



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 8 MAY 2017
1.00pm**

City of Launceston

COUNCIL MINUTES

Monday 8 May 2017

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

Date: 8 May 2017

Time: 1.00pm

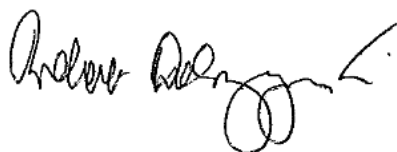
Section 65 Certificate of Qualified Advice

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 8 May 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
S R F Wood
E K Williams
K P Stojansek

In Attendance: **Mr R S Dobrzynski (General Manager)**
Mr S G Eberhardt (Director Infrastructure Services)
Mrs L M Hurst (Director Development Services)
Mr R K Sweetnam (Director Facilities Management)
Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery)
Mr M J Tidey (Director Corporate Services)
Mr D E Sinfield (Director Major Projects)
Mr J A Davis (Manager Corporate Strategy)
Mrs A Rooney (Committee Clerk)

Apologies: **Alderman** **D W Alexander**

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Alderman A M van Zetten, opened the meeting at 1.00pm and noted an apology from Alderman D W Alexander.

2 DECLARATIONS OF INTEREST

Local Government Act 1993 - Section 48

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

No Declarations of Interest were identified as part of these Minutes

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 24 April 2017 be confirmed as a true and correct record.

DECISION: 8 May 2017

MOTION

Moved Alderman R L McKendrick, 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 R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, 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.)

No Community Reports were registered with Council as part of these Minutes

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

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

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

7.1.1 Public Questions on Notice - Mr Basil Fitch - Council Meeting - 24 April 2017**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 of 24 April 2017 by Mr Basil Fitch and has been Taken on Notice.

1. How many closed Council Meetings have been held over the last 12 months and how many items were discussed in those Meetings?

Response:

Mr Robert Dobrzynski (General Manager)

Published Council Agendas and Minutes for each Council Meeting, which detail the Agenda Items discussed in Closed Council Meetings are available on the Council website and are freely available to members of the public. Over the last 12 months - from the period April 2016 to April 2017 - there have been 12 Closed Council Meetings which have dealt with a total of 66 Closed Agenda Items comprising the following:

- | | |
|---|-----------------|
| 1. Minutes of Previous Meeting | 12 Agenda Items |
| 2. Agenda Items relating to decisions taken in Open Council | 9 Agenda Items |
| 3. Aldermanic requests for Leave | 2 Agenda Items |
| 4. Items relating to Rate Debt and Remissions | 33 Agenda Items |
| 5. Other Items for Discussion | 10 Agenda Items |
-

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 Jim Dickinson - Public Display of Council Projects

When can the public expect details to be made available for the new pedestrian bridge from South Point across to North Bank?

Mr Dale Sinfield (Director Major Projects) advised that a preliminary Development Application had been lodged and advertisement of it is expected within the next two to three days. Information would be available via the Council web-site and a site office had opened at Seaport from which information will be freely available from today.

7.2.2 Mr Trevor Yaxley - Naming of Pinot Parade, Relbia

With regard to new Pinot Parade cul de sac being constructed at Relbia and Youngtown, how many streets with the same name have two post codes and why will Council not allow this new cul de sac to be given a different name before titles are issued and homes are built?

The Mayor, Alderman A M van Zetten, noted that this question would be Taken on Notice and a response provided in the Council Agenda for 22 May 2017.

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 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application)

FILE NO: DA0058/2017

AUTHOR: Catherine Mainsbridge (Senior Town 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:

DA0513/2016 - General Retail and Hire - change of use of 38 Arthur Street from dwelling to an extension to existing deli/supermarket at 52 Abbott Street, construction of alterations to existing building and building fascia sign at 38 Arthur Street.

DA0058/2017 - General Retail and Hire - demolition of existing dwelling and construction of extensions to existing food store (amended application).

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 DA0058/2017 General Retail and Hire and Food Services - demolition of existing dwelling and construction of extensions to existing food store for additional display area and service of food (amended application) at 52 Abbott Street, East Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Plan, Prepared by Philp Lighton Architects, Drawing No. DA01, Scale: 1:1000 and 1:200, Dated 10/2/2017.
-

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application) ...(Cont'd)

- b. Existing Floor Plan, Prepared by Philp Lighton Architects, Drawing No. DA02, Scale: 1:100, Dated 10/2/2017.
- c. Demolition Plan, Prepared by Philp Lighton Architects, Drawing No. DA03, Scale: 1:100, Dated 10/2/2017.
- d. Existing Floor Plan, Prepared by Philp Lighton Architects, Drawing No. DA03, Scale: 1:100, Dated 10/2/2017.
- e. Proposed Floor Plan, Prepared by Philp Lighton Architects, Drawing No. DA04, Scale: 1:100, Dated 10/2/2017.
- f. Elevations 1, Prepared by Philp Lighton Architects, Drawing No. DA05, Scale: 1:100, Dated 10/2/2017.
- g. Elevations 2, Prepared by Philp Lighton Architects, Drawing No. DA06, Scale: 1:100, Dated 10/2/2017.
- h. Sections, Prepared by Philp Lighton Architects, Drawing No. DA07, Scale: 1:100, Dated 10/2/2017.
- i. Landscape plan, Prepared by Philp Lighton Architects, Drawing No. DA08, Scale: 1:100, Dated 10/2/2017.

2. LEGAL TITLE

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

3. USE LIMITATION

This permit allows the use for General retail and hire and Food Services as defined in the Launceston Interim Planning Scheme 2015.

4. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 5.00pm Saturday and no works on Sunday or Public Holidays.

5. NON-REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building(s) must be of a non-reflective nature and must be finished in muted colours to the satisfaction of the Manager Planning Services.

6. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/00202-LCC) (attached).

7. BUSINESS HOURS

The operation of the use is confined to 7.30am to 10.00pm seven days a week.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application) ...(Cont'd)

Commercial vehicles must only operate between 6.00am and 10.00pm Monday to Friday and 7:00am to 5:00pm Saturday and Sunday.

8. SITE LANDSCAPING

The landscaping must be:

- (a) Installed in accordance with the endorsed plan; and
- (b) Completed prior to the use commencing or at such time as agreed to by the Manager Planning Services; and
- (c) Maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

9. SIGNAGE CONTENT

Content of the sign may be updated or changed without separate approval of Council, subject to:

- (a) The structure, location and size of the signage not changing.
- (b) The content of the signage relating to the site.
- (c) Compliance with the requirements of the planning scheme.

10. SIGN MAINTENANCE

The sign must be constructed and maintained in good condition to the satisfaction of the Council.

11. DRIVEWAY CONSTRUCTION

Before the use commences, areas set aside for parking vehicles as shown on the endorsed plans must;

- (a) Provide two car spaces;
- (b) Be properly constructed to such levels that they can be used in accordance with the plans,
- (c) Be surfaced with an impervious all weather seal,
- (d) Be adequately drained to prevent stormwater being discharged to neighbouring property,
- (e) Be line-marked or otherwise delineated to indicate each car space and access lanes.

Parking areas must be kept available for these purposes at all times.

12. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application) ...(Cont'd)

13. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of Technical Services is required prior to undertaking works where the works:

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

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

14. 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 on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. 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 revegetated sufficiently to mitigate erosion and sediment transport.

15. 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.

16. 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 (eg. Launceston Waste Centre).

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application) ...(Cont'd)

17. 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.

18. 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, intruder alarms, compressors, heat pumps and any equipment that may emit noise.

Noise generated by a site on the site must not exceed a time average A-weighted sound pressure level (L_{Aeq}) of 5 dB(A) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site.

19. PROTECTION OF EXISTING TREES

Existing street trees in the Arthur Street nature strip are to be protected from damage during the demolition of the existing dwelling and the construction of the new building extension. The trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees*.

Fourteen days prior to the commencement of any onsite works, including but not limited to the demolition of the existing dwelling, the contractor must contact Council's Manager Operations to arrange an authorised vegetation contractor to undertake pruning works to facilitate access to the site due to the proximity of the power lines.

The trees shall not be pruned or lopped without the express written permission of the Council.

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

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application) ...(Cont'd)

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 section 225. 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. General

This permit was issued based on the proposal documents submitted for DA0058/2017. 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 6323 3000.

This permit takes effect after:

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or*
- c. Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. Any other required approvals under this or any other Act are granted.*

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.

E. Access for People with a Disability

This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act. The developer is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.

F. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application) ...(Cont'd)

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

For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au <<http://www.rmpat.tas.gov.au>>.

G. Permit Commencement.

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

H. Food Premises

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

I. Gutter guards to be installed

The roof and guttering of the building are to be designed to discourage the collection of leaves and debris from the street trees located in Arthur Street. Measures should include gutter guards and other products (gutter brushes, gutter mesh).

Mrs L Hurst (Director Development Services) and Mrs C Mainsbridge (Senior Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

Mr Alan Miller spoke against the item.

Mr Daniel Alps spoke for the item.

- 8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application) ...(Cont'd)
-

DECISION: 8 May 2017

MOTION

Moved Alderman D H McKenzie, seconded Alderman J Finlay.

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 D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

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

Alderman K P Stojansek withdrew from the Meeting at 1.33pm.

DECISION: 8 May 2017

MOTION

Moved Alderman R I Soward, seconded Alderman J Finlay.

That Council move to discuss Agenda Item 18.1 - Proposed Feature Name - Rock Fissure in Punchbowl Reserve.

CARRIED 10:0

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 S R F Wood, Alderman E K Williams

ABSENT at TIME of VOTING: Alderman K P Stojansek

Council moved to Agenda Item 18.1 - Proposed Feature Name - Rock Fissure in Punchbowl Reserve.

18.1 Proposed Feature Name - Rock Fissure in Punchbowl Reserve**FILE NO:** SF0865/SF0621**AUTHOR:** Dannielle Denning (Parks Planner)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider provide support to a proposal to officially name the rock fissure within Punchbowl Reserve.

PREVIOUS COUNCIL CONSIDERATION:

SPPC - 1 May - Agenda Item 4.2 - Proposed Feature Name - Rock Fissure in Punchbowl Reserve

RECOMMENDATION:

That Council resolves to provide support for the submission to the Nomenclature Board made by the Tasmanian Aboriginal Centre Inc. to name the rock fissure within Punchbowl Reserve; 'luyni mungalina' pronounced as (loy nee) (mu ngah lee nah) which translates as 'raining rock'.

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

Ms Annie Reynolds spoke for the item.

DECISION: 8 May 2017

MOTION

Moved Alderman D H McKenzie, seconded Alderman D C Gibson.

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

CARRIED 10:0

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 S R F Wood and Alderman E K Williams

ABSENT at TIME of VOTING: Alderman K P Stojansek

Council resumed the published order of business at Agenda Item 9.1 - Mayor's Announcements.

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

Tuesday 25 April 2017

- Officiated at the Launceston ANZAC Day march and service
- Attended the ANZAC luncheon at the Launceston RSL
- Attended the St Patrick's River Association's ANZAC Day service at the Nunamara Hall

Friday 28 April 2017

- Officiated at a Civic function to welcome national and international visitors for the Supreme Grand Royal Arch Chapter of Tasmania Grand Installation to Launceston at the Town Hall

Saturday 29 April 2017

- Attended the pre-game President's luncheon at UTAS Stadium
- Attended the Hawthorn versus St Kilda game at UTAS Stadium
- Attended the 2017 Esther's House inaugural Gala Dinner at the Tramshed's Function Centre

Tuesday 2 May 2017

- Delivered a presentation to students at the Launceston Christian School for Grade 2

Wednesday 3 May 2017

- Attended Candle Lighting Vigil for members who have suffered from domestic and family violence in the Princes Square

Friday 5 May 2017

- Attended the Moulin Rouge Charity Ball at the Hotel Grand Chancellor

Saturday 6 May 2017

- Officiated at the Sierra Leone Association of Northern Tasmania 56th Independence Anniversary Event at the Windmill Hill Hall
-
-

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

- **The Mayor acknowledged a presentation to the Council from the Sierra Leone Association.**
-

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

- **Acknowledged scheduling difficulties with other sporting events and the impact on attendances at AFL games in Launceston.**
- **Deputised for the Mayor by attending a Seniors' Morning Tea in the Northern Suburbs conducted at the Uniting Church Hall at Mowbray.**

10.2 Alderman D C Gibson

- **Attended the ANZAC Day service and noted the positive contribution of student speakers from Riverside High School highlighting the meaning of the day to younger community members.**
- **Attended the Karinya Young Women's Service Inc. evaluation and cost analysis function highlighting the positive assistance offered to younger community members.**
- **Highlighted the success at the recent Logie Awards of Victoria Madden from Launceston for her contribution to the *Kettering Incident*.**

10.3 Alderman D H McKenzie

- **Attended the Pedestrian and Bike Committee Meeting and commented on the design and development of a local community walking trail proposed by John Ralph.**

10.4 Alderman R L McKendrick

- **Noted the traffic issues associated with the northern outlet road and encouraged written submissions to the State Government prior to budget decisions.**
-

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

No Committee Reports were identified as part of these Minutes

13 COUNCIL WORKSHOPS

Council Workshops conducted on 1 and 8 May, 2017 were:

- Planning Scheme
 - Vodafone Lease
 - Business Events Tasmania
 - UTAS Master Plan
 - Regional Tennis Centre
 - Benefit Illustration for Tasmania - Telstra
 - TasWater - Proposed State Government Take Over
-

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**16.1 Junction Arts - Lease Renewal****FILE NO:** SF0369**AUTHOR:** Matthew Skirving (Manager Architectural Services)**DIRECTOR:** Rod Sweetnam (Director Facilities Management)

DECISION STATEMENT:

To consider a request from Junction Arts Inc. to be granted a new three year lease over the Western Vestibule of the Albert Hall, on the same terms and conditions as their current agreement with Council.

PREVIOUS COUNCIL CONSIDERATION:

Council - 15 April 2013 - Agenda Item 15.1 - Junction Arts Festival - Lease of Albert Hall Western Vestibule

Council - 12 September 2016 - Agenda Item 16.1 - Deed of Variation - Junction Arts

Council - 28 November 2016 - Agenda Item 15.2 - Signature Events 2017/2018

RECOMMENDATION:

Pursuant to section 177 of the *Local Government Act 1993*:

1. Council approves the lease of the Western Vestibule of the Albert Hall, 45a Tamar Street, Launceston, to Junction Arts Festival Inc. for a period of three years, on the same terms and conditions as their previous agreement with Council, including full remission of the rental value of the premises as per the proposed lease schedule.
-

16.1 Junction Arts - Lease Renewal ...(Cont'd)

Lease Agreement - Albert Hall – Western Vestibule - Schedules

Schedule 1: Agreement Details**1. Name Of Landlord:**

LAUNCESTON CITY COUNCIL A.B.N. 73 149 070 625

2. Present Address Of Landlord:

Town Hall, 18-28 St John Street, Launceston in Tasmania.St John Street,
Launceston

3. Name Of Tenant:

JUNCTION ARTS FESTIVAL INC ABN 36 414 918 339.

4. Present Address Of Tenant:

P O Box 898

Launceston TAS 7250

5. Premises:

Part of the building known as Albert Hall (including Ground Floor Foyer, adjacent Barbara Payne Office, Lobby, Samuel Sutton Office, Stairwell, Female Toilets, Male Toilets, South Esk Room, North Esk Room and Tower Room) situated at 45A Tamar Street, Launceston in Tasmania, and more particularly that part as outlined on the Plan annexed hereto.

The Premises do no include the outside of any external walls of Albert Hall. See Clause 2.1 of the Lease Agreement.

6. Term:

3 years Fixed term from the commencement date.

7. Lease Option:

N/A

8. Extension of Lease Term:

N/A

9. Commencing Date:

16.1 Junction Arts - Lease Renewal ...(Cont'd)

Lease Agreement - Albert Hall – Western Vestibule - Schedules

/ / 2017

10. Rental:

The rental is \$21,000.00 per annum inclusive of GST . This rental will **not be payable**, but will be made up from in kind support from the Landlord

Purpose For Which Premises Are To Be Used:

The premises are to be occupied by **JUNCTION ARTS FESTIVAL INC.** No assignment of the lease or sub-lease to a different organisation is permitted.

Chattels:

See schedule 2.

11. Interest Rate:

N/A

Trading Hours Of The Premises:

The tenant shall trade consistent with normal office business hours

12. Inventory

Both at the commencement of this lease and at termination, the Landlord and Tenant together will conduct an inventory of all fixtures, fittings and chattels detailed in Schedule 2 to confirm such items are in place and to establish their condition.

13. Date Of This Lease

This Lease is made on the day of 2017.

16.1 Junction Arts - Lease Renewal ...(Cont'd)

Lease Agreement - Albert Hall – Western Vestibule - Schedules



**WESTERN VESTIBULE
FIRST FLOOR LEVEL**

16.1 Junction Arts - Lease Renewal ...(Cont'd)

2. That the General Manager be authorised to release, where appropriate, to agents of Council and/or to the public relevant information that relates to the consideration and determination of this matter.
-

Mr R Sweetnam (Director Facilities Management), Mr M Skirving (Manager Architectural Services), Mrs L Hurst (Director Development Services) and Mr M Tidey (Director Corporate Services) were in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 8 May 2017

MOTION

Moved Alderman R L McKendrick, seconded Alderman J G Cox.

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

AMENDMENT

Moved Alderman J Finlay, seconded Alderman E K Williams.

That:

Pursuant to section 177 of the *Local Government Act 1993*:

1. **Council approves the lease of the Western Vestibule of the Albert Hall, 45a Tamar Street, Launceston, to Junction Arts Festival Inc. for a period of three years, on the same terms and conditions as their previous agreement with Council, including full remission of the rental value of the premises as per the proposed lease schedule, subject to the following condition:**

That Junction Arts Festival Inc. receives funding under the Council's Signature Events Program for convening the Junction Arts Festival for the duration of the lease agreement.

16.1 Junction Arts - Lease Renewal ...(Cont'd)

Lease Agreement - Albert Hall – Western Vestibule - Schedules

Schedule 1: Agreement Details**1. Name Of Landlord:**

LAUNCESTON CITY COUNCIL A.B.N. 73 149 070 625

2. Present Address Of Landlord:

Town Hall, 18-28 St John Street, Launceston in Tasmania. St John Street,
Launceston

3. Name Of Tenant:

JUNCTION ARTS FESTIVAL INC ABN 36 414 918 339.

4. Present Address Of Tenant:

P O Box 898
Launceston TAS 7250

5. Premises:

Part of the building known as Albert Hall (including Ground Floor Foyer, adjacent Barbara Payne Office, Lobby, Samuel Sutton Office, Stairwell, Female Toilets, Male Toilets, South Esk Room, North Esk Room and Tower Room) situated at 45A Tamar Street, Launceston in Tasmania, and more particularly that part as outlined on the Plan annexed hereto.

The Premises do not include the outside of any external walls of Albert Hall. See Clause 2.1 of the Lease Agreement.

6. Term:

3 years Fixed term from the commencement date.

7. Lease Option:

N/A

8. Extension of Lease Term:

N/A

9. Commencing Date:

16.1 Junction Arts - Lease Renewal ...(Cont'd)

Lease Agreement - Albert Hall – Western Vestibule - Schedules

/ / 2017

10. Rental:

The rental is \$21,000.00 per annum inclusive of GST . This rental will **not be payable**, but will be made up from in kind support from the Landlord

Purpose For Which Premises Are To Be Used:

The premises are to be occupied by **JUNCTION ARTS FESTIVAL INC.** No assignment of the lease or sub-lease to a different organisation is permitted.

Chattels:

See schedule 2.

11. Interest Rate:

N/A

Trading Hours Of The Premises:

The tenant shall trade consistent with normal office business hours

12. Inventory

Both at the commencement of this lease and at termination, the Landlord and Tenant together will conduct an inventory of all fixtures, fittings and chattels detailed in Schedule 2 to confirm such items are in place and to establish their condition.

13. Date Of This Lease

This Lease is made on the day of 2017.

16.1 Junction Arts - Lease Renewal ...(Cont'd)

Lease Agreement - Albert Hall – Western Vestibule - Schedules



16.1 Junction Arts - Lease Renewal ...(Cont'd)

2. That the General Manager be authorised to release, where appropriate, to agents of Council and/or to the public relevant information that relates to the consideration and determination of this matter.

AMENDMENT WITHDRAWN at the REQUEST of the MOVER and SECONDER

THE ORIGINAL MOTION WAS PUT and CARRIED 10:0

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 S R F Wood and Alderman E K Williams

ABSENT at TIME of VOTING: Alderman K P Stojansek

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items were identified as part of these Minutes

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS**18.1 Proposed Feature Name - Rock Fissure in Punchbowl Reserve**

A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 8.1 - 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application) on Page 15 of these Minutes.

18.2 Silo Hotel Easement Exchange**FILE NO:** 112800/SF3068**AUTHOR:** Robert Holmes (Senior Property Advisor)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider a request to exchange easements to facilitate the construction of the Silo Hotel complex.

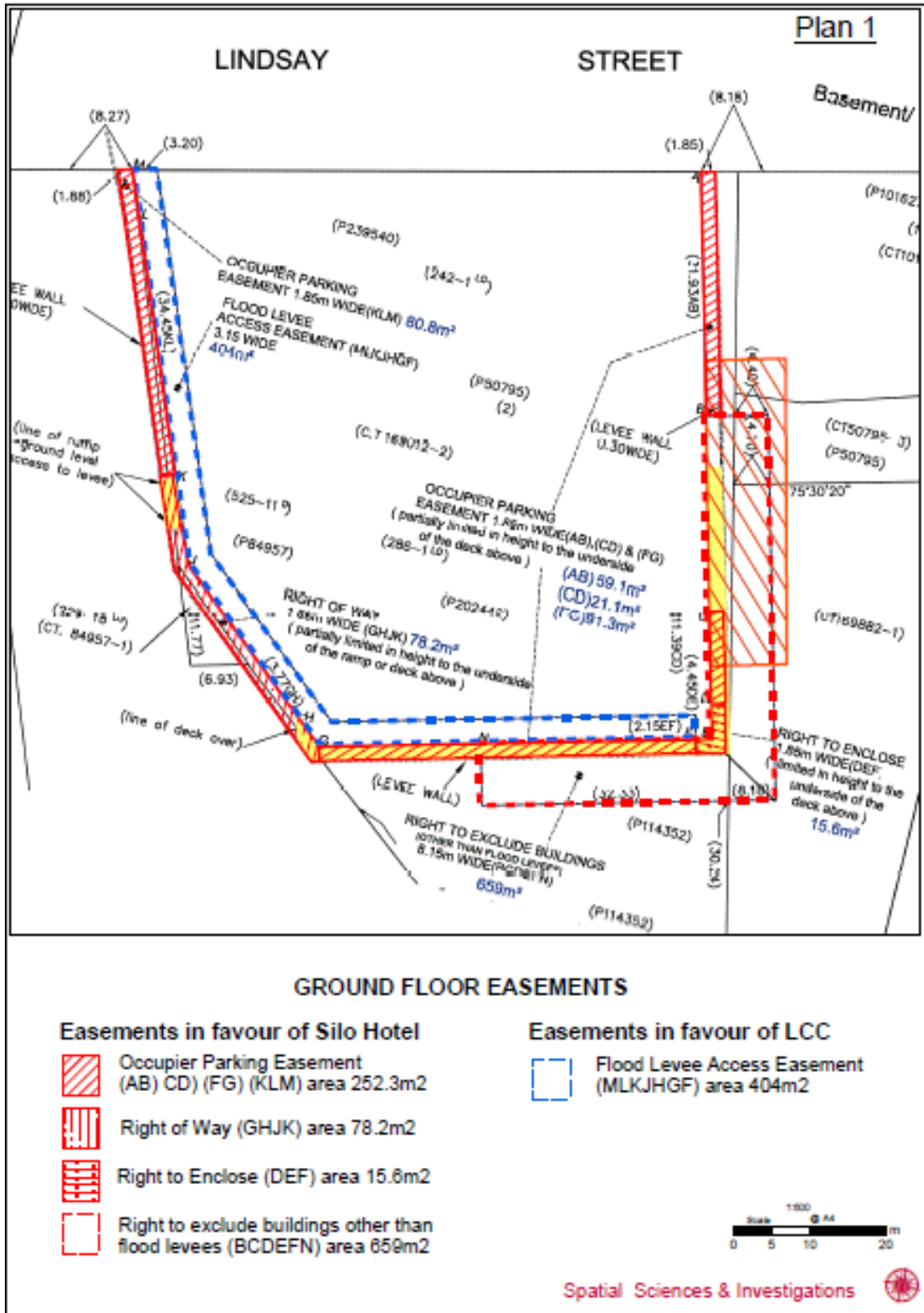
Section 178 of the Local Government Act 1993 requires a decision to sell land by an absolute majority of Council.

RECOMMENDATION:

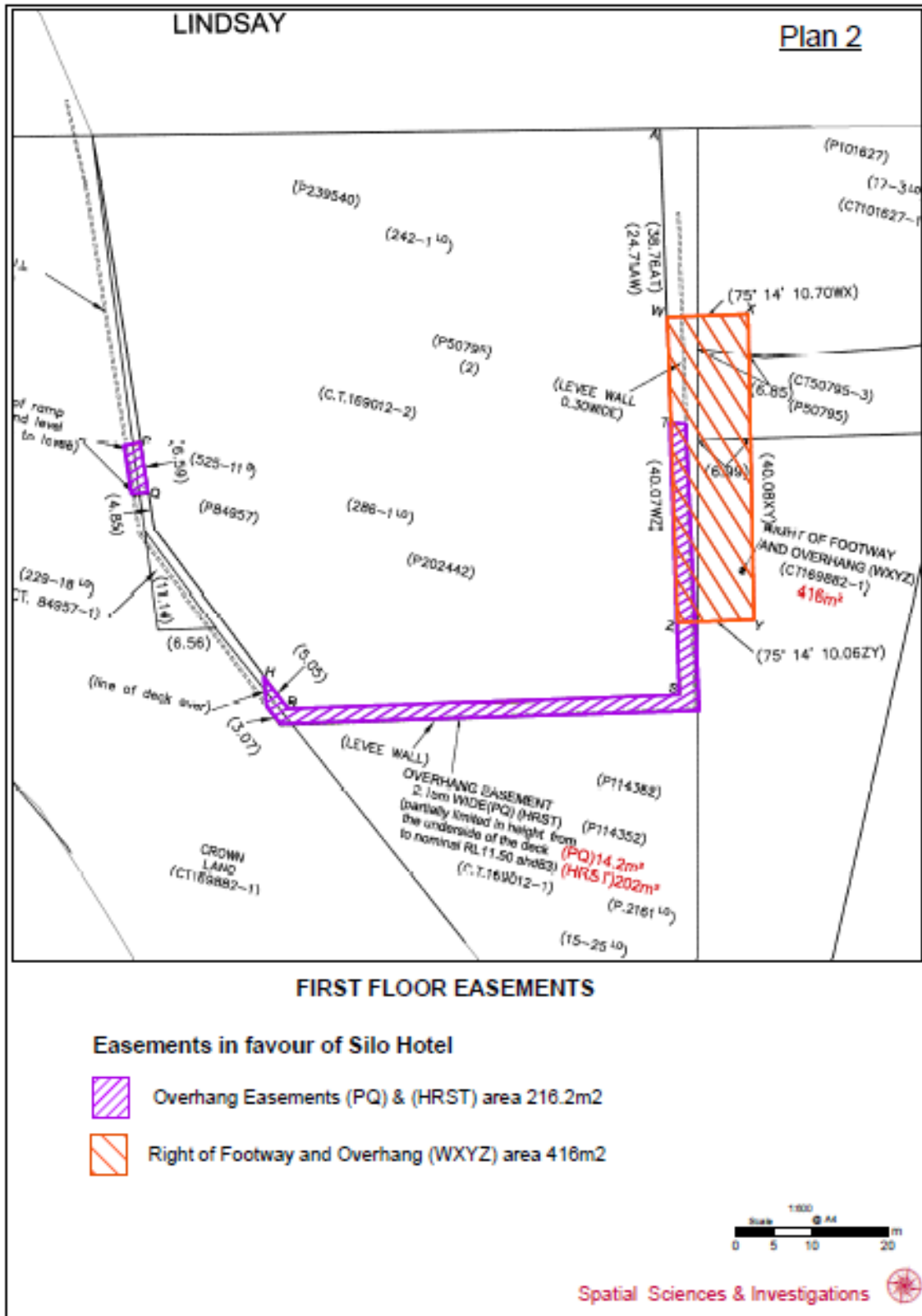
Pursuant to section 178 of the *Local Government Act 1993*:

1. That Council sell to Silos Hotel Pty Ltd the following easements indicated on the plans marked Plan 1 and Plan 2:
 - (a) An Overhang Easement 2.15m wide over the area (PQ) (HRST) partially limited in height to the underside of the deck above.
 - (b) A Right of Footway and Overhang Easement over the area (WXYZ).
 - (c) An Occupier Parking Easement 1.85m wide over the areas (KLM) and (AB) (CD) (FG) partially limited in height to the underside of the deck above.
 - (d) A Right of Way 1.85m wide over the area (GHJK) partially limited in height to the underside of the deck above.
 - (e) A Right to Enclose 1.85m wide over the area (DEF) partially limited in height to the underside of the deck above.
 - (f) A Right to Exclude Buildings 8.15m wide over the areas (BCDEFN).
 2. In exchange for the easements numbered (a) to (f) above Council also agrees to purchase from Silos Hotel Pty Ltd a Flood Levee Access Easement 3.15m wide over the area (MLKJFGH).
-

18.2 Silo Hotel Easement Exchange ... (Cont'd)



18.2 Silo Hotel Easement Exchange ... (Cont'd)



18.2 Silo Hotel Easement Exchange ...(Cont'd)

3. That the General Manager be authorised to negotiate the purchase price consistent with valuation and terms of the respective easements and to release, where appropriate, to agents of Council and/or to the public relevant information that relates to the consideration and determination of this matter.
-

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

DECISION: 8 May 2017

MOTION

Moved Alderman R L McKendrick, seconded Alderman J Finlay.

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

CARRIED 10:0

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 S R F Wood and Alderman E K Williams

ABSENT at TIME of VOTING: Alderman K P Stojansek

19 MAJOR PROJECTS DIRECTORATE ITEMS

No Items were identified as part of these Minutes

20 CORPORATE SERVICES DIRECTORATE ITEMS

No Items were identified as part of these Minutes

21 GENERAL MANAGER'S DIRECTORATE ITEMS

No Items were identified as part of these Minutes

22 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

23 CLOSED COUNCIL

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

23.1 Confirmation of the Minutes

The *Local Government (Meeting Procedures) Regulations 2015 - Regulation 34(6)* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by council or council committee and signed by the chairperson of the closed meeting.

23.2 Silo Hotel Easement Exchange

That Minutes Item 23.2 - Silo Hotel Easement Exchange be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(f) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

15(2)(f) proposals for the council to acquire land or an interest in land or for the disposal of land.

23.3 Junction Arts - Lease Renewal

That Minutes Item 23.3 - Junction Arts - Lease Renewal be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

DECISION: 8 May 2017

MOTION

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

That Council move into Closed Session to consider Agenda Items 23.1 - Confirmation of the Minutes, Agenda Item 23.2 - Silo Hotel Easement Exchange and 23.3 - Junction Arts - Lease Renewal.

CARRIED 10:0

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 S R F Wood and Alderman E K Williams

ABSENT at TIME of VOTING: Alderman K P Stojansek

Council moved into Closed Session at 2.14pm.

Council returned to Open Session at 2.16pm.

24 MEETING CLOSURE

The Mayor, Alderman A M van Zetten, closed the Meeting at 2.17pm.
