



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 25 JANUARY 2016
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 25 January 2016

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

Date: 25 January 2016

Time: 1.00pm

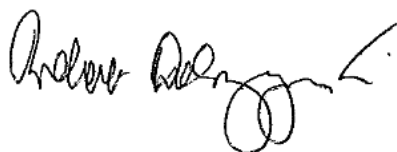
Section 65 Certificate of Qualified Advice

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.)

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 14 December 2015 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS

Local Government Act 1993 - Sections 57 and 58

No Petitions have been identified as part of this Agenda

6 COMMUNITY REPORTS

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

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 Jim Dickenson**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

QUESTION AND RESPONSE:

Question asked by Mr Jim Dickenson at the Council Meeting of 14 December 2015.

Question:

When will the Blacksmith's Shop at the QVMAG re-open?

Response:

(Richard Mulvaney Director Queen Victoria Museum and Art Gallery)

The Blacksmith Shop was closed due to an increase in the level of vandalism and theft. It is one of the QVMAG's most important exhibits as it represents an element of the Launceston Railway Workshop as it was. Significant work was done before the opening of the Inveresk site to ensure that the Blacksmith Shop was fully documented and that the objects were close to where they had been left when the workers walked out of the building for the last time.

To ensure the integrity of the display we ceased to allow the public to walk through the building and installed three broad mesh barriers at each entrance with a new viewing area in the middle doorway. For a time last year we also had a working blacksmith in this space as an 'artist in residence' which meant that we had to provide additional protection.

From mid-December we partially re-opened one of the walkways as a result of public disappointment. We are closely monitoring this and if we experience renewed vandalism and theft as a result of this we will have to reconsider our options. On 3 January 2016 we also started guided tours through the entire building which provides the public with greater access and information.

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 Item 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)

FILE NO: DA0640/2015

AUTHOR: George Walker (Development Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Rainbow Garden Playgroup
Property:	34-40 Howick Street, South Launceston
Zoning:	Urban Mixed Use
Receipt Date:	16/12/2015
Validity Date:	16/12/2015
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	27/01/2016
Representations:	4

PREVIOUS COUNCIL CONSIDERATION:

The following development applications have been approved for the subject property:

- DA0640/2009 - Construction of a building - intern and patient accommodation.

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, a permit be granted, for DA0640/2015 Educational and Occasional Care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective) on land located at 34-40 Howick Street, South Launceston subject to the following conditions:

- 8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(Cont'd)**
-

1. ENDORSED PLANS & DOCUMENTS

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

- a. Cover Letter and Supporting Information (x2) dated 15 December 2015;
- b. Site Analysis Plan.

2. CAR PARKING

Within 1 month of this permit taking effect in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*, the four allocated car parking spaces designated on the endorsed Site Analysis Plan must be clearly line marked and appropriately signed to indicate their purpose to the satisfaction of Council's Manager Planning Services. The car parking spaces must be made available at all times for the exclusive use of the playgroup and kindergarten during normal operating hours.

3. USE LIMITATION

The use approved by this permit must cease should the car parking spaces no longer be available for the exclusive use of the playgroup and kindergarten as specified by Condition 2 of this permit.

4. BUSINESS HOURS

The operation of playgroup and kindergarten must be confined to:

- a. 8:00am and 4:00pm Monday to Friday; and
- b. Closed Saturday, Sunday and Public Holidays.

5. AMENITY - COMMERCIAL/INDUSTRIAL USE

The on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

Notes

A. *Occupancy Permit Required for Changed Use*

Prior to the occupation of the premises, in the case where building work is not required, the applicant is required to attain an Occupancy Permit for the changed use of the building pursuant to the Building Act 2000 section 117.

B. *General*

This permit was issued based on the proposal documents submitted for DA0640/2015. 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.

8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(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 withdrawn or determined; or.*

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

C. 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.

D. 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>

E. Signage

Separate approval may be required for any signage proposed on the site.

REPORT:

1. THE PROPOSAL

The applicant is seeking retrospective planning approval for the use of an existing building as a playgroup and kindergarten on land located at 34-40 Howick Street, South Launceston (the subject property). The existing building was historically utilised as a

8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(Cont'd)

recreation hall for nurses employed at the Launceston General Hospital and is located to the north-east of the subject property. Whilst the subject property is addressed as Howick Street, the existing building is located within close proximity to the western end of French Street and for this reason it is unofficially addressed as 41 French Street, South Launceston.

Since 2007, the building has been occupied by Launceston Friends of Steiner Education Incorporated which has been operated as Rainbow Garden Playgroup, albeit without acquiring the necessary Council approvals. The playgroup use operates three days per week for approximately 2-3 hours per session which is typically held between 9:30 and 11:30am. The Council only became aware of the operation when the applicants contacted the planning department to enquire about the procedure required to be undertaken in order to increase the scope of the use.

The current playgroup use includes craft sessions, parent information talks and workshop activities. It is proposed to expand the scope of the educational and care use to cater for kindergarten and preparatory aged children which is to commence in 2016. The use will operate between the hours of 9:00am and 3:00pm Monday through to Friday and will employ approximately 1.5 full time equivalent employees. However, drop off and pick up of children will likely occur between 8:30am and 3:30pm. Access to the building will primarily be via French Street. The playgroup component of the use will occur approximately two days per week between the hours of 9:30am and 11:30am.

Due to the size of the building, the maximum number of students that can be enrolled at the playgroup/kindergarten is 18 which is based on education department registration guidelines. There are currently six confirmed kindergarten enrolments for 2016 and it is anticipated that this number will reach approximately ten. It is proposed to operate the playgroup and kindergarten on alternative days which will control the total number of children that will be within the grounds at any one time.

It should be noted that an initial application (DA0355/2015) was lodged and subsequently withdrawn on the basis that the application could not demonstrate compliance with certain provisions of the Car Parking and Sustainable Transport Code. Accordingly, the applicant has revised the application to comply with the relevant provisions of the scheme and submitted a further application. The key difference between the two applications includes the provision of two additional car parking spaces in addition to the use of an existing car parking space within the site for accessibility purposes.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject property is a large irregular shaped lot approximately 2.4ha in area and is located on the northern side of Howick Street. In addition to the Howick Street frontage,

8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(Cont'd)

the subject property also has frontage onto Charles Street to the west and Frankland Service Street to the north. The subject property comprises a number of buildings which are currently utilised for administrative, consultation, accommodation and technical services for the Department of Human Health Services. Primary access to the site is obtained off Howick Street from a well formed junction which is located opposite the junction of Howick Street and Mulgrave Street. Notwithstanding, access to the building will primarily be via French Street and the broader road network leading into French Street.

The subject property is located on the western face of a hillside which encompasses French Street, the southern end of St John Street and Lord Street. As such the subject property has a gradient of approximately 16%. The existing building is located at the western end of French Street. The road maintenance responsibility for French Street ends where the street transitions from asphalt to concrete. The concrete section is currently utilised as a Care Park parking facility and is not located on a specific land title, however the land is under the administration of the Department of Human Health Services. Four parking spaces of the Care Park parking facility are proposed to be dedicated to the playgroup use in addition to one car parking space within the property boundaries which will act as an accessible space.

The land to the east of the subject property is zoned Inner and General Residential and is an established residential area of Launceston. This land is primarily characterised by single dwellings built within close proximity to road frontages. The land to the west of the subject property contains The Charles complex and further west beyond Charles Street is the location of the Launceston General Hospital.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

15.0 Urban Mixed Use Zone

15.1.1 Zone Purpose Statements

15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.

15.1.1.2 To provide for a diverse range of urban uses and increased intensity of development including residential densities that support the role of activity centres.

15.1.1.3 To encourage residential, visitor accommodation and tourist operation uses as a means of increasing activity outside normal business hours.

15.1.1.4 To create:

- (a) activity at pedestrian levels, with active road frontages offering interest and engagement to shoppers; and
 - (b) appropriate provision for car parking, pedestrian access and traffic circulation.
-

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Consistent

It is considered that the playgroup and kindergarten use is consistent with the purpose of the Urban Mixed Use zone insofar that:

- it will provide for the integration of a community service within close proximity to an established residential location; and
- the educational use is considered compatible with the established community service use of the subject property and surrounding area which includes the Launceston General Hospital and John Calvin School which is located approximately 200m to the south-west beyond Howick Street.

15.3 Use Standards

15.3.1 Hours of operation

Objective:

To ensure that non-residential uses do not cause unreasonable loss of amenity to nearby sensitive uses.

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

15.3.2 Mechanical plant and equipment

Objective:

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

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

15.3.3 Light spill and illumination

Objective:

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

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

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- A1 The use must:
- (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, and Low Density Residential zones; and
 - (b) contain direct light from external light sources within the boundaries of the site.

Complies
 The supporting information which accompanied the application indicates that only domestic security lighting will be utilised. The use does not include the operation of permanent, fixed flood lighting. Therefore the acceptable solution has been met.

15.3.4 Noise level

Objective:
 To ensure that noise levels from uses do not unreasonably impact on the amenity of nearby sensitive uses.

Consistent
 The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

- A1 Noise generated by a use on the site must:
- (a) not exceed a time average A-weighted sound pressure level (L_{aeq}) of 5 dB(a) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site; or
 - (b) be in accordance with any permit conditions required by the Environment Protection Authority or an environmental protection notice issued by the Director of the Environment Protection Authority.

Complies
 In this instance, the noise that is likely to be generated by the playgroup and kindergarten include the movement of children and parents from their vehicles and the building and high-pitched noise from children playing within the outdoor play area. These noises will be generated between the hours of 8:30am and 3:30pm where background noises are likely to be higher. It is acknowledged that the noise generated by children playing outdoors has the potential to exceed 5dB(a) above background noise. However, it is not expected that the noise generated by the playground and kindergarten use will exceed, on average, 5dB(a) above background noise levels during operating hours. On this basis, it is considered that the use meets acceptable solution 15.3.4 (A1) (a).

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15.4 Development Standards

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of parking facilities are provided to service use and development;
- (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
- (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;
- (d) ensure that parking does not adversely impact on the amenity of a locality;
- (e) ensure that parking spaces and accesses meet appropriate standards; and
- (f) provide for the implementation of parking precinct plans.

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the purpose of the code. Refer to the assessment against the relevant standards of the code in the report below.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

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

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

A1 The number of car parking spaces must:

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

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Relies on Performance Criteria

Table E6.1 requires one car parking space per employee plus one car parking space per six tertiary students for all educational and occasional care uses. In this case, no tertiary education use has been proposed. Approximately 1.5 full time equivalent staff are required for the playgroup and kindergarten use. Therefore two car parking spaces are required to be provided.

In this instance, no on-site car parking spaces have been allocated for the playground and kindergarten use. Therefore assessment against the corresponding performance criteria is required.

P1.1 The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:

- (a) the availability of off-road public car parking spaces within reasonable walking distance;
 - (b) the ability of multiple users to share spaces because of:
 - (i) variations in car parking demand over time; or
 - (ii) efficiencies gained by consolidation of car parking spaces;
 - (c) the availability and frequency of public transport within reasonable walking distance of the site;
 - (d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
 - (e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;
 - (f) an assessment of the actual car parking demand determined in light of the nature of the use and development;
 - (g) the effect on streetscape; and
 - (h) the recommendations of any traffic impact assessment prepared for the proposal;
- or

P1.2 The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:

- (a) the intensity of the use and car parking required;
- (b) the size of the dwelling and the number of bedrooms; and
- (c) the pattern of parking in the locality; or

P1.3 The number of car parking spaces complies with any relevant parking precinct plan.

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Complies

It is considered that the playgroup and kindergarten use complies with the performance criteria on the following basis:

- it is observed that the road maintenance responsibility of French Street ends where the street transitions from asphalt to concrete. The concrete section at the end of French Street is not located on a specific title, however the land is under the administration of the Department of Human Health Services (DHHS) and is currently utilised as a Care Park parking facility which does not allow free public use. The applicant has advised that DHHS have agreed to allocate four car parking spaces for the exclusive use by the playgroup and kindergarten. It is recommended that a condition be applied to the permit tying the allocated car parking spaces to the playgroup use to ensure the car parking spaces are made available during operating hours. It is therefore considered that the playground and kindergarten use indirectly provides for required number of car parking spaces;
- the allocated car parking spaces will primarily be utilised exclusively by the playgroup and kindergarten. The majority of parking demand has been identified to coincide with drop-off and pick-up periods at the start and end of the school day for the kindergarten component. The playgroup use will operate between the hours of 9:30am and 11:30am where the allocated spaces are likely to be vacant given that it commences after the drop-off period and will be able to be utilised by parents who will be supervising their children. Overall, the allocated car parking spaces will be utilised multiple times during the course of a school day;
- there are a number of bus stops located within 400m of the building to be utilised for the playgroup and kindergarten which include;
 - two located at Charles Street adjacent to the Launceston General Hospital entrance to the north-west;
 - two located along High Street to the east;
 - two along Mulgrave Street to the south-west; and
 - one located along Howick Street to the south-west.

All the bus stops, apart from the ones located along High Street, require uphill walks. Notwithstanding, these services are available within reasonable distance of the playgroup and kindergarten. The applicant has indicated that some families walk to playgroup from their homes:

- due to the proximity of the building to the northern boundary of the lot in addition to the topographical constraints of the site it is not feasible to provide additional off-road car parking within the boundaries of the subject property;
 - French Street is a wide street with good visibility. 90 degree parking is available for the length of French Street (where safe and practical) and footpaths are located either side of the street for pedestrian access. The playgroup and
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kindergarten use will utilise four allocated car parking spaces adjacent to the building on land located at the end of French Street. The number of car parking spaces that will be allocated to the use indirectly meets the number of car parking spaces required by Table E6.1, albeit they are located outside of the property boundaries. It is considered that the playgroup and kindergarten use will not interfere with the car parking at the eastern end and middle of French Street, given that the majority of vehicular manoeuvring, circulation and car parking will occur at the western end of French Street. Furthermore, Infrastructure Services have advised that the increase in traffic is likely to have a minimal impact on the amenity of French Street on the basis that the traffic volumes (including the potential increase) have been determined to be well within the limits for a residential street;

- the applicant has specified that the current playgroup activity utilises two allocated car parking spaces on the land at the end of French Street in addition to other on-street car parking spaces along French Street for the two hour duration. The applicant anticipates that a similar impact on the car parking infrastructure will occur with the addition of the kindergarten activity, however two additional allocated car parking spaces will be available. Furthermore, the kindergarten use will primarily involve children being dropped-off and picked-up between 8:30 and 9:00am and 2:50 and 3:15pm where the likely period of parking use will be between five and ten minutes. Accordingly there will be a relatively quick turnover of car parking spaces until all the children are picked up where the spaces will become vacant;
 - it should be noted that the majority of on-street car parking spaces toward the western end of French Street have a two hour parking limit which should theoretically regulate the use of on-street car parking spaces;
 - the applicant observes that at first glance, French Street appears to be a quiet street. However, the street currently experiences busy periods anecdotally from 7:00am through to 9:00am where employees from the LGH park and walk down French Street, through the DHHS subject property to the hospital. The applicant has observed on one day, 24 vehicles parking between 8:00am and 9:00am. This coupled with the movements of residents of French Street creates a busy period of activity. The drop-off and pick-up periods will typically be outside of the initial rush of hospital employees moving to and from the hospital. Overall it is considered that the playgroup and kindergarten use will have a negligible impact upon the streetscape and amenity of French Street when taking into consideration the current activity and usage of the street;
 - finally, it should be observed that the playgroup and kindergarten use requires a maximum of two car parking spaces based on the information provided. If the car parking spaces were to be allocated within the existing car parking area on-site then the use would comply with the planning scheme and the matter of people parking within French Street to commute to work and for the playgroup
-

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and kindergarten use would be largely out of the control of the planning scheme.

E6.5.2 Bicycle parking numbers

Objective:

To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.

Complies

Table E6.1 requires one bicycle parking spaces per five employees and tertiary education students. Accordingly one bicycle parking space is required to be provided. Whilst a bicycle parking space has not been explicitly detailed within the supporting plans and information, it is considered that there is sufficient room within the existing building to store a bicycle. Therefore it is considered that the acceptable solution can be met.

E6.5.3 Taxi spaces

Objective:

To ensure that access for taxis is provided to meet the needs of the use.

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

E6.5.4 Motorcycle parking

Objective:

To ensure that motorcycle parking is provided to meet the needs of the use.

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

E6.6 Development Standards

E6.6.3 Pedestrian access

Objective:

To ensure pedestrian access is provided in a safe and convenient manner.

8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(Cont'd)

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

E6.6.5 Bicycle facilities

Objective:

To ensure that cyclists are provided with adequate facilities.

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

E6.6.6 Bicycle parking and storage facilities

Objective:

To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

Consistent

The playgroup and kindergarten uses have been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard below.

A2 Bicycle parking spaces must:

- (a) have minimum dimensions of:
 - (i) 1.7m in length; and
 - (ii) 1.2m in height; and
 - (iii) 0.7m in width at the handlebars;
- (b) have unobstructed access with a width of at least 2m and a gradient of no more 5% from a road, cycle path, bicycle lane, shared path or access way; and
- (c) include a rail or hoop to lock a bicycle to that meets AS 2890.3 1993 Parking facilities - Bicycle parking facilities.

Complies

In this instance, the singular bicycle parking space required to be provided will be located inside the existing building where there will be sufficient area to the acceptable solutions to be met. No rail or hoops are considered necessary given that the space will be located within the building. It is considered that the acceptable solution will be met on this basis.

- 8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Roads and Hydraulics	<p>Infrastructure Services have completed a comprehensive assessment of the application. The assessment detailed that the increase in traffic is likely to have a minimal impact on the amenity of French Street on the basis that the traffic volumes (including the potential increase) have been determined to be well within the limits for a residential street. Notwithstanding, the primary infrastructure concern with the proposed use relates to the lack of off-street car parking. The assessment concluded that the impact of the proposed use on Council infrastructure is likely to be minimal, provided that the commitments made within the supporting information are adhered to. Although, it was acknowledged that the proposed use has the potential to exacerbate car parking issues within the area.</p> <p>No conditions have been recommended by Infrastructure Services.</p>
Environmental Health	Conditions have been recommended.
Parks and Recreation	No referral required.
Heritage/Urban Design	No referral required.
Building and Plumbing	Notes have been recommended.
EXTERNAL	
TasWater	No referral required.
State Growth	No referral required.
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.

8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(Cont'd)

5. REPRESENTATIONS

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 23 December 2015 until 12 January 2016. Four (4) representations were received during this period.

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
The proposed development application does not meet the Car Parking and Sustainable Transport Code of the planning scheme.	The development application has been assessed against the Car Parking and Sustainable Transport Code. It has been determined that the relevant provisions of the code have been met.
The two additional car parking spaces that have been allocated to the proposed are currently being used by nursing home and intern residents of the recently developed building on the subject property who will subsequently need to find alternative parking locations.	DA0640/2009 was approved for the construction of a hospital intern and patient accommodation building on the subject property. After reviewing the planning report, it is evident that sufficient car parking spaces were provided for the use and development. There should be no reason for staff, students and residents of the building to park outside the property grounds.
The disability parking space does not comply with current Australian standards for accessible parking spaces.	It is acknowledged that the location of the allocated disability access space may not meet the current Australian standards. Notwithstanding, an accessible parking spaces is only required to be provided under the scheme where the use requires greater than 6 car parking spaces. In this instance, only two car parking spaces are required to be provided. Therefore no accessible spaces are required for the playgroup and kindergarten use.

8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(Cont'd)

ISSUE	COMMENTS
<p>The existing two hour parking spaces located along French Street should not be allocated to the playgroup and kindergarten use at the detriment of local residents who do not have access to off-street car parking facilities.</p>	<p>It should be observed that the playgroup and kindergarten use requires a maximum of two car parking spaces based on the information provided. It is considered that the use of the four car parking spaces that have been indicated within the supporting information satisfies the requirements of the car parking code. Direct reliance on existing two hour parking spaces within French Street has not been applied for, and the variation to the car parking code has not been justified on this basis.</p>
<p>The submitted plans would not meet the requirements of the National Construction Code, Education Registration Board and Tasmanian Fire Service.</p>	<p>This is a matter that is outside of the current planning process. If planning approval is granted, the applicant will need to obtain the appropriate approvals to operate the playgroup and kindergarten under the Building Act 2000 which takes into consideration the requirements of the National Construction Code which includes fire safety. If these approvals are unable to be obtained then the use will not be able to operate even if a planning permit is granted.</p>
<p>General access and traffic safety and risk concerns relating to the use of French Street and surrounding road networks associated with increased vehicle movements as a result of the playground and kindergarten use.</p>	<p>It is acknowledged that the playgroup and kindergarten use will increase the number of vehicles travelling through French Street. However, Council's Infrastructure Services have advised that the increase in traffic is likely to have a minimal impact on the amenity of French Street on the basis that the traffic volumes (including the potential increase) have been determined to be well within the limits for a residential street.</p>
<p>Car parking and traffic issues within French Street will be further exacerbated when the original Matron's Home at the end of French Street is sold and refurbished.</p>	<p>This is a matter that is outside of the current planning process. Any future application for the Matron's Home property will be subject to a separate development application and assessment against the planning scheme.</p>

- 8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(Cont'd)**
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6. CONCLUSION

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

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.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

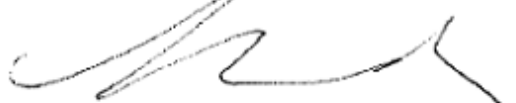
Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

- 8.1 34-40 Howick Street, South Launceston - Educational and occasional care - kindergarten and playgroup; change of use of existing hall to kindergarten and playgroup (retrospective)...(Cont'd)
-

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. 34-40 Howick Street, South Launceston - Locality Map (distributed electronically)
 2. 34-40 Howick Street, South Launceston - Plans to be Endorsed (distributed electronically)
 3. 34-40 Howick Street, South Launceston - Representations (distributed electronically)
-

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces

FILE NO: DA0564/2015

AUTHOR: George Walker (Development Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Mj Architecture
Property:	Henty House 91-97 Charles Street Launceston
Zoning:	Urban Mixed Use
Receipt Date:	12/11/2015
Validity Date:	17/11/2015
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	25/01/2016
Representations:	3

PREVIOUS COUNCIL CONSIDERATION:

There are no records of previous development applications available.

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, a permit be granted pursuant to a delegation from Council, for DA0564/2015 Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces on land located at Henty House 91-97 Charles Street, Launceston subject to the following conditions:

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

1. ENDORSED PLANS

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

- a. Site Plan Job No. 7085 Reference No. 94-51 (x2) prepared by Cohen and Associated Pty Ltd dated 21 September 2015.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Council to replace plans annotated as "Amended Plans Required" (Car Parking Plan Project No. 1514-01 Drawing No. D01.02 prepared by MJ Architecture dated 12 November 2015) and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. the removal of the two No. S.S. Bollards for Vehicular Access Restriction as annotated on the plan;
- b. the location of additional landscaping to be located within a practical area between the building and the car parking spaces located to the south-west of the building to the satisfaction of Council's Manager Planning Services; and
- c. removal of the section of the vehicular circulation diagram that encroaches upon the adjoining property CT 149096/3.

3. SHARED SPACE SIGNAGE

Signage must be erected within a practical location in close proximity to the right of footway along the eastern and south-eastern perimeter of the property and at the entrance to the laneway off Charles Street. The content of the sign is to indicate the shared nature of the space to enhance pedestrian and vehicle safety within the area.

4. LEGAL TITLE

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

5. HOURS OF CONSTRUCTION

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

6. SITE LANDSCAPING

The landscaping required by Condition 2 of this permit must be:

- a. Installed in accordance with the approved plan; and
 - b. Completed within three months of the completion of the car parking area; and
 - c. Maintained for the duration of the use of the development to the satisfaction of Council's Manager Planning Services.
-

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

7. DRIVEWAY CONSTRUCTION

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

- a) Be designed to comply with the following suite of Australian Standards: AS 2890.1 Off-street car parking, and AS 2890.6 Off-street parking for people with disabilities.
- b) Be properly constructed to such levels that they can be used in accordance with the plans,
- c) Be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers,
- d) Be drained to Councils requirements,
- e) Be line-marked or otherwise delineated to indicate each car space and access lanes,
- f) Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the Planning Authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas,
- g) Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site. Parking areas and access lanes must be kept available for these purposes at all times.

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742.

The explicit permission of Council's Roads & Hydraulics Department is required prior to undertaking works where the works:

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

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

All works that involve the opening or breaking of trafficable surfaces within the road reserve must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with Council as a "Registered Contractor".

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

9. AMENITY - COMMERCIAL/INDUSTRIAL USE

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

Notes

A General

This permit was issued based on the proposal documents submitted for DA0564/2015.

You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

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

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

B. 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.

REPORT:

1. THE PROPOSAL

The applicant is seeking planning approval for alterations to an existing car parking area and construction of additional car parking spaces on land located at Henty House 91-97 Charles Street, Launceston (the subject property). Currently, there are 13 car parking

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

spaces located around the perimeter of the existing building, the majority of which are situated in ad hoc positions and are not clearly delineated.

The proposed alterations to the car parking arrangement will predominately occur to the south-west and south-east of the existing building and will include the following elements:

- removal of a section of existing footpath adjacent to the entrance of the internal alleyway in order to accommodate two additional car parking spaces;
- removal of an established garden bed in order to accommodate eight car parking spaces which will be oriented on a 45° angle which will be accessed from the internal alleyway;
- construction of two bollards in the south-east corner of the subject property at the end of the internal alleyway; and
- construction of three additional bicycle rack clusters to the east and north-west of the existing building.

In total, three additional car parking spaces will be provided which is primarily due to the area gained following the removal of the established garden bed and orientation of the proposed car parking spaces.

Two existing car parking spaces will be retained to the west of the building where access is obtained directly from Charles Street and three existing accessible parking spaces will be retained to the north-west of the existing building where access is obtained directly from Charles Street. No further development including external and internal alterations to the existing building has been proposed and the use of the building will remain as business and professional services for the purposes of government offices.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject property is located on the corner of Charles Street and Civic Square (Cameron Street road reserve) and has an area of approximately 2,517m². The existing building, known as Henty House, is long and rectangular in shape and occupies the majority of the subject property. Primary pedestrian access to the building is provided from Civic Square to the north with vehicular access to the established and proposed car parking areas provided off Charles Street to the east. The subject property adjoins Foot and Playsted and the Pilgrim Uniting Church to the south and south-west and Autech and the Civic Square Medical practice to the east.

An internal alleyway is located parallel to the south-west and south-east of the building with access obtained from Charles Street. The alleyway provides both vehicular and pedestrian access to the internal car parking area and rear section of the building. Approximately 50m of the alleyway measured from the Charles Street frontage has a right of way which benefits the adjoining property to the south-west (CT102602/2) which is currently the Foot and Playsted building. A 2m wide right of way runs parallel to the

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

western and south-western boundaries of the subject property which provides pedestrian access between Civic Square and Paterson Street via two alleyways over land owned by the Pilgrim Uniting Church. A further right of way is located to the north of the building which provides pedestrian access between the existing building and the western end of Civic Square. There are no other right of ways or easements that benefit any other land adjoining the subject property.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

15.0 Urban Mixed Use Zone

15.1.1 Zone Purpose Statements

15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.

15.1.1.2 To provide for a diverse range of urban uses and increased intensity of development including residential densities that support the role of activity centres.

15.1.1.3 To encourage residential, visitor accommodation and tourist operation uses as a means of increasing activity outside normal business hours.

15.1.1.4 To create:

- (a) activity at pedestrian levels, with active road frontages offering interest and engagement to shoppers; and
- (b) appropriate provision for car parking, pedestrian access and traffic circulation.

Consistent

The business and professional services use class is categorised as 'no permit required' under Table 15.2 if the use is above ground floor and where access does not require removal of any ground floor use, otherwise the use class is categorised as 'discretionary'. In this instance, the existing office use is located on all levels which would normally mean that the proposed development would be categorised as 'discretionary' pursuant to clause 8.2.1 of the scheme.

However, clause 9.2.1 of the scheme specifies "*notwithstanding clause 8.8.1, proposals for development (excluding subdivision) associated with a use class specified in an applicable Use Table, as a discretionary use, must be considered as if that use class had a permitted status in that Use Table, where the proposal for development does not establish a new use, or substantially intensify the use*".

In this case, no new uses are proposed and the proposed development is not expected to substantially intensify the use. Rather, it is expected to increase the efficiency of the existing use in terms of vehicle manoeuvrability and pedestrian safety.

In conclusion, the proposed development is associated with permitted use within Table 15.2 pursuant to clause 9.2.1 of the scheme. On this basis, it is considered that the

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

proposed development accords and is consistent with the purpose of the Urban Mixed Use zone.

Notwithstanding the status of the use under Table 15.2, the development is discretionary on the basis that reliance is required on performance criteria E6.7.1.3 within the Car Parking and Sustainable Transport Code.

15.4 Development Standards

15.4.2 Location of car parking

Objective:

To ensure that car parking:

- (a) does not detract from the streetscape; and
- (b) provides for vehicle and pedestrian safety.

Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the report below.

A1 Car parking must be located:

- (a) within the building structure; or
- (b) behind the building.

Relies on Performance Criteria

In this instance, the proposed alterations to the existing car parking areas and the proposed additional car parking spaces will be located along the south-western and south-eastern side of the building. This arrangement does not meet acceptable solution 15.4.2 (A1) (a) and (b). Therefore assessment against the corresponding performance criteria is required.

P1 Car parking must be located to minimise its visibility from a road, mall, laneway or arcade, having regard to:

- (a) the existing streetscape;
- (b) the location of the car parking;
- (c) vehicle and pedestrian traffic safety;
- (d) measures to screen parking; and
- (e) any landscaping proposed.

Complies

It is considered that the proposed development complies with the performance criteria on the following basis:

- the Charles Street frontage of the subject property currently comprises the entrance to the internal alleyway, two tandem parking spaces, a narrow pedestrian access, two under-awning car parking spaces and three accessible parking spaces which are accessed over a rolling crossover. The proposed development will introduce two additional tandem parking spaces parallel to the building and narrow pedestrian access. The introduction of the two additional

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

tandem car parking spaces is expected to have a negligible impact upon the existing streetscape when viewed from Charles Street;

- the existing car parking spaces located at the end of the internal alleyway can currently be seen from Charles Street when looking down the alleyway. The proposed works to this car parking area include the removal of the established landscaping and garden beds which will enable the car parking spaces to be located under the awning, closer to the main building. The new car parking arrangement will largely screen parked cars when viewed from Charles Street due to the location of a small section of the building that protrudes toward the alleyway. Furthermore, all of the car parking spaces will be clearly line marked and delineated which is expected to enhance the appearance and uniformity of the existing car parking arrangement. Overall, the proposed car parking arrangement at the end of the alleyway is expected to result in an improvement of the streetscape when viewed from Charles Street;
- the proposed development will not result in a substantial change to the number and location of existing car parking spaces;
- the proposed development is expected to enhance vehicle and pedestrian traffic safety by way of providing clear line marked and delineated spaces in addition to enhanced manoeuvrability at the end of the alleyway;
- no additional landscaping is considered necessary on the basis that landscaping is not a prominent feature of the streetscape and there are no practical areas within proximity of the alleyway to install landscaping elements.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of parking facilities are provided to service use and development;
- (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
- (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;
- (d) ensure that parking does not adversely impact on the amenity of a locality;
- (e) ensure that parking spaces and accesses meet appropriate standards; and
- (f) provide for the implementation of parking precinct plans.

Consistent

The proposed development has been assessed as being consistent with the purpose of the code. Refer to the assessment against the specific standards of the code in the report below.

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the report below.
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
Complies In this instance, the gradient of the subject property has been calculated to be approximately 2.6%. Therefore the car parking spaces will have a gradient of less than 10%. In relation to the remaining acceptable solutions, a condition has been recommended by Infrastructure Services which requires the car parking spaces to meet the following standards, amongst other specifications: <ul style="list-style-type: none"> • designed to comply with the following suite of Australian Standards: AS 2890.1 Off-street car parking, and AS 2890.6 Off-street parking for people with disabilities; • surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers; • drained to Council's requirements; and • line-marked or otherwise delineated to indicate each car space and access lanes • Adherence with this condition will ensure that the acceptable solutions are adequately met.

E6.6.2 Design and layout of parking areas

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

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

Consistent

The proposed development has been assessed as being consistent with the purpose of the code. Refer to the assessment against the specific standards of the code in the report below.

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

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

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

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

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

Relies on Performance Criteria

In this instance, the enlarged space at the end of the alleyway will enable vehicles to manoeuvre and exist in a forward direction and a minimum vertical clearance of 2.1m will be provided for vehicle parking, access ways, manoeuvring and circulation spaces.

There will be no change to the arrangement for the existing accessible parking spaces. Therefore acceptable solutions E6.6.2 (A1.2), (A1.3) and (A1.4) are not applicable to the assessment.

It has been determined that the proposed development is unable to comply with acceptable solutions E6.6.2 (A1.1) (b), (c) and (d). Therefore assessment against the corresponding performance criteria is required.

P1 Car parking, access ways, manoeuvring and circulation spaces must be convenient, safe and efficient to use, having regard to:

- (a) the characteristics of the site;
- (b) the proposed slope, dimensions and layout;
- (c) vehicle and pedestrian traffic safety;
- (d) the nature and use of the development;
- (e) the expected number and type of vehicles;
- (f) the nature of traffic in the surrounding area; and
- (g) the provisions of Australian Standards AS 2890.1 - Parking Facilities, Part 1: Off

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

Road Car Parking and AS2890.2 Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.
<p>Complies</p> <p>It is considered that the proposed development complies with the performance criteria on the following basis:</p> <ul style="list-style-type: none"> • the proposed development will not result in a substantial change to the number and location of existing car parking spaces and is not expected to result in a significant change to the characteristics and functionality of the site; • the proposed dimensions and layout of the proposed development will bring the existing car parking areas into greater conformity with the provisions of the scheme and the relevant Australian Standards; • the proposed development is expected to enhance vehicle and pedestrian traffic safety by way of providing clear line marked and delineated spaces in addition to enhanced manoeuvrability at the end of the alleyway; and • a condition has been recommended by Infrastructure Services requiring the car parking spaces to be designed to comply with the following suite of Australian Standards: AS 2890.1 Off-street car parking, and AS 2890.6 Off-street parking for people with disabilities.

E6.6.3 Pedestrian access

<p>Objective:</p> <p>To ensure pedestrian access is provided in a safe and convenient manner.</p>
<p>Consistent</p> <p>The proposed development has been assessed as being consistent with the purpose of the code. Refer to the assessment against the specific standards of the code in the report below.</p>
<p>A1.1 Uses that require ten or more parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by:</p> <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.</p>
<p>Relies on Performance Criteria</p> <p>In this instance, no specific pedestrian access measures have been proposed which means that the acceptable solutions are unable to be met. Therefore assessment against the corresponding performance criteria is required.</p>

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

P1 Safe pedestrian access must be provided within car parks, having regard to:

- (a) the characteristics of the site;
- (b) the nature of the use;
- (c) the number of parking spaces;
- (d) the frequency of vehicle movements;
- (e) the needs of persons with a disability;
- (f) the location and number of footpath crossings;
- (g) vehicle and pedestrian traffic safety;
- (h) the location of any access ways or parking aisles; and
- (i) any protective devices proposed for pedestrian safety.

Complies

It is considered that the proposed development complies with the performance criteria on the following basis:

- the proposed development will not result in a substantial change to the number and location of existing car parking spaces and is not expected to result in a significant change to the characteristics and functionality of the site;
- the use of the land will not change from the existing use which is for government offices;
- the frequency of vehicles into and out of the site is not expected to substantially increase as a result of the proposed development;
- the new car parking spaces will be located against the edge of the alleyway and the existing building which will enlarge the distance between the pedestrian right of way and car parking spaces. This expected to enhance vehicle and pedestrian traffic safety by way of providing clear line marked and delineated spaces in addition to enhanced manoeuvrability at the end of the alleyway; and
- no change to the existing accessibility spaces has been proposed.

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area

E6.7.1.3 Local area provisions

Objective:

To limit on-site car parking within the Launceston Central Business District Parking Exemption Area.

Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the report below.

A1 On-site car parking is:

- (a) not provided; or
- (b) not increased above existing parking numbers.

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

Relies on Performance Criteria

In this instance, the proposed development will increase the on-site car parking above existing parking numbers. Therefore assessment against the corresponding performance criteria is required.

P1 On-site car parking must demonstrate:

- (a) that it is necessary for the operation of the use; and
- (b) parking must not exceed the minimum provision required by Table E6.1.

Complies

It is considered that the proposed development complies with the performance criteria on the following basis:

- the proposed development will not result in a substantial change to the number and location of existing car parking spaces and is not expected to result in a significant change to the characteristics and functionality of the site;
 - the additional car parking spaces are largely due to the additional space gained from the removal of the garden bed and efficiencies of the car parking layout;
 - the new car parking area, inclusive of the additional spaces, will be utilised by staff and customers of the building. The car parking spaces will be located within close proximity to the building and will be largely in-evident within the streetscape;
 - Table E6.1 requires one car parking space per employee plus one space per 50m² of gross floor area. It is estimated that the gross floor area of the existing building is approximately 3,500m² in area. Therefore, approximately 70 car parking spaces would need to be provided based on the estimated gross floor area alone. The proposed development will result in a total of 17 car parking spaces being made available which is evidently below the minimum number of spaces required by Table E6.1.
-

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Roads and Hydraulics	Conditions have been recommended.
Environmental Health	Conditions have been recommended.
Parks and Recreation	No referral required.
Heritage/Urban Design	No referral required.
Building and Plumbing	No referral required.
EXTERNAL	
TasWater	No referral required.
State Growth	No referral required.
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.

5. REPRESENTATIONS

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 21 November 2015 until 4 December 2015. A total of three (3) representations were received during this period.

Prior to the lodgement of the formal representations, informal discussions were held with each of the representors in order to discuss their initial concerns and the process involved with submitting a representation.

Following the closure of the public exhibition period, a meeting was convened between Council officers and each representor at the Town Hall Customer Service Centre. The primary purpose of the meeting was to enable an open discussion of the issues and concerns raised by each of the representors and for the planning assessment process to be outlined. Overall, the representors were not against the proposed development. However, the key concern that was raised by each representor related to access through the alleyway to the adjoining properties to the south-east and east. Of particular concern was the location of the two bollards at the end of the car parking area.

The representors were advised that the applicant was happy to remove the proposed bollards from the plan which would eliminate the impediment to vehicular movement. The applicant had also agreed to a condition being applied to the permit to this effect.

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

Another concern raised was the complete removal of the landscaping area and the negative impact it would have on the environmental and aesthetic value of the space. The applicant was also happy to propose new landscaping and to replant the Man Ferns (*Dicksonia antarctica*) where possible.

Notwithstanding, a fundamental problem that was uncovered related to the fact that the adjoining buildings which are located at 2/75 and 75-77 Cameron Street and 34 Paterson Street have no formal right of way over the subject property including the alleyway although it has been informally utilised for access for many years. This is of particular concern for the 75-77 Cameron Street on the basis that vehicular access to the property is restricted as a result of the Civic Square development which is located within the Cameron Street road reserve. The history and key concerns are detailed in the following extract of one of the representations:

"For the right intentions some 30 years ago 3 levels of Government created the Civic Square precinct for administrative purposes. Private land was compulsorily acquired including laneways. For the wrong reasons the Crown when divesting itself of unwanted assets in 2007 - rearranged rights of way for its own benefit. It knowingly created burdens in perpetuity for surrounding properties. Prior to that, in 2004 and 2006 the LCC appealed to the Crown to fix those inequities. In 2008 the sale of Henty House saw the LCC renegotiate access with the new Henty House owners to the rear of Pilgrim Church and 75 Cameron Street".

In this situation, the access solution that was eventually brokered was an informal agreement and no formal and legal right of ways were created to benefit the adjoining buildings. Whilst it was acknowledged that the access arrangements presented an issue, the representors were advised that refusing the proposed development solely on this ground was not sustainable under the planning scheme particularly where all relevant development standards are met.

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
The proposed development, which includes the construction of two bollards, will impede vehicular access to the adjoining buildings located at 2/75 and 75-77 Cameron Street and to the rear of 34 Paterson Street.	In this instance, the applicant has agreed to remove the bollards from the proposal. It is therefore recommended that a condition be applied to the permit to this effect. Notwithstanding, the location of the car parking spaces will be located entirely within the boundaries of the subject property and no legal access arrangements are in place to restrict the proposed development.

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(Cont'd)

ISSUE	COMMENTS
<p>The additional parking spaces will inhibit pedestrian and vehicular access to the south-eastern and eastern sections of the site.</p>	<p>It is considered that the proposed development will enhance vehicle and pedestrian traffic safety by way of providing clear line marked and delineated spaces in addition to enhanced manoeuvrability at the end of the alleyway. The location of the car parking spaces will not encroach upon the pedestrian right of way which is located along the eastern and south-eastern boundary of the subject property.</p>
<p>The removal of the established landscaped area will reduce the aesthetic and environmental values of the site.</p>	<p>The applicant has agreed to provide additional landscaping areas between the existing building and car parking spaces as part of the redevelopment of the car parking area. It is therefore recommended that a condition be applied to the permit to this effect.</p>
<p>Request that the City of Launceston consider acquiring the alleyway to the south of Henty House in order to safeguard access into the land locked properties. Alternatively, the City of Launceston may prefer to alter the rights of way given in 2007 over the land in order to reflect the prior agreements and usage.</p>	<p>It is acknowledged that the matter of access presents an issue to the adjoining properties, particularly 75-77 Cameron Street. However, this is not a matter that can be resolved by the current application. It would be unsustainable to impose conditions to the permit relating to access entitlements. This is a matter that is separate to the current development application.</p>

6. CONCLUSION

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

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.

8.2 91-97 Charles Street, Launceston - Henty House - Business and Professional Services - offices; alterations to existing car parking and construction of additional car parking spaces...(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.

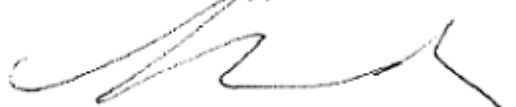
BUDGET & FINANCIAL ASPECTS:

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. 91-97 Charles Street, Launceston - Locality Map (distributed electronically)
 2. 91-97 Charles Street, Launceston - Advertised Plans (distributed electronically)
 3. 91-97 Charles Street, Launceston - Representations
-

Attachment 3 - 91-97 Charles Street, Launceston - Representations

The General Manager
PO Box 369
Launceston TAS 7250
contactus@launceston.tas.gov.au

27/11/2015

To whom it may concern,

RE: APPLICATION - DA0564/2015

My name is Dr Umit Sungur.

From the plans provided we can see that the parking spaces do not encroach on our property but we have a major concern on how this will affect our access and parking on the property as well as access to our surgery.

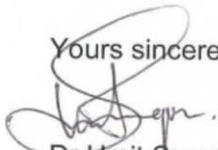
One concern is that if anyone was to park at the entrance of the church then we would not be able to get out of our property. As doctors we need to be able to leave in an emergency. Not only do we see patients at our practice at Civic Square Surgery, we also go to multiple Nursing Homes. If we were blocked in this could have devastating effects on our patient's health in an emergency.

Our second major concern is regarding the 2.No S.S bollards for vehicular access restriction. This blocks access to our land and would in effect stop us from accessing our parking spaces.

On a more concerning note this would also stop access by emergency vehicles. This is the only access for ambulances and the fire department. They cannot access our building via any other route as all of Civic Square has bollards. This will put lives at risk. This will put our building at risk.

Therefore we cannot accept the above application.

Yours sincerely,


Dr Umit Sungur

FILE No.	DA0564/2015		
EO	OD	<input checked="" type="checkbox"/>	Box <input checked="" type="checkbox"/>
RCVD		30 NOV 2015	LCC
Doc No.			
Action Officer	Noted	Replied	
C WALKMORE			

EGY - G WALKER

Development Application
Representation Letter

18-Fmx-018 - Version 21/11//2012

Development Application Number

Address of Development

Details of Representor

Title Given Name/s

Surname

Unit/Street No Street

Suburb State Postcode

Phone H B M

Email

Reason for Representing

The plan submitted by mjarchitecture significantly disrupts the ability of Pilgrim Uniting Church to function as a city church. Our primary concern regards access for funerals and other civic gatherings.

The proposed bollards deny access to hearses and other vehicles which ^{have} had such access for many years, through rights of way. This is the only safe and practical entrance and exit for such occasions.

The placement of extra car parks creates further difficulty for elderly people entering and leaving church buildings, as well as blocking service and vehicle access to our neighbours - particularly ambulance service to the medical practice. We also believe that replacing the gardens with carparks impacts very negatively on the aesthetics and environmental value of the area.

Representor's Signature *R Peppatt* Rod Peppatt Minister of Word Date 1 / 12 / 2015

Property Owner: *Uniting Church in Aust Property Trust (Tas)*

CK Bennett
(Carol Bennett)

on behalf of
Property Trust (Tas)
29 Nov 2015



Town Hall St John Street Launceston Tasmania
PO Box 396 Launceston Tasmania 7250

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E council@launceston.tas.gov.au www.launceston.tas.gov.au

Development Application Representation Letter

18-Fmx-018 - Version 21/11/2012

Development Application Number

Address of Development

Details of Representer

Title Given Name/s

Surname

Unit/Street No Street

Suburb State Postcode

Phone H B M

Email

Reason for Representing

We are not against Henty House reorganising its car parking. For the right intentions some 30 years ago 3 levels of Govt. created the Civic Square precinct for administration purposes. Private land was compulsorily acquired including laneways. For the wrong reasons the Crown when divesting itself of unwanted assets in 2007 - rearranged rights of way for its own benefit. It knowingly created burdens in perpetuity for surrounding properties. Prior to that, in 2004 and 2006 the LCC appealed to the Crown to fix those inequities. In 2008 the sale of Henty House saw the LCC renegotiate access with the new Henty House owners to the rear of the Pilgrim Church and 75 Cameron Street. The access solution was brokered by Frank Dixon and Andrew Frost of LCC in 2008.

This new Henty House parking redevelopment currently proposed cuts across that existing agreement. The Pilgrim Church and Autech are happy to mediate through LCC with Henty House for a mutually beneficial outcome.

If this is not possible, we ask the LCC to consider seeking the compulsorily re-acquirement of the laneway land at the back of Henty House ceded in the past, to safeguard access in the precinct for the future.

Alternatively, the LCC may prefer to alter the rights of way given in 2007 over that land - to honour and reflect its prior usage.

Representer's Signature _____ Date 4 / 12 / 2015




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

Tuesday 15 December

- Attended the Mowbray Primary School End of Year Assembly and Morning Tea
- Attended the Ravenswood Primary School End of Year Assembly

Wednesday 16 December

- Attended and presented at the Brooks High School End of Year Assembly
- Attended the Waverley Primary School End of Year Assembly
- Attended and presented at the Lilydale District High School End of Year Assembly
- Attended the Tasmanian Association Grand Final Function at Aurora Stadium

Thursday 17 December

- Attended the TEER Water Quality Improvement Plan Launch at The Boathouse on North Bank

Friday 18 December

- Attended the University of Tasmania Interior Design Graduation Exhibition and Awards at the School of Architecture and Design

Saturday 19 December

- Officiated and attended the University of Tasmania Town and Gown Procession from Civic Square to the Albert Hall
- Attended the University of Tasmania Graduation Luncheon at the Hotel Grand Chancellor

Sunday 20 December

- Officiated and attended Carols by Candlelight in the City Park

Sunday 27 December

- Officiated and attended the Launceston to Hobart Yacht Race at Beauty Point
 - Attended and presented an award at the Launceston Cycling Christmas Carnival at the Silverdome
-

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

Thursday 31 December

- Attended New Year on Royal at the Royal Park

Monday 4 January

- Attended the Hurricanes Men's Cricket Match at Blundstone Arena

Tuesday 12 January

- Officiated and attended a luncheon for the newly appointed NZ High Commissioner at the Town Hall
-

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.)

11.1.1 Aldermen's Questions on Notice - Council Meeting 14 December 2015**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Leanne Hurst (Director Development Services)

QUESTION AND RESPONSE:

Alderman D C Gibson asked the following question.

1. Was a permit required and obtained for the removal of a large blackwood tree at 14 Garfield Street?

Response:

(Mrs L Hurst - Director Development Services)

There are no planning controls on trees in residential areas where no relevant codes apply. Trees in the rear yard of 14 Garfield Street were noted on the proposed plans for DA0482/2015. These were removed prior to advertising.

Questions from Alderman R I Soward with response provided from Council Officers.

Alderman R I Soward asked the following questions:

1. What work is being undertaken near the Glen Dhu Primary School murals?

Response:

(Mr H Galea - Director Infrastructure Services)

Parks and Recreation receive two to three requests each year on projects to construct or rehabilitate areas of the city - Glen Dhu underpass, 42nd Battalion Memorial and the Workers' Memorial are three recent examples.

Although we undertake the design work it is on the basis that the sponsoring groups find the funds to undertake the projects. What happens is that when these groups are unable to find the fund then they automatically think, given that the Council has done that design work, that we will fund the project. Unfortunately these projects are very low on our priority when compared to projects that we do not fund due to lack of funds.

The Glen Dhu Primary School have tried to obtain external funding but were not successful. At this stage the project is not listed to progress further.

11.1.1 Aldermen's Questions on Notice - Council Meeting 14 December 2015...(Cont'd)

2. Asked whether there are processes in place to continue work near the Worker's Memorial near Aurora Stadium?

Response:

(Mr H Galea - Director Infrastructure Services)

The first stage of the project was implemented but further stages are delayed due to a lack of funds.

Cognisant of the funding restrictions (we have projects that have been significantly postponed due to a lack of funds) then this project is not likely to get up without a majority of external funding. The Group who have sponsored the project have tried to get private funding but this was not successful.

11.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12 COMMITTEE REPORTS**12.1 Heritage Advisory Committee Meeting - 22 October 2015 and 3 December 2015****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Urban Design & Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Heritage Advisory Committee's meetings held on 22 October 2014 and 3 December 2015.

RECOMMENDATION:

That Council:

- a) receives the report from the Heritage Advisory Committee meetings held on 22 October 2015 and 3 December 2015.
- b) adopts the following recommendation from the meeting of the Heritage Advisory Committee held on 3 December 2015:

That Council Officers prepare a report to be considered by Council to:

- a) Investigate options and models that have been used to address sites of cultural and strategic significance in other cities which have become derelict.
 - b) Consider the feasibility of purchasing sites of heritage significance.
-

REPORT:

The Heritage Advisory Committee met on Thursday, 22 October 2015 and Thursday, 3 December 2015.

At its meeting held on 22 October 2015, the Committee noted the following items:

- Briefing to Aldermen
 - Adaptive Reuse and Access Issues for Heritage Buildings
 - Duck Reach Power Station - call for tenders
-

12.1 Heritage Advisory Committee Meeting - 22 October 2015 and 3 December 2015...(Cont'd)

The following items were discussed:

- **Heritage Planning Review**
Richard Jamieson, Manager Planning Services, reported that progress was being made by the state Planning Reform Taskforce which may affect the prioritisation of the City of Launceston's heritage projects. It was agreed that a letter should be sent to the Planning Reform Taskforce requesting that the Council/Committee be informed of any developments in this regard.
- **Strathroy Bridge Lighting**
It has been noted that Council had approved the Committee's recommendation to allow for spending of up to \$2000 to assist with the repair of the lights and/or solar panels and movement of the poles to a more appropriate location.
- **Launceston's City Heart - Update on Project**
Recreation Planner Aaron Mullins provided a briefing on the status of the project on behalf of 'City Heart' Project Manager Damien Fitzgerald, including completion of Dicky White's lane, refurbishment and relocation of the Old Seats in the Mall.
- **Derelict Heritage Properties**
The Committee raised the question of how Council could be proactive when dealing with derelict heritage buildings/properties. It was agreed to provide a motion to Council, which would be finalised at the next meeting of the Committee on 3 December 2015.

At its meeting held on 3 December 2015, the Committee noted the following items:

- Briefing for Aldermen
- Adaptive Reuse and Access Issues for Heritage Buildings

The following items were discussed:

- **Heritage Planning Review**
The Committee were advised the Heritage List project is ongoing.
 - **Strathroy Bridge Lighting**
An invoice has been received from the National Trust for \$2,000. However, as the decision was to allocate 'up to \$2,000' for this project, the Committee agreed that further information would be required on actual costs prior to payment.
-

12.1 Heritage Advisory Committee Meeting - 22 October 2015 and 3 December 2015...(Cont'd)

- **Launceston's City Heart - Update on Project**
Recreation Planner Aaron Mullins provided an update on the following projects:
 - The Quadrant Mall redevelopment.
 - Public Artwork and Heritage Interpretation Strategy implementation.
 - Masterplan to be presented at the Council Workshop on 7 December 2015.
 - Signage and Wayfinding Project - copies will be provided to Committee members when completed.

- **Derelict Heritage Properties**
'That Council officers prepare a report to be considered by Council to:
 - a) *Investigate options and models that have been used to address sites of cultural and strategic significance in other cities which have become derelict.*
 - b) *Consider the feasibility of purchasing sites of significance.*

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

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

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

12.1 Heritage Advisory Committee Meeting - 22 October 2015 and 3 December 2015...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

12.2 Heritage Forest Advisory Committee Meeting - 2 December 2015**FILE NO:** 6371**AUTHOR:** Dannielle Denning (Parks Planner)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider a report from the Heritage Forest Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Heritage Forest Advisory Committee meeting held on 2 December 2015.

REPORT:

The Committee discussed the following items at its meeting on 2 December 2015:

1. Community Garden Update

Works continue to progress with layout well established with posts in for espaliered fruit trees, 18 raised beds (3-4 are in use already) and rotary hoe available for use in the pegged out open beds. Works to outbuilding completed. Power not connected but cable in. New sewage plant installed but not yet connected. Work by Youth Futures acknowledged. Jo Dean has been appointed volunteer coordinator. Proposal put forward to maintain and repair Lamont House circa 1834 an unlisted heritage house in accordance with the conservation management plan completed in 2012 by Sam Nichols and sourcing grant funding opportunities was deferred to General Business. It was recommended that the first committee meeting in 2016 be held at community garden.

2. Tasmanian Native Plant Garden

The 10th Anniversary event was a terrific success with 60-80 people in attendance. The garden was flowering, interpretative signage installed. Car park had been tidied and the walkway from car park through the arboretum mowed. There have more visitors following the event. A map was presented showing the proximity of the native plant garden and the community garden and the opportunity to provide a link between the two gardens was discussed. NRM North is hosting a book launch in the garden. It was recommended that notices of upcoming events be forwarded to Dannielle to circulate to Aldermen and Committee members.

12.2 Heritage Forest Advisory Committee Meeting - 2 December 2015...(Cont'd)

3. New Change Room Update

Drawings are being assessed for Building Approval. Some additional information has been requested regarding the energy provisions of Part J of the Building Code. Hopefully, building approval will be granted within the next 2-3 weeks. Work has been tendered with tenders closing Wednesday 9 December. Once we have price then it has to be approved by Tender Review Committee. A special meeting is proposed so this can happen prior to Christmas. On site work currently scheduled to commence on site mid-January 2016 allowing for a three month construction period so up and running by next soccer season.

4. Pedal Buggy Tours Update

The proposal was approved by the Council and lease agreement is being finalised.

5. Conway Street Carpark

The design for an additional carpark on Conway Street was costed at nearly \$100,000. A redesign of extension of the existing carpark space was costed at \$50,000 resulted in 4 car parking spaces less than the original design with the inclusion of the disabled parking and footpath. The development application will be submitted as soon as practicable. Work will commence in 2016 and work around the peak season.

6. General Business

- a) The process for communicating minutes of Committee Meetings to the Council and the Community Reports was discussed.
- b) Council's policy for memorial plaques in parks was discussed following an enquiry to add a plaque to the native plant garden. It was suggested that the individual make a request in writing to the Council.
- c) 2016 is a significant year for NRM in Launceston being 25 years since the "Ribbon of Blue" project. Largest urban Landcare project in Australia.
- d) A proposal was discussed regarding the repairs and maintenance of Lamont House. It is proposed to engage with a suitable employment program for the maintenance and repair. The building will be assessed in the next couple of weeks. The future use of the building will be evaluated as repairs and maintenance are made in conjunction with all parties.
- e) 2017 is the 100th anniversary of Lions Clubs International.
- f) The location of the Community Garden signage was discussed. Design to be finalised.
- g) The committee recognised and thanked Andrew Smith for the excellent work on the Committee. It was recommended that a letter of recognition be sent on behalf of the Committee.

ECONOMIC IMPACT:

Not considered relevant to this report.

12.2 Heritage Forest Advisory Committee Meeting - 2 December 2015...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 2 - A city where people choose to live
Ten-year goal - To promote Launceston as a unique place to live, work, study and play
Key Directions -
1. To continue to offer and attractive network of parks, open spaces and facilities throughout Launceston

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.



Harry Galea: Director Infrastructure Services

12.3 Pedestrian and Bike Committee Meeting - 24 November 2015**FILE NO:** SF0618**AUTHOR:** Julie Tyres (Administration Officer - Roads Hydraulics)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To receive a report from the Pedestrian and Bike Committee.

RECOMMENDATION:

That Council receives the report from the Pedestrian and Bike Committee held on 24 November 2015.

REPORT:

A meeting of the Pedestrian and Bike Committee held on 24 November 2015 discussed the following items:

- The Bike Futures tourism seminar was opened by the Premier, Will Hodgman and was hosted by the City of Launceston on 11-13 November 2015. 58 international, interstate and Tasmanian delegates attended for three days of bike tours, presentations and workshops.
- The Committee nominated bike projects in Vermont Road, Waverley and the Inveresk Rocherlea Trail for possible inclusion in the State budget.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

12.3 Pedestrian and Bike Committee Meeting - 24 November 2015...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

The key directions within Council's Strategic Plan (2014-2024) which are considered relevant:

- 2.1.6 To promote active and healthy lifestyles
- 3.1.2 To improve and maintain accessibility within the City of Launceston area, including its rural areas
- 4.1.5 To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities
- 8.5.1 To strategically manage our assets, facilities and services

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.



Harry Galea: Director Infrastructure Services

12.4 Tender Review Committee Meeting - 7 and 14 December 2015

FILE NO: SF0100

AUTHOR: Raj Pakiarajah (Manager Projects)

DIRECTOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council receives the reports from the Tender Review Committee meetings held on 7 and 14 December 2015.

REPORT:

The Tender Review Committee meetings on 7 and 14 December 2015 determined the following:

7 December 2015

Registration of Consultants - CD.028/2015

The Tender Review Committee accepted the consultants listed for each schedule in the table below, to be registered to provide services from - 1 January 2016 to 31 December 2018:

SCHEDULE	RECOMMENDED TENDERER					
	1	2	3	4	5	6
1. Asset Management & Infrastructure Planning	GHD Pty Ltd	Jacobs Group	Pitt & Sherry	Cardno Pty Ltd		
2. Geotechnical Engineering	Geoton Pty Ltd	GHD Pty Ltd	Pitt & Sherry	Jacobs Group		
3A. Civil Engineering (Hydraulic, Roding, Structural)	Jacobs Group	Pitt & Sherry	GHD Pty Ltd	6ty° Pty Ltd	JMG Pty Ltd	IPD Consulting

12.4 Tender Review Committee Meeting - 7 and 14 December 2015...(Cont'd)

SCHEDULE	RECOMMENDED TENDERER					
	1	2	3	4	5	6
3B. Civil Engineering (Bridge Inspections)	Auspan Pty Ltd					
4. Electrical Engineering	Engineering Solutions Tasmania	JMG Pty Ltd	Pitt & Sherry	GHD Pty Ltd		
5. Traffic Engineering & Transport	GHD Pty Ltd	Pitt & Sherry	Cardno Pty Ltd	Midson Traffic Pty Ltd		
6A. Waste Management Strategy & Planning	GHD Pty Ltd	Pitt & Sherry	Just Waste	IPD Consulting	Jacobs Group	MRA Consulting Group
6B. Landfill Design	GHD Pty Ltd	Pitt & Sherry	IPD Consulting	Jacobs Group		
7A. Landscape Architecture & Urban Design	Lange Design	GHD Pty Ltd	Aspect Studios	Hansen Partnership Pty Ltd		
7B. Urban Design (accessibility)	Protek Building Surveying					
8. Recreation Planning	At Leisure Planners	Aspect Studios	Lange Design			
9. Bushfire Management Planning	Ground Proof Mapping	GHD Pty Ltd				
10. Community Engagement & Consultation	Groupwork Pty Ltd	At Leisure Planners	GHD Pty Ltd	Pitt & Sherry	University of Technology	
11. Graphic Design	James Calvert Design	S Group	Jaffa Strategic Design	Aspect Studios		
12A. Contract Management	Pitt & Sherry	JMG Pty Ltd	GHD Pty Ltd	Jacobs Group	6ty° Pty Ltd	IPD Consulting
12B. Project Management	Pitt & Sherry	JMG Pty Ltd	GHD Pty Ltd	Jacobs Group	IPD Consulting	

12.4 Tender Review Committee Meeting - 7 and 14 December 2015...(Cont'd)

Supply of Bulldozer for Waste Centre Landfill - CD.044/2015

The Tender Review Committee accepted the tender submitted by Onetrak Pty Ltd for the replacement of the Waste Centre Landfill Bulldozer, at a changeover cost of \$360,900 (excl. GST).

Princess Theatre Auditorium Refurbishment - CD.048/2015

The Tender Review Committee accepted the tender submitted by Darcon Constructions Pty Ltd for the Princess Theatre Auditorium Refurbishment works, at a cost of \$645,544.13 (excl. GST).

Bridge Replacement Program - 2015-2016 - CD.053/2015

The Tender Review Committee accepted the tenders submitted by TasSpan Civil Contracting and BridgePro Engineering for the below listed bridge replacements and costs:

1. BridgePro Engineering

Collins Road Bridge 620 (Pipers River)	\$175,800 (excl. GST)
Lalla Road Bridge 638 (Pipers River)	\$138,000 (excl. GST)
Aplico Road Bridge 602 (North Esk River)	\$288,500 (excl. GST)

2. TasSpan Civil Contracting

Karoola Road Bridge 637 (Pipers River)	\$114,998.93 (excl. GST)
Glenford Road Bridge 628 (Pipers River)	\$71,360.88 (excl. GST)
Roses Tier Road Bridge 656 (Ford River)	\$129,574.91 (excl. GST)

Security Services - Cataract Gorge Reserve - First Basin - CD.045/2015

The Tender Review Committee accepted the tender submitted by Eagle Security for the Cataract Gorge and First Basin Security Services, at an estimated annual cost of \$53,180 (excl. GST).

14 December 2015**Kings Meadows Drainage Upgrade - CD.029/2015**

The Tender Review Committee accepted the tender submitted by Shaw Contracting Pty Ltd for the construction of Portion A and a reduced Portion B scope of works, for the Kings Meadows Drainage Upgrade Project, at a cost of \$2,243,844 (excl. GST).

Rose Lane Subsoil Drainage Installation - CD.055/2015

The Tender Review Committee accepted the tender submitted by Crossroads Civil Contracting for Rose Lane Subsoil Drainage Installation, at a cost of \$160,484 (excl. GST).

12.4 Tender Review Committee Meeting - 7 and 14 December 2015...(Cont'd)

Westbury Road (Normanstone Road to Bertha Street) Traffic Management and Reseal - CD.059/2015

The Tender Review Committee accepted the tender submitted by Crossroads Civil Contracting Pty Ltd for Westbury Road (Normanstone Road to Bertha Street) - Traffic Management and Reseal, at a cost of \$216,484 (excl. GST) subject to the modification of the intersection at Normanstone Road.

Placement of Asphalt in the Launceston Municipality Area (1 January 2016 to 31 December 2019) - CD.052/2015

The Tender Review Committee accepted the tender submitted by Venarchie Contracting Pty Ltd, Crossroads Civil Contracting Pty Ltd and Deray Contractors Pty Ltd for the Placement of Asphalt in the Launceston Municipality Area, for the period from 1 January 2016 to 31 December 2019 at the schedule of rates submitted.

Long Term Supply of Asphalt Material (2016 to 2031) - CD.051/2015

The Tender Review Committee accepted the conforming tender submitted by Downer EDI Works Pty Ltd for the Long Term Supply of Asphalt (2016 to 2031), at the rates provided in the tender.

ECONOMIC IMPACT:

The economic impact has been considered in the development of these projects.

ENVIRONMENTAL IMPACT:

The environmental impact has been considered in the development of these projects.

SOCIAL IMPACT:

The social impact is considered in the development of these projects.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goal - To ensure decisions are made in a transparent and accountable way
Key Direction -
1. To develop and consistently use community engagement processes

12.4 Tender Review Committee Meeting - 7 and 14 December 2015...(Cont'd)

Priority Area 8 - A secure, accountable and responsive Organisation

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

Key Direction -

2. To lead the implementation of the Greater Launceston Plan by collaborating on relevant initiatives

BUDGET & FINANCIAL ASPECTS:

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

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Harry Galea: Director Infrastructure Services

13 COUNCIL WORKSHOPS

Council Workshops conducted on 7 December 2015 were:

- Gallery of the First Tasmanian
 - City Heart Master Plan
 - Public Halls Review
 - Cafe11 Lease
 - Rating Strategy
 - Deputations to SPPC and Council
-

14 NOTICES OF MOTION

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

14.1 Notice of Motion - Alderman R J Sands - Flexible Rating Model

FILE NO: SF5547/SF0521

AUTHOR: Tegan West (Committee Clerk)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider a more flexible rating structure that allows for differential rating.

PREVIOUS COUNCIL CONSIDERATION:

Item 14.1 - Council 14 November 2015 - *Notice of Motion - Alderman Sands - Flexible Rating Structure*

RECOMMENDATION:

That Council provides a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution. In support of the motion and to provide specific instruction, the rating model required is to reflect the following points. That City of Launceston model only:

- Model only on the effect of increasing the fixed charge in the general rate.
 - Provide a weighted comparative analysis that identifies the impact of an increase of the fixed charge compared to the current rating structure.
 - The model is to be based on achieving the same income as the current rating structure.
 - Provide three models that reflect an increase in the fixed charge from \$147 to \$200, \$250 and \$300 unless these amounts are not under the maximum allowable fixed charge in accordance with the Local Government Act.
 - Present the models to full Council at 22 February 2016.
-

REPORT:**Background**

In relation to quote "that Council considers a more flexible rating structure that allows for differential rating structure and the adoption of an average area rate for residential properties" that:

14.1 Notice of Motion - Alderman R J Sands - Flexible Rating Model...(Cont'd)

1. Council directs the General Manager to prepare the 2016/17 rate resolution to allow for the provision of differential rating across the various use of the land and vacant land to provide Aldermen with greater flexibility to vary the rates within each sector.

Explanatory Notes

In relation to this original motion the motion is direct. No modelling is required and no further debate is needed as it is already adopted. Council has directed the General Manager to provide differential rating across the use of land and vacant land for the 2016/17 rate resolution. Therefore the rate resolution should be presented to Council in no other format. Launceston will not have to use differential rating next year as it is typically only used following a revaluation so that if a Council desires, different sectors may pay a different rate in the dollar to stop swings between each sector after a revaluation. Council looks forward to the next rate resolution in this format as agreed to by full Council.

2. Provide a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution.

Explanatory Notes

The idea here is to begin to flatten the rate in the next financial year so that the impact when we significantly flatten the rates in the second (revaluation) year is reduced. We need to move strategically to a flat rate in two steps as well as aim for when the timing is right following the revaluation. This motion is unambiguous, clear and to the point and we need to adopt what has been approved by the full Council.

OFFICER COMMENT:

Michael Tidey (Director Corporate Services)

Following the update of the Council's Rates and Charges Policy and a discussion about the intended process for the review of the rating structure in the lead up to the next municipal revaluation, a Notice of Motion from Alderman Sands was considered at the Council Meeting on 23 November 2015.

14.1 Notice of Motion - Alderman R J Sands - Flexible Rating Model...(Cont'd)

During the consideration of the item amendments were made with the result that the following motion was passed:

That Council considers a more flexible rating structure that allows for differential rating and the adoption of an Average Area rate for residential properties.

- 1. That Council directs the General Manager to prepare the modelling for the 2016/17 rate resolution to allow for the provision of differential rating across the various uses of the land.*
- 2. Provide a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution.*
- 3. Provide a rating model to identify the impact of adopting an Average Area rate across residential properties based on locality non-use of the land (vacant land) and current AAV valuation range in preparation for the 2017/18 rate resolution.*

Underlining of text has been added to highlight key words.

The November motion sought to deal with the complete range of rating structures and variables that need to be considered as part of a comprehensive review. As part of the review process it is important to understand the effect changing each of the variables can have on the outcome. However, a significant change in one variable such as the general charge should not be considered without also assessing whether there are other factors that would complement the change.

Thus the Notice of Motion, the background and explanatory notes provided by Alderman Sands contains matters that require further consideration and comment.

- a) Alderman Sands has quoted the motion that he proposed to the Meeting on 23 November 2015, this is not the decision that was actually made (refer attachment). The decision specifically requires modelling to occur.
 - b) The provision of differential rating is a descriptive statement of intent, the implementation of differential rating requires the Council to determine the amount of the rate in the dollar of value that applies. It is expected that the Council would review the effect of the differential factors prior to a decision on the resolution which gives effect to these factors.
 - c) As explained below, a significant change to the amount of the general charge needs to be considered in conjunction with other changes to the rating structure.
-

14.1 Notice of Motion - Alderman R J Sands - Flexible Rating Model...(Cont'd)

The initial estimate of the changes to the general rate and charge are based on the Council's Statutory Estimates for the year ending 30 June 2016.

General Charge	Charge \$m	Change \$m	Rate \$m	Total \$m
\$147	4.92	-	45.31	50.23
\$200	6.69	1.77	43.54	50.23
\$250	8.37	3.45	41.86	50.23
\$300	10.04	5.12	40.19	50.23

Consideration of these options is appropriate. However, these changes without further refinement would be expected to:

- a) increase the proportion of rates levied on residential properties by reducing the proportion of the other usage categories; and
- b) increase the rates on lower valued properties by reducing the rates paid on higher valued properties.

Thus, to enable a more complete consideration of the options, it is recommended that the scope of the modelling include an initial analysis of how differential rates might be used in conjunction with a change to the general charge.

This Notice of Motion focuses on one of the elements of the decision on 23 November 2015, namely item 2 which deals with the composition of the general rate on the premise that some matters have already been determined. Sections 90 and 91 of the *Local Government Act 1993* set out the legislative requirements.

90. General Rate

- (1) *A council may, not earlier than 1 June and not later than 31 August in any year, in respect of each financial year, make one general rate for that year on all rateable land in its municipal area...*
- (4) *In making a general rate, a council may set a minimum amount payable in respect of that rate if that rate does not include a fixed charge...*

91. Composition of general rate

- (1) *A general rate may consist of 2 components -*
 - (a) *one which is based on the value of the rateable land; and*
 - (b) *the other which is a fixed charge.*
- (2) *If a council makes a general rate which consists of the 2 components, the fixed charge -*
 - (a) *must apply equally to each rateable land assessment; and*
 - (b) *must be calculated so that the total revenue raised from it does not exceed an amount equal to 50% of the council's general rates for the year to which the fixed charge relates.*

14.1 Notice of Motion - Alderman R J Sands - Flexible Rating Model...(Cont'd)

The fourth dot point nominates three amounts for the modelling of the general charge (\$200, \$250 and \$300). These amounts are all within the constraints of Section 91(2)(b) of the *Local Government Act 1993*.

The final dot point seeks to have the 'weighted comparative analysis' presented to full Council at 22 February 2016. The format of a formal Council Meeting limits the ability for presentations and discussions. It is suggested that the presentation of modelling of rating structures is better, at least in the first instances, presented in a workshop environment:

- a) so that there can be questions; and
- b) the confidentiality of any specific examples is protected.

In order to address the expectation of the Aldermen, it would be of assistance if requirements (eg what are the criteria and what is their relative weighting) in regard to the 'weighted comparative analysis'.

The lead time for the preparation of Council Agenda items means that to meet the 22 February 2016 deadline, the analysis will have to be completed by early February.

As previously noted it is my recommendation that the presentation and discussion occur in a workshop with 7 March 2016 as the planned meeting date.

ECONOMIC IMPACT:

Rating structures can have a small economic impact through the allocation to the various categories of property use (commercial, industrial etc).

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Rating structures can have a social impact through the redistribution of rates from one socio-economic group to another.

STRATEGIC DOCUMENT REFERENCE:

Rates and Charges Policy (23-Plx-010)

BUDGET & FINANCIAL ASPECTS:

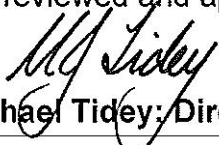
N/A

14.1 Notice of Motion - Alderman R J Sands - Flexible Rating Model...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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


Michael Tidey: Director Corporate Services

ATTACHMENTS:

1. Notice of Motion - Alderman R J Sands - Flexible Rating Structures
 2. Agenda Report - Notice of Motion - Alderman R J Sands - Flexible Rating Structures
- 23 November 2015
-

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 / SF0521
TS
DATE: 17 December 2015

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

FROM: Ted Sands Alderman

SUBJECT: Notice of Motion - Flexible Rating Structure

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 22 February 2016.

Motion

Provide a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution. In support of the motion and to provide specific instruction, the rating model required is to reflect the following points. That City of Launceston model only:

- Model only on the effect of increasing the fixed charge in the general rate.
- Provide a weighted comparative analysis that identifies the impact of an increase of the fixed charge compared to the current rating structure.
- The model is to be based on achieving the same income as the current rating structure.
- Provide three models that reflect an increase in the fixed charge from \$147 to \$200, \$250 and \$300 unless these amounts are not under the maximum allowable fixed charge in accordance with the Local Government Act.
- Present the models to full Council at 22 February 2016.

Background

In relation to quote "that Council considers a more flexible rating structure that allows for differential rating structure and the adoption of an average area rate for residential properties" that:

1. Council directs the General Manager to prepare the 2016/17 rate resolution to allow for the provision of differential rating across the various use of the land and vacant land to provide Aldermen with greater flexibility to vary the rates within each sector.

Explanatory Notes

In relation to this original motion the motion is direct. No modelling is required and no further debate is needed as it is already adopted. Council

CITY OF LAUNCESTON

MEMORANDUM

has directed the General Manager to provide differential rating across the use of land and vacant land for the 2016/17 rate resolution. Therefore the rate resolution should be presented to Council in no other format. Launceston will not have to use differential rating next year as it is typically only used following a revaluation so that if a Council desires, different sectors may pay a different rate in the dollar to stop swings between each sector after a revaluation. Council looks forward to the next rate resolution in this format as agreed to by full Council.

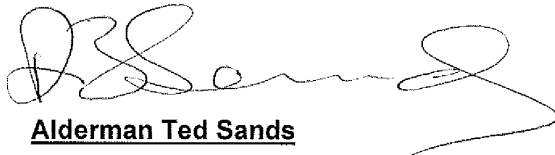
2. Provide a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution.

Explanatory Notes

The idea here is to begin to flatten the rate in the next financial year so that the impact when we significantly flatten the rates in the second (revaluation) year is reduced. We need to move strategically to a flat rate in two steps as well as aim for when the timing is right following the revaluation. This motion is unambiguous, clear and to the point and we need to adopt what has been approved by the full Council.

Attachments

Nil



Alderman Ted Sands

[Agenda Report](#)

Council Meeting date - Monday, 23 November 2015

Item No. 14.1

To view Agenda Report - double click on hyperlink.

TITLE: Notice of Motion - Alderman R J Sands - Flexible Rating Structure

FILE NO: SF5547/SF0521

AUTHOR: Alderman R J Sands

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider a fairer and more flexible rating model.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That Council considers a more flexible rating structure that allows for differential rating and the adoption of an Average Area rate for residential properties.

1. That Council directs the General Manager to prepare the 2016/17 rate resolution to allow for the provision of differential rating across the various use of the land and vacant land to provide Aldermen with greater flexibility to vary the rates within each sector.
 2. Provide a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution.
 3. Provide a rating model to identify the impact of adopting an Average Area rate across residential properties based on locality non - use of the land (vacant land) and current AAV valuation range in preparation for the 2017/18 rate resolution.
 4. That Council directs the General Manager to begin the process now of the adoption to an average area rate due to the lengthy lead time which is required by local government.
-

Mr R Dobrzynski (General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.

MOTION 1

Moved Alderman R J Sands, seconded Alderman R L McKendrick.

That the Motion, as per the Recommendation to Council, be adopted.

No Vote was Taken as an Amendment was Put

DECISION: 23 November 2015

MOTION 2

Moved Alderman R I Soward, seconded Alderman R L McKendrick.

That an additional three minutes speaking time be granted to Alderman R J Sands.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander and Alderman S R F Wood

DECISION: 23 November 2015

MOTION 3

Moved Alderman R I Soward, seconded Alderman D W Alexander.

That an additional three minutes speaking time be granted to Alderman R L McKendrick.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander and Alderman S R F Wood

DECISION: 23 November 2015

MOTION 4

Moved Alderman R I Soward, seconded Alderman R L McKendrick.

That an additional three minutes speaking time be granted to Alderman D H McKenzie.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander and Alderman S R F Wood

AMENDMENT

Moved Alderman J Finlay, seconded Alderman R I Soward.

That Council considers a more flexible rating structure that allows for differential rating and the adoption of an Average Area rate for residential properties.

1. That Council directs the General Manager to prepare the 2016/17 rate resolution to allow for the provision of differential rating across the various use of the land and vacant land to provide Aldermen with greater flexibility to vary the rates within each sector.
2. Provide a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution.
3. Provide a rating model to identify the impact of adopting an Average Area rate across residential properties based on locality non-use of the land (vacant land) and current AAV valuation range in preparation for the 2017/18 rate resolution.
4. That Council directs the General Manager to ensure that any process agreed to by Aldermen through parts 1, 2 and 3 of the resolution is able to be implemented in the 2017 - 2018 rating year.

It was suggested that, in order to facilitate discussion on the proposed motion, Council adjourn for a short break. Council adjourned for a break at 2.04pm and resumed at 2.11pm

The Motion was Withdrawn by Alderman J Finlay, with consent from Alderman R I Soward and agreement of the Council

DECISION: 23 November 2015

AMENDMENT

Moved Alderman J Finlay, seconded Alderman D W Alexander.

That Council considers a more flexible rating structure that allows for differential rating and the adoption of an Average Area rate for residential properties.

1. That Council directs the General Manager to prepare the 2016/17 rate resolution to allow for the provision of differential rating across the various use of the land and vacant land to provide Aldermen with greater flexibility to vary the rates within each sector.
2. Provide a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution.
3. Provide a rating model to identify the impact of adopting an Average Area rate across residential properties based on locality non-use of the land (vacant land) and current AAV valuation range in preparation for the 2017/18 rate resolution.

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander and Alderman S R F Wood

CARRIED 10:0

The Amendment becomes the Motion

During the debate, a further amendment was foreshadowed.

DECISION: 23 November 2015

AMENDMENT

Moved Alderman J Finlay, seconded Alderman D W Alexander.

That Council considers a more flexible rating structure that allows for differential rating and the adoption of an Average Area rate for residential properties.

1. That Council directs the General Manager to prepare the modelling for the 2016/17 rate resolution to allow for the provision of differential rating across the various uses of the land.
2. Provide a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution.
3. Provide a rating model to identify the impact of adopting an Average Area rate across residential properties based on locality non-use of the land (vacant land) and current AAV valuation range in preparation for the 2017/18 rate resolution.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander and Alderman S R F Wood

The Amendment becomes the Motion

DECISION: 23 November 2015

MOTION 5

Moved Alderman R J Sands, seconded Alderman R L McKendrick.

That the Motion be adopted.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander and Alderman S R F Wood

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**15.1 No Smoking Policy - Community****FILE NO:** SF3221**AUTHOR:** Debbie Fortuin (Manager Environmental Services)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider the adoption of a No Smoking Policy for public and community spaces within the City of Launceston.

RECOMMENDATION:

That Council approve the No Smoking Policy - Community 10-Plx-001 as set out below.

No Smoking Policy - Community**PURPOSE:**

The purpose of this policy is to set out the Council's position on smoking in Council managed facilities and public places.

Significant health risks are posed by exposure to smoke from tobacco products smoked by other people. It is well established that second-hand smoke causes coronary heart disease and lung cancer in non-smokers. There is no level of exposure to second-hand smoke that is free of risk.

The City of Launceston is seeking to reduce the adverse health effects of smoking.

SCOPE:

This policy applies to all Council owned facilities, public buildings and designated events, malls and public spaces managed by the City of Launceston. It also applies to the use and lease of Council buildings and facilities and events.

This policy applies to members of the public who are visiting Council premises.

15.1 No Smoking Policy - Community...(Cont'd)

POLICY:

The City of Launceston will:

- Prohibit smoking in all Council owned, controlled and leased buildings;
- Regulate smoke-free areas pursuant to the *Public Health Act 1997*;
- Discourage smoking at all outside venues owned, controlled and leased by Council;
- Discourage smoking at all Council organised events;
- Unless otherwise already prohibited by legislation, condition financial assistance for events with the requirement that smoking is actively discouraged;
- Install no smoking signage in accordance with the *Public Health Act 1997*. Signpost key sites to highlight Council's position in regard to no smoking.

PRINCIPLES:

That Council reinforce the legislative framework established under the *Public Health Act 1997*.

RELATED POLICIES & PROCEDURES:

Workplace No Smoking Policy 21-PI-001

Occupational Health and Safety Policy 21-PI-002

Events Sponsorship Policy 05-PI-012

RELATED LEGISLATION:

Public Health Act 1997

REFERENCES:

Public Health Act 1997

DEFINITIONS:

Under Section 67B of the *Public Health Act 1997* a "smoke free area" is any of the following:

- (a) an enclosed public place;
 - (b) an enclosed workplace;
 - (c) any area not within private premises designated by the occupier of the area as a smoke-free area;
 - (d) at an outdoor sporting venue during an organised sporting event being held at that venue, anywhere within 20 metres of:–
 - any permanently or temporarily erected public seating; or
 - any seating, marshalling area, warm-up area, podium or other part of the venue reserved for the use of competitors or officials; or
 - any part of the venue used to conduct the actual organised sporting event;
 - (e) anywhere within 3 metres of an entrance to or an exit from any non-domestic building or multiple-use building;
-

15.1 No Smoking Policy - Community...(Cont'd)

- (f) anywhere within 10 metres of any air intake for ventilation equipment on or in a multiple-use building or a non-domestic building
- (g) anywhere within 10 metres of any play equipment erected at a children's playground in a public place;
- (h) on a beach at which a surf-lifesaving organisation has temporarily erected a pair of red and yellow flags for the safety of beach users, the area "between the flags" (being the rectangular area bordered by the flags, the water's edge and the landward fringe of the beach);
- (i) anywhere at a public swimming pool, including the curtilage of the public swimming pool;
- (j) anywhere that the Director of Public Health, by public notice, designates as a smoke-free area in connection with a public event or class of public events specified in that public notice;
- (k) anywhere in an outdoor dining area;
- (l) anywhere within 3 metres of an outdoor dining area that is not surrounded by a screen, or other barrier, that is at least 2.1 metres high and impervious to smoke;
- (m) a public street that the regulations declare to be a pedestrian mall;
- (n) a public street that the regulations declare to be a bus mall;
- (o) anywhere within 3 metres of a bus shelter on a public street

REVIEW:

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

REPORT:

The 'No Smoking Policy - Community' is a new policy derived from the previous 'No Smoking Policy', which has now been separated into two discrete policies:

- Workplace No Smoking Policy - 21-PI-001 (an internal policy applicable to City of Launceston workplaces)
- No Smoking Policy - Community - 10-Plx-001 (an external policy applicable to public spaces).

The 'No Smoking Policy - Community' reinforces the principles of the *Public Health Act 1997* and relevant regulations, and is consistent with previous Council decisions seeking to reduce the effects of secondary smoking on members of the community in public spaces.

15.1 No Smoking Policy - Community...(Cont'd)

The proposed new policy incorporates the definition of 'smoke free areas' as detailed in the *Public Health Act 1997*, and additionally reinforces the Council's policy position in relation to those facilities and events under its management and, through funding agreement conditions, those events that receive grants and sponsorship funding from the City of Launceston.

The following areas are already expressly identified as no smoking areas under the *Public Health Act 1997*:

- Brisbane Street Mall;
- Quadrant Mall;
- Two bus stops in St John Street; and
- Civic Square.

Consideration of whether to seek extension of those areas already identified as 'smoke-free', either expressly or by definition under the Act, will be workshopped with Aldermen in coming months.

ECONOMIC IMPACT:

The economic impacts on the community from the effects of smoking have been well documented.

ENVIRONMENTAL IMPACT:

Littering of cigarette butts is regarded as one of the most significant sources of litter within the community.

SOCIAL IMPACT:

The introduction of smoke free areas provides improved amenity and discouragement of smoking at events and in public spaces is one component of broader education programmes to promote the health benefits of not smoking.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

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

Key Directions -

1. To continue to offer and attractive network of parks, open spaces and facilities throughout Launceston
 3. To contribute to enhanced public health and amenity to promote a safe and secure environment
 8. To promote active and healthy lifestyles
-

15.1 No Smoking Policy - Community...(Cont'd)

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

15.2 Signature Event and Signature Celebration Events Sponsorship

FILE NO: SF5791

AUTHOR: Eve Gibbons (Grants and Sponsorship Officer)

ACTING DIRECTOR: Wendy Newton (Manager Community, Tourism and Events)

DECISION STATEMENT:

To consider Signature Event Sponsorship and Celebration Event Sponsorship for the 2016/2017 financial year.

PREVIOUS COUNCIL CONSIDERATION:

Council - 11 May 2015 - Item 15.2 - Approved one year extension to Signature Events Sponsorship Agreements, 2015/2016 financial year.

Workshop - 8 April 2015 - Signature Events Sponsorship Program

Council - 27 May 2013 - Approval of Signature Celebration Events funding

Council - 29 April 2013 - Item 14.1 - Approved review of Event Sponsorship Policy to include a new 'Signature Celebration' event funding tier

Council - 9 July 2012 - Item 14.1 - Approval of the Signature Events Sponsorship funding

RECOMMENDATION:

That Council:

1. Approves a one year extension to the following Signature Event Sponsorship agreements pending the completion of the City of Launceston Events Strategy and as a result, a revised Event Sponsorship Policy.

No	Organisation	Event	Proposed Signature Event Sponsorship 2016/2017 F/Y
1	Tasmanian Symphony Orchestra	Symphony Under the Stars (February)	\$20,000
2	Tasmanian Sports & Events (previously Events South)	Launceston 10 (June)	\$15,000
3	Launceston Cycling Classic Inc.	Stan Siejka Launceston Cycling Classic (December)	\$15,000
4	Festivale Committee	Festivale (February)	\$20,000
5	Junction Arts Festival Note: Junction Arts Festival also receives in-kind assistance in rent free accommodation, estimated at \$25,000.	Junction Arts Festival (September)	\$35,000
	TOTAL		\$105,000

15.2 Signature Event and Signature Celebration Events Sponsorship...(Cont'd)

2. Approves a one year extension to the following Signature Celebration Event Sponsorship agreements pending the completion of the City of Launceston Events Strategy and as a result, a revised Event Sponsorship Policy.

No	Organisation	Event	Proposed Signature Event Sponsorship 2016/2017 F/Y
1	Launceston Competitions Association Inc.	Launceston Competitions (May/June)	\$3,750
2	Launceston Festival of Dance Inc.	Launceston Festival of Dance (September)	\$5,000
3	Royal National Agricultural and Pastoral Society of Tasmania.	Royal Launceston Show (October)	\$10,000
4	Apex Club of Tamar Inc.	Launceston Christmas Parade (November)	\$5,000
5	Rotary Club of Tamar Sunrise	Carols by Candlelight (December)	\$5,000
6	Launceston & Henley Regatta Inc.	Launceston Henley Regatta (March)	\$1,500
	TOTAL		\$30,250

3. Pre-commits \$40,000 from the 2016/2017 Signature Events Sponsorship budget for a 2016 New Year's Eve event.
4. Endorses an Expressions of Interest process to allow event organisers to apply for City of Launceston funding to stage the 2016 New Year's Eve event.

REPORT:

The revised City of Launceston Events Strategy is close to completion and is in final stages of consultation. After stakeholder consultation, the draft Events Strategy will be completed for Council for endorsement in February.

2015/2016 will be the final year of existing Signature Event and Signature Celebration Event funding arrangements. Applications are scheduled to open on 1 February 2016 for three year funding agreements.

15.2 Signature Event and Signature Celebration Events Sponsorship...(Cont'd)

In determining a funding model for Event Sponsorship (including Signature and Signature Celebration Events), the Council's Policy should support its strategic objectives. As the strategy will not be presented to Council until after funding rounds would normally open, it is recommended that Council approves a one year extension to the existing Signature Event and Signature Celebration Event arrangements. This period will also allow for a transitional process to be developed to strategically align the Event Sponsorship Policy to ensure both the continued integrity of the Event Sponsorship Program and the delivery of a strategically balanced annual events calendar.

New Year's Eve Event

A New Year's Eve event has been identified as a City of Launceston Signature Event funding recipient. The event delivers a memorable community experience, which results in positive social, economic, environmental and city image outcomes and attracts significant numbers of local, regional, state and/or national patrons.

A New Year's Eve event encourages residents to stay within the area over the Christmas and New Year period and provides an event celebration opportunity for visitors to the region. It will also support local businesses by attracting people/visitors to Launceston, who will patronise hotels, restaurants and attractions. An event of this nature fosters a sense of community, enhancing resident's experiences. Bringing together family and friends during the festive season can contribute to a sense of community pride and belonging.

Festivale Committee Inc. notified Council in October 2015 that they will not continue coordinating a New Year's Eve Event past 2015. This decision leaves Launceston without a New Year Eve's event for 2016. It is imperative that every opportunity is provided for a New Year's Eve event to take place in 2016.

Under current policy the timeframe for Event Sponsorship applications are as follows:

Signature Events	Applications Open	Applications Close	Applications Assessed	Council Decision
	February	March	April	July

With significant time, energy and resources required to bring together a New Year's Eve event, the above timeframe would not allow sufficient time or funding assurance for a successful event organiser to produce this type of event.

It is recommended that an Expressions of Interest process be run for the 2016 event. This will allow for an efficient turnaround time in evaluating and approving funding proposals, providing the event organiser with as much time as possible for lead-in to the event, but also ensuring an open and transparent funding application process.

15.2 Signature Event and Signature Celebration Events Sponsorship...(Cont'd)

It is proposed that Expressions of Interest open on 27 January 2016 and close on the 19 February 2016. The following process will apply.

Assessment process

The process of assessment will include:

- All Expressions of Interest for sponsorship will be reviewed by the Grants & Sponsorship Officer to ensure that mandatory requirements have been met.
- Note: Failure to meet mandatory requirements may result in an Expression of Interest application not being processed for assessment;
- Assessments and the final decision of a successful event will be made by the Director of Development Services and Manager, Community Tourism and Events;
- Aldermen will be notified through Council briefing notes.

The following assessment criteria and funding agreement conditions are standard features of the current Signature Events Sponsorship:

Assessment criteria

Applications MAY NOT be considered unless they meet mandatory requirements:

Mandatory

- Event is unique to Launceston;
- Event is held in the City of Launceston Municipality and delivers a memorable community experience resulting in social, economic, environmental and city image outcomes;
- Event Organiser has proven, successful event experience;
- Responds to one or more priorities identified in the City of Launceston Council Event Strategy 2012 - 2015 (Goal 1 - Lifestyle and Goal 4 - Investment);
- Demonstrates how the event will appeal to and attract significant local, regional, state and/or national patrons/visitor numbers
- Demonstrates (intrastate as a minimum) media exposure;
- Alignment with destination brand;
- A detailed budget must be included with the application, demonstrating sound financial planning;
- A risk management plan (for the event) must be included with the application.

Assessment points

- Demonstrates community involvement;
 - Event complements and diversifies the events calendar;
 - Demonstrates benefits to Launceston's event portfolio, profile and economy;
 - Budget for the event is realistic and includes evidence of other support (i.e. fundraising, sponsorship, use of volunteers, in-kind support etc.) equal to or greater than the requested contribution from Council;
 - Environmentally sustainable practices for the event have been adequately addressed.
-

15.2 Signature Event and Signature Celebration Events Sponsorship...(Cont'd)

Sponsorship agreement

Successful applicants will be required to sign a funding agreement which will detail acknowledgement of Council and reporting requirements.

It is the responsibility of the authorised officer to ensure all conditions contained within a funding agreement are met. Any request to vary the conditions as contained within a funding agreement must be negotiated prior to any agreement being signed.

Reporting

An annual statement of income and expenditure for the event and a summary report which addresses the conditions relevant to the sponsorship package will be required by Council within 90 days of the event's completion.

The City of Launceston reserves the right to request an independent audit if the financial information in the report is not sufficient. Where an organisation does not meet its obligations under the funding agreement, Council reserves the right to decline future requests for funding or existing recurring funding commitments.

Council costs

Applicants may include Council costs as part of their application budget, however payment of any Council costs associated with the event will be the responsibility of the applicant.

All relevant Council services provided under this Policy, will be charged at cost.

Other requirements

Event organisers must ensure they have obtained all permits/licences (relevant to their particular event) within required timeframes (e.g. road closures, Temporary Occupancy Permits, Place of Assembly, Temporary Food, liquor licence) and it is the organisers' responsibility to ensure they have fully disclosed all details of their event in order to obtain the necessary permits.

In all situations where the City of Launceston provides sponsorship funding for any event the event is to be tobacco smoke free with the exception that special smoking areas appropriately signed may be provided.

ECONOMIC IMPACT:

Approval of the recommended Signature Event Sponsorship will result in a positive economic impact to the Launceston community.

ENVIRONMENTAL IMPACT:

Approval of the recommended Signature Event Sponsorship will have minimal impact on the environment.

15.2 Signature Event and Signature Celebration Events Sponsorship...(Cont'd)

SOCIAL IMPACT:

Approval of the recommended Signature Event and Signature Events Sponsorship will provide a number of valuable social impacts for our community.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024 sections:

Priority Area 1 - A creative and innovative city

Priority Area 2- A city where people choose to live

Priority Area 4 - A diverse and welcoming city

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

City of Launceston Events Strategy 2012-2015

- 1.1 Coordinate a balanced event portfolio for the Launceston municipality evenly distributing events across the year, through partnerships and relationships with event organisers.
- 1.2 Encourage community connection and participation through a diverse events portfolio.
- 2.1 Identify major events for acquisition based on targeted, benefit driven criteria.
- 2.2 Actively promote Launceston to host major events.
- 2.3 Promote a vibrant, diverse and unique events calendar to increase visitor numbers to the region.
- 3.2 Encourage and facilitate major event engagement with local businesses and industry.
- 4.1 Develop an events investment portfolio driven by the goals set out in this Events Strategy.
- 4.2 Promote and utilise the City of Launceston's event infrastructure.
- 4.3 Support Launceston's unique, annual signature events.

BUDGET & FINANCIAL ASPECTS:

Director Corporate Services

The funding for Signature and Celebration Events is as follows:

	Budget 2015/2016 \$	Recommendation 2016/2017 \$
Signature Events	\$145,000	\$145,000
Signature Celebration Events	\$31,000	\$30,250
TOTAL	\$176,000	\$175,250

15.2 Signature Event and Signature Celebration Events Sponsorship...(Cont'd)

The funding proposed in the recommendation is the same amount as in the current year.

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.



Wendy Newton (Acting for this Item) / Manager Community Tourism & Events

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

18.1 Additional Funds Required for Cell Construction at Launceston Waste Centre

FILE NO: SF6138

AUTHOR: Rachael Eberhardt (Waste Management Officer)

DIRECTOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To approve the provision of additional funds from the landfill reserve to allow for the new cell to be constructed during the 2015/2016 financial year at the Launceston Waste Centre (LWC).

This decision requires an absolute majority decision of the Council.

RECOMMENDATION:

Pursuant to S82(6) of the *Local Government Act 1993*, the Council approves the budget amendment to increase the capital works program by \$1m as shown in Table 1 below for the cell development at the Launceston Waste Centre for the 2015/2016 financial year.

Table 1: Budget Transfer Proposal

Project Number	Project Description	Current Approved Amount (\$000's)	Transfer From (\$000's)	Transfer To (\$000's)	New Budget (\$000's)
23343	Landfill Development Stages 3-6	\$3,100	-	\$1,000	\$4,100
Landfill Reserve	Landfill Reserve	\$11,173	\$1,000	-	\$10,173
	TOTALS	\$14,273	\$1,000	\$1,000	\$14,273

REPORT:

The current landfill cell at the Launceston Waste Centre (LWC), the eastern extension, is estimated to be completely filled with waste around July 2016. The landfill development plan identified that a new cell was required prior to this time and an estimate for this work was included in the capital works program for the LWC for the 2015/2016 financial year.

18.1 Additional Funds Required for Cell Construction at Launceston Waste Centre...(Cont'd)

Prior to the detailed design work for the new cell, a review of the future development of landfill cells was undertaken. This review considered economic and environmental parameters to identify which cell should be designed and constructed next. The following cells, identified in Table 2 and Figure 1, are still to be developed at the LWC:

Table 2: Life estimates of proposed landfill cells

Cell	Years of Life
Stage R1	2.1
Stage R2	2.6
Stage R3	2.3
Stage R4	2.8
Stage R5	2.4
Stage R6	2.9
Stage R7	2.9
Stage R8	2.9
TOTAL	20.9

Figure 1: Stages for landfill development



18.1 Additional Funds Required for Cell Construction at Launceston Waste Centre...(Cont'd)

The R1 cell has extremely steep walls and has the issue of a natural spring flowing through. Further investigation is being undertaken in the 2016/2017 financial year to determine viability and suitability of development of this cell.

The remaining cells for development (R2-R8) were then assessed individually concluding that stormwater management was the most difficult issue to resolve and thus it was determined that the R4 and R5 cells would be developed next. When preparing the estimates it was considered that R7 and R8 be constructed however the review altered priorities. Construction of the R4 and R5 cells are more difficult and inherently more costly sites to develop.

The estimate to develop the next cells was \$3.1 million. The tendering process has been carried out on constructing cells R4 and R5 and the price submitted by the preferred tenderer is \$3.4 million.

There is a shortfall in the budget of \$1.0 million once internal project management, design costs and contingencies are taken into account.

The options from this point forward are:

- Reduce the size of the cell to fit within the budget - capacity of the cell will be reduced which will restrict the final height of the waste and operational restrictions will be created. Indications are that by reducing the cost of the cells by \$1.0 million will result in a significant reduction in size (possibly 40% less volume). Constructing R4 and R5 to their full size provides a capacity of 5.2 years or an annualised figure of \$0.75 million/year. Construction on a \$3.0 million budget will provide a capacity of 3 years or \$1.0 million/year. The net effect is an increase in unit cost of \$0.25 million/year.
 - Defer eastern extension capping until the 2017/2018 financial year and bring the funds forward to the 2015/2016 financial year
 - Utilise existing funds from the landfill reserve. The landfill reserve was established in the 2012/2013 financial year to help ensure the financial sustainability of LWC operations. The reserve, when created, was allocated a \$10 million value and in each year since then the balance is reduced by any capital expenditure actually spent in each year and increased by the surplus of LWC revenue over operational expenditure in each year. Table 3 below shows that by taking the \$1 million required for cell construction this financial year will still leave a \$10.173 million reserve to fund landfill in future years.
-

18.1 Additional Funds Required for Cell Construction at Launceston Waste Centre...(Cont'd)

Table 3: Landfill Reserve Budget proposed for 2015/16 financial year

	\$000's
Opening Balance (1/7/2015)	12,061
2015/16 capital expenditure & carry overs	(4,135)
Additional spend for cell construction	(1,000)
Sub Total	6,926
Income (forecast net income)	2,382
Depreciation	865
Closing Balance (Projected @ 30.6.2016)	10,173

It is therefore recommended that the \$1.0 million is utilised from the landfill reserve to fund the cell construction during the 2015/2016 financial year.

In the 2016/2017 financial year the waste management department will investigate a possible increasing of the heights of the cell to extend the life of the landfill. Currently the R4 and R5 cells have a life expectancy of 5.2 years if approval is granted to increase the height an additional 50% capacity can be achieved. Therefore it is important that the cell is built to the required footprint to provide opportunity for this and reduce the whole of life cost of landfill.

ECONOMIC IMPACT:

The economic impact is considered to be negligible for this report.

ENVIRONMENTAL IMPACT:

The environmental impact is considered to be negligible for this report.

SOCIAL IMPACT:

The social impact is considered to be negligible for this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
 Priority Area 5 - A city that values its environment
 Ten-year goal - To reduce the impacts on our natural environment and build resilience to the changing intensity of natural hazards
 Key Directions -
 5. To reduce our and the community's impact on the natural environment

18.1 Additional Funds Required for Cell Construction at Launceston Waste Centre...(Cont'd)

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals:

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

Key Directions -

2. To maintain a financially sustainable organisation

BUDGET & FINANCIAL ASPECTS:

Budget is considered within the body of this report.

If the proposed cell is not constructed in accordance with the modified sequence then the cost of filling will increase by approximately \$250,000 per year.

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

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Harry Galea: Director Infrastructure Services

19 CORPORATE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 GENERAL MANAGER'S DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

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)

No Closed Items have been identified as part of this Agenda

23 MEETING CLOSURE
