



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 18 DECEMBER 2017
1.00pm**

City of Launceston

COUNCIL MINUTES

Monday 18 December 2017

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

Date: 18 December 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.

A handwritten signature in black ink, appearing to be 'Michael Stretton', written over a faint circular stamp or watermark.

Michael Stretton
General Manager

City of Launceston

COUNCIL MINUTES

Monday 18 December 2017

Present: **Alderman** **A M van Zetten (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 M Stretton (General Manager)**
Mr S G Eberhardt (Director Infrastructure Services)
Mr R Jamieson (Acting Director Development Services)
Mr B Maclsaac (Director Facilities Management)
Mr M George (Acting Director Queen Victoria Museum and Art Gallery)
Mr P Gimpl/Mr A Gall (Acting Directors Corporate Services)
Mr J A Davis (Manager Corporate Strategy)
Ms T Grayson (Administration Officer)

Apologies: **Alderman** **R I Soward (Deputy Mayor)**

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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 the Deputy Mayor, Alderman R I Soward.

The Mayor acknowledged the retirement of Mr Harry Galea (Senior Engineering Officer) and thanked him for his service to the Council.

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 4 December 2017 be confirmed as a true and correct record.

DECISION: 18 December 2017

MOTION

Moved Alderman R L McKendrick, seconded Alderman D C Gibson.

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

CARRIED 11:0

FOR VOTE: Mayor Alderman A M van Zetten, 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

5.1 Petition - Cataract Gorge Volunteers

FILE NO: SF0097/SF5505

AUTHOR: Harry Galea (Senior Engineering Advisor)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To note action taken following the receipt of a petition regarding a proposal to narrow the services provided by the Cataract Gorge Volunteers by abandoning providing tourist related advice and recommendations on services and attractions outside the boundary of the Cataract Gorge.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 17 July 2017 - Consultation Report on Future Governance and Services Strategy

Workshop - 23 October 2017 - Volunteer submissions received on 'Consultation Report' and modifications to recommendations

Council - 30 October 2017 - Agenda Item 5.1 - To receive a petition against reducing the responsibilities of the Cataract Gorge Basin Cottage Volunteers

RECOMMENDATION:

That Council:

1. In accordance with section 60(2)(b) of the *Local Government Act 1993*, determines that no additional action is required to address the matters raised in the Petition submitted by Ms Rocelyn Ives and Mr Geoff Drake received by the Council at its meeting dated 30 October 2017.
 2. Notes the following activities being undertaken by Council Officers:
 - (a) promoting and supporting expansion of presentation forums and Gorgeous Walks and Talks utilising Council's services.
 - (b) investing in expansion of the First Tasmanian's exhibition to include the Basin Cottage.
 - (c) providing tourism booking services at the Basin Cottage initially through a kiosk.
 - (d) in conjunction with volunteers, investigating potential models to deliver tourism services.
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5.1 Petition - Cataract Gorge Volunteers ...(Cont'd)

Mr S Eberhardt (Director Infrastructure Services) and Mr H Galea (Senior Engineering Advisor) were in attendance to answer questions of Council in respect of this Agenda Item.

Mr Geoff Drake spoke against the item

Ms Rocelyn Ives spoke against the item

DECISION: 18 December 2017

MOTION

Moved Alderman J Finlay, seconded Alderman E K Williams.

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

CARRIED 11:0

FOR VOTE: Mayor Alderman A M van Zetten, 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

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.)

No Public Questions on Notice were identified as part of these Minutes

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 Basil Fitch - Poker Machines

1. **Is Council going to discuss for and against issues relating to poker machines?**

The Mayor, Alderman A M van Zetten, responded by saying that should Aldermen wish to discuss the issue, a Notice of Motion will be forwarded to Council in the new year.

7.2.2 Mr Ron Baines - UTAS Stadium

1. How much does UTAS contribute to the ongoing running costs of York Park?

The Mayor Alderman A M van Zetten stated that this issue is classed as commercial in confidence therefore no details would be revealed.

7.2.3 Mr Ron Baines - Tip Face Material

1. Does the Council have any plan to reclaim this (demolition material)?

Mr Shane Eberhardt (Director Infrastructure Services) responded by saying clean fill is currently separated from general refuse, trials are being conducted and a business plan is being considered regarding a better recovery rate.

7.2.4 Mr Paul Spencer - Mall Costing

1. How much more money will the Mall cost for redevelopment and why is it being undertaken?

The Mayor, Alderman A M van Zetten, responded by saying that a public consultation process has determined that the Mall is in need of an upgrade. The Mayor also noted that the question relating to cost of the redevelopment would be taken on notice and a response provided at the Council Meeting of 22 January 2018.

7.2.5 Mr Paul Spencer - Sale of Under-utilised Park Facilities

- 1. Will Council consider selling some of the under-utilised parks within the municipality in order to save money?**

The Mayor, Alderman A M van Zetten, requested Mr Spencer provide a listing of under-utilised parks for consideration which could then be considered as part of a public consultation process.

7.2.6 Mrs Barbara Swierc - 58A Ernest Street, Kings Meadows Development

- 1. When will this development be discussed?**

Mr Michael Stretton (General Manager) responded by saying the matter is currently being investigated by Council Officers and a response will be provided directly to Mrs Swierc as to when the matter will be discussed at a Council Meeting.

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place)

FILE NO: DA0585/2017

AUTHOR: Fiona Ranson (Urban Designer)

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*.

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 DA0585/2017 - 'Residential - multiple dwellings; demolition of existing dwellings including garage and carport structures (Local Heritage Place)' at 202 George Street, Launceston, subject to the following conditions:

1. DWELLING NOT TO BE DEMOLISHED PRIOR TO CARPORT STRUCTURE

If/when any demolition of the dwellings is to be carried out, then the removal of the carport must be carried out prior to, or concurrently with that demolition.

2. PREPARATION OF HISTORICAL SITE INFORMATION

The following must be carried out and submitted for the approval of the Manager Planning prior to the issue of any Building Permit:

- a. Preparation of an extant record of the existing buildings on the site including scaled measured drawings and photographs.
 - b. Preparation of historical information and interpretation material telling the story of the private maternity hospital known as Malonga and any other history considered to be of interest to the community and/or visitors. The intent of this information is to form the basis of a plaque or other installation which may be displayed on the site or within the road zone immediately adjoining the site in a location which is easily visible to the public.
-

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

3. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01782-LCC) (attached).

4. ENDORSED PLANS & DOCUMENTS

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

- a. Planning Report, Prepared by S Group, 202 George Street, Launceston, Pages No.1 - 9, Not dated.
- b. Demolition Application (Site Plan), Prepared by S Group, Drawing No. A0-000, 202 George Street, Launceston, Page No.10, Not dated.
- c. Building Plans (Conversion from single dwelling to 4 multiple dwellings), Provided by Applicant (from CoL Building Records - Permit No. 5708), 202 George Street, Launceston, Page No.11, 11/03/1963.
- d. Building Plans (Construction of carports), Provided by Applicant (from CoL Building Records - Application Number 4069), 202 George Street, Launceston, Page No.12.
- e. Building Plans (Construction of carports), Provided by Applicant (from CoL Building Records - Permit No. 184/73), George Street, Launceston, Page No.13, 20/06/1973.

5. LEGAL TITLE

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

6. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am and 6.00pm

Sundays and Public Holidays - 10.00am and 6.00pm

7. 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. 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.

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

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.

9. 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.

10. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

11. 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; and
 - 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.
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8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ... (Cont'd)

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. 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.

C. Materials to be Retained for Re-use on the Site

It is recommended that the demolition be undertaken in such a way that any potentially useful materials may be re-used as part of a future development on the site. This may include, but is not limited to the following elements:

- bricks from chimneys (or whole chimneys);
- bluestone from foundations, and
- weatherboards in suitable condition.

This recommendation is made in the knowledge that the site will carry its heritage listing as a Local Heritage Place and any new development will be assessed against the Local Historic Cultural Heritage Code (or equivalent under the new Tasmanian Planning Scheme) and that the re-use of materials existing on the site may be integral to compliance with the standards of that code.

D. General

This permit was issued based on the proposal documents submitted for DA0585/2017. 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 withdrawn or determined; or*
 - c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
 - d. *Any other required approvals under this or any other Act are granted.*
-

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

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. 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.

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.

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.

Mr R Jamieson (Acting Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.

Mr Timothy Fry spoke for the item

- 8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)
-

DECISION: 18 December 2017

MOTION

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

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

CARRIED 10:1

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

ABSTAINED FROM VOTING: Alderman J Finlay

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-advertised)**FILE NO:** DA0431/2017**AUTHOR:** Natalia Bliznina (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:

DA0616/2003 - Non-conforming use-bringing into greater conformity - Service Centre
DA0325/2012 - Change of use - shop; Advertising sign - building fascia sign
DA0498/2015 - General Retail and Hire - shop; construction of storage space associated with an existing non-conforming use.

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 DA0431/2017, for food services - cafe; placement of a shipping container and the partial change of use at 108-112 High Street, Newstead subject to the following conditions:

1. TEMPORARY SCREENS OR BOLLARDS

The applicant is to ensure that temporary bollards or screens (not less than 900mm or greater than 1200mm in height) are located along the property boundary between the two existing vehicle crossings. Bollards are to be spaced not further than 1.5m apart. The bollards/screens are to be in place during the operating hours of the coffee shop. No advertising is permitted on the screens without the separate approval of such signage by the Council.

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01403-LCC) (attached).

3. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans must be submitted to the satisfaction of the Manager Planning Services to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

- a. The site plan amended to provide five open car parking spaces and two spaces within the building along the northern side of the site for the two lower level dwellings. The plan must be endorsed by a traffic engineer as being safe and efficient.
- b. The spaces annotated as being allocated to the various uses on the site.
- c. A sign at the south crossover marked as 'entry' only and at the northern crossover as 'exit' only.

4. ENDORSED PLANS & DOCUMENTS

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

- a. Cover, Prepared by S. Group, Drawing No. A0-000, Project name jo2943, Revision C, Page No 01, Dated 24/10/2017.
- b. Site Plan, Prepared by S. Group, Drawing No. A1-001, Project name jo2943, Revision C, Page No 02, Dated 18/10/2017, Amended Plans Required.
- c. Floor Plan, Prepared by S. Group, Drawing No. A2-001, Project name jo2943, Revision C, Page No 03, Dated 24/10/2017.

5. LEGAL TITLE

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

6. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays.

7. DRIVEWAY CONSTRUCTION

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

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

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

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

8. 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.

9. AMENITY - COMMERCIAL/INDUSTRIAL USE

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

Notes**A. 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. 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.

C. General

This permit was issued based on the proposal documents submitted for DA0413/2017. 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.*
-

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

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.

D. 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.

E. Appeal Provisions

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

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

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

F. 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.

Mr R Jamieson (Acting Director Development Services) and Ms N Bliznina (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

Ms Claire Gregg spoke for the item

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

DECISION: 18 December 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, 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

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots**FILE NO:** DA0433/2017**AUTHOR:** Brian White (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*.

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 DA0433/2017 - Residential - single dwelling; subdivision of land into two lots at 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The 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. Subdivision Proposal and Servicing Plan, Prepared by 6ty°, Project 17.206, Drawing No. P01, Dated 30/08/2017 (Amended plan required).
- b. Planning Submission, Prepared by 6ty°, Dated 30/8/2017.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager Planning Services to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. A correctly labelled servicing plan which shows all current and proposed services.

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

3. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01404-LCC) (attached).

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

4. NO VEGETATION REMOVAL

No tree or vegetation on the site is to be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed, without the further written consent of the Council.

5. LEGAL TITLE

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

6. 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.

7. 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.

8. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

9. RETICULATED SERVICES

Prior to the commencement of the use, reticulated water, sewerage and electricity must be available to each lot shown on the endorsed plans.

10. 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.
 - ii. Communications infrastructure.
- 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.

11. 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 public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve.
 - ii. The provision of a DN 100 connection to a public drainage system located so as to drain the lowest point of each lot.
 - b. Electricity, Communications and Other Utilities
 - i. A connection to a reticulated electricity system must be provided to service all lots and installed to the approval of the Responsible Authority.
 - ii. A connection to the telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority.
-

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. 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 and Hand-Over.

12. ACCESS OVER ADJACENT LAND

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

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

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 comply with the approved engineering plans and Council standards.

14. EASEMENTS

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

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

15. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Director Infrastructure Services:

- a. The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council requirements.
- b. The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

Notes**RIGHT-OF-CARRIAGEWAY CONSTRUCTION**

Should a development application be lodged to Council to use and develop the site for a residential use, it is highly likely that the right-of-carriageway will need to be constructed to have a width of at least 3m on a suitably constructed based with all necessary retaining structures and drainage. It is also likely that this will also require vegetation to be removed which also requires approval under the Scenic Management Code. These works should be included in a future application.

A. General

This permit was issued based on the proposal documents submitted for DA0433/2017. 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.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

Mr R Jamieson (Acting Director Development Services) and Mr B White (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

DECISION: 18 December 2017

MOTION

Moved Alderman J Finlay, seconded Alderman D H McKenzie.

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

CARRIED 10:1

FOR VOTE: Mayor Alderman A M van Zetten, 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

AGAINST VOTE: Alderman R L McKendrick

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding**FILE NO:** DA0117/2016**AUTHOR:** Maria Chledowska (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*.

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 by the Council, for DA0117/2016 for Residential - single dwelling: construction of an outbuilding at 255 Relbia Road, Relbia 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 Manager Planning Services unless modified by a condition of the Permit:

- a. Overall Site Plan, prepared by Rare Engineers, Project No. 17265, Drawing No. S01, Rev 1, Dated 26/10/2017.
- b. Site Plan, prepared by Rare Engineers, Project No. 17265, Drawing No. S02, Rev 1, Dated 26/10/2017.
- c. Wall Elevation, prepared by Rare Engineers, Project No. 17265, Drawing No. S03, Rev 1, Dated 26/10/2017.
- d. Wall Section, prepared by Rare Engineers, Project No. 17265, Drawing No. S04, Rev 1, Dated 26/10/2017.
- e. Site and Drainage Plan, Prepared by Lateral Architecture, Job No. LA-16-11, Drawing No. 01, Dated 10/0316, Revised 16/08/17.
- f. Elevations, Prepared by Lateral Architecture, Job No. LA-16-11, Drawing No. 02, Dated 10/0316, Revised 16/08/17.

2 TEMPORARY SECOND ACCESS

The second vehicle access installed at the southern portion of the frontage beside the driveway to No. 257, 259 and 261 Relbia Road along the eastern boundary of the property must be removed at the completion of the building works and the road verge reinstated to grass. Please note: should the owner wish to retain the access a separate development application is required and the consent of the road owner (in this case Council's Director Infrastructure Services) must be obtained.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

3. SHIPPING CONTAINER

The existing shipping container on the site must be removed at the completion of the building works.

4. LEGAL TITLE

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

5. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

6. OUTBUILDINGS

The use of the shed is not permitted for human habitation and is limited to residential storage and related residential activities only.

No commercial activity must be undertaken in the outbuilding without Council approval.

7. STORMWATER DISPOSAL

Stormwater from the shed is to be disposed of onsite in a manner approved by the Plumbing Department so as not to cause a nuisance to neighbouring properties.

8. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

9. 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).

10. ON-SITE WASTE WATER SYSTEM REGARDING SHEDS GARAGES ETC

Sheds, garages, decks, driveways or any additional structures must *not be* located on, over or in a location which may affect the operation of the existing on-site waste water system.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

The building/structure should not impede the ability of the system to sustainably dispose of waste water on the lot, including the provision of secondary land application areas.

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. 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.

C. General

This permit was issued based on the proposal documents submitted for DA0117/2016. 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 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.

D. 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.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

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.

E. Appeal Provisions

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

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

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

F. 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.

G. Existing Wastewater System

The location of the wastewater system must be clearly indicated on your building plans.

Mr R Jamieson (Acting Director Development Services) and Ms M Chledowska (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

Mr Rod Fraser spoke for the Item

Prior to speaking, Mr Fraser declared a possible conflict of interest in this item because of his membership of the State Grants Commission.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

DECISION: 18 December 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, 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, announced that Council no longer sits as a Planning Authority.

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

Monday 4 December 2017

- Attended the City of Launceston Annual General Meeting at the Town Hall

Tuesday 5 December 2017

- Officiated at the 20th Anniversary City of Launceston with City Mission and the Youth Advisory Group at QV Art Gallery
- Attended Student Works Celebration of Success 2017

Thursday 7 December 2017

- Attended the Conservation Volunteers/Green Army Celebration event at the First Basin
- Presented certificates to two recipients of the LCC and the NCN awards at St Leonards Primary School
- Hosted Christmas Drinks for Aldermen and the Launceston Chamber of Commerce at the Town Hall

Friday 8 December 2017

- Attended the International Volunteers Day and VSA Christmas morning tea at TasTAFE Alanvale
- Officiated at the Tasmanian Human Rights Awards at the Town Hall
- Officiated at the Northern Suburbs Community Carols at the Uniting Church North Hall

Saturday 9 December 2017

- Officiated and attended the UTAS Town and Gown Procession and Graduation at the Albert Hall
 - Attended afternoon tea with the Launceston Competitions Volunteers at Franklin House
 - Attended the City of Launceston RSL Band and Vox Harmony Christmas Evening at St Johns Church
-

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

Sunday 10 December 2017

- Attended City Park Radio's Christmas BBQ at the City Park Cottage Grounds
- Attend the TS Tamar Awards Parade and Boat Naming at Homepoint Parade

Tuesday 12 December 2017

- Attended the North Launceston Bowls Club end of year Luncheon at the North Launceston Bowls Club Mowbray

Wednesday 13 December 2017

- Attended the Waverley Primary School Presentations and Leavers Assembly 2017
- Attended Lunch with the Premier The Hon Will Hodgman MP at the Public Buildings
- Officiated at the Employee Recognition Event Length of Service Milestones and Significant Achievement at the Town Hall
- Attended the Presentation Evening for Norwood Primary School

Thursday 14 December 2017

- Hosted Luncheon for the Ambassador of Peoples Republic of China at Stillwater Restaurant
- Presented an award at the Queechy Presentation Evening

Friday 15 December 2017

- Presented and award at the Brooks High School Presentation Assembly

Sunday 17 December 2017

- Attended the Annual Menorah Lighting at the Synagogue on St John Street

Monday 18 December 2017

- Presented an award at the Kings Meadow High School Presentation Day Assembly

The Mayor, Alderman A M van Zetten also noted that:

- **He attended the National Seniors' Association end of year luncheon at the North Launceston Bowls Club Mowbray**
 - **He did not host a luncheon for the Ambassador of Peoples Republic of China at Stillwater Restaurant as the visit was postponed**
 - **Attended Carols by Candlelight on Sunday, 17 December 2017 at City Park**
-

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 D H McKenzie

- **Attended the Employee Recognition Event Length of Service Milestones and Significant Achievement at the Town Hall**

10.2 Alderman D C Gibson

- **Attended the Tasmanian Human Rights Awards at the Town Hall**
- **Attended the opening of the Art Rage Exhibition**

11 QUESTIONS BY ALDERMEN**11.1 Questions on Notice**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

11.1.1 Aldermen's Question on Notice - Council Meeting - 4 December 2017**FILE NO:** SF2375**AUTHOR:** Leisa Hilkmann (Corporate Planning Administration Officer)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTION and RESPONSE:

The following question was asked by Alderman D C Gibson at the Council Meeting of 4 December 2017 and has been answered by Mr Michael Stretton (General Manager).

1. *Will the Launceston City Council be formally undergoing the White Ribbon Accreditation as a workplace? What is our role in terms of a signatory to White Ribbon as an organisation?*

Response:

The Executive Management Team (EMT) considered the option of becoming a White Ribbon Accredited Workplace on 13 September 2016. At this time it was determined that the cost of accreditation and associated initiatives would be in the order of \$60K per annum. Given this high cost it was agreed that the EMT would commit to raise awareness on the impact of violence against women and domestic violence in general, without obtaining the White Ribbon Workplace accreditation status.

The following activities have been completed as part of raising awareness:

- White Ribbon Day 2016 - an event was held at Remount Road Depot, where Aldermen and Executive Team members joined the outdoor workforce to take the white ribbon oath and make donations to the program.
- White Ribbon Day 2017 - a campaign was promoted across the organisation via the Hot Potato with White Ribbon sales available along with donation boxes placed across workplaces.

It is intended that the Council will continue these efforts and identify further means by which it can raise awareness on the impact of violence against women and domestic violence in general, however, at this stage it is not intended to formally undergo White Ribbon Accreditation as a workplace.

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.)

No Aldermen's Questions without Notice were identified as part of these Minutes

12 COMMITTEE REPORTS

12.1 Municipal Emergency Management Committee Meeting - 30 November 2017

FILE NO: SF3177

AUTHOR: Bev Allen (Municipal Emergency Management Coordinator)

DIRECTOR: Bruce Maclsaac (Director Facilities Management)

DECISION STATEMENT:

To receive and consider a report from the Municipal Emergency Management Committee.

RECOMMENDATION:

That Council receives the report from the Municipal Emergency Management Committee Meeting held on 30 November 2017.

Mr B Maclsaac (Director Facilities Management) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 18 December 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, 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

Council Workshops conducted on 11 December 2017 were:

- Fees/Charges/Capex/Major Operations
- Kings Meadows Traffic Matters
- Show Society Report 2017 Launceston Royal Show
- St Leonards Project
- Cityprom Discussions Regarding Strategy, Budget and Cityprom Agreement 2018-2020
- Public Speaking Permit Review

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

No Items have been identified as part of this Minutes

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

No Items were identified as part of these Minutes

19 MAJOR PROJECTS DIRECTORATE ITEMS

No Items were identified as part of these Minutes

20 CORPORATE SERVICES DIRECTORATE ITEMS

20.1 Delegation from Council to General Manager - *Environmental Management and Pollution Control Act 1994 (Tas)*

FILE NO: SF6203/SF2295/SF0113

AUTHOR: Leanne Purchase (Governance and Planning Coordinator)

DIRECTOR: Paul Gimpl (Acting Director Corporate Services)

DECISION STATEMENT:

To consider the delegation from Council to General Manager of particular powers and functions under the *Environmental Management and Pollution Control Act 1994 (Tas)*.

RECOMMENDATION:

That Council:

1. Pursuant to section 22 of the *Local Government Act 1993 (Tas)*, determines to delegate the following Council powers and functions contained in the *Environmental Management and Pollution Control Act 1994 (Tas)* to the holder of the position of General Manager:
 - s20A Duty of Council to prevent pollution
 - s20B Council may ask Board to exercise powers
 - s21 Council officers
 - s22(1A) Registers of environmental management and enforcement instruments
 - s23(1)(2) Trade secrets
 - s24(1) Council must refer application to the Board if directed to do so
 - s44(4) Environment protection notices
 - s47(3)(4) Action on non-compliance with environment protection notice
 - s48(1) Civil enforcement proceedings
 - s61 Reports in respect of alleged contraventions
 - s74 Environment Impact Assessment Principles
 - s94 Provisions relating to seizure
 2. As provided for by section 64(b) of the *Local Government Act 1993 (Tas)*, authorises the holder of the position of General Manager to delegate the powers and functions described at 1. to an employee or employees of the Council.
 3. Notes that the delegations at 1. will be effected by an instrument of delegation from Council to General Manager, that will be executed by the Mayor to comply with the requirement of section 22(1) of the *Local Government Act 1993 (Tas)* that the delegation is in writing.
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20.1 Delegation from Council to General Manager - *Environmental Management and Pollution Control Act 1994 (Tas) ...*(Cont'd)

Mr P Gimpl (Acting Director Corporate Services) and Mrs L Purchase (Governance and Planning Coordinator) were in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 18 December 2017

MOTION

Moved Alderman D H McKenzie, seconded Alderman R L McKendrick.

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

CARRIED 11:0

FOR VOTE: Mayor Alderman A M van Zetten, 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

21 GENERAL MANAGER'S DIRECTORATE ITEMS

21.1 City of Launceston Priority Projects

FILE NO: SF5210

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To determine the Council's strategic priorities which deliver on the policy directions and objectives of the Greater Launceston Plan and which promote the economic, social and environmental sustainability of the City of Launceston.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 13 November 2017 - Annual Plan Presentation - Needs and Priorities

RECOMMENDATION:

That Council adopts the following Priority Projects which direct the strategic advocacy of the Council in its engagement with the State and Federal Government and the community and which collectively promote the economic, social and environmental growth and sustainability of the City of Launceston:

PROJECTS	TOTAL (\$)	COUNCIL ROLE	REFERENCE TO GREATER LAUNCESTON PLAN
1. Funded Projects			
UTAS Relocation	\$260m	PP	GLP Reference Projects D.4, F.3, F.5
Launceston City Deal - Jobs Pathway Directive (Funded over two years)	\$320k	AP	GLP Policy Directions - Creativity and Innovation, Economic Development
Launceston City Deal - Smart Cities	\$2.4m	PP	GLP Policy Directions - Creativity and Innovation, Economic Development, Land Use Transport and Infrastructure; Connected and Networked Region
North Bank Implementation	\$9.15m	COP	GLP Reference Project F.2
CH Smith Site Development Finalisation	\$9m	PP	GLP Policy Directions - Economic Development; Liveability and amenity

21.1 City of Launceston Priority Projects ...(Cont'd)

2. Projects Strategically Committed			
Launceston City Deal - City Heart Stage 2	\$20m	COP	GLP Reference Project F.1; G.1
Launceston City Deal/Inveresk Precinct Masterplan (UTAS Relocation)	\$3m	COP	GLP Reference Project F.2
Launceston City Deal - Northern Suburbs Revitalisation Plan	TBS	PP	GLP Reference Project G.2, G9
Hawthorn Agreement	Internal Resources	AP	GLP Reference Project F.3
Transport and Parking Strategies	TBS	COP	GLP Policy Directions - Economic Development; Liveability and amenity; Land Use Planning and Infrastructure
Development of a Cultural Strategy, including the funding of QVMAG	QVMAG \$3m Cultural Strategy TBS	COP	GLP Reference Project F.1 and F.3
Re-Imagining the Cataract Gorge	\$4.2m	COP	GLP Reference Project B.5
Regional Sport & Recreation Plan	\$2.9m	COP	GLP Policy Directions - Liveability and amenity; Social Inclusion and Equality, Land Use Planning and Infrastructure
Albert Hall Upgrade	\$5.5m	COP	GLP Policy Directions - Liveability and amenity; Social Inclusion and Equality, Land Use Planning and Infrastructure
Traffic Signal Upgrades (Funded over three years)	\$3m	PP	GLP Policy Directions - Land Use Planning and Infrastructure

21.1 City of Launceston Priority Projects ...(Cont'd)

3. Strategic Planning Projects			
Master Planning - Relbia, St Leonards, Residential Growth Areas and Central Area Development Plan	\$500k	COP	GLP Reference Project G3; G6, G7, G9 , G10
Launceston Flood Studies and Implementation	Internal resources	COP	GLP Policy Directions - Land Use Planning and Infrastructure, Governance, Environmental sustainability
Regional Resource sharing/ Local Government Reform position	Internal Resources	COP	GLP Reference Project A1, A.2, A.3
Sustainability/Climate Change	TBS	COP	GLP Reference Projects E.1, E3, E4
4. Strategic Future Projects			
Launceston City Deal - Tamar Estuary	\$85m	PP	GLP Reference Projects B.1 and E.2
Review of the Greater Launceston Plan	TBS	PP	GLP Reference Project A1, A.2, A.3
Review of the Council's Waste Strategy	Internal Resources	COP	GLP Policy Directions - Land Use Planning and Infrastructure, Governance, Environmental sustainability
Development of a Population Strategy	Internal Resources	COP	GLP Reference Project A.1

COP: Council owned project: Council will undertake the project with funding support

PP: Partner Project: Council will partner with others to Plan, advocate and in some cases undertake the project

AP: Advocacy Project: This project is strategically important for the City's future and Council will advocate strongly for its implementation by others

TBS: To be scoped

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

DECISION: 18 December 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, 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

21.2 Civic Square Public Toilets

FILE NO: SF0598

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To note the background to a proposed public amenity facility in Civic Square and to determine whether to proceed with the proposal with its current design and location.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 11 September 2017 - Civic Square Public Amenity Building - Concept

RECOMMENDATION:

That, in respect to the proposed public amenity facility in Civic Square, the Council:

1. Notes that the following actions have been completed:
 1. Identified that there is a need for further public toilets in Civic Square as access to the existing public toilets is restricted to the opening hours of surrounding buildings;
 2. Completed an investigation into viable location options within the square, which involved consultation with the stakeholders surrounding Civic Square;
 3. Undertook a procurement process for the design of the public amenity;
 4. Worked with Architectural firm S Group, Council staff, Heritage Tasmania staff and Civic Square stakeholders to complete the design;
 5. Considered the proposal in a Workshop in September 2017;
 6. Presented the proposal to the Launceston Heritage Advisory Committee in August 2017;
 7. Publicly advertised the proposal as part of a Development Application Process, receiving only limited objections, some of which were addressed in meetings with Council staff;
 8. Included a condition on the planning permit to apply a pre-cast pattern to the building walls to ensure that it has a material character that is complementary to the adjacent heritage building; and
 9. Re-released the proposal for public consideration via Facebook, radio and print media receiving minor feedback.
 2. Resolves to continue with the development as approved in Development Application DA0466/2017.
-

Mr M Stretton (General Manager) and Mr D Fitzgerald (Project Manager Investigation and Design) were in attendance to answer questions of Council in respect of this Agenda Item.

21.2 Civic Square Public Toilets ...(Cont'd)

DECISION: 18 December 2017**MOTION****Moved Alderman D H McKenzie, seconded Alderman E K Williams.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Mayor Alderman A M van Zetten, 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**

21.3 Action in Respect of the Strategic Planning and Policy Committee**FILE NO:** SF3108**AUTHOR:** John Davis (Manager Corporate Strategy)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To consider disbanding the Strategic Planning and Policy Committee.

PREVIOUS COUNCIL CONSIDERATION:

Pre-Council Workshop - 4 December 2017

RECOMMENDATION:

That Council disbands the Strategic Planning and Policy Committee.

Mr M Stretton (General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.**DECISION: 18 December 2017****MOTION****Moved Alderman J Finlay, seconded Alderman R L McKendrick.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Mayor Alderman A M van Zetten, 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**

21.4 Council Meetings Schedule 2018

FILE NO: 14-Rfx-009

AUTHOR: John Davis (Manager Corporate Strategy)

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To consider the Council Meeting Schedule for 2018.

Pursuant to regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015* (Meeting Procedures Regulations) the passing of this item requires an absolute majority of Council.

RECOMMENDATION:

That, pursuant to regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015*, Council approves the following Council Meeting Schedule for 2018:

DAY	DATE	MEETING	TIME
JANUARY			
Monday	22 January	Council	1.00pm
FEBRUARY			
Monday	5 February	Council	1.00pm
Monday	19 February	Council	1.00pm
MARCH			
Monday	5 March	Council	1.00pm
Monday	19 March	Council	1.00pm
APRIL			
Monday	9 April	Council	1.00pm
Monday	23 April	Council	1.00pm
MAY			
Monday	7 May	Council	1.00pm
Monday	21 May	Council	1.00pm
JUNE			
Monday	4 June	Council	1.00pm
Monday	18 June	Council	1.00pm
JULY			
Monday	2 July	Council	1.00pm
Monday	16 July	Council	1.00pm
Monday	30 July	Council	1.00pm
AUGUST			
Monday	13 August	Council	1.00pm
Monday	27 August	Council	1.00pm
SEPTEMBER			
Monday	10 September	Council	1.00pm
Monday	24 September	Council	1.00pm

21.4 Council Meetings Schedule 2018 ...(Cont'd)

OCTOBER			
Monday	8 October	Council	1.00pm
Monday	22 October	Council	1.00pm
NOVEMBER			
Thursday	8 November	Council	1.00pm
Thursday	22 November	Council	1.00pm
DECEMBER			
Thursday	6 December	Council	1.00pm
Thursday	6 December	Annual General Meeting	5.30pm
Thursday	20 December	Council	1.00pm

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

DECISION: 18 December 2017

MOTION

Moved Alderman J Finlay, 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, 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

21.5 Report on Council's 2017 Annual General Meeting**FILE NO:** SF0098**AUTHOR:** John Davis (Manager Corporate Strategy)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To report on the Council's 2017 Annual General Meeting, held in compliance with section 72B of the *Local Government Act 1993 (Tas)*, on Monday, 4 December 2017 at 5.30pm at the Council Chambers, Town Hall.

RECOMMENDATION:

That Council, in respect of the Annual General Meeting held on Monday, 4 December 2017 at 5.30pm at the Council Chambers, Town Hall, notes the following motions passed at that meeting:

- (i) That the Minutes of the Annual General Meeting held on 5 December 2016 be accepted as a true and correct record.
 - (ii) That the City of Launceston Annual Report for the year ended 30 June 2017 be adopted, together with the Annual Reports for the following City of Launceston entities and Authorities:
 - 1. Queen Victoria Museum and Art Gallery;
 - 2. York Park and Inveresk Precinct Authority; and
 - 3. Launceston Flood Authority.
-

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

The Mayor Alderman A van Zetten handed the Chair to Alderman R L McKendrick at 2.06pm.

The Mayor resumed the Chair at 2.08pm.

21.5 Report On Council's 2017 Annual General Meeting ...(Cont'd)

DECISION: 18 December 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, 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**

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)

RECOMMENDATION:

That, pursuant to the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session to consider the following matters:

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 the council or council committee and signed by the chairperson of the closed meeting.

23.2 RNAPS Report to Council

Regulation 15(2)(c)

15(2)(c) commercial information of a confidential nature that, if disclosed, is likely to:

- (i) prejudice the commercial position of the person who supplied it; or
 - (ii) confer a commercial advantage on a competitor of the council; or
 - (iii) reveal a trade secret;
-

DECISION: 18 December 2017

MOTION

Moved Alderman R L McKendrick, seconded Alderman D W Alexander.

That Council move into Closed Session.

CARRIED 11:0

FOR VOTE: Mayor Alderman A M van Zetten, 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 moved to Closed Session at 2.12pm.

Council returned to Open Session at 2.28 pm.

24 MEETING CLOSURE

The Mayor, Alderman A M van Zetten, closed the Meeting at 2.28pm.

UNCLASSIFIED MINUTES ITEMS: