



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 11 JULY 2024
1.00 PM**

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: 11 July 2024

Time: 1:00 pm

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.



**Sam Johnson
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 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.

ORDER OF BUSINESS

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES.....	7
2. MAYORAL ACKNOWLEDGEMENTS	7
3. DECLARATIONS OF INTEREST	7
4. CONFIRMATION OF MINUTES.....	8
5. COUNCIL WORKSHOPS	9
5.1. Council Workshops Report 27 June 2024 and 4 July 2024	9
6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS	12
7. COMMUNITY REPORTS	12
8. PUBLIC QUESTION TIME	13
8.1. Public Questions on Notice.....	13
8.1.1. Public Questions on Notice - Ray Norman - Homelessness, Environmental Sustainability, Queen Victoria Museum and Art Gallery (QVMAG) - 21 June 2024	13
8.1.2. Public Questions on Notice - Robin Smith - Graffiti Removal in Brisbane Street Mall and Free Tiger Bus Service - 3 July 2024.....	16
8.2. Public Questions Without Notice.....	19
9. PLANNING AUTHORITY	20
9.1. DA0117/2024-169 St Leonards Road, St Leonards-Subdivision-Subdivide land into 53 residential lots. balance lots, construction associated infrastructure-roads, public open space, services. works within road reserves of Pinsley Drive, St Leonards Road	20
9.2. PSA-LLP0020 - 181, 183, 185, 187, 189, 191, 193 Westbury Road and 60 Oakden Road, Prospect from the Low Density Residential Zone to the General Residential Zone	38
9.3. PSA-LLP0019 - 325 Watery Plains Road, White Hills - Planning Scheme Amendment - Rezone from Agriculture Zone to Rural Zone.....	41
9.4. PSA-LLP0012 - Planning Scheme Amendment - New Properties onto the Local Heritage List and New Datasheets	64

10. ANNOUNCEMENTS BY THE MAYOR	71
10.1. Mayor's Announcements	71
11. COUNCILLORS' REPORTS	72
12. QUESTIONS BY COUNCILLORS	73
12.1. Councillors' Questions on Notice	73
12.1.1. Councillors' Questions on Notice - Councillor D H McKenzie - Coronation Park Play Equipment - 27 June 2024	73
12.1.2. Councillors' Questions on Notice - Councillor D C Gibson - Grants and Sponsorship Funds - 27 June 2024	75
12.2. Councillors' Questions Without Notice	76
13. NOTICES OF MOTION	77
14. COMMITTEE REPORTS	77
14.1. Audit Panel Meeting - 21 May 2024	78
15. CREATIVE ARTS AND CULTURAL SERVICES NETWORK	82
15.1. QVMAG Strategic Plan 2023-2028	82
16. ORGANISATIONAL SERVICES NETWORK	85
16.1. Lease - Lebrina Equestrian Club Inc.	85
16.2. Disposal of Interest in Land - 16-30 Waverley Road, Waverley	89
17. LATE ITEMS	93
18. MEETING CLOSURE	94
19. NEXT COUNCIL MEETING DATE	94

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 June 2024 be confirmed as a true and correct record.

5. COUNCIL WORKSHOPS

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

5.1. Council Workshops Report 27 June 2024 and 4 July 2024

FILE NO: SF4401

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Louise Foster (General Manager 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. pre-Council Workshop conducted on 27 June 2024:

Flood Mitigation Notice of Motion - Project Scope Update

Following the Notice of Motion submitted by Councillor A J Britton on 7 March 2024 to establish a comprehensive Flood Mitigation Strategy for Launceston, Councillors were updated on progress with the Project Scope for the delivery of the Strategy.

In Attendance: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton
Apologies: Nil

2. Workshop conducted on 4 July 2024:

Child and Youth Safe Organisation

Councillors were provided with an update on the City of Launceston's approach to being a child and youth safe organisation.

City of Launceston Regional Priority Projects

Councillors discussed the projects and initiatives to be included in the City of Launceston submission.

Launceston Central - CPI Request

Councillors considered a request received, to apply a CPI related increase to the Launceston Central Operational Agreement for the financial year 2024/2025.

Gorge Restaurant and Cafe Lease and Albert Hall

Councillors provided feedback regarding a process for the future leasing of the Gorge Restaurant and Cafe, and the Albert Hall Cafe.

In Attendance: Deputy Mayor Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

Apologies: Mayor Councillor M K Garwood, Councillor D C Gibson and Councillor A J Palmer

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 - Ray Norman - Homelessness, Environmental Sustainability, Queen Victoria Museum and Art Gallery (QVMAG) - 21 June 2024

FILE NO: SF6381 / SF7000 / SF2244 / SF4729

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 21 June 2024 by Ray Norman, have been answered by Chelsea van Riet (General Manager Community and Place Network), Michael Newby (Chief Infrastructure Officer) and Shane Fitzgerald (General Manager Creative Arts and Culture Network).

Questions as received:

1. Given the backgrounding here and Council's demonstrated ongoing commitment to status quoism will Council now consider any of the following:
 1. Cease considering constituent's "*housing stress*" as an issue that belongs to the suffers or some other authority; and
 2. Cease advocating that people's "*housing stress*" as an issue that falls within the bailiwick of State and Federal governance; and
 3. Cease considering constituent's "*housing stress*" as being to do with '*homelessness*' and fiscal stress exclusively; and
 4. Begin to consider the right to a safe and secure '*homeplace*' as a fundamental human right in the context of cultural landscaping, civic planning and placemaking; and
 5. Consider establishing an independent standalone Launceston Housing Authority that is funded collaboratively by Council, State Govt, Federal Govt. the corporate sector, charities, and donors, and
 6. Consider establishing a Community Housing Forum designed to bring appropriate experts together to canvass reassessing appropriate construction technologies and sustainable 21st C placemaking; and
 7. Consider establishing a Cooperative Community Housing Office designed to broker increased cooperative housing in the city's building stock and existing dwellings; and
 8. Consider establishing Communal Housing Zones where those participating in facilitating Communal Housing receive a financial benefit from their participation; and

9. Move proactively in insuring that all officers and staff deliver UPR (*Unconditional Positive Regard*) to all community members in order to encourage reciprocal behaviour and especially so relative to addressing the city's 'housing crisis'?

Response:

The City of Launceston's Annual Plan for 2024/25 includes the scoping of a housing strategy. This will outline Council's position on matters related to housing in the municipality and provide insight into the current situation as well as the challenges we must overcome to achieve housing supply that is aligned with community needs.

Issues related to housing are multi-faceted and require the cooperation across sectors as well as between all three levels of government. As part of the work to prepare a housing strategy, relevant stakeholders will be engaged, and we have already initiated discussions with the development sector as well as the community housing sector.

As part of this process, we look forward to understanding community perceptions of housing and their knowledge of the anticipated population growth over the coming decades.

2. Will Council consider abandoning its stance that the elected representatives, and their executive management staff, hold all the required wisdom and expertise relative to sustainable cultural landscaping and placemaking, and abandon the exclusive use of punitive measures when dealing with errant citizens and offer meaningful rewards towards encouraging citizens to act more responsibly in their lives and their participation in sustainable place making.

Response:

The Council makes decisions in accordance with its adopted strategic direction, which is reflective of appropriate public consultation processes. Council decisions are supported by advice provided by appropriately qualified professionals, and community input.

3. Will Council NOW take immediate steps to ensure the appointment of a qualified Commissioner to:
 1. Enact the advice to Council in 2022; and
 2. Accordingly ensure that public monies, donations, and sponsorships are used for their intended purpose; and
 3. Accordingly protect the priceless QVMAG collections; and
 4. Ensure that researchers – *academic and citizen researchers* – have appropriate access to the QVMAG collections and be formally engaged with the institution; and
 5. That cultural producers can engage proactively with the institution at multiple levels.

Response:

Council have adopted a Futures Plan for QVMAG, which has undergone a process of appropriate engagement. The Futures Plan has been formally adopted by Council, and forms the basis of actions and direction for the Council to move forward in supporting QVMAG.

ATTACHMENTS:

1. Public Question on Notice - Ray Norman - 21 June 2024 [8.1.1.1 - 3 pages]

8.1.2. Public Questions on Notice - Robin Smith - Graffiti Removal in Brisbane Street Mall and Free Tiger Bus Service - 3 July 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 3 July 2024 by Robin Smith, has been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network), Nathan Williams (Chief Financial Officer), and David Mullenger (Manager Health and Compliance).

Questions as received:

1. Would council kindly consider removing the graffiti vandalism (tagging) from the front of Birchalls building (Brisbane Street Mall) and liaise with other agencies to advocate for the removal of the graffiti tags from post boxes (Australia Post); telephone boxes (Telstra); electrical cabinets containing council's electrical distribution board (TasNetworks) in and around the Brisbane Street Mall?

Response:

A customer request has been raised.

2. Tiger Bus - Launceston City Council free transport service.
 - i. When did the 'Tiger Bus' last carry the gold and black Tasmanian tiger livery, name branding, council branding and visual graphics saying it was 'free'?

Response:

In consultation with Metro, the branding was removed in April 2023 as it was not deemed to be in a condition suitable for continued use.

- ii. Are you in a position to provide passenger loading statistics for users of the service for:
 - (a) commuter parking for all-day parking permit holders
 - (b) others (visitor/explorer/tourists)?

Response:

Currently there are 15 all-day parking permit holders registered with the City of Launceston. The averages of each service route (excluding the primary commuter services) for the year to date (January 2024 to June 2024) are as follows:

City Explorer - 25.28 Average Daily Boardings

River Explorer - 29.5 Average Daily Boardings

Cataract Gorge - 19.23 Average Daily Boardings

Data does not distinguish individual passenger categories i.e. visitor/explorer/tourists, rather, informed assumptions are based on, the service route (destination), and time of day. Year to date data demonstrates that the average daily boarding's on the morning commuter shuttle service is 16.9, and an average of 7.4 boardings for the evening commuter shuttle service.

Do the statistics identify the counting of a returning daily commuter passenger or tourist passenger reboarding to commence a subsequent (multiple) leg of the 'loop'?

Response:

No, the statistics collected do not count the different types of user grouper or individuals, however Council is considering options to evaluate tourists (interstate or international) and intrastate/local resident users of the services to determine the appropriate level of service required.

- iii. What is the current cost levied by Metro Tasmania to council for the running of the service?

Response:

Council's approved budget for 2024/2025 contains \$285,000 payable to Metro Tasmania for this service.

- iv. At full operating 'summer' service, does the bus stop at Inveresk carpark 29 times a day but only 3 at the Gorge Reserve?

Response:

Timetables are regularly reviewed and can be changed based on demand, ensuring an appropriate service level is provided across the tourism sectors, the park and ride service, and the inner city commuter.

- v. Council website carries the following information:-
The Tiger Bus is a free transport service throughout the central city district, running 7 days a week*.
**The FREE Tiger Bus operates 7 days a week between December to April. Operating Mon–Sun until 30 April 2024.*

Then for the full timetable, the site directs users via a link to the Metro Tasmania's site which states:-

Services operate every business day and selected weekends and public holidays.

**Tiger Bus operates on Saturdays and Sundays in Dec, Jan, Feb, Mar and Apr*

Thus, only by the conflating information from these two sites together and with the process of elimination, do I take it from all that is written, the service is currently running five days per week, being Monday to Friday up until Sunday, December 1st, 2024?

Response:

The Tiger Bus operates five days a week, for 7 months of the year. Council will undertake a review of the information on our website in consultation with Metro to ensure consistency in the information being provided about the Free Tiger Bus service.

ATTACHMENTS:

1. Public Question on Notice - Robin Smith - Graffiti Removal in Brisbane Street Mall - 3 July 2024 [8.1.2.1 - 1 page]
2. Public Questions on Notice - Robin Smith - Free Tiger Bus Service - 3 July 2024 [8.1.2.2 - 2 pages]

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. DA0117/2024-169 St Leonards Road, St Leonards-Subdivision-Subdivide land into 53 residential lots. balance lots, construction associated infrastructure-roads, public open space, services. works within road reserves of Pinsley Drive, St Leonards Road

FILE NO: DA0117/2024

AUTHOR: Dileep Karna (Town Planner)

APPROVER: Chelsea van Riet (General Manager 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:	Jac Multi Asset Pty Ltd
Property:	169 St Leonards Road St Leonards
Zoning:	General Residential, Rural
Receipt Date:	19/03/2024
Validity Date:	3/06/2024
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	15/07/2024
Representations:	5

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

DA0704/2022 - 169 St Leonards Road, St Leonards - Subdivision - Subdivide one lot into three lots - approved under delegated authority.

STANDARDS REQUIRING PLANNING DISCRETION:

8.6.1 General Residential Zone - Lot design
8.6.2 General Residential Zone - Roads
20.5.1 Rural Zone - Lot design

- C7.6.1 Natural Assets Code - Buildings and works within a waterway and coastal protection area or a future coastal refugia area
- C7.6.2 Natural Assets Code - Clearance within a priority vegetation area
- C7.7.1 Natural Assets Code - Subdivision within a waterway and coastal protection area or a future refugia area
- C7.7.2 Natural Assets Code - Subdivision within a priority vegetation area
- LAU-S12.8.1 Development Potential Specific Area Plan - Co-ordination of subdivision

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 DA0117/2024 - Subdivision - Subdivide land into 53 residential lots and balance lots, construction of associated infrastructure including roads, public open space, services and works within the road reserves of Pinsley Drive and St Leonards Road at 169 St Leonards Road, St Leonards subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Planning Report, Prepared by Metier Planning & Development, Page No 1 - 34.
- b. Site Plan, Prepared by 6ty, Drawing No. Cp04, Revision No. H, Page No 35, Dated 01/05/2024
- c. Site Plan, Prepared by 6ty, Drawing No. Cp20, Revision No. B, Page No 36, Dated 26/04/2024
- d. Cross Sections, Prepared by 6ty, Drawing No. Cp82, Revision No. A, Page No 37, Dated 26/04/2024
- e. Transport Impact Assessment, Prepared by Ration, Reference No. 21296T, Revision No. F02, Page No 38 - 83, Dated 06/05/2024
- f. Natural Values Report, Prepared by Livingston Natural Resource Services, Page No 84 - 120, Dated 08/05/2024.
- g. Bushfire Hazard Management Report, Prepared by Livingston Natural Resource Services, Page No 121 - 156, Dated 29/04/2024

2. DEPARTMENT OF STATE GROWTH

Basic engineering drawings showing the extent of works, including all pavement marking and sign details along with written confirmation of Council agreement for the restriction of parking and, relevant bus operators for any bus stop adjustments to facilitate the works, must be provided to the Department of State Growth for review and acceptance as part of a works permit application per the details noted below.

NOTE: A valid works permit is required for all works undertaken in the State Road (St Leonards Road) reservation. Details of the permit process and application forms can be found at:

www.transport.tas.gov.au/road_permits/permits_and_bookings/general_works_pathways_stock_underpass

Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

3. BUSHFIRE PRONE AREAS

Hazard Management areas for lots 24 - 41 are located on land external to the proposed subdivision and the submitted Bushfire Hazard Management report has accompanied by a written consent from the owners of land CT 185856/1 and CT 185856/2 to be entered into an agreement under section of 71 of the Act to manage the affected land in accordance with the bushfire hazard management plan.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the Land Use Planning and Approvals Act 1993. All cost associated with preparing and registering the Agreement must be borne by the applicant.

Once executed the Part 5 agreement must be complied with, including the lodgment of all new development applications that are affected by the agreement.

Any advertising material pertaining to lots affected by the Part 5 agreement must disclose that a Part 5 agreement is on the title and the requirements of the agreement.

4. 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.

5. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00338-LCC, dated 02/05/2024 and attached to the permit.

6. HOURS OF CONSTRUCTION

- a) Unless otherwise approved in writing by the Manager Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7 am to 6 pm; and
 - ii. Saturday - 8 am to 6 pm.
- b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

7. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of General Manager - Infrastructure & Assets Network is required prior to undertaking works where the works:

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

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

9. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

10. ROAD CROSSINGS FOR SERVICE CONNECTIONS

Where it is required by a service provider (i.e. TasWater, Telstra, Aurora, etc) to upgrade, relocate or remove the existing connection or install a new connection, the developer must apply to Council's Manager Infrastructure and Engineering for approval to install the connection across Pinsley Drive.

The approved installation method is direction drilling/boring. Open trench installation will not be permitted except in EXCEPTIONAL circumstances and requires the written consent of the Council's General Manager Infrastructure and Assets Network who will specify the required construction and reinstatement works.

No work must commence for the installation, alteration or removal of the connection until such time as the service crossing approval has been obtained.

11. SOIL AND WATER MANAGEMENT CONTROL PLAN

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.

- c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
- d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the General Manager, Infrastructure & Assets Network. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

12. FILLING OF LAND

Site filling that exceeds a depth of 300 mm must comply with the provisions of AS3798 Guidelines on earthworks for commercial and residential developments current at the time of the application. Prior to the sealing of a final plan of subdivision, a Civil Engineer must certify that all the works have been carried out in accordance Australian Standard AS 3798 and the endorsed plan.

13. PERMIT TO UNDERTAKE WORKS IN STATE ROAD

St Leonards Road is a State Road and is under the jurisdiction of the Department of State Growth (DSG). A works permit pursuant to Section 16 of the *Roads and Jetties Act 1935* must be obtained to undertake works within the state road reservation. No works on or affecting the State Road must commence until the required permit has been issued by DSG. A copy of the DSG permit must be submitted to the Council's General Manager, Infrastructure & Assets Network prior to the commencement of the works.

14. PROTECTION OF PIPELINES

The existing underground Council pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5 metres from the outer edge of the pipe,
- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. There must be a minimum clear space between buildings or substantial structures of at least 3 metres in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to Section 13 of the *Urban Drainage Act 2013*.

15. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

16. RETICULATED SERVICES

Prior to the sealing of a final plan of subdivision, reticulated water, sewerage and electricity must be available to each lot shown on the endorsed plans.

17. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the General Manager, Infrastructure & Assets Network for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

18. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager, Infrastructure & Assets Network.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

a. Stormwater Network

- i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve, including the incorporation of water sensitive urban design elements,
- ii. The provision of a DN 100 connection to the lowest point of each lot,
- iii. Provision of an overland flow path for flows up to a 100 year ARI storm event,
- iv. Provision of a sealed access way/shared path with a minimum of 3 metres width, located parallel to the water course outside of the proposed area of impact from

the 1% AEP event and the extent of the backwater affect shown on the 6ty^o plan 22.187 Cp04 Rev H.

b. Roads - St Leonards Road

- i. Provision of all works required to facilitate the installation of the Department of State Growth approved works,
- ii. Provision of all necessary modifications to the existing footpath and pedestrian kerb ramps,
- iii. Provision of all necessary line marking, signage and other traffic control devices.

c. Roads - Pinsley Drive

- i. Provision of a standard T intersection with Proposed Road 1,
- ii. Provision of indented parking bays behind the existing kerb line of sufficient dimension to provide for six car parking spaces,
- iii. Provision of all necessary modifications and relocation of the existing footpath and driveway crossings within Pinsley Drive to facilitate the above construction including the installation of all necessary pedestrian kerb ramps,
- iv. Provision of all necessary line marking, signage and other traffic control devices required for the new road junction and parking restrictions.

d. Roads - Road 1

- i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a 1500mm wide footpath located on the western and northern side of the road and all necessary pedestrian kerb ramps,
- iii. Provision of a single vehicular crossing for each lot within the subdivision with its primary frontage to Road 1 with the exception of Lots 32 and 33 which are to be provided with a single constructed and sealed access from the back of kerb to the end of the access strip, complete with all necessary drainage,
- iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- v. Provision of all necessary line marking, signage and other traffic control devices,
- vi. Provision of street trees at a rate of 1 tree per lot in accordance with the approved landscaping plan

e. Roads - Road 2

- i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
- iii. Provision of a single vehicular crossing for each lot within the subdivision with its primary frontage to Road 2,
- iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- v. Provision of all necessary line marking, signage and other traffic control devices,
- vi. Provision of street trees at a rate of 1 tree per lot in accordance with the approved landscaping plan.

f. Roads - Lot 1002

- i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
- iii. Provision of all necessary line marking, signage and other traffic control devices,
- iv. Provision of street trees at a rate of 1 tree per lot in accordance with the approved landscaping plan.

g. Public Open Space & Walkway to St Leonards Road

- i. Provision of a vehicle crossing and driveway apron from Road 1 including works to restrict unauthorised vehicle access such as lockable bollards and/or boom gates,
- ii. Provision of a 25mm water connection, and means of irrigation consistent with the approved landscape plan
- iii. Provision of all necessary drainage.
- iv. Provision of 3.0m wide sealed shared path from the St Leonards Road footpath connected to the access way/shared pathway,
- v. The lot is to be landscaped/vegetated and weed-free.

h. Reserve (Lot 1001)

- i. The water course is to be rehabilitated to maintain and improve the aquatic and terrestrial habitat, ecosystem services and amenity values,
- ii. The lot is to be landscaped/vegetated with local native species and weed-free.

i. Electricity, Communications & Other Utilities

- i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,
- ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
- iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
- iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- Construction requirements,
- Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- Construction Audit inspections,
- Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

19. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

20. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

21. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure & Assets Network.
- b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

22. EASEMENTS

Easements are required over all Council and third party services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required in line with the LCC document '*How close can I build to a Council Service?*' where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

23. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the General Manager, Infrastructure & Assets Network:

- a. The satisfactory completion of all public infrastructure works required by the planning permit.
- b. The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.
- c. The provision of engineering certification and as constructed documentation in accordance the Council requirements.
- d. The subsequent issue of a Certificate of Practical Completion by the General Manager, Infrastructure & Assets Network for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

24. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the General Manager, Infrastructure & Assets Network, of the Certificate under Section 10 (7) of the *Local Government (Highways) Act 1962*. All costs involved in this procedure must be met by the Subdivider.

25. CONVEYANCE OF PUBLIC OPEN SPACE

All public open space lots in the Subdivision must be conveyed to the Council upon the issue of titles. All costs involved in this procedure must be met by the Subdivider.

26. COMPLETION OF WORKS

All works must be carried out to Council standards and to the satisfaction of the General Manager, Infrastructure & Assets Network and under the direct supervision of a civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

27. AS CONSTRUCTED PLANS

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure & Assets Network.

28. NO BURNING OF WASTE

Burning of vegetation and vegetative waste is not permitted on-site, unless a burn management plan has been prepared and undertaken by a suitability qualified person. A copy of this plan must be submitted to council's Manager Health and Compliance prior to the burn occurring. All other wastes are not permitted to be burnt and must be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

29. PROTECTION OF PUBLIC OPEN SPACE

The Public Open Space is to be protected from damage during the construction works by ensuring that:

- a. Prior to commencing any work on the subject site the owner must erect fencing on the boundary between the Public Open Space and the subject site.
- b. No building material, stockpiles, skip bins or machinery are to be stored on the Public Open Space.
- d. No excavation or fill works within the subject site are permitted to extend into, impact upon the stability of, or reduce the ability of Council to maintain, the Public Open Space.
- e. No access to the subject site is permitted via the Public Open Space without express written consent from the General Manager, Infrastructure and Assets Network.
- f. Where permission is granted to access subject site via the Public Open Space, any and all damage caused to the Public Open Space is to be remediated within the timeframe specified in the written consent to access.

30. REVEGETATION OF DISTURBED AREAS

All disturbed surfaces on land resulting from the buildings and works authorised or required by this permit must be revegetated and stabilised to the satisfaction of the Council so as to prevent any erosion or siltation either on or adjacent to the land.

31. STREET LANDSCAPING PLAN

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the Council. Once approved by Council, it will form part of this permit. The approved landscaping of the site must:

- a. Be completed prior to the sealing of the Final plan of Survey.
- b. Provide street trees at a rate of 1 tree per lot and of an approved species with a minimum planted height of 2.5m, a minimum trunk diameter of 25mm (measured 1m above the surface) and at an average spacing of one per 20m of frontage.
- c. Have each shade tree provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti vandalism tie down to prevent removal.
- d. Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.

32. STAGED LANDSCAPING ON LARGE ESTATES PARKS

- a. Prior to the commencement of works, a Landscaping Implementation Schedule must be submitted to the satisfaction of the Council. The schedule must indicate landscaping and site restoration works to be undertaken and these must be linked to the stages of subdivision.
- b. Prior to the sealing of the Final plan of subdivision by the Council for any stage, the landscape works linked to that stage by the Landscaping Implementation Schedule must be completed or suitable alternative arrangements to the satisfaction of the Council.

33. LAND SET ASIDE FOR PUBLIC OPEN SPACE

When the Final Plan is submitted for sealing, Lot 1004 must be shown as a single lot and dedicated as Public Open Space. Once created, this lot must be transferred to Council at no cost to Council.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0117/2024. 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.*

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

The proposal is for the subdivision of CT 185856/3 into 53 lots that are associated with the General Residential Zone, and balance land located at 169 St Leonards Road, St Leonards.

The subdivision proposes a range of lot sizes between 453sqm through to 895sqm, with the average lot size of 630sqm.

In addition, the proposal includes approximately 7260sqm of public open space with a walking route connecting 135-159 St Leonards Road and St Leonards Road and construction of associated infrastructure including a junction, two roads, services and works within the road reserve of Pinsley Drive and St Leonards Road.

Services include the construction of stormwater, sewer and water connection to the proposed lots, including balance land.

It is proposed to construct two new roads and a T-junction on Pinsley Drive connecting the proposed subdivision (north) with an existing cul-de-sac (south) and St Leonards Road (west). Further, six (6) new parking bays behind the kerb line along both sides of Pinsley Drive, between St Leonards Road and the proposed T - Junction.

The existing intersection of Pinsley Drive with St Leonards Road is give-way controlled. The proposed development includes changes to this intersection to add urban basic left turn (BAL) and urban basic right turn (BAR) treatments, which involve removal of 12 parking spaces on St Leonards Road and realignment of bike lanes.

2. LOCATION AND NEIGHBOURHOOD CHARACTER



169 St Leonards Road, St Leonards (not to scale)

The property at 169 St Leonards Road in St Leonards has three titles CT 185856/1, CT 185856/2 and CT 185856/3. These are situated within a General Residential Zone and Rural Zone. The proposed subdivision is on lot CT 185856/3 with a site area of approximately 168,700sqm, which comprises of both the General Residential Zone and Rural Zone. The site has an irregular shape, and a downward slope of approximately 7% - 9% along the proposed subdivision area. The surrounding area consists predominantly of single dwellings on residentially zoned land to the southwest including residential land to the north, single dwellings on rural land to southeast, and industrial development to the west of the subject site.

The site is connected to all reticulated services and is subject to overlays including Natural Assets, Bushfire Prone Area, Landslip Hazard and Safeguarding of Airports Code and Development Potential Specific Area Plan.

The area is within the St Leonards growth corridor, the land to the north is known as cedar grove, and the proposed subdivision has been designed to consider any adjoining and future subdivisions to ensure orderly development.

3. PLANNING SCHEME REQUIREMENTS

The assessment against the Tasmanian Planning Scheme - Launceston 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	N/A
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2024/00338-LCC.
State Growth	The Department has no objection to the planning application provided the condition is included on any permit issued by Council.
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 5 June 2024 to 20 June 2024. Five (5) representations were received. The issues raised are summarised in the following table. All representations received for this application were circulated to Councillors on 4 July 2024.

<p>Issue 1 Pinsley Drive is 6m wide and turning right from Pinsley Drive towards Hoblers Bridge Road can at times be a waiting game.</p>
<p><i>Response 1</i> <i>The width of Pinsley Drive does not significantly affect the turning manoeuvres onto St Leonards Road. The right hand turn north toward Hoblers Bridge Road is impacted by the existing (and future) flow of traffic along St Leonards Road, which is some 4,500 vehicles per day in each direction. The Ratio Transport Impact Assessment identifies the need for a right hand turning provision into the site - recommending an Urban Basic Right (BAR) treatment for right turns into the site. The modelling results indicate that the intersection of St Leonards Road and Pinsley Drive would continue to operate with satisfactory conditions into the future and under the proposed development with the average delay increasing by 23 seconds, and no loss in the Level of Service. Queue lengths are modelled as remaining low (typically less than 1 vehicle) but with the 95% queue increasing slightly. Furthermore, the proposed development was referred to Councils Infrastructure and Assets team, who had no objection and recommended standard conditions.</i></p>
<p>Issue 2 By adding parking bays in the start of Pinsley Drive will not help with extra traffic in the street and will cause a congestion point.</p>
<p><i>Response 2</i> <i>It is acknowledged that the current width of Pinsley Drive does not allow for two-way traffic flow and provision of on-street parking. This is the standard requirement for new local through streets which have a width of 8.9 metres between the faces of the kerb. The provision of indented parking bays moves parking from between the kerbs to behind the kerb ensuring that two-way traffic flow can be accommodated on the road. The proposed development was referred to Council's Infrastructure and Assets team, who had no objection to this aspect of the design and have placed standard conditions in relation to the design and construction of this element. The Traffic Impact Assessment (TIA) recommends the removal of parking in the first section of Pinsley Drive - or the provision of indented parking. The indented parking is the Council preferred option.</i></p>
<p>Issue 3 The subject site has existing access (crossover) from St Leonards Road with a width of 18m and it is better to use this access for the proposed new subdivision</p>
<p><i>Response 3</i> <i>The area referred to is not suitable as the location for a road given the topography and width toward the rear of the existing St Leonards Road properties. Significant retaining structures would be required to create an acceptable horizontal alignment for the road which would require additional width from what currently exists. Further the land along this section is elevated above St Leonards Road by a retaining wall (up to 2m high) halfway across the frontage of 169 St Leonards Road.</i></p>

Issue 4

The subject site has existing access from St Leonards Road. If the proposed subdivision utilised this access for the new road, the car parking opposite the Pinsley Drive intersection with St Leonards Road can remain and the bus stop will also remain in its current location.

Response 4

The Ratio Transport Impact Assessment has identified that this location is not acceptable for the following reasons:

- It is located only 120 metres north of the existing Pinsley Drive intersection and would increase the density along this arterial road corridor which is generally undesirable.*
- There is a significant level difference at this location as evidenced by the retaining walls which grade separates existing driveways from the footpath on St Leonards Road. Construction of an appropriate intersection would be difficult and cost prohibitive and may impact on driveway access to neighbouring properties.*
- The access strip is not a full 18 metres wide in a straight line into the property. There is a pinch point of around 15 metres. As such a fully standards compliant through road may not be constructed without acquisition of part of the neighbouring property.*

Based on the above, the proposed access via Pinsley Drive is considered the best option for access to the site until the broader St Leonards road network is completed in conjunction with other developments. Council's Infrastructure and Engineering team support this position.

Issue 5

The proposed T - junction on Pinsley Drive is impossible for access 5, 7, 9, and 10 Pinsley Drive, including the rest of the properties on Pinsley Drive.

Response 5

While there will be a minor change to the access, the detailed design of the intersection will be required to accommodate changes to the kerb and channel to maintain access. The proposed development was referred to Council's Infrastructure and Assets team, who had no objection and placed standard conditions.

Issue 6

Loss of on-street parking on St Leonards Road opposite Pinsley Drive

Response 6

The proposed turning facilitates on St Leonards Road will result in a loss of on street parking however this is not unreasonable. The commercial activities on the western side of St Leonards Road have conditions of approval that require the provision of on-site car parking. The proposed development was referred to Council's Infrastructure and Assets team, who had no objection and placed standard conditions.

Issue 7

There are number of constraints on St Leonards Road that may prohibit the construction of right turn treatment including level differences on either side of the road and power poles are located immediately adjacent to the kerb on the western side.

Response 7

The TIA states that a strict adoption of the Austroads warrants would require a Basic Left (BAL) treatment and a Short Channelised Right (CHR[S]) treatment of St Leonards Road. Recognising these constraints that exist and that a full detailed design has not been undertaken, a lower order treatment being an Urban Basis Left (BAL) and the Urban Basic Right (BAR) are considered acceptable given the greater network planning.

Issue 8 The proposed subdivision will lead to a decrease in the market value of our property and safety for our children.
<i>Response 8</i> <i>This is not a matter that is considered by the relevant Planning Scheme provisions.</i>
Issue 9 Concern regarding heavy vehicle movements during construction of the subdivision, including future residential development, as the Pinsley Drive is inadequate for such vehicles movements.
<i>Response 9</i> <i>It is acknowledged that during the construction of the civil works associated with the subdivision there will be a significant amount of heavy vehicle traffic, and this will continue during the construction of houses, albeit to a lesser degree.</i>
Issue 10 Concern regarding traffic on Pinsley Drive cul-de-sac, as the street is busy and very congested.
<i>Response 10</i> <i>The modelled traffic volumes associated with the development are within the capacity of the road.</i>
Issue 11 Concern regarding visibility, when pulling out on to St Leonards Road, as vehicles are being parked on either side of the St Leonards Road which minimising the visibility on traffic.
<i>Response 11</i> <i>The proposed development was referred to Council's Infrastructure and Assets Team, who advised there is currently no parking restriction in place either side of the intersection which extend as far as the first driveway either side of the intersection. If there is illegal parking in this zone - it should be referred to the police.</i>

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:

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:

1. DA0117 2024 169 St Leonards Road St Leonards Planning Scheme Assessment [9.1.1 - 19 pages]
2. D A 0117-2024 - St Leoards Road St Leonards - Plans to be Endorsed [9.1.2 - 156 pages]
3. D A 0117-2024 - 169 St Leonards Road St Leonards - Tas Water SPAN [9.1.3 - 4 pages]

9.2. PSA-LLP0020 - 181, 183, 185, 187, 189, 191, 193 Westbury Road and 60 Oakden Road, Prospect from the Low Density Residential Zone to the General Residential Zone

FILE NO: PSA-LLP0020

AUTHOR: Catherine Mainsbridge (Senior Town Planner Development)

APPROVER: Chelsea van Riet (General Manager Community and Place)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Tasmanian Planning Scheme - Launceston.

PLANNING APPLICATION INFORMATION:

Applicant:	PDA
Area of the Site:	181 Westbury Road, Prospect (CT 51268/3 - 4153m ² and CT 51268/4) 8213m ²)
Existing Zones:	Low Density Residential Zone
Existing Use:	181 Westbury Road (DA0546/2021 recently approved subdivision to create 23 lots) and 60 Oakden Road are vacant of development with single dwellings occupying the remaining lots
Receipt Date:	27 March 2024

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council - 16 May 2024 - Agenda Item 9.2 - rezone 181, 183, 185, 187, 189, 191, 193 Westbury Road and 60 Oakden Road, Prospect (described as CT 51268/1, 51268/2, 51268/3 & 51268/4, CT100576/3, CT 180140/2, CT 180140/1, CT122146/1, CT100907/1, CT30458/1 and CT37/9009) from the Low Density Residential Zone to the General Residential Zone

RECOMMENDATION:

That Council:

1. In accordance with section 40K of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Amendment PSA-LLP0020; and that Amendment PSA-LLP0020 be approved as certified and exhibited.

REPORT:

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 the Tasmanian Planning Scheme Launceston to rezone land at 181, 183, 185, 187, 189, 191, 193 Westbury Road and 60 Oakden Road, Prospect (described as CT 51268/1, 51268/2, 51268/3 & 51268/4, CT100576/3, CT 180140/2, CT 180140/1, CT122146/1 , CT100907/1 , CT30458/1 and CT37/9009) from the Low Density Residential Zone to the General Residential Zone.

Council initiated the planning scheme amendment at its Meeting of 16 May 2024. The proposed amendment was exhibited from 1 June until 28 June 2024. The amendment appeared in *The Examiner* on two separate occasions: 1 and 5 June 2024 as required by the Act.

In accordance with section 40K 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 to advise that no representations were received and to make recommendations in regard to the draft amendment.

CONCLUSION

As there were no representations received, no errors have been identified in the draft amendment and no corrections are considered necessary, it is appropriate that the amendment be forwarded to the Tasmanian Planning Commission with a recommendation that it be approved without change.

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:

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:

1. PS A- LL P 0020 - 181 Westbury Road, Launceston - Sealed Amendment [9.2.1 - 1 page]
2. PS A- LL P 0020 - 181 Westbury Road, Launceston - Section 37 Rezoning 181 Westbury Road Prospect [9.2.2 - 15 pages]

9.3. PSA-LLP0019 - 325 Watery Plains Road, White Hills - Planning Scheme Amendment - Rezone from Agriculture Zone to Rural Zone

FILE NO: PSA-LLP0019

AUTHOR: Catherine Mainsbridge (Senior Town Planner Development)

APPROVER: Chelsea van Riet (General Manager Community and Place)

DECISION STATEMENT:

To decide whether to reject or agree to initiate and exhibit Amendment PSA-LLP0019 to the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme.

PLANNING APPLICATION INFORMATION:

Applicant:	6ty° Pty Ltd
Address:	325 Watery Plains Road, White Hills (described as CT 106554/1, CT 232243/1 & CT208625/1)
Existing Zones:	Agriculture
Existing Codes:	7.0 Natural Assets Code 13.0 Bushfire Prone Areas Code 15.0 Landslip Hazard Code 16.0 Safeguarding of Airports Code
Existing Use:	Part cleared land with outbuilding sustaining grazing, remainder Native bushland protected by Conservation covenant C412685

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council, pursuant to:

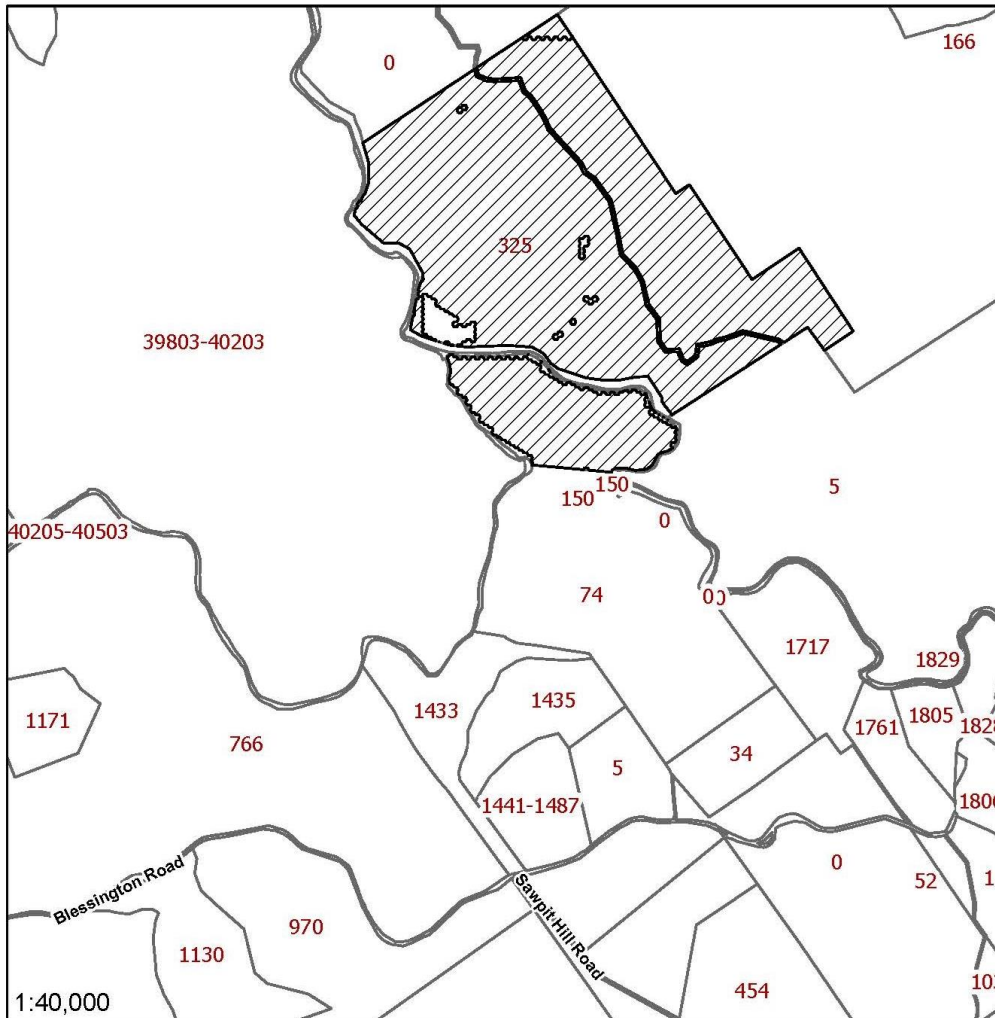
1. Section 40D of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates Amendment PSA-LLP0019, to the Launceston Local Provisions Schedule, to rezone land at 325 Watery Plains Road, White Hills (described as CT 106554/1, CT 232243/1 & CT208625/1) from the Agriculture zone to Rural zone and agrees to apply the Priority Vegetation component of the Natural Values code to part of the site.
2. Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies draft amendment PSA-LLP0019; and
3. Sections 40G and 40H of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.

Tasmanian Planning Scheme - Launceston Amendment PSA-LLP0019

TASMANIAN PLANNING SCHEME - LAUNCESTON LOCAL PROVISIONS SCHEDULE
Amendment PSA-LLP0019

Apply the Priority Vegetation Overlay 325 Watery Plains Road
(described as CT 208625/1, CT 232243/1 & CT 106554/1)

Amend the Tasmanian Local Provisions Schedule maps as below



 Priority Vegetation Overlay

THE COMMON SEAL
of the City of
Launceston was
hereunto affixed in the
presences of: -

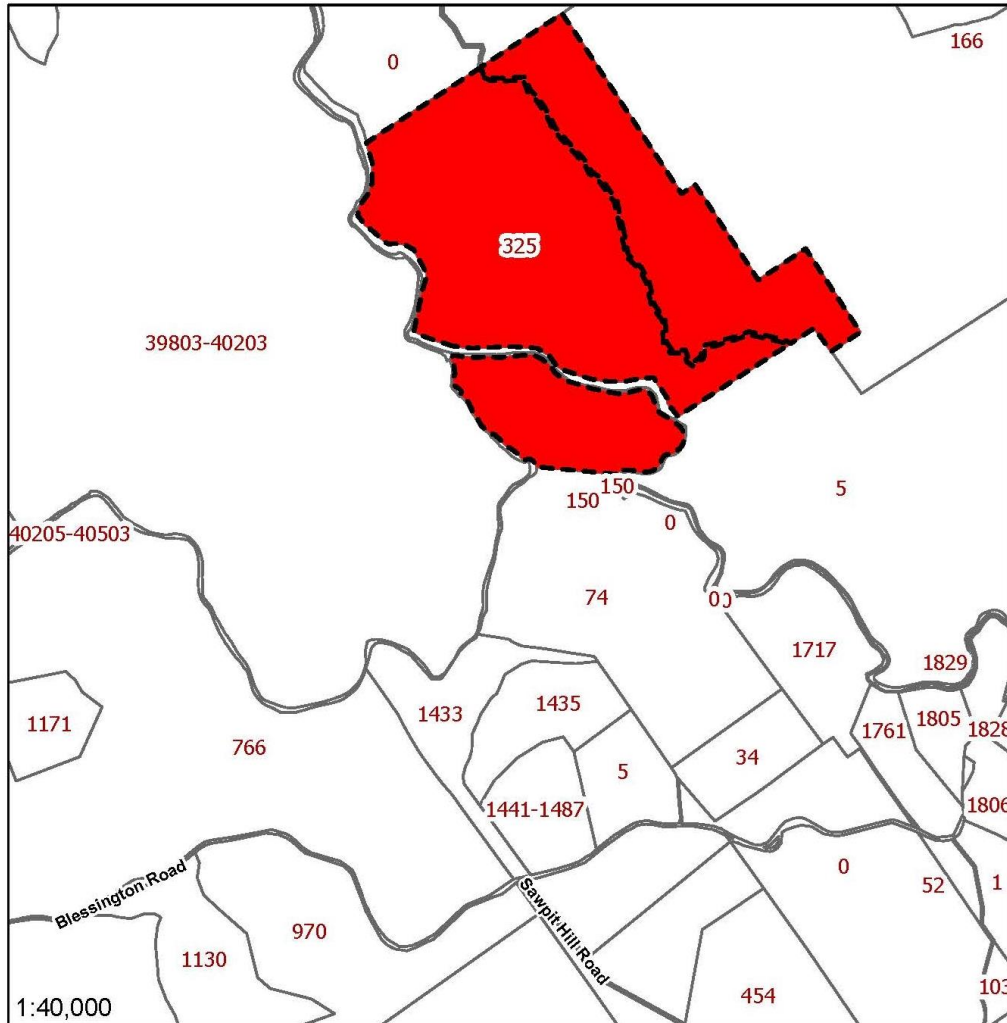
Sam Johnson
Chief Executive Officer

Date

**TASMANIAN PLANNING SCHEME - LAUNCESTON LOCAL PROVISIONS SCHEDULE
Amendment PSA-LLP0019**

Rezoning land at 325 Watery Plains Road (described as CT 208625/1, CT 232243/1 & CT 106554/1)
from Agricultural to Rural

Amend the Tasmanian Local Provisions Schedule maps as below



 Rural Zone

THE COMMON SEAL
of the City of
Launceston was
hereunto affixed in the
presences of: -

Sam Johnson
Chief Executive Officer

Date

REPORT: APPLICATION FOR PLANNING SCHEME AMENDMENT

1. INTRODUCTION

The application lodged with City of Launceston is for the rezoning of land at 325 Watery Plains Road, White Hills (described as CT 106554/1, CT 232243/1 & CT208625/1) from the Agriculture Zone to Rural Zone and to apply the Priority Vegetation component of the Natural Values code to the portion of the site which is covered by a Conservation Covenant which applies to 240ha of the title.

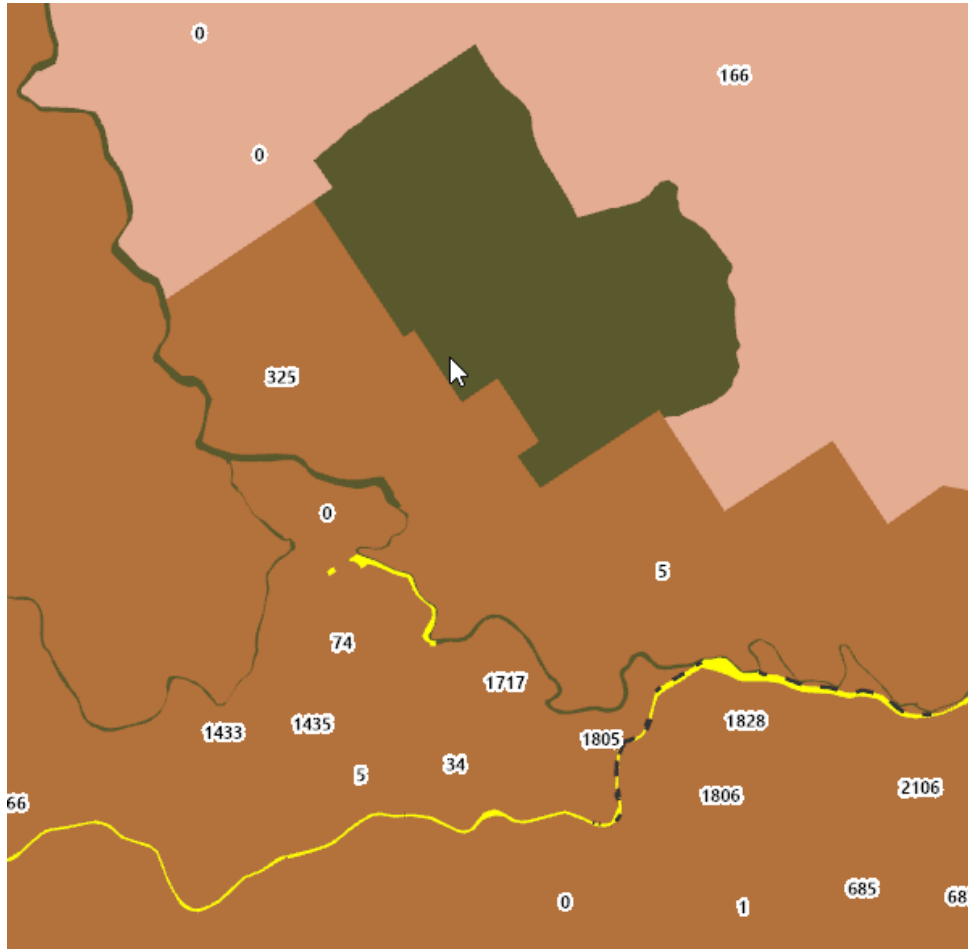


Figure 1 - Subject site and zoning (source: SAM mapping)

The promoted purpose of the application is to apply the correct zoning to the land given the limited agricultural capacity of the land. The planning submission comments that the Agriculture zone was applied because it was considered as Unconstrained in the state conducted study to inform the State Planning system, '*Land Suitable for Agriculture Zone*' mapping layer. The Zone application guidelines allow for a zone change for wider strategic purposes, an important natural resource or natural asset is present on site or an agricultural assessment of the land.

An Agricultural Report, prepared by RMCG, has been submitted with the application which identifies that the land capability of the land is limited. Land capability is based a scale with Class 1 - Prime Agricultural Land. The report states that the site area consists of the following classes:

Area of land	Agricultural class
56.4ha	Class 5
378.9ha	Class 6
82.9ha	Class 7
1.9ha	unmapped (not classed)

Class 5 land is described as unsuited for cropping and slight to moderate capacity for pastoral use. Class 6 marginally suitable for grazing and Class 7 very severe to extreme limitations to use for agricultural purposes.

Visibly the land has stone and cobbles/gravel in its profile, the area free of the conservation covenant is relatively small and undulating. These characteristics result in drainage issues and likelihood of erosion.

Irrigation possibilities are also addressed with the property not able to benefit by any state initiated agricultural schemes. The nearby North Esk Irrigation Scheme is noted as already being over-allocated. In addition, the site is considered to have a limited area to both locate a dam and sustain viable levels of grazing. This is while the site does adjoin the confluence of the North Esk and St Patricks River.

The change will provide greater land use options for the portion of the site, approximately 10ha, which is not restricted by the Conservation Covenant. Given the demonstrated limited land capability the zone change would allow for other uses to be proposed on the site, including some uses being having a Permitted status in the Rural Zone rather than the Discretionary use status in the Agriculture Zone.

The application of the priority vegetation element of the Natural Values Code is facilitated by the zone change. The code is not applied to land zoned Agricultural and does apply to adjoining land zoned Rural and Environmental Management. This further protects the area of the site covered by the conservation covenant.

Council officers support the zoning change. Given the sites constraints of access, land capability and environmental constraints the change will allow greater land use options for the unprotected portion.

2. SUBJECT SITE AND SURROUNDING USES

The site of 325 Watery Plains Road contains three titles.

Title	Number	Area
CT 106554/1	0	64.75ha
CT 232243/1	325	184.5ha
CT208625/1	325	257.8ha

The site is identified with the blue line. The blue line at the base of the image is Blessington Road. The North Esk River separates the southern lot from the northern portion where it joins with the St Patricks River which continues north to form the sites western boundary.



Figure 1 - Subject site aerial (source: SAM Mapping)

The southern portion of the site, numbered 0, is undulating and relatively cleared along with the south western tip of the portion of land numbered as 325. The remainder of the site rises to the north and east and is vegetated with eucalypt forest primarily *Eucalyptus amygdalina viminalis*.

Land to the north west is owned by The Crown and remains as native bushland.

Other than for Taswater water reticulation infrastructure the area is relatively undeveloped.

Watery Plains Road is accessed off the northern side of Blessington Road, the site having rights of way over 34 and 74 Watery Plains Road, both sites relatively open pasture.

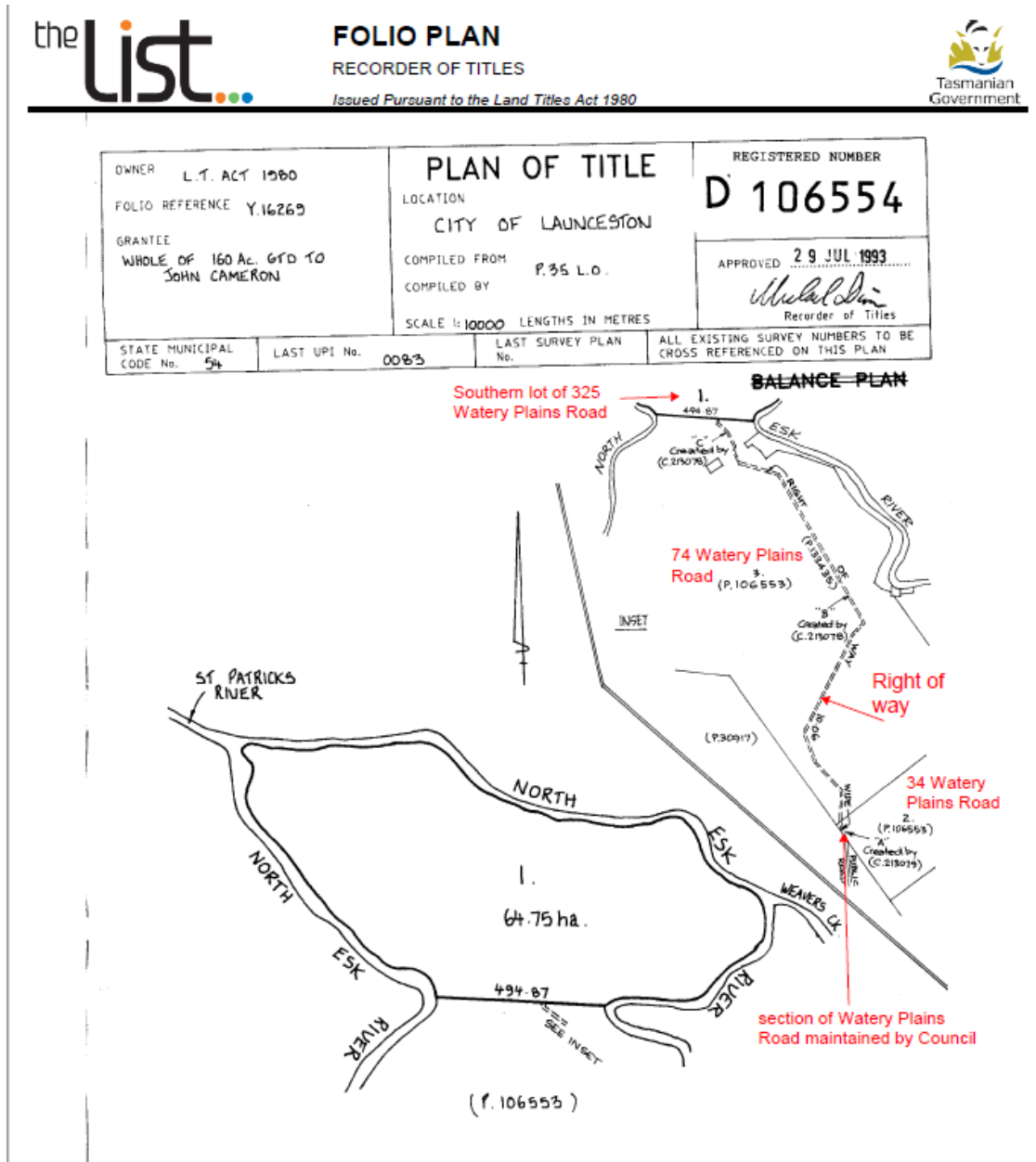


Figure 3 Marked up copy of Certificate of Title showing Right of Way

2.1 Heritage Values

There are no heritage listings over the site.

2.2 Scenic Values

The subject land is not burdened by any overlay.

2.3 Natural Values

The site is listed as containing priority vegetation under the Planning Scheme overlays. Land to the north and east is covered by the overlay and the proposed amendment seeks to extend the overlay.

2.4 Environmental Hazards

The site is not subject to any environmental hazards.

2.5 Bushfire

The site is covered by the Bushfire-Prone Area Code.

2.6 Flood Hazard

The area is not mapped as being flood prone but the river does flood in a large rain event and block access between the parcels.

2.7 Infrastructure

The subject site is not located within an area that is serviced by reticulated sewerage, water and stormwater infrastructure.

2.8 Landslip & Slope

The site is not subject to active landslip but is mapped as low and medium risk.

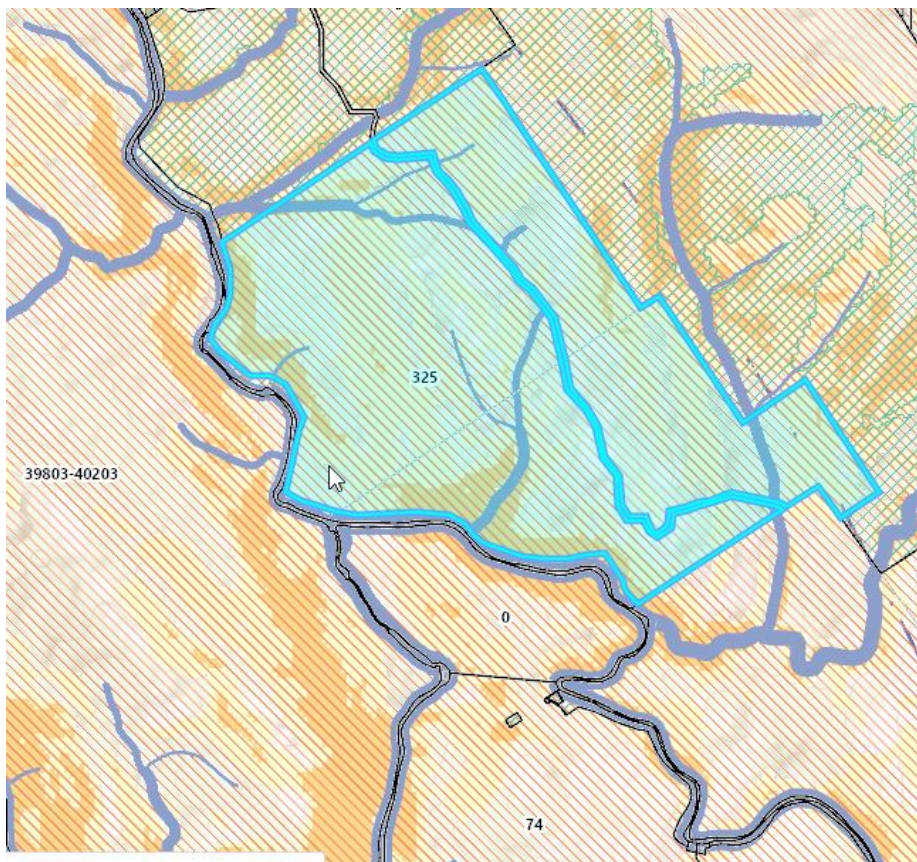


Figure 3 - Subject site and overlays of Bushfire Prone areas (stripes) and landslip (orange being medium (source: SAM mapping))

2.9 Attenuation

There are no uses in the area which will cause attenuation concerns for the proposal.

3. THE RATIONALE FOR SUPPORTING THE AMENDMENT

As part of the preparation for the Statewide Planning Scheme the then Department of Justice, Planning Policy Unit Commission undertook an Agriculture Land Mapping Project to assist Councils spatially apply the Agriculture Zone. It identified 'Land Potentially Suitable for Agriculture Zone' and 'Potential Agricultural Land Initial Analysis'. The site was described as Unconstrained and therefore the Agriculture zone was applied to the site.

Land to the west of the site is also zoned Agriculture with land to the east of the site, other than for the state forest which is zone Environmental Management, being zoned Rural.

The planning submission notes the criteria in the Zone Application Guideline AZ 6 which provides for land zoned Agriculture to be considered for an alternative zone.

AZ 6

Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:

- (a) local or regional strategic analysis has identified or justifies the need for an alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;*
- (b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;*
- (c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;*
- (d) for the identification, provision or protection of strategically important uses that require an alternate zone; or*
- (e) it can be demonstrated that:
 - i. the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;*
 - ii. there are significant constraints to agricultural use occurring on the land; or*
 - iii. the Agriculture Zone is otherwise not appropriate for the land.**

The submission is therefore accompanied by an Agricultural Assessment which specifically identifies (e) as rationale as noted below:

- Soils are unknown but mainly overly Jurassic igneous rock (dolerite);
- 240ha of the site being protected by Conservation covenant and 14.1 ha containing Eastern riparian scrub (SRE) which is a threatened community under the Nature Conservation Act 2002.
- The limited land capability, noted above.
- Minimal opportunity for irrigation as the water from the North Esk River catchment is deemed to allocated and only available by trading. The site is also outside of the North Esk Irrigation Scheme although the scheme does cover the site to the south and there is an offtake pump 1km upstream so there may be some potential in the future.
- The limited area not covered by the conservation covenant for production and a dam.

A zoning change would allow for a greater range of uses for the site along with some existing Discretionary uses having a Permitted status. At the same time, the Priority Vegetation component of the Nature Assets Code is proposed to cover the site which, along with the Conservation Covenants, will limit conversion of bushland for some other purpose.

4. LAND USE PLANNING AND APPROVALS ACT 1993 REQUIREMENTS

Planning legislation in Tasmania allows the Planning Authority, to prepare a draft amendment of an LPS, in accordance with section 40D of the Act.

40D. Preparation of draft amendments

A planning authority —

- (a) must prepare a draft amendment of an LPS, and certify it under section 40F, within 42 days after receiving the request under section 37(1) to which the amendment relates, if—
 - (i) it decides under section 38(2) to prepare a draft amendment of an LPS; or
 - (ii) after reconsidering, in accordance with a direction under section 40B(4)(a), a request under section 37(1) whether to prepare a draft amendment of an LPS, it decides to prepare such an amendment; or
- (b) may, of its own motion, prepare a draft amendment of an LPS; or
- (c) must, if it receives under section 40C(1) a direction to do so, prepare a draft amendment of an LPS and submit it to the Commission within the period specified in the direction or a longer period allowed by the Commission.

4.1 Assessment Against the Objectives of the Act

Objective	Response
<i>The objectives of the resource management and planning system of Tasmania are:</i>	
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	The proposed zone change to Rural with an associated overlay of Natural Values - Priority vegetation will protect the values of the native bushland on site by limiting land able to be cleared and used for a future development.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and</i>	With limited opportunity to gain water rights by trading or install infrastructure to benefit from an offtake pump irrigation of the land is restricted. Due to the constraints of water, low land capability and protection of native bushland by the conservation covenants a change in zoning allows greater land use options for the remainder of the site.

<p><i>(c) to encourage public involvement in resource management and planning; and</i></p>	<p>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 initiate the application. The public has the opportunity to lodge a written representation to the application during the public exhibition period. The Tasmanian Planning Commission may also decide to hold a public hearing to deal with the representations if any are received.</p>
<p><i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</i></p>	<p>The rezoning of the site will allow for a sustainable use and development of the southern western portion of the site. The rezoning will be in accordance with the above objectives.</p>
<p><i>(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.</i></p>	<p>The application was referred to TasWater. They have no formal comments for the Planning Commission in relation to the matter and would not be required at any hearing.</p>

4.2 Considerations for an amendment

Section 42(2) of the Act requires that a draft amendment to a Local Provisions Schedule meets the following LPS criteria.

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*

Response:

The proposed amendment does not alter the State Planning Provisions (SPPs) and is applying to *rezone* land from the suite of zones available under the SPPs.

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

Response:

The proposed amendment is for rezoning of land in the Launceston municipal area, as identified in the instrument of certification prepared in accordance with section 32 of *Land Use Planning Approvals Act 1993* (LUPAA).

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

Response:

A response to the objectives is under Section 4.1 of this report.

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

Response:

A response to the state policies is provided in Section 5 of this report.

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

Response:

The Tasmanian Planning policies have not been implemented.

- (f) *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*

Response:

A response to the objectives is under Section 6.1 of this report.

- (l) *has regard to the strategic plan, prepared under <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095> Local Government Act 1993(Tas), that applies in relation to the land to which the relevant planning instrument relates; and*

Response:

A response to the objectives is under Section 6.2 of this report.

- (g) *as far as practicable, is consistent with and co-ordinated with any LPS that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*

Response:

The adjacent municipal areas adopted the Tasmanian Planning Scheme. The proposed Amendment to the LPS will not impact the adjacent municipal areas.

- (h) *has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*

Response:

The area is not covered by the gas pipeline.

4.3 Zone Application Guidelines

Guideline No. 1 Local Provisions Schedule (LPS): zone and code application guideline paper that assists Councils in determining appropriate zoning based on set factors. The Rural Zone purpose states:

The purpose of the Rural Zone is:

- 20.1.1 To provide for a range of use or development in a rural location:
 - (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;
 - (b) that requires a rural location for operational reasons;
 - (c) is compatible with agricultural use if occurring on agricultural land;
 - (d) minimises adverse impacts on surrounding uses.
- 20.1.2 To minimise conversion of agricultural land for non-agricultural use.
- 20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

To achieve the purpose of the zone, the following zone application guidelines need to be considered:

<p><i>RZ 1 The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.</i></p>
<p>Response: The land rises to the north east with three higher points at 400m AHD above 260m AHD along the river. The ground is very rocky with cobbles and gravel, has poor drainage lines and potential for erosion. The agricultural capacity of the land is limited to a cleared section at the south of the site, which is also separated by the North Esk River. The majority of the site is undulating, bushland and covered by a Conservation Covenant.</p>
<p><i>RZ 2 The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.</i></p>
<p>Response: An agricultural assessment submitted with the application substantiates that the land is at best Class 5 and has limited opportunities to suitably irrigate the land. The useable area of the site limits its viability and scale, and it is not positioned to operate in association with another property.</p> <p>The report states that the site area consists of the following classes:</p> <p>56.4ha - Class 5, 378.9ha - Class 6, 82.9ha - Class 7 with 1.9ha being unmapped (not classed).</p> <p>Class 5 land is described as unsuited for cropping and slight to moderate capacity for pastoral use. Class 6 marginally suitable for grazing and Class 7 very severe to extreme limitations to use for agricultural purposes.</p> <p>Water resources from the North Esk River are not available as the allocations are taken up with the possibility for trading in the future a possibility. Water from the North Esk Irrigation Scheme may be possible but has not been pursued.</p>
<p><i>RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:</i></p> <ul style="list-style-type: none">(a) <i>it can be demonstrated that the land has limited or no potential for</i>

- agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;*
- (b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;*
 - (c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;*
 - (d) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; Or*
 - (e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.*

Response:

The application is accompanied by an Agricultural Report which considers the site has limited ability to support an agricultural use given the land capability, limited irrigation and likelihood of erosion given the nature of the soil. In addition, that land is limited in area given the conservation covenant which applies to the site.

There is no particular strategic analysis to support the change.

5. STATE POLICIES

The proposed amendment assessment against the state policies are as follows:

5.1 State Policy on the Protection of Agricultural Land 2009.

The purpose of the Policy seeks:

“To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.”

Prime agricultural land is considered to be land classified as Class 1, 2 or 3. While the land subject of this rezoning has a lesser classification it does have the potential to be used for agricultural purposes especially if future irrigation options are pursued.

The change to the Rural zone will not preclude or significantly alter the status of possible uses of the site for agricultural purposes.

5.2 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. As the site is located outside of 1km from the coast, this policy is not applicable.

5.3 State Policy on Water Quality Management 1997

The provisions of this Policy are reflected in the C7.0 Natural Assets Code in the planning scheme. The assessment of the application addresses this Code to achieve the objectives of this Policy.

5.4 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.

5.5 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.

6. PLANNING STRATEGIES

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

6.1 Northern Tasmania Regional Land Use Strategy (NTRLUS)

The site is located within the Rural Areas within the regional framework. This land is located on the south east of the municipality and is relatively undeveloped, being partly cleared but predominantly native bushland.

Goal 1: Economic Development
To facilitate economic development and productivity through integrated land use and infrastructure planning.
Strategic Direction G1.1 Capitalise on the region's sources of competitiveness by identifying future growth opportunities for sustainable competitive advantage.
Response: Rezoning of the site would allow a greater range of land use options and additional uses which fall into the Permitted category than possible under the current agricultural zone where the land is not considered to have sufficient qualities to support a viable agricultural pursuit. It is also not considered to easily integrate with another farm.
Strategic Direction G1.2
Adopt an integrated and coordinated approach to government infrastructure, transport and land use planning
Response: The proposed change to would allow greater land use options for the current or future owner and while protecting the vegetation on the site by the addition of the priority vegetation layer over the site.

Strategic Direction G1.3 Develop a thorough understanding of key industry needs, including future demand and location requirements.
Response: The proposed change seeks to provide a maximum number of options for the site given its environmental conditions.
C4.2 Goal 2: Liveability To promote liveability measures for social and community development and the betterment of healthy, strong and vibrant urban and rural settlements
Strategic Direction G2.1 Identify Urban Growth Areas to advance a sustainable urban settlement pattern.
Response: The zone change will allow a more sustainable use of the site by offering a greater range of uses for the site especially upon the cleared land.
Strategic Direction G2.2 Plan for socio-demographic changes
Response: The greater options allow for changing needs over time.
Strategic Direction G2.3 Promote local character values
Response: The proposed change will allow the site to protect and enhance its character and values.
Strategic Direction G2.4 Enhance social inclusion.
The change of use will offer greater use and development options for the site.
C.4.3 Goal 3: Sustainability To promote greater sustainability in new development and develop stronger community resilience to social and environmental change
Strategic Direction G3.1 Promote and protect the Region's unique environmental assets and values
Response: The proposed changes are intended to provide options for the cleared land upon the site while offering greater protection for the vegetated and environmental sensitive areas on the site.
Strategic Direction G3.2 Establish planning policies to support sustainable development, address the impacts of climate change, improve energy efficiency and reduce environmental emissions and pollutants
Response: Future use and development will be considered on its merits against the relevant planning provisions.
C.4.4 Goal 4: Governance To provide cooperative and transparent leadership and regionally supportive local governance structures to advance integrated strategic land use objectives/ outcomes, including the goals, strategies and policies of the RLUS.
Strategic Direction G3.4.1 Advance regional leadership.
Response: The amendment is required to address all relevant sections of the regional strategy, state, and local policies. This report has considered all of these matters and is supportive of the change to the current planning scheme.

To ensure the above, the proposed amendment has considered a number of policies and actions within the NTRLUS. Those relevant to the assessment are:

- Regional Land Use Categories
- Regional Planning Policies
- Regional Activity Centre Network Policy
- Regional Infrastructure Network Policy
- Regional Economic Development Policy

6.1.1 Regional land use categories

Part D of the Strategy deals with land use categories and is discussed below.

D.1 Introduction to Categories

The proposed Amendment seeks to rezone land which is aligned with Rural Areas.

D.1.1 Purpose of Categories

The proposed Amendment will be reflected in Tasmanian Planning Scheme - Launceston through land use zones.

(a) Rural areas are described at D2.2:

Rural Areas will protect significant high value productive rural land and primary industries; support the sustainable development and use of natural resources; and provide appropriate opportunities for rural living and other nonagricultural activities.

Such areas are applied to:

- *Include land rich in natural resources as well as land required for the processing of natural resources;*
- *Include land appropriate for rural and environmental living and other non-agricultural land uses;*
- *Provide for a transition and graduation of land uses and activities to the more intense use and development of land within Urban Growth Areas;*
- *Manage and/or mitigate potential land use conflicts;*
- *Include significant natural environmental areas; and*
- *Promote non-urban and environmental values.*

The Rural Areas land use category comprises land uses that fall within either one of two subcategories: Productive Resource Areas or Rural Residential Areas.

The subject land is focused on Productive Resource Areas rather than any residential preferences and are defined as the following:

D.2.2.1 Productive Resource Areas

Productive Resource Areas include land rich in natural resources or suitable for agriculture or other primary industry activities, including productive and potentially available agricultural land, included in a Rural or Agriculture Zone in municipal planning schemes. Land in this subcategory is protected from inappropriate development, particularly from urban development including large lot, low and very low density rural and environmental living development, which is directed to Rural

Residential Areas. Essential housing for workforce and employers associated with suitable land use may be considered subject to the suitability of the extent and nature of the proposal for Productive Resource Areas and the relevant policy and zoning intentions

Response:

While the change to the Rural zone is proposed due to the perceived restriction on agricultural purposes the zone protects the natural environment and limits residential use of the land.

- (b) The site also considered against Natural Environment Areas D 2.3, the proposal assisting the promotion of Natural Environment Areas.

D 2.3 Natural Environment Areas will promote and protect:

- *Environmentally significant conservation areas;*
- *Regionally significant landscapes;*
- *Open space areas, including outdoor recreation areas, forests and reserves; and*
- *Regionally significant biodiversity areas including ecosystems that are endangered, threatened or vulnerable*

Natural Environment Areas:

- *Include land with one or more of the following values:*
 - *World heritage areas, national parks, conservation areas, parks and forest, game, nature and state reserves and including significant fauna habitat;*
 - *Cultural and landscape heritage values (Indigenous and non Indigenous);*
 - *Native forests;*
 - *Coastal wetlands including RAMSAR wetlands; and*
 - *Land that forms strategic and regionally significant inter-urban breaks and corridors, particularly for fauna movement and intraregional open space connections and outdoor recreation areas.*
- *Promote Northern Tasmania's unique and pristine biodiversity areas, including the quality and diversity of its natural environment.*
- *Support biodiversity, rural production, scenic amenity, landscape heritage and outdoor recreation.*
- *Recognise the region's distinctive environmental features including:*
 - *Rich and diverse native flora and fauna;*
 - *A dynamic coastline and marine waters including rocky foreshores, reefs, headlands and pristine beaches;*
 - *Spectacular forested mountain ranges and peaks;*

Response:

The introduction of Priority vegetation will enhance the protection of the native bushland of primarily Eucalyptus amygdalina forest and woodland on dolerite (DAD) with Eastern riparian scrub (SRE), the latter a threatened community under the Nature Conservation Act 2002 and contained within the 240ha of land protected by the conservation Covenant which covers the lot.

6.1.2 Regional Planning Policies

Section E of the NTRLUS sets out the regional policies, key planning policies and actions. The relevant policy follows at E.5 Regional Economic Development Policy.

- (a) E.5.3 states the Key Economic Development Strategies Planning for Regional Economic Development and should apply the following strategies:
- *Develop the economic and employment profile and role of Northern Tasmania as the major freight and tourist gateway for the State and as the key link between Tasmania and mainland Australia, particularly Melbourne.*
 - *Pursue a range of new and innovative investment and product development opportunities in locations and sectors generally not previously targeted and resourced*
 - *Support new investment initiatives with major upgrades to the regional infrastructure network.*
 - *Promote the protection and enhancement of manufacturing, industrial and tourist business service locations.*
 - *Promote efficient access, including expansion of air and sea ports, and land freight connections and operations.*

And, more relevantly:

- *Promote protection of significant agricultural land and natural productive resources in accordance with the State Policy on the Protection of Agricultural Land (2009).*
- *Recognise, and provide long-term protection, for all potentially irrigable areas.*
- *Ensure the integrity of agricultural values is maintained whilst allowing for a transition of non-agricultural land uses between land within Rural Areas and Urban Growth Areas. Promote and support agricultural production areas.*
- *Identify and protect regionally significant extractive industry resources.*
- *Advance and demonstrate consistency with State and regional planning policies, projects and initiatives.*

Response:

The proposed zoning change questions the agricultural abilities of the site while acknowledging that possibilities of small scale farming are possible especially if trading of water from the North Esk River becomes a possible and the North Esk Irrigation Scheme is extended. It seeks to acknowledge that other uses can be possible by the zone change to allow for a more productive and economic use to made of the land.

- (b) The following policies cover Regional Economic Development in relation to Rural land.

Rural Land Natural Productive Resources	
<i>Policy</i>	<i>Action</i>
<i>ED-P6 Encourage sustainable and appropriate land use planning practices that seek to manage development and use of the region's natural resources.</i>	<i>ED-A6 Apply a regionally consistent GIS spatial methodology and mapping of productive agricultural land.</i> <i>ED-A7 Protect the long-term operation of rural industries and support an expanded</i>

<p><i>ED-P7 Prevent the loss of future rural production (including agriculture, mineral extraction, forestry).</i></p> <p><i>ED-P8 Manage the region's natural economic resources to sustainably and efficiently meet the needs of existing and future communities.</i></p>	<p><i>agricultural sector.</i></p> <p><i>ED-A8 Recognise the roll-out of irrigation schemes and ensure that these agricultural lands and future irrigation areas are appropriately zoned for primary production and protected from incompatible uses.</i></p> <p><i>ED-A9 Limit the encroachment of 'Rural Residential' styles of development onto existing and potential agricultural lands.</i></p> <p><i>ED-A10 In conjunction with State agencies, identify and protect regionally significant extractive industry resources.</i></p> <p><i>ED-A11 Identify natural economic resource areas and protect from further fragmentation and inappropriate land use.</i></p> <p><i>ED-A12 Identify and protect extractive and mineral resources for potential future extraction (including providing appropriate transport corridors and buffers) and protect these, ensuring that planning preserves the opportunity for discovery and development of new resources in appropriate areas.</i></p> <p><i>ED-A13 Manage, enhance and protect marine, estuarine and freshwater habitats, from development that would adversely impact upon sustainable fish stock levels, or fisheries production</i></p>
---	---

Response:

The proposal to rezone the land from the Agricultural Zone to Rural Zone will allow a greater number of options for use of the land which has been proposed as having limited agricultural capabilities.

The change will not alter the possibilities of attaining irrigation resources and uses of the agricultural zone but offers more opportunities.

Residential development in the Rural zone is restricted to limit inappropriate conversion of land unnecessarily, with land use and development regulated by the planning scheme provisions applicable at the time.

The natural values on the site will be better protected by the proposed change and reflect the values recognized by the Conservation Covenant.

- (c) To protect Biodiversity and Native Vegetation E.6 of the Regional Environment Policy states the following:

Biodiversity and Native Vegetation	
Policy	Action
<p>BNV-P01 <i>Implement a consistent regional approach to regional biodiversity management, native vegetation communities and native fauna habitats including comprehensive spatial regional biodiversity mapping.</i></p> <p>BNV-P02 <i>Except where planning scheme provisions provide for exemptions, restrict land clearing and disturbance of intact natural habitat and vegetation areas, including areas of forest and non-forest communities declared under the Nature Conservation Act, coastal wetlands and remnant and appropriate cultural vegetation within settlement areas.</i></p> <p>BNV-P03 <i>Land use planning is to minimise the spread and impact of environmental weeds.</i></p> <p>BNV-P04 <i>Land use planning processes are to be consistent with any applicable conservation area management plans or natural resource management strategy</i></p>	<p>BNV-A01 <i>Apply appropriate zoning and/or overlays through planning schemes to protect areas of native vegetation.</i></p> <p>BNV-A02 <i>Implement a planning assessment approach consistent with the avoid, minimise, mitigate, offset hierarchy.</i></p> <p>BNV-A03 <i>Provide for environmental assessments through planning schemes for development proposals with the potential to impact on the habitats of native species of local importance.</i></p> <p>BNV-A04 <i>Accept offsets as a last resort and only where there is a net conservation benefit, security of the offset in perpetuity and based upon the relevant State guidelines.</i></p> <p>BNV-A05 <i>Further investigate regional biodiversity:</i></p> <ul style="list-style-type: none"> • <i>To protect, conserve and enhance the region’s biodiversity considering the extent, condition and connectivity of critical habitats;</i> • <i>priority vegetation communities; and the number and status of vulnerable and threatened species;</i> • <i>Provide for use and development to be carried out in a manner that assists the protection of biodiversity by -</i> <ul style="list-style-type: none"> - <i>Minimising native vegetation and habitat loss or degradation.</i> - <i>Appropriately locating buildings and works.</i> • <i>To develop a methodology that defines triggers and priorities for important habitat in assessing development.</i>

Response:

The imposition of the Priority Vegetation overlay will further protect the existing communities on the site, the overlay more relevant under the Rural rather than Agricultural Zone.

6.2 City of Launceston Corporate Strategic Plan 2014-2024

Pursuant to section 20(1) of the *Local Government Act 1993* (Tas) an amendment must have regard to the strategic plan of a council referred to in Division 2 of Part 7 of *Local Government Act 1993* (Tas) as adopted by Council at the time the planning scheme is prepared. The relevant strategy is the City of Launceston Corporate Strategic Plan 2014- 2024 (the LSP).

The assessment of the application has had regard to the LSP and is generally consistent with the principles and goals as it:

- *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.*

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

- Rationalising the zoning of the site in line with the elements limiting the principal agricultural use of the site.
- Ensuring all natural values of the development area are considered; and
- Invest in the local community by creating additional development opportunities which will allow future development to occur.

If initiated, the amendment will proceed for formal exhibition, allowing the public to effectively engage with the proposal.

7. REFERRAL AGENCIES

Under section 56S(1) of the *Water and Sewerage Industry Act 2008*, a planning authority must refer a draft amendment to the relevant regulated entity. The proposed amendment was referred to TasWater and they have no interest in the rezoning. Under section 56S(2) of the *Water and Sewerage Industry Act 2008*, the relevant regulated entity may provide comment during the public notification period.

8. CONCLUSION

The amendment has been assessed to be consistent with all requirements of the *Land Use Planning and Approvals Act 1993* as set out in this report.

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:

1. PS A- LL P 0019 - 325 Watery Plains Road White Hills - Map - Natural Assets Code Overlay [9.3.1 - 1 page]
2. PS A- LL P 0019 - 325 Watery Plains Road White Hills - Version 2 - Planning Submission [9.3.2 - 42 pages]
3. PS A- LL P 0019 - 325 Watery Plains Road White Hills - Agricultural Report [9.3.3 - 31 pages]
4. PS A- LL P 0019 - 325 Watery Plains Road White Hills - Response to Further Information Request [9.3.4 - 6 pages]

9.4. PSA-LLP0012 - Planning Scheme Amendment - New Properties onto the Local Heritage List and New Datasheets

FILE NO: PSA-LLP0012

AUTHOR: Jess Horton (Place and Heritage Officer) and Iain More (Senior Planner Policy and Projects)

APPROVER: Chelsea van Riet (General Manager Community and Place)

DECISION STATEMENT:

To decide whether to reject or agree to initiate and exhibit Amendment PSA-LLP0012 to the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme.

PLANNING APPLICATION INFORMATION:

Applicant: City of Launceston
Address: 18/28 St John Street, Launceston Tas 7250
Existing Zones: Multiple zonings
Existing Use: Multiple uses

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston
Northern Tasmania Regional Land Use Strategy

RECOMMENDATION:

That Council, pursuant to:

1. Section 40D of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates Amendment PSA-LLP0012, to the Launceston Local Provisions Schedule, to:
 - a. insert 11 property datasheets for existing listings within Appendix A: Local Historic Heritage Code Datasheets, as shown in Attachment 2 to this report; and
 - b. add 38 new properties to the local heritage listings within LAU-Table C6.1 Local Heritage Places , as shown in Attachment 3;
 - c. create 38 new datasheets within Appendix A: Local Historic Heritage Code Datasheets, as shown in Attachments 4; and
 - d. introduce 38 new properties into the local heritage listing place overlay map, as shown in Attachment 5.
 2. Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies draft amendment PSA-LLP0012; and
 3. Sections 40G and 40H of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.
-

REPORT: APPLICATION FOR PLANNING SCHEME AMENDMENT

1. EXECUTIVE SUMMARY

The City of Launceston has identified the need to update and introduce properties onto the local heritage list. This will include updating and introducing new heritage datasheets that will provide detail of the local historic heritage significance of a place to better assist in their protection.

The current iteration of the Launceston Local Heritage Register was prepared for the *Launceston Planning Scheme 1996*, with minor additions. As the list is now almost 30 years old, numerous heritage items, precincts, significant trees, and areas of archaeological significance have since been identified; recommended for local listing.

The necessity for an update to the Launceston local heritage register was recognised in 2007, with Heritage Architect, Paul Davies, commissioned for a *Launceston Heritage Study*. This report reviewed the existing local heritage listing of the city, whilst identifying additional properties recommended for insertion into the local heritage list.

The Paul Davies report was utilised as the basis for an ongoing program by Council officers, and supporting Heritage Consultants, to individually review, and prepare datasheets for, proposed local heritage listings. This ongoing program stems from the commitment by City of Launceston to conserve and promote its heritage assets. The purpose of this amendment is to ensure:

- Existing locally listed properties are afforded datasheets to ensure the existing character and significance of the site is reflected within the Scheme; and
- Additional properties, which have cultural or historical significance, are inserted into the local list, ensuring their new datasheets reflect their local heritage value.

1.1. HERITAGE STUDY AREA

The study area for the project is the entirety of the Launceston municipality. There were over 1,100 properties identified to be reviewed. Attachments 1, 2, and 3 describe the properties that form part of this amendment.

The properties subject to this amendment are scattered throughout the urban areas of the municipality, primarily located on residential land. Various overlays effect the properties including natural values, bushfire, flooding, landslip, and contamination. The controls within the Scheme are able to evaluate the risk by these overlays and assist in ensuring development into the future is able to be assessed appropriately.

1.2. WHAT IS A LISTING?

A listed property is considered to be a local heritage place as defined within C6.3.1 of the scheme. A local heritage place is:

a place that is listed, and the specific extent identified, in the local heritage places list in the relevant Local Provisions Schedule.

The scheme allows Councils to identify local heritage places and place them on a local register. This then requires those places consider the provisions of C6.0 Local Historic Heritage Code when development is proposed. Locally listed places do not consider uses.

1.3. WHAT IS A DATASHEET?

For a 'local heritage place' or 'local heritage precinct' to be entered within the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme, a statement of significance must be provided. This statement of significance must address one or more of the local historic heritage significance criteria as outlined under Section C6.3.1 of the Tasmanian Planning Scheme - State Planning Provisions as follows:

Local historic heritage significance means significance in relation to a local heritage place or a local heritage precinct or local historic landscape precinct, and its historic heritage values as identified in the relevant list, in the relevant Local Provisions Schedule, because of:

- a. *Its role in, representation of, or potential for contributing to the understanding of:*
 - i. *Local history;*
 - ii. *Creative or technical achievements*
 - iii. *A class of building or place; or*
 - iv. *Aesthetic characteristics*

- b. *Its association with:*
 - i. *A particular community or cultural group for social or spiritual reasons; or*
 - ii. *The life or works of a person, or group of persons, of importance to the locality or region.*

As identified in the relevant list in the relevant Local Provisions Schedule, or in a report prepared by a suitably qualified person, if not identified in the relevant list.

A datasheet is therefore prepared for each local heritage place, addressing each of these criteria. In addition, the datasheet would provide the site address, description, specific site extent, photographs, and any supporting figures such as historical images.

1.4. INFORMAL CONSULTATION

In March 2023, City of Launceston engaged in informal, targeted public consultation in the form of a letter mail-out to all potentially impacted landowners whose properties had been identified for new local listing, delisting, or amendment to existing listing (i.e. preparation of a datasheet).

Of the letters sent out:

- 33 agreed with the changes or inclusion of the property on the list;
- 54 agreed but suggest amendments to the datasheets;
- 148 disagreed with the findings; and
- 886 did not respond.

Response	No. of responses	Percentage of responses (%)
No response	815	72.1%
Opposed to listing	141	12.5%
Supportive of listing	73	6.4%
Supportive of listing, with amendments	36	3.2%
Hesitant to listing / RFI	66	5.8%
Total	1,131	100%

Table 1: Response to mail out

As a result of the findings of this consultation, it was decided to stage the heritage list review. This would ensure that where there was little or no disagreement between the findings, that an initial amendment would allow the list to be amended. Where there was contention, disagreement, or further investigation required, it was decided that a further stage will deal with those properties in question.

The current application includes those properties where the owners agreed with the findings. Those properties where the owners agreed but with suggested changes have been reviewed as part of this process. This included contacting the owners to discuss the listing, and making changes were necessary.

1.5. SUMMARY

A considered approach has resulted in an amendment that will ensure the historical heritage significance of identified properties will remain intact.

This report and attachments provide details of the amendment and the sites involved. The strategic outcomes of the proposal are outlined, having regard to matters of local, regional and State importance.

If the proposed planning scheme amendment is initiated, the next steps in the process are as follows:

- The amendment will be exhibited for 28 days.
- The proposed planning scheme amendment will be brought back to a council meeting, where the Planning Authority will consider any recommendations and modifications can be made. In response to any representations, the Planning Authority could also recommend that the TPC does not approve the amendment.
- The Tasmanian Planning Commission will assess and decide whether to approve the amendment, approve the amendment with modifications or reject the amendment.

2. PROPOSED AMENDMENT

The City of Launceston has prepared by its own motion, under section 37(1) and section 40D(b) of *the Land Use Planning and Approvals Act 1993* (the Act), a scheme amendment to:

- insert 11 property datasheets for existing listings within Appendix A: Local Historic Heritage Code Datasheets, as shown in Attachment 2 to this report; and
- add 38 new properties to the local heritage listings within LAU-Table C6.1 Local Heritage Places , as shown in Attachment 3;

- c. create 38 new datasheets within Appendix A: Local Historic Heritage Code Datasheets, as shown in Attachments 4; and
- d. introduce 38 new properties into the local heritage listing place overlay map, as shown in Attachment 5.

The Launceston Local provisions Schedule forms part of the Tasmanian Planning Scheme - Launceston. Part of this schedule is LAU-Table C6.1 Local Heritage Places. This table lists all current local heritage listings for Launceston. Further to the local schedule is Appendix A: Local Historic Heritage Code Datasheets. The Appendix provides datasheets for listed properties, noting that not all properties have datasheets. The datasheets provide information about property listings, including statements of local historic heritage significance and historic heritage values. There are currently 143 datasheets within the Appendix.

This amendment is the first of a proposed series of amendments pertaining to cultural heritage.

The Tasmanian Planning Scheme - Launceston, will be referred to as *the scheme* in this report. The Launceston Local Provisions Schedule will be referred to as the LPS in this report.

The amendment will ensure the local heritage list reflects the existing situation on properties with heritage or cultural significance. The change is considered consistent with all levels of policy and will encourage appropriate design and development on sites to protect their cultural heritage.

3. STRATEGIC OUTCOMES

3.1 LOCAL STRATEGIES AND IMPACTS

3.1.1 City of Launceston Corporate Strategic Plan 2014-2024

Section 20(1) of the *Local Government Act 1993 (Tas)* requires a planning scheme amendment to have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the Act.

Attachment 1 includes an assessment against the Corporate Strategic Plan.

3.1.2 Infrastructure Impacts

The changes will not affect infrastructure requirements for any site.

3.1.3 Environmental Impacts

The proposed amendment will have no negative environmental impacts. Vegetation removal will be a consideration under the Local Historic Heritage Code if any datasheets identifies it as having heritage significance.

3.1.4 Amenity Impacts

The purpose of the amendment is to protect the historic significance of identified properties. This will mean that heritage amenity is able to be retained.

3.1.5 Social and Economic Impacts

The proposed amendment is considered to have positive social and economic impacts. This will be achieved by protecting what can be considered a social identity within the Launceston community. Heritage protection ensures social heritage amenity is maintained, and will attract like-minded persons to the region.

3.2 Regional Strategy

The Northern Tasmanian Regional Land Use Strategy (NRLUS) was originally declared by the Minister for Planning in accordance with the relevant provisions of LUPAA on 27 October 2011. The current version was amended on 23 June 2021 and provides a framework for the sustainable use and development of land within the region.

The NRLUS is a strategic regional plan for the eight council areas in the north and north-east of Tasmania. It has a 20-year time horizon to 2032 for integrated infrastructure, land use development and transport planning, and is underpinned by economic development, social and environmental strategies. It defines three land use categories to direct the allocation of all land in the region:

- Urban Growth Areas
- Rural Areas
- Natural Environment Areas

All identified heritage sites are within the urban area.

The detailed assessment against the relevant principles, policies and actions of the NRLUS is provided in **Attachment 1** to this report.

3.3 State Strategy

The amendment furthers the objectives in Schedule 1 of LUPAA, by promoting sustainable and orderly development through more efficient use of underutilised, serviced, highly accessible, urban land. **Attachment 1** also includes an assessment against the objectives of Schedule 1 of LUPAA and the State Policies.

The only applicable state policy is the State Coastal Policy 1996 as some sites are located within 1km of the high tide mark. This policy has been assessed in **Attachment 1**.

3.4 Statutory Considerations

3.4.1 Section 40D(b) - Land use Planning and Approvals Act 1993

Section 40D allows the Planning Authority, by its own motion, to prepare a draft amendment of an LPS.

3.4.2 Section 32 - Land Use Planning and Approvals Act 1993

Section 32 of LUPAA provides for the contents of a Local Provisions Schedules (LPS), and Section 34 outlines the LPS Criteria. **Attachment 1** provides a detailed assessment of the amendment against the requirements of these provisions. The amendment is considered to satisfy all the listed considerations and meet the LPS Criteria.

3.4.3 Section 56S - Water and Sewerage Industry Act 2008

Under Section 56S(1) of the *Water and Sewerage Industry Act 2008*, a Planning Authority must refer a draft planning scheme amendment to the relevant regulated entity. Under Section 56S(2) of the same Act, the relevant regulated entity may provide comments

during the public notification period. The application was referred to TasWater on 28/06/2024.

3.4.4 Landowner Consent

As Council is initiating the amendment by their own motion, consent is not required.

4. CONCLUSION

The proposed planning scheme amendment seeks to introduce new properties onto the local listings, introduce new datasheets for the new listings, and provide datasheets for existing listings. This first step in a line of scheme amendments will ensure that the local heritage significance of local places is retained.

For the above reasons, it is assessed that the proposed planning scheme amendment is consistent with the objectives and other requirements of the *Land Use Planning and Approvals Act 1993*, the intent of the Tasmanian Planning Scheme - Launceston and is consistent with the Northern Tasmanian Regional Land Use Strategy and State policies.

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:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston
Northern Tasmania Regional Land Use Strategy

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. PSA LLP0012 s 40D Report Heritage Listing July 2024 [9.4.1 - 10 pages]
2. Attachment 2 - Instrument 1 - 11 datasheets [9.4.2 - 26 pages]
3. Attachment 3 - Instrument 2 - 38 new properties [9.4.3 - 2 pages]
4. Attachment 4 - Instrument 3 - 38 datasheets [9.4.4 - 82 pages]
5. Attachment 5 - Instrument 4 - Overlay mapping [9.4.5 - 41 pages]

10. ANNOUNCEMENTS BY THE MAYOR

10.1. Mayor's Announcements

FILE NO: SF2375

Friday 28 June 2024

- Guest Speaker at Scotch Oakburn Grade 5 Assembly
- Attended the Remembrance Day for the Workplace Safety Memorial Garden at Inveresk
- Attended the Sustainable Wearable Art Event - Remade 2024

Saturday 29 June 2024

- Guest Speaker and Q&A Session at Para Quad Association of Tasmania Inc, Basketball Game event, Elphin Stadium

Sunday 30 June 2024 - Attended by Acting Mayor, Councillor D H McKenzie

- Guest Speaker at Heritage Forest Community Garden - Certificate Ceremony

Monday 1 July 2024 - Friday 5 July 2024

- ALGA 2024 National General Assembly of Local Government, Canberra

Monday 8 July 2024

- Guest Speakers at the NAIDOC - Flag raising ceremony
- Attended the Elders Council of Tasmania Aboriginal Corporation - Community Luncheon for NAIDOC Week

Tuesday 9 July 2024

- Attended the Black Box Theatre Co - Opening Night of Spring Awakening
-

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. Councillors' Questions on Notice - Councillor D H McKenzie - Coronation Park Play Equipment - 27 June 2024

FILE NO: SF2375

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 27 June 2024 by Deputy Mayor Councillor D H McKenzie, has been answered by Ben Clark (Recreation Planning Officer).

Questions:

1. Can Officers provide a timeline as to when Coronation Park play equipment might be considered for refurbishment?

Response:

City of Launceston play grounds and public open spaces are of high importance to us and the value they give to communities for play, activity, health and wellbeing is invaluable.

This year, City of Launceston Officers, are undertaking a Recreation and Open Spaces Strategy. The Strategy will look at the provision of playgrounds and public open spaces across the municipality and look for opportunities to address gaps and make improvements. In December and January a survey was open to the community seeking feedback on how our public open spaces are used, things that work well and areas for improvement. This, along with targeted consultation with specific group's e.g. environmental and social inclusion groups, has helped to form the background work for the Strategy. The next steps include a more in depth analysis of our current public open space, including our 61 play spaces. The outcome of the Strategy will help to guide future planning, budgets and improvements of these spaces and ensure playgrounds like Coronation Park are well provided for now and into the future. The City of Launceston expects a draft strategy to be complete in coming weeks, with an opportunity to share the draft with the community prior to finalisation.

The play equipment at Coronation Park was installed in 2010. An average asset life of 15 years is applicable to this asset meaning it is theoretically due for renewal in 2025. Based on this asset data, renewal can be expected in the short-term, Council officers will inspect the equipment and to better inform a definitive delivery timeframe.

12.1.2. Councillors' Questions on Notice - Councillor D C Gibson - Grants and Sponsorship Funds - 27 June 2024

FILE NO: SF2375

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 27 June 2024 by Councillor D C Gibson, has been answered by Chelsea van Riet (General Manager Community and Place) and Angie Hart (Team Leader Tourism and Events, Liveable Communities).

Questions:

1. If an event that receives funding does not proceed, previously officers were able to go further down the list to allocate the funding that might still be available, because the recommendation was in line with the budget and not in line with the scoring. If the event does not go ahead, would the intent then be that officers bring back a subsequent motion for the next in line event, rather than it just going down the list?

Response:

If a funded event does not proceed, and there is an opportunity to reallocate the funding to eligible events that were not recommended due to budget constraints, Officers will present a new recommendation to the Council.

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. NOTICES OF MOTION

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

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

14. COMMITTEE REPORTS

14.1. Audit Panel Meeting - 21 May 2024

FILE NO: SF3618

AUTHOR: Nathan Williams (Chief Financial Officer)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Audit Panel for the meeting held on 21 May 2024.

PREVIOUS COUNCIL CONSIDERATION:

Council – 27 June 2024 – Agenda Item 15.1 Financial Report to Council to 31 March 2024

Council – 21 March 2024 – Agenda Item 14.2 2023/2024 Budget Amendments

Council – 18 April 2024 – Agenda Item 13.3 2023/2024 Budget Amendments

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held on 21 May 2024.

REPORT:

The full Audit Panel Agenda and Minutes from the 21 May 2024 are available for Councillors in Docs on Tap.

Items listed under Item 9 – Financial Reports Against Budget – have been brought to Council for either adoption or approval at a previous Ordinary Meeting (noted above in Previous Council Consideration).

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

6.1. Internal Audit Report

Details: The internal auditors provided an update and members discussed Training needs analysis (matrix/register), operational requirements, the impacts on implementation/outcomes, target dates and Contractor Work Health and Safety Management obligations, including induction, records, and reporting mechanisms.

Action: The Audit Panel noted the item.

7.1. External Audit Report

Details: External Auditors provided an overview of the Interim Audit including testing and effective controls and outstanding items. A timeframe for the completion of the Risk Framework was set being 31 December 2024. Other items discussed included, disclosures of interest and the consequences for non-disclosure, capital expenditure: (progress and achievements), and asset data analysis and management, 10 year Plan (useful life of assets).

Action: The Audit Panel noted the item.

8.1. Outstanding Internal and External Audit Items

Details: The Audit Panel reviewed outstanding items and approved the inclusion of updates and comments for remaining items.

Action: The Audit Panel approved two outstanding items as resolved.

9.1. Capital Report

Details: The Panel considered the Capital Report for the period ended 31 March 2024

Action: The Audit Panel received the Capital Report for the period ended 31 March 2024.

9.2. Budget Amendments (for Audit Panel)

Details: The Panel considered changes to the Council's 2023/2024 Statutory Estimates and reallocations for the 2023/2024 financial year which were approved by Council.

Action: The Audit Panel noted the item.

9.3. Financial Statements (Analysis and Commentary)

Details: The Panel considered the Operations, Balance Sheet and Loan Balance reports for the quarter ending 31st March 2024.

Action: The Audit Panel noted the reports for the quarter ending 31st March 2024.

10.1. Investment Returns and Balances

Details: A review of the progress of investment returns and balances including for reserves and capital programs.

Action: The Audit Panel noted the item.

11.1. Risk Report

Details: The Report discussed resourcing issues which have been resolved, reporting structure including risk treatments and controls, and the value of networking with other Councils.

Action: The Audit Panel noted the item.

11.2. Work Health and Safety

Details: Officers provided an overview of the Safety Circle initiative and the benefit of 'Cultural Values'.

Action: The Audit Panel noted the Work Health and Safety report.

11.3. Process to Manage Insurable Risks

Details: The process and evaluation for insurance risk was discussed with and it was noted that this should be captured in Policies/Guidelines and linked to Risk.

Action: The Audit Panel noted the steps taken to manage insurable risks at the City of Launceston.

13.1. Acting Chief Executive Officer's Risk Certificate

Details: The Audit Panel discussed the Acting Chief Executive Officer's Risk Certification.

Action: The Audit Panel received the Acting Chief Executive Officer's Risk Certification.

14.1. Proposed Statutory Estimates and Annual Plan 2024/2025

Details: The Audit Panel considered the proposed 2024/2025 Annual Plan and Statutory Estimates, including the community consultation process, budget projections, regional assets and the Annual Plan Position Statement.

Action: The Audit Panel noted the following items, which were approved for release for public consultation by Council at its meeting on 4 April 2024

1. Proposed Statutory Estimates 2024/2025
2. Proposed Annual Plan 2024/2025
3. Proposed Capital Projects 2024/2025
4. Proposed Major Operational Projects 2024/2025.

14.2. Skeletal Financial Statements 2024/2025

Details: The Panel considered the skeletal Financial Statements for the year ending 30 June 2024.

Action: The Audit Panel noted the proposed skeletal Financial Statements for the year ending 30 June 2024.

14.3. Quarterly Reporting on Annual Plan Progress

Details: The Panel discussed the Annual Plan Progress Report including the format of reporting, planning and progress.

Action: The Audit Panel noted the Quarterly Reporting on the Annual Plan.

14.4. Asset Management Documents

Details: The status of Council's suite of Asset Management Documents was considered.

Action: The Audit Panel noted the update provided by Council Officers in the meeting.

14.5 Audit Panel Self Evaluation

Details: The discussed feedback received and expectations.

Action: The Audit Panel noted the item.

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.
3. To ensure decisions are made on the basis of accurate and relevant information.
4. To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.
5. To maintain a financially sustainable organisation.

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

15. CREATIVE ARTS AND CULTURAL SERVICES NETWORK

15.1. QVMAG Strategic Plan 2023-2028

FILE NO: SF3816

AUTHOR: Dan McWilliams (Executive Assistant)

APPROVER: Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)

DECISION STATEMENT:

To consider the endorsement of the *QVMAG Strategic Plan 2023-2028*.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 20 August 2020 - *The QVMAG Futures Plan - A Paradigm Shift*

Workshop - 1 April 2021 - *QVMAG Futures Plan*

Ordinary Council – 30 June 2022 – Agenda item 16.1 – Recommendation 2(g)

Workshop – 13 June 2024 - *QVMAG Strategic Instruments*

RECOMMENDATION:

That Council endorses the draft Queen Victoria Museum and Art Gallery (QVMAG) *Strategic Plan 2023-2028* (ECM Document Set ID 5092965)

REPORT:

In June 2022, the City of Launceston approved the *QVMAG Futures Plan*. That visionary document set a new course for QVMAG to achieve a sustainable future, to best serve the people of Launceston and northern Tasmania, and to deliver best-practice standards in museum/galleries.

The Futures Plan identified a suite of strategic instruments that needed to be developed as part of a holistic Organisational Strategic Development Program. Among those instruments were a Strategic Plan for QVMAG and multiple Strategic Frameworks that considered all key areas of operations of the institution. Those Frameworks were listed in the Futures Plan.

The *QVMAG Strategic Plan 2023-2028* and supporting operational frameworks have been developed to devolve directly from the Futures Plan and as implemented will deliver on the ambitions of the Futures Plan. They are higher level strategic documents that will in turn inform and guide a wide range of strategic and operational actions.

The *QVMAG Strategic Plan 2023-2028* is informed by best-practice in the GLAM (galleries, libraries, archives, museums) sector and can be compared to similar framework/strategies in other institutions operating at state, national and international levels. The devolving policies and operational documents will also be set within City of Launceston strategic and operational frameworks. As was identified by the Futures Plan, cultural organisations require policies and procedures that meet cultural industry best-practice standards.

The *QVMAG Strategic Plan 2023-2028* and supporting operational frameworks are set within a five-year delivery horizon, but full delivery of the Futures Plan (notably the Priority Projects identified in the Plan) will be set within a 10 year+ horizon.

The *QVMAG Strategic Plan 2023-2028* has been developed through a comprehensive internal and external consultation process, and includes input from, QVMAG Museum Governance Advisory Board, QVMAG Arts Foundation, QVMAG Aboriginal Reference Group, QVMAG Friends, QVMAG Staff, City of Launceston Councillors and Executive Leadership Team, GLAM Sector peers, creative industry representatives and the Launceston and Tasmanian community.

RISK IMPLICATIONS:

Not approving the *QVMAG Strategic Plan 2023-2028* will severely delay advancement on the identified strategic initiatives of the Futures Plan, including advancement on sustainable funding and governance models.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Approval of the *QVMAG Strategic Plan 2023-2028* will empower QVMAG and the City of Launceston to advance on delivery of the many economic and societal benefits identified in the Futures Plan.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 1: We connect with our community and our region through meaningful engagement, cooperation and representation.

10-Year Goal: To seek out and champion positive engagement and collaboration to capitalise on the major opportunities and address the future challenges facing our community and region.

Focus Areas:

1. To develop and consistently utilise contemporary and effective community engagement processes.
2. To lead the implementation of the Greater Launceston Plan via collaborative and constructive relationships with our regional partners.
3. To advocate and collaborate to enhance regionally significant services and infrastructure for the benefit of our communities.

Strategic Priority 4: We value our City's unique identity by celebrating our special heritage and culture and building on our competitive advantages to be a place where people choose to live, work and visit.

10-Year Goal: To sustain and promote Launceston as a unique place to live, work, learn and play.

Focus Areas:

1. To promote and enhance Launceston's rich heritage, culture and natural environment.
2. To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.
3. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar.
4. To support the central business district (CBD) and commercial areas as activity places during day and night.

City of Launceston Cultural Strategy 2020-2030

Strategic Focus Area 1: Value and respect Aboriginal culture

Strategic Focus Area 2: Realise the potential of our cultural places and assets

Strategic Focus Area 3: Foster creative practice

Strategic Focus Area 4: Reveal our cultural stories

Strategic Focus Area 5: Build and extend partnerships

BUDGET AND FINANCIAL IMPLICATIONS:

If Council determines to proceed with the Recommendation contained in this report, the budget implications will be dealt with by future annual plan and budgets and/or a budget amendment process if necessary.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

1. QVMAG Strategic Plan FINAL DIG [15.1.1 - 48 pages]

16. ORGANISATIONAL SERVICES NETWORK

16.1. Lease - Lebrina Equestrian Club Inc.

FILE NO: SF0821

AUTHOR: Sharin Imlach (Lease Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing part of the Lebrina Recreation Ground to the Lebrina Equestrian Club Inc.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

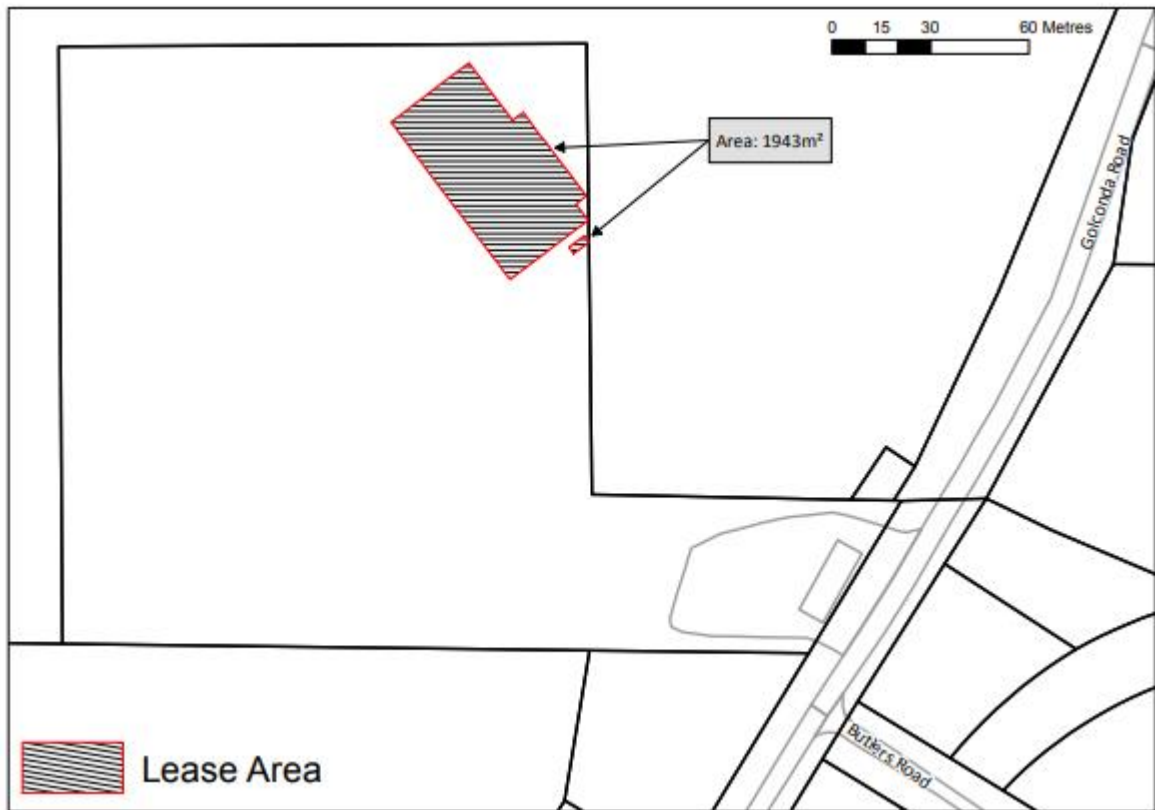
PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 3 October 2019 - Item 18.1 - Lease - Lebrina Equestrian Club Inc.

RECOMMENDATION:

That Council:

1. pursuant to section 179 of the *Local Government Act 1993 (Tas)*, decides to lease part of the land situated at 905 Golconda Road, Lebrina (CT210903/1), known as the Lebrina Recreation Ground to the Lebrina Equestrian Club Inc., as identified on the plan below:



2. requires that the lease is on the following basis:
 - (a) the lessee is to be The Lebrina Equestrian Club Inc.;
 - (b) the lease is to commence on or as soon as possible after 1 October 2024 for a period of five years;
 - (c) the commencing rent is to be \$340.34, reviewed annually;
 - (d) the lessee is to be responsible for all outgoings including energy, water usage and service charges, security monitoring, and cleaning and operational maintenance;
 - (e) the lessee is to:
 - (i) keep the building clean and in good order;
 - (ii) maintain the grounds of the property;
 - (iii) hold public liability insurance with at least \$20,000,000 cover;
 - (f) the Council is to be responsible for structural maintenance;
3. requests the Chief Executive Officer to:
 - (a) determine the exact dimensions of the land to be leased and all remaining terms and conditions;
 - (b) exercise any of Council's rights, options, or discretions necessary for the proper administration of the lease;
4. notes, for the avoidance of doubt, that Chief Executive Officer is a term of reference for the General Manager within the meaning of the *Local Government Act 1993* (Tas).

REPORT:

The Lebrina Equestrian Club Inc. (LEC) was formed in 2013 and currently has 11 members who pay an annual fee of \$60 per member to cover the costs of public liability. The current lease of the premises is due to expire on 30 September 2024.

Membership numbers vary throughout the year and new members are attracted through social media awareness.

The LEC, in the past, has had a variety of different instructors who engage in varied activities and teach riding skills. They currently have an instructor who encourages and supports their participants' learning every session. A riding instruction day is held at the club once a month to build relationships with the local community. The club conducts trail rides and fun days to engage with the broader community. Members family and friends volunteer when needed.

In 2015, the LEC applied for a grant through the Department of Sport and Recreation and was successful with the Minor Grants Program. This grant funding allowed the installation and upgrade of their riding arena to a quartz sand arena in the Lebrina Recreation Ground to improve safety for both participants and their horses. The arena was built with funds raised by the LEC and the Sport and Recreation grant.

With these improvements, the LEC has a healthy membership that allows them to financially sustain their ground maintenance, annual insurance costs and affiliated costs with Equestrian Australia.

The LEC has indicated that they would like to continue with a five-year lease.

Recommended rent

In accordance with Council's Lease and Licence Policy, the commencing annual rent is recommended to be \$340.34, which is the 2024/2025 value of 182 fee units as established under the *Fee Units Act 1997*.

That Act establishes the value of a fee unit for each financial year, with such value indexing in line with movements in the Consumer Price Index (CPI) for Hobart. Recommendation 2(c) allows the rent to be varied in accordance with the indexation of the value of fee units each year.

Effective subsidy

The area to be leased is approximately 1983m² of the larger Lebrina Recreation Ground, which has a total area of approximately 3.35 hectares and an assessed annual value (AAV) of \$15,400.

On a comparison of those relevant areas by square metre values alone, the value of the LEC land is \$911.59 per annum, resulting in an effective lease subsidy of approximately \$571.25. That comparison does not take into account the individual circumstances of each site, such as capital improvements or maintenance responsibilities.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

It will provide a safe environment for local riders enabling people to build friendships and support within the community who commonly enjoy equestrian activities.

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.

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:

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 considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

ATTACHMENTS:

Nil

16.2. Disposal of Interest in Land - 16-30 Waverley Road, Waverley

FILE NO: SF1168/MISC0006/2024

AUTHOR: Michelle Grey (Properties and Legal Officer)

APPROVER: Louise Foster (General Manager Organisational Services Network) and Michael Newby (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To consider the disposal of an interest in land at 16-30 Waverley Road, Waverley.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)

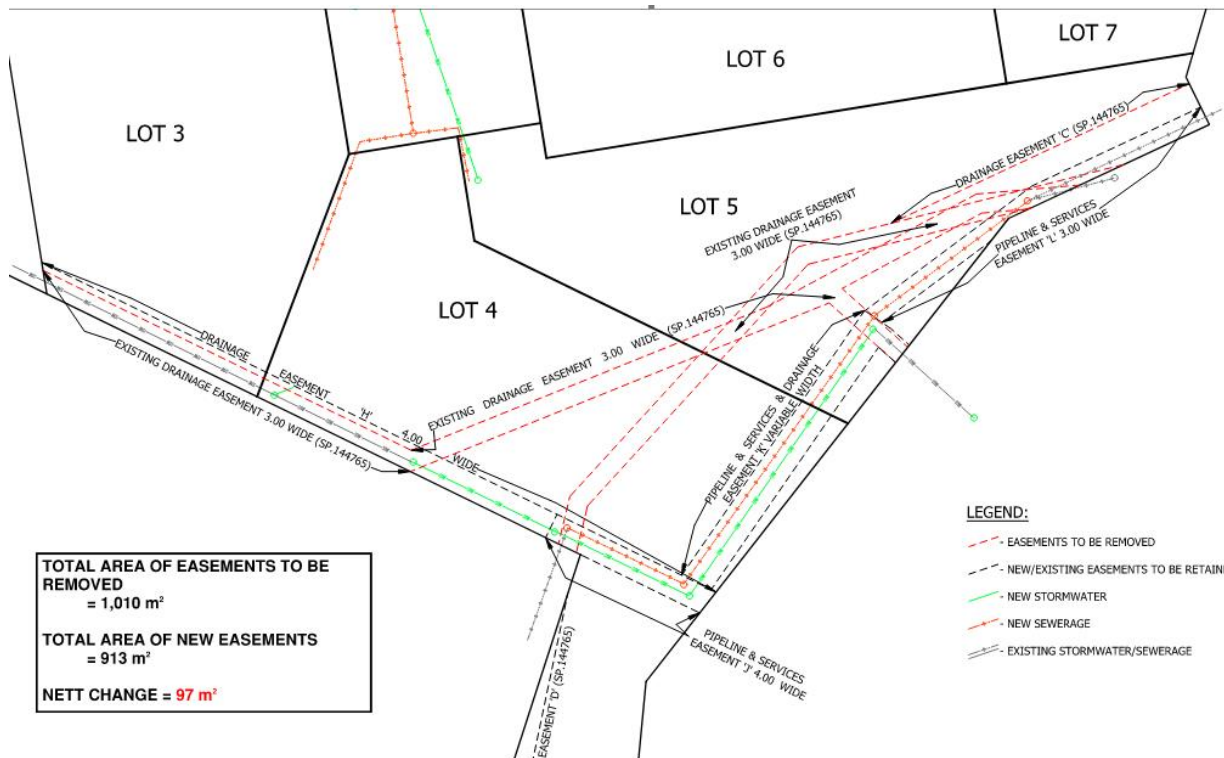
PREVIOUS COUNCIL CONSIDERATION:

Workshop - 20 June 2024 - Petition to Amend Sealed Plan 16-30 Waverley Road, Waverley

RECOMMENDATION:

That Council:

1. (a) decides, by absolute majority pursuant to section 177 of the *Local Government Act 1993 (Tas)* to dispose of an interest in land by agreeing to cancel the existing easements over Certificate of Title Volume 179043 Folio 2 as shown in the plan below; and
(b) decides, pursuant to sections 175 of the *Local Government Act 1993 (Tas)* to acquire easements to contain stormwater and drainage infrastructure as shown in the plan below.



2. makes Recommendation 1 subject to the owner of 16-30 Waverley Road, Waverley paying the following costs:
 - (a) \$3,152 (plus GST) for Council's fee for a disposal of an interest in Council land;
 - (b) \$800 (plus GST) for the cost of obtaining the valuation;
 - (c) \$1 for the easement if demanded; and
 - (d) all associated costs with Land Titles Office registration.
3. notes the valuation advice at Attachment 1 (ECM Doc Set ID No. 5088282)
4. permits the Chief Executive Officer to do all things and exercise all functions and/or powers necessary to cause the easements to be amended in accordance with these Recommendations.
5. 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:

City Edge Industrial Park Pty Ltd (the applicant) is the owner of 16-30 Waverley Road, Waverley (the property). The applicant has approached Council through its surveyor, Woolcott Surveys, seeking to relocate easements to where infrastructure has been constructed as approved.

A permit (DA0258/2022) was issued in late 2022, for the subdivision of property at 16-30 Waverley Road, Waverley and zoned Light Industrial, into 11 lots.

The application included bulk earthworks to the southern portion of the site, to maximise the developable portion of proposed Lots 4 and 5. These works necessitated relocation of existing Council (stormwater) and TasWater (sewer) infrastructure. The 'removed' infrastructure has been replaced by the applicant installing new infrastructure, specifically 90 metres of stormwater main and 100 metres of sewer main on a new alignment.

Council officers were aware of the changes through communication with the applicant's consultants, Woolcott Surveys and Rare Innovation Pty Ltd.

The plan above shows the existing easement alignment and proposed new easement alignment.

The difference in area of existing easements and proposed easements is 97m². Valuation advice (Attachment 1, ECM Doc Set ID No. 5088282) sets the value of the easement to be disposed of at \$1,950. The value has been adopted on the basis that the easement value is much lower than the freehold value of the property.

Despite the above assessment, it is recommended that the easements be disposed of for \$1 if demanded. Such an approach is consistent with the approach taken by Council in its decision for Agenda Item 14.1 - Disposal of Interest in Land - Easement at 26 Beverley Hills Road, Newstead of the Council Meeting held on 5 October 2023 concerning a reduction in the width of an easement from 8.52m to 4m wide. In that decision, Council disposed of 152m² for \$1 plus relevant costs.

It is recommended that Council follow the same approach and dispose of the identified easements for \$1 (if demanded) given that the easements are considered redundant.

The proposal to dispose of redundant easements and acquire easements for infrastructure will not impact the community and will protect Council infrastructure.

Accordingly, if Councillors were supportive of taking a similar approach to that of 26 Beverley Hills Road, Newstead, it is recommended that Councillors dispose of the identified easements for \$1 if demanded subject to the relevant fees of the Council plus all associated costs, being borne by the applicant.

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

Strategic Priority 7: We are a City planning for our future by ensuring our approach to strategic land-use, development and infrastructure is coordinated, progressive and sustainable.

10-Year Goal: To facilitate appropriate development via integrated land-use planning, infrastructure investment and transport solutions within our municipality and region.

Focus Areas:

2. To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.

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. Disposal 16-30 Waverley Road - amended valuation to correct clerical error [16.2.1 - 9 pages]

17. LATE ITEMS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(6)

18. MEETING CLOSURE

19. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 25 July 2024 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.