



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 23 JANUARY 2017
1.00pm**

City of Launceston

COUNCIL MINUTES

Monday 23 January 2017

The Ordinary Meeting of the City of Launceston Council was held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 23 January 2017

Time: 1.00pm

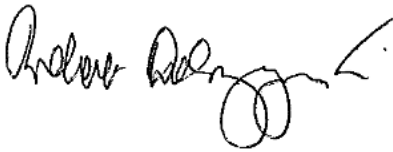
Section 65 Certificate of Qualified Advice

Background

Section 65 of the *Local Government Act 1993* requires the General Manager to certify that any advice, information or recommendation given to Council is provided by a person with appropriate qualifications or experience.

Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the Minutes Items for this Meeting.



Robert Dobrzynski
General Manager

City of Launceston

COUNCIL MINUTES

Monday 23 January 2017

Present: **Alderman** **A M van Zetten (Mayor)**
R I Soward (Deputy Mayor)
R L McKendrick
R J Sands
D H McKenzie
J G Cox
D C Gibson
J Finlay
D W Alexander
S R F Wood
E K Williams
K P Stojansek

In Attendance: **Mr R S Dobrzynski (General Manager)**
Mr H P Galea (Director Infrastructure Services)
Mrs L M Hurst (Director Development Services)
Mr M Skirving (Acting Director Facilities Management)
Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery)
Mr P Gimpl (Acting Director Corporate Services)
Mr J A Davis (Manager Corporate Strategy)
Mrs A Rooney (Committee Clerk)

ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - ATTENDANCE AND APOLOGIES	1
2	DECLARATIONS OF INTEREST	1
3	CONFIRMATION OF MINUTES	2
4	DEPUTATIONS	2
	No Deputations were identified as part of these Minutes	
5	PETITIONS	2
	No Petitions were identified as part of these Minutes	
6	COMMUNITY REPORTS	3
6.1	Tennis Tasmania - Ms Nicky Ristrom	3
7	PUBLIC QUESTION TIME	3
7.1	Public Questions on Notice	3
7.1.1	Public Question on Notice - Code of Conduct Panel Costs - Mr B Fitch	4
7.2	Public Questions without Notice	5
7.2.1	Mr Frank Nott - 159 St John Street, Launceston	6
7.2.2	Mr Basil Fitch - State Government Loan	7
7.2.3	Mr Ron Baines - Car Parking Income	8
7.2.4	Ms Dayna Dennison - Heritage Award	9
8	PLANNING AUTHORITY	10
8.1	16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site	10

City of Launceston

COUNCIL MINUTES

Monday 23 January 2017

Item No	Item	Page No
8.2	15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retrospective)	22
8.3	1-11, 13, 15, 17, 19-21 and 23-45 Lindsay Street Invermay - Amendment 32 - to Rezone Land to Utilities - Vehicle Parking; Construction and Use of 99 Space Off-street Car Park Associated with the North Bank Recreation Precinct	31
9	ANNOUNCEMENTS BY THE MAYOR	36
9.1	Mayor's Announcements	36
10	ALDERMEN'S REPORTS	39
11	QUESTIONS BY ALDERMEN	40
11.1	Questions on Notice	40
	No Aldermen's Questions on Notice were identified as part of these Minutes	
11.2	Questions without Notice	40
12	COMMITTEE REPORTS	41
12.1	Pedestrian and Bike Committee Meeting - 29 November 2016	41
12.2	Sister Cities Committee Meeting - 5 December 2016	42
12.3	Tender Review Committee - 28 November 2016	44
13	COUNCIL WORKSHOPS	45
	No Council Workshops have been conducted since the last Council Meeting	

Item No	Item	Page No
14	NOTICES OF MOTION	45
	No Notices of Motion were identified as part of these Minutes	
15	DEVELOPMENT SERVICES DIRECTORATE ITEMS	45
	No Items were identified as part of these Minutes	
16	FACILITIES MANAGEMENT DIRECTORATE ITEMS	45
	No Items were identified as part of these Minutes	
17	QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS	46
17.1	Museum Governance Advisory Board Meeting - 16 December 2016	46
18	INFRASTRUCTURE SERVICES DIRECTORATE ITEMS	47
	No Items were identified as part of these Minutes	
19	CORPORATE SERVICES DIRECTORATE ITEMS	48
19.1	Council Meetings (Frequency and Commencement Time) Policy	48
19.2	Action in Respect of the Economic Development Committee and the Street Tree Advisory Committee	52
19.3	Council Appointments to Internal and External Committees	53
19.4	Delegation from Council to General Manager - Building Act 2016 (Tas) and Building Regulations 2016	65
20	GENERAL MANAGER'S DIRECTORATE ITEMS	67
	No Items were identified as part of these Minutes	
21	URGENT BUSINESS	67
	No Urgent Items were identified as part of these Minutes	

City of Launceston

COUNCIL MINUTES

Monday 23 January 2017

Item No	Item	Page No
22	CLOSED COUNCIL	68
	No Closed Items were identified as part of these Minutes	
23	MEETING CLOSURE	68

1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Alderman A M van Zetten, opened the Meeting at 1.00pm.

The Chamber observed one minute's silence for the recent events in Melbourne.

The Mayor, Alderman A M van Zetten, welcomed Aboriginal Elder Sharon Holbrook who delivered the Welcome to Country.

The Mayor, Alderman A M van Zetten, responded with an Acknowledgement of Country: In the spirit of reconciliation, we the citizens of Launceston, recognise that Launceston is situated on country of which the Tasmanian Aboriginal people have been owners for over 35,000 years and on which they have performed age-old ceremonies of celebration, initiation and renewal. We acknowledge the Aboriginal Community of today, their living culture and unique role in the life of this region and offer our deep appreciation of their ongoing contribution to the community.

2 DECLARATIONS OF INTEREST

Local Government Act 1993 - Section 48

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

Alderman D C Gibson declared an interest in Agenda Item 12.2 - Sister Cities Committee Meeting - 5 December 2016.

3 CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 12 December 2016 be confirmed as a true and correct record.

DECISION: 23 January 2017

MOTION

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

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

CARRIED 12:0

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

4 DEPUTATIONS

No Deputations were identified as part of these Minutes

5 PETITIONS

Local Government Act 1993 - Sections 57 and 58

No Petitions were identified as part of these Minutes

6 COMMUNITY REPORTS

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

6.1 Tennis Tasmania - Ms Nicky Ristrom

Ms Ristrom, 2017 Tournament Director, provided Council with an overview of planned activities for the 2017 Launceston International. Ms Ristrom thanked the Council for their continuing support of the event.

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

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

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

7.1.1 Public Question on Notice - Code of Conduct Panel Costs - Mr B Fitch**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

QUESTION and RESPONSE:

The following question was asked at the Council Meeting on Monday, 12 December 2016 by Mr Basil Fitch.

What was the cost to Council for the Code of Conduct matter discussed at the Council Meeting on Monday, 28 November 2016?

Response:

(Mr Robert Dobrzynski General Manager)

The costs have not yet been finalised by the Local Government Division of the State Government. Advice is currently being sought regarding whether the information is required to be kept confidential.

7.2 Public Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(2)(b) (Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)

7.2.1 Mr Frank Nott - 159 St John Street, Launceston

Mr Nott prefaced his questions stating that there is an aluminium window on the east facing downstairs window of 159 St John Street, Launceston:

- 1. If this is the case, when was the addition built?**
- 2. Does this addition comply with Heritage Building Regulations?**

The Mayor, Alderman A M van Zetten, indicated that these questions would be taken as a Question on Notice and a response provided via the next Council Agenda.

7.2.2 Mr Basil Fitch - State Government Loan

1. Who authorised the \$20 million dollar loan from the State Government?

The General Manager, Mr R Dobrzynski, indicated that this question would be taken as a Question on Notice and a response provided via the next Council Agenda.

7.2.3 Mr Ron Baines - Car Parking Income

1. Do motorbikes get free parking in the City and if so why?

The Mayor, Alderman A M van Zetten, responded that there were smaller spots allocated in the city for free motorbike parking where it was not feasible to install car parking spaces.

2. Where does the income go from both on-street and off-street car parking?

The Mayor, Alderman A M van Zetten, responded by saying that the money from parking is combined with normal budgetary funds to aid in meeting Council commitments.

3. With the Council's apparent support of education in Launceston, would Council consider supporting a literacy program for the municipality?

The Mayor, Alderman A M van Zetten, responded that in order to consider the proposal under normal Council guidelines, a proposal would need to be presented.

7.2.4 Ms Dayna Dennison - Heritage Award

Ms Dennison provided Council with information regarding the Heritage Award presented to Mr John Millwood in 2009. Ms Dennison also presented Council with over 350 signatures requesting that the City of Launceston revoke this award.

- 1. Can you imagine how challenging it might be for victims of child abuse to report these crimes when paedophiles such as Millwood use their prominent public profiles as a smoke screen, whilst sexually abusing children?**
- 2. Can you consider the victims' view that by allowing John Millwood to keep this award it is sending the message, that regardless of his sexual abuse of children, he is still worthy of civic honours?**
- 3. I ask you today at this Council Meeting to find the courage to pass a motion to revoke John Millwood's heritage award.**

The Mayor, Alderman A M van Zetten, responded to Ms Dennison's concerns and indicated that the matter will be included in the next Council Agenda for discussion and decision.

The Mayor, Alderman A M van Zetten, announced that under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site

FILE NO: DA0590/2016

AUTHOR: Ashley Brook (Consultant Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

- | | |
|-------------|--|
| DA0573/2014 | Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land (Approved by Tasmanian Heritage Council 17 June 2015 and Council 22 June 2015). |
| DA0383/2014 | Bulky Goods - showroom; Food Services - restaurant; Ancillary - facilities; demolition of the 'Cordial Factory' (Refused by Tasmanian Heritage Council 1/10/2014 and Council 13/10/2014). |
| DA0343/2011 | Development and use involving the establishment of a new commercial and retail centre with multiple tenancies (Approved by Tasmanian Heritage Council 18/08/2011 and Council 19/09/2011). |
| DA0573/2004 | Development and use including 149 residential apartments, 87 room hotel, exhibition space, retail outlets, gymnasium and pool, carpark, skybridge and ancillary works (Approval confirmed by Resource Management and Planning Appeal Tribunal 28/09/2005). |

In accordance with Council Policy the assessment of this application has been outsourced to an independent consultant planner as it relates to development of land in which the City of Launceston has a pecuniary interest.

8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

RECOMMENDATION:

That, in accordance with section 51 and section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0590/2016 Business and Professional Services - offices; Vehicle Parking - car park; Food Services - café; Hotel Industry - bar; alterations to existing heritage-listed buildings to accommodate offices, café/bar and coffee shop; construction of a building extension to accommodate offices; construction of a single and multistorey car park; subdivision (consolidation of lots); construction of associated works involving the provision of site vehicular access, pedestrian access and landscaping off Canal Street in Charles Street, Canal Street, Cimitiere Street and Wellington Street at 16-24 Charles Street and 9 Canal Street, Launceston also known as "CH Smith Site", and adjoining land in the road reserves of Charles Street, Canal Street, Cimitiere Street and Wellington Street, in accordance with the endorsed plans and subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

The development and use must be carried out in accordance with the following endorsed plans and documents to the satisfaction of the Planning Authority except where modified by the other permit conditions below:

- a. Cover page, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059, Drawing A0000-DA01.
 - b. Proposed Demolition Plan - Basement, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A0001-DA01.
 - c. Site Plan - Basement, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A0002-DA03.
 - d. Site Plan – Level 1, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A0003-DA03.
 - e. Site Plan – Level 2, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A0004-DA02.
 - f. Site Title Plan, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A0005-DA01.
 - g. Site Infrastructure Services Plan, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A0006-DA01.
 - h. Heritage Archaeological Overlay, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A0007-DA01.
 - i. Elevations, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A2100-DA02.
 - j. Building 1 Elevations, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A2101-DA01.
 - k. Building 2 and Bond Store Elevations, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A2102-DA01.
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8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

- l. Sections, Prepared by Artas Architects, CH Smith Revitalisation Project, Project No. 161059. Drawing A2200-DA01.
- m. 'CH Smith Revitalisation Project, 16-24 Charles and 9 Canal Street, Launceston: Report to Support a Development Application', Prepared by Pitt & Sherry, Dated 1 December 2016.
- n. 'CH Smith Revitalisation Project, Traffic Impact Assessment' Prepared by GHD Pty Ltd, Dated 6 December 2016.
- o. 'Memo, Former CH Smith Site Environmental Site Assessment', Prepared by Jemrok Pty Ltd, Dated 6 December 2016

2. TASMANIAN HERITAGE COUNCIL

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Works Ref. 5208, endorsed as part of this permit.

3. TASWATER

The development must be undertaken in accordance with the conditions included on the TasWater Development Certificate of Consent TWDA 2016/01837-LCC, endorsed as part of this permit.

4. AMENDED PLANS REQUIRED

Prior to the commencement of any works and use, amended plans must be submitted to show:

- a. Modification of the works to the 1850s wall along the Canal Street frontage between 16-18 Charles Street and the Canal Street Warehouse, involving:
 - i. Retention of the wall along the frontage to its current height and the two existing openings in the wall;
 - ii. Demolition of the brick infill between the wall and the Canal Street Warehouse and
 - iii. Creation of two new openings in the wall including:
 - An opening to the rear of 16-18 Charles Street having a width no greater than 3.7m and which encroaches no higher than 1.2m measured from the top of the wall and 0.6m from the eastern end of the wall; and
 - Re-opening of the bricked-up former opening in the wall which has a centre of approximately 6.3m measured from the western end of the wall.
 - b. Modification of the works involving two existing ground level door openings on the Charles Street frontage of the 1938 CH Smith Wool Store at 20 Charles Street in order to:
 - i. ensure the openings are represented as doorways rather than windows; and
 - ii. incorporate the existing sliding doors in the southern doorway into the design of both openings.
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8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

- c. Modification of the provision of bicycle parking to include:
 - i. A minimum of four spaces within the site on the hardstand adjacent to the café/bar and a minimum of two spaces in the entry forecourt intended for the coffee shop, in addition to the 12 spaces currently shown on the plans (total provision of 18 spaces required); and
 - ii. At least one shower and change room facility accessible for employees associated with the larger office tenancy.
 - d. Provision of a minimum of two motorcycle parking spaces on site.
 - e. Modification of the lower level car park layout to eliminate blind aisles greater than 16m in length and to provide for boom gate controlled entry and exit from the car park.
 - f. Modification of the upper car park layout to eliminate blind aisles greater than 16m in length and to provide for boom gate controlled entry and exit from the car park.
 - g. Realignment of the upper deck stair access to Canal Street ground level so as to be completely contained within the property title.
 - h. Provision of an entry lane from Cimitiere Street to the lower car park of sufficient length to provide deceleration from 40km/hr to a car queuing at the entry boom gate. The entry lane is to be a single lane but to provide for over height vehicles to leave the queue and return to Cimitiere Street via an emergency driveway. A flexible striker bar structure is to be installed within the laneway to discourage access by over height vehicles.
 - i. Provision of an urban cul-de-sac turning head for Canal Street to provide for the car park entrance/exit and vehicle manoeuvring at the street end. The cul-de-sac is to generally comply with the LGAT-IPWEA standard drawing TSD-R08-v1.
 - j. Modification of the upper deck exit to Cimitiere Street so as increase the approach angle to a minimum of 70° and clearly be marked as an exit only.
 - k. A lighting plan for both the car park levels to provide safe and convenient use of the site outside daylight hours. The lighting is to provide for both pedestrians and vehicles and is to be designed to minimize light spillage outside of the site.
 - l. The provision of a signage plan for the car park and the approaches to the car park. The signage plan is to include variable message signs showing the current availability of car park spaces to the satisfaction of the Director Infrastructure Services and additional fixed signage showing height restrictions to the lower level, directions to exits (pedestrian and vehicular), the location of payment machines and the load limits for access to the upper level of car parking.
 - m. A revised street parking plan showing the provision of two short stay car spaces and a loading zone on both the Charles Street and Canal Street frontages to the site.
 - n. A kerbing and footpath plan showing the provision of a footpath for the Cimitiere Street frontage including relocating the kerb outstand on Charles Street to the intersection. The footpath is to extend from the Cimitiere Street entrance to the lower car park level to Charles Street and is to have a minimum width of 1.5m widening to 2.5m where possible.
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8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

Once approved by the Manager Planning Services, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans.

5. PARKING AREAS

Areas set aside for vehicle parking and access on site as shown on the endorsed plans shall be designed to comply with the following:

- a. AS2890.1, Off-street car parking.
- b. AS 2890.3 – Bicycle parking facilities.
- c. AS2890.6 – Off-street parking for people with disabilities.
- d. Table 2.3 of AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.

6. SITE LANDSCAPE PLAN REQUIRED

Prior to the commencement of any works and use, a landscape plan must be submitted for approval by the Manager Planning Services. The plan must be prepared by a suitably qualified person, drawn to scale and include the following details:

- a. Major site features such as building footprints, topography, contours, existing vegetation and street boundaries.
- b. Existing and proposed garden areas and plantings (including a schedule of all trees, shrubs and groundcover including common name, botanical name and size at maturity).
- c. Any stabilisation works required as a result of tree or vegetation removal.
- d. All proposed garden beds, retaining walls, lawn hard surfaces and pathways.
- e. Suitable irrigation or a fixed sprinkler system for watering of all lawns and landscaped areas.
- f. Landscaping shall to provide an effective screen of the ground and upper levels of the car park when viewed from Cimitiere Street and Wellington Street.

Once approved by the Manager Planning Services, the plan will be endorsed and will form part of the permit. The landscaping must be:

- a. Installed in accordance with the endorsed plan.
- b. Completed within three months of the use commencing.
- c. Maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Manager Planning Services.

The developer must meet the costs of all landscaping works shown on the endorsed plans as being outside the land owned by the developer. Prior to commencement of any landscaping or works on land outside the ownership of the developer all necessary agreements must be in place with the relevant landowner or authority for final design, ongoing management and maintenance of these areas.

8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

7. ENVIRONMENTAL SITE ASSESSMENT

The development must be carried out in accordance with the recommendations contained in the following reports:

- a. 'Environmental Site Assessment of CH Smith Site', Prepared by Coffey Environments, dated 26 June 2007.
- b. 'Memo, Former CH Smith Site Environmental Site Assessment', Prepared by Jemrok Pty Ltd, dated 6 December 2016, endorsed as part of this permit.

8. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN REQUIRED

An environmental management plan is to be prepared as recommended in the 'Memo, Former CH Smith Site Environmental Site Assessment', Prepared by Jemrok Pty Ltd, dated 6 December 2016, endorsed as part of this permit. It must detail management strategies during the bulk earthworks periods to mitigate potential environmental risks and strategies to reduce impacts during construction. It is to be prepared by a suitably qualified person. The report to be submitted to Environmental Health prior to any building works proceeding.

9. STORMWATER QUALITY MANAGEMENT PLAN

Provide a Storm Water Quality Management Plan, to be prepared by a suitably qualified person to address storm water emissions from the car park. The report to be submitted to Environmental Health prior to any building works proceeding.

10. WELLINGTON STREET OVERPASS

Prior to the commencement of works, physical works in the vicinity of the Wellington Street overpass bridge structure and piers must be assessed and accepted by the Department of State Growth. This shall involve the provision to State Growth of detailed engineering plans of any road widening works on Cimitiere Street inclusive of details for overhead clearance to the structure and associated signage, clearance to the bridge pier and requirements for a barrier protection system (type, design, extent and the like).

11. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services 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 car park lighting, illuminated signage and within Canal Street, street lighting.
 - ii. A line marking plan for all entrances, parking aisles and parking spaces showing the direction of travel and the available turn options at intersections.
 - iii. A fire-fighting plan for the lower car park level including locations of sprinklers, hose reels and fire alarms.
-

8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

- iv. A pavement design for all trafficable areas including road extensions, car parking areas, aisles and footpaths.
 - v. A lower car park detail design showing a minimum clear height within trafficable aisles of 3.0m and 2.3m within individual car spaces.
 - vi. A stormwater plan showing the collection of stormwater from all buildings and paved areas and its conveyance to an approved point of discharge (See TasWater conditions).
 - vii. A design of the Cimitiere Street batter to the lower car park level so as to provide a stable and maintainable surface in accordance with the recommendations of a geotechnical assessment.
 - viii. A landscaping plan showing the planting of vegetation as shown on the endorsed plan, such plan is to show soil retaining structures, means of irrigation and a species list.
- 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.

12 CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services.

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
 - i. Provision of a drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve including the car park surfaces.
 - b. Roads
 - i. Provision of a fully constructed road cul-de-sac termination of Canal Street with a typical diameter of 19.0m wide (measured from the face of kerb to the face of kerb), complete with KC type kerb and channel.
 - ii. Provision of 1500mm (minimum) wide footpaths in accordance with the endorsed plans, including all necessary pedestrian kerb ramps.
 - iii. All necessary line marking, signage and other traffic control devices.
-

8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

- c. Electricity, Communications & Other Utilities
 - i. An underground reticulated electricity system and public area lighting scheme must be provided to service footpaths and parking areas and be installed to the approval of the Responsible Authority.
 - ii. An underground telecommunications system must be provided to service remote signage and parking control equipment and installed to the approval of the Responsible Authority.
 - iii. Provision of fire fighting system installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the relevant Australian standards and the LGAT-IPWEA Standard Drawings where applicable.

These documents specify:

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

13. 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 Services Directorate.
- 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 complies with the approved engineering plans and Council standards.

14. COMPLETION OF WORKS

All works must be carried out to Council standards and to the satisfaction of the Director Infrastructure Services 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.

8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

15. DELIVERY HOURS

Deliveries to and from the site by commercial vehicles (including trade waste collection) must only occur between 6.00am and 10.00pm, seven days a week.

16. AMENITY – COMMERCIAL/INDUSTRIAL USE

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

17. NOISE – COMMERCIAL/INDUSTRIAL

The use must not cause unreasonable noise or interference to adjoining sensitive uses. Precautions must be taken to avoid nuisance to neighbouring residential areas, particularly from warning sirens, intruder alarms, public address systems, heavy-duty compressors, reversing beepers, heat pumps, any kitchen exhaust canopy and the like.

18. EXTERIOR AND SECURING LIGHTING PLANNING

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting".

19. SCREENING OF PLANT

Any plant and equipment proposed for the façades or roofs of the buildings must be screened in a manner to ensure they are not recognisable or visible from ground level public view points.

20. WASTE MANAGEMENT PLAN

Prior to the commencement of works on site the developer shall prepare a waste management plan for the site outlining provisions made for the collection and disposal of garbage and recyclables from food services and other commercial uses on site. The plan must show:

- a. The methods of storage of garbage and recyclables, and collection including location of bins.
 - b. Measures taken to minimise the amenity impacts of storage and disposal of garbage with consideration of issues including ventilation and control of noise, stormwater pollution and vermin.
 - c. The storage area/s for garbage and recyclables must be located and/or screened so as not to be visible from public roads.
-

8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

21. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required.

The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has been developed sufficiently to manage erosion and sediment transport.

22. NO BURNING OF WASTE

No burning of any waste materials generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (e.g. Launceston Waste Centre).

23. DEMOLITION

The Developer must:

- a. Protect property and services which are to either remain on or adjacent to the site, from interference or damage and erect dust screens as necessary.
- b. Not undertake any burning of waste materials on site.
- c. Remove all rubbish from the site for disposal at a licensed refuse disposal site.
- d. Dispose of any asbestos found during demolition in accordance with the Worksafe Tasmania 'How to Safely Remove Asbestos' Code of Practice 2012 or any subsequent versions of the document.

24. COVENANTS ON SUBDIVISION

Covenants or similar restrictive controls must not be included on or otherwise imposed on the title to the lot create by the subdivision approved by this permit unless:

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

*Notes***A. Building Permit Required**

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

B. Occupancy Permit Required

Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor.

C. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

D. Food Premises

All Food Businesses must be registered with council in accordance with the Food Act 2003. Food Premises must comply with the National Construction Code TAS Part H102.

Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services) and Mr A Brook (Consultant Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

Mr Basil Fitch spoke against the item

Mr Jack Birrell spoke against the item

Mr Errol Stewart spoke for the item

DECISION: 23 January 2017

MOTION 1

Moved Alderman J Finlay, seconded Alderman R L McKendrick.

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

CARRIED 12:0

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

8.1 16-24 Charles Street, Canal Street and Adjoining Road Reserves - CH Smith Site ...(Cont'd)

DECISION: 23 January 2017

MOTION 2

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

That an extension of three minutes speaking time be granted to Alderman J Finlay.

CARRIED 12:0

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

The Mayor, Alderman A M van Zetten, handed the Chair to the Deputy Mayor, Alderman R I Soward at 1.55pm.

The Mayor, Alderman A M van Zetten, resumed the Chair at 1.58pm.

8.2 15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retrospective)

FILE NO: DA0462/2016

AUTHOR: George Walker (Development Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

There are no records of previous development applications for the subject property.

RECOMMENDATION:

That, in accordance with section 51 and section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0462/2016 - Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; construction and use of visitor accommodation units, camping and caravan area and associated toilet block (retrospective); construction and use of a café; construction and use of a function and event building (retrospective); use of land for circus events and activities; construction and use of nature trails for walking and mountain bike activities; associated car parking area and signage on land located at 15 Atratus Rise, Swan Bay subject to the following conditions:

1. ENDORSED PLANS

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

- a. Site Plan Drawing No. 40015 Revision 1 prepared by Engineering Edge dated 11 November 2016;
 - b. New Cabins Site Plan Job No. 70015 Drawing No. A001 prepared by Engineering Edge;
 - c. Cabin 1 Floor Plan Job No. 70015 Drawing No. A002 prepared by Engineering Edge;
 - d. Cabin 1 Elevations Job No. 70015 Drawing No. A003 prepared by Engineering Edge;
 - e. Cabin 2 Floor Plan Job No. 70015 Drawing No. A004 prepared by Engineering Edge;
 - f. Cabin 2 Elevations Job No. 70015 Drawing No. A005 prepared by Engineering Edge;
 - g. Cabin 3 Floor Plan Job No. 70015 Drawing No. A006 prepared by Engineering Edge;
 - h. Cabin 3 Elevations Job No. 70015 Drawing No. A007 prepared by Engineering Edge;
-

8.2 15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retros ...)(Cont'd)

- i. Cabin 4 Floor Plan Job No. 70015 Drawing No. A008 prepared by Engineering Edge;
- j. Cabin 4 Elevations Job No. 70015 Drawing No. A009 prepared by Engineering Edge;
- k. Cabin 5 Floor Plan Job No. 70015 Drawing No. A010 prepared by Engineering Edge;
- l. Cabin 5 Elevations Job No. 70015 Drawing No. A011 prepared by Engineering Edge;
- m. Gumstump Café Floor Plan Job No. 40015 Drawing A201 Revision 1 prepared by Engineering Edge;
- n. Gumstump Café Section 1 Job No. 40015 Drawing A202 Revision 1 prepared by Engineering Edge;
- o. Gumstump Café Section 2 Job No. 40015 Drawing A203 Revision 1 prepared by Engineering Edge;
- p. Gumstump Café Elevations Job No. 40015 Drawing A204 Revision 1 prepared by Engineering Edge;
- q. Toilet Block Roof Plan Job No. 40015 Drawing No. A101 Revision 1 prepared by Engineering Edge;
- r. Toilet Block Elevations Job No. 40015 Drawing No. A102 Revision 1 prepared by Engineering Edge;
- s. Toilet Block Section Job No. 40015 Drawing No. A103 Revision 1 prepared by Engineering Edge;
- t. Toilet Block Elevations Job No. 40015 Drawing No. A104 Revision 1 prepared by Engineering Edge;
- u. Toilet Block Plumbing Plan Job No. 40015 Drawing No. H101 prepared by Engineering Edge;
- v. Toilet Block Water Reticulation Plan Job No. 40015 Drawing No. H102 prepared by Engineering Edge;
- w. Toilet Block Elevations Job No. 40015 Drawing No. S105 prepared by Engineering Edge;
- x. Blackwood Barn Floor Plan Job No. 40015 Drawing No. A301 Revision 1 prepared by Engineering Edge;
- y. Blackwood Barn Section 1 Job No. 40015 Drawing No. A302 Revision 1 prepared by Engineering Edge;
- z. Blackwood Barn Section 2 Job No. 40015 Drawing No. A303 Revision 1 prepared by Engineering Edge;
- aa. Blackwood Barn Elevations Job No. 40015 Drawing No. A304 Revision 1 prepared by Engineering Edge;

2. REQUIREMENTS OF DEPARTMENT OF STATE GROWTH

The Department of State Growth (DSG) requires the following items to be addressed in association with the application:

8.2 15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retros ...)(Cont'd)

- The Department require removal of the unlicensed access point from East Tamar Highway inclusive of any existing gates being removed and replaced with continuous boundary fencing;
- Due to the property having suitable access from Atratus Drive the remaining access off East Tamar Road can remain for emergency access purposes only, with no public or general private access permitted at any other times. The access must be provided with a gate that is to remain closed unless there is an emergency situation;
- The existing Limited Access licence is not in the current title holder's name. The applicant will need to make contact with the Department in writing at property.assets@stategrowth.tas.gov.au to request update of the licence details and to facilitate change of the licence conditions to emergency purposes only.

3. SEALING OF THE DRIVEWAY

Prior to the commencement of the uses permitted by this permit, the driveway must be sealed to the satisfaction of Council's Manager Planning Services with an all-weather impervious seal (such as a two-coat bituminous or asphalt seal) in order to reduce the generation and transfer of dust. The driveway seal must extend from the edge of the driveway to the southern boundary of the main body of the property adjacent to the car parking area as annotated on the endorsed Site Plan (Drawing No. 40015). The driveway seal must be maintained in good order for the duration of the uses permitted by this permit.

4. NUISANCE

During the operation of all aspects of the uses approved by this permit, all reasonable and practicable means shall be taken in the management of the site in order to prevent nuisance or annoyance to nearby sensitive uses. Air, noise and water pollution matters may be subject to the provisions of the *Environmental Management and Pollution Control Act 1994* and Regulations thereunder.

5. MACHINERY SHED

The development and use of the as constructed machinery shed annotated on the endorsed Site Plan (Drawing No. 40015) is not approved by this permit.

6. CAR PARKING

Prior to the commencement of the uses permitted by this permit, the designated car parking areas annotated on the endorsed plan (Site Plan Drawing No. 40015) must be installed as follows:

- (a) The car parking area must be setback a minimum of 5m from the southern boundary of the site in order to avoid encroachment into the privacy screen;
-

8.2 15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retros ...)(Cont'd)

- (b) the car parking must be surfaced with a compact gravel base and be adequately drained to prevent stormwater from being discharged to adjoining properties. The surface of the car park must be maintained in a condition that reduces dust from being generated during dry and windy periods with dust suppression (such as applying water) to be undertaken during extreme periods;
- (c) each car parking space must be line marked or provided with other clear physical means to delineate the parking spaces. The line marking or other means of delineation must meet the dimensions that have been specified within the endorsed plan; and
- (d) the accessible car parking space must be designed and installed to meet the requirements of *AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities*.

7. STORAGE OF GOODS AND MATERIALS

No external storage of goods and materials, other than for retail or waste storage purposes, is permitted.

8. LEGAL TITLE

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

9. EXTERIOR AND SECURITY LIGHTING

All exterior and security lighting must be designed, baffled and located in accordance with Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting" such that no direct light is emitted outside the boundaries of the subject land.

10. DELIVERY HOURS

Deliveries to and from the site by heavy vehicles (including trade waste collection) must only occur between:

- a. 7:00am and 7:00pm Monday to Friday.
- b. 8:00am and 6:00pm Saturday.

No Deliveries are to occur on Sundays or Public Holidays.

8.2 15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retros ...)(Cont'd)

11. USE LIMITATION

Blackwood Barn

The use of Blackwood Barn is limited to functions and activities within the parameters of the community meeting and entertainment use class as defined by the Launceston Interim Planning Scheme 2015. The use of Blackwood Barn for a standalone bar within the meaning of the hotel industry use class as defined by the Launceston Interim Planning Scheme 2015 is prohibited.

Camping and Caravan Area

The camping and caravan use is limited to the area annotated within the endorsed Site Plan (Drawing No. 40015) with the operation limited to the months of October through to April. No more than 120 combined campervan, caravan and camping sites are to be utilised at any one time with no stays longer than 28 consecutive days per visit.

12. SCREEN PLANTING

The vegetated privacy screen proposed to be located along the eastern and a portion of the southern boundary must be planted prior to the commencement of the camping and caravan use. Additional privacy screens must be planted along the eastern and western boundary of the access strip in order to provide additional privacy to the adjoining properties.

The privacy screens must be planted with a mixture of evergreen tree and shrub species that are suitable for the area and have the capacity to grow to a minimum height 4m and a dense understorey. The privacy screens must be maintained and kept in good health for the duration of the use of land approved by this permit and must not be removed or lopped without consent from Council's Manager Planning Services.

13 NATIVE VEGETATION REMOVAL

Vegetation removal within the portion of the property that is subject to the scenic protection area is only permitted to the extent that is necessary to accommodate the nature trail/mountain bike trails which is identified within the endorsed Site Plan (Drawing No. 40015). No further vegetation removal within the scenic protection area is permitted by this permit.

14. SIGNAGE

The proposed signage must be in accordance with the endorsed plans as modified by the following requirements:

8.2 15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retros ...)(Cont'd)

East Tamar Highway

The two signs proposed to be located along the East Tamar Road boundary must not have an overall height (above natural ground level) of greater than 3m.

Atratus Rise

The overall height of the sign proposed to be located at the entrance to the property off Atratus Rise must be no greater than 2m above natural ground level.

No Illumination or Lighting

The illumination or lighting of any the signs is not permitted by this permit.

15. AMPLIFIED MUSIC

Prior to the commencement of the function centre or any amplified music being played from the site in association with the uses approved by this permit, a noise report from a suitably qualified acoustic engineer is to be prepared and submitted to the satisfaction of Council's Manager Planning Services. The noise report must be specific to the type of noise generating activities that are proposed. The recommendations (if any) within the noise report must be adhered to prior to the operation of the noise generating activity. The noise report must demonstrate that the noise generating activity will not adversely impact upon the residential amenity of nearby residences.

16. ON SITE WASTE WATER

A design report, prepared by a suitably qualified person, including site and soil evaluation, prepared in accordance with AS/NZS 1547:2012 must be forwarded to Council's Environmental Services Department to address the waste water requirements for multiple sites on the property. This to be submitted at the building application stage prior to any building works commencing

17. HOURS OF OPERATION

The operation of the specified activities are restricted to the following periods:

Café

- 8:00am - 8:00pm Sunday to Thursday;
- 8:00am - 11:00pm Friday and Saturday;

Blackwood Barn

- 10:00am - 8:00pm Sunday to Thursday;
 - 10:00am - 11:00pm Friday and Saturday;
-

8.2 15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retros ...)(Cont'd)

Market

- 9:00am - 2:00pm Saturday only;

Circus Activities (not aligned to the biannual Circus Festival) and Nature Trails

- 8:00am - 7:00pm Monday to Sunday.

18. NO BURNING OF WASTE

No burning of any waste materials generated by the construction process or from the operation of the uses on the site (i.e. campsite waste), is to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (e.g. Launceston Waste Centre).

19. NOISE - COMMERCIAL/INDUSTRIAL

The use must not cause unreasonable noise or interference to adjoining sensitive uses. Precautions must be taken to avoid nuisance to neighbouring residential areas, particularly from heat pumps, public address systems, heavy-duty compressors, exhaust canopies and the like.

Notes:

A. Building Permit Required

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

B. Occupancy Permit Required

Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor.

C. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

D. Special Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Special Plumbing Permit pursuant to the Building Act 2016.

8.2 15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retros ...)(Cont'd)

E. General

This permit was issued based on the proposal documents submitted for DA0462/2016. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

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

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

F. Restrictive Covenants

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

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

G. Biannual Circus Festival

The use of land for the biannual Circus Festival is categorised as an occasional use which is exempt from requiring a permit pursuant to Clause 5.1.1 of the Launceston Interim Planning Scheme 2015. Notwithstanding this, other approvals and/or permits may be required to be obtained for the event including, but not limited to:

- Temporary Occupancy Permits issued under the Building Act 2016;*
- Food licences; and*
- Traffic management plans.*

H. Food Premises

All Food Businesses must be registered with council in accordance with the Food Act 2003. Food Premises must comply with the National Construction Code TAS Part H102.

- 8.2 15 Atratus Rise Swan Bay - Various Uses and Development Including Visitor Accommodation, Food Services, Community Meeting and Entertainment, Passive Recreation, Sports and Recreation; and Associated Car Parking, Amenities and Signage; (Partially Retros ...)(Cont'd)**
-

Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services) and Mr G Walker (Development Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

Ms Katie Anderson spoke against the item

Mr James Carroll spoke for the item

Alderman R J Sands withdrew from the Meeting at 2.05pm.

DECISION: 23 January 2017

MOTION

Moved Alderman J Finlay, seconded Alderman D H McKenzie.

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

CARRIED 11:0

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

ABSENT at THE TIME of VOTING: Alderman R J Sands

8.3 1-11, 13, 15, 17, 19-21 and 23-45 Lindsay Street Invermay - Amendment 32 - to Rezone Land to Utilities - Vehicle Parking; Construction and Use of 99 Space Off-street Car Park Associated with the North Bank Recreation Precinct

FILE NO: DA0517/2016, SF6533

AUTHOR: Ashley Brook (Consultant Planner, GHD Pty Ltd)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission regarding a draft amendment to the Launceston Interim Planning Scheme 2015 and an associated development application.

PREVIOUS COUNCIL CONSIDERATION:

Council - 14 November 2016 - Agenda Item 8.1 - Council resolved to initiate and publicly exhibit Amendment 32 to the Launceston Interim Planning Scheme 2015 and issue planning permit DA0517/2016.

In accordance with Council Policy the assessment of this application has been outsourced to an independent consultant planner as it relates to development of land in which Council has a pecuniary interest and Council is the applicant.

RECOMMENDATION:

1. That Council considers the representations received to Amendment 32 to the Launceston Interim Planning Scheme 2015 and planning permit DA0517/2016.
2. That Amendment 32 be modified in light of the representations, in accordance with Section 39(2)(b) of the former *Land Use Planning and Approvals Act 1993*, to include a reference to Vehicle Parking in Table 19.3 'Application of use standards to use classes'. No other modifications are recommended.
3. That planning permit DA0517/2016 be modified in accordance with section 43F(6) of the former *Land Use Planning and Approvals Act 1993* as follows:
 - a. Amendment of Condition 13 'Site Landscaping' with the addition of the following requirement as item (d):

The Precinct Theme Planting along the southern side of the car park adjacent to the flood levee shall incorporate root barrier systems to be provided:

- i. in accordance with details that should be prepared in conjunction with and to the satisfaction of the Launceston Flood Authority; and*
-

8.3 1-11, 13, 15, 17, 19-21 and 23-45 Lindsay Street Invermay - Amendment 32 - To Rezone Land to Utilities - Vehicle Parking; Construction and Use of 99 Space Off-Street Car Park Associated with The North Bank Recreation Precinct ...(Cont'd)

ii. capable of ensuring that roots do no compromise the levee integrity.

- b. Amendment of Condition 13 'Site Landscaping' item (c) to replace the concluding "." with "; and".
-

Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services) and Mr A Brook (Consultant Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 23 January 2017

MOTION

Moved Alderman D H McKenzie, seconded Alderman R I Soward.

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

CARRIED 11:0

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

ABSENT at THE TIME of VOTING: Alderman R J Sands

The Mayor, Alderman A M van Zetten, announced that Council no longer acts as a Planning Authority.

DECISION: 23 January 2017

MOTION

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

That Agenda Item 19.2 - Action in Respect of the Economic Development Committee and the Street Tree Advisory Committee be brought forward in the Agenda.

CARRIED 12:0

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

19.2 Action in Respect of the Economic Development Committee and the Street Tree Advisory Group**FILE NO:** SF2233/SF4835/SF0804**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider disbanding the Economic Development Committee and the Street Tree Advisory Group.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 21 November 2016 - Preliminary discussions regarding Council appointments to internal and external committees

RECOMMENDATION:

That Council:

1. Disbands the Economic Development Committee.
 2. If recommendation 1 is resolved in the affirmative, rescinds the Economic Development Committee Policy 14-Plx-013.
 3. Disbands the Street Tree Advisory Group.
 4. Notes that the resolutions made in respect of recommendations 1 and 3 will be reflected in Council's Committee Representation Details document 14-HLPr-012 and will be communicated to the Chairperson of each Committee by the Manager Corporate Strategy.
-

Mr P Gimpl (Acting Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

Mr Don Wing spoke against the item

Alderman R J Sands re-attended the Meeting at 2.15pm.

19.2 Action in Respect of The Economic Development Committee and The Street Tree Advisory Group ...(Cont'd)

DECISION: 23 January 2017**MOTION****Moved Alderman R L McKendrick, seconded Alderman D H McKenzie.****That Council:**

- 1. Disbands the Economic Development Committee.**
- 2. If recommendation 1 is resolved in the affirmative, rescinds the Economic Development Committee Policy 14-Plx-013.**
- 3. Notes that the resolution made in respect of recommendation 1 will be reflected in Council's Committee Representation Details document 14-HLPr-012 and will be communicated to the Chairperson of the Committee by the Manager Corporate Strategy.**

CARRIED 12:0**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayor's Announcements

FILE NO: SF2375

Monday 12 December 2016

- Attended Premier's Northern Christmas - Public Buildings, St John Street

Tuesday 13 December 2016

- Attended National Seniors' Christmas Luncheon - Country Club Tasmania

Wednesday 14 December 2016

- Attended Waverley Primary School Final Assembly - Waverley School Hall
- Attended Norwood Primary School Presentation Evening - Norwood School Hall

Thursday 15 December 2016

- Attended Kings Meadows High School Presentation Day Assembly - Kings Meadows High School
- Attended Youngtown Primary School Presentation Day - Youngtown Primary School

Friday 16 December 2016

- Attended Brooks High School Presentation Day Assembly - Brooks High School

Saturday 17 December 2016

- Participated in the University of Tasmania Town and Gown Procession and Graduation Ceremony

Sunday 18 December 2016

- Officiated at Carols by Candlelight - City Park

Monday 19 December 2016

- Attended Lilydale District School Awards Evening - Lilydale Performing Arts Centre
-

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

Tuesday 20 December 2016

- Attended Mowbray Heights Primary School End of Year Assembly - Mowbray Heights Primary School
- Attended Ravenswood Heights Primary School Year 6 Leavers' Assembly - Ravenswood School Gym

Thursday 22 December 2016

- Attended Tasmanian Police Northern Stakeholders Morning Tea - Launceston Police Headquarters

Friday 23 December 2016

- Attended City of Launceston staff end of year function - Aurora Stadium

Sunday 25 December 2016

- Officiated at Launceston Community Christmas Lunch - Albert Hall

Monday 26 December 2016

- Attended Annual Menorah Lighting - Jewish Synagogue

Tuesday 27 September 2016

- Official starter for the Tamar Yacht Club Race - Beauty Point

Wednesday 28 September 2016

- Attended and presented sash and prizes to the Men's Wheel Winner - Launceston City Cycling Club Christmas Carnival - Silverdome

Saturday 31 December 2016

- Attended 2016 Royal Eve - Royal Park

Monday 1 January 2017

- Attended the 2017 New celebration - Australian Bhutanese Society - University of Tasmania Gym - Newnham
-

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

Monday 5 January 2017

- Attended Match and Cocktail Party - Women's Big Bash League - Hobart versus Sydney - Aurora Stadium

Sunday 8 January 2017

- Attended Hobart Hurricanes Big Bash League matches - Blundstone Arena

Monday 9 January 2017

- Attended launch of Royal Park Play Space - Pirate Ship launch - Royal Park

Friday 13 January 2017

- Attended Good Neighbour Council Annual Barbecue - South Launceston
-

10 ALDERMEN'S REPORTS

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

10.1 Alderman R I Soward

- **Deputising for the Mayor, Alderman A M van Zetten, attended Queechy High, Prospect High, Riverside High and Lilydale Junior School presentation assemblies prior to Christmas.**
 - **Thanked the Council on behalf of the Launceston Cycling Committee Volunteers' Group for on-going support of the event.**
-

11 QUESTIONS BY ALDERMEN

11.1 Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

No Aldermen's Questions on Notice were identified as part of these Minutes

11.2 Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12 COMMITTEE REPORTS

12.1 Pedestrian and Bike Committee Meeting - 29 November 2016

FILE NO: SF0618

AUTHOR: Cathy Williams (Built Environment Officer)

DIRECTOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider a report from the Meeting of the Pedestrian and Bike Committee held on 29 November 2016.

RECOMMENDATION:

That Council, in respect to a report from the Pedestrian and Bike Committee held on 29 November 2016:

1. Authorises the Committee to make a submission to the State Government's draft Cycling Tourism and distribute the submission to northern region Councils to consider in preparation of their comments; and
 2. Approves the Council supporting Tamar Bicycle Users Group during Bike Week (4-12 March 2017).
-

Mr H Galea (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 23 January 2017

MOTION

Moved Alderman D H McKenzie, seconded Alderman K P Stojansek.

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

CARRIED 12:0

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

12.2 Sister Cities Committee Meeting - 5 December 2016**FILE NO:** SF0175**AUTHOR:** Elizabeth Clark (Civic Affairs Coordinator)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To receive and consider a report from the Sister Cities Committee.

RECOMMENDATIONS:

That Council endorses:

1. The request by the Stage Right Youth Theatre expressing interest to send an ensemble of Senior Students to Ikeda at the same time as the visit by the official delegation in October 2017, on the condition that all costs associated with the visit are funded by the theatre group.
2. The suggested dates for the Mayor to lead a delegation to Ikeda for the 50th Anniversary celebrations to coincide with the school holidays in Tasmania which are between Monday, 2 October and Friday, 13 October 2017.

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

Due to Declaration of Interest in Agenda Item 15.2 - Sisters Cities Committee Meeting - 5 December 2016, Alderman D C Gibson withdrew from the Meeting at 2:43pm.

12.2 Sister Cities Committee Meeting - 5 December 2016 ...(Cont'd)

DECISION: 23 January 2017

MOTION

Moved Alderman R I Soward, seconded Alderman J G Cox.

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

CARRIED 11:0

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

ABSENT DUE to DECLARATION of INTEREST: Alderman D C Gibson

Alderman D C Gibson re-attended the Meeting at 2:46pm.

12.3 Tender Review Committee - 28 November 2016**FILE NO:** SF0100**AUTHOR:** Louise Foster (Asset Management and Delivery Manager)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council receives the report from the Tender Review Committee Meeting held on 28 November 2016.

Mr H Galea (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 23 January 2017**MOTION****Moved Alderman J G Cox, seconded Alderman D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 12:0**

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

13 COUNCIL WORKSHOPS

No Council Workshops have been conducted since the last Council Meeting

14 NOTICES OF MOTION

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

No Notices of Motion were identified as part of these Minutes

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Items were identified as part of these Minutes

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items were identified as part of these Minutes

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS**17.1 Museum Governance Advisory Board Meeting - 16 December 2016****FILE NO:** SF2244**AUTHOR:** Richard Mulvaney (Director QVMAG)

DECISION STATEMENT:

To receive and consider a report from the Museum Governance Advisory Board Meeting held on 16 December 2016.

RECOMMENDATION:

That Council receives the report from the Museum Governance Advisory Board Meeting held on 16 December 2016.

Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 23 January 2017**MOTION**

Moved Alderman D H McKenzie, seconded Alderman E K Williams.

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

CARRIED 12:0

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

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

No Items were identified as part of these Minutes

19 CORPORATE SERVICES DIRECTORATE ITEMS

19.1 Council Meetings (Frequency and Commencement Time) Policy

FILE NO: SF0975

AUTHOR: John Davis (Manager Corporate Strategy)

DIRECTOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider revision to the Council Meetings (Frequency and Commencement Time) Policy 14-Plx-001.

This decision requires an absolute majority, per Regulation 6(1) of the Local Government (Meeting Procedures) Regulations 2015.

PREVIOUS COUNCIL CONSIDERATION:

Council - 10 November 2014 - Item 20.1 - Council Meeting Frequency & Commencement Times 2015

RECOMMENDATION:

That Council adopts the Council Meetings (Frequency and Commencement Time) Policy as follows:

Council Meetings (Frequency and Commencement Time) Policy

PURPOSE:

To set the commencement times of ordinary Council Meetings and Strategic Planning and Policy Committee (SPPC) Meetings, to comply with regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015*, which states:

A meeting is not to start before 5:00pm unless otherwise determined by the council by absolute majority or by the council committee by simple majority.

To set the frequency of the ordinary Council Meetings and SPPC Meetings

To set the start time and day of Council's Annual General Meeting, to comply with section 72B(1)(a) of the *Local Government Act 1993 (Tas)* which states:

A council must hold an Annual General Meeting on a date that is not later than 15 December in each year

19.1 Council Meetings (Frequency and Commencement Time) Policy ...(Cont'd)

SCOPE:

This policy applies to ordinary Council Meetings, SPPC Meetings and the Annual General Meeting.

POLICY:

1. Ordinary Council Meetings are held on the second and fourth Monday of each calendar month, excluding December and January, at 1.00pm.
2. In December, an ordinary Council Meeting is held on the second Monday, at 1.00pm. This is the last ordinary Council Meeting of the calendar year.
3. In January, an ordinary Council Meeting is held on the fourth Monday, at 1.00pm. This is the first ordinary Council Meeting of the calendar year.
4. SPPC Meetings are held on the first and third Mondays of the month, excluding December and January, commencing at 10:00am.
5. In December, an SPPC Meeting is held on the first Monday, at 10:00am. This is the last SPPC Meeting for the calendar year.
6. In January, there are no SPPC Meetings. The first SPPC Meeting of the calendar year is held on the first Monday in February.
7. Council Meetings and SPPC Meetings that fall on a Monday public holiday are held on the next working day of the same week.
8. The Annual General Meeting is held on the first Monday in December, at 5.30pm.

PRINCIPLES:

The Council's organisational values apply to all activities.

RELATED POLICIES AND PROCEDURES:

Not applicable.

RELATED LEGISLATION:

Local Government Act 1993 (Tas)

Local Government (Meeting Procedures) Regulations 2015

REFERENCES:

Not applicable.

DEFINITIONS:

Not applicable.

REVIEW:

The starting times of meetings will be reviewed after each Council election (or earlier if required), in accordance with regulation 6(2) of the *Local Government (Meeting Procedures) Regulations 2015*, which states:

After each ordinary election, a council and a council committee are to review the times of commencement of their meetings.

19.1 Council Meetings (Frequency and Commencement Time) Policy ...(Cont'd)

Mr P Gimpl (Acting Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 23 January 2017

MOTION

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

That the item lay on the table so Aldermen can discuss the issue further.

CARRIED 12:0

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

The Item was laid on the table at 2.54pm.

19.1 Council Meetings (Frequency and Commencement Time) Policy ...(Cont'd)

DECISION: 23 January 2017

MOTION

Moved Alderman E K Williams, seconded Alderman K P Stojansek.

That Council:

1. Defers consideration of the Council Meetings (Frequency and Commencement Time) Policy to facilitate discussion at a Strategic Planning and Policy Committee Meeting in February 2017.
2. Sets the following times for the February 2017 Meetings:

Strategic Planning and Policy Committee	6 February 2017	10.00am
Council	13 February 2017	1.00pm
Strategic Planning and Policy Committee	20 February 2017	10.00am
Council	27 February 2017	1.00pm

CARRIED 12:0

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

19.2 Action in Respect of the Economic Development Committee and the Street Tree Advisory Committee

A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 8.3 - 1-11, 13, 15, 17, 19-21 and 23-45 Lindsay Street Invermay - Amendment 32 - To Rezone Land to Utilities - Vehicle Parking; Construction and Use of 99 Space Off-Street Car Park Associated with The North Bank Recreation Precinct on Page 34 of these Minutes.

19.3 Council Appointments to Internal and External Committees

FILE NO: SF0106/SF0095/SF2233

AUTHOR: John Davis (Manager Corporate Strategy)

DIRECTOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider Council appointments to council and special committees, authorities, and external committees.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 21 November 2016 - Preliminary discussions regarding Council appointments to internal and external committees

RECOMMENDATION:

That Council:

1. Reaffirms the following appointments to the committees detailed below for the remainder of the term of the current Council:

Council committees convened under section 23 of the *Local Government Act 1993 (Tas)*

Strategic Planning and Policy Committee (SPPC)

All Aldermen

General Manager's Contract & Performance Review Committee

Mayor Alderman A M van Zetten
Deputy Mayor Alderman R I Soward
Alderman J G Cox
Alderman J Finlay
Alderman S R F Wood

Special committees convened under section 24 of the *Local Government Act 1993 (Tas)*

Australia Day, Awards & Hall of Fame Committee

Deputy Mayor Alderman R I Soward
Alderman D C Gibson
Alderman S R F Wood

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

Cataract Gorge Advisory Committee

Alderman E K Williams

Alderman J Finlay

Community Grants (Organisations) Program

Alderman D C Gibson

Alderman K P Stojansek

Alderman E K Williams

Heritage Forest Advisory Committee

Deputy Mayor Alderman R I Soward

Alderman D H McKenzie

Launceston Road Safety Consultative Committee

Alderman R L McKendrick

Alderman J G Cox

Launceston Sister City Committee

Deputy Mayor Alderman R I Soward

Alderman J G Cox

Alderman R L McKendrick

North Bank Committee

Deputy Mayor Alderman R I Soward

Alderman J Finlay

Alderman S R F Wood

Northern Youth Coordinating Committee

Alderman D C Gibson

NTCA Ground Management Committee

Mayor Alderman A M van Zetten

Pedestrian and Bike Committee

Alderman D H McKenzie

Alderman K P Stojansek

QVMAG Governance Advisory Board

Deputy Mayor Alderman R I Soward as proxy to the Mayor, Alderman A M van Zetten, with voting rights (the QVMAG Governance Advisory Board Charter confirms the Mayor as a member of the board with voting rights)

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

Scholarships & Bursary Committee

Alderman D C Gibson
Alderman E K Williams

Audit panel established under section 85 of the *Local Government Act 1993 (Tas)*

Audit Panel

Alderman D H McKenzie
Alderman J Finlay

Committee convened under section 20(a) of the *Emergency Management Act 2006 (Tas)*

Municipal Emergency Management Committee

Alderman J G Cox (Municipal Chairperson)

External committee membership (from resolutions of Council)

Australian Pacific Airports Launceston

Alderman D H McKenzie

CityProm Limited

Alderman S R F Wood

Enterprize Tasmania Ltd

Alderman D W Alexander

Launceston College Association

Alderman R L McKendrick

Launceston Safer Communities Partnership

Alderman J Finlay
Alderman D C Gibson

Regional Capitals Australia (RCA)

Mayor Alderman A M van Zetten
General Manager Mr R Dobrzynski

TasWater Owners Representative

Mayor Alderman A M van Zetten

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

Theatre North Inc.

Alderman D H McKenzie

Director QVMAG

University of Tasmania Northern Campus Engagement and Advisory Group

Mayor Alderman A M van Zetten

Alderman D H McKenzie

General Manager Mr R Dobrzynski

2. Endorses the following changes to appointments, and reaffirms those appointments marked as continuing, to the committees detailed below for the remainder of the term of the current Council:

Special committees convened under section 24 of the *Local Government Act 1993 (Tas)*

Heritage Advisory Committee

Alderman D C Gibson stands down

Alderman D H McKenzie is appointed

Alderman J Finlay (continuing)

Launceston City Heart Reference Group

Alderman D H McKenzie stands down

Alderman D W Alexander (Chair) (continuing)

Alderman S R F Wood (continuing)

Alderman K P Stojansek (continuing)

Tender Review Committee

Alderman D W Alexander stands down

Alderman D H McKenzie (continuing)

Alderman J G Cox (continuing)

Alderman S R F Wood (continuing)

Director Infrastructure Services (no voting rights) (continuing)

Youth Advisory Group

Alderman E K Williams (continuing)

Alderman S R F Wood (continuing)

Alderman K P Stojansek is appointed

External committee membership (from resolutions of Council)

Every Child Succeeds

Alderman J Finlay and Alderman S R F Wood stand down

Alderman K P Stojansek is appointed

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

Franklin House Management Committee

Alderman R L McKendrick stands down

Alderman S R F Wood is appointed

Local Government Association of Tasmania

Alderman J Finlay (proxy) stands down

Alderman A M van Zetten (continuing)

Alderman R I Soward (proxy) is appointed

3. In respect of the **Events Sponsorship Assessment Panel*** (formerly the Events Sponsorship Program) and for the remainder of the term of the current Council, appoints Alderman _____, Alderman _____ and Alderman _____ for membership to this panel.

* Special committee convened under section 24 of the *Local Government Act 1993 (Tas)*

4. In respect of the **Launceston Access Advisory Committee*** and for the remainder of the term of the current Council:
- (i) reaffirms Alderman D H McKenzie's continuing representation
 - (ii) notes Alderman J Finlay stands down, and
 - (iii) appoints Alderman _____ to fill the position vacated by Alderman Finlay.
- * Special committee convened under section 24 of the *Local Government Act 1993 (Tas)*

5. In respect of the **C8 Working Group***, notes that Alderman K P Stojansek and Alderman S R F Wood stand down, and that further appointments will be considered by Council when the C8 Working Group is again active.
- * External committee

6. In respect of the **Hobart/Launceston MoU Committee***, notes that representation from City of Launceston by the Mayor Alderman A M van Zetten, Alderman D W Alexander, Alderman R L McKendrick and Alderman D H McKenzie is concluded and no further appointments are required.
- * External committee

7. In respect of the **Launceston Tramway Museum Society Inc.***, notes that Alderman R L McKendrick stands down, and an Alderman or Aldermen will attend future meetings of the Society on an invitational basis.
- * External committee
-

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

8. In respect of the **Natural Resource Management (NRM) North Association (Northern Tasmanian Natural Resource Management Association Inc.)***, authorises the General Manager Mr R Dobrzynski to nominate a City of Launceston employee as Council's representative.
* External committee
 9. In respect of the **Northern Tasmania Development Executive Committee*** and the **Northern Tasmania Development Local Government Committee***, notes that Northern Tasmania Development (NTD) was wound-up on 31 December 2016.
* External committee
 10. In respect of the **Ravenswood Action Group*** and for the remainder of the term of the current Council, appoints Alderman K P Stojansek as City of Launceston's representative on that group.
* External committee
 11. In respect of the **Tamar NRM Reference Group*** and for the remainder of the term of the current Council, notes that Alderman J Finlay stands down, and appoints Alderman _____ as City of Launceston's representative on that group.
* External committee
 12. In respect of the **UTAS 125th Anniversary Advisory Committee***, notes that Alderman D C Gibson's representation on this committee is concluded and no further appointment is required.
* External committee
 13. In respect of the **York Park and Inveresk Precinct Authority (YPIPA)**, reaffirms Alderman D H McKenzie's and Alderman D W Alexander's appointments to this committee, noting that the committee's structure and activities will be considered at a future meeting of Council.
 14. Notes that matters in respect of the following committees are considered in separate reports to Council:

Economic Development Committee
Street Tree Advisory Group
 15. Notes that the resolutions made in respect of recommendations 1 to 13 above will be reflected in Council's Committee Representation Details document 14-HLPr-012, and will be communicated to the chairperson of each committee by the General Manager.
-
-

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

Mr P Gimpl (Acting Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 23 January 2017

MOTION

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

That Council:

1. Reaffirms the following appointments to the committees detailed below for the remainder of the term of the current Council:

Council committees convened under section 23 of the *Local Government Act 1993 (Tas)*

Strategic Planning and Policy Committee (SPPC)
All Aldermen

General Manager's Contract & Performance Review Committee
Mayor Alderman A M van Zetten
Deputy Mayor Alderman R I Soward
Alderman J G Cox
Alderman J Finlay
Alderman S R F Wood

Special committees convened under section 24 of the *Local Government Act 1993 (Tas)*

Australia Day, Awards & Hall of Fame Committee
Deputy Mayor Alderman R I Soward
Alderman D C Gibson
Alderman S R F Wood

Cataract Gorge Advisory Committee
Alderman E K Williams
Alderman J Finlay

Community Grants (Organisations) Program
Alderman D C Gibson
Alderman K P Stojansek
Alderman E K Williams

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

Heritage Forest Advisory Committee
Deputy Mayor Alderman R I Soward
Alderman D H McKenzie

Launceston Road Safety Consultative Committee
Alderman R L McKendrick
Alderman J G Cox

Launceston Sister City Committee
Deputy Mayor Alderman R I Soward
Alderman J G Cox
Alderman R L McKendrick

North Bank Committee
Deputy Mayor Alderman R I Soward
Alderman J Finlay
Alderman S R F Wood

Northern Youth Coordinating Committee
Alderman D C Gibson

NTCA Ground Management Committee
Mayor Alderman A M van Zetten

Pedestrian and Bike Committee
Alderman D H McKenzie
Alderman K P Stojansek

QVMAG Governance Advisory Board
Deputy Mayor Alderman R I Soward as proxy to the Mayor, Alderman A M van Zetten, with voting rights (the QVMAG Governance Advisory Board Charter confirms the Mayor as a member of the board with voting rights)

Scholarships & Bursary Committee
Alderman D C Gibson
Alderman E K Williams

Audit panel established under section 85 of the *Local Government Act 1993* (Tas)

Audit Panel
Alderman D H McKenzie
Alderman J Finlay

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

Committee convened under section 20(a) of the *Emergency Management Act 2006 (Tas)*

Municipal Emergency Management Committee
Alderman J G Cox (Municipal Chairperson)

External committee membership (from resolutions of Council)

Australian Pacific Airports Launceston
Alderman D H McKenzie

CityProm Limited
Alderman S R F Wood

Enterprize Tasmania Ltd
Alderman D W Alexander

Launceston College Association
Alderman R L McKendrick

Launceston Safer Communities Partnership
Alderman J Finlay
Alderman D C Gibson

Regional Capitals Australia (RCA)
Mayor Alderman A M van Zetten
General Manager Mr R Dobrzynski

TasWater Owners Representative
Mayor Alderman A M van Zetten

Theatre North Inc.
Alderman D H McKenzie
Director QVMAG

University of Tasmania Northern Campus Engagement and Advisory Group
Mayor Alderman A M van Zetten
Alderman D H McKenzie
General Manager Mr R Dobrzynski

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

2. Endorses the following changes to appointments, and reaffirms those appointments marked as continuing, to the committees detailed below for the remainder of the term of the current Council:

Special committees convened under section 24 of the *Local Government Act 1993 (Tas)*

Heritage Advisory Committee

Alderman D C Gibson stands down
Alderman D H McKenzie is appointed
Alderman J Finlay (continuing)

Launceston City Heart Reference Group

Alderman D H McKenzie stands down
Alderman D W Alexander (Chair) (continuing)
Alderman S R F Wood (continuing)
Alderman K P Stojansek (continuing)

Street Tree Advisory Group

Alderman E K Williams stands down
Alderman J G Cox stands down
Alderman R L McKendrick is appointed

Tender Review Committee

Alderman D W Alexander stands down
Alderman R L McKendrick is appointed
Alderman D H McKenzie (continuing)
Alderman J G Cox (continuing)
Alderman S R F Wood (continuing)
Director Infrastructure Services (no voting rights) (continuing)

Youth Advisory Group

Alderman E K Williams (continuing)
Alderman S R F Wood (continuing)
Alderman K P Stojansek is appointed

External committee membership (from resolutions of Council)

Every Child Succeeds

Alderman J Finlay and Alderman S R F Wood stand down
Alderman K P Stojansek is appointed

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

Franklin House Management Committee

Alderman R L McKendrick stands down

Alderman S R F Wood is appointed

Local Government Association of Tasmania

Alderman J Finlay (proxy) stands down

Alderman A M van Zetten (continuing)

Alderman R I Soward (proxy) is appointed

3. In respect of the Events Sponsorship Assessment Panel* (formerly the Events Sponsorship Program) and for the remainder of the term of the current Council, appoints Alderman E K Williams, Alderman D C Gibson and Alderman K P Stojansek for membership to this panel.
* Special committee convened under section 24 of the *Local Government Act 1993 (Tas)*
 4. In respect of the Launceston Access Advisory Committee* and for the remainder of the term of the current Council:
 - (i) reaffirms Alderman D H McKenzie's continuing representation, and
 - (ii) notes Alderman J Finlay stands down* Special committee convened under section 24 of the *Local Government Act 1993 (Tas)*
 5. In respect of the C8 Working Group*, notes that Alderman K P Stojansek and Alderman S R F Wood stand down, and that further appointments will be considered by Council when the C8 Working Group is again active.
* External committee
 6. In respect of the Hobart/Launceston MoU Committee*, notes that representation from City of Launceston by the Mayor Alderman A M van Zetten, Alderman D W Alexander, Alderman R L McKendrick and Alderman D H McKenzie is concluded and no further appointments are required.
* External committee
 7. In respect of the Launceston Tramway Museum Society Inc.*, notes that Alderman R L McKendrick stands down, and an Alderman or Aldermen will attend future meetings of the Society on an invitational basis.
* External committee
 8. In respect of the Natural Resource Management (NRM) North Association (Northern Tasmanian Natural Resource Management Association Inc.)*, authorises the General Manager Mr R Dobrzynski to nominate a City of Launceston employee as Council's representative.
* External committee
-

19.3 Council Appointments to Internal and External Committees ...(Cont'd)

9. In respect of the Northern Tasmania Development Executive Committee* and the Northern Tasmania Development Local Government Committee*, notes that Northern Tasmania Development (NTD) was wound-up on 31 December 2016.
* External committee
10. In respect of the Ravenswood Action Group* and for the remainder of the term of the current Council, appoints Alderman K P Stojansek as City of Launceston's representative on that group.
* External committee
11. In respect of the Tamar NRM Reference Group* and for the remainder of the term of the current Council, notes that Alderman J Finlay stands down, and appoints Alderman D H McKenzie as City of Launceston's representative on that group.
* External committee
12. In respect of the UTAS 125th Anniversary Advisory Committee*, notes that Alderman D C Gibson's representation on this committee is concluded and no further appointment is required.
* External committee
13. In respect of the York Park and Inveresk Precinct Authority (YPIPA), reaffirms Alderman D H McKenzie's and Alderman D W Alexander's appointments to this committee, noting that the committee's structure and activities will be considered at a future meeting of Council.
14. Notes that matters in respect of the following committee are considered in a separate report to Council:

Economic Development Committee
15. Notes that the resolutions made in respect of recommendations 1 to 13 above will be reflected in Council's Committee Representation Details document 14-HLPr-012, and will be communicated to the chairperson of each committee by the General Manager.

CARRIED 12:0

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

19.4 Delegation from Council to General Manager - *Building Act 2016 (Tas)* and *Building Regulations 2016*

FILE NO: SF2611/SF0789/SF0113

AUTHOR: Leanne Purchase (Governance and Planning Coordinator)

DIRECTOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider delegation from Council to the General Manager of particular Council functions and powers under the *Building Act 2016 (Tas)* and the *Building Regulations 2016*.

RECOMMENDATION:

That Council:

1. Pursuant to section 8(3) of the *Building Act 2016 (Tas)*, delegates its powers and functions under the following sections of the *Building Act 2016 (Tas)* to the holder of the position of General Manager of the City of Launceston:
 - i. Section 27(3) - make information retained pursuant to sections 27(2) available to the persons specified in section 27(3)
 - ii. Section 265(3) - perform works where there has been a failure to comply with an emergency order, a building order, or a plumbing order
 - iii. Section 265(4) - the power to (a) enter on the land where the work is to be done with the appropriate equipment; and (b) exclude other persons from the place where the work is being done; and (c) if anything is to be altered, determine the form of the alteration so far as it was not previously specified; and (d) if anything is to be taken down, demolished or removed, determine in what condition the remainder is to be left; and (e) carry away to some convenient place any materials removed; and (f) sell any materials so carried away and deduct the proceeds from the cost of the work
 - iv. Section 266 - possession of building
 - v. Sections 267(1) and 267(2) - serve an order to demolish building work
 - vi. Section 267(3) - enter onto land and demolish any building work in respect of an order to demolish building work
 - vii. Section 269 - enter land or a building and perform the required work, make an application to recover the cost of performing any work, and to impose a charge on land
 - viii. Section 271(1) - sell a building for removal or after demolishing a building, sell the materials on the premises for removal
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19.4 Delegation from Council to General Manager - *Building Act 2016 (Tas)* and *Building Regulations 2016 ...*(Cont'd)

- xi. Section 271(2) - grant the purchaser of a building sold pursuant to section 271(1) all of the powers Council has under section 265
 - x. Section 271(6) - pay the owner of the building or materials sold under subsection (1) the balance of any proceeds of the same after deducting reasonable expenses incurred
 2. Pursuant to section 8(3) of the *Building Act 2016 (Tas)*, delegates its powers and functions under the following regulations of the *Building Regulations 2016* to the holder of the position of General Manager of the City of Launceston:
 - i. Regulation 43(1) - provide written consent for works proposed pursuant to regulation 43(1)
 - ii. Regulation 43(3) - if not satisfied that a stormwater drainage system is sealed in accordance with the *Building Act 2016 (Tas)*, enter the premises and perform any work necessary
 - iii. Regulation 43(5)(a) - recover costs as a charge under the *Local Government Act 1993 (Tas)*
 - iv. Regulation 53 - assessment of land as having a reasonable probability of flooding
 - v. Regulation 78(3) - recover costs as a charge under the *Local Government Act 1993 (Tas)*
 3. If recommendations 1 and 2 are resolved in the affirmative, authorises the holder of the position of General Manager of the City of Launceston to delegate the powers and functions at recommendations 1 and 2 to an employee of the Council, as provided for by section 64(b) of the *Local Government Act 1993 (Tas)*.
 4. Notes that, if resolved in the affirmative, the delegations at recommendations 1 and 2 will be effected by an instrument that will be executed by the Mayor to comply with the requirement of section 8(5) of the *Building Act 2016 (Tas)* that delegations are in writing.
 5. Notes that, on execution of the instrument described at recommendation 4, the Council's delegations register will be updated to reflect the delegations described in the instrument.
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Mr P Gimpl (Acting Director Corporate Services) and Mrs L Hurst (Director Development Services) were in attendance to answer questions of Council in respect of this Agenda Item.

19.4 Delegation from Council to General Manager - *Building Act 2016 (Tas)* and *Building Regulations 2016* ...(Cont'd)

DECISION: 23 January 2017

MOTION

Moved Alderman R I Soward, seconded Alderman D H McKenzie.

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

CARRIED 12:0

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

Council adjourned for a break at 3.05pm.

Council resumed following a break at 3.19pm and resumed discussion on Agenda Item 19.1 - Council Meetings (Frequency and Commencement Time) Policy.

20 GENERAL MANAGER'S DIRECTORATE ITEMS

No Items were identified as part of these Minutes

21 URGENT BUSINESS

Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Minutes.

No Urgent Items were identified as part of these Minutes

22 CLOSED COUNCIL

Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)

No Closed Items were identified as part of these Minutes

23 MEETING CLOSURE

The Mayor, Alderman A M van Zetten, closed the meeting at 3.23pm.