



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 10 AUGUST 2023
1.00PM**

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

Date: 10 August 2023

Time: 1.00pm

Certificate of Qualified Advice

Background

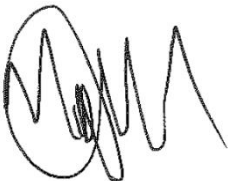
To comply with section 65 of the *Local Government Act 1993* (Tas):

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

Certification

I certify that:

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



**Michael Stretton
Chief Executive Officer**

AUDIO of COUNCIL MEETINGS

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

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

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

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

PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2. MAYORAL ACKNOWLEDGEMENTS

3. DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - section 48

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

4. CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 27 July 2023 be confirmed as a true and correct record.

5. COUNCIL WORKSHOPS

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

5.1. Council Workshop Report - 3 August 2023

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING GENERAL MANAGER APPROVAL: Leanne Purchase (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council, pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, notes the Council Workshops conducted and attended since the last Council Meeting, for the purposes described:

1. Workshop conducted on 3 August 2023:

Stadiums Tasmania Briefing

Stadiums Tasmania provided Councillors with an update on the progress of forming Stadiums Tasmania and the UTAS Stadium transfer.

Key to the City

Councillors discussed a request for Key to the City presentation.

St Leonards Update

Councillors received a briefing on urban growth in St Leonards.

Pavers Adjacent to Pilgrim Uniting Church, Civic Square

Councillors considered interventions available to the Council to assist the Pilgrim Uniting Church resolve issues with the maintenance of the pavers on and adjacent to the Church's property in Civic Square.

Section 75CA Declarations pursuant to the *Conveyancing and Law of Property Act 1884 - 59-61 Frederick Street, Launceston*

Councillors considered an application for a Declaration by Deed pursuant to Section 75CA of the *Conveyancing and Law of Property Act 1884*.

Controlled Parking

Councillors were given a briefing on parking controls in Launceston.

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

Apologies: Deputy Mayor Councillor D H McKenzie, Councillor L M McMahon

REPORT:

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

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

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

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

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

Focus Areas:

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

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

No Councillors' Leave of Absence Applications have been identified as part of this Agenda.

7. COMMUNITY REPORTS

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

No Community Reports have been identified as part of this Agenda

8. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1. Public Questions on Notice

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

8.1.1. Public Questions on Notice - Malcolm Cowan - Air Quality Strategy - 25 July 2023

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, submitted to the Council in writing on 25 July 2023 by Malcolm Cowan, has been answered by Dan Ryan (General Manager Community and Place Network).

Questions:

1. What progress has been made on the development of the Air Quality Strategy and at what stage will the public be involved in the development of the Strategy?

Response:

The development of a Clean Air Strategy and a supporting implementation plan is well underway and is expected to be completed over the coming months.

Once this initial stage has been completed, public consultation will be undertaken. It is expected that there will be additional engagement undertaken with specific sectors as part of the implementation plan.

8.2. Public Questions Without Notice

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

9. PLANNING AUTHORITY

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

9.1. PSA-LLP0016 - 181 Westbury Road, Prospect - Rezone Land at (Described as CT 51268/3 and CT 51268/4) from the Particular Purpose Zone - P6.0 Prospect Business Precinct to the Low Density Residential Zone

FILE NO: PSA-LLP0016

AUTHOR: Catherine Mainsbridge (Senior Town Planner Development)

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

DECISION STATEMENT:

To decide whether to reject or agree to and initiate and exhibit PSA-LLP0016 to Rezone land at 181 Westbury Road, Prospect (described as CT 51268/3 and CT 51268/4) from the Particular Purpose Zone - P6.0 Prospect Business Precinct to the Low Density Residential Zone.

PLANNING APPLICATION INFORMATION:

Applicant: PDA
Area of the Site: 181 Westbury Road, Prospect (CT 51268/3 - 4153m² and CT 51268/4) 8213m²)
Existing Zones: Particular Purpose Zone - P6.0 Prospect Business Precinct
Existing Use: Vacant land
Receipt Date: 14 June 2023

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. pursuant to sections 34, 37 and 38 of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates Amendment PSA-LLP0016, to Rezone land at 181 Westbury Road, Prospect (described as CT 51268/3 and CT 51268/4) from the Particular Purpose Zone - P6.0 Prospect Business Precinct to the Low Density Residential Zone.
2. pursuant to section 40F of the *Land Use Planning and Approvals Act 1993*, certifies draft amendment PSA-LLP0016, as shown in Figure 1.

3. sections 40G and 40F(a) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.



Figure 1 - Instrument to Certify

4. pursuant with sections 40G and 40H of the *land Use Planning and Approvals Act 1993* determines the period for public exhibition to be 28 days.

REPORT:

PART A - APPLICATION FOR PLANNING SCHEME AMENDMENT

1.1 Introduction

An application was lodged under sections 37 of the *Land Use Planning and Approvals Act 1993* (the Act), by PDA Surveyors, Engineers & Planners, for:

- an amendment to rezone land at 181 Westbury Road, Prospect (described as CT 51268/3 and CT 51268/4) from the Particular Purpose Zone - P6.0 Prospect Business Precinct to the Low Density Residential Zone.

The supporting document of the proposal 181 Westbury Road Prospect, Section 37 - Rezoning, prepared by PDA Surveyors, Engineers & Planners, dated 14 June 2023 is contained as Attachment 2. This will be referred to as the *Planning Submission* throughout the report.

The *Tasmanian Planning Scheme - Launceston* will be generally referred to as *the Scheme* in this report.

The overall property had existed as a Nursery for a number of years. Although the elderly owner could not maintain the property he wasn't interested in its future, or the fact of it having two zones, other than providing a home for him until he passed.

The site is zoned both Low Density Residential and Particular Purpose Zone - P6.0 Prospect Business Precinct. The Low Density zone was applied to the site because of infrastructure servicing matters especially stormwater, and the presence of vegetation on the site. The particular purpose zone is the same as the land next door.

The current owner wants to subdivide the land into larger residential lots. The two zones make a subdivision difficult and restricts the number of lots which can be created on the residentially zoned part of the land.

Changing the zone of the particular purpose lots by objecting to the new scheme was not possible so therefore the amendment has been lodged.

The proposed amendment will allow the site to have a single zone, be more easily subdivided and developed to its full residential potential.

The site is well located for residential development because it is close the local shopping precinct, a number of schools, transport routes to the services of the city centre and areas beyond.

1.2 Act Requirements

The legislation allows for an application for a planning scheme amendment to be considered in accordance with section 37 of the *Land Use Planning and Approvals Act 1993*.

37. Request for amendment of LPSs

- (1) *A person may request a planning authority to amend an LPS that applies to the municipal area of the planning authority.*
- (2) *A request under subsection (1) is to be in a form approved by the planning authority or, if a form has been approved by the Commission, is to be in that form.*
- (3) *A request under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land –*

- (a) be signed by each owner of the land; or
- (b) be accompanied by the written permission of each owner of the land to the making of the request.

2. Subject Site and Surrounding Uses

The two L-shaped lots are described as described as CT 51268/3 and CT 51268/4 and contain 4153m² and 8213m².

The lots form part of a 2872ha site which is made up of four titles under the same ownership. The overall site is internal to the southern side of Westbury Road. The main access is on the eastern side of 183 Westbury Road with a second right of way east of 191 Westbury Road.

The access and south western corner are the highest points on the site, around 141m AHD with the lower points along the eastern side boundary and the rear south eastern corner.

Surrounding land has a mixed character and zoning. Land immediately to the north is residential and zoned Low Density Residential. Land on the northern side of Westbury Road is also residential but is zoned General Residential. Land to the east contains Government Offices and is also zoned Particular Purpose Zone - P6.0 Prospect Business Precinct with land to the southeast zone Open Space. Further south is the Bass Highway and east is the Southern Outlet. To the west is Prospect Vale/the Olde Tudor Shopping Complex zoned Commercial and Local Business.



Figure 2 - Subject site aerial (source: SAM mapping)

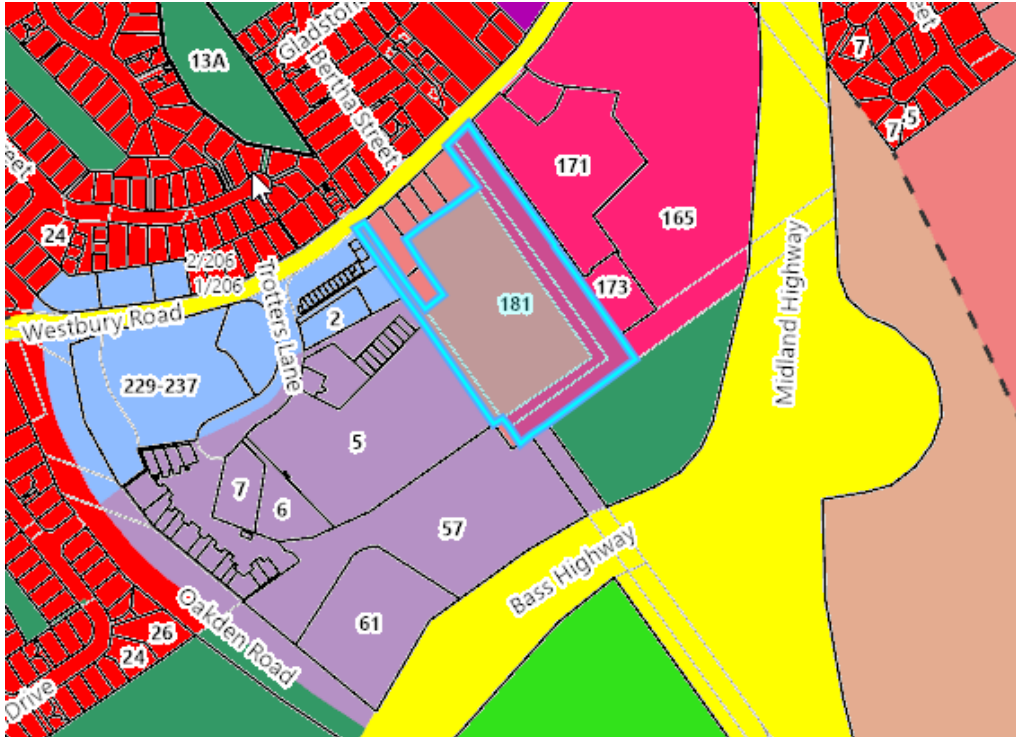


Figure 3 - Subject site aerial (source: SAM mapping)

The previous use of the site was a nursery with polytunnel buildings surrounded by a number of trees. More recently the site contained a poorly maintained dwelling and outbuildings but approval has been granted for these to be removed.

3. Existing Conditions on the Site

3.1 Heritage Values

The site is not listed in the Local Historic Heritage Code under the Scheme or within a state listed property on the Tasmanian Heritage Register. There is no identified or known Aboriginal or Cultural heritage on the site or adjoining land.

3.2 Scenic Values

The land to the south of the site is within the Southern Gateway Specific Area Plan.

3.3 Natural Values

The site is listed as containing priority vegetation under the Planning Scheme overlays.



Figure 4 - Priority Vegetation (source: SAM mapping)

3.4 Land Capability

The site is not subject to any land capability assessment.

3.5 Environmental Hazards

The site is not subject to any environmental hazards but the land adjoining to the east and west is potentially contaminated.

A person approved by the Director (Rod Cooper who is listed as having CEnvP Impact Assessment specialist certification) considers the site free of contaminants as such but has provided a revised management plan to deal with potential vapours.

The site was previously used as a nursery and adjoins land nominated as being potentially contaminated including a dry cleaning establishment, engine works and the presence of fuel tanks. It is also in the path of a natural water course, groundwater flow beneath the surface and is subject to ponding of water.

Currently (inspected November 2021, report dated March 2022) the site is not maintained with a dwelling and outbuilding to be removed, has fallen trees and piles of vegetation and soil. Possible contaminants from the previous use include pesticides, heavy metals, herbicides and petroleum hydrocarbons. Fragments of asbestos were also found.

Analysis of soil and groundwater has determined that the site is "not contaminated" in comparison to levels set by NEPASC, WHO and RIVM (Institute of Health). As the results were above IB105 Level 1 Classification and Management of Contaminated

Soil for Disposal, assessment of the soil to determent suitable offsite disposal is recommended.

Management measures are also recommended to deal with the possibility of any contaminant being found in any soil to be removed and to deal with any ground borne vapours.

3.5.1 Bushfire

The site is not located within a bushfire prone area.

3.5.2 Flood Hazard

The site is not subject to flood inundation by river rise but is subject to overland flow and ponding of water particularly along the rear of properties along Westbury Road and eastern boundary over the lots subject of the rezoning. This is able to be managed by re-alignment of the existing stormwater line along this eastern boundary.

3.5.3 Landslip

The site is subject to not subject to active landslip.

3.5.6 Infrastructure

The subject site is located within an area that is serviced by reticulated sewerage, water and stormwater infrastructure.

3.5.7 Waterways

There are no waterways or wetlands within close proximity to the site.

4. STRATEGIC PROPOSAL

It is proposed to amend the Launceston Local Provisions Schedule to rezone land from Particular Purpose Zone - P6.0 Prospect Business Precinct to Low Density Residential Zone.

4.1 Landowner Consent

The land is owned by Hadspen Developments Pty Ltd, and consent was provided on 14 June 2023.

4.2 Considerations for an Amendment

The relevant requirements of the Act are outlined below:

34. LPS Criteria

(2) *The LPS criteria to be met by a relevant planning instrument are that the instrument –*

(a) *contains all the provisions that the SPPs specify must be contained in an LPS; and*

(b) *is in accordance with section 32 ; and*

(c) *furtheres the objectives set out in Schedule 1 ; and*

(d) *is consistent with each State policy; and*

(da) *satisfies the relevant criteria in relation to the TPPs; and*

(e) *as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*

- (f) *has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and*
- (g) *as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
- (h) *has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*

4.2.1 Response: (a)

There will be no State Planning Provision (SPP) provision overridden as a result of the amendment.

4.2.2 Response: (b)

The amendment will not override the existing provisions and will rely on the provisions set out with the SPPs. The site is located within the Launceston municipal area.

4.2.3 Response: (c)

A response to the objectives is provided below:

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

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

Response: The majority of the overall site is within a priority vegetation area under the natural assets code, the majority of vegetation on the site has been compromised and cleared. Future subdivision development for will require consideration of the code.

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

Response: The land is identified as a consolidation area within the regional land use strategy. The rezoning is considered to be appropriate to allow for the mixed zoned site to be properly utilised for residential subdivision without impacting on air, land or water.

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

Response: The public will have the opportunity to comment on this proposal during the exhibition period which will run for three weeks, should the Council decide to exhibit the application. A written representation to the application during the public exhibition period must be made to the Tasmanian Planning Commission. If a representation is made the Commission may decide to hold a public hearing to deal with matters raised.

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

Response: The rezoning of the site will allow for a sustainable and positive use of the compromised portion of the site. The rezoning will be in accordance with the above objectives.

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

Response: This application was referred to TasWater. They have no formal comment and do not object to the proposal.

There are no other relevant agency referrals required. If initiated the amendment will also be advertised and assessed by the Tasmanian Planning Commission consistent with this objective.

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

The objectives of Part 2 must also be considered:

(a) to require sound strategic planning and co-ordinated action by State and Local Government

Response: The amendment is consistent with the objectives of the Northern Tasmania Regional Land Use Strategy and the Tasmanian Planning Scheme. Being within the urban growth area, its development is supported within a residentially focused area.

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

Response: An application made pursuant to section 37 of the Act must be considered against the objectives of the Act and the planning system of Tasmania more broadly for compliance. The application of the Low Density Residential zone to the land will enable the land to be appropriately considered against the relevant provisions of the Scheme to allow for future residential development.

(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land

Response: The assessment of the proposed amendment has considered the effects on the natural values of the subject site and water resources.

(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels

Response: The proposed amendment is consistent with the local, regional and State policies as assessed by this report.

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

Response: The application is made under section 37 of the Act and will facilitate future residential development of the lot by providing a consistent zone to all titles within the property.

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

Response: The amendment facilitates residential development of the greater property which is located on a fully serviced adjoining services offered by the Prospect local business area and within a 10 minute drive of the city centre.

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

Response: The site is not listed as a local heritage place by the Tasmanian Heritage Council or by the City of Launceston and does not have any other know cultural value.

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

Response: The site is able to be serviced. TasWater have no objection or comment on the proposal.

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

Response: The land is within an urban area and does not require capacity for agricultural purposes.

4.2.4 Response (d)

State Policies

State Policy on the Protection of Agricultural Land 2009

The policy only applies to rural land. The subject site is located in an urban area and is, therefore, not applicable.

State Coastal Policy 1996

The State Coastal Policy applies to Tasmania's coastal area, including all islands except for Macquarie Island. The coastal zone includes State Waters (as defined in the *Living Marine Resources Management Act 1995*) and all land to a distance of 1km from the high

water mark. The subject site is located outside of this distance and therefore is not applicable.

State Policy on *Water Quality Management 1997*

The provisions of this Policy are reflected within the C7.0 Natural Assets Code. The land is not subject to those provisions.

National Environment Protection Measures

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

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

The Codes within the planning scheme deal in detail with the relevant matters listed above. The site has been investigated for contamination. An Environmental Site Assessment, prepared by a suitably qualified person, accompanies an associated application who considers the site free of contaminants as such but has provided a revised management plan to deal with potential vapours. The report considered the type of contamination present and appropriate measures to mitigate potential nuisance to property or life through the requirements of NEPM. The proposal meets this State policy.

4.2.5 Response: (da)

There are no Tasmanian Planning Policies in effect.

4.2.6 Response: (e)

Northern Tasmania Regional Land Use Strategy (NTRLUS)

The NTRLUS provides the strategic direction for the region (made up of eight municipal areas), over a twenty year time frame until 2032 and supports residential opportunities in appropriate locations.

The site is located within the Supporting Consolidation Area, an urban growth area, within the regional framework. This land is within the developed urban settlement or in areas intended for urban development. G2.1.1 of the strategy identifies this area as:

- Comprising land in established suburbs which is separate from Priority Consolidation Areas as shown in the Regional Framework Plan Maps G.1, G.2 and G.3;
- Support reliable and effective transportation and reduce vehicle dependency;
- Physically connect new urban settlements to existing communities wherever possible, or otherwise provide new development with direct transport linkages to established urban areas;
- Promote cohesive communities;
- Support a wide range of services and facilities;
- Support access to existing or planned activity centres; and

- Comprise a suitable and complementary mix of land uses to support the Regional Settlement Hierarchy and the Regional Activity Centre Hierarchy.

In order to ensure the above is considered, there are a number of policies and actions within the strategy. Relevant to this assessment:

- Regional Settlement Networks
- Housing Dwellings and Densities
- Integrated Land use and Transport
- Regional Infrastructure Network

The Planning Submission has assessed the policies and actions relevant to the amendment in detail, referencing specialised reports and strategic information. The relevant policies and actions in the NTRLUS are detailed as follows:

4.2.6.1 E2 Regional Environment

Regional Settlement Networks	
<p>RSN-P1 <i>Urban settlements are contained within identified Urban Growth Areas. No new discrete settlements are allowed and opportunities for expansion will be restricted to locations where there is a demonstrated housing need, particularly where spare infrastructure capacity exists (particularly water supply and sewerage).</i></p>	<p>RSN-A1 <i>Provide an adequate supply of well-located and serviced residential land to meet projected demand. Land owners/developers are provided with the details about how development should occur through local settlement strategies, structure plans and planning schemes. Plans are to be prepared in accordance with land use principles outlined in the NTRLUS, land capability, infrastructure capacity and demand.</i></p> <p>RSN-A2 <i>Land supply will be provided in accordance with the Key Principles through local strategy for Urban Growth Areas which include:</i></p> <ul style="list-style-type: none"> • <i>Priority Consolidation Areas</i> • <i>Supporting Consolidation Areas</i> • <i>Growth Corridor</i> • <i>Future Investigation Areas.</i> <p>RSN-A3 <i>Apply zoning that provides for the flexibility of settlements or precincts within a settlement and ability to restructure underutilized land.</i></p>

Response:

The proposal to rezone the land to Low Density Residential from Particular Purpose will allow development of the total site for residential development. The L-shaped section of land zoned Particular Purpose does not allow for the full utilisation of the site, that section

not capable of supporting a use and development appropriate for the Particular Purpose zone.

<p>RSN - P2 Provide for existing settlements to support local and regional economies, concentrate investment in the improvement of services and infrastructure, and enhance quality of life.</p> <p>RSN-P3 Recognise the isolated relationship of the Furneaux Group of islands to the settlement system of the region, and that settlement and activity centre planning will be dependent on local strategies to support sustainable outcomes</p>	<p>RSN-A4 Provide for the long term future supply of urban residential land that matches existing and planned infrastructure capacity being delivered by TasWater, specifically in parallel with existing water and sewerage capacity and required augmentation to meet urban development growth and capacity – both residential and industrial.</p> <p>RSN-A6 Provide a diverse housing choice that is affordable, accessible and reflects changes in population, including population composition. Ageing populations and single persons should be supported to remain in existing communities as housing needs change; ‘ageing in home’ options should be provided.</p> <p>RSN-A6 Encourage urban residential expansion in-and-around the region’s activity centre network to maximise proximity to employment, services and the use of existing infrastructure, including supporting greater public transport use and services.</p> <p>RSN-A7 Ensure all rural and environmental living occurs outside Urban Growth Areas. RSN-A8 Identify areas with existing mixed land use patterns, and/ or ‘Brownfield’ areas adjacent to activity centres, for mixed use redevelopment, and apply zones that provide for flexibility of use to support the activity centre and the role of the settlement.</p>
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Response:

The proposal provides additional, well serviced residential land for development in an area that supports the nearby local services provided by the Olde Tudor Complex. The land has access to transport routes and services.

Housing Dwellings and Densities Policy	
RSN-P4 Provide a planning framework for new and upgraded infrastructure and facilities to support a growing and ageing population, and provide housing choice through a range and mix of dwelling types, size and locations in new residential developments.	RSN-A9 Undertake a regional dwelling yield analysis.

The land is able to be fully serviced and the rezoning will allow for the creation of needed residential properties. Lots in the Low Density Residential zone are of a larger size to offer housing choice. Larger lots and the lower density are also appropriate to minimise offsite impacts from the mixed character of the area and proximity to the Bass Highway to the south.

RSN-P5 Encourage a higher proportion of development at high and medium density to maximise infrastructure capacity. This will include an increased proportion of multiple dwellings at infill and redevelopment locations across the region's Urban Growth Areas to meet residential demand	RSN-A10 Apply zoning provisions which provide for a higher proportion of the region's growth to occur in suitably zoned and serviced areas. The application of Urban Mixed Use, Inner Residential and General Residential Zones should specifically support diversity in dwelling types and sizes in appropriate locations.
<i>RSN-P6 Focus higher density residential and mixed-use development in and around regional activity centres and public transport nodes and corridors.</i>	<i>RSN-A11 Clearly identify settlement boundaries at the local level for all significant activity centres.</i>
RSN-P7 In new development areas include a diversity in land uses, employment opportunities and housing types at densities that support walkable communities, shorter vehicle trips and efficient public transport services.	RSN-A12 Encourage well-designed new urban communities through detailed planning provisions. RSN-A13 Apply the Urban Mixed Use Zone to areas within or adjacent to Activity Centres that are appropriate for a mix of uses, including higher density residential development.

Response:

The rezoning provides the potential for additional residential lots to be proposed in a well serviced area on the urban fringe yet within easy walking distance of the Olde Tudor complex and short commute to Prospect Market Place and the CBD.

Integrated Land Use and Transport	
<p>RSN-P8 New development is to utilise existing infrastructure or be provided with timely transport infrastructure, community services and employment.</p> <p>RSN-P9 Apply transit oriented development principles and practices to the planning and development of transit nodes, having regard for local circumstances and character.</p> <p>RSN-P10 Plan new public transport routes, facilities and high-frequency services to provide safe and convenient passenger accessibility, and to support the interrelationship.</p>	<p>RSN-A14 Prioritise amendments to planning schemes to support new Urban Growth Areas and redevelopment sites with access to existing or planned transport infrastructure. This will support delivery of transit oriented development outcomes in activity centres and identified transit nodes on priority transit corridors.</p>

Response:

The proposed change will allow for the full utilisation of the 2.63ha site. The major portion of the site is zoned Low Density Residential but the two of the four titles which are zoned Particular Purpose prevent the sustainable development of the property. It is not considered that the zone change will have any significant impact on the necessary infrastructure services or transport network to service the fully utilised parcel. The land is close to services, employment opportunities and transport links to the other parts of the state.

<p>RSN-P11 Coordinate land use and transport planning and the sequence of development with timely infrastructure provision.</p> <p>RSN-P12 Connect active transport routes to improve accessibility and encourage transport use by a broader range of people</p>	<p>RSN-A15 Planning will be informed by the Northern Integrated Transport Plan (2013). Future iterations of the strategy are to require planning schemes provide appropriate zoning patterns and support land use activities by:</p> <ul style="list-style-type: none"> • Identifying transport demands and infrastructure required; • Protecting key transport corridors from incompatible land uses; and • Creating sustainable land use patterns that maximise efficient use of all future transportation modes i.e. road/rail, freight routes (including land and sea ports), and public transport, pedestrian and cyclists networks.
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Response:

The land has transport options. It is within walking distance of the Olde Tudor Shopping Centre with Westbury Road serviced by public transport. Being on the south western fringe of the municipality the land has close links to the Southern Outlet/Midlands Highway and the Bass Highway.

<p>RSN-P13 Manage car parking provision in regional activity centres and high-capacity transport nodes to support walking, cycling and public transport accessibility. RSN-P14 New development within walking distance of a transit node or regional activity centre is to maximise pedestrian amenity, connectivity and safety</p>	<p>RSN-A16 Promote the region’s Activity Centre Network and multifunctional mixed-use areas, which provide a focus for integrating higher residential development outcomes, social and community facilities and services, and public transport opportunities.</p>
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Response:

Future development and associated use of the land will be subject to the provisions of the car parking code at that time. The land being rezoned will facilitate the development of the property which is within walking distance of the Olde Tudor Shopping Centre and Westbury Road is serviced by public transport.

Housing Affordability	
<p>RSN-P20 Provide a variety of housing options to meet diverse community needs, and achieve housing choice and affordability.</p>	<p>RSN-A19 Review the community needs for housing provision and affordability</p>

Response:

The facilitation of the low density residential zoning adds to the variety of lots sizes and dwelling types available.

**4.2.6.2 E3 Regional Activity Centre Network
Specific Policies and Actions**

<p>RAC-P1 Maintain and consolidate the Regional Activity Centres Network so future urban development consolidates and reinforces the spatial hierarchy of existing centres. This will be achieved through the reuse and redevelopment of existing buildings and land to integrate a mix of land uses including the coordinated provision of residential development, retail, commercial, business, administration, social and community facilities, public and active transport provision and associated infrastructure.</p>	<p>RAC-A1 Integrate the Regional Activity Centres Network into government policy and strategies (including strategic plans, corporate plans, planning schemes and capital works programs). RAC-A2 Zoning and land use planning provisions are to minimise potential for decentralisation of functions outside of the Regional Activity Centres Network and reinforce the spatial hierarchy, role and function of centres.</p>
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Response:

The two parcels have the form of elongated L-shapes which separate the greater sites Low Density Residential zone and the Particular Purpose zone of the neighbouring properties at 165, 171, 173 and 167 Westbury Road. The combined width is approximately 31m over a length of 290m which adjoins the internal site of 173 Westbury Road. The land could be combined with the land with the same zoning but there has not been any proposal to so. As there is a demand for housing, the development is able to be serviced without impacting on surrounding infrastructure and the owner of the subject land wishes to facilitate its development the loss of the lots to the Particular Purpose zone will not compromise the use and development options of that zone. It is noted that the lots within the Particular Purpose zone are all of unusual configurations and differing ownerships and would likely require the lots to combined or reconfigured for them to be sustainably developed.

<p>RAC-P4 Promote and support the role of lower order activity centres, particularly neighbourhood and rural town centres. This will support and strengthen local communities and encourage a viable population base for regional and rural settlements, while promoting the development of new neighbourhood and local centres within Urban Growth Areas where appropriate</p>	<p>RAC-A5 Provide for lower order activity centres to be sustained through a local residential strategy or development plans to create vibrant and sustainable regional and rural communities. It should strengthen their role and function, maintaining and consolidating retail attractions, local employment opportunities, public amenities and services</p>
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Response:

The proposed zone change will provide the opportunity to sustainably utilise the total area of land contained within the property for residential purposes to strengthen and increase the population base adjoining a neighbourhood centre.

<p>RAC-P5 Provide safe and amenable access to Activity Centres, for all members of the community, by supporting active transport opportunities that encourage people to walk, cycle and use public transport.</p>	<p>RAC-A6 Support the improved use of public transport and alternative modes of transport, pedestrian amenity and urban environments in a coordinated and consistent manner between the higher order activity centre.</p>
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Response:

The land is located within easy walking and cycling distance of the neighbourhood centre and Westbury Road supports the local public transport route.

<p>RAC-P9 Discourage out-of-centre development and provide for new development that supports the Regional Activity Centres Network and the integrated transport system.</p> <p>Development applications that are out of centre will only be considered if all of the following criteria are adequately addressed:</p> <ul style="list-style-type: none"> • Community need; • No adverse impact on existing activity centres; and • Synergy with existing employment hubs (ie. health, education, research). <p>Overall, community benefit must be demonstrated through a social and economic impact assessment to reflect the strategic directions and policies of the NTRLUS.</p>	<p>RAC-A11 Undertake master planning for the major regional activity centres, taking into account the Regional Activity Centres Network and supporting policies to encourage in-centre developments. Master plans should include a detailed development capacity audit, public consultation, opportunities and constraints assessment, methods to improve urban amenity and an economic development strategy and address other activity centre principles.</p> <p>Master plans should enhance accessibility of the higher order activity centres through good layout and good pedestrian movement.</p> <p>RAC-A12 Require any proposed out of centre developments are to undertake a detailed economic impact assessment that addresses how the out of centre proposal complies with the strategic directions and policies of the NTRLUS.</p>
<p>RAC-P10 Provide for a range of land uses to be incorporated into activity centres appropriate to their role and function within the Activity Centres Hierarchy.</p>	<p>RAC-A13 Focus higher density residential and mixed-use development in and around regional activity centres and public transport nodes and corridors.</p> <p>RAC-A14 Planning scheme controls concerned with land use, built form and residential density should reflect the Regional Activity Centres Network.</p>

Response:

The rezoning will not affect the regional activity centre hierarchy. While the land to be rezoned contains 12 336m² it is contained within two elongated L-shaped land parcels which form the property/zone boundaries. Without further subdivision/consolidation and changes of ownership the subject land is not functional being zoned Particular Purpose. There is approximately 7.59ha of land within the adjoining land zoned Particular Purpose with portions remaining available for further development. The loss of land by the proposed rezoning is not considered to compromise viability of the remaining land within the zone continuing as a regional activity centre albeit for business purposes on the city municipal outskirts.

**4.2.6.3 - E.4 Regional Infrastructure Network Policy
Specific Policies and Actions**

<p>RIN-P3 Direct new development towards settlement areas that have been identified as having spare infrastructure capacity.</p>	<p>RIN-A3 Direct growth to areas where existing infrastructure capacity is underutilised and give preference to urban expansion that is near existing transport corridors and higher order Activity Centres.</p>
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The change of zoning to Low Density Residential will allow the full utilisation of the property for residential development upon a fully serviceable site. The site has access to neighbourhood and higher order centres within a 10 minute walk or drive respectively. The property also has close links to statewide transport corridors. The site has sufficient infrastructure capacity to be fully serviced by the reticulated systems. The site is located within walking distance to Westbury Road, a highly utilised vehicular corridor with multiple public transport stops.

**4.2.6.4 E.6 Social Infrastructure and Community Strategies
Specific Policies and Actions**

Social Infrastructure	
<p>SI-PO1 Coordinate planning for social infrastructure with residential development.</p>	<p>SI-A01 Plan for the region’s social infrastructure needs through:</p> <ul style="list-style-type: none"> • A needs analysis; • Identification of locally appropriate standards of service; • Identification of gaps in supply and predicted future needs; • An implementation plan; and • Monitoring and review.
<p>SI-PO2 Provide social infrastructure that is accessible and well-located to residential development, public transport services, employment and educational opportunities.</p>	<p>SI-A02 Provide for the use and development of community gardens within residential areas in planning schemes.</p>
<p>SI-PO3 Provide multi-purpose, flexible and adaptable social infrastructure that can respond to changing and emerging community needs over time.</p>	<p>SI-A03 Allow for increased housing densities in locations that are accessible to shops, transport networks and other community services and facilities.</p>
<p>SI-PO4 Allow for a greater choice in housing types.</p>	<p>SI-A04 Planning schemes are to support the provision of social housing in residential areas.</p>
<p>SI-PO5 Protect the operation of existing and planned education/ training facilities from conflicting land uses.</p>	<p>SI-A05</p>
<p>SI-PO5 Protect the operation of existing and planned education/training facilities from conflicting land uses.</p>	

	<p>Planning schemes are to support the co-location of community facilities and services, while encouraging multi-purpose, flexible and adaptable social infrastructure.</p> <p>SI-A06 Provide flexibility in planning schemes to allow for a greater choice of housing types in residential areas, particularly in centrally located areas.</p> <p>SI-A07 Existing and planned education and training facilities are to be appropriately zoned and protected from conflicting land uses</p>
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Response:

Rezoning the land to Low Density Residential increases the number of lots able to be created within the overall property. The land is fully serviced, near to a local activity centre and also to educational facilities of Summerdale Primary/Glen Dhu Primary, Prospect High School and St Patricks College. The zoning requires larger than standard lot sizes but is considered appropriate on the fringe of the urban area.

4.2.6.5 E.7 Regional Environment Policy

Biodiversity and Native Vegetation	
<p>BNV-P01 Implement a consistent regional approach to regional biodiversity management, native vegetation communities and native fauna habitats including comprehensive spatial regional biodiversity mapping.</p>	<p>EBNV-A01 Apply appropriate zoning and/or overlays through planning schemes to protect areas of native vegetation.</p>

Response:

Whilst mapped as priority vegetation, vegetation has been removed from the residential portion of the site. It contained a range of species and larger trees but larger number of these were damaged during a snow event in 2020 and have been lost. The change of zoning and utilisation of the area for a residential purposes will facilitate re-establishment of vegetation.

Natural Hazards	
<p>NH-P01 Future land use and urban development is to minimise risk to people and property resulting from land instability by adopting a risk-managed based approach, consistent with Practice Note Guidelines for Landslide Risk Management 2007 and AGS (2007a) Guideline for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning; AGS (2007e) Australian GeoGuides for Slope Management and Maintenance.</p> <p>NH-P02 Future land use and development is to minimise risk to people and property resulting from flooding.</p> <p>NH-P03 Future land use and development is to minimise risk to people and property resulting from bushfire hazard.</p> <p>NH-P04 Where avoidance of hazards is not possible or the level of risk is deemed acceptable, best practice construction and design techniques and management practices are to be implemented</p>	<p>NH-A01 Manage further development in declared landslip zones. Complete regional land slide hazard mapping to allow identification of land susceptible to landscape hazards and its associated level of risk to specific scale and types of land uses and developments.</p> <p>NH-A02 Permit appropriate land uses and urban development in areas of susceptibility only where risk is very low or where it can be managed by prescriptive controls to avoid undue risk to persons including life of loss and damage to property.</p> <p>NH-A03 If there is doubt about the geotechnical stability of land proposed for urban development, Council may require a geotechnical assessment to identify risks and mitigation techniques.</p> <p>NH-A04 Include controls in planning schemes based on current best practice to manage risk to persons and property resulting from inundation.</p> <p>NH-A05 Include controls in planning schemes based on current best practice to minimise risk to persons and property resulting from bushfire hazard.</p> <p>NH-A06 Subdivision design is to respond to bushfire hazard risks by providing for alternative access, building setbacks and buffer distances based on current best practice.</p> <p>NH-A07 Adopt the relevant risk management AS/NZS standard as part of core management methods for emergency, hazard and risk management</p>

Response:

The rezoning of the land to Low Density Residential will allow the site to be suitably developed, maintained and free of risk. The land has remained underutilized for a number of years. As noted above, it contained a range of species and larger trees but larger

number of these were damaged during a snow event in 2020 and have been lost. The unmanaged vegetation also posed a bushfire threat. Drainage paths have also resulted in significant ponding of water on the site.

4.3 City of Launceston Corporate Strategic Plan 2014-2024

The City of Launceston Corporate Strategic Plan 2014-2024 is prepared under the *Local Government Act 1993* (Tas). The assessment of the application has had regard to the Plan and is generally consistent with the principles and goals:

- To promote Launceston as a unique place to live, work, study and play.
- To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards.
- To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions;
- To develop a strategic and dedicated approach to securing economic investment in Launceston;
- Supports housing choice and diversity in a planned location;
- Stimulates population growth in the municipal area; and
- Considers the impacts on the natural values of the site.

The amendment and development proposed will assist in achieving these goals. This will occur by:

- Rationalising the zoning of the site;
- Ensuring all natural values of the development area are considered; and
- Invest in the local community by creating a new vacant residential lots which will allow future development to occur, as well as increase population numbers.

4.4 The Greater Launceston Plan

The Greater Launceston Plan includes the following aims:

- Provide a regional view of development priorities within the greater Launceston area;
- Identify key city projects to be undertaken by the participating Councils which will act as a focus for new investment and sustainable development opportunities in the greater Launceston area;
- Facilitate a consistent approach to the implementation of planning and development policy and initiatives within the greater Launceston area.

Providing opportunities for residential development is a key priority of the city but this needs to be undertaken in a sustainable manner.

The proposal complies with matters of the regional framework plan which identifies

- activity centres and employment areas:
- public transport corridors:
- integrated planning of urban growth areas (particularly to the south to the city).

As it provides for the property on the fringe of the urban area to be developed to its full potential while providing a density option to residential land in the area existing to the north

of the site. The land adjoins an activity centre and supports Clause 5.10 in respect of Urban Consolidation and infill development. It may also offer a link to the adjacent land in the future.

4.5 Launceston Residential Strategy 2009-2029

The aim of the strategy is to *create choice, diversity and desirability and to maximise sustainability in Launceston's housing market.*

The key issues are listed below:

1. The influence of population trends on urban form
2. Maximising environmental sustainability
3. Social issues influencing housing
4. The benefits of promoting higher density housing
5. Recognising the benefits of good design
6. Regional planning for housing
7. PAL policy

The site is on the south western fringe of the municipality primarily zoned Low Density Residential. The proposed rezoning of the two lots along the south and eastern perimeter will allow for the full site to have a consistent zone and be developed with approximately 23 lots. Without the change only 13 lots could be created over the residential zoned part of the overall site to positively contribute to the cities land supply.

Recent development within the city has predominantly been in the southern areas of the city, particularly in subdivisions known as Mount Pleasant Estate and Oakden Park. Both areas are not serviced to the extent of the subject land which in effect is partly 'infill'. The proposal meets *Policy 10 - Promoting increased density around activity centres* and *Policy 11 - Transition areas.*

The lots are within walking distance of the shopping centre, serviced by public transport and close to transport links to the city and its services and other areas of the state. And, while on the fringe will not impact any agricultural land.

The proposed rezoning is considered to be aligned to the strategy.

4.6 Gas Pipelines Act 2000

The gas pipeline is not available in proximity to the site. Therefore, the *Gas Pipelines Act 2000* is not applicable to the proposed development.

5. REFERRAL AGENCIES

5.1 TasWater

The application was referred to TasWater under section 17 of the *Land Use Planning and Approvals Regulations 2004*. TasWater has issued its Submission to Planning Authority Notice (TWDA 2023/00890-LCC) dated 13/07/2023, in support of the proposal subject to conditions.

6. CONCLUSION

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

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

The 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 the economic, environmental and social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

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

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

Nil

9.2. PSA-LLP0015 - Amendment - Site Specific Qualification Into the Launceston Local Provisions Schedule to Allow the Hospital Services Use Class as a Discretionary (Unqualified) Use Within the Commercial Zone at 213-215 Wellington Street, Launceston

FILE NO: PSA-LLP0015

AUTHOR: Duncan Payton (Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant: Commercial Project Delivery
Area of the Site: 213-215 Wellington Street, Launceston (described as CT42371/1)
Existing Zones: Commercial
Existing Use: Car Park and Medical Center
Receipt Date: 28 March 2023
Representations: Nil

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston
Launceston Local Provisions Schedule

PREVIOUS COUNCIL CONSIDERATION:

Council - 1 June 2023 - 10.2 - PSA-LLP0015 - Amendment PSA-LLP0015 - Text Amendment to Allow Hospital Services at 213-215 Wellington Street, Launceston.

Initiated and certified Draft Amendment PSA-LLP0015 to amend the Launceston Local Provisions Schedule, to insert new Site Specific Qualification, LAU-17.2, to provide for the use class Hospital Services as a discretionary use in the Commercial Zone at 213-215 Wellington Street, South Launceston (CT42371/1).

RECOMMENDATION:

That Council in accordance with sections 40K of the *Land Use Planning and Approvals Act 1993*, advises the Tasmanian Planning Commission that no representations were received in regard to exhibition of PSA-LLP0015 and recommends that the amendment be approved as proposed.

REPORT:

1. INTRODUCTION AND BACKGROUND

An application was lodged under sections 37, 38 and 40F of the *Land Use Planning and Approvals Act 1993* (the Act), by Commercial Project Delivery, for a site specific amendment to the Launceston Local Provisions to allow the use class Hospital Services at 213-215 Wellington Street, Launceston.

At its Meeting on 1 June 2023, Council resolved pursuant to:

1. sections 37 and 38 of the *Land Use Planning and Approvals Act 1993*, agrees to Amendment PSA-LLP0015, to insert new Site Specific Qualification, LAU-17.2, to provide for the use class Hospital Services as a discretionary use in the Commercial Zone at 213-215 Wellington Street, South Launceston (CT42371/1); and
2. section 40F of the *Land Use Planning and Approvals Act 1993*, certifies the Draft Amendment PSA-LLP0015.

2. SUMMARY OF REPRESENTATIONS

The application was advertised from 14 June until 12 July 2023. No representations were received during the public notification period.

3. CONCLUSION

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

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston
Launceston Local Provisions Schedule

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. Sealed Instrument - PS A- LL P 0015 - PS A- LL P 0015 [9.2.1 - 1 page]

9.3. DA0253/2023 - 50-56 Campbell Street, Newstead - Installation of a Digital Sign (Retrospective)

FILE NO: DA0253/2023

AUTHOR: Jayden Broad (Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	St Thomas More's School
Property:	50-56 Campbell Street, Newstead
Zoning:	Community Purpose
Receipt Date:	7/06/2023
Validity Date:	14/06/2023
Further Information Request:	22/06/2023
Further Information Received:	26/06/2023
Deemed Approval (extension granted):	3/08/2023
Representations:	4

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0253/2023 - Signage - Installation of a digital sign (retrospective) at 50-56 Campbell Street, Newstead subject to the following conditions:

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. Sign Elevations, Prepared by Flying Colours Group, Project name St Thomas More's Catholic School, Revision No. Proof 2, Dated 22/03/2023;
- b. Site Plan, Prepared by Tasmanian Catholic Education Office, Drawing No. 4213-S01, as exhibited for DA0253/2023 on 28/06/2023; and
- c. Site Plan Scale 1:500, Prepared by Tasmanian Catholic Education Office, as exhibited for DA0253/2023 on 28/06/2023.

2. SIGNAGE CONTENT

- a. The images displayed must change a maximum of twice per day of operation (one image each for AM and PM hours).
- b. Apart from the above, content displayed on the digital sign may be updated or changed without separate approval of Council, subject to:
 - i. The structure, location and size of the signage not changing.
 - ii. It not including any third party content.
 - iii. Compliance with the requirements of the planning scheme in place at the time.

3. USE LIMITATION

The LED screens must only be active during the hours of 7am and 6pm Monday - Friday and turned off outside of these hours.

4. SIGN MAINTENANCE

The sign is to be maintained in good condition to the satisfaction of the Council. The LED screen must incorporate an automatic error detection system which will turn the display off or switch to a blank, black screen should the screen or system malfunction.

5. LEGAL TITLE

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

6. PROHIBITED IMAGE OR MESSAGE

Images or messages on the sign that are similar in format or appearance to traffic control or warning, incident or traffic management, or road safety or driver information messages are prohibited.

7. SIGN MESSAGE CHANGES

Messages displayed on the sign must be static during the dwell time and message changes must not use any animated transitional effects such as fly-in, sliding or checker boarding.

8. LIGHT SPILLAGE FROM ILLUMINATED SIGN

Light from the illuminated sign must not unreasonably spill over the boundaries of the subject property.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0253/2023. 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 Tasmanian Civil & Administrative Appeal Tribunal (TASCAT) is withdrawn or determined; or*
 - c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
 - d. *Any other required approvals under this or any other Act are granted.*
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The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement.

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

REPORT:

1. THE PROPOSAL

City of Launceston have received a retrospective development application for a blade sign with digital displays at 50-56 Campbell Street, Newstead. The lodgement of the development application is in response to an Environmental Protection Notice (EPN) which was issued by City of Launceston's Environmental Health department based on the hours of operation, light intensity and nature of content of the digital sign. For additional clarification, an EPN is a statutory instrument issued under the *Environmental Management and Pollution Control Act 1994* (EMPCA) to control matters that, in the opinion of a suitably qualified officer, have the potential to cause environmental harm. The digital display aspect of the sign has remained inactive since receiving the Environmental Protection Notice and while the retrospective discretionary development application is being determined. It is noteworthy that the matter is a planning enforcement issue because the use of video content on the sign is prohibited by the planning scheme.

The sign measures 4.5m high and 1.38m wide. One (1) digital display is located at the top of each sign face with the technology required to operate the sign contained within the sign structure itself. The sign can be programmed to automatically turn on and off at certain times, to vary brightness levels and to vary the messaging displayed at programmed

intervals. The blade sign faces have a blue colour that matches the colour scheme of the school while the edge has a faux light-coloured wood appearance.

The school is aware of the issues that past operation of the sign has caused to the nearby area and the conditions of approval recommended have been agreed to by the school to ensure that the sign does not cause unreasonable impact to nearby residential properties and/or the road network.

2. LOCATION AND NEIGHBOURHOOD CHARACTER



(50-56 Campbell Street, Newstead not to scale)

The subject property is St. Thomas More's School, which is a co-educational school that provides education to students from Kindergarten to Grade 6. Varied built development has occurred at the property since its founding in the 1930's and changes in the level and types of education provided at the school have occurred multiple times.

The school is on the corner of Abbott Street to the west and Campbell Street to the south. The school is surrounded by existing residences, with residences to the west having a mostly intact streetscape with most dwellings setback 5-10m from Abbott Street.

Most surrounding development is residential in use and form, with notable nearby non-residential uses include (but are not limited to) PCYC Launceston, East Launceston Primary School and the Newstead Retail Precinct at the Elphin Road-David Street and Hoblers Bridge Road-Elphin Road-Penquite Road intersections.

3. PLANNING SCHEME REQUIREMENTS

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

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure and Assets Network	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to Section 57 of the Land Use Planning and Approvals Act 1993, the application was advertised for a 14 day period from 28 June 2023 to 12 July 2023. Four (4) representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p>Issue 1 The sign was erected without planning authority approval and was therefore constructed before the community could provide feedback.</p>
<p><i>Response 1</i> Agreed. Upon becoming aware of the sign, an Environmental Protection Notice was issued to the school by Council Officers and subsequently the use of the digital displays of the sign has ceased and a retrospective development application lodged to seek discretionary planning approval. The discretionary status of the retrospective development application allows for representations to be made relating to an application which are considered when the planning authority applies discretion to determine the outcome of an application.</p>
<p>Issue 2 The digital displays' brightness, hours of operation and type of content displayed impact on users of Abbott Street and nearby properties.</p>
<p><i>Response 2</i> Video evidence was provided that demonstrated that video content was being displayed at a bright level after dusk. It is noteworthy that the videos were recorded "in front" of the signs on the Abbott Street east footpath at approximately 6PM during a date approximately 2-4 weeks after the winter solstice. Conditions are recommended to ensure that the hours of operation, content and light intensity of the digital displays do not cause an unreasonable impact on nearby properties and users of Abbott Street.</p>

<p>Issue 3 The intended purpose of the sign is unreasonable due to the other mediums available for the school to communicate with stakeholders.</p>
<p><i>Response 3</i> <i>The sign would be used for reasonable purposes by way of recommended conditions. While there are other communication tools that the school uses, other schools have digital signs which are approved subject to conditions to ensure that the use of illuminated signage is not unreasonable.</i></p>
<p>Issue 4 The sign does not meet the frontage setback acceptable solution for the Community Purpose Zone and the Signs Code</p>
<p><i>Response 4</i> <i>Clause 27.4.2 A1 of the Community Purpose Zone does not apply due to signage setback being assessed by the Signs Code. The acceptable solution for signage setback for a blade sign (Clause C1.6.1 A2) and is therefore not a standard which City of Launceston as planning authority can exercise the use of discretion to determine the application.</i></p>
<p>Issue 5 The sign does not meet the minimum requirements of a "blade sign".</p>
<p><i>Response 5</i> <i>The sign does not meet the acceptable solution for a blade sign as described by Clause C1.6.1 A1 of the Scheme but is assessed to meet the performance criteria detailed by Clause C1.6.1 P1 of the Scheme. The variation to the acceptable solution is considered appropriate for this application by way of recommended conditions.</i></p>
<p>Issue 6 The sign is coloured blue and is therefore not a "natural colour"</p>
<p><i>Response 6</i> <i>The blade sign has an almost identical colour to a previously existing ground base sign which utilised school colour schemes and branding. The blade sign replaces the ground base sign in the same location. While the blade sign has a higher relative height than the previous sign and incorporates digital displays, it is oriented perpendicular to the line of the established palm trees which mitigates visual impact when viewing the sign from locations with shorter lines of sight. Changing the colour of the sign to "blend in" with the surrounding area is likely to result in increased distraction for drivers travelling along and manoeuvring on Abbott Street due to the "less obvious" appearance as a school community-only sign.</i></p>
<p>Issue 7 The sign could have been constructed further back from the Abbott Street frontage and is not of a safe size.</p>
<p><i>Response 7</i> <i>The location of the sign in relation to the Abbott Street frontage is considered to be reasonable. Locating the digital sign further back would result in the purpose of the sign being "less obvious" to Abbott Street road reserve users, therefore increasing the time taken to determine the purpose of the sign by those not yet familiar with it. The structural integrity of the sign is not a planning consideration for this development application but it is noteworthy that the retrospective nature of the application requires a full building permit to be provided, which requires an accredited and insured building surveyor to sign off on the construction/design of the sign. The principal has confirmed that the grassed area where the sign is located is utilised by students as an after school play/recreation area for students who are awaiting transport from the school but do not</i></p>

stay long enough for dedicated after school care to be feasible. The principal, chaplain and vice principal are assigned supervision duty of the area where the sign is located.

Issue 8

The sign unreasonably impacts the heritage significance of the area.

Response 8

While the sign is located on a streetscape with mostly intact 1930's character, the streetscape itself along Abbott Street between Campbell Street and David Street is not listed as a Local Heritage Precinct of Launceston's Local Provisions Schedule or listed as part of the Tasmanian Heritage Register administered by the Tasmanian Heritage Council. Streetscape impacts are addressed by Clauses C1.6.1 P1.1 and C1.6.2 P1 of the Scheme. The sign is assessed to meet the performance criteria for the two abovementioned standards.

Issue 9

The sign could have been constructed at the Campbell Street entrance

Response 9

The final decision of where a development is located within a property is the landowner's. City of Launceston acting as planning authority are required to act within the scope of assessing development that is proposed (and in this case, already constructed and seeking retrospective approval) and are therefore obligated to assess the sign where it is located (or proposed to be located). A new development application would be required if the sign were to be located elsewhere.

Issue 10

The light from the digital displays shines into rooms of houses where darkness is preferred/a requirement.

Response 10

A condition is recommended to ensure that light from the displays does not unreasonably spill onto other properties.

6. CONCLUSION

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

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Tasmanian Planning Scheme - Launceston.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. D A 0253-2023 - 50-56 Campbell Street Newstead - Advertised Plans [9.3.1 - 12 pages]
2. DA0253 2023 50 56 Campbell Street Newstead Planning Scheme Assessment [9.3.2 - 21 pages]

9.4. PSA-LLP0009 and DA0051/2023 - Initiate Draft Amendment to Rezone Land at 14, 16 and 18 Howard Street; 26 and 28 Montagu Street and the Southern Portion of 69A Mayne Street Invermay from General Residential Zone to Light Industrial Zone

FILE NO: PSA-LLP0009 and DA0051/2023

AUTHOR: Dileep Karna (Graduate Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant: Pitt & Sherry Pty Ltd
Area of the Site: 14, 16 and 18 Howard Street; 26, 28 and 30 Montagu Street and 69A Mayne Street, Invermay (described as CT62242/8, CT62242/9, CT62242/10, CT62242/11, CT62242/12, CT175261/2 and CT54767/2)
Existing Zones: General Residential and Light Industrial
Existing Use: Vacant land, existing dwellings and associated outbuildings
Receipt Date: 2 February 2023

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council - 1 June 2023 - 10.1 - DA0051/2023 - 14, 18 and 16 Howard Street, Invermay; 26, 28 and 30 Montagu Street, Invermay and 69A Mayne Street, Invermay - Section 40T - Combined Scheme Amendment and Development Application

Initiated Draft Amendment PSA-LLP0009 to the Launceston Local Provisions Schedule, to initiate Amendment PSA-LLP0009, to:

- a. rezone land at 14, 16 and 18 Howard Street; 26 and 28 Montagu Street and the southern portion of 69A Mayne Street, Invermay from the General Residential Zone to the Light Industrial Zone; and
 - b. rezone the northern portion of 30 Montagu Street from the Light Industrial Zone to the General Residential Zone; and
 - c. to amend the precinct maps contained within LAU-S10.0 Invermay/Inveresk Flood Inundation Specific Area Plan to reflect the zoning changes; and
 - d. sections 40T and 40Y of the *Land Use Planning and Approvals Act 1993*, approves DA0051/2023 - Storage - Demolition of existing buildings and construction of a building with five tenancies for storage use and associated car parking at 14 Howard
-

Street, 18 Howard Street, 16 Howard Street, 26 Montagu Street, 28 Montagu Street, 30 Montagu Street and 69A Mayne Street, Invermay.

RECOMMENDATION:

That Council:

1. In accordance with sections 40K of the Land Use Planning and Approvals Act 1993, notifies the Tasmanian Planning Commission that one (1) representation was received during the public exhibition period for Amendment PSA-LLP0009: and
2. In accordance with section 42 of the Land Use Planning and Approvals Act 1993, considers the merit of the representations received to draft Amendment PSA-LLP0009; and
3. Provide advice to the Tasmanian Planning Commission that Amendment PSA-LLP0009 and DA0051/2023 be approved as certified and exhibited.

REPORT:

An application was made under section 37 of the *Land Use Planning and Approvals Act 1993* (the Act) by pitt&sherry for an amendment to the Launceston Local Provisions Schedule concurrently with a development application pursuant to section 40T of the Act.

Council initiated the planning scheme amendment and approved the Development Application at its Meeting on 1 June 2023. The application and permit were exhibited from 14 June 2023 to 12 July 2023. The amendment appeared in *The Examiner* on two separate occasions: 14 June 2023 and 17 July 2023. One (1) representation was received during this period.

In accordance with section 40K and 42 of the *Land Use Planning and Approvals Act 1993*, Council must, within 35 days of the close of the exhibition period, send a report to the Tasmanian Planning Commission on the amendment and planning permit.

ASSESSMENT OF REPRESENTATIONS

One (1) representation was received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received. A copy of the representation was provided to the Councilor's confidentially.

Issue 1
The proposed rezoning would be completely incongruent with the current street usage. It would result in a very large overbearing, bulky development extending to a quarter of the street that has predominately low-rise residences.
<i>Response 1</i>
<i>The rezoned land will not adversely affect the existing or future residential use located along the northern, eastern, and southern sides of the property boundary.</i>

The subject site is located on the corner of Howard Street and Montagu Street, with mixed-use development in an existing developed urban area, especially on Montagu Street. However, the rezoned land will have a total frontage of approximately 99.2m, with approximately 52.5m of the frontage towards Montagu Street with an overall height of approximately 6.7m along Montagu Street, which adjoins the Light Industrial Zone. The remaining frontage approximately 41.2m along Howard Street, will have an overall height of approximately 6.7m at the western end and approximately 4.3m at the eastern end, as shown in the proposed elevation plan.

The proposed amendment included a location of the building that will be used for storage use and maintains separation from the existing residential uses. The proposed development is considered appropriate as the rezoned land is located below the established flood level 3.4m AHD, approximately 1.9m - 2.6m AHD. If the dwelling were to be demolished and rebuilt, the floor levels must be increased to a minimum of 3.4m AHD.

Issue 2

It is extremely concerning that in a city that desperately needs affordable housing for its residents and suddenly be changed into a light industrial zone.

Response 2

The rezoned land to Light Industrial from General Residential is appropriate as the land is below the established flood AHD and has potential danger to life during flood events. Due to these implications, the existing residential land does not encourage developers to reuse or redevelop the sites, as the construction and house insurance costs are very high and would result in significant changes to enable residential uses to comply with the Invermay/Inveresk Flood Inundation Specific Area Plan.

The proposed amendment included a master plan showing the indicative location of five new houses, and the land is located above the established flood level, approximately 5.5m -9.5m AHD, and will increase the opportunities to redevelop the land with additional housing.

Issue 3

If the proposal is approved, we would be looking at a six meter solid wall of colorbond.

Response 3

The proposed light industrial use within the proposed building will have no adverse impacts on the Howard Street streetscape, as the proposed development included a landscaping plan along the southern side (Howard Street) to a depth of approximately 2.9m, which complies with the clause 18.4.5 of the Light Industrial Zone. The proposed landscaping along the Howard Street frontage includes two different types of plants, Laurus Nobilis 'Bay Laurel' and Acer palmatum "Japanese Maple" that can be grown up to 3m - 6m (approximately), as shown on the proposed site plan and the elevation plan. A site landscaping condition has been placed on the permit to ensure the proposed landscaping is installed in accordance with the endorsed plans.

Issue 4

Increased traffic movement, noise and pollution

Response 4

The council's traffic engineers are satisfied that the traffic that is generated by this development can be accommodated within the road network with negligible impact. The amendment included Traffic Impact Assessment, which identified the transport demands and infrastructure requirements. The development for storage use includes 20 car parking spaces, as required under the Planning Scheme. The subject land is within the established urban area and is in close proximity to the public road network, which connects to Tasmania's transport infrastructure.

The council's Environmental Health officers are satisfied, as the proposed amendment included Noise and Air Emissions Assessment, which provides recommendation to implement measures to eliminate noise nuisance, and further the proposed development will be paved/concreted so dust pollution would not be an issue. However, conditions have been placed on the permit to ensure the above.

CONCLUSION

There are no reasons for the Council not to proceed with the Draft Amendment PSA-LLP0009 and DA0051/2023 as initiated and advertised.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Land Use Planning and Approvals Act 1993 (the Act)
Tasmanian Planning Scheme - Launceston & Launceston Local Provisions Schedule
Northern Tasmania Regional Land Use Strategy (NTRLUS) 2018
City of Launceston Corporate Strategic Plan 2014-2024
City of Launceston Industrial Strategy 2009-2029
City of Launceston Residential Strategy 2009-2029

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. DA0051 2023 14 18 and 16 Howard Street Invermay Planning Scheme Assessment [9.4.1 - 21 pages]
2. PS A- LL P 0009 - Instrument 1 - Light Industrial Zone [9.4.2 - 1 page]
3. PS A- LL P 0009 - Instrument 2 - General Residential Zone [9.4.3 - 1 page]
4. PS A- LL P 0009 - Instrument 3 - SAP [9.4.4 - 1 page]
5. PS A- LL P 0009 - Instrument 4 - SAP [9.4.5 - 1 page]
6. D A 0051 2023 14 18 and 16 Howard Street Invermay - Tas Water SPAN [9.4.6 - 5 pages]
7. DA 0051 2023 - 14, 16 and 18 Howard Street, Invermay - Application [9.4.7 - 259 pages]
8. D A 0051 2023 14 18 and 16 Howard Street Invermay 26 28 and 30 Montague Street Invermay [9.4.8 - 36 pages]

10. ANNOUNCEMENTS BY THE MAYOR

10.1. Mayor's Announcements

FILE NO: SF2375

Thursday 27 July 2023

- Attended the Wilson Homes' Official Opening Cocktail Event

Friday 28 July 2023

- Officiated at the UTAS Opening of Rivers Edge Building, Inveresk
- Attended Junction Arts Festival Launch, Du Cane Brewery & Dining Hall
- Attended Assembly 197 for the 'sharing' of a new work being developed

Saturday 29 July 2023

- Attended Launceston Kart Club meeting, Archerville

Wednesday 2 August 2023

- Attended *Ascent* by Sydney Dance Company, Princess Theatre

Thursday 3 August 2023

- Attended Salvos Sleep Out, Civic Square

Friday 4 August 2023

- Attended agriCULTURED Tasmania, Conversations in the City *Opening Plenary* and *Closing Plenary*, Pilgrim Church
- Attended agriCULTURED Tasmania *Fire & Fog Friday Night*, Civic Square
- Officiated at Queen Victoria Museum and Art Gallery Exhibition Launch *Mariw Minaral (Spiritual Patterns)*, QVMAG Art Gallery

Saturday 5 August 2023

- Attended Food and Resilience Movement Launch, MACS Ravenswood
- Attended Food and Resilience Movement Launch, NSC Newnham

Wednesday 9 August 2023

- Attended 2023 Catholic Education Week Mass, St Thomas More's, Newstead
- Attended Meet and Greet with Councillors and Chamber of Commerce Board Members, Chamber of Commerce

Thursday 10 August 2023

- Welcomed delegates to Parking Meter Conference, The Sebel Launceston
-

11. COUNCILLORS' REPORTS

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

12. QUESTIONS BY COUNCILLORS

12.1. Councillors' Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

12.1.1. Councillor Question on Notice - Councillor J J Pentridge - Dredging

FILE NO: SF6381

AUTHOR: Kelsey Hartland (Team Leader Governance)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following questions, submitted to Council in writing on 2 August 2023 by Councillor J J Pentridge have been answered by Michael Stretton (Chief Executive Officer)

Questions:

1. What studies has the council, or the Flood Authority undertaken to determine whether the river will maintain its self-cleansing approach once the channel sides have risen so much that they have developed a super hard crust that is resistant to self-scouring. Have there been any?

Response:

This question would be more appropriately directed to the Tamar Estuary Management Taskforce (TEMT) as neither the Council or the Launceston Flood Authority have maintenance responsibility for the Estuary.

The TEMT was established to provide options and advice to the Tasmanian Government on how to develop and manage the kanamaluka/Tamar Estuary. As an advisory body, its members include government departments, agencies, local government authorities and expert bodies with responsibilities or interests in the estuary.

In 2021 the TEMT commissioned the Tamar Estuary and Esk Rivers Program to conduct a comprehensive and independent analysis of the challenges, impacts and magnitude of costs of various proposed sedimentation management options for the kanamaluka/Tamar estuary.

The report entitled, Environment, flooding and aesthetics; sediment in the kanamaluka/Tamar estuary, uses a scientifically robust, best practice and evidence-

based approach, with analysis of primary data, where possible, and informed by technical experts across the range of criteria, which include:

- *legislative and feasibility challenges;*
- *cost;*
- *impacts on bathymetry;*
- *impacts on flooding;*
- *impacts on environmental values and water quality; and*
- *impacts on recreation and navigation.*

In addition to the report, the Council does have information on scour and floods. Bathymetry data collected by the City of Launceston show that moderate-large floods (>800-1000 cumecs) induce scour of sediment in the estuary, even during times of no dredging or raking activity.

For example, a moderate flood in 2009, after the millennium drought, resulted in significant sediment scoured from the Yacht Basin. Scour would typically begin within the channel in the early stages of a flood, with the intertidal flats scouring as water volume and velocity increased.

A number of independent studies have been undertaken on this, for example:

- *BMT WBM (2009) assessed the impact of dredging on the river for flood protection. Only minor flood level improvements were associated with major dredging. Maintenance dredging of channels in the Yacht Basin were found to have no significant beneficial effect on flood levels in the developed parts of Launceston.*
- *GHD (2009) concluded that significant flood level rises that may impact on flood levees would coincide with significant scour that is likely to be far greater than what could be extracted through even a major dredging operation (100,000m³ in first year, followed by 50,000m³ per annum for 20 years). "*

2. *Doesn't anyone think that we need to dredge river sediments in the upper river (home point) for navigation, recreation, health and safety, tourism, and general amenity reasons? Flood mitigation benefits are a by-product. Dredging is insurance against a worsening outcome.*

Response:

Please refer to the report identified in the previous question which addresses the issues raised.

3. How can we think we should be the leader of local government across ALL of Northern Tasmania when we can't be bothered to simply clean our own backyard?

Response:

It is not accurate to say that the Council is not acting to 'clean out' the Estuary. As a member of the TEMT, the Council has developed and is partnering with the other members to implement the 10-Year Vision for the Estuary.

The vision is designed to reframe Launceston's relationship to the estuary, recognising and embracing its transformation from an industrial landscape to a focal point for community events and recreation. It sets the direction for the long-term recreational, community and cultural use of the upper kanamaluka/Tamar Estuary, with scalable options that can be implemented over time.

In addition, along with the Australian and State Government, the Council has invested a total of \$140.7 million to implement the key actions in the River Health Action Plan, namely:

- \$129.2 million to deliver infrastructure upgrades to reduce overflows from Launceston's combined sewage and stormwater system; and*
 - \$11.5 million for the Catchment Works Program to support grazing and dairy landholders within the kanamaluka/Tamar Estuary and Esk rivers catchment to keep stock out of waterways through funded activities including the installation of waterway fencing, riparian revegetation, and effluent management upgrades on dairy farms. The Sewage Intrusion Program identified and corrected many cross-connections to the Launceston's separated stormwater system, diverting a significant amount of sewerage from discharging in the Estuary.*
-

12.2. Councillors' Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

13. COMMITTEE REPORTS

13.1. Access Advisory Committee - 8 March and 7 June 2023

FILE NO: SF0025

AUTHOR: Nindarra Wheatley (Community Development Officer - Inclusion)

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

DECISION STATEMENT:

To receive a report from the Access Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Access Advisory Committee Meetings held on 8 March and 7 June 2023.

REPORT:

The purpose of this report is to inform Council that the Access Advisory Committee Meetings held on the 8 March and the 7 June this year have not met the quorum required to warrant formal minutes and reports to Council.

Council Officers are currently examining the function of this committee and will explore strategies to ensure that members derive value from participating and therefore that quorums are achieved moving forward. This will include:

- Consultation with current Access Advisory Committee Members to examine the functioning of the committee to identify potential barriers of attendance.
- Advertising for expressions of interest for community representation to fill current vacancies; and
- Investigating if organisations and agencies are adequately represented in the terms of reference membership.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
2. To define and communicate our role in promoting social inclusion and equity.
3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

Nil

14. INFRASTRUCTURE AND ASSETS NETWORK

14.1. Launceston Flood Authority Report

FILE NO: SF4493

AUTHOR: Debbie Pickett (Personal Assistant - General Manager Infrastructure and Assets Network)

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

DECISION STATEMENT:

To receive the Launceston Flood Authority Quarterly Report - April to June 2023.

RELEVANT LEGISLATION:

Launceston Flood Authority Rules, April 2020

RECOMMENDATION:

That Council, in accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, receives the Launceston Flood Authority Quarterly Report, April to June 2023 (ECM Doc Set ID 4930976).

REPORT:

In accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, the Authority must submit a quarterly report to the Council for the period ending March, June, September and December.

The report for the period ending 30 June 2023 provides an overview of the Launceston Flood Authority's operational activities, financial position and key priorities for the next quarter (Attachment 1).

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

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

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

Focus Areas:

3. To ensure decisions are made on the basis of accurate and relevant information.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. Launceston Flood Authority Quarterly Report - April to June 2023 [14.1.1 - 3 pages]

15. ORGANISATIONAL SERVICES NETWORK

15.1. 2023/2024 Budget - Budget Amendments

FILE NO: SF6940/SF7558

AUTHOR: Samuel Kelty (Acting Manager Finance)

ACTING GENERAL MANAGER APPROVAL: Leanne Purchase (Organisational Services Network)

DECISION STATEMENT:

For Council to consider changes to the Council's 2023/2024 Statutory Estimates.

A decision for Recommendation 1. requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993* (Tas) and by an absolute majority, approves the following changes to the 2023/2024 Statutory Estimates:
 - (a) Revenue
 - i. the net increase in revenue from external grants and contributions of \$16,380,044.
 - (c) Capital Works Expenditure
 - i. the net increase in expenditure from external funds of \$16,380,044.
2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$13,974,141 (including capital grants of \$17,793,044) for 2023/2024.
 - (b) the capital budget being increased to \$37,016,044 for 2023/2024.

REPORT:

1. Budget Amendments

The budget amendments are changes to the Statutory Estimates which require a Council decision. The changes relate to external grant revenue and Capital projects.

	Operations \$'000	Capital \$'000
Statutory Budget as 01/07/2023	(2,406)	20,636
<u>Amendments</u>		
Council Funds	0	0
Capital to Operations	0	0
Operations to Capital	0	0
Operations	0	0
External Funds	0	0
External Funds Not Received	16,380	16,380
Statutory Budget as at 01/07/2023	13,974	37,016
	<u>(17,793)</u>	
Underlying Operating Budget Surplus/(Deficit)	(3,819)	

The table summarises all Budget Agenda Items and includes reconciliations of the budgeted operating result and capital expenditure.

Details of the amendments are as follows:

1(a) The following items have been affected by external funding not received in 2022/2023 that are now expected to be received in 2023/2024:

Project Number	Project Description	External Funds
CP24140	Albert Hall Upgrade	\$9,800,000
CP24360	Launceston Aquatic Air Handling Upgrades	\$870,000
CP24056	Tennis Centre	\$2,800,000
CP24349	Birch Avenue/Churchill Park Facilities Upgrade	\$250,000
CP24143	Reimagining the Cataract Gorge	\$730,000
CP23705	Alexandra Suspension Bridge Upgrade	\$37,022
CP24358	Duck Reach Engineering Museum Equipment	\$50,000
CP24186	Sandown Road Rehabilitation	\$40,074
CP24152	Hillside Crescent Pavement Rehabilitation	\$1,002,948
CP24441	QVMAG Phenomena Factory Redevelopment	\$800,000
	TOTAL	\$16,380,044

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

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

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

Focus Areas:

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

BUDGET AND FINANCIAL ASPECTS:

As per the report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

Nil

15.2. Lease - 341 Vermont Road, Ravenswood

FILE NO: SF0379

AUTHOR: Michelle Grey (Lease and Licensing Officer)

ACTING GENERAL MANAGER APPROVAL: Leanne Purchase (Organisational Services Network)

DECISION STATEMENT:

To consider sub-leasing property situated at 341 Vermont Road, Ravenswood, known as Ravenswood Memorial Hall, to Starting Point Neighbourhood House Incorporated.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 23 May 2016 - Agenda Item 18.1 - Crown Land Lease - 341 Vermont Road, Ravenswood

RECOMMENDATION:

That Council:

1. by absolute majority, in accordance with section 179 of the *Local Government Act 1993 (Tas)*, agrees to lease 341 Vermont Road, Ravenswood to Starting Point Neighbourhood House Incorporated (CT137989/1) as indicated on the plan below:



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - (a) the term shall be five years commencing on 1 July 2023;
 - (b) the commencing rent shall be \$323.96 per annum based on 182 fee units;
 - (c) tenant to be responsible for all outgoing costs such as:
 - i energy costs;
 - ii volumetric usage and service charges for water;
 - iii fire service checks;
 - iv security monitoring fees; and
 - v all other service fees and charges associated with maintenance of the building.
 - (d) tenant shall continuously maintain:
 - i. contents insurance
 - ii. public liability insurance of at least \$20 million.
 - (e) the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.
 3. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the lease.
 4. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

REPORT:

The Council has leased the Ravenswood Memorial Hall at 341 Vermont Road, Ravenswood from the Crown since 1958.

In 2016 Council resolved to surrender the Lease and assist the current lessee, Starting Point Neighbourhood House Inc. (SPNH) to establish a Men's Shed on the property. The Crown would not agree to surrender of the lease, however, consented to the Council sub-leasing the property to SPNH for the remainder of the lease.

The Council undertook plumbing and asbestos removal works to make it suitable for leasing.

SPNH has maintained and effected improvements to the hall since around 2017, such as installing solar panels and security cameras. The lease expired on 31 January 2022 and has since then been in *holding over*.

The Council's Officers met with representatives of SPNH who wish to continue leasing Ravenswood Memorial Hall for as long as possible. They have also expressed plans for further improvement to the Centre which they intend to seek funding for.

The organisation has some 70 members across SPNH, Men's and Community Shed (MACS) and their community garden. They host workshops in which people can learn woodworking and craft skills and hold events with guest speakers. They focus on being a safe and inclusive space for the community in the northern suburbs.

It is recommended that a further five year Lease be granted to SPNH.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

There is positive social impact in that the Men's and Community Shed provides a safe and inclusive space for members of the community to gather and learn skills.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

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

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

Focus Areas:

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

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.
4. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life.
5. To promote and support active and healthy lifestyles of our community.

BUDGET AND FINANCIAL IMPLICATIONS:

Not relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

Nil

15.3. City of Launceston Four Year Delivery Plan 2023 Edition

FILE NO: SF6955

AUTHOR: Courtney Osborne (Team Leader Performance and Planning)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the City of Launceston Four Year Delivery Plan 2023 Edition.

PREVIOUS COUNCIL CONSIDERATION:

Workshop – 20 July 2023 – Four Year Delivery Plan and Advocacy Priorities.

Workshop – 24 November 2022 – Four Year Delivery Plan – Planning Session.

RECOMMENDATION:

That Council endorses the City of Launceston Four Year Delivery Plan 2023 Edition (ECM Document Set ID No: 4931029).

REPORT:

The City of Launceston Four Year Delivery Plan 2023 Edition (the Plan) forms a key element of the City of Launceston's (CoL) Integrated Corporate Planning Framework.

The Plan connects the CoL's long term strategies to its short term plans and annual budget, with the purpose of providing a delivery pathway between strategic and operational planning.

The Plan is subject to annual review and update as part of the CoL's annual corporate planning process which provides the CoL the agility to respond quickly to any changes required. This review process has included engagement with the newly elected Councillors together with the executive and senior Leadership Teams within the organisation.

The Plan contains the key services, strategies, plans, policies, annual plan actions and projects for advocacy. In addition, major projects and programs are planned for inclusion in the Plan in 2024/2025 and Key Performance Indicators for key business activities, community impact measures and strategic measures are planned for development in 2024/2025.

The Plan will enable the CoL to work towards delivery on the Community Vision as outlined in the Greater Launceston Plan (GLP) and our Organisational Vision and Purpose in the City of Launceston Corporate Strategic Plan 2014-2024. In addition, the Plan will run over the elected period of Council and will be connected to the revision of the City of Launceston Corporate Strategic Plan 2014-2024.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

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

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

Focus Areas:

3. To ensure decisions are made on the basis of accurate and relevant information.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. City of Launceston Four Year Delivery Plan 2023 edition v 9 - ECM Doc Set ID 4931029 [15.3.1 - 60 pages]

16. MEETING CLOSURE

17. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 24 August 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.