



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 17 OCTOBER 2019  
1.00pm**

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

Date: 17 October 2019

Time: 1.00pm

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## Certificate of Qualified Advice

### Background


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

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

### Certification

I certify that:

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



**Michael Stretton**  
General Manager

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## 1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm and noted apologies from Councillor R I Soward and Councillor T G Walker.

The Mayor presented certificates to Shane Eberhardt, Louise Foster and Leigh Handley, acknowledging their appointment to the roles of Municipal Coordinator and Deputy Municipal Coordinators respectively, under the *Emergency Management Act 2006*.

## 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.)*

**Councillor N D Daking declared an interest in Agenda Item - 8.2 - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunnery Arms).**

**Councillor A E Dawkins declared an interest in Agenda Item - 15.1 - Community Grants (Round 1) 2019/2020 (RANT Arts - Level Up).**

**Councillor D H McKenzie declared an interest in Agenda Item - 15.1 - Community Grants (Round 1) 2019/2020 (Northern Suburbs Community Centre Inc. - Permaculture Design Course for Community Resilience).**

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**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 3 October 2019 be confirmed as a true and correct record.

**DECISION: 17 October 2019**

**MOTION**

**Moved Councillor P S Spencer, seconded Councillor J G Cox.**

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

**CARRIED 10:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris**

**4 DEPUTATIONS**

**No Deputations were identified as part of these Minutes**

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**5 PETITIONS**

*Local Government Act 1993 - sections 57 and 58*

**5.1 Petition - Installation of FOGO Bins at Scotch Oakburn College**

**FILE NO:** SF0097/SF3942

**AUTHOR:** Anthea Rooney (Committee Clerk)

**GENERAL MANAGER:** Michael Stretton (General Manager)

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**DECISION STATEMENT:**

To receive a petition submitted by Mr Dean Power and Ms Bronte Legro regarding the installation of FOGO bins at Scotch Oakburn College.

**RECOMMENDATION:**

That, pursuant to section 58(2) of the *Local Government Act 1993 (Tas)*, Council receives the petition regarding the installation of FOGO bins at Scotch Oakburn College tabled by the General Manager and submitted by Mr Dean Power and Ms Bronte Legro.

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

**Ms Alysha Carins spoke for the Recommendation**

**DECISION: 17 October 2019**

**MOTION**

**Moved Councillor J Finlay, seconded Councillor D C Gibson.**

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

**CARRIED 10:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris**

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**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 Councillors.)*

**6.1 Mr Nathan Tucker (Executive Co-Director) - RANT Arts**

**Mr Tucker provided Council with information regarding RANT Arts, a locally based not-for-profit organisation, with particular emphasis on creating art pathways for the community. Mr Tucker indicated that RANT Arts aims to advocate for, connect and support local artists. RANT Arts is currently promoting four primary programs *Rising Phoenix* - a youth focussed program, *Pathways*, a Regional Arts Fund and a Womens' Art Prize Tasmania.**

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**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.)*

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**7.1.1 Public Questions on Notice - Ms Ros Lewis - Council Meeting - 3 October 2019****FILE NO:** SF6381**AUTHOR:** Leanne Viney (Administration Officer)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**QUESTIONS and RESPONSES:**

The following questions, submitted to Council on 3 October 2019 by Ms Ros Lewis, have been answered by Shane Eberhardt (Director Infrastructure Services).

**Questions:**

In reference to the recent Declaration of Climate Emergency and the Sustainability Strategy Report which will be on the Agenda today:

1. Is there any update on the letters to the various Heads of Government and Members of Parliament and how they replied?

**Response:**

*Council has received replies from a number of State and Federal members who have acknowledged the challenge posed by climate change and the role that the various levels of government need to play.*

2. Is there any update on where we've got to with our baseline greenhouse gas emissions?

**Response:**

*The Council has commissioned a greenhouse gas audit which will take approximately six months to complete.*

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**7.1.2 Public Questions on Notice - Mr Robin Smith - Council Meeting - 3 October 2019****FILE NO:** SF6381**AUTHOR:** Leanne Viney (Administration Assistant)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**QUESTIONS and RESPONSES:**

The following question submitted to Council on 3 October 2019 by Mr Robin Smith has been answered by Shane Eberhardt (Director Infrastructure Services).

**Question:**

1. City Heart's previous projects incorporated into the works, fittings into the ground, such as umbrellas and sockets for banners etc. Why were the fittings not installed in the Brisbane Street Mall?

**Response:**

*The Brisbane Street Mall redevelopment project has included provision for banners and street signs. These are incorporated into the lighting poles throughout the Mall area and have been in use since the re-opening of the Mall following completion of construction work.*

*The inclusion of umbrellas in the Mall was not considered as part of the final design for this area. Weather protected seating areas and location to cross the Mall between shop-front awning areas is provided by the two permanent roof structures in the Mall.*

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**7.1.3 Public Questions on Notice - Ms Rocelyn Ives - Council Meeting - 3 October 2019****FILE NO:** SF6381**AUTHOR:** Leanne Viney (Administration Officer)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**QUESTIONS and RESPONSES:**

The following questions, submitted to Council on 3 October 2019 by Ms Rocelyn Ives have been answered by Shane Eberhardt (Director Infrastructure Services).

**Questions:**

1. Recently the Inclinator at the Gorge was closed over a number of days. I am aware of the expense for service work and the regular disruption to its operation over its life time. I was present at the Gorge regularly to support visitors when this occurred during recent years. I would like to ask what is Plan B?

**Response:**

*The inclinator is unique and requires specialised repairs and servicing.*

*The faults experienced do vary. The recent issue with the inclinator was a fault with the bottom gate not closing correctly causing a safety concern to users. Previous to that was an issue with one of the operating buttons within the inclinator not activating.*

*Out of service times are managed as best as possible, however, reliance on out of town specialists for this work is required.*

*Options for contracted maintenance locally to help minimise response and disruption time in the case of faults is being explored. Preventative maintenance occurs on a monthly basis.*

2. Recently I was responsible for numbers of school students and another time there were elders who were unable to use the steps. For me, with loads of equipment to carry from the carpark, it was exhausting. The carpark to the inclinator levelled walkway is a wonderful access path. Would CoL Council consider either committing to a once off payment for design modifications to overcome the issue of the door and operation faults of the Inclinator or provide more ramps where there are no alternatives to steps for access?
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**7.1.3 Public Questions On Notice - Ms Rocelyn Ives - Council Meeting - 3 October 2019 ... (Cont'd)**

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***Response:***

*Due to the grade of the entrance to the Gorge from the First Basin Carpark, it is not possible to install a ramp and retain the natural and heritage values of the area.*

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**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.)*

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**7.2.1 Dr Jillian Koshin - Councillor Voting**

- 1. In 2016 Councillor Gibson referred to an email that had been sent on the day of the Council Meeting by the then Acting General Manager regarding the University of Tasmania. Given today's Agenda Item, my question is what guarantee does the public have that something similar has not happened this time?**

**The Mayor, Councillor A M van Zetten, noted that no pressure had been applied to Councillors and that Councillors are free to decide on issues as they feel inclined to do so.**

- 2. Given the size of today's Council Agenda and in particular the Development Application submitted by the University of Tasmania, how confident can the public be that all Councillors have read, understood and fact checked the material they are voting on - as is a requirement of their Code of Conduct?**

**The Mayor, Councillor A M van Zetten, indicated that the public should be completely satisfied with the process undertaken by all Councillors.**

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## 7.2.2 Ms Nancy Serisier - Heritage Precinct Concerns

1. How will an inappropriate use, such as a gymnasium, which is a discretionary use only, potentially effect the integrity of proposed heritage precincts, specifically the Cimitiere Street heritage precinct?

The Mayor, Councillor A M van Zetten, indicated that this matter would be considered later in the Agenda and Councillors will consider that question in their determination of the item.

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## **7.2.3 Mr Robin Smith - Brisbane Street Mall**

- 1. Following on from a question asked during the last Council Meeting, why did the City Heart project not install infrastructure, such as umbrella bases, back into the Brisbane Street Mall?**

**The Mayor, Councillor A M van Zetten, indicated that this question would be Taken on Notice and a response provided in the Council Agenda of 31 October 2019.**

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## 7.2.4 Mr Robin Smith - City Parking Issues

1. Following on from the launch of Dr Grimmer's *Shopping in the City* Report and with the recent introduction of *Uber Eats*, can delivery drivers expect a dedicated central City parking space to assist with the unique requirements of high volume quick pick-ups?

The Mayor, Councillor A M van Zetten, responded by saying that it is an issue that can be considered as other areas, such as Hobart, are also undergoing similar discussions. It is important, the Mayor said, to ensure both sides are managed appropriately, especially in the CBD.

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## 7.2.5 Mr Robin Smith - City Trader Issues

1. **What can be done to assist City traders with replacement of facilities - such as flags, the clock, a poster pole, planters, etc., lost during the redevelopment of the Brisbane Street Mall?**

**The Mayor, Councillor A M van Zetten, responded by saying that it would be helpful if a letter or email could be forwarded to the Council detailing the traders' suggestions and then that could be followed up.**

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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 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition**

**FILE NO:** DA0315/2019

**AUTHOR:** John Ayers (GHD)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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#### **DECISION STATEMENT:**

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

#### **RECOMMENDATION:**

In accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for, DA0315/2019, Educational and Occasional Care - Construction of a new building including demolition at 2-4 Invermay Road, Invermay, subject to the following conditions:

#### **1. ENDORSED PLANS & DOCUMENTS**

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

- a. Title Sheet - Drawing List, John Wardle Architects, Drawing No. DA.0000, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 01, 27/06/2019.
  - b. 3D Views - Renders, John Wardle Architects, Drawing No. DA.0001, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 02, 27/06/2019.
  - c. Site Conditions - Proposed Site Plan, John Wardle Architects, Drawing No. DA.0100, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 03, 27/06/2019.
  - d. Site Conditions - Proposed Site Plan, John Wardle Architects, Drawing No. DA.0100, UTAS Inveresk Campus Library & Student Services Building, Revision C, Page No. 04, 28/06/2019.
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**8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition ...(Cont'd)**

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- e. Existing Conditions - Existing Site Plan, John Wardle Architects, Drawing No. DA.0200, UTAS Inveresk Campus Library & Student Services Building, Revision C, Page No. 05, 28/06/2019.
  - f. Existing Conditions - Existing Site Plan, John Wardle Architects, Drawing No. DA.0200, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 06, 27/06/2019.
  - g. Demolition Plan - Level 1 (Ground Floor), John Wardle Architects, Drawing No. DA.0300, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 07, 27/06/2019.
  - h. External Works - External Works Plan, John Wardle Architects, Drawing No. DA.0400, UTAS Inveresk Campus Library & Student Services Building, Revision E, Page No. 01, 15/07/2019.
  - i. General Series - Shadow Diagrams, John Wardle Architects, Drawing No. DA.0600, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 09, 27/06/2019.
  - j. General Series - Site Elevations, John Wardle Architects, Drawing No. DA.0700, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 10, 27/06/2019.
  - k. General Arrangement Plan - Level 01 (Ground), John Wardle Architects, Drawing No. DA.1000, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 11, 27/06/2019.
  - l. General Arrangement Plan – Level 02, John Wardle Architects, Drawing No. DA.1001, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 12, 27/06/2019.
  - m. General Arrangement Plan - Level 03, John Wardle Architects, Drawing No. DA.1002, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 13, 27/06/2019.
  - n. Roof, John Wardle Architects, Drawing No. DA.1100, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 14, 27/06/2019.
  - o. Major Building Elevations - Elevations, John Wardle Architects, Drawing No. DA.3000, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 15, 27/06/2019.
  - p. Major Building Elevations - Elevations, John Wardle Architects, Drawing No. DA.3001, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 16, 27/06/2019.
  - q. Overall Isometrics - Building Isometric Views, John Wardle Architects, Drawing No. DA.3002, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 17, 27/06/2019.
  - r. Major Building Sections - Sections, John Wardle Architects, Drawing No. DA.3500, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 18, 27/06/2019.
  - s. Finishes - External Finishes, John Wardle Architects, Drawing No. DA.9000, UTAS Inveresk Campus Library & Student Services Building, Revision B, Page No. 19, 27/06/2019.
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**8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition ...(Cont'd)**

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- t. Services Coordination Plan, John Wardle Architects, Drawing No. 18041-LA-101, Building 3 - Library & Student Services Building, Revision P1, Page No. 1, 12/08/2019.
- u. Electrical Services, Engineering Solutions Tasmania, Drawing No. 18029-B3-E01, Building 3 Site Electrical Services Layout, Revision P1, Page No. 1, 17/05/2019.

**2. AMENDED PLANS REQUIRED**

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

- a. The relocated water main clear of all building structures and existing and proposed trees
- b. The relocated sewer rising main clear of all building structures and existing and proposed trees.

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

**3. 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.

**4. 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

**5. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2019/00933-LCC, 15/07/2019 and attached to the permit.

**6. 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.

**7. WASTE MATERIALS**

All waste materials generated by the activity are to be disposed of at an approved refuse disposal facility or reclaimed/recycled if possible.

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**8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition ...(Cont'd)**

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**8. HERITAGE**

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Application No. 5974, 12/09/2019 and attached to the permit and specifically

1. Concrete Annexe:
  - a. The total demolition of the concrete annexe from the north-west side of the Main Workshop/Stone Building is not approved.
  - b. The infill panels between the concrete piers to the concrete annexe may be modified for new openings.
  - c. Amended plans showing the work to the concrete annexe in accordance with the above conditions must be submitted to and endorsed by Heritage Tasmania's Works Manager prior to the commencement of any works requiring a building permit. Once endorsed by the Works Manager, the documentation will form part of this permit and must be complied with.
2. Prior to commencement and any works involving ground disturbance:
  - a. An Archaeological Method Statement (AMS) must be prepared by a qualified professional historical archaeologist; and
  - b. The AMS must include a method for sorting, assessing, discarding, curating and interpreting any identified materials; and
  - c. The AMS must be submitted and endorsed by Heritage Tasmania's Works Manager. Once endorsed, the archaeological processes that are recommended in the AMS will form part of this approval and must be implemented.
  - d. A report detailing the findings of the archaeological investigations must be submitted to the Heritage Council within six months of the completion of excavations.

**9. 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 by-law 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.

**10. 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.

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**8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition ...(Cont'd)**

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**11. PROTECTION OF PIPELINES**

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

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

No work over or immediately adjacent to the pipe is to commence without the written permission of the General Manager or his delegate pursuant to section 13 of the *Urban Drainage Act 2013*.

**12. SUBMISSION AND APPROVAL OF PLANS**

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
    - i. Electricity infrastructure including street lighting.
    - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
    - iii. Evidence of assessment by TasGas Networks regarding provision of reticulated gas network.
  - b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
  - c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
  - d. be accompanied by:
    - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
    - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.
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## **8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition ...(Cont'd)**

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### **13. 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. The provision of a DN 300 connection to drain the proposed site and all necessary plumbing works to maintain existing connections for those buildings contained on the proposed Lot 1 shown on the endorsed plans for DA0217/2018 to connect the lowest point of each lot,
- b. Water Main
  - i. Provision of a relocated water main, located clear of all structural slabs for the proposed building and all existing and proposed trees shown on the endorsed plans.
- c. Sewer
  - i. Provision of a relocated sewer rising main, located clear of all structural slabs for the proposed building and all existing and proposed trees shown on the endorsed plans.
- d. Electricity, Communications and Other Utilities
  - i. A relocated underground reticulated electricity system must be provided to service the site, installed to the approval of the Responsible Authority.
  - ii. A relocated underground telecommunications system must be provided to service the site, installed to the approval of the Responsible Authority.
  - iii. A relocated reticulated gas network clear of all structural slabs for the proposed building to maintain service the existing uses on the site, installed to the approval of the Responsible Authority.

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

- 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.

### **14. 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:

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**8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition ...(Cont'd)**

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- 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.

**15. COMPLETION OF WORKS**

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

**16. AS CONSTRUCTED PLANS**

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

**17. 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.

**18. WASTE MATERIALS**

All waste materials generated by the activity are to be disposed of at an approved refuse disposal facility or reclaimed/recycled if possible.

**19. CONTAMINATED LAND**

The applicant must comply with the Environmental Site Assessment Report and Environmental Management Plan prepared by Geo-Environmental Solutions dated June 2019 and complete all Works required in the recommendations. The use and development approved must be undertaken so as to comply with all the recommendations and requirements of the Environmental Site Assessment.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and (Environmental Protection Authority if relevant) immediately upon discovery.

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## 8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition ...(Cont'd)

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### 20. FOOD PREMISES

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

### 21. DEMOLITION

The Developer must:

- a. carry out all demolition work in accordance with Safe Work Australia 'Demolition Work' Code of Practice or any subsequent versions of the document;
- b. 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
- c. not undertake any burning of waste materials on site;
- d. remove all rubbish from the site for disposal at a licensed refuse disposal site;
- e. dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos' Code of Practice or any subsequent versions of the document.

### Notes

- A. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code  
*Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.*
  - B. Occupancy Permit Required  
*Occupancy permit required for new or altered habitable buildings: - Pursuant to section 216 of the Building Act 2016, it is recommended that a licensed building surveyor be consulted to determine if an occupancy permit is required for the building before the building or a part of the building can be, or can continue to be, occupied.*
  - C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code  
*Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.*
  - D. General  
*This permit was issued based on the proposal documents submitted for (insert application reference). You should contact Council with any other use or*
-

**8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition ...(Cont'd)**

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*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.*

*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 affected, restricted or prohibited by any such covenant.*

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

**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 the Right of Appeal is attached.*

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**8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care -  
Construction of a New Building Including Demolition ...(Cont'd)**

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**Mr R Jamieson (Manager City Development), Ms P Glover (Team Leader Planning Assessments) and Mr J Ayers (Consultant GHD) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Neil Grose (on behalf of the Launceston Chamber of Commerce) spoke for the Recommendation**

**Ms Maree Tetlow (on behalf of the Northern Tasmanian Development Corporation) spoke for the Recommendation**

**Ms Catherine Murdoch (on behalf of the Office of the Coordinator General) spoke for the Recommendation**

**Mr Joseph Chromy (read by Mr Sam Tucker) spoke for the Recommendation**

**Ms Janette Burke (on behalf of the University of Tasmania) spoke for the Recommendation**

**Mr Phil Leersen (on behalf of the University of Tasmania) spoke for the Recommendation**

**Ms Irene Duckett (Planning Consultant on behalf of the University of Tasmania) spoke for the Recommendation**

**Mr Sam Tucker spoke for the Recommendation**

**Mr Andrew Pitt spoke for the Recommendation**

**DECISION: 17 October 2019**

**MOTION 1**

**Moved Councillor J Finlay, seconded Councillor D H McKenzie.**

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

**CARRIED 9:1**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor J G Cox and Councillor A G Harris  
AGAINST VOTE: Councillor P S Spencer**

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8.1 2-4 Invermay Road, Invermay - Educational and Occasional Care -  
Construction of a New Building Including Demolition ...(Cont'd)

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**DECISION:** 17 October 2019

**MOTION 2**

Moved Councillor K P Stojansek, seconded Councillor D C Gibson.

That an additional three minutes of speaking time be granted to Councillor J Finlay.

**CARRIED 10:0**

**FOR VOTE:** Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris

During debate, a Point of Order was raised by Councillor D C Gibson to request that Councillor P S Spencer stay on topic [*Regulation 23(1)(a) of the Local Government (Meeting Procedures) Regulations 2015 refers*]. The Mayor, Councillor A M van Zetten, ruled that the point is well taken and asked Councillor P S Spencer to stay on topic.

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**8.2 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunners Arms)****FILE NO:** DA0370/2019**AUTHOR:** Iain More (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

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

**RECOMMENDATION:**

In accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0370/2019 - Sport and Recreation - Change of use to a fitness studio at 23 Lawrence Street, Launceston - Gunners Arms subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

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

- a. Location Plan, prepared by Apogee Design, Drawing No. A01-04, dated Tuesday 30 July 2019;
  - b. Site Plan, prepared by Apogee Design, Drawing No. A03-03, dated Tuesday 30 July 2019;
  - c. Demolition Plan, prepared by Apogee Design, Drawing No. A05-01, dated Tuesday 30 July 2019;
  - d. Floor Plan, prepared by Apogee Design, Drawing No. A06-01, dated Tuesday 30 July 2019;
  - e. Furniture Floor Plan, prepared by Apogee Design, Drawing No. A07-03, dated Tuesday 30 July 2019;
  - f. Elevations - North and South, prepared by Apogee Design, Drawing No. A09-02, dated Tuesday 30 July 2019;
  - g. Elevations - West, prepared by Apogee Design, Drawing No. A01-01, dated Tuesday 30 July 2019;
  - h. Noise Emission Assessment, prepared by Tarkarri Engineering, Ref: 5302\_AC\_R\_R1, prepared by Tarkarri Engineering, dated 19 August 2019; and
  - i. Preliminary Site Investigation, Project No. 6775, prepared by Environmental Service & Design, dated July 2019.
-

**8.2 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunners Arms) ...(Cont'd)**

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**2. ASSOCIATED USES**

The use is only able to operate whilst all titles comprised within the application remain in single ownership so all car parking remains available for all uses on site.

**3. NOISE**

The use must not cause unreasonable nuisance or loss of amenity to adjoining sensitive uses. Prior to the use commencing:

- a. A noise management system must be installed and demonstrated to be functioning effectively to the satisfaction of the Manager City Development. In order to demonstrate this, noise measuring equipment must be installed and the sound system operational;
- b. Certification must be provided from Tarkarri Engineering that all recommendations within the endorsed noise emission assessment have been complied with;
- c. Double glazing must be installed on all glass windows and doors; and
- d. All windows and doors must be closed for the duration of each class, with the exception of persons exiting and entering the premises.

**4. CLASS SIZE LIMITATIONS**

Classes are restricted to a maximum of 30 participants at any one time.

**5. CAR PARKING**

Prior to the commencement of the use, a car parking layout plan is to be provided and endorsed by the Manager of City Development. The plan must:

- a. Dedicate 11 car parking spaces located in the southern car park for the fitness studio use during its operating hours;
- b. Demonstrate appropriate signage for the gym and hotel use on site, including hours each car park is permitted to be utilised; and
- c. Location of a permanent, or semi-permeant loading bay.

**6. BICYCLE PARKING**

Five bicycle spaces must be provided for the use outside of the building, and constructed in accordance with the relevant Australian Standard.

**7. SIGNAGE**

No signage is approved as part of this application. Any future signage will require approval via a new discretionary development application.

**8. LEGAL TITLE**

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

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**8.2 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunners Arms) ...(Cont'd)**

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**9. EXTERIOR AND SECURITY LIGHTING**

Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.

**10. 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

**11. BUSINESS HOURS**

The operation of the fitness studio for classes must be confined to:

Monday to Friday:

- 5.15am - 10.15am; and
- 4.00pm - 8.00pm

Saturday:

- 5.15am - 10.15am

Sunday:

- 8.00am - 10.00am

**12. DRIVEWAY AND PARKING AREA CONSTRUCTION**

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

- a. To such levels that they can be used in accordance with the plans;
- b. With an impervious all weather seal;
- c. With drainage to prevent stormwater being discharged to neighbouring property;
- d. With line-marking or otherwise delineated to indicate each car space and access lanes.

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

**13. 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, by-laws and legislation relevant to the development activity on the site.

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**8.2 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunners Arms) ...(Cont'd)**

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**14. 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.

**15. 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.

**16. 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.

**Notes**

- A. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code  
*Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as*
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**8.2 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunners Arms) ...(Cont'd)**

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*a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.*

**B. Occupancy Permit Required**

*Occupancy permit required for new or altered habitable buildings - Pursuant to section 216 of the Building Act 2016, it is recommended that a licensed building surveyor be consulted to determine if an occupancy permit is required for the building before the building or a part of the building can be, or can continue to be, occupied.*

**C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code**

*Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.*

**D. General**

*This permit was issued based on the proposal documents submitted for DA0370/2019. 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.*

*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 affected, restricted or prohibited by any such covenant.*

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**8.2 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunners Arms) ...(Cont'd)**

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*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) <<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. Noise Nuisance**

*Noise Nuisance is regulated under the Environmental Management and Pollution Control Act 1994. Please note that if complaints are received and verified, you will be required to implement measures to eliminate the nuisance. **Noise Nuisance (1)***

*Use of the north-facing car park adjacent to 17 Lawrence Street is prohibited between the following hours:*

*Prior to 07.00am Monday - Saturday*

*Prior to 10.00am Sunday*

*As per recommendations specified in acoustic report dated 19 August by Tarkarri Engineering. **Noise Nuisance (2)***

*All operable panels must remain closed during the following hours of use:*

*Prior to 07.00am Monday - Saturday*

*Prior to 10.00am Sunday*

*As per recommendations specified in acoustic report dated 19 August by Tarkarri Engineering. **Noise Nuisance (3)***

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**8.2 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunners Arms) ...(Cont'd)**

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*Reverberant noise levels in the F45 Training area must not exceed 85dBA and 90dBC on a 1minute Leq basis, as per recommendations specified in acoustic report dated 19 August by Tarkarri Engineering.*

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**Mr R Jamieson (Manager City Development), Ms P Glover (Team Leader Planning Assessments) and Mr I More (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Councillor N D Daking declared an interest in Agenda Item - 8.2 - 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunners Arms) and withdrew from the Meeting at 2.10pm.**

**Mr Greg Lear spoke against the Recommendation  
Mr Daniel Priest spoke against the Recommendation  
Mr Andrew Barnett spoke against the Recommendation  
Ms Keiren Warner spoke against the Recommendation  
Mrs Nancy Serisier spoke against the Recommendation  
Mrs Hillary Wall (read by Mrs Nancy Serisier) spoke against the Recommendation  
Mr Peter Serisier spoke against the Recommendation  
Ms Rosemary Jones spoke against the Recommendation  
Ms Harley Russell spoke against the Recommendation  
Ms Keryn Parkes spoke against the Recommendation  
Ms Chloe Lyne (Planning Consultant on behalf of the Proponent) spoke for the Recommendation  
Dr Alex McLeod (on behalf of Tarkarri Engineering) spoke for the Recommendation  
Mr Sam Tucker spoke for the Recommendation  
Mr Peter Dixon spoke for the Recommendation**

**During debate a refusal motion was foreshadowed.**

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**8.2 23 Lawrence Street, Launceston - Sport and Recreation - Change of Use to a Fitness Studio (Gunners Arms) ...(Cont'd)**

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**DECISION: 17 October 2019**

**MOTION 1**

**Moved Councillor D H McKenzie, seconded Councillor A G Harris.**

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

**LOST 1:8**

**FOR VOTE: Councillor P S Spencer**

**AGAINST VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor D H McKenzie, Councillor K P Stojansek, Councillor J G Cox and Councillor A G Harris**

**ABSENT DUE to DECLARATION of INTEREST: Councillor N D Daking**

**DECISION: 17 October 2019**

**MOTION 2**

**Moved Councillor J Finlay, seconded Councillor J G Cox.**

**That the application be refused on the basis that the Planning Authority is not satisfied that the proposed use can operate without adversely impacting the amenity of nearby sensitive uses. The proposal is considered to be contrary to clause 22.3.2 (P1).**

**CARRIED 9:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris**  
**ABSENT DUE to DECLARATION of INTEREST: Councillor N D Daking**

**Councillor N D Daking re-attended the Meeting at 2.46pm.**

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**The Mayor, Councillor A M van Zetten, announced that Council no longer sits as a Planning Authority.**

**The Mayor, Councillor A M van Zetten, handed the Chair to the Deputy Mayor, Councillor D C Gibson at 2.46 pm.**

**The Mayor, Councillor A M van Zetten, retired from the Meeting at 2.46pm.**

**The Council adjourned for a break at 2.46pm.**

**The Council resumed following a break at 2.50pm.**

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

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**Friday 4 October 2019**

- Hosted a Civic function to mark 70<sup>th</sup> Anniversary of Soroptimist International (Launceston)

**Saturday 5 October 2019**

- Attended the Northern Tasmanian Football Associations Premier Division Best and Fairest dinner

**Wednesday 9 October 2019**

- Officiated at the opening of the Integrated Wellness Centre at Invermay

**Friday 11 October 2019**

- Attended the Rocherlea Football Club's Annual Dinner and Presentation

**Saturday 12 October 2019**

- Officiated at the opening of the Launceston Tramway Museum Track at Inveresk

**Sunday 13 October 2019**

- Officiated at the Probus Annual District Church Parade at Salvation Army Citadel

**Monday 14 October 2019**

- Officiated at *Live Music on the Move* at the Launceston General Hospital

**Tuesday 15 October 2019**

- Attended an Anti-Poverty Week function at Tramsheds
  - Chaired the Launceston Competition's Annual General Meeting
-

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

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**Wednesday 16 October 2019**

- Officiated at a Seniors' Morning Tea hosted by City of Launceston
  - Officiated at the opening of the new premises of the National Automobile of Tasmania's Museum
  - Attended *The Sapphires* at the Princess Theatre
-

**10 COUNCILLOR'S REPORTS**

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

**10.1 Councillor A E Dawkins**

- **Attended and opened *The Minds Do Matter* exhibition at the QVMAG and highlighted the exhibition will run from 6 - 29 October 2019**
- **Attended the *Mental Health Comedy Roadshow* at St John Craft Beer**

**Councillor J G Cox attended the Meeting at 2.51pm.**

**10.2 Councillor A G Harris**

- **Attended the opening of the National Automobile Museum of Tasmania and commended the newly opened facility to community members**
- **Participated in the annual *Ride to Work Day***

**10.3 Councillor D H McKenzie**

- **Attended the opening of the National Automobile Museum of Tasmania**

**10.4 Councillor P S Spencer**

- **Attended the opening of the extension of the railway track at the Launceston Tramway Museum at Inveresk and acknowledged volunteer participation**

**10.5 Councillor N D Daking**

- **Noted the City of Launceston's efforts in recycling and congratulated City of Launceston staff for their work**

**10.6 Councillor D C Gibson**

- **Attended the opening of the extension of the railway track at the Launceston Tramway Museum at Inveresk**
  - **Attended the *Launceston Learning Festival* hosted by Launceston Church Grammar School**
  - **Attended the opening of *Live Music on the Move* at the Launceston General Hospital and praised the initiative for its innovative approach**
-

**11 QUESTIONS BY COUNCILLORS****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.)*

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**11.1.1 Councillors' Questions on Notice - Councillor A G Harris - Staff Parking for the Mowbray Marketplace Shopping Centre - Council Meeting - 3 October 2019****FILE NO:** SF2375**AUTHOR:** Leanne Viney (Administration Officer)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**QUESTIONS and RESPONSES:**

The following question asked at Council on 3 October 2019 by Councillor A G Harris, has been answered by Leanne Hurst (Director Development Services).

**Question:**

1. How many staff parking spots were to be provided under the Development Application to build the Mowbray Marketplace shopping centre and the Target store?

**Response:**

*Officers have reviewed approvals for the relevant properties and identified the following with regard to parking controls:*

*21 Vermont Road, Mowbray - Targets parking requirements are as follows: "All staff vehicles including vehicles associated with the operation on the use must be parked within the site and not on the street."*

*262 Invermay Road, Mowbray - Mowbray market place does not have planning conditions related to staff parking. It is worth noting that this shopping centre does not currently have a time limit advertised nor is it apparent that there is monitoring of the carpark.*

*It would appear both properties are operating within their permit conditions.*

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**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 Councillor's Questions on Notice were identified as part of these Minutes**

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## 12 COMMITTEE REPORTS

### 12.1 Launceston Access Advisory Committee Report - 26 September 2019

**FILE NO:** SF0025

**AUTHOR:** Tracey Mallett (Manager Community and Economic Development)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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#### **DECISION STATEMENT:**

To receive and consider a report from the Launceston Access Advisory Committee.

#### **RECOMMENDATION:**

That Council receives the report from the Launceston Advisory Committee Meeting held on 25 September 2019.

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**Ms T Mallett (Manager Community and Economic Development) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 17 October 2019**

#### **MOTION**

**Moved Councillor A E Dawkins, seconded Councillor D H McKenzie.**

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

**CARRIED 9:0**

**FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris**

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## 13 COUNCIL WORKSHOPS

### 13.1 Council Workshop Report

**FILE NO:** SF4401

**AUTHOR:** Anthea Rooney (Committee Clerk)

**DIRECTOR:** Louise Foster (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

#### **RECOMMENDATION:**

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

Workshops conducted on 17 October 2019:

#### **Regional Economic Development Plan**

*Councillors were provided with information regarding the Regional Economic Development Plan.*

#### **Mona Foma 2020 Final Program**

*Councillors were provided with a preview of the final 2020 Mona Foma program.*

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

**DECISION: 17 October 2019**

#### **MOTION**

**Moved Councillor A G Harris, seconded Councillor K P Stojansek.**

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

**CARRIED 9:0**

**FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris**

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**14 NOTICES OF MOTION**

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

**No Notices of Motion were identified as part of these Minutes**

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## 15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

### 15.1 Community Grants (Round 1) 2019/2020

**FILE NO:** SF6822

**AUTHOR:** Stephanie Berns (Grants and Sponsorship Officer)

**DIRECTOR:** Leanne Hurst (Director Development Services)

#### DECISION STATEMENT:

To consider applications for Community Grants received in Round 1, 2019/2020.

#### RECOMMENDATION:

1. That the following organisations receive the recommended grant amounts:

Organisation	Project/Activity	Score	Requested \$	Recommended \$
Conservation Volunteers Australia (CVA)	Punchbowl Community Bushland Conservation	82%	\$5,000	\$5,000
Baptcare	Mental Health Support Groups	82%	\$1,000	\$1,000
Edmund Rice Services Limited (operating as Edmund Rice Camps Tasmania)	Edmund Rice Camps Northern Tasmania	77%	\$5,000	\$3,750
Young Leaders of Tasmania Ltd	Future Leaders All Abilities Program - Launceston	76%	\$5,000	\$3,750
Tamar Bicycle Users Group Inc.	Bike Week Launceston 2020	76%	\$2,000	\$1,500
Northern Suburbs Community Centre Inc	Permaculture Design Course for Community Resilience	74%	\$5,000	\$3,750
*RANT Arts	Level Up!	72%	\$5,000	\$3,750
Cancer Council	Cancer Wellness Program	68%	\$2,750	\$2,063
LGH Historical Committee	Artist in Residence, Health Streetscapes - Launceston General Hospital	68%	\$5,000	\$3,750

**15.1 Community Grants (Round 1) 2019/2020 ...(Cont'd)**

Organisation	Project/Activity	Score	Requested \$	Recommended \$
Envision Employment Services	Recycling for a Cause	57%	\$5,000	\$2,500
<b>TOTAL</b>			<b>\$40,750</b>	<b>\$30,813</b>
<b>TOTAL AVAILABLE</b>				<b>\$35,000</b>
<b>TOTAL REMAINING FOR ROUND 2 2019/2020</b>				<b>\$4,187</b>

\* Lou Clark (External Assessment Panel Member) abstained from assessment of: RANT Arts - Level Up!

2. That the following grant applications not be funded by Council as they received a score less than the recommended level for funding (ie. <50%)

Organisation	Project/Activity	Score	Requested \$	Recommended \$
Rotaract of Tamar Valley	Silent Disco	46%	\$1,000	\$0
The Shepherd Centre - for deaf children	Listen for Launceston – supporting children with hearing loss and their family from Launceston	45%	\$5,000	\$0
Integratedliving Australia Limited	Launceston Wellness Centre Programs	44%	\$4,500	\$0
Cancer Council Tasmania	Improve Your Long Game	39%	\$3,292	\$0

**Mrs L Hurst (Director Development Services), Ms T Mallett (Manager Community and Economic Development) and Ms S Berns (Grants and Sponsorship Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Councillor A E Dawkins declared an interest in Agenda Item - 15.1 - Community Grants (Round 1) 2019/2020 (RANT Arts - Level Up) and withdrew from the Meeting at 3.01pm.**

**15.1 Community Grants (Round 1) 2019/2020 ...(Cont'd)**

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Councillor D H McKenzie declared an interest in Agenda Item - 15.1 - Community Grants (Round 1) 2019/2020 (Northern Suburbs Community Centre Inc. - Permaculture Design Course for Community Resilience) and withdrew from the Meeting at 3.02pm.

The Deputy Mayor, Councillor D C Gibson, handed the Chair to Councillor J Finlay at 3.02pm.

The Deputy Mayor, Councillor D C Gibson, resumed the Chair at 3.03pm.

**DECISION: 17 October 2019**

**MOTION**

Moved Councillor K P Stojansek, seconded Councillor A G Harris.

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

**CARRIED 7:0**

**FOR VOTE:** Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor N D Daking, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris

**ABSENT DUE to DECLARATION of INTEREST:** Councillor A E Dawkins and Councillor D H McKenzie

Councillor A E Dawkins re-attended the Meeting at 3.04pm.

Councillor D H McKenzie re-attended the Meeting at 3.04pm.

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**15.2 Australian Transplant Games - Special Event Sponsorship****FILE NO:** SF6977**AUTHOR:** Tracey Mallett (Manager Community and Economic Development)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider an application for sponsorship of the 2020 Australian Transplant Games.

**RECOMMENDATION:**

That Council agrees to pre-commit special event sponsorship of \$50,000 from the 2020-2021 Budget for the 2020 Australian Transplant Games, to be held in Launceston from 27 September to 3 October 2020.

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**Ms T Mallett (Manager Community and Economic Development) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 17 October 2019****MOTION**

**Moved Councillor D H McKenzie, seconded Councillor K P Stojansek.**

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

**CARRIED 9:0**

**FOR VOTE:** Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris

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**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**

**No Items were identified as part of these Minutes**

**17 CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS**

**No Items were identified as part of these Minutes**

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**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS****18.1 kanamaluka/Tamar River Estuary Sediment Management****FILE NO:** SF0696**AUTHOR:** Kathryn Pugh (Environmental Scientist)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

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**DECISION STATEMENT:**

To receive a report on the impact of sediment raking and ongoing sediment management of kanamaluka/Tamar River Estuary.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 6 June 2019 - River Health Action Plan - An update to Councillors regarding the River Health Action Plan, including governance and sediment management. The presentation included preliminary outcomes of the sediment raking review: an assessment against objectives, bathymetry changes, sediment transport and water quality.

**RECOMMENDATION:**

That Council:

1. receives the kanamaluka/Tamar River Estuary Sediment Raking Program Review: Report to the Tasmanian Parks and Wildlife Service (ECM Reference No 4148842).
  2. notes that the Launceston Flood Authority has ceased sediment raking and prop washing.
  3. approves the investigation of alternative sediment management options for channel maintenance for navigation access and flow.
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**Mr S Eberhardt (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

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**18.1 kanamaluka/Tamar River Estuary Sediment Management ...(Cont'd)**

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**DECISION: 17 October 2019****MOTION 1****Moved Councillor J Finlay, seconded Councillor A E Dawkins.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0****FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris****DECISION: 17 October 2019****MOTION 2****Moved Councillor K P Stojansek, seconded Councillor A G Harris.****That an additional three minutes speaking time be granted to Councillor J Finlay.****CARRIED 9:0****FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris**

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**19 CORPORATE SERVICES DIRECTORATE ITEMS**

**No Items were identified as part of these Minutes**

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**20 GENERAL MANAGER'S DIRECTORATE ITEMS****20.1 Representation Asia-Pacific Creative Cities Conference - Councillor Janie Finlay****FILE NO:** SF0121**GENERAL MANAGER:** Michael Stretton (General Manager)

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**DECISION STATEMENT:**

To consider a request from Councillor Janie Finlay to attend the Asia Pacific Creative Cities Conference in Adelaide, 23-26 October 2019.

**RECOMMENDATION:**

That Council agrees to Councillor Janie Finlay's request to attend the Asia Pacific Creative Cities Conference in Adelaide, 23-26 October 2019.

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

**DECISION: 17 October 2019****MOTION**

**Moved Councillor D H McKenzie, seconded Councillor K P Stojansek.**

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

**CARRIED 9:0**

**FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris**

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**20.2 Regional Economic Development Plan****FILE NO:** SF0793**AUTHOR:** Bruce Williams (Senior Economic Advisor)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**DECISION STATEMENT:**

To consider the Northern Tasmania Region RED Strategy: 2019 Draft 5. and provide feedback to the Northern Tasmanian Development Corporation community consultation process.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 17 October 2019 - Regional Economic Development Plan

**RECOMMENDATION:**

That Council requests:

1. the 13 specific items identified for consideration in feedback provided by the General Manager in a letter to Northern Tasmania Development Corporation on 19 March 2019 (as addressed in this report) be addressed and included in the final RED Strategy Draft; and
2. the final draft of the RED Strategy be constructed to combine both strategic and implementation targets and timelines (three-year and annual targets and timelines), so that the implementation process can proceed immediately that the RED Strategy is adopted.

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**Mr M Stretton (General Manager) and Mr B Williams (Senior Economic Advisor) were in attendance to answer questions of Council in respect of this Agenda Item.**

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**20.2 Regional Economic Development Plan ...(Cont'd)**

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**DECISION: 17 October 2019****MOTION****Moved Councillor J Finlay, seconded Councillor D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0****FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris**

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**21 URGENT BUSINESS**

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

**No Urgent Items were identified as part of these Minutes**

**22 CLOSED COUNCIL**

**No Closed Items were identified as part of these Minutes**

**23 MEETING CLOSURE**

**The Deputy Mayor, Councillor D C Gibson, closed the Meeting at 3.30pm.**

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