="list-style-type: none"> • The proposed size and orientation of each lot will be similar to existing lots along Lilydale Road and will therefore be consistent with the established pattern of development (subdivision) and character of the area; • The proposed frontage width of each lot is compatible with existing lots within close proximity to Lilydale Road as such the proposed subdivision will not result in a material change to the landscape when viewed from the Lilydale Road; • The proposed subdivision will not be prominent from Lilydale Road; • The proposed subdivision will not preclude the continuance of the established resource development use of the land; • The proposed subdivision will not result in vegetation removal; and • The works required for the new access and upgrading the existing accesses will involve minimal cut and fill and will be consistent with existing accesses along Lilydale Road.

E7.6.2 Scenic management areas

<p>Objective: The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.</p>
<p>Consistent The proposed subdivision is consistent with the objective of the standard on the basis that the subdivision will not compromise the scenic management objectives of the local scenic management area.</p>
<p>A1 No acceptable solution.</p>
<p>Not Applicable The proposed development is for the subdivision of land. Therefore this provision does not apply to the application.</p>
<p>A2 No vegetation is to be removed.</p>
<p>Complies No vegetation removal has been proposed as part of the development application.</p>
<p>A3 Subdivision is in accordance with a specific area plan.</p>
<p>Relies on Performance Criteria The proposed subdivision is not in accordance with a specific area plan. Therefore assessment against the performance criteria is required.</p>
<p>P3 Subdivision must have regard to:</p> <p>(a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;</p>

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

- (b) the size, shape and orientation of the lot;
- (c) the density of potential development on lots created;
- (d) the need for the clearance or retention of vegetation;
- (e) the need to retain existing vegetation;
- (f) the requirements for any hazard management;
- (g) the need for infrastructure services;
- (h) the specific requirements of the subdivision;
- (i) the extent of works required for roads or to gain access to sites, including any cut and fill;
- (j) the physical characteristics of the site and locality;
- (k) the existing landscape character;
- (l) the scenic qualities of the site; and
- (m) any agreement under s.71 of the Act affecting the land.

Complies

The proposed subdivision is considered to be consistent with the performance criteria based on the following grounds:

- The proposed size and orientation of each lot will be similar to existing lots along Lilydale Road and will therefore be consistent with the established pattern of development (subdivision) and character of the area;
- No further development of the land has been proposed, with any development subject to separate assessment against the Scheme;
- No vegetation removal or development, other than subdivision, has been proposed;
- No physical constraints have been identified as impacting the land;

In addition, the proposed subdivision is considered to be consistent with the local scenic management area character statement (Eastern Hills) based on the following grounds:

- No vegetation removal has been proposed with all works associated with the new access and upgrading the existing access to occur within close proximity to the road. The works required will therefore not be located on a skyline or ridgeline;
- The proposed subdivision relates to creating new Rural Resource titles and does not involve significant infrastructure works therefore the visual impact of the proposed subdivision from Lilydale Road is considered negligible; and
- The proposed lots are of sufficient size and contain large areas of remnant vegetation which will enable any future development to be screened, whilst maintaining safety requirements for perceived natural hazards

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	No referral required
Environmental Health	No referral required
Parks and Recreation	No referral required
Heritage/Urban Design	No referral required
Building and Plumbing	No referral required
EXTERNAL	
TasWater	No referral required
DIER (State Growth)	Referred DIER has no comments on the proposal
TasFire	No referral required
Tas Heritage Council	No referral required
Crown Land	No referral required
TasRail	No referral required
EPA	No referral required
Aurora	No referral required

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.

8.2 Amendment 30 - To Remove Forestry Area Specific Area Plan and Rural Resource - Subdivide Land Into Two Lots At 887 Lilydale Road, Underwood ... (Cont'd)

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

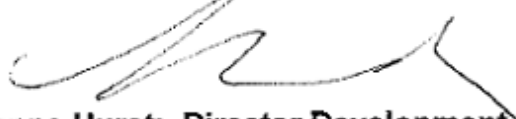
BUDGET & FINANCIAL ASPECTS:

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. Application Documentation (distributed electronically)
 3. Plans to be Endorsed (distributed electronically)
-

COUNCIL AGENDA

Monday 24 October 2016

9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayor's Announcements

FILE NO: SF2375

Tuesday 11 October 2016

- Attended the Louise Allerton, Artist in Residence's Exhibition, opening at the University of Tasmania's College of the Arts at Inveresk
- Officiated the Launceston Competition's Annual General Meeting in Youngtown

Wednesday 12 October 2016

- Officiated at the Australian Youth Climate Coalition at their Launceston Leadership Day at Launceston College

Thursday 13 October 2016

- Officiated at the Seniors' Morning Tea at the Town Hall Reception Room
- Attended the Sally's Ride 2016 Event Sponsor's luncheon at The Sebel
- Attended the CBM Sustainability Group new premises opening at 51 York Street, Launceston

Saturday 15 October 2016

- Officiated and participated in the Run For A Wish Run/Walk at Aurora Stadium
- Attended the RSL Women's Auxiliary 80th Birthday Celebration Masquerade Dinner at the Launceston RSL

Sunday 16 October 2016

- Officiated at "Step Up" for Down Syndrome 2016 at Royal Park

Tuesday 18 October 2016

- Officiated at the Civic Welcome for Their Excellences, Governor General and Lady Cosgrove at QVMAG in Wellington Street

Wednesday 19 October 2016

- Attended the Vinnies BBQ in the Civic Square for Anti Poverty Week
 - Attended numerous visits around Northern Tasmania with the Governor General's official party
-

COUNCIL AGENDA

Monday 24 October 2016

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

Thursday 20 October 2016

- Officiated at the Order of Australia Reception at the Town Hall Reception Room
- Launched the Launceston Cycling Festival at the Launceston BMW Dealership Showroom in Bathurst Street
- Attended Mudlark Theatre's "I am A Lake" by Cameron Hindrum at The Old Lolly Factory on Invermay Road

Friday 21 October 2016

- Attended the official opening of Nest Energy Pty Ltd on the corner of Tamar and Cimitiere Streets
- Attended the Benevolent Society Ball at the Country Club Casino

Saturday 22 October 2016

- Attended the Annual Legacy luncheon at Legacy House in York Street
- Attended the 2016 Business Excellence Awards at the Hotel Grand Chancellor

Sunday 23 October 2016

- Officiated at the Australian Forest Growers' National Conference and Welcome Function at the Hotel Grand Chancellor
-

COUNCIL AGENDA

Monday 24 October 2016

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 Aldermen's Questions on Notice have been identified 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

No Committee Reports have been identified as part of this Agenda

13 COUNCIL WORKSHOPS

Council Workshops conducted on 17 October 2016 were:

- Greater Launceston Metropolitan Transport Plan
 - University Cities
 - Events Strategy Update
 - Draft Events Sponsorship Policy
-

COUNCIL AGENDA

Monday 24 October 2016

14 NOTICES OF MOTION

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

14.1 Notice of Motion - Park Name Change to Trevallyn ANZAC Park

FILE NO: SF5547

AUTHOR: Deputy Mayor Alderman R I Soward

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider a Notice of Motion from Deputy Mayor Alderman R I Soward regarding a name change for the Trevallyn Reserve.

RECOMMENDATION:

That, in view of the matters recently raised by the community in relation to the need for improvements to the Trevallyn Reserve (bordered by South Esk, South Bank and North Bank Roads), that the park space be renamed Trevallyn ANZAC Park in deference to its historical connection to those who served in World War One.

REPORT:

Background

Deputy Mayor Alderman R I Soward will provide some background to this. The Notice of Motion is self-explanatory.

As we know from a previous motion passed by Council, a very dedicated, active and keen community group has indicated high levels of interest in working with Council in seeing this Reserve be upgraded. Part of their work has discovered strong links with servicemen and women of the district during World War One. At a recent meeting, the group flagged with Council Officer Barry Pickett, their desire to see a name change of the reserve to honour the servicemen and women and Barry advised this would have to come to Council hence this Notice of Motion.

Officer Comment:

(Harry Galea Director Infrastructure Services)

The merits of renaming Trevallyn Reserve to Trevallyn ANZAC Park should be thoroughly researched before the Council seeks to apply to the Nomenclature Board to change the name. A key stakeholder in the consultation process should be the Tasmania RSL.

COUNCIL AGENDA

Monday 24 October 2016

14.1 Notice of Motion - Park Name Change to Trevallyn ANZAC Park ...(Cont'd)

It is suggested that a future report be presented to the Council following the research.

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 seek and champion collaboration to address major issues for Northern Tasmania
Key Direction -
1. To develop and consistently use community engagement processes

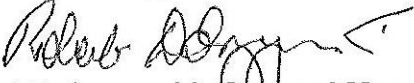
BUDGET & FINANCIAL ASPECTS:

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.


Robert Dobrzynski: General Manager

ATTACHMENTS:

1. Notice of Motion - Deputy Mayor Alderman R I Soward
-

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 / SF0875
RS
DATE: 14 October 2016

TO: Robert Dobrzynski General Manager
c.c. Committee Clerks

FROM: Rob Soward Deputy Mayor

SUBJECT: Notice of Motion - Park Name Change to Trevallyn Anzac Park

In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on Monday 24 October 2016.

Motion

That in view of the matters recently raised by the community in relation to the need for improvements to the Trevallyn Reserve (bordered by South Esk, South bank and North Bank Roads) that the park space be renamed Trevallyn ANZAC Park in deference to its historical connection to those who served in World War One.

Background

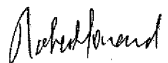
Alderman Soward will provide some background to this.

The NOM is self-explanatory.

As we know from a previous motion passed by Council, a very dedicated, active and keen community group has indicated high levels of interest in working with Council in seeing this Reserve be upgraded. Part of their work has discovered strong links with servicemen and women of the district during World War One. At a recent meeting the group flagged with Council Officer Barry Pickett their desire to see a name change of the reserve to honour the servicemen and women and Barry advised this would have to come to Council hence this Notice of Motion.

Attachments

Nil



Alderman Rob Soward

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

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

COUNCIL AGENDA

Monday 24 October 2016

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

18.1 Leasing and Licensing Policy

FILE NO: SF5617

AUTHOR: Michael Jacques (Senior Corporate Legal Advisor)

DIRECTOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

That Council approves the distribution of the proposed Leasing and Licensing Policy, for the purposes of public consultation.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 19 September 2016 - to present the proposed policy and discuss a public consultation process

RECOMMENDATION:

That Council approves the distribution of the proposed Policy for a public consultation period of three months.

REPORT:

It is intended that the proposed policy will be circulated for a three month period, to every current lessee or licensee, for the purposes of consulting with them and obtaining their comments. The consultation will include a self-assessment checklist that allows the organisation to compare existing and future outgoings and hence be better informed when making any submission to the Council.

A copy of the proposed policy is enclosed as Attachment 1 and self-assessment checklist enclosed as Attachment 2.

This policy contains the following provisions:

18.1 Leasing and Licensing Policy ...(Cont'd)

1. Policy Objectives:

- To assist not-for-profit community, educational and sporting organisations.
- To achieve an appropriate financial return by recovering at least all the outgoings.
- To encourage the provision of an appropriate range of support services in an area
- To maximise the use of Council's capital built infrastructure and facilities.
- Be more fair, efficient and transparent about how we do our leasing and licensing.

2. Process improvements:

It will prescribe better processes which will include features such as:

- Standardised ways of making contributions towards costs.
- Encouraging optimised use of certain facilities.
- Quantifying the Council's contribution so community groups better understand the value of Council assistance.
- Maximising the return from commercial uses of Council infrastructure.
- Open opportunity to all to bid for available facilities.
- Consistent agreement terms, such as standard term of five years, easy to read schedules to summarise the key terms.

3. Financial contributions rather than rent

- Generally community groups will only be asked to pay for the direct 'out of pocket' costs of providing the facility such as electricity, water, gas, telephone, etc.
- The full commercial rental valuation of the relevant land or facility will be charged for commercial users, but community groups will usually be eligible for up to a 100% rental rebate.
- Council will cover rates, taxes and building insurance (Tenants pay for other insurance cover such as personal injury, contents).
- Tenants get full disclosure of their responsibilities and a monetary value for the contributions Council are making to assist user groups.
- Existing charges are not reduced for current agreements.
- Some groups may experience payment increases as they start to pay the full cost of outgoings. Any increases in payments can be phased in over a five year transitional period.

4. Immediate impact on existing tenants;

- Groups will be notified of the details of the new policy.
 - Groups will be provided with ways to compare the effect of the old and new arrangements.
 - Existing lessees and licensees will still be offered the first right of refusal if their current lease or licence expires.
 - For new or vacant facilities an advertised "Expression of Interest" process will be used to select a suitable lessee or licensee for public land or facilities.
-

COUNCIL AGENDA

Monday 24 October 2016

18.1 Leasing and Licensing Policy ...(Cont'd)

- The impacts on current users predominantly relate to additional requirements to pay for water charges. Some groups will benefit from reduced rent. A very small number of groups with unusual commercial uses or ground maintenance arrangements may be affected. It may have an impact on under-utilised community halls with minimal capacity to raise revenue.
- If the user group is unable to pay the revised charges they may apply to have the arrangement phased in over five years from the date they had notice of the changes.
- Where special circumstances exist, (such as where the outgoings are especially high and will exceed the capacity to pay) any other approach is to be approved by the Director, Infrastructure Services in consultation with the Director Corporate Services.
- Where they can not pay, officers will consider all options including moving groups to more affordable shared premises.

Following the consultation period, a report will be presented to Council seeking adoption of the policy subject to any relevant amendments resulting from the submissions

ECONOMIC IMPACT:

A revised policy will help to maximise the use of Council's capital built infrastructure and facilities while assisting not-for-profit community, educational and sporting organisations.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

The policy will help to encourage the provision of an appropriate range of support services in an area.

STRATEGIC DOCUMENT REFERENCE:

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

COUNCIL AGENDA

Monday 24 October 2016

18.1 Leasing and Licensing Policy ...(Cont'd)

BUDGET & FINANCIAL ASPECTS:

This item has been approved by the Director Corporate Services.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Harry Galea: Director Infrastructure Services

ATTACHMENTS:

1. Draft Leasing and Licensing policy (distributed electronically)
 2. Self-Assessment checklist
-

Attachment 2 Lease and Licencing Policy Self-Assessment Checklist

Group Name:

Contact:

Name:

Telephone:

Email:

ORGANISATION TYPE *(Refer to definition on page 7 of Policy)*

Please tick one box

- Benevolent service
 - Community Association
 - Commercial Group
 - Government, or self-funded
 - Mixed/partially assisted group
-

CHANGES TO MY CITY OF LAUNCESTON LEASE/LICENCE

Self-Assessment Checklist

Details	Current Arrangement (Please insert your details)	Future Arrangement (Please insert your details)	Comments on New City of Launceston Leasing and Licensing Policy
<i>WHEN THE AGREEMENT STARTS AND FINISHES</i>			
Term		5 years	Current agreement unchanged. Usually only 5 years terms will be offered in future.
<i>WHAT YOU PAY AND DO</i>			
Rent	Benevolent/Community Group OR	\$Nil OR	Benevolent and community groups will not be charged any rental for the property. However commercial, government funded and other mixed groups will have their rent assessed using commercial valuation rentals, to the proportion that they are not benevolent or community uses.
	Other	If part or all of the leased/licensed area is commercialised or you are a government-funded organisation then full rental at valuation may apply	
Rent Reviews		CPI or no CPI is nominal	Annually - Indexed by CPI

Details	Current Arrangement <i>(Please insert your details)</i>	Future Arrangement <i>(Please insert your details)</i>	Comments on New City of Launceston Leasing and Licensing Policy
Insurance		\$	For convenience Council takes out any Building insurance policy and will calculate a contribution. Organisations will be required to take out all other insurance such as public liability and contents insurance.
Rates and land tax		Nil	General rates charges and land tax contributions will not be charged for Council-owned land.
Electricity		\$	To be separately connected or metered at Tenant's cost if requested by City of Launceston, otherwise all tenants to pay a proportion of the bill(s) based on their use of the service.

Details	Current Arrangement <i>(Please insert your details)</i>	Future Arrangement <i>(Please insert your details)</i>	Comments on New City of Launceston Leasing and Licensing Policy
Water and Sewerage Charges			To be separately metered at Tenant's cost if requested by City of Launceston, otherwise all tenants to pay a proportion of the bill(s) based on their use of the service.
Telephone and communication systems			Tenant to direct connect in their name with a service provider.
Pest Control			Tenant to contract in their name with a service provider if required
Testing and Tagging of electrical appliances			Tenant to contract in their name with a service provider as required.
Kerbside general waste collection			Tenant to pay a waste collection charge if the service is needed. (Presently if a CoL service = \$141 p.a. for a 140l refuse wheelie bin plus a 240l recycling bin)

Details	Current Arrangement <i>(Please insert your details)</i>	Future Arrangement <i>(Please insert your details)</i>	Comments on New City of Launceston Leasing and Licensing Policy
Other commercial and special waste			Tenant to contract in their name with a service provider as required.
Consumable items, e.g. cleaning products, toiletries, light globes.			Tenant to purchase as required.
Cleaning			Tenant to clean Building Interior including floors
Internal fittings			Routine maintenance and replacement of items such as tap washers, shower heads, garbage disposal units
Plug-in electrical appliances			Tenant responsibility
Grounds e.g. mowing, Top Dressing of Playing Surfaces and Line Marking of Playing Surfaces.			Tenant responsibility for grounds within leased area.

If you have difficulty completing this form or performing any of the new obligations, contact xxxxxx on [contact details].

19 CORPORATE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 GENERAL MANAGER'S DIRECTORATE ITEMS**20.1 Cimitiere Street Carpark - Partial Sale****FILE NO:** SF2444**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider the sale of part of the Cimitiere Street carpark.

PREVIOUS COUNCIL CONSIDERATION:

SPPC - 16 May 2016 - Agenda Item No 6.2 - Deputation - Proposed Development

SPPC - 3 October 2016 - Agenda Item 6.3 - Asset Disposal Strategy

RECOMMENDATION:

That, pursuant to Section 177 of the *Local Government Act 1993*, Council resolves to sell to Stay Tasmania Pty Ltd Pty Ltd (or their agreed nominee) the land described as:

Part of the "Cimitiere Street carpark", an approximately 1,660m² portion consisting of the parcels Volume 206940 Folio 5, Volume 46020 Folio 1, Volume 46022 Folio 1, 67483 Folio 4, and part of Volume 206941 Folio 1, delineated on the attached map (Figure 1) described as "Indicative Purchase Area",

Subject to compliance by Stay Tasmania Pty Ltd Pty Ltd (or their agreed nominee) with the following conditions:

1. That the land purchased from Council by Stay Tasmania Pty Ltd Pty Ltd (or their agreed nominee) shall be used for the development of a tourist hotel.
 2. That Stay Tasmania Pty Ltd Pty Ltd (or their agreed nominee) are to, within two years, gain development approval from the Council as the Planning Authority, for a development consistent with the design for the tourist hotel that has been proposed to Council.
 3. That if the development of the proposed tourist hotel is not, within five years from the date of the development approval issued by the Council as a Planning Authority, either substantially commenced or completed on the land, then the Council will have an option to buy back the land at the purchase price paid to Council by Stay Tasmania Pty Ltd Pty Ltd.
-

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

4. That Stay Tasmania Pty Ltd Pty Ltd (or their agreed nominee) are to grant the Council licenses that allow for the portion of Cimitiere Street carpark that is to be sold to continue to be used until building work commences by:
 - (a) Harvest Market, for conduct of the weekly market; and
 - (b) Council as a carparking facility.

5. The General Manager is authorised to negotiate:
 - (a) a contract price that is not less than the valuation advice obtained from a qualified valuer engaged by the Council, and
 - (b) such other contract terms and conditions that are consistent with the Council's decision.

6. Figure 1 - Indicative Purchase Area



20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

Summary

Aldermen received a deputation on 16 May 2016 from Mr Lyndon Jago and Mr Sam Tucker regarding the purchase and development of part of the Cimitiere Street carpark. Following this proposal, a list of tasks were identified with the overall objective of finding whether there are any impediments to the sale and development of the site or part of the site. The premise of this work was that even if this proposal proved to be unacceptable there would at some stage be a proposal for a development that would see a higher and better use for the prime location.

The outcome of that work is that the Council can now consider a firm proposal for the sale and development of part of the site. The sale would be subject to conditions such that should the development not be progressed then the property ownership would revert to the Council.

The proposed development aligns with the Council's Strategic Plan and the offered price is consistent with the estimated value given by the Council appointed valuer.

The General Manager has met with the Executive of Harvest Market to discuss the proposal and arrangements to facilitate the continued occupation of the site to conduct the Harvest Market.

The Meeting was positive and proactive. The Executive understood that the Cimitiere Street carpark was a prime development location in the City.

The Executive believed that a re-orientation of the Market to include the Cameron Street frontage would present exciting opportunities.

The General Manager undertook to provide assistance in facilitating the adaptation of the Harvest Market to the new arrangements.

Discussion also ensued with the Executive on planning for an alternative site for the Harvest Market, should the remainder of the Cimitiere Street carpark be developed in the future.

The Executive undertook to advise on their site requirements to maintain the high standard of the Harvest Market.

Analysis

The analysis of the proposal is framed around the Council's objectives as set out in the Strategic Plan 2014-2024, the financial and community benefits (to the Council and the local economy), and lastly a risk management perspective relating to the Council with the proposal.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

City of Launceston Strategic Plan 2014-2024

Commentary on the proposal is provided below against each of the relevant goals in the Council's Strategic Plan 2014-2024 (The Plan).

Priority Area 1 - A creative and innovative city***Ten-year goal - To foster creative and innovative people and industries***

Key measures of success in this goal include 'higher usage of City of Launceston assets and underutilised buildings.' Another key direction is *to optimise the use and useability of our assets for different types of activities*. Whilst much of this goal is centred on the arts community, it clearly articulates that innovation and vibrancy should be encouraged and promoted in other sectors. It is argued that the development of a high quality city hotel will support the cities current range of festivals and events and enable further growth of these and new activities to occur. Any festival or cultural event necessarily brings visitors to the city and to ensure this can continue, further visitor accommodation must be provided in the inner city. Council envisages that their assets may be utilised in the obtainment of the goal.

Priority Area 2 - A city where people choose to live***Ten Year Goal - To promote Launceston as a unique place to live, work and play***

Key indicators of success in obtaining this goal include increasing visitor numbers and visitor satisfaction. The Plan states that Council should support the CBD and commercial areas as activity places during day and night. The development of a hotel on the CBD fringe location, opposite a key visitor attraction such as City Park will assist Council in achieving this goal. Increased accommodation within walking distance of inner city restaurants and shops means visitors will patronise these and inject life into the CBD.

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***

The project management team linked with the current proposal has recently overseen the development of a 5 star - green star designed building, demonstrating in-house expertise in this area.

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***

Council is seeking to strategically develop a number of its key sites around the City. One of the key success indicators is increased levels of investment in the CBD. There are key sites in the CBD that warrant development and further investment in order to stimulate the economy and increase the vibrancy of the CBD. Council recognises the importance of partnering with the private sector to facilitate investment and development on key identified sites that will support the Strategic Goals.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

Key Direction 2 states - *to develop and take a strategic approach to development sites to maximise public benefits of development.*

The proposed location of the hotel on land opposite City Park and the Albert Hall, in close proximity to both the CBD and the University Inveresk campus, will ultimately benefit the public and City residents alike. It will capitalise on and further enhance Launceston as a tourist destination. Increased visitors to the City will bring with them economic benefits to business owners and employees.

Priority Area 7 - A city that stimulates economic activity and vibrancy Ten Year Goal - To develop a strategic and dedicated approach to securing investment in Launceston

There is a need for an 'active' and 'facilitative' approach by Council to engage with investors and drive economic growth. Key directions are:

1. *To actively market the City and Region and pursue investment.*
2. *To provide an environment that is conducive to business and development.*
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.*
5. *To support sustainable population growth in Launceston.*
6. *To facilitate direct investment in the local economy to support its growth.*

Development of an iconic and successful hotel at the site will enable increased visitor numbers which ties in with the key direction of promoting tourism and a quality Launceston tourism offering. The hotel will be developed by a local Tasmanian business with a proven track record meaning the entire process from procurement to operation will result in economic investment in the local economy.

The heritage nature of the City (which is clearly an asset for the tourist market), also means that land parcels are small in size which means that it is difficult to purchase sites of a sufficient size that are not also constrained in terms of development options due to heritage listed properties. The vacant, large land holding that is the Cimitiere Street carpark is ideally located and unencumbered to enable development of a hotel.

The hotel will not only promote tourism in the City and provide additional jobs during the operational phase, but also significant investment and jobs growth during the construction phase. Launceston needs more investment and growth in the City and due to a number of economic factors, it is unlikely that it will entirely happen organically. The City needs its local government to be active participants in the process in conjunction with private enterprise.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

Without Council and State Government partnering with private enterprise to stimulate investment and growth, the economy stagnates and ultimately the community suffers through loss of growth, employment and investment. By Council facilitating investment in a project of this size, jobs will be created right through the process from procurement, construction to the operation whilst at the same time providing much needed tourist accommodation. There are clear benefits to the community.

Priority Area 8 - A secure, accountable and responsive Organisation

Ten Year Goals - To communicate and engage consistently and effectively with our community and stakeholders; to seek and champion collaboration to address major issues for Northern Tasmania; to ensure decisions are made in a transparent and accountable way; to continue to meet our statutory obligations and deliver quality services and to continue to ensure the long-term sustainability of our Organisation

Council needs to balance its role of championing Launceston and guaranteeing economic growth with ensuring it remains transparent and accountable. The opportunity to progress the sale of a City owned asset to a private investor to provide much needed additional visitor accommodation will clearly meet the goal of stimulating economic growth. The Strategic Plan states that: *'Accountability requires that decisions are made on the basis of relevant and complete information, including information about the implications of decisions and alternative options.'*

The Plan and Greater Launceston Plan clearly recognise the need for investment in the CBD, including Council owned assets and the need for additional visitor accommodation. The proponent's submission is a response to that EOI that is likely to result in an outcome for the site that benefits the City.

Greater Launceston Plan (GLP)

The GLP is the lead strategic reference document for Council for the next 20 years. It outlines a *'community vision and evidence-based framework for the sustainable development of Launceston and its suburbs and localities over the next 20 years.'*

The GLP underpins all the actions in the Plan and provides a blueprint to attainment of the vision under the Plan.

Section 2 provides the Policy and Vision Framework. Policy Framework 9 - Economic Development is most relevant to this proposal.

Key Directions:

- *maximise regional advantage and competitiveness by focusing on strategic development and investment that builds on the greater city's strengths and opportunities.*
 - *support planning and investment decisions that optimise greater Launceston's regional role and attraction.*
-

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

- *provide a framework for future investment and development within a coordinated physical framework.*
- *support the ongoing development of key services that best promote regional growth and exports and economic and employment diversity.*
- *support ongoing investment and the longer term consolidation and advancement of the region's gateways.*
- *support opportunities for new regional employment and logistics development co-located with existing and future regional arterial routes. Facilitate migration to promote population growth in greater Launceston*

The key directions are centred on facilitating investment and economic growth. One way of facilitating investment and stimulating economic growth, particularly in an area such as tourism, is for Council to enable appropriate development on parcels of land that could be better utilised than they currently are. Removal of a maximum of 45 carparking spaces from a ground level carpark to enable development of a hotel in a key Launceston location, opposite City Park and the Albert Hall as being a means of optimising Launceston's role as a regional attraction.

There are two key (and high priority) projects identified in the GLP that provide further evidence that a hotel located on the propose site espouses the strategic direction envisaged by Council through the GLP. They are:

- **F.1 Launceston City Heart: CBD Revitalisation Project**
A set of inter-related initiatives planned to improve living, tourism, recreational and employment opportunities within a robust heritage and environmental framework.
- **G.1 Living in the City**
An initiative to promote new housing development on sites in the established suburbs. An important part of the project will be the facilitation of a broader diversity of housing and accommodation types to better meet changing demographic and lifestyle needs. The project will be directed to encourage creative architectural and garden design and innovations that support energy conservation.

Launceston Central Area (LCA) Development Strategy

The Launceston Central Area Strategy forms part of the broader GLP.

The Strategy references the Launceston Strategic Tourism Plan. A number of major challenges to tourism in Launceston were identified in that plan, those which are relevant to this proposal are:

- lack of night time activity;
 - lack of boutique 5 star options – the Tourism Plan indicated that Launceston; and the wider region has sufficient mid-range hotels and B & B's but is lacking a greater variety of higher quality accommodation.
-

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

Section 1.3 outlines the key directions and issues and challenges under a range of areas. Those relevant to the proposal are outlined below:

1.3.1 Land Use Activities

Issues and challenges and key directions

Private market investment in the LCA is constrained by the broader economic climate and appetite for development in Tasmania.

A response is to stimulate further business and residential activity within the LCA through targeted investment attraction strategies and increased housing densities. Additionally, Council can unlock potential future development land within the city centre through the use of development incentives. Locate key development opportunity sites in appropriate locations so they can act as catalysts for development within areas.

The subject site, located on Council land is a key development site. By Council responding to this request with agreement to sell the land for development of a hotel will assist in achieving the key direction of creating catalysts for development.

1.3.2 Built Form

Issues and challenges and key directions

A key characteristic of the LCA is the strong built form at many street corners. However, there are a number of 'gaps' where the quality of built form is eroded. There is a lack of active and pleasant ground floor frontage outside of the primary retail core.

A response is to:

- encourage landmark architecture on development opportunity sites and other corner sites reflective of the prevailing form
- encourage active and vibrant streetscapes particularly along primary pedestrian routes that link key destinations.
- promote high quality and excellence in building design including environmentally sustainable (ESD) opportunities.

The subject site is one such 'gap' in built form and has a concept to fill that gap with an architecturally designed hotel that would fulfil the key direction. The site is on a primary pedestrian route and a hotel foyer and potentially a bar at street level will assist in providing an active and vibrant streetscape.

Section 3.1 - Land Use and Activities and Framework

LU3 - ENCOURAGE A GROWTH IN THE RESIDENTIAL POPULATION

- Encourage higher density residential development in appropriate locations close to services and transport facilities.
 - Identify development opportunity sites that can be amalgamated for medium and higher density residential development and promote these to the development market through improved planning certainty.
-

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

The hotel proposal would be unlikely to include apartment living however in any case promotion of inner city living complements reactivation of the inner city by increasing the number of hotels within the city centre.

LU4 – PROMOTE THE LCA AS AN APPEALING PLACE TO LIVE, WORK AND STAY

- Identify appropriate locations for the provision of a range of facilities, including restaurants, bars/taverns, retail and accommodation focusing on Brisbane Street, George Street, St John Street, Cameron Street, Seaport and Kingsway as a way of encouraging staying activities.

LU6 – DEVELOP LAUNCESTON AS A TOURIST DESTINATION

- Increase the number of visitors to Launceston, their length of stay, and encourage additional tourist expenditure in Launceston in accord with the Launceston Tourism Strategic Plan.
- Facilitate the development of business and other visitor tourism facilities such as accommodation (ranging in type), convention and event spaces. This may include:
 - A new 5 star hotel as part of the JMC site redevelopment.
 - A new 5 star boutique heritage hotel utilising an existing heritage property such as the Tasmanian Flour Mill.
 - A new 1,000 plus participant conference centre (subject to detailed feasibility).
 - Undertake ways of finding improvements between key tourist attractions and cultural precincts to ensure an improved visitor experience.

Tasmania is currently experiencing a tourism boom. Unless Launceston can provide the range of accommodation to suit all travellers, it will miss out on capturing the benefits of the increased tourist numbers. There are few high quality hotels in Launceston and the development of a new one opposite City Park and within walking distance to the city centre (and potentially the new UTAS campus) will be highly attractive to tourists and corporate travellers alike.

Section 3.1 - Built Form Strategies**BF4 – PROMOTE HIGH QUALITY DESIGN**

- Ensure the facades of buildings with wide (or consolidated) street frontages are broken into smaller vertical sections to reflect the predominant rhythm of the streetscape
- Encourage contemporary and innovative development that respects the existing heritage fabric whilst adopting innovative and environmentally sustainable design responses.

The success of a high quality hotel will begin with the architectural design. High quality design will be an integral part of the success of the hotel.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

Section 3.5 - Development Facilitation**DF2 - DEVELOP A PROGRAM OF DEVELOPMENT BASED INCENTIVES TO ENCOURAGE USE OF VACANT OR UNDERUTILISED SPACE**

- Develop partnerships between Council and the private sector to identify and develop catalyst projects on Development Opportunity Sites.

Council would be adopting a facilitative approach and will foster a "catalyst" project. Cimitiere Street carpark is recognised as potential development site. Council recognises it needs to play a role in stimulating new development.

DF3 – ENCOURAGE LOT AMALGAMATIONS AND ASSIST VIABILITY

- Consider provisions which limit the quantum of carparking (particularly where not doing so would require basement carparking) or provide innovative mechanism in the means of delivering/funding carparking.

Launceston City Heart

The Launceston City Heart project aims to redefine central Launceston to facilitate its adjustment to a modern regional retail, cultural and business hub for the greater Launceston region.

The Cimitiere Street carpark is identified as a strategic investigations area within the project precinct investigation areas of the LCH project. It is also noted that the development of a high quality hotel along the Tamar Street frontage will also indirectly support a number of the other projects within the LCH project.

Strategic Project No. 7: LCH Parking Strategy Review. Given any redevelopment of the Cimitiere Street carpark will result in the loss of some public parking spaces. In relation to the loss of carparking spaces, the current ground level arrangement for the Cimitiere Street carpark is not the most efficient use of inner city space and that redevelopment of part of the site for a hotel which will necessarily need to provide its own parking, will create opportunities for and provide an impetus for alternate, more efficient and strategically placed public carparks.

Strategic Project No 10: Inner City Living Strategy. Reinvigoration of the city centre through the encouragement of inner city living has been identified in the Greater Launceston Plan, the Launceston Central Area Development Strategy and the Gehl report.

The LCH project aims identify and explore the opportunities within the LCH area for various residential development - renewal, new development or redevelopment (adaptive reuse). Whilst the hotel proposal is not purely for inner city living, there is the opportunity to provide some apartment style accommodation on site and it is argued that the success of inner city living is co-dependent on reactivation of the city more broadly and that bringing more tourists into the City helps to facilitate this.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

Strategic No.13 – Future Development sites. The LCH Future Development Sites Strategy is a future investigation aimed at encouraging land and building owners to consider redevelopment of underutilised spaces. The LCH Masterplan identifies a number of sites including the Cimitiere Street carpark.

The LCH project masterplan document cites the following benefits of the Future Development Sites project, all of which will occur as a result of the proposed hotel development:

- *Encourage innovative and contextually responsive opportunities to unlock development potential in the city centre;*
- *To generate economic benefits for the city by encouraging greater mix of uses in the LCH area.*
- *To build partnerships and opportunities for investment.*
- Public/private partnerships can successfully drive the economy and investment in Launceston whilst at the same time delivering quality architectural outcomes and providing for essential tourist services.

There are few hotels servicing the higher end of the market, which is limiting Launceston's ability to tap into the corporate market and really establish itself as a major service centre.

The City has been going through a period of limited development in what could be described as a challenging economic environment. In more recent times there have been a number of announcements that have given cause for optimism about future development activity. The development that is being proposed as the reason for the request to purchase part of the Cimitiere Street carpark site fits well with the potential regional growth area of tourism.

The development of a new hotel aligns with the Council's objectives through the economic stimulus it would provide during construction and the ongoing operation.

The site was formerly occupied by BBC hardware and was acquired by the Council following its sale of the former Charles Street works depot and the Cornwall Square carpark. Since that time it has been used for employee and limited commercial parking. The current use of the whole site as an on-ground carpark is a sub-optimal use of this prime location near City Park, the Albert Hall and Inveresk.

Council Strategy

The organisational strategy has been to hold the site to address operational (light vehicle fleet parking) and employee day parking on an interim basis, while recognising that at some time a development opportunity would occur that provided economic benefit to the City and the use of the carpark would change. Should the sale of land proceed, operational fleet parking can adequately be accommodated in the remaining portion of the site.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

The Proposal and the Proponent

The Council received an approach for the sale of approximately 1,660m² of the Cimitiere carpark site.

Figure 1 - Indicative Purchase Area



Figure 2 - Indicative Purchase Area Dimensions

Mr Lyndon Jago of Stay Tasmania Pty Ltd and Stay Tasmania Pty Ltd Pty Ltd has made a proposal for the area (shown hatched in Figure 1) fronting onto Tamar Street, to be purchased from the Council and used for the construction of an estimated 80 room hotel. The proposal as presented is for the hotel (when complete) to be contained within the proposed area and not to require access across the remainder of the site.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

The overall carpark site can be considered in three areas.

	Description (fronting)	Area (m ²)
A	Tamar Street	1,500
B	Cimitiere Street	3,120
C	Cameron Street	1,480
		6,100

In support of the proposal Mr Jago cites:

- Access to finance already in place;
- Designs prepared for a similar project;
- Relationship with an established builder;
- Experience with hotel development; and
- Expectation the development can proceed in the short term.

Legislative Provisions and Greater Launceston Plan

Section 177 of the *Local Government Act 1993 (the Act)* states:

- (1) *A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.*
- (2) *Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practices as a land valuer under section 4 of the Land Caluers Act 2001.*
- (3) *A council may sell -*
 - (a) *any land by auction or tender; or*
 - (b) *any specific land by any other method it approves.*
- (3) *A council may exchange land for other land -*
 - (a) *if the valuations of each land are comparable in value; or*
 - (b) *in any other case, as it considers appropriate.*
- (5) *A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.*
- (6) *A decision by a council under this section must be made by absolute majority.*

The land that is the subject of the proposal is not public land under the Act and accordingly does not appear on the Council's public land register. Mr Jago, in his initial presentation to Aldermen, noted the public process the Council had undertaken with the Greater Launceston Plan. Mr Jago noted that the development is consistent with the objectives of the Greater Launceston Plan, which have been referred to previously.

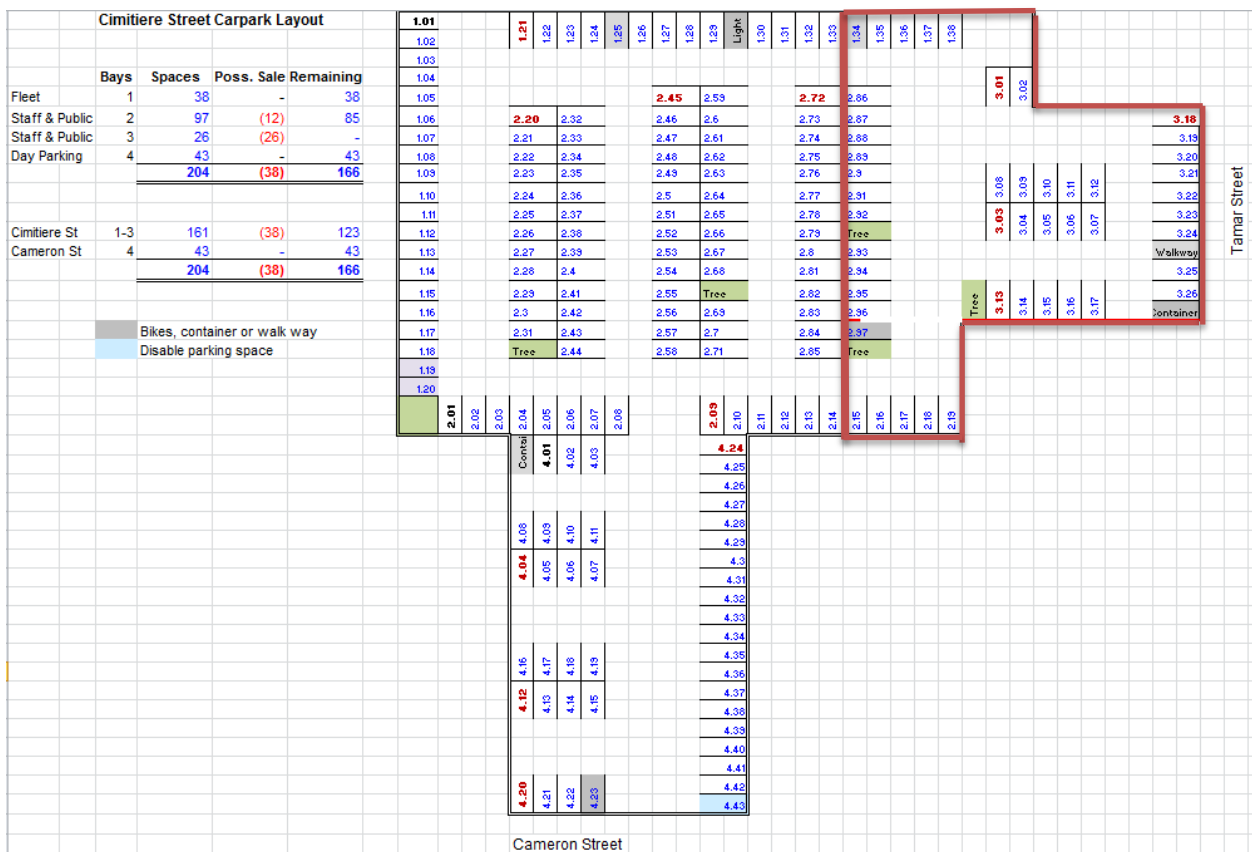
20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

The proposal is brought to the Council on the basis that the development is entirely consistent with the objectives of the Greater Launceston Plan, particularly noting that under section 177 of the Act as referred to above, the Council has legislative power to consider and determine the offer.

Impact on existing uses

Figure 3 shows an indicative layout of the existing parking bays and the line as the boundary for the proposal. The schematic shows that the proposal would see the loss of approximately 38 spaces with possibly another six if bays in the bottom right corner in the bays marked in series 2 were included to 'square up' the site.

Figure 3 - Parking Schematic



It would be possible to accommodate a reduced number of spaces for commercial and staff parking. The reduction would be mitigated by converting some of the fleet spaces to staff parking and use of the Cameron Street aspect of the carpark.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

The other use of the site is for the Harvest Market. The proponents have indicated that they would like to see the market continue to operate adjacent to the development. The Cameron Street area is approximately 1,480m² or 180m² less than 1,660m² proposed for the development and a similar number of parking spaces. Although it would reduce the onsite parking available to visitors to the market it would be clearly possible to use the Cameron Street area for stallholders, noting the slight incline might require minor modifications for some stalls.

Creating visibility for the market from Cameron Street provides an advantage in enhancing the profile and visibility of the Market.

Valuation Advice

As previously noted Section 177(2) of the Act states,

(2) Before a council sells...of any land it is to obtain a valuation of the land from the Valuer- General or a person who is qualified to practise as a land valuer.

Mr Andrew Cubbins Dip Val, FAPI CPV of the Opteon Property Group was engaged to provide the required valuation (Attachment 2). Mr Cubbins was asked to provide valuations for three site options as shown in the following table.

Table 1

Option	Basis	Area (m ²)	Price Per (m ²)	Total Value
1	Subdivision	1,500	\$500.00	750,000
2	Nominated Titles	2,427	\$494.44	1,200,000
3	Whole Site	6,100	\$409.84	2,500,000

Other Information

In order to progress the feasibility of the proposal a number of tasks (see later section Project Tasks) were identified and investigated. These matters required consideration to enable full information to be provided to Aldermen as to the viability of the proposal and the process required as part of a due diligence approach.

No commitment or advice as to outcomes has been provided in regard to these decisions beyond that it is possible for the two required decisions (one as the owner and one as the Planning Authority) to be made such that the project could proceed.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

Evaluation

The matters requiring consideration relate to:

1. Alignment with the Council's strategic objectives
2. Approval of the process
3. Assessment of proposal
 - a) Optimal use of the site
 - b) Optimal financial outcome
4. Any risks

1. Alignment with strategic objectives

The previous analysis indicates that the use of part of the site for a hotel aligns directly with the Council's strategic objectives and the general compatibility of the area with the other hotels and attractions for visitors in close proximity to the site.

Increasing the City's capacity to accommodate tourists has significant benefits to the City and regional economy, promoting job creation. A recent survey undertaken by Tourism Northern Tasmania, co-funded by the Council, revealed a deficit of available accommodation of beds. This deficit, based on the occupancy rates, is stifling economic activity in the City.

2. Approval of the process

The Greater Launceston Plan has highlighted the importance of developments such as the proposed use. The Council has not had any offers to develop the site previously, notwithstanding that its use as a carpark is clearly not the highest and best use. It would be counterproductive for the proponent, having initiated a project proposal and offer to purchase to now be subject to a public process which could disadvantage his initiative. Indeed, the proponent may face a rival bid placed to block his development proposal on a commercial basis with no intention to proceed to development, prompting the need for a buy back by the Council and a missed opportunity. There is no legal, strategic or moral obligation for the Council to publicly offer the site.

3. Optimal use of the site

It would be generally accepted that the current use of the site as an on-ground carpark is sub-optimal. Indeed the sale of part of the site may encourage the development of the rest of the site.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

The advice provided by the valuer, Mr Cubbins is that the value per square metre decreases as the size of the site increases (see table 1) the conclusion from this would seem to be that it is less likely that there will be a developer that requires the whole site to make a project work than there is the potential to find smaller projects that can be compatible within the overall site.

As Aldermen are aware, a decision to conditionally accept an offer is not a decision to approve a development application. One of the conditions in any sale agreement would be that should a development application not be granted then the ownership of the property would revert (under the most effective legal process) to the Council. Further, that legal precedent requires that Aldermen attend a meeting as the planning authority with an open mind and consider any application on its merits in accord with the planning scheme.

That said, if there are matters that are fundamental prerequisites to the possible approval of a planning application that will determine a policy position on the optimal use of the site, then, these matters should be considered.

4. Optimal financial outcome

The Council has an offer consistent within the range provided by qualified valuation.

5. Risks

The key risks associated with the proposal are considered below.

Risk	Assessment	Consequence	Mitigation or Control
Criticism of the process	Low / Medium	Public controversy and debate	Provision of information
Commercial failure of the proponent	Low	Reverse the sale	Reference checks and business experience
Adverse reaction from Harvest Market	Low / Medium	Loss of goodwill Difficulties during construction	Liaison with representatives
Adverse reaction from staff	Low	Morale	Communication
Concerns with design elements and DA	Low	Public controversy and debate	Open process Public process and appeal provisions
Adverse media coverage	Low	Public controversy and debate	Provision of information

Risks could be managed through the contract negotiation, by seeking conditions imposing a buy back option.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

Project Tasks

Following the presentation from the proponent in May 2016, the General Manager prepared a list of tasks for action. This was on the premise that if the current proposal did not proceed the work would be useful for any subsequent proposal.

1. Investigate any potential contamination existing on the site and determine appropriate wording in any potential contract for sale to protect the Council's position.

Outcome

Investigation revealed that the area was previously used as a hardware store and potential for contamination would have been noted because of the storage of LPG on site.

The 1920's survey plan also shows uses including ovens and indicates possibly an older industrial site. There is no identified contamination.

The buyer to conduct own testing, if considered necessary.

2. Identify other uses of car spaces and determine a process for resolving any existing use rights.

Outcome

The advice is that all effected parking spaces are able to be terminated with appropriate notice. There are a few commercial hirers with the majority of spaces used by Council's employees.

The effect on the changes with the Harvest Market would need to be managed, the best option is to include the adjoining area in Cameron Street in the market space. The Cameron Street carpark area is 1,482m² the proponent is seeking to purchase 1,660m² of the Cimitiere Street carpark.

3. Determine the Lombard Property Group interest in the site.

Outcome

The advice is that the right was provided some years ago in relation to access in the event that an adjoining property was developed. The right is able to be terminated with notice.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

4. Prepare a Gantt Chart incorporating timelines.

Outcome

Gantt chart was prepared to plan and monitor these tasks.

5. Draft recommended due diligence prerequisite conditions of sale to be incorporated in any proposed contract for sale.

Outcome

Working with Simmons Wolfhagen on specific contract clauses for a sale if Council determined to sell the property. These clauses include:

- Buy back or resumptive rights if the proposed project is not progressed in the agreed timeframe
- Planning considerations
- Other triggers

6. Discuss with Planning key considerations and condition regarding any development proposal.

Outcome

The discussions and advice that has been provided thus far have been on the basis of matters that might be contentious in a development application for the proposal. The key particulars and basic planning characteristics are:

- Urban Mixed Use Zone;
- Visitor Accommodation uses are listed as discretionary (permitted if above ground floor);
- There is a maximum building height of 12m;
- The proponent can build up to the side, rear and front boundaries;
- There is no need to provide any additional carparking over and above what is already provided;
- Some regard will have to be given to any potential contamination.

7. Indicate that the development proposal will be separately assessed from a statutory planning perspective as the Council is both the planning authority and property owner.

Outcome

Expect to engage an external party to independently conduct the development application assessment.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

8. Indicate that the Council will seek an independent report on any development proposal put forward by the proponent as a necessary preliminary before sale of the land is considered.

Outcome

It has been determined that given the other recent strategic planning work a further separate report is not required for this proposal.

9. Seek legal advice on the appropriate wording of a preliminary position that the Council may elect to determine, the Council may favourably consider the sale of land subject to satisfactory development proposal being forwarded by the proponent and a satisfactory sale price being negotiated.

Outcome

This has occurred and now forms part of the advice that is being obtained on conditions to be included in the sale contract.

10. Determine the impact on the proposed sale and development of easements and right of ways existing on the parcel and indicate whether rationalisation of such easement and right of ways would be in the Council's interest prior to the sale or whether they should remain as a matter for the purchaser to determine.

Outcome

No significant issues from title searches, these matters are for the buyer to clarify and determine how they wish to manage, or if they wish to merely incorporate them in to the design. If the Council sell part of a title only there will be a period of perhaps six months while the Council await subdivision processes.

11. Undertake due diligence on the proponents.

Outcome

An initial simple internet search and company search completed. Searches show that the proponent (in common with the private companies) is a small local firm. Previous projects were finalised with the assistance of a major backer.

The proponent has now provided bank correspondence in support of his financial capacity to complete the project.

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

Other tasks undertaken:

Valuation

A valuation was obtained for the property from Mr Andrew Cubbins of the Opteon Property Group.

ECONOMIC IMPACT:

The construction and operation of a hotel provides significant economic benefit to the City through the expenditure on the initial construction, subsequently through the operation of the business and also through the retention of increased tourist numbers within the city for a greater number of bed days and consequently tourist spend. Previous advice has been that there is a marked shortage of hotel accommodation.

Contribution to the Launceston economy

Based on the average tourist spend for an overnight stay in northern Tasmania of \$192 and the accommodation occupancy rates of 72% in Launceston, the following model reflecting the contribution of an 80 bed hotel development to the Launceston economy is put forward.

Bed Capacity	80
Average tourist spend per room based on average tourist spend of \$192 per person for an overnight stay	\$250
Days per year	365
Occupancy Rate	72%
Secondary Economic Driver within economy	1.5 times

Primary Economic Driver

Formula 80 beds X \$250 X 365 X 72% = **\$5,256,000**

Primary Economic Driver	\$ 5,256,000
Secondary Economic Driver Multiplier (1.5)	\$ <u>7,884,000</u>
Total Contribution to Economy	\$<u>13,140,000</u>

Shortage of bed rooms

Minimum of 150 required by 2020
 357 - 523 required by 2026
 25 X 5 star plus rooms urgently needed

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

ENVIRONMENTAL IMPACT:

The environmental impact of this proposed project will be assessed through the development application process. The business case for the proposal relies on a relatively small footprint with a building height in the range of eight floors (six used for guest accommodation). The design of the built form will largely determine whether it is viewed as having positive environmental (built form) impact.

SOCIAL IMPACT:

There are two social impacts from the proposal. Firstly, the increase in short term accommodation capacity with the benefits from visitor involvement in the social activities in the City. Secondly, there would need to be a change in the operation of Harvest Market with the possible modification in the use of the Cameron Street carpark on market days.

The conversion of the carpark to another 'higher and better use' is desirable. The proponents of the proposal are keen to see the market stay and continue to operate next to the hotel.

STRATEGIC DOCUMENT REFERENCE:

Greater Launceston Plan
Summary Report July 2014
Policy Framework (p19) - Economic Development

Economic development is a fundamental and underpinning of sustainable societies...

Key Direction

- Support planning and investment decisions that optimise greater Launceston's regional role and attraction.

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
-

20.1 Cimitiere Street Carpark - Partial Sale ...(Cont'd)

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 Direction -

6. To facilitate direct investment in the local economy to support its growth

BUDGET & FINANCIAL ASPECTS:

A valuation of the land has been obtained.

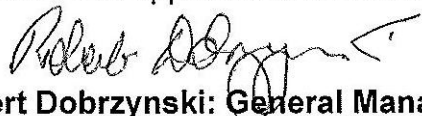
There may be a relatively small loss of parking revenue. It is estimated that there would be a net reduction in the operating surplus for the public car park of \$25,000 per annum. However, the expected rate revenue from the development would offset this loss.

The Buyer could be asked to grant the Council licenses that allow for the portion of Cimitiere Street carpark that is to be sold to continue to be operated by the Council until building work commences.

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. The Proposal (distributed electronically)
 2. Market Valuation - 71 Cimitiere Street (Opteon Property Group) (distributed electronically)
-

20.2 Proposed University of Tasmania Inner City Campus

FILE NO: SF2385

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

Consideration of a decision by the Council to transfer land at Inveresk and Willis Street to the University of Tasmania subject to certain conditions.

PREVIOUS COUNCIL CONSIDERATION:

Council - 9 November 2015 - Agenda Item 20.1 - Proposed University of Tasmanian Inner City Campus

Workshop - 3 October 2016

RECOMMENDATION:

That, in specific reference to the proposal by the University of Tasmania to establish an inner city Northern campus on Council owned land at Inveresk and Willis Street, described as:

- a. Old Velodrome, a 11,523.8m² portion of the parcel Volume 169278 Folio 200, delineated on the attached map described as "*Inveresk 'Bike Track' proposed boundary 12/10/2015*"; and
- b. Willis Street Car Park, a 9,473.3m² portion of the parcel described as Volume 142013 Folio 1, delineated on the attached map described as "*Willis Street Car Park*"

and noting that the preconditions set out in the Council resolution at its Meeting of Monday, 9 November 2015 have been satisfied, including the securing of Commonwealth funding.

That Council agrees to the transfer of title for the Council owned land described above subject to the following requirements being incorporated into the contract of sale:

1. The development shall be undertaken by University of Tasmania in a manner consistent with the commitments and undertakings provided by University of Tasmania in their document signed by the Vice Chancellor dated 4 November 2015, unless subsequently varied with the agreement of the Council.
-

20.2 Proposed University of Tasmania Inner City Campus ...(Cont'd)

2. If the relocation is not completed on the land by University of Tasmania within five years from the date of the Development Approval issued by the Council as a Planning Authority, or in the event that the land ceases to be used by University of Tasmania for education purposes, University of Tasmania shall be liable to pay to the Council an amount representing the value of the land, as assessed by a suitably qualified valuer agreed by the Council and University of Tasmania, or in the absence of agreement nominated by the Valuer General.

Provided that, if the relocation has not been completed or has not been undertaken by the University within the five year period to such an extent that the land is effectively excised by the development for University use precluding further public use, the Council may, at its discretion, seek the return of the undeveloped land by the University to Council ownership.

3. The development and operations on the land shall be undertaken by University of Tasmania in a manner consistent with the shared objectives agreed between the University of Tasmania and the Tasmanian Government that are attached to the letter from the Treasurer to the Vice Chancellor dated 2 September 2016.

And further, that the University of Tasmania agrees, prior to lodgement of applications for planning and building approval, in good faith discussions will take place with the Council on major design elements, to include siting, visual appearance, materials and colours.

REPORT:

On 18 May 2015 the City of Launceston entered into a Memorandum of Understanding (MoU) with the Crown in Right of Tasmania, the University of Tasmania (UTAS) and TasTAFE.

The MoU indicated:

- A. *The parties have a desire to support a stronger higher education presence in Northern Tasmania. They also wish to see a rejuvenated and consolidated Northern campus which offers internationally competitive course content in surroundings which reflect a modern contemporary learning environment. The parties also wish to see a revitalisation of Launceston and the creation of a genuine regional University city by providing significantly increased economic activity stemming from a relocation of the University campus.*
 - B. *Given this desire the parties wish to record in this memorandum the joint intent to undertake future discussions in relation to the Specified Matters.*
-

20.2 Proposed University of Tasmania Inner City Campus ...(Cont'd)

C. *The parties wish to record certain matters related to the conduct of these discussions.*

Subsequently, the memorandum recorded the following:

Specified Matters means:

- a. *the retention of the existing AMC facilities at the Newnham Campus;*
- b. *the relocation of the balance of the University Campus from 75 Newnham Drive to another site.*

Further, within the memorandum, the following details made specific reference to the nature of discussions to be undertaken:

On 9 November 2016, the Council provided in-principle support to the transfer of title for Council owned land, subject to the following conditions:

1. The development shall be undertaken by University of Tasmania in a manner consistent with the commitments and undertakings provided by University of Tasmania in their document signed by the Vice Chancellor dated 4 November 2015, unless subsequently varied with the agreement of the Council.
2. Agreement by University of Tasmania that prior to any transfer of title from the Council, University of Tasmania will provide to the Council written confirmation that funding commitments have been made necessary to enable the relocation of substantially all of the University's operations at Newnham, excluding AMC and associated facilities.
3. Agreement by University of Tasmania that if the relocation is not completed on the land by University of Tasmania within five years from the date of the Development Approval issued by the Council as a Planning Authority, or in the event that the land ceases to be used by University of Tasmania for education purposes, University of Tasmania shall be liable to pay to the Council an amount representing the value of the land, as assessed by a suitably qualified valuer agreed by the Council and University of Tasmania, or in the absence of agreement nominated by the Valuer General.

Provided that, if the relocation has not been completed or has not been undertaken by the University within the five year period to such an extent that the land is effectively excised by the development for University use precluding further public use, the Council may, at its discretion, seek the return of the undeveloped land by the University to Council ownership.

20.2 Proposed University of Tasmania Inner City Campus ...(Cont'd)

Following that meeting, Senator Simon Birmingham, Commonwealth Minister for Education and Training has provided a letter of support dated 24 June 2016, committing \$150 million to relocate and expand the University of Tasmania's campuses in Burnie and Launceston.

The Treasurer for the Tasmanian Government Peter Gutwein has also provided a letter of support for the proposal, to the University of Tasmania dated 2 September 2016. This letter discusses shared objectives in relation to future research, courses and other programs to be offered at the campus.

A letter dated 21 September 2016 from the Chief Operating Officer at the University of Tasmania to the General Manager states that approval has been given for a \$75 million contribution to the project by the University of Tasmania.

At the invitation of UTAS, the Council appointed members to sit on the Northern Project Reference Group. City Council representatives on the Group included the following:

Alderman Albert van Zetten
Alderman Darren Alexander
Alderman Janie Finlay
Alderman Hugh McKenzie
General Manager Robert Dobrzynski
Inveresk Manager Robert Groenewegen

The role of the Group was indicated as follows:

Deliver the MoU obligations in relation to the approval of a concept plan of a new campus at Inveresk and get the best result by ensuring the views of community groups, government agencies and others are expressed and taken into account during the concept and design phase for the campus.

The objectives of the Group were subsequently indicated in the following manner:

The Group will provide input and advice to the planning and design process, ensuring that:

- *UTAS' desired outcomes and any limitations, including budget constraints, are ascertained and documented at the start of the scoping process,*
 - *CoL's desired outcomes and built form vision for CoL 2020 are understood.*
 - *The views of each of the stakeholders are known and given full consideration.*
 - *The project design complies with the desired outcomes and limitations.*
-

20.2 Proposed University of Tasmania Inner City Campus ...(Cont'd)

Members of the Group have undertaken site visits to Deakin University at Geelong in order to explore the impact of an inner city location by the University and purpose built campus design on the social and economic fabric of a regional city. Visits were also undertaken to the Royal Melbourne Institute of Technology (RMIT) and the University of Melbourne.

CONSIDERATION

A decision is sought by UTAS that Council agree, to transfer land from the Council to UTAS, subject to conditions.

The description and tenure of the land sought by UTAS is as follows:

- i. Old Velodrome - a 11,523.8m² portion of the parcel Value 169278 Folio 200, delineated on the attached map described as *Inveresk "Bike Track" proposed boundary 12/10/2015*

This land is part of a freehold parcel owned by the City of Launceston and the portion described above would need to be subdivided from parcel Volume 169278 Folio 200.

- ii. Willis Street carpark - a 9,473.3m² portion of the parcel described as Volume 142013 Folio 1 and delineated on the attached map as *Willis Street carpark*.

This land is part of a freehold parcel owned by the City of Launceston and the portion described above would need to be subdivided from parcel Volume 142013 Folio 1.

It should be indicated that the land described in ii above would not include a small section of the Northern side of the current parcel that is now under Boland Street road formation, nor 12 Boland Street which is a privately owned parcel used as a carpark, or the parcel housing the National Automobile Museum.

LEGISLATIVE PROVISIONS

In consideration of the Council's legislative obligations regarding disposal of land, the following matters are relevant:

- The land is not listed on the Public Land Register.
- The provisions of section 177 of the *Local Government Act 1993* apply. These legislative provisions indicate as follows:

- 1) *A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.*
-

20.2 Proposed University of Tasmania Inner City Campus ...(Cont'd)

- 2) *Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under Section 4 of the Land Valuers Act 2001.*
- 3) *A council may sell:*
 - a. *Any land by auction or tender; or*
 - b. *Any specific land by any other method it approves.*
- 4) *A council may exchange land for other land -*
 - a. *If the valuations of each land are comparable in value; or*
 - b. *In any other case, as it considers appropriate.*
- 5) *A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.*
- 6) *A decision by a council under this section must be made by absolute majority.*

In consideration of the requirements within Section 177 (2) of the *Local Government Act 1993*, as detailed above, the Council has obtained a valuation of the land by a duly qualified land valuer.

An extract from the valuation of land indicating the assessed market value of the parcels of land under consideration is included below:

Old Cycle Track (Part 2 Invermay Road)

Market Value As If Complete (separate title issued):

Market Value with Vacant Possession:

\$1,900,000

This valuation is exclusive of GST

Notwithstanding our market valuation, there is a degree of volatility in prices in the property market which is influenced by the particular circumstances of purchasers and vendors. Having regard to this price volatility, we consider that an appropriate range of value for the subject property is between \$1,800,000 and \$2,000,000.

20.2 Proposed University of Tasmania Inner City Campus ...(Cont'd)

Willis St/National Automobile Museum (86 Cimitiere Street)

Market Value As If Complete (revised land area):

Market Value with Vacant Possession (Willis Street Car Park Site):	\$2,600,000
Market Value subject to Existing Lease (Auto Museum Site):	\$500,000
Market Value assuming a Sale-In-One-Line (both titles):	\$3,400,000

This valuation is exclusive of GST

Notwithstanding our market valuation, there is a degree of volatility in prices in the property market which is influenced by the particular circumstances of purchasers and vendors. Having regard to this price volatility, we consider that an appropriate range of value for the subject property, assuming a sale of both sites In-One-Line, is between \$3,200,000 and \$3,600,000.

There are no caveats on the land parcels under consideration.

ECONOMIC IMPACT:

Detailed within the Business Plan and submission for funding from State and Federal Government.

ENVIRONMENTAL IMPACT:

Managed as part of the development approval process.

SOCIAL IMPACT:

Managed as part of the development approval process.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Section 6 - A City building its future

Key Direction -

1. To advocate and collaborate to address regionally significant infrastructure and transport solutions

20.2 Proposed University of Tasmania Inner City Campus ...(Cont'd)

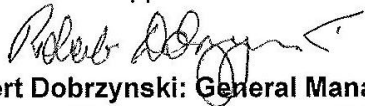
BUDGET & FINANCIAL ASPECTS:

A copy of the valuation document for the land is attached. Other budget considerations relating to construction of a pedestrian bridge and road works are referred to in the report and attached documents from UTAS.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



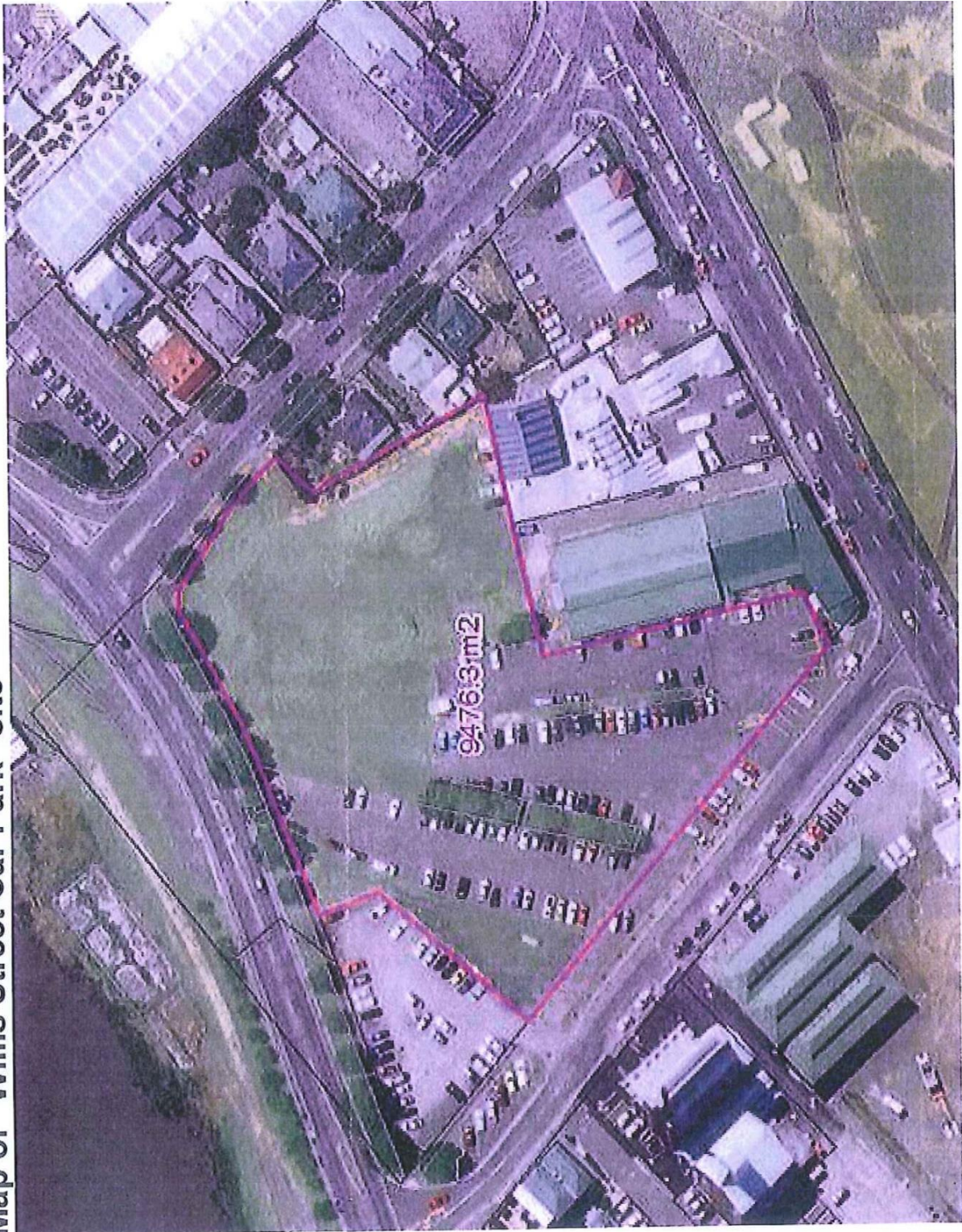
Robert Dobrzynski: General Manager

ATTACHMENTS:

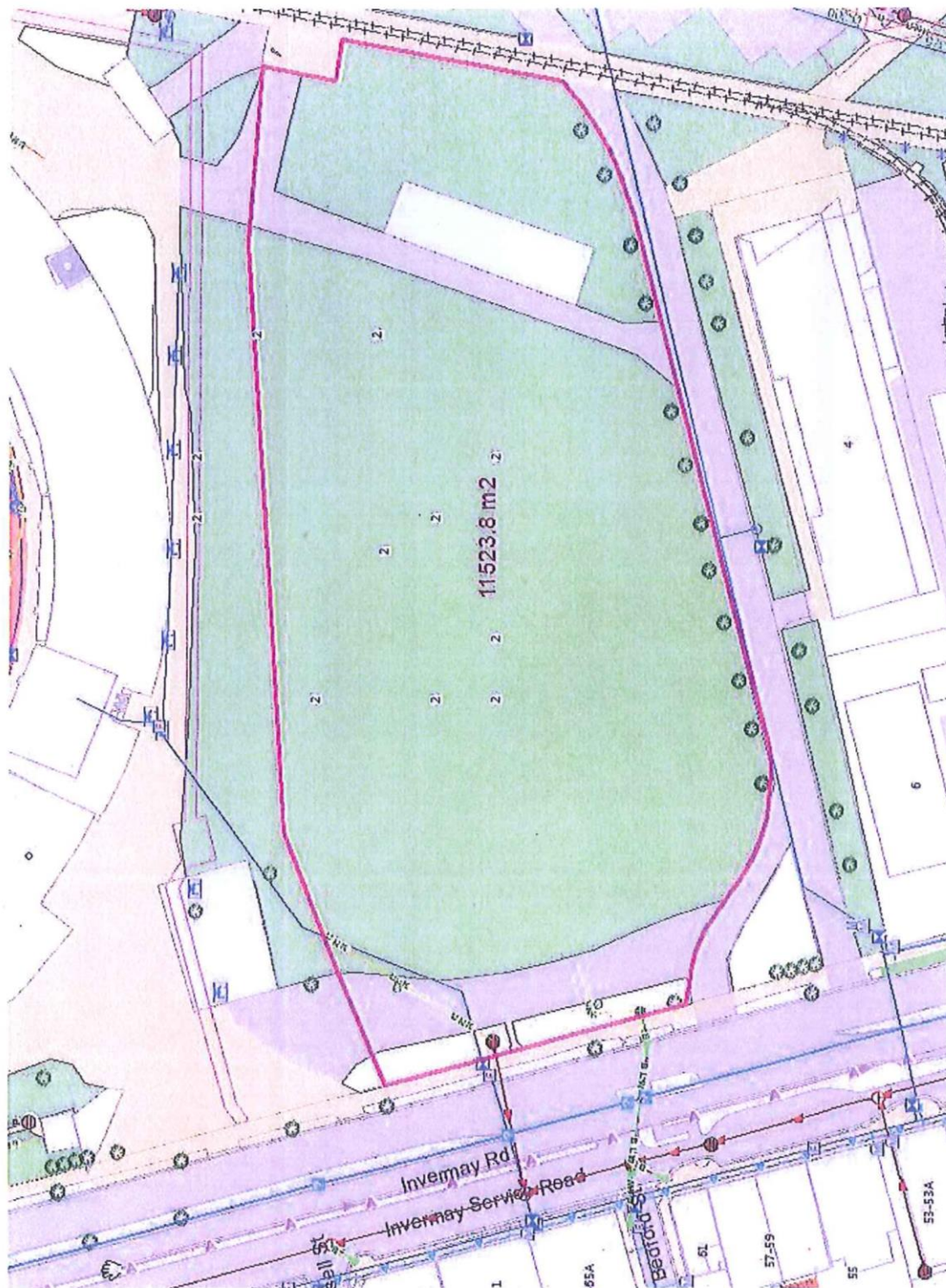
1. Maps indicating parcels of land under consideration
 2. UTAS correspondence from Vice Chancellor - 4 November 2015
 3. UTAS - *A Vision for Launceston* document
 4. Correspondence from Commonwealth Minister for Education to Professor Peter Rathjen - 24 June 2016
 5. Correspondence from Treasurer to Vice-Chancellor, University of Tasmania - 2 September 2016
 6. Correspondence from the Chief Operating Officer, University of Tasmania to the General Manager - 21 September 2016
 7. Valuation of land documents
-

Attachment 1 - Maps indicating parcels of land under consideration

Map of "Willis Street Car Park" site



Map of "Old Velodrome" site



Attachment 2 - UTAS correspondence from Vice Chancellor - 4 November 2016**OFFICE OF THE
VICE-CHANCELLOR**

Mr Robert Dobrzynski
General Manager
City of Launceston

Email: Robert.dobrzynski@launceston.tas.gov.au

Dear Mr Dobrzynski

Thank you for the recent discussions regarding the Northern campus relocation and expansion plans.

The University remains committed to the undertakings in the Memorandum of Understanding (MoU) signed with the City of Launceston (CoL) in May, including the delivery of new courses in the north of the state and pursuing growth for existing offerings to grow student numbers and participation in the region. This commitment also extends to increasing the amount of research undertaken in the region.

I am advised that the Aldermen have requested further information to finalise the CoL's deliverables under the Northern MoU. This letter and associated documents provides the University's response to the information requested:

1. Roadworks

The Council is concerned about the extent of any roadworks that may be required as a result of the campus relocation. The University is committed to working with Council to ensure the traffic impact on the precinct is in accordance with Council plans, particularly for Invermay Road. To that end, the University will commit to ensuring the traffic flow from the new campus will be sensitive to the surrounding areas and will work with the Council and State Government to develop an appropriate traffic management solution.

2. Pedestrian Bridge

The construction of a pedestrian bridge between Inveresk and the Willis St site is critical to the University's proposed campus plan. As public infrastructure, the bridge is not owned or the responsibility of the University, but the University has a strong interest and commitment to the development of the bridge in conjunction with Council and other interested parties. Accordingly, the University agrees to participate in the design process of the bridge and to incorporate the proposed pedestrian bridge as part of the funding submission being developed for the campus relocation.

University of Tasmania T+61+(03) 62262003
Private Bag 51 F 61(03) 6226 2001
Sandy Bay Tasmania Vice.Chancellor@utas.ed.au
7001 Australia www.utas.edu.au
ABN 30764 374 782/CRICOS 00586B

3. Development Process, Water and Sewerage Works and Subdivision Costs

As the developer of the site, the University understands that it is responsible for ensuring the development occurs in accordance with planning rules, regulations and processes. This includes working with Council on the design and impact of the development, water and sewerage infrastructure for the site and meeting all costs associated with any subdivision of land requirements.

4. Economic Impact Figures

The Council has requested the University's economic analysis previously presented to Council and the public at the Town Hall meeting. The summary of the economic impact of the proposal is contained in Attachment 1, which was formulated on the initial business plan. When the business plan is finalised, the University will provide Council any updated impact figures for the inclusion in its Position Statement on the proposal and will provide an overview of the business case.

5. Car Parking at Inveresk and Willis Street

Substantial car parking will be developed by the University in the proposed Inveresk campus plan, including Willis St. This car parking will be made available for public use outside University operational times for major events in the precinct in agreement with Council.

6. Newnham Development Options

The University is committed to finding the most suitable solution for the existing Newnham site. Expertise and resources from the University have been made available for the proposed Northern Suburbs Revitalisation strategy being developed by Council. Further, the University is committed to ensuring the future success of the Australian Maritime College (AMC) at the site and investment will be made into the AMC for this purpose including retaining student accommodation for AMC.

Public uses for the land will be considered in the future development plans for Newnham. In the event suitable public uses for any portion of the land are identified, the University will work with Council and the State Government to determine the best approach to the continued ownership of that public space.

7. UTAS Commercial Activities

Any University must provide student and staff related commercial services on campus to provide an appropriate student and staff experience. The Inveresk campus proposal envisages the University developing commercial space within the campus footprint.

The University commits to ensuring any commercial space in the development will be operated by the University specifically for the benefit of staff and students and will be limited to the type of services currently provided at the Newnham

campus. The University is supportive of Council's objective to develop Invermay Rd in a village style and any commercial space from the University will be considerate of that aim.

In other commercial areas, the University will encourage private providers to operate in conjunction with the campus, however the university retains the right to provide required services where private providers fail to fill the need.

Council also requested a copy of the feedback presentation that was provided to Council at the meeting on 19 October 2015. Please find a copy of the presentation at Attachment 2.

The University looks forward to continuing to work with the Council to further progress the proposed Northern campus expansion

Yours sincerely



Professor Peter Rathjen
Vice-Chancellor

4 November 2015

Economic impact

Project benefits for the north of the state

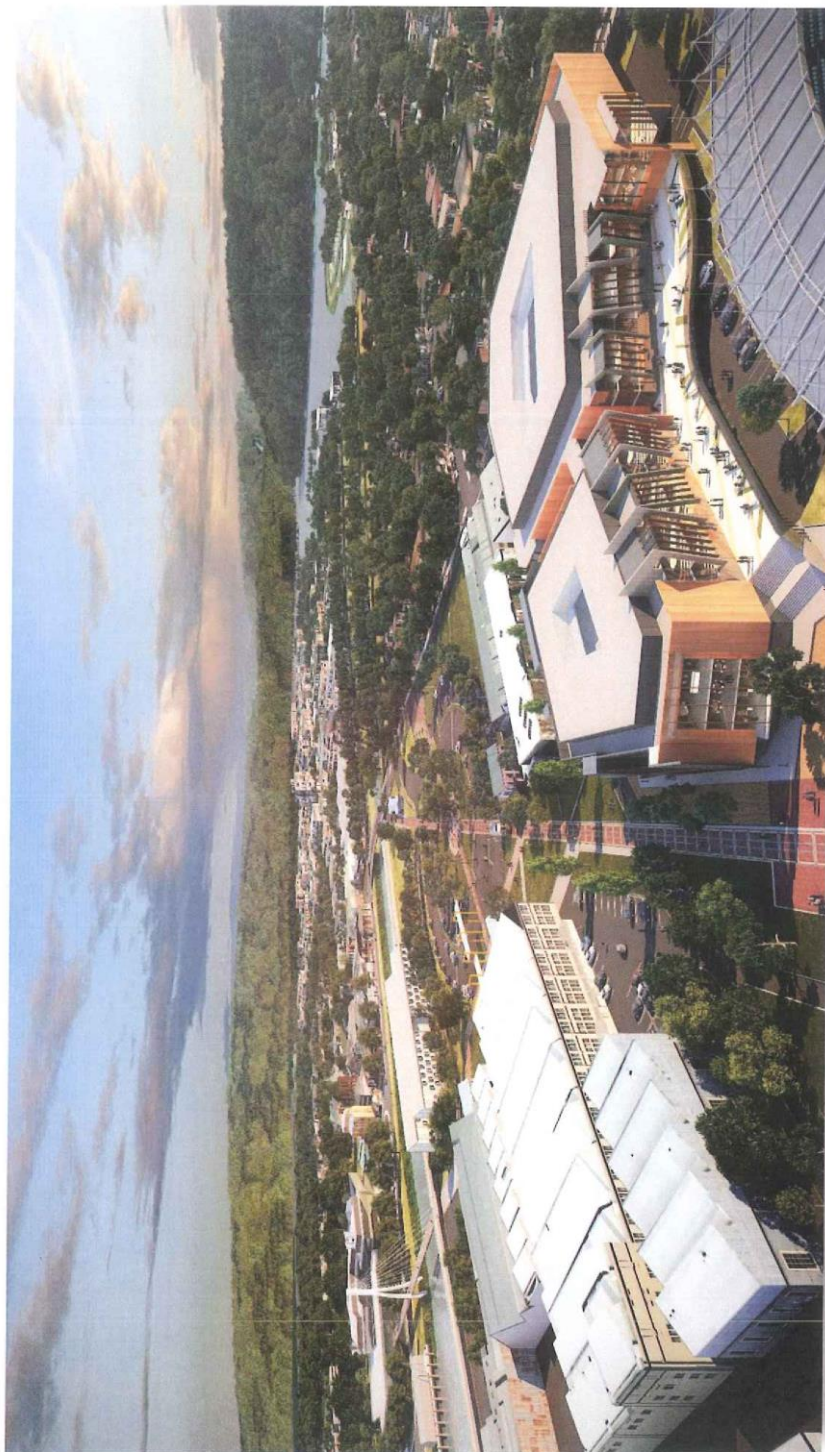


Generating the following economic impact annually by 2025



Attachment 3 - A Vision for Launceston document

A vision for Launceston



1 Draft and Commercial in Confidence



Inveresk – site overview

Inveresk site (in blue) 26.44 ha

1 Existing University of Tasmania buildings - 12,600m² UFA

2 Blue Café

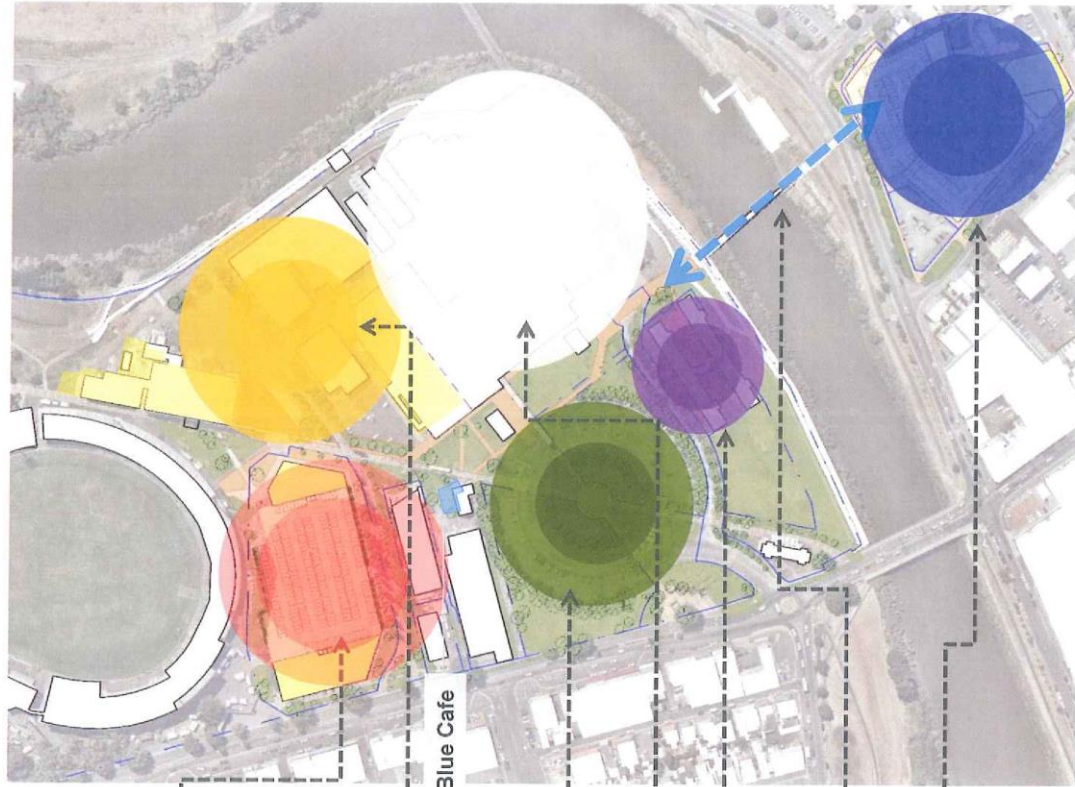
3 Queen Victorian Museum and Gallery

4 Don River Railway site

5 Proposed University initial relocation and expansion

6 Forecourt

Willis St area 11,500 sqm



Thematic presence at Inveresk

Academic and student heart

- Arts (incl Journalism and Media)
- Business & Law
- Education
- New Associate Degrees
- Partners – TIS, TAFE, ABC, Medical Clinic
- Activate Invermay Rd retail further

Design, Art & New ICT Precinct

- Architecture
- TCOTA
- Includes Furntech-AFRDI
- HitLab

Community Hub

Cultural Precinct

- QV Mag

Accommodation precinct

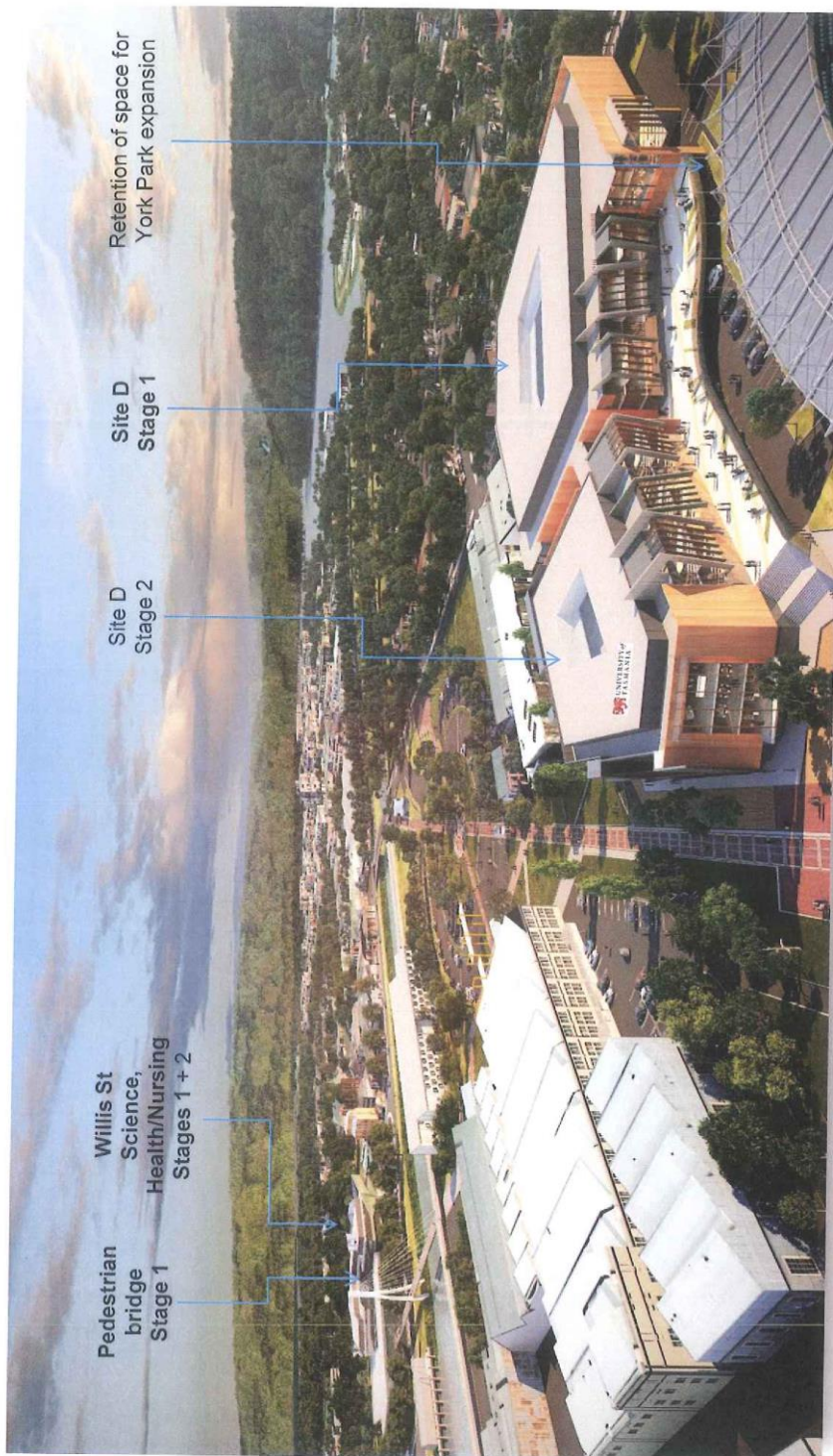
- Existing build and link to transport
- Potential for private developers

New Pedestrian/Cycle Bridge

Science, Technology and Health Precinct (+ LGH)

- Science, Technology & Engineering
- Health & Nursing, parahealth facility
- Research
- Aquaculture

Future Inveresk Precinct

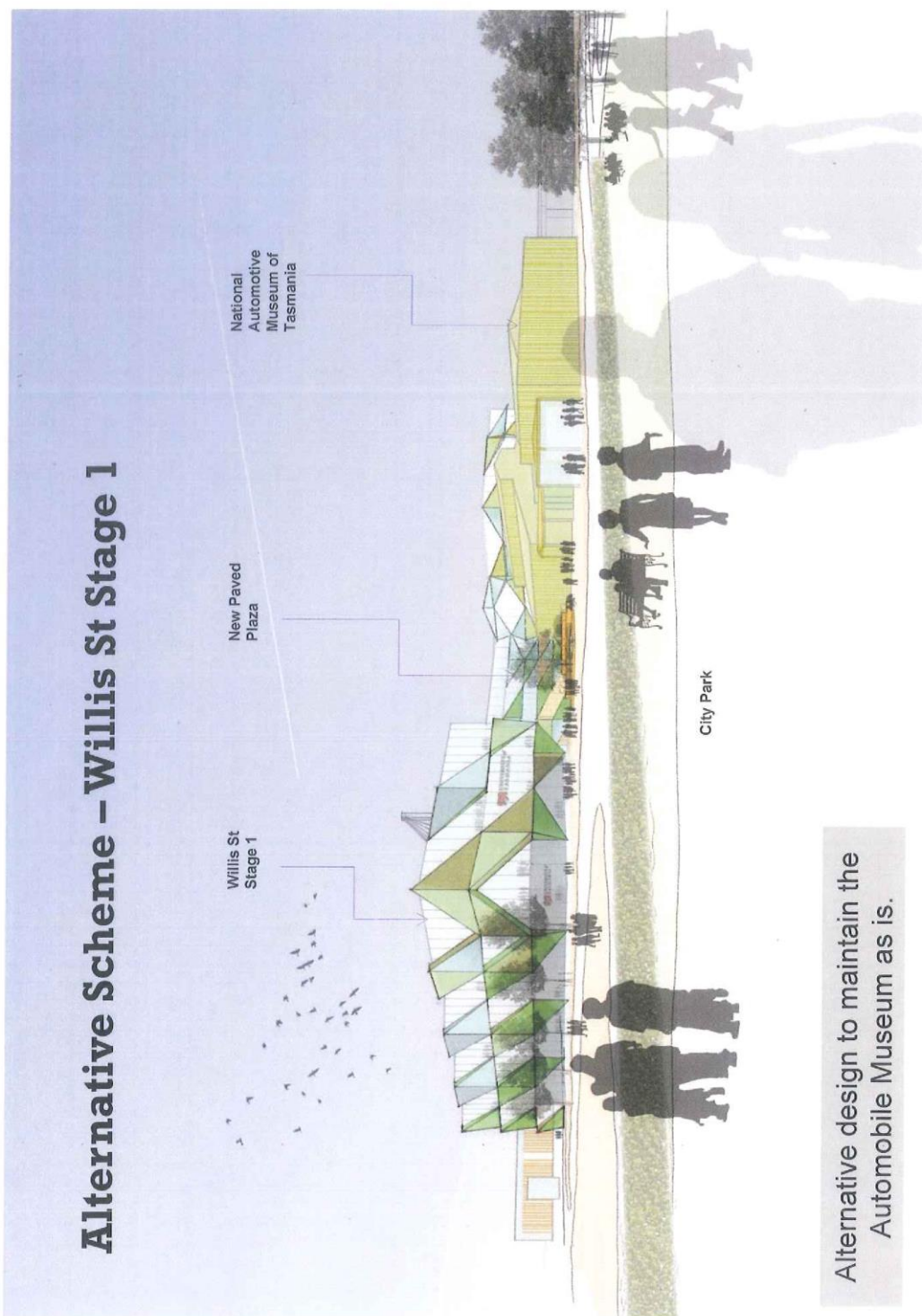


**Inveresk site D concept drawings – Stage 1:
Flagship Teaching & Academic Building**



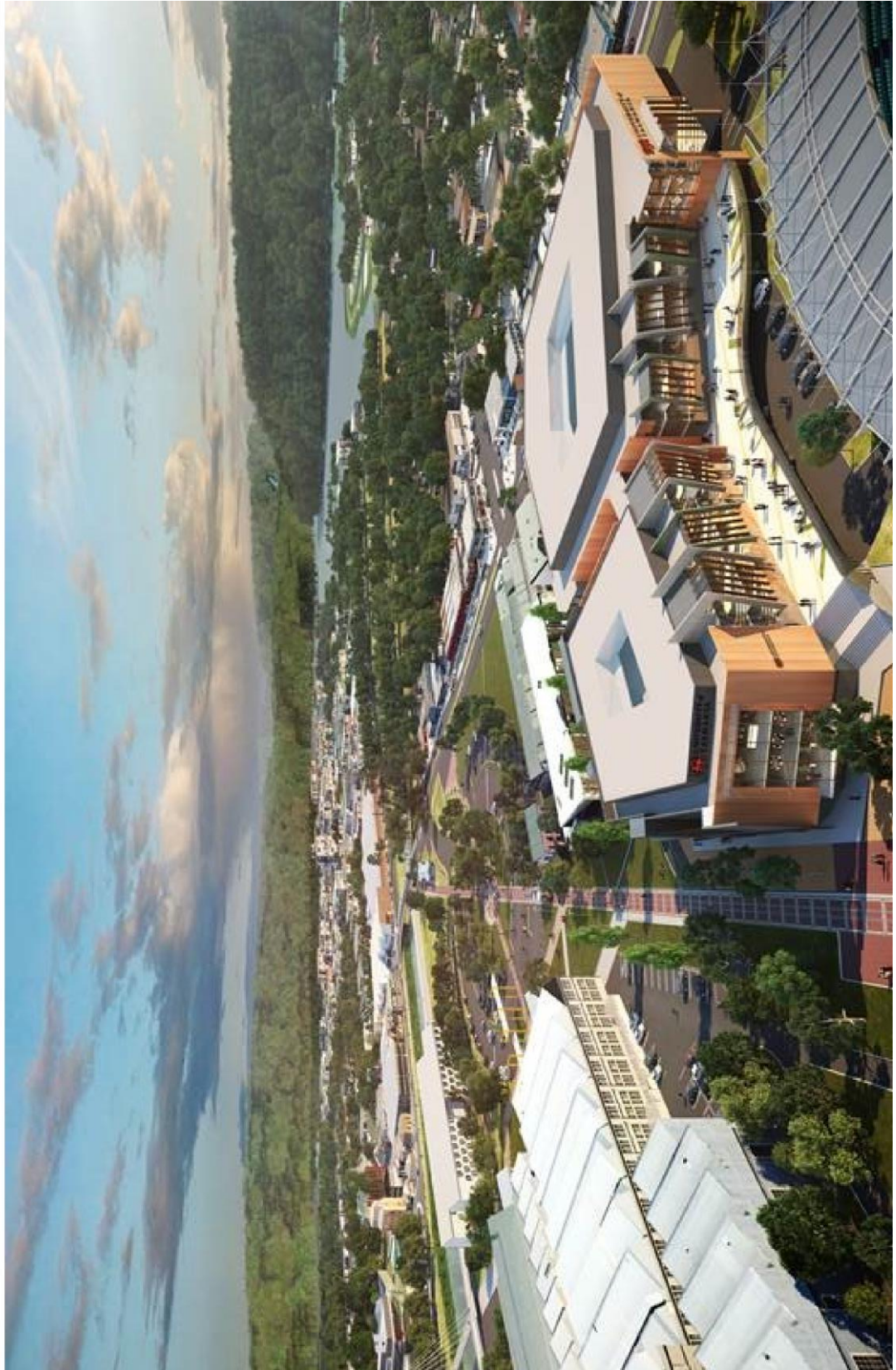
- Bachelor Degrees:
 - Business
 - Arts
 - Education
 - Law
- New Associate Degrees
- International student preparation
- General teaching space
 - Library/student hub
 - Administration
- 240 car spaces
- Retail capacity
- Potential partnerships:
 - TAFE
 - TIS
 - Medical Clinic
 - ABC
 - Link to City College

The University is environmentally responsible – new buildings will be Green Star rated



Alternative design to maintain the Automobile Museum as is.

Attachment 2: Feedback Summary



Communicating the vision



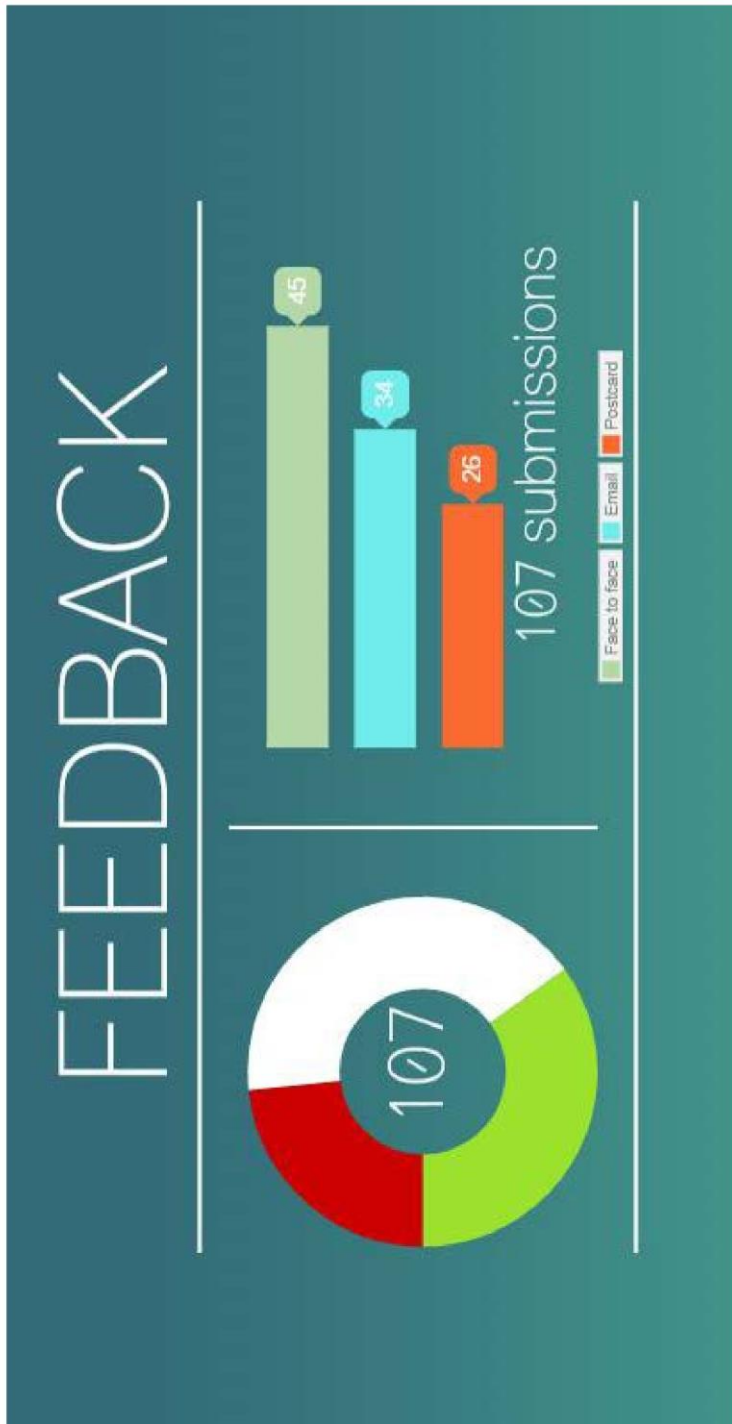
- Articulating a vision for new, regionally-relevant degree programs
- Growth in student numbers through new degrees, increased visibility, improved facilities
- Driving innovation through new collaborations with industry and incubators
- Growing research opportunities
- Showcasing the university in the heart of the city
- Direct economic investment

Feedback channels



- Community briefings
- Town Hall – 200 attendees
- Website – 2,400 unique visitors and 6,000 page views
- Postcards – 5,000 distributed
- Flyer drop - 30,601 homes in greater Launceston region (postcodes 7248,7249,7250,7277)
- Information desk – 5 – 16 October at Inveresk, 21-22 Newnham campus

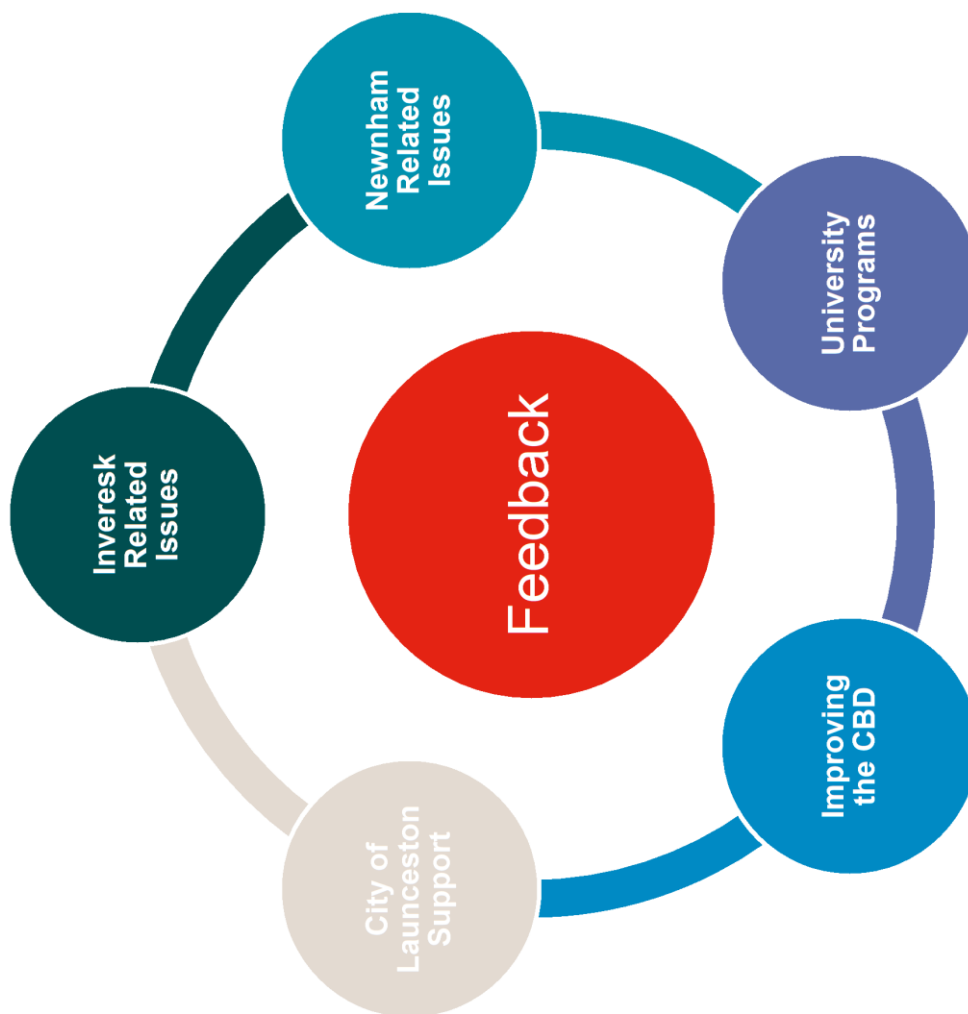
Feedback



Feedback



Key areas of feedback



Inveresk

Issue	Response
Traffic	<ul style="list-style-type: none"> • CoL Traffic Management Plan
Parking	<ul style="list-style-type: none"> • Planning and design process • Implementing looping bus between Inveresk and Newnham • Increased use of existing public transport and pedestrian infrastructure
Flood risk	<ul style="list-style-type: none"> • CoL Flood Mitigation Plan • University building design process • Planning scheme and approvals
Community facilities impact <ul style="list-style-type: none"> - QVMAG - Tram museum and infrastructure - Don River Railway - Conference facilities - National Automobile Museum - YPIPA 	Working to resolve individual issues <ul style="list-style-type: none"> • Future assured as part of cultural precinct • Future assured as part of cultural precinct • Future assured as part of cultural precinct • Future assured as part of cultural precinct • Ongoing consultation and planning • Ongoing consultation and planning

Inveresk (continued)

Issue	Response
Building design sympathetic to the existing architecture	<ul style="list-style-type: none"> • University design process • Planning scheme requirements and approvals
Site size	<ul style="list-style-type: none"> • University design process and assessment of Newnham campus • Integrated planning with staff and students • Planning scheme and approvals • Increased use of public facilities (Aquatic Centre, tennis courts, parks, etc.) • Increased use of existing private facilities (parking, banking, medical, accommodation, etc)

Newnham

Issue	Response
Future of site	<ul style="list-style-type: none"> Northern Suburbs Revitalisation Strategy Joint CoL and university working party Approaches by three developers Timeline of development – ability to mitigate impact
Why move	<ul style="list-style-type: none"> Creating a university city Driving student participation through improved visibility, purpose-built facilities and increased degree opportunities University communication and consultation
Northern suburbs impact	<ul style="list-style-type: none"> Northern Suburbs Revitalisation Strategy Joint CoL and university working party
Local shops and landlords	<ul style="list-style-type: none"> Northern Suburbs Revitalisation Strategy Joint CoL and university working party Timeline of development – ability to mitigate impact Existing community

University programs

Issue	Response
Academic quality	<ul style="list-style-type: none"> • New regionally-relevant programs • Overseen by University quality processes • Federal quality standards compliance
Staffing levels	<ul style="list-style-type: none"> • Creating new roles – up to 160 ongoing roles
Seniority of academics	<ul style="list-style-type: none"> • 20 senior academic appointments in the last 24 months • Predicted to increase in line with increased student demand
Associate degrees	<ul style="list-style-type: none"> • Growing student numbers • University governance model • Federal quality standards compliance • TasTAFE pathways
AMC	<ul style="list-style-type: none"> • Future assured
Improving infrastructure	<ul style="list-style-type: none"> • Track record of building long term research investment and student growth • Increase and improve existing (end-of-life) assets

Improving the CBD

Issue	Response
<p>Economic impact</p> <ul style="list-style-type: none"> • Retail occupancy • Tourism • Accommodation 	<ul style="list-style-type: none"> • Business case benefit • Incubator and innovation (Macquarie House) • Improved utilisation of existing public facilities including transport and sporting facilities
<p>Jobs</p> <ul style="list-style-type: none"> • Construction • Ongoing • Supporting innovation and business growth 	<ul style="list-style-type: none"> • 160 ongoing university jobs • 500 indirect jobs by 2025
<p>Transport</p>	<ul style="list-style-type: none"> • Use of public transport and pedestrian infrastructure • Implementing loop bus between Inveresk and Newnham
<p>Students</p>	<ul style="list-style-type: none"> • Predicted 3,000 students within CBD precinct

City of Launceston support

Issue	Response
Partner	<ul style="list-style-type: none"> • Subject to the MOU
Land	<ul style="list-style-type: none"> • Subject to CoL Council process
Transport planning	<ul style="list-style-type: none"> • CoL Transport and Traffic strategic planning
Northern Suburbs	<ul style="list-style-type: none"> • Northern Suburbs Revitalisation Strategy • Joint CoL and university working party
YPIPA	<ul style="list-style-type: none"> • YPIPA support for project

Attachment 4 - Correspondence from Commonwealth Minister for Education to Professor Peter Rathjen - 24 June 2016



**SENATOR THE HON SIMON BIRMINGHAM
MINISTER FOR EDUCATION AND TRAINING
SENATOR FOR SOUTH AUSTRALIA**

24 June 2016

Professor Peter Rathjen
Vice-Chancellor and President
University of Tasmania
Private Bag 51
HOBART TAS 7001

Dear Professor Rathjen *Peter,*

I am writing following the Prime Minister's announcement that a re-elected Turnbull Coalition Government will deliver \$150 million to relocate and expand the University of Tasmania's (UTAS) campuses in Burnie and Launceston as part of the Coalition's plan for jobs and smart cities in Tasmania. One objective of this funding is to leverage the Commonwealth's investment to deliver wider benefits to the Tasmanian community and in particular strengthen linkages between UTAS, Tasmanian schools and Tasmanian businesses. Therefore, we anticipate that a funding agreement would be developed to reflect specific agreed activities to be undertaken by UTAS in the following areas:

1. Build educational aspiration in the north-west, working with schools and local communities;
2. Improve accessibility, participation and skills attainment, particularly for disadvantaged and under-represented groups;
3. Increase the proportion of Tasmanian students undertaking, and completing, STEM subjects;
4. Explore options for providing short courses to up-skill Tasmanian teachers in STEM subjects;
5. Build stronger linkages with industry and businesses in the region with a view to establishing partnerships that will provide internship and employment opportunities for UTAS students, and encourage start-ups and industry supply chain spin-offs;
6. Enable community access to these new facilities for programs and community engagement; and
7. Focus on areas of specialisation and relative strength to continue to attract domestic and international students.

A re-elected Turnbull Coalition Government will provide more pathways for students so they can match their aspiration to courses that will give them the skills to get a job. Sub-bachelor places, including Associate Degrees, would provide another option for Tasmanian students. The Turnbull Coalition stands for student choice and universities playing to their strengths.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Simon Birmingham', written over a horizontal line.

Simon Birmingham

Adelaide
107 Sir Donald Bradman Drive, Hilton SA 5033
Ph 08 8354 1644 Fax 08 8354 1655

Canberra
Parliament House Canberra ACT 2600
Ph 02 6277 7630 Fax 02 6273 5188

Attachment 5 - Correspondence from Treasurer to Vice-Chancellor, University of Tasmania - 2 September 2016.

Treasurer

Level 9 Executive Building
15 Murray Street HOBART TAS 7000
Ph +61 3 6165 7670
Email treasureroffice@dpactas.gov.au



Professor Peter Rathjen
Vice Chancellor
Private Bag 51
HOBART TAS 7001

02 SEP 2016

Re: UTAS Northern transformation Project

Dear Vice-Chancellor, *Peter,*

I write regarding the State Government's strong commitment in respect of our partnership with UTAS and the Launceston City Council to deliver the UTAS Northern Transformation project.

Following the Australian Government's election commitment to funding the Education Driven Economic Revitalisation of Northern Tasmania proposal, I am writing to affirm the Tasmanian Government's 2016-17 Budget commitment of a contribution of \$75M towards the proposal.

I also reiterate our commitment to our agreed Principles and Shared Objectives which are attached and I expect to now form the basis for negotiating a deed between the University of Tasmania and the Tasmanian Government in respect of project timing and desired outcomes.

It is the State Government's desire to see the project progress to construction at the earliest opportunity and would welcome the opportunity for a preliminary discussion regarding timeframes and milestones that could form the basis of our discussions regarding a deed of agreement.

To this end my office will be in contact shortly to arrange a mutually convenient time for a meeting to be arranged between ourselves, the Mayor of Launceston, and a member of the Federal Government.

I remain excited by the project and look forward to further working with you as the project design gets underway.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Peter Gutwein".

Peter Gutwein
Treasurer

Incl. Attachment

Principles and Shared Objectives

There are four principles that will underpin our commitment to the outcomes as partners in this proposal:

- **Aspiration** – Northern campuses will work to meet increasing demand for higher education among growing numbers of school-leavers and others seeking the advantages that education will bring.
- **Influence** – Northern Campuses to have a voice influencing in the overall functioning of the University of Tasmania.
- **Presence** – Northern campuses will be visible and integrate with the broader community making a positive contribution to the social and economic prosperity of our distinct communities in the North and North West.
- **Growth** – clearly defined strategies will ensure the significant growth in student numbers necessary to underpin the sustainability of the Northern campuses.

These principles will support commitment to the following shared objectives:

- Increasing student participation in existing and new Bachelor and Post Graduate degree programs.
- Expanding existing University programs through the development of a contemporary style of curriculum, including Associate Degrees.
- Growth in the senior staff and academic leadership required to deliver the above objectives.
- Development of programs in partnership with TasTAFE, Industry and other partners to meet the goal of 12,000 additional students which will underpin the ongoing sustainability of higher education in the North and North West.
- Establishment of an Institute and Centres of Excellence focussed on those sectors where the North has a competitive advantage; supported by senior staff to provide key academic leadership.
- Establishment of a Northern Tasmanian based teaching development and service delivery team responsible for the delivery of the new Associate Degree program, including senior academic and leadership positions.
- Use of Tasmanian timber and timber products where possible during the construction and fit-out stages of infrastructure developments, and research to develop a 'living laboratory' approach in respect of the use of Tasmanian timbers and energy technology.
- Ensuring the long term future for the AMC and working together with Government and Industry to support the growth, and expand opportunities, for the AMC.
- A transparent and open process with the Northern community for the development of uses for the Newnham campus with a focus on growing the economic and social outcomes in that location.
- University support for development in Launceston and Burnie that will enhance the student experience and in particular help attract international and interstate students.

The Tasmanian Government and the University of Tasmania will develop a process that allows timely consideration of any issues as they arise in the process of these developments and into the future, as well as reviewing annually the shared objectives outlined in the State Government and University of Tasmania Partnership Agreement.

Attachment 6 - Correspondence from the Chief Operating Officer, University of Tasmania to the General Manager - 21 September 2016



DIVISION OF THE CHIEF OPERATING OFFICER

21 September 2016

Mr Robert Dobrzynski
General Manager
City of Launceston

Email: Robert.Dobrzynski@launceston.tas.gov.au

Dear Robert

Re: Inveresk Land Transfer

Thank you for your continued support of the Education Driven Economic Revitalisation of Northern Tasmania partnership. Your support has been and will continue to be fundamental to driving the stated objectives of the partnerships proposal for the Northern Expansion Project.

Subsequent to the City of Launceston Council vote to invest in the project by transferring title of land at Inveresk, the University has been working to complete the requirements laid out in the Council's motion of 9 November 2015. The University is pleased to note that all the relevant requirements to transfer the title of the land, known as Willis St Carpark parcel described as Volume 142013 Folio 1 and the Old Velodrome parcel Volume 169278 Folio 200, are now fulfilled:

Condition	Status
The development shall be undertaken by the University of Tasmania in a manner consistent with the commitments and undertakings provided by the University of Tasmania in their document signed by the Vice Chancellor dated 4 November 2015, unless subsequently varied with the agreement of the Council.	Achieved – Confirmation Letter from the Vice Chancellor attached
Agreement by the University of Tasmania that prior to any transfer of title from the Council, the University of Tasmania will provide to the Council written confirmation that funding commitments have been made necessary to enable the relocation of substantially all of the University's operations at Newnham, excluding AMC and associated facilities.	Achieved – Letters of commitment from the State and Federal Governments attached
Agreement by the University of Tasmania that if the relocation is not completed on the land by the University of Tasmania within five (5) years from the date of the Development Approval issued by the Council as a Planning Authority, or in the event that the land ceases to be used by the University of Tasmania for education purposes, the University of Tasmania shall be liable to pay to the Council an amount representing the value of the land, as assessed by suitably qualified valuer agreed by Council and the University of Tasmania, or in the absence of agreement nominated by the Valuer General.	Future event - Future event. Acknowledged by the University as a condition of transfer of the titles and to be included as a condition subsequent in the contract for the sale of the land

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7001 Australia

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F +61 3 6226 2923
coo.office@utas.edu.au
www.utas.edu.au
ABN 30 764 374 782 / CRICOS 00586B

The funding commitments from State and Federal Governments attached to this letter, together with the University's approved \$75 million contribution, provide sufficient funds to substantially relocate the University's operations at Newnham, excluding AMC.

Given that the required actions have been completed, the University requests that the City of Launceston commences action to transfer title of Willis St Carpark and the Old Velodrome to the University. In order to facilitate the transfer of title, please make contact with the University's manager on the Northern Expansion Project, Paul Bloomfield.

I look forward to continuing our positive and productive partnership to deliver this significant project.

Yours Sincerely



David Clerk
Chief Operating Officer
University of Tasmania

Attachments:

- 1 Letter Vice Chancellor to City of Launceston dated 4 November 2015
 - 2 Letter Federal Government to the University dated 24 June 2016
 - 3 Letter State Government to the University dated 2 September 2016
-

Old Cycle Track, Part 2 Invermay Road

10.1 Market Approach

Direct Comparison Method

Direct Comparison Valuation Method (Land Value)			
			Market Value
Overall Land Area:	12,543 sqm	@ \$140	\$1,756,020
	12,543 sqm	@ \$150	\$1,881,450
	12,543 sqm	@ \$160	\$2,006,880
Indicates, Total Land Value:		<i>Rounding</i>	<i>\$25,000</i> \$1,875,000

Direct Comparison Valuation Method (Land Value)			
			Market Value
Front Land Area:	6,000 sqm	@ \$180	\$1,080,000
Rear Land Area:	6,543 sqm	@ \$130	\$850,590
Indicates, Total Land Value:		<i>Rounding</i>	<i>\$25,000</i> \$1,925,000

86 Cimitiere Street

11.1 Market Approach

Direct Comparison Method – Automobile Museum

Direct Comparison Valuation Method (Land Area)			
			Market Value
Land Area:	1,988 sqm	@ \$235	\$467,180
	1,988 sqm	@ \$250	\$497,000
	1,988 sqm	@ \$265	\$526,820
Adopt, Total Land Value:		<i>Rounding</i>	<i>\$25,000</i> \$500,000

Direct Comparison Method – Willis Street Car Park

Direct Comparison Valuation Method (Land Value)			
			Market Value
Land Area:	9,386 sqm	@ \$250	\$2,346,500
	9,386 sqm	@ \$275	\$2,581,150
	9,386 sqm	@ \$300	\$2,815,800
Adopt, Total Land Value:		<i>Rounding</i>	<i>\$50,000</i> \$2,600,000

Direct Comparison Method – Sale-In-One-Line

Direct Comparison Valuation Method (Land Value)			
			Market Value
Land Area:	11,374 sqm	@ \$275	\$3,127,850
	11,374 sqm	@ \$300	\$3,412,200
	11,374 sqm	@ \$325	\$3,696,550
Adopt, Total Land Value:		<i>Rounding</i>	<i>\$50,000</i> \$3,400,000

20.3 Re-appointment of Dr Owen Ingles as a Director of the Launceston Flood Authority**FILE NO:** SF4493**AUTHOR:** John Davis (Manager Corporate Strategy)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider the re-appointment of Dr Owen Ingles as a Director of the Launceston Flood Authority.

RECOMMENDATION:

That, pursuant to the provision of clause 12.1 and 12.4 of the Launceston Flood Authority Rules, Council re-appoint Dr Owen Ingles to the Board of Directors of the Launceston Flood Authority for a further term of one year to 30 September 2017.

REPORT:

The Launceston Flood Authority Rules, in Part 3, deals with the appointment of Directors (Attachment 1).

A Director is appointed for a maximum term of four years and may be re-appointed for a further period (clause 12.4).

The Launceston Flood Authority has written to the Council requesting the re-appointment of Dr Owen Ingles (Attachment 2) as set out in the recommendation.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

20.3 Re-Appointment of Dr Owen Ingles as a Director of The Launceston Flood Authority ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation

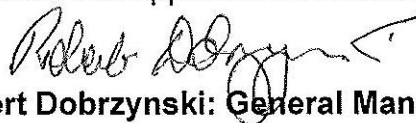
BUDGET & FINANCIAL ASPECTS:

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.



Robert Dobrzynski: General Manager

ATTACHMENTS:

1. Extract from Rules of Launceston Flood Authority (Rules 12, 13 and 14)
 2. Letter from Launceston Flood Authority dated 13 October 2016
-

*Attachment 1 - Extract from Rules of Launceston Flood Authority (Rules 12, 13 and 14)***LAUNCESTON FLOOD AUTHORITY RULES**

Part 3 - Directors

- 12. Appointment of Directors**
- 12.1 The Directors (individually or en bloc) shall be appointed and removed from office by or at the direction of Council.
- 12.2 Subject to Clause 12.7, the number of Directors shall be five.
Subject to the right of Council to appoint and remove Directors;
One Director shall be the Mayor of Council;
One Director shall be a person independent of Government, an expert in the work of the Authority;
One Director shall be the General Manager of Council, or representative of Council;
Two Directors shall be residents of the locality but with knowledge and competence in the field of work undertaken by the Authority.
- 12.3 If an Alderman (including the Mayor) appointed as Director ceases to be an Alderman during his or her term of appointment as Director, that person shall cease to be a Director (but shall not be precluded from being subsequently appointed as a Director).
- 12.4 Each Director shall be appointed for a maximum term of four years. A person appointed as a Director who remains eligible to be appointed a Director, may be reappointed for a further period or periods provided each term does not exceed four years. The terms of office of the initial Directors have been deliberately varied.
- 12.5 A certificate signed by or on behalf of Council to the effect that a person has been appointed a Director or removed from the office of Director shall be conclusive evidence of that fact.
- 12.6 The appointment of a Director shall be vacated if a Director:
- a) Resigns;
 - b) Dies;
 - c) Becomes bankrupt;
 - d) Becomes of unsound mind;
 - e) Becomes for any reason unable to perform the duties of a Director;
 - f) Is convicted of an indictable offence;
 - g) Is removed from office by Council; or
 - h) Is an Alderman Director who has ceased to be an Alderman.
- 12.7 If the number of Directors falls below five for any reason, Council may, but shall not be obliged to, appoint one or more replacement Directors. If Council does not appoint a replacement Director, then the remaining number of Directors, if less than five, shall become the permitted

LAUNCESTON FLOOD AUTHORITY RULES

minimum number of Directors under these Rules, until Council does appoint a replacement Director or Directors.

13. Chair

13.1 Council may appoint one of the Directors to be Chair of the Authority and that person will be Chair. If not appointed by Council, the Directors shall elect one of them as Chair. The Chair shall hold that office for an initial term of two years and may be appointed pursuant to these Rules for a further term of two years thereafter.

13.2 If the Chair is unable for any reason to perform the Chair's duties then the Directors may elect an acting Chair during the relevant period of inability.

14. Alternate Directors

Council may appoint a person to act as an alternate Director for any Director appointed by Council during any period when that Director is, for whatever reason, temporarily unable to attend to his or her duties as Director.

14.1 Each person appointed as an alternate Director under this clause 14 shall:

- a) During the periods when the alternate director is acting as an alternate director, have all the rights, powers, and obligations of the Director for whom the alternate director is acting; and
- b) Automatically be entitled to act as an alternate director for any relevant Director or Directors from time to time during any periods of absence in accordance with clause 14 until such time as the alternate director's appointment is cancelled.

14.2 Council may from time to time revoke the appointment of any person appointed to act as an alternate director in writing to the Chair and may appoint any other person as an alternate director.

14.3 Each alternate Director shall be entitled to receive copies of all notices of meetings, Director minutes or other written information forwarded to Directors.

Attachment 2 - Letter from Launceston Flood Authority dated 13 October 2016



File No: SF4493
AF:cb

13 October 2016

Robert Dobrzynski
General Manager
City of Launceston
Town Hall, St John Street
LAUNCESTON TAS 7250

FILE No.	SF4493	Town Hall, St John Street, Launceston
EO	✓	PO Box 396 Launceston, Tasmania
OD		PR 03 6323 3243 Fax (03) 6323 3396
RCV'D 13 OCT 2016		LCC
Doc No.		
Action Officer	Noted	Replied
R. Dobrzynski		

Dear Robert

Re: Launceston Flood Authority - Reappointment of Dr Owen Ingles to the Board of Directors

Dr Owen Ingles' current term as a Director of the Launceston Flood Authority Board expired on 30 September 2016.

The LFA Chairman has discussed the reappointment with Dr Ingles who has indicated the he would be happy to renew his appointment for a further twelve (12) months until 30 September 2017.

The Board, by Resolution of Notice dated 5 October 2016, has unanimously resolved that the following recommendation be submitted to Council:

- Dr Owen Ingles be reappointed to the Board of Directors for a further term of one (1) year to 30 September 2017.

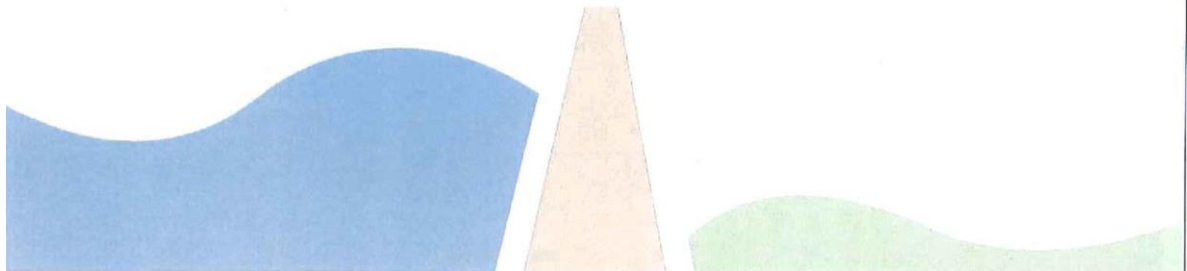
Accordingly, as per clause 12.1 of the Launceston Flood Authority Rules which states:

"The Directors (individually or en bloc) shall be appointed and removed from office by or at the direction of Council",

the Authority requests that the recommendation be submitted to the next Council meeting for consideration.

Yours sincerely

Andrew Fullard
GENERAL MANAGER



21 URGENT BUSINESS

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.

No Urgent Items have been identified as part of this 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 Alderman's Leave of Absence**RECOMMENDATION:**

That Agenda Item 22.2 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

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

23 MEETING CLOSURE
