



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 10 DECEMBER 2020  
1.00pm**

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

Date: 10 December 2020

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**  
Chief Executive Officer

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## AUDIO of COUNCIL MEETINGS

An audio recording of this Council Meeting, except for any part held in Closed Session, was made in accordance with our Council Meetings - Audio Recording Policy - 14-Plx-008.

This Council Meeting was streamed live to and can be accessed from:  
[www.launceston.tas.gov.au/Council/Meetings/Listen](http://www.launceston.tas.gov.au/Council/Meetings/Listen) .

The following information was provided to members of the public in respect of attendance at the Council Meeting.

## PUBLIC ATTENDANCE AT THE COUNCIL MEETING

To help keep you safe you must register your attendance at the Council Meeting in advance by telephoning 6323 3145 and leaving a message, or emailing us at [invitation@launceston.tas.gov.au](mailto:invitation@launceston.tas.gov.au) by 11.00am on the morning of the Council Meeting. A Council Officer will contact you to confirm the details of your attendance.

At the Council Meeting, please take care to follow signage and the directions of Council Officers to ensure that physical distancing and other COVID-19 safe behaviour is observed.

## PUBLIC QUESTION TIME - AGENDA ITEM 8

Questions received in writing by close of business Wednesday of the week prior to the Council Meeting are treated as Questions on Notice. Your question and an answer will be published in the Minutes of the Council Meeting. Questions may be submitted to the Chief Executive Officer at [contactus@launceston.tas.gov.au](mailto:contactus@launceston.tas.gov.au), PO Box 396, Launceston TAS 7250, or Town Hall, St John Street, Launceston.

If attending the Council Meeting in person, you may ask up to three questions during Public Question Time. If accepted, your questions will be either answered at the Meeting, or Taken on Notice and answered at a later Council Meeting.

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## PUBLIC COMMENT ON AGENDA ITEMS

When you register to attend the Council Meeting, you will be asked if you wish to comment on an item in the Agenda. Prior to debate on that Agenda Item, you will be invited by the Chair to move to the public microphone at the doors to the Council Chambers and state your name and address.

Please note the following important information:

- Each item on the Agenda includes a Recommendation prepared by a Council Officer.
- You may speak for up to two minutes, either for or against the Recommendation.
- You may not ask questions or enter into debate with Councillors or Council Officers.
- Your statement is not to be defamatory, inappropriate or abusive, or be intended to embarrass any person, including Councillors or Council Officers.
- The Chair may direct you to stop speaking if you do not follow these rules, or if your statement repeats points that have already been made.
- Audio from our Council Meetings is streamed live via YouTube.

Your respectful contribution is welcome and appreciated.

## LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

At the City of Launceston, the positions of General Manager Community and Place, General Manager Organisational Services, General Manager Infrastructure and Assets and General Manager Creative Arts and Cultural Services do not assume the functions and powers of the term *general manager* in a legislative sense: any legislative functions and powers to be delegated to these roles will be made by Council or the Chief Executive Officer. At the City of Launceston, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*. For the avoidance of doubt, *Chief Executive Officer* means *General Manager* for the purposes of the *Local Government Act 1993 (Tas)* and all other legislation administered by or concerning Council.

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**Present: Councillor**

- A M van Zetten (Mayor)**
- D C Gibson (Deputy Mayor)**
- J Finlay**
- D H McKenzie**
- J G Cox**
- K P Stojansek**
- A E Dawkins**
- N D Daking (retired at 2.36pm)**
- P S Spencer (retired at 3.04pm)**
- A G Harris**
- T G Walker**

**In Attendance:**

- Mr M Stretton (Chief Executive Officer)**
- Mrs L Hurst (Community and Place Network)**
- Ms L Foster (Organisational Services Network)**
- Mr S Eberhardt (Infrastructure and Assets Network)**
- Mr S Tennant (Team Leader Communications)**
- Mrs K Hartland (Team Leader Governance)**
- Mrs A Rooney (Council and Committees Officer)**

**Apologies: Councillor** **R I Soward**

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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 an apology from Councillor R I Soward.

The Mayor, Councillor A M van Zetten, requested a minute's silence to recognise the death of former Mayor, Tony Peck. Tony was a passionate advocate during and following his time as Mayor. Council extends its condolences to his family and friends.

**2 MAYORAL ACKNOWLEDGEMENTS**

There were no Mayoral Acknowledgements for this Meeting

**3 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**

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**4 CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 26 November 2020 be confirmed as a true and correct record.

**DECISION: 10 December 2020****MOTION**

**Moved Councillor D C Gibson, seconded Councillor P S Spencer.**

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

**CARRIED 11:0**

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

**5 DEPUTATIONS**

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

**6 PETITIONS**

*Local Government Act 1993 - sections 57 and 58*

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

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**7 COMMUNITY REPORTS**

*(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on 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.)*

**7.1 Ms Gabrielle Dewsbury - Member - Youth Advisory Group**

**Ms Dewsbury provided Council with details of the Youth Advisory Group's activities during 2020 highlighting successful events, including the 1,000 hearts initiative, held under COVID-19 restrictions whilst noting upcoming plans for 2021.**

**8 PUBLIC QUESTION TIME**

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

**8.1 Public Questions on Notice**

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

*(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**

**8.2 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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## 8.2.1 Ms Jorja Sigtenhorst - Youth Advisory Committee - Support of Arts/Theatre Industry

1. How is the Council planning to support the arts/theatre industry following the COVID-19 pandemic?

The Mayor, Councillor A M van Zetten, responded by saying that there are a number of programs that are currently supporting local Launcestonian or Tasmanian artists since the start of the COVID-19 pandemic. These programs include the current art exhibitions at Queen Victoria Museum and Art Gallery under the *Summer Season Program*; the upcoming *Mona Foma* festival where Tasmanian artists make up 95% of the program and which the Council sponsors through its Event Sponsorship program; an expanded *Music in the Park* series this summer featuring all local bands and musical acts and ongoing discussions with *Theatre North* about how their sponsored program of events can proceed in a COVID19-safe environment. Additionally, the Council has provided direct additional funding support to *Theatre North* and *Design Tasmania* to assist them to meet the financial challenges presented by the impacts of the COVID-19 pandemic.

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**8.2.2 Ms Casey Puccetti - Youth Advisory Committee - COVID-19 Safe Events**

- 1. How does the Council plan to have safe events after the COVID-19 pandemic? For example, we would like to see a kite festival in Launceston but feel there are too many restrictions to get something like this operating - how can this happen?**

**The Mayor, Councillor A M van Zetten, answered by saying although the Council generally does not run events itself, it does have a role to play in assisting event organisers through all the legal requirements for running events. The COVID-19 pandemic had had a big impact on events within Launceston, as many events have had to cancel, postpone or completely reimagine their event. The Council's Event Facilitation Team and Event Sponsorship program has worked hard with event organisers to ensure their new or reimagined event meets the State Government's criteria for a COVID-19 safe event. The Council can work with the responsible event organisers to provide a safe, vibrant and viable event. One such support is the loan of hand sanitiser stations, provision of other hygienic materials and COVID-19 safe signage. Outdoor events are a little easier to coordinate and both the event sponsorship program and the event facilitation team would be happy to discuss the requirements for a kite festival.**

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**8.2.3 Mr Charles Smith - Youth Advisory Committee - Discrimination Issues**

1. **With reference to a recent attack in Launceston, discrimination still appears to still be a large issue within Launceston. Does the Council have any plans in place to address/tackle further issues?**

**The Mayor, Councillor A M van Zetten, responded that the Council participates in the Launceston Safer Communities Partnership along with 18 other agencies from throughout Northern Tasmania, which considers matters such as discrimination within our community. The Council will forward your question onto the partnership Committee in the New Year to receive a more specific response on the plans and actions which are and which are being considered for implementation.**

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## 8.2.4 Ms Amy Baillie - Youth Advisory Committee - Black Lives Matter Movement

1. How does the City of Launceston plan to support Aboriginal and Torres Strait Islanders and people of colour in relation to the *Black Lives Matter* movement?

The Mayor, Councillor A M van Zetten, answered that the Council already actively works to support its community in accordance with its value of *we care about our community*. The Council regularly works with groups such as the Tasmanian Aboriginal Centre, Migrant Resource Centre and other community groups to understand the issues confronting the members of our community and works with these groups to address them. The Council will be developing an Aboriginal Partnership Plan which will provide further direction on the means by which the Council can best work with our Aboriginal and Torres Strait Islander communities into the future.

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**8.2.5 Ms Erin Massey - Youth Advisory Committee - Homelessness Issues**

- 1. We would like an update on any progress that has been made in implementing some of our ideas raised in our Youth Council Meeting last year, for example, we highlighted installing bench seats and lockers for homeless people.**

**The Mayor, Councillor A M van Zetten, responded by saying that following the Youth Council Meeting in August 2019, the Council established a Homelessness Response Group, which is made up of representatives from organisations providing services and support for people experiencing homelessness. These members have been meeting regularly, either formally or informally, since October 2019. This group works through a range of issues facing homeless people, one of which is the possibility of installing lockers to protect the belongings of those who are homeless. There is currently a facility where people are able to sleep and store their belongings. When this situation changes the issue will be looked at further.**

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**8.2.6 Mr Robin Smith - Graffiti in Launceston**

- 1. Currently the Council does remove graffiti on property, whether it be private or Council property or whichever government agency owns it if the words are deemed rude or offensive. As it stands, a swastika is not considered an offensive word. Is that something the Council could look at?**

**The Mayor, Councillor A M van Zetten, responded that if the Council is made aware of the location of graffiti and type of graffiti, the Council will respond quickly and I have received positive comments on action such as this. If you can make us aware of the location, the matter can be followed up.**

**As a follow up statement, Mr Smith noted that it is more about the categorisation of the swastika, which is not removed by the Council because it is not deemed an offensive word, it is a symbol.**

**The Mayor, Councillor A M van Zetten, advised that this would be looked into.**

- 2. Over the last three or four weeks there has been an explosion of graffiti and spray painting in Launceston by four or five individuals. I am asking if the Council can spend more time and funds on the detection, reporting and removal of this graffiti on all property in the City - not just no-man's land or the Council owned property or if indeed it is a landlord who is rich but perhaps an absentee. Is that something the Council would spend more time, resources and on?**

**The Mayor, Councillor A M van Zetten, responded by saying that this issue has not yet been considered by the Council and it would need further investigation.**

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The Mayor, Councillor A M van Zetten, announced that under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 9 - Planning Authority.

## **9 PLANNING AUTHORITY**

### **9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association with Existing Hotel; Construction of Alterations and Additions to Existing Buildings**

**FILE NO:** DA0623/2020

**AUTHOR:** Luke Rogers (Town Planner)

**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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#### **DECISION STATEMENT:**

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

#### **PREVIOUS COUNCIL CONSIDERATION:**

DA0660/2015 (Amended under DA0660/2015.A01, DA0660/2015.A02 and DA0660/2015.A03) - Visitor Accommodation - Food Services, Hotel Industry, Community Meeting and Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; construction of extensions to the silos, associated car and bicycle parking and landscaping; pedestrian connections to adjoining public open space; construction of a pontoon for boat facility; installation of signage - approved under delegation.

#### **RECOMMENDATION:**

That, 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 DA0623/2020 Community Meeting and Entertainment - Construction of a function centre in association with existing hotel; Construction of alterations and additions to existing buildings to accommodate kitchen and toilet facilities; construction of pedestrian access ramps to Riverbend Park and flood levee at 89-91 Lindsay Street (CT169012/2), 85 Lindsay Street (CT169882/1) and 87 Lindsay Street (CT169012/1), Invermay subject to the following conditions:

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**9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)**

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**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Planning permit supporting submission, Prepared by ERA Planning and Environment, Address 89-91 Lindsay Street, Invermay, Job No. 2021-021, Dated 25 September 2020.
- b. Site Plan, Prepared by Artas Architects, Project - Silo Hotel Deck Enclosure, Project No. 201047, Drawing No. A700-Sk07, Dated 01/09/2020.
- c. South, West and North Elevation, Prepared by Artas Architects, Project - Silo Hotel Deck Enclosure, Project No. 201047, Drawing No. A702-Sk05, Dated 01/09/2020.
- d. Section AA and BB, Prepared by Artas Architects, Project - Silo Hotel Deck Enclosure, Project No. 201047, Drawing No. A703-Sk02, Dated 01/09/2020.
- e. Traffic Impact Assessment, Prepared by GHD, Project - Proposed Silo Hotel Deck Extension, Dated September 2020.
- f. Flood Management Plan - Letter, Prepared by Alan Leake of Rare Innovation, Project - Deck Enclosure - 89 Lindsay Street, Launceston, Reference No. 210011, Dated 24 September 2020.
- g. Flood Management Plan, Prepared by Alan Leake of AJL Consulting Engineers, Project - North Bank Silo Redevelopment, Reference No. 16001, Dated 14 January 2016.

**2. LEGAL TITLE**

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

**3. 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

**4. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/01585-LCC, dated 16/10/2020 and attached to the permit.

**5. BUSINESS HOURS**

The operation of the function centre must be confined to being between the hours of 6:00am and 12:00am (midnight).

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**9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)**

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**6. 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:

- 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 and access lanes.

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

**7. AMENDED PLANS REQUIRED**

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

- a. the provision of the required accessible parking, bicycle parking, and motorcycle parking, as identified in the Traffic Impact Assessment.
- b. a survey plan accurately identifying which parts of the development will encroach onto or above the Council's land, and the details of any such encroachments.
- c. the proposed access (currently shown as stairs) into Riverbend Park, such that it is suitable for emergency access, along with details of how the access will be managed so that it is used for emergency access only and not general public access.
- d. the proposed stormwater drainage system for the development, such that all stormwater runoff from the development can discharge to the existing internal drainage network for the site, and no stormwater from the development is discharged to the Council's land.

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.

**8. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

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**9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)**

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**9. SINGLE STORMWATER CONNECTIONS**

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains or to discharge concentrated stormwater runoff onto the Council's land.

**10. APPLICATION TO ALTER A STORMWATER SERVICE**

To have an existing service connection physically removed/relocated/alterred, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

**11. 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.

**12. PROTECTION OF COUNCIL OWNED LAND**

The Council owned land is to be protected from damage during the construction works by ensuring that:

- a. prior to commencing any work on the subject site the owner must erect fencing on the boundary between the Council owned land and the subject site.
  - b. no building material, stockpiles, skip bins or machinery are to be stored on the Council owned land.
  - d. no excavation or fill works within the subject site are permitted to extend into, impact upon the stability of, or reduce the ability of the Council to maintain, the Council owned land.
  - e. no access to the subject site is permitted via the Council owned land without express written consent from the General Manager Infrastructure and Assets Network.
  - f. where permission is granted to access subject site via the Council owned land, any and all damage caused to the Council owned land is to be remediated within the timeframe specified in the written consent to access.
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**9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)**

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### **13. SECTION 71 AGREEMENT**

Prior to the commencement of any work and use, the owner shall enter into an agreement(s) with the Launceston City Council for any encroachment or occupation onto or above Council owned land. Such agreements will be under Section 71 of the *Land Use Planning and Approvals Act 1993*, or other such instrument, as determined by the Council at its sole discretion. All reasonable costs associated with the preparation and registration of the agreement(s) must be met by the applicant.

### **14. 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.

### **15. 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; and
- 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. General

*This permit was issued based on the proposal documents submitted for DA0623/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The 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.*
-

**9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)**

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*The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.*

**B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the 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>>*

**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 the Council's Notice to Waive Right of Appeal is attached.*

**E. 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.*

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- 9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)
- 

Mrs L Hurst (General Manager Community and Place Network), Mr R Jamieson (Manager City Development), Ms P Glover (Team Leader Planning Assessments) and Mr L Rogers (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

**DECISION: 10 December 2020**

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

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

**CARRIED 11:0**

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

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**9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown**

**FILE NO:** DA0698/2019/SF7059

**AUTHOR:** Duncan Payton (Town Planner)

**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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**DECISION STATEMENT:**

To consider a statement to the Tasmanian Planning Commission subsequent to the public exhibition period for an amendment to the Launceston Interim Planning Scheme 2015 and to consider a revised development proposal.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 14 May 2020 - Agenda Item 9.2 - 357-361 Hobart Road, Youngtown - Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works

Council resolved to initiate Amendment 61 to the Launceston Interim Planning Scheme 2015 to rezone the land at 357-361 Hobart Road, Youngtown from the Commercial Zone to the General Residential Zone; and

Council - 14 May 2020 - Agenda Item 9.2 - 357-361 Hobart Road, Youngtown - Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works

In accordance with the former section 43A of the *Land Use Planning and Approvals Act 1993*, Council refused DA0698/2019 for the construction of 24 multiple dwellings and associated works at 357-361 Hobart Road, Youngtown.

**RECOMMENDATION:**

That Council:

1. in accordance with the former section 39(2) of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that six representations were received during the public exhibition period for Amendment 61.
  2. provides advice to the Tasmanian Planning Commission recommending that:
    - a. Amendment 61 to the Launceston Interim Planning Scheme 2016 be approved; and
    - b. the refusal of DA0698/2019, as certified and exhibited, be set aside and replaced with the following approval:
-

**9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)**

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Pursuant to section 43A of the *Land Use Planning and Approvals Act 1993*, approves DA0698/2019 - Residential - construction of 24 multiple dwellings and Subdivision - consolidation of four titles into one at 357-361 Hobart Road, Youngtown, subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Site Plan, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP01, revision G, dated 06/11/2020.
- b. Unit Type 1A, 1B & 1C Floor Plans & Elevations, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP101, revision B, dated 18/11/2020.
- c. Unit Type 2A, 2B & 2C, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP201, revision B, dated 18/11/2020.
- d. Unit Type 3A & 3B, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP301, revision A, dated 06/11/2020.
- e. Unit Type 4A & 4B, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP401, revision A, dated 06/11/2020g. Preliminary Site Investigation, prepared by ES&D, project no. 6735, 359-361 Hobart Road, Youngtown, dated 10/07/2019.
- f. Noise Assessment Report, prepared by ES&D, project no. 6735, 359-361 Hobart Road, Youngtown, dated 12/08/2019.
- g. Traffic Impact Assessment, prepared by Traffic & Civil Services, 359 Hobart Road Residential Development, Youngtown, dated September 2019.
- h. Traffic Impact Assessment - supplement, prepared by Traffic & Civil Services, 359 Hobart Road Residential Development, Youngtown, dated October 2020.

**2. SHARED ZONE SIGNAGE**

Prior to the commencement of the use, 10kph Shared Zone signage shall be erected in the entrance driveway in accordance with the recommendation of the endorsed TIA.

**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.

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## **9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)**

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### **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 2019/01809-LCC, and attached to the permit.

### **6. FENCING**

Prior to the commencement of the use:

1. all side and rear boundaries must be provided with a solid (ie. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:
  - a. 1.2m within 4.5m of the frontage; and
  - b. 1.8m - 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries; and
2. Front boundary fencing up to a height of 1.8m, with all that part above 1.2m having a minimum 30% transparency.

### **7. MULTIPLE DWELLINGS - SERVICE FACILITIES**

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. Storage area for waste and recycling bins.
- c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.

### **8. 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:

- 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 and access lanes.

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

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**9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)**

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**9. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

**10. 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.

**11. SINGLE STORMWATER CONNECTIONS**

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to Council's stormwater mains.

**12. APPLICATION TO ALTER A STORMWATER SERVICE**

To have an existing service connection physically removed/relocated/alterred, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

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**9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)**

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**13. 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.

**14. VEHICULAR CROSSINGS**

No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of Technical Services.

An application for such work must be lodged electronically via the Council's eServices web portal or on the approved hard copy form.

All redundant crossovers and driveways must be removed prior to the occupation of the development.

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc.). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

**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.

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**9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)**

**16. PROTECTION OF PIPELINES**

The Councils' existing underground 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 Chief Executive Officer or his delegate pursuant to section 13 of the *Urban Drainage Act 2013*.

**17. STRATA LOT NUMBERS AND ADDRESSES FOR DWELLINGS**

The following number and addressing is to be assigned to the development consistent with the residential addressing standard: Australian Standard AS4819:

Unit No	Strata Lot No.	Street Address
01	1	1/357-361 Hobart Road
02	2	2/357-361 Hobart Road
03	3	3/357-361 Hobart Road
04	4	4/357-361 Hobart Road
05	5	5/357-361 Hobart Road
06	6	6/357-361 Hobart Road
07	7	7/357-361 Hobart Road
08	8	8/357-361 Hobart Road
09	9	9/357-361 Hobart Road
10	10	10/357-361 Hobart Road
11	11	11/357-361 Hobart Road
12	12	12/357-361 Hobart Road
13	13	16/357-361 Hobart Road
14	14	15/357-361 Hobart Road
15	15	14/357-361 Hobart Road
16	16	13/357-361 Hobart Road
17	17	17/357-361 Hobart Road
18	18	1 Alma Street

## **9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)**

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The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.

### **18. 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.

### **19. NOISE ASSESSMENT REPORT**

The applicant must comply with the Noise Assessment Report prepared by Environmental Service and Design, dated 05 December 2019. To reduce potential environmental impacts created by traffic noise from Hobart Road, the recommendations in Section 5 of the Noise Assessment report, dot points 2. and 3. are to be implemented.

### **20. ENVIRONMENTAL MANAGEMENT PLAN**

A site specific Environmental Management Plan (EMP) is to be prepared by a suitably qualified person, prior to the development commencing. The EMP is to include, but not be limited to, a site plan, management of all wastes, staff training, incident reporting, contact details of relevant personnel, recording and responding to complaints. A copy of the EMP is to be available at the request of an Authorised Officer of the City of Launceston and is to be readily available to persons involved in the development.

### **21. WASTE DISPOSAL DOCUMENTATION**

A copy of documentation for the disposal of Level 2 contaminated soil waste, at a Category B landfill, are to be provided to the City of Launceston.

### **22. 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
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## **9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)**

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### **23. CONTAMINATED LAND**

The applicant must comply with the Preliminary Site Investigation Report prepared by Environmental Service and Design 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.

#### **Notes**

##### **A. General**

*This permit was issued based on the proposal documents submitted for DA0698/2019. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The 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.*

*The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.*

##### **B. Restrictive Covenants**

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

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

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**9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)**

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**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) <<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 the Council's Notice to Waive Right of Appeal is attached.*

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**Mrs L Hurst (General Manager Community and Place Network), Mr R Jamieson (Manager City Development), Ms P Glover (Team Leader Planning Assessments) and Mr D Payton (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Ashley Brook spoke for the Recommendation**

**DECISION: 10 December 2020**

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

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

**CARRIED 11:0**

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

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**9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse****FILE NO:** DA0693/2020**AUTHOR:** Duncan Payton (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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**DECISION STATEMENT:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

Numerous approvals have been granted for the site. The most recent being DA0404/2016 for landscape supplies and the construction of the retaining wall and boundary fence which was approved under delegation.

**RECOMMENDATION:**

That, 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 DA0693/2020 - Storage - demolition of existing buildings and construction of a warehouse at 179 Ravenswood Road, Waverley, subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Site Plan, prepared by Woolcott Surveying, drawing no. 161120, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 16/11/2020 - AMENDED PLAN REQUIRED.
  - b. Site Plan, prepared by Woolcott Surveying, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
  - c. Mezzanine Floor Plan, proposed warehouse and showroom, 179 Ravenswood Road, Waverley.
  - d. Artist's impression, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
  - e. Artist's impression, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
  - f. Perspective, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
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**9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)**

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- g. Perspective, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- h. Perspective, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- i. Elevations, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- j. Roof plan, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- k. Aerial plan, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- l. Decommissioning Report, prepared by Tasman Geotechnics, reference TG13010/1-02, Former service station at 179 Ravenswood Road, Waverly, dated 28/05/2013.

**2. LEGAL TITLE**

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

**3. 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

**4. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA2020/01701-LCC 20/10/2020 and attached to the permit.

**5. SITE LANDSCAPING PLAN**

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

- a. major site features such as building footprints, topography, contours existing vegetation and street boundaries; and
  - b. existing and proposed garden areas and plantings (including a 6m wide landscape belt around the frontage of the site and containing not less than nine trees capable of growing to a height of not less than 10m); and
  - c. any stabilisation works required as a result of tree or vegetation removal; and
  - d. all proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
  - e. suitable irrigation or a fixed sprinkler system for the watering of all lawns and landscaped areas; and
  - f. any screen planting (where required).
-

**9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)**

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

- g. installed in accordance with the endorsed plan; and
- h. completed within three months of the use commencing; and
- i. maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

**6. 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:

- 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 and access lanes.

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

**7. AMENDED PLANS REQUIRED**

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

- a. An altered car parking arrangement that ensures all spaces are functional and designed in accordance with AS/NZS 2890.1 and to satisfy E6.0 Parking and the Sustainable Transport Code, including the provision of a 1m wide footpath. 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.

**8. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

**9. 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.

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### **9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)**

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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.

### **10. SINGLE STORMWATER CONNECTIONS**

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains.

### **11. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)**

No works to install, removal or modify a vehicular crossing, are to be undertaken without the issue of a Vehicular Crossing Permit for the works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

An application for such work must be lodged electronically via the Council eServices web portal or on the approved hard copy form.

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc.). All redundant crossovers and driveways must be removed prior to the occupation of the development. The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

### **12. 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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## 9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

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### 13. 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.

### 14. EXTERIOR AND SECURITY LIGHTING PLANNING

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting* or any subsequent versions of the document.

### 15. 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.

### 16. 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

### 17. NOISE - COMMERCIAL/INDUSTRIAL

The use must not cause unreasonable noise or interference to other uses. Precautions must be taken to avoid nuisance, particularly from warning sirens, intruder alarms, public address systems, heavy-duty compressors, reversing beepers and the like.

Reversing beepers must be low tone.

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**9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)**

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**Notes****A. General**

*This permit was issued based on the proposal documents submitted for DA0693/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 03 6323 3000.*

*This permit takes effect after:*

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

*The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.*

**B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the 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>>*

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**9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)**

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**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 the Council's Notice to Waive Right of Appeal is attached.*

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**Mrs L Hurst (General Manager Community and Place Network), Mr R Jamieson (Manager City Development), Ms P Glover (Team Leader Planning Assessments) and Mr D Payton (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr David Merrington spoke against the Recommendation**

**DECISION: 10 December 2020**

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

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

**CARRIED 11:0**

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

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**9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings****FILE NO:** DA0556/2020**AUTHOR:** Duncan Payton (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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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 DA0556/2020 - Residential - Demolition of existing dwelling and construction of four new dwellings at 20 Church Street, Launceston, subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Cover sheet, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D00.01, dated 19/10/2020.
  - b. Site Plan, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D01.01, dated 16/10/2020.
  - c. Typical Unit Ground Floor Plan, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D01.02, dated 16/10/2020.
  - d. Typical Unit First Floor Plan, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D01.03, dated 16/10/2020.
  - e. Elevations, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D02.01, dated 16/10/2020.
  - f. Elevations, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D02.02, dated 16/10/2020.
  - g. Perspectives, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D09.01, dated 16/10/2020.
  - h. Sun Study, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D09.02, dated 16/10/2020.
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**9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)**

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- i. Vehicle Turning and Access Plan, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D09.03, dated 16/10/2020.
- j. Services Plan, prepared by DI Consulting Engineers, project no.19321, unit development at 20 Church Street, Launceston, revision 0, page P01, dated 09/10/2020.
- k. Details, prepared by DI Consulting Engineers, project no. 19321, unit development at 20 Church Street, Launceston, revision 0, page P02, dated 09/10/2020.

**2. AMENDED PLANS REQUIRED**

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager City Development. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must include:

- a. a clear 1.5m separation between the ground floor bedroom windows and the shared driveway, or suitable privacy screening;
- b. the dining room window of each dwelling fitted with obscure glass or other external screening with a uniform transparency of not more than 25%;
- c. location and height of all retaining walls following assessment of existing and required retention by a suitably qualified engineer;
- d. landscape plan to integrate the frontage into the streetscape, provide screening to carparks, and landscaping of private open space;
- e. the visitor car parking space rotated 90 degrees and shown as two parking spaces; and

**3. EXISTING CONCRETE PARTY WALL**

If the existing concrete party wall on the boundary with 16 Rocklyn Place is removed, a suitable structure shall be provided and the existing clothes line, or similar replacement, reinstated at a similar height above the ground.

**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 to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

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**9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)**

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**6. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/01446-LCC, 29/10/2020 and attached to the permit.

**7. FENCING**

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (ie. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:

- a. 1.2m within 4.5m of the frontage; and
- b. 1.8m - 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.

The requirement for and design of retaining walls shall be certified by a suitably qualified engineer.

**8. PRIVACY SCREEN**

Obscure glazing or privacy screening, with a uniform transparency of not more than 25% shall be installed at the ground floor bedroom windows of dwellings 1, 2 and 3, and at the dining room windows of all dwellings.

**9. MULTIPLE DWELLINGS - SERVICE FACILITIES**

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. Each multiple dwelling must be provided with a minimum 6m<sup>3</sup> exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
- c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.

**10. 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:

- 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 and access lanes;
- e. the visitor parking spaces must be a minimum of 2.6m wide.

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

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**9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)**

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**11. ON-SITE DETENTION (TASWATER ADVICE TO DRAINAGE AUTHORITY)**

On-site detention storage must be provided to restrict increases in stormwater discharge from the site arising from the proposed development.

The allowable discharge rate from the site is calculated on the basis of the land being developed with either 200m<sup>2</sup> of impervious area or at the existing state of site development, whichever is greater, for the design storm.

The design storm is the 20%AEP, one hour event.

The volume to be detained prior to overflow is to be the difference between the volume of the developed hydrograph and the volume of the allowable discharge hydrograph for the site resulting from the design storm event.

Prior to the commencement of works, the plans and calculations must be submitted to the General Manager Infrastructure and Assets Network for approval. On completion, an as *constructed* plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

**12. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

**13. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

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

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

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

**9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)**

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

**14. SINGLE STORMWATER CONNECTIONS**

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains.

**15. APPLICATION TO ALTER A STORMWATER SERVICE**

To have an existing service connection physically removed/relocated/alterd, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

**16. 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.

**17. CONSTRUCTION OF RETAINING WALLS**

All retaining walls, above 0.6m, located within 1.5m of the property boundaries are to be designed and certified by a suitably qualified person. The design must have regard to the installation of fencing atop the retaining wall and other imposed loading in addition to site conditions on adjoining properties.

**18. STAGING OF WORKS WHERE DEVELOPMENT IS TO BE STAGED**

If the development is to be staged, the following works must be provided with each Stage of the development and completed to the satisfaction of the Planning Authority:

**Stage 1**

- a. The single stormwater connection for the property referred to in Condition No. 14.
  - b. All car parking and manoeuvring spaces, landscaping, mail boxes, bin storage, etc required for the unit(s) contained within Stage 1.
  - c. The construction and sealing of that part of the driveway contained within the Common Property up to the southern boundary of Stage 1.
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**9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)**

Subsequent Stages

- a. All car parking and manoeuvring spaces, landscaping, mail boxes, bin storage, etc required for the unit(s) contained within the Stage.
- b. The construction and sealing of that part of the driveway contained within the Common Property to the southern boundary of the Stage.

Final Stage

- a. All car parking and manoeuvring spaces, landscaping, mail boxes, bin storage etc required for the unit(s) contained within the final Stage.
- b. The construction and sealing of the incomplete driveway and all other works including landscaping contained within the Common Property.

**19. STRATA LOT NUMBERS AND ADDRESSES FOR DWELLINGS**

The following number and addressing is to be assigned to the development consistent with the residential addressing standard: Australian Standard AS4819:

Unit No	Strata Lot No.	Street Address
1	1	1/20 Church Street
2	2	2/20 Church Street
3	3	3/20 Church Street
4	4	4/20 Church Street

The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.

**20. 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.

**21. 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.

**9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)**

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**22. 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. General**

*This permit was issued based on the proposal documents submitted for DA0556/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The 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.*

*The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.*

**B. Restrictive Covenants**

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

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

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**9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)**

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**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) <<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 the Council's Notice to Waive Right of Appeal is attached.*

**F. Fireplace/Woodheater Use**

*Use of the fireplace/woodheater will be subject to the Environmental Management and Pollution Control (Smoke) Regulations 2019 or as superseded.*

**G. Heat Pump Use**

*Use of the heat pump will be subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or as amended.*

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**Mrs L Hurst (General Manager Community and Place Network), Mr R Jamieson (Manager City Development), Ms P Glover (Team Leader Planning Assessments) and Mr D Payton (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Ms Helen Tait (on behalf of Paul and Mary Lynn Bishop) spoke against the Recommendation**

**Ms Helen Tait spoke against the Recommendation**

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**9.4 20 Church Street, Launceston - Residential - Demolition Of Existing Dwelling  
And Construction Of Four New Dwellings ...(Cont'd)**

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**DECISION: 10 December 2020**

**Moved Councillor D C Gibson, seconded Councillor T G Walker.**

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

**CARRIED 11:0**

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

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**9.5 12 Thrower Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit****FILE NO:** DA0247/2020**AUTHOR:** Duncan Payton (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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**DECISION STATEMENT:**

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

**RECOMMENDATION:**

That, 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 DA0247/2020 Residential - construction of a dwelling; and Visitor Accommodation - construction of a holiday unit at 12 Thrower Street, West Launceston, subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Cover sheet, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
  - b. Site plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
  - c. Site section, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
  - d. Dwelling floor plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
  - e. Future accommodation floor plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
  - f. Roof plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
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**9.5 12 Thrower Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ... (Cont'd)**

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- g. Elevations, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- h. Elevations, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- i. Perspective views, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- j. Turning path and driveway section, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- k. Sewerage plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.

**2. VEGETATION MANAGEMENT PLAN**

Prior to the commencement of works, a site Vegetation Management Plan identifying tree protection areas for all trees to be retained on the subject site, including such tree protection area extending from the mature trees on the adjoining property (8-10 Thrower Street) and addressing any works adjacent to or within any tree protection areas on the subject site, must be prepared by a suitably qualified person and submitted for the approval of the Manager City Development. Once approved the plan will be endorsed and will form part of the permit. The Management Plan must address how impact on the existing trees will be mitigated or avoided in accordance with *Australian Standards 4970 Protection of Trees on Development Sites to Protect Existing Trees*.

**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. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00711, dated 25/11/2020 and attached to the permit.

**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

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**9.5 12 Throrer Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ... (Cont'd)**

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**6. VISITOR ACCOMMODATION USE**

This permit allows the use of the visitor accommodation unit for Visitor Accommodation, defined as a Holiday Unit, for short-term accommodation for persons away from their normal place of residence, on a commercial basis, as defined in Planning Directive No.6 - Exemption and Standards for Visitor Accommodation in Planning Schemes, issued 1 July 2018 and as modified on 1 August 2018. This visitor accommodation unit must not be converted to long term residential use.

**7. FENCING**

Prior to the commencement of the use, the eastern side and rear boundaries must be provided with a solid (ie. no gaps) fence to provide full privacy between each building and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:

- a. 1.2m within 4.5m of the frontage; and
- b. 1.8m - 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.

**8. PRIVACY**

The windows in the eastern walls of the dwelling and the accommodation unit must be fitted with obscure glass or an external screen, of no more than 25% uniform transparency, to a height of not less than 1.7m above the finished floor level to ensure reasonable privacy for the adjoining property.

**9. 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:

- 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 and access lanes.

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

**10. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

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**9.5 12 Throter Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ... (Cont'd)**

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## **11. 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.

## **12. 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.

## **13. CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)**

No works to install, removal or modify a vehicular crossing, are to be undertaken without the issue of a Vehicular Crossing Permit for the works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

An application for such work must be lodged electronically via the Council's eServices web portal or on the approved hard copy form. The application must include a detailed plan showing all necessary works required within the road reserve to facilitate the driveway.

All new works must be constructed to the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc.).

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**9.5 12 Thrower Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ... (Cont'd)**

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All redundant crossovers and driveways must be removed prior to the occupation of the development. The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

**14. AND WATER MANAGEMENT PLAN**

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

**15. AMENITY**

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.

**16. AMENITY - VISITOR ACCOMMODATION**

The on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by the emission of noise, artificial light, vibration or any other source of nuisance.

**17. NO BURNING OF WASTE**

No burning of any waste materials, including removed vegetation, 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), reclaimed or recycled.

**Notes**

A. General

*This permit was issued based on the proposal documents submitted for DA0247/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.*

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**9.5 12 Throrer Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ... (Cont'd)**

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*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.*

*The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.*

**B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the 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>>*

**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 the Council's Notice to Waive Right of Appeal is attached.*

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**9.5 12 Throver Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ... (Cont'd)**

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**E. Sale of Food and Beverages**

*If food and/or beverages are to be sold to visitors, including with an inclusive charge for food and accommodation, the Food Act 2003 will apply and the operator must notify the Council prior to operating the food business.*

**F. Heat Pump Use**

*Use of the heat pump will be subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or as amended.*

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**Mrs L Hurst (General Manager Community and Place Network), Mr R Jamieson (Manager City Development), Ms P Glover (Team Leader Planning Assessments) and Mr D Payton (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Karlo Poslon spoke against the Recommendation  
Ms Chris Terry spoke for the Recommendation**

**DECISION: 10 December 2020**

**Moved Councillor A G Harris, seconded Councillor P S Spencer.**

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

**CARRIED 10:1**

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

**AGAINST VOTE: Councillor T G Walker**

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**9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling****FILE NO:** DA0635/2020**AUTHOR:** Duncan Payton (Town Planner)**DIRECTOR:** Leanne Hurst (Community and Place Network)

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**DECISION STATEMENT:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 23 July 2020 - Agenda Item 9.3 - 33 Delamere Crescent, Trevallyn - Subdivision One Lot into Two Lots, Demolish Existing Outbuilding - DA0270/2020

**RECOMMENDATION:**

That, 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 DA0635/2020 - Residential - construction of a single dwelling at 33A Delamere Crescent, Trevallyn, subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Cover page, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A00, dated 29/09/2020.
  - b. Overall site plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A01, dated 29/09/2020.
  - c. Part site plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A02, dated 29/09/2020.
  - d. Lower floor plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A03, dated 29/09/2020.
  - e. First floor plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A04, dated 29/09/2020.
  - f. Roof plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A05, dated 29/09/2020.
  - g. Elevations, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A06, dated 29/09/2020.
-

**9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)**

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- h. Elevations, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A07, dated 29/09/2020.
- i. Section, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A08, dated 29/09/2020.

**2. LEGAL TITLE**

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

**3. 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

**4. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

**5. 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.

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**9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)**

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**6. 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.

**7. 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.

**8. NO BURNING OF WASTE**

No burning of any waste materials, including removed vegetation, 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), reclaimed or recycled.

**Notes****A. General**

*This permit was issued based on the proposal documents submitted for DA0635/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The 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.*
-

**9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)**

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*The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.*

**B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the 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>>*

**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 the Council's Notice to Waive Right of Appeal is attached.*

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**Mrs L Hurst (General Manager Community and Place Network), Mr R Jamieson (Manager City Development), Ms P Glover (Team Leader Planning Assessments) and Mr D Payton (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Roger Hill spoke against the Recommendation  
Ms Jodi Gowardman spoke against the Recommendation  
Mr Leigh Dell spoke for the Recommendation**

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**9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)**

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**DECISION: 10 December 2020**

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

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

**CARRIED 11:0**

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

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

**Councillor N D Daking retired from the Meeting at 2.36pm.**

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## 10 ANNOUNCEMENTS BY THE MAYOR

### 10.1 Mayor's Announcements

FILE NO: SF2375

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#### Friday 27 November 2020

- Officiated at the opening of the St Michael's *Smart Housing Accommodation*
- Officiated at the opening of *Junction Hometown 2020*
- Officiated at the launch of *Make it in Tasmania*

#### Saturday 28 November 2020

- Attended the *I am Woman* exhibition
- Attended the *Citizen's Advocacy* Launceston Christmas barbeque
- Attended the *St Cecilia End of Year* concert

#### Sunday 29 November 2020

- Attended the City of Launceston *Vox Harmony* choir performance

#### Tuesday 1 December 2020

- Attended the *2020 General Manager's Cocktail Party* at the Country Club Casino

#### Thursday 3 December 2020

- Attended the celebration of the *Global Incubator* at Macquarie House

#### Friday 4 December 2020

- Attended the *Summer Season* exhibition launch at Royal Park QVMAG

#### Wednesday 9 December 2020

- Attended Launceston College's production of *Flashdance: the Musical*
- 

The Mayor also announced that he had attended the Premier's Cocktail Party on Wednesday, 9 December 2020

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**11 COUNCILLORS' REPORTS**

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

**11.1 Councillor D C Gibson**

- **Acknowledged and congratulated the Youth Advisory Group members who had attended and presented earlier in the Meeting**
- **Highlighted the success of the organisers of the recent *Junction* event in light of current COVID-19 restrictions**
- **Attended the opening of the QVMAG's *Summer Season* - four new exhibitions open to the public**
- **Attended Launceston College's production of *Flashdance: the Musical* at the Princess Theatre**
- **Attended the Youngtown Primary School's grades five and six dance presentation in the Brisbane Street Mall which is a precursor to a much larger planned flash mob event in the future**
- **Attended the *MyPlace MyFuture's Ignite Us* leadership skills program**

**11.2 Councillor D H McKenzie**

- **Noted the recent passing of ex-City of Launceston Mayor Tony Peck and commented on his passion and dedication to and for the City of Launceston**
- **Acknowledged the work of Chief Executive Officer and City of Launceston staff for their work over the last 12 months noting significant achievements**

**12 QUESTIONS BY COUNCILLORS****12.1 Questions on Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 30*

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

**No Councillor's Questions on Notice have been identified as part of this Minutes**

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**12.2 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 Without Notice were identified as part of these Minutes**

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**13 COMMITTEE REPORTS****13.1 Tender Review Committee Meeting - 26 November and 3 December 2020****FILE NO:** SF0100/CD.060/2020/CD.058/2020/CD.044/2020**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To receive a report from the Tender Review Committee (a delegated Authority Committee).

**RECOMMENDATION:**

That Council notes the decision of the Tender Review Committee to accept the tender submitted by:

1. Komatsu Australia for the Purchase of New Landfill Bulldozer for Launceston Waste Centre, Contract Number CD.060/2020 for a changeover value of \$489,500.00 (exclusive of GST).
2. AWC Pty Ltd for the Golconda Road (Bacala Road to Denison Gorge Road), Contract Number CD.058/2020 for \$1,670,544.38 (exclusive of GST).
3. Contract Electrical Pty Ltd (utilising the services of a known sub-contractor) for the Launceston Leisure and Aquatic Centre - Solar PV Installation, Contract No CD.056/2020 be accepted for a cost to Council of \$124,648.17 (exclusive of GST).
4. Crossroads Civil Contracting Pty Ltd for the Quarantine Road - Kerb and Pavement Rehabilitation, Contract No CD.051/2020 be accepted for a cost to Council of \$467,549.00 (exclusive of GST).

That Council notes the decision of the Tender Review Committee to include the listed operators on the Panel of Providers - Graphic Design:

1. Louise Thrush, Boris Petrach, Clever Creative and Plural Agency for the Panel of Providers - Graphic Design Contract Number CD.044.2020.
- 

**Ms L Foster (General Manager Organisational Services Network) was in attendance to answer questions of Council in respect of this Agenda Item.**

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**13.1 Tender Review Committee Meeting - 26 November and 3 December 2020  
...(Cont'd)**

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**DECISION: 10 December 2020**

**Moved Councillor J G Cox, seconded Councillor D H McKenzie.**

**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 D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

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**14 COUNCIL WORKSHOPS**

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

**14.1 Council Workshop Report**

**FILE NO:** SF4401

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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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 3 December 2020 were:

**Cityprom Review Presentation**

*Councillors received a presentation from Cityprom following the recent review.*

**Budget Parameters and Draft Annual Plan 2021/2022**

*Councillors considered and provided feedback on the Draft Capital and Major Operations Projects and the Draft Annual Plan for 2021/2022.*

**Tamar NRM Funding Commitment**

*Councillors discussed the proposed three year funding commitment for Tamar NRM.*

**Mona Foma 2021**

*Councillors were briefed on the 2021 Mona Foma program.*

**Launceston City Heart - Stage 2 - St John and Paterson Streets**

*Councillors contributed to the development of the functional brief for the proposed works.*

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**Ms L Foster (General Manager Organisational Services Network) was in attendance to answer questions of Council in respect of this Agenda Item.**

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**14.1 Council Workshop Report ...(Cont'd)**

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**DECISION: 10 December 2020**

**Moved Councillor D C Gibson, seconded Councillor A G Harris.**

**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 D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

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**15 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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**16 COMMUNITY AND PLACE NETWORK ITEMS****16.1 Relbia Feasibility Study Report - Community Consultation****FILE NO:** SF6874**AUTHOR:** Claire Fawdry (Senior Town Planner Policy and Projects)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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**DECISION STATEMENT:**

To consider the Relbia Feasibility Study Report - Consultation Draft for public consultation.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 13 August 2020 - Relbia Feasibility Study

**RECOMMENDATION:**

That Council:

1. endorses the Relbia Feasibility Study Report - Consultation Draft (ECM Document Set ID 4453891), Relbia Feasibility Study Report - Appendices (ECM Document Set ID 4453893) and Relbia Feasibility Study Report - Summary Brochure (ECM Document Set ID 4456443) for public consultation.
  2. directs the Council's Officers to undertake community consultation for a period of eight weeks commencing 18 December 2020 to 12 February 2021.
- 

**Mrs L Hurst (General Manager Community and Place Network) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 10 December 2020**

**Moved Councillor D C Gibson, seconded Councillor D H McKenzie.**

**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 D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

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**16.2 2020-2024 Access Framework for Action****FILE NO:** SF0024**AUTHOR:** Tracey Mallett (Manager Liveable Communities)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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**DECISION STATEMENT:**

To consider the *2020-2024 Access Framework for Action*.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 18 June 2020 - Discussion on Draft Access Framework

Workshop - 26 March 2020 - Draft *Framework for Action*

Workshop - 31 October 2019 - Access Plan 2020-2024 Review

**RECOMMENDATION:**

That Council adopts the *Access Framework for Action 2020-2024* (ECM Document Set ID 4459765).

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**Mrs L Hurst (General Manager Community and Place Network) and Ms T Mallett (Manager Liveable Communities) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Councillor P S Spencer retired from the Meeting at 3.04pm.**

**Mr Greg Mallet spoke for the Recommendation  
Ms Sheila Burchill spoke for the Recommendation  
Mr David Morrell spoke for the Recommendation**

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**16.2 2020-2024 Access Framework for Action ...(Cont'd)**

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**DECISION: 10 December 2020**

**Moved Councillor A E Dawkins, seconded Councillor D C Gibson.**

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

**CARRIED 9:0**

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

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

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

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**18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS**

**18.1 Lease and Licence of Land at Lindsay Street, Invermay**

**FILE NO:** SF6578

**AUTHOR:** Duncan Campbell (Team Leader Legal Services)

**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

**DECISION STATEMENT:**

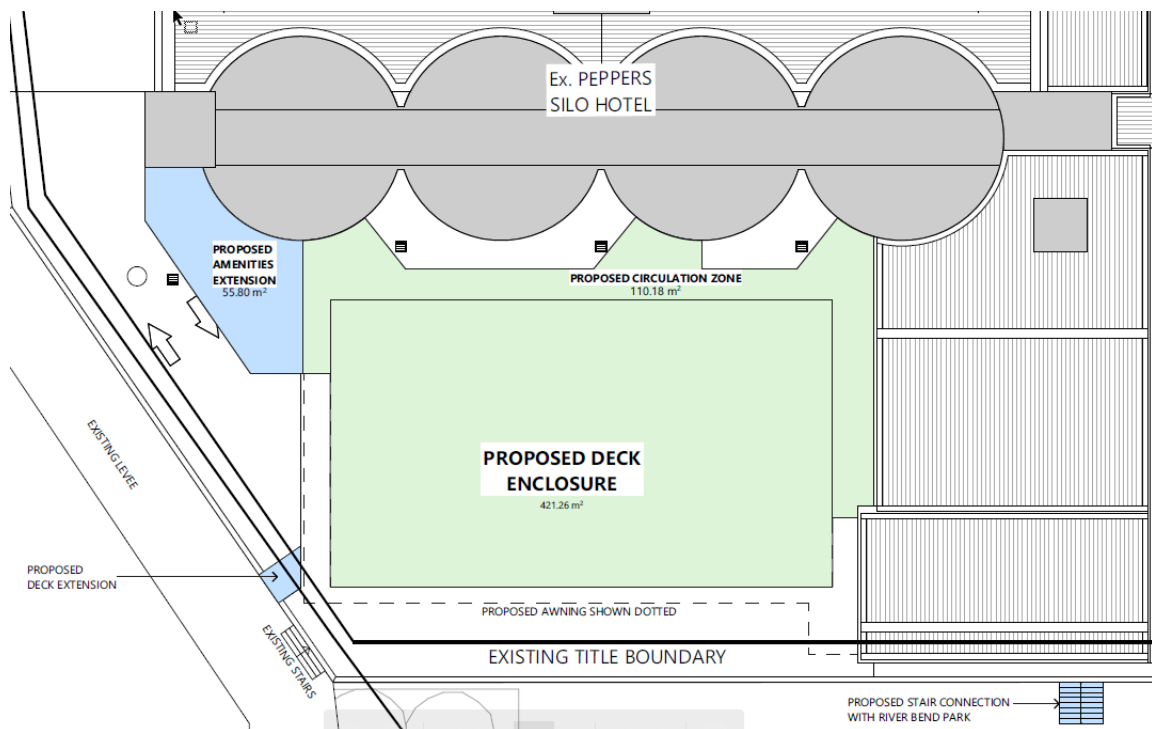
To consider the leasing and licencing of land at Lindsay Street, Invermay.

*Recommendation 2. requires an absolute majority of Council.*

**RECOMMENDATION:**

That Council

- notes the valuation advice concerning the relevant interests in land contained within Certificate of Title 169882 Folio 1 and Certificate of Title 169882 Folio 1 (Attachment 1 - ECM Document Set ID 4457562), a representation of which appears in the plan below:



**18.1 Lease and Licence of Land at Lindsay Street, Invermay ...(Cont'd)**

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2. determines, pursuant to section 177 of the *Local Government Act 1993* (Tas) and by absolute majority, to lease the land and or airspace necessary to allow the construction and use of the proposed deck extension as identified above and at page two of the valuation advice.
  3. determines, pursuant to section 20 of the *Local Government Act 1993* (Tas), to licence the land and or airspace necessary to allow the construction and use of the stair connection as identified above and at page two of the valuation advice.
  4. notes that the lease and licence mentioned at Recommendations 2. and 3. respectively will be in accordance with the relevant valuation advice for a period of up to ten years, with the exact parameters of the land and all remaining terms and conditions to be determined by the Chief Executive Officer.
  5. notes, for the avoidance of doubt, that the term Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
- 

**Mr S Eberhardt (General Manager Infrastructure and Assets Network) and Mr D Campbell (Team Leader Legal Services) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Councillor A E Dawkins withdrew from the Meeting at 3.20pm.**

**DECISION: 10 December 2020****MOTION**

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

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

**CARRIED BY ABSOLUTE MAJORITY 8:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A G Harris and Councillor T G Walker**  
**ABSENT at TIME of VOTING: Councillor A E Dawkins**

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## 18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown

**FILE NO:** 26390

**AUTHOR:** Robert Bujnowski (Property and Legal Officer)

**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

### DECISION STATEMENT:

To consider objections received in relation to the sale of public land intended at 276 Opossum Road, Youngtown.

### PREVIOUS COUNCIL CONSIDERATION:

Council - 17 September 2020 - Agenda Item 18.2 - Disposal of Interest in Public Land - 276 Opossum Road, Youngtown

### RECOMMENDATION:

That Council:

- notes its decision on 17 September 2020 that it intended to sell two strips of public land at the Glenwood Trail to the adjoining owner of 276 Opossum Road, Youngtown for the amount of \$600 in accordance with an independent valuation report for that land and that such a decision was advertised onsite and in *The Examiner* newspaper on 7 and 10 October 2020, with a representation of the relevant land appearing below:



**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown  
...(Cont'd)**

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2. considers each of the 10 objections marked Attachment 1 (ECM Document Set ID 4456809) that were received during the notice period which opposed the sale of public land to the owner of 276 Opossum Road, Youngtown.
  3. endorses the assessment of each of those objections as contained in this report.
  4. requests the Chief Executive Officer to sell the public land in accordance with the decision of Council on 17 September 2020 and the consequently published and displayed notices, but only when the relevant restrictions on taking action applying by reason of Section 178(7) of the *Local Government Act 1993* (Tas) are no longer applicable.
  5. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
- 

**Mr S Eberhardt (General Manager Infrastructure and Assets Network) and Mr R Bujnowski (Property and Legal Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Councillor J Finlay withdrew from the Meeting at 3.23pm.  
Councillor J Finlay re-attended the Meeting at 3.25pm.**

**Councillor A E Dawkins re-attended the Meeting at 3.23pm.**

**DECISION: 10 December 2020**

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

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

**CARRIED 9:0**

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

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**18.3 Proposal of Park and Reserve Names to be Official Names**

**FILE NO:** SF0621/SF2450/SF0817/SF0870/SF0830/SF0918/SF2178/SF2752/SF2719/12983/SF0865/SF2732/SF0913/SF0706/15798/98210/SF2518/SF4095

**AUTHOR:** Sonia Smith (Team Leader Infrastructure Development)

**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

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**DECISION STATEMENT:**

To consider submitting the names of parks and reserves within the Launceston municipality to the State Government's Place Names Advisory Panel for formal endorsement of the names.

**RECOMMENDATION:**

That Council:

1. pursuant to section 9 of the *Place Names Act 2020*, proposes the following park and reserve names to the Place Names Advisory Panel to enable these names to be registered as official place names:
    - a. Carr Villa Flora Reserve
    - b. Carr Villa Memorial Park
    - c. St Andrews Gardens
    - d. Heritage Forest
    - e. Machens Reserve
    - f. Mt Stuart Park
    - g. Fraser Street Reserve
    - h. Cornwall Crescent Park
    - i. Warwick Place Park
    - j. Punchbowl Reserve
    - k. Kings Meadows Park
    - l. West Launceston Community Park
    - m. Waverley Lake Park
    - n. Ravenswood Community Park
    - o. Woods Reserve
    - p. Stephen Street Park
  2. undertakes to remove any variants of these names from the Council's mapping products which may be accessible to the public.
- 

**Mr S Eberhardt (General Manager Infrastructure and Assets Network) was in attendance to answer questions of Council in respect of this Agenda Item.**

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**18.3 Proposal of Park and Reserve Names to be Official Names ...(Cont'd)**

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**DECISION: 10 December 2020**

Moved Councillor D H McKenzie, seconded Councillor J Finlay.

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

**CARRIED 9:0**

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

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**18.4 Accelerated Capital Works Program****FILE NO:** SF7114**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

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**DECISION STATEMENT:**

To consider funding an accelerated capital works program.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 2 April 2020 - Agenda Item 7.1 - Community Care and Recovery Package - COVID-19

Workshop - 7 May 2020 - Care and Recovery Package - Proposed Accelerated Capital Works Program

**RECOMMENDATION:**

That Council:

1. notes that the first target of the \$40m Accelerated Capital Works Program to deliver \$20m to market by 30 December 2020 has been achieved.
  2. endorses adjustment to the second \$20m that was required to go to market by April 2021 to December 2021.
- 

**Mr S Eberhardt (General Manager Infrastructure and Assets Network) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 10 December 2020**

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

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**19 ORGANISATIONAL SERVICES NETWORK ITEMS****19.1 Long Term Financial Plan 2020-2030****FILE NO:** SF4812/SF5947**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To consider adoption of Council's Long Term Financial Plan 2020-2030.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 11 July 2019 - Agenda Item Number 19.2 - Long Term Financial Plan 2019-2029

Workshop - 30 July 2020 - Long Term Financial Plan

Workshop - 22 October 2020 - Long Term Financial Plan

**RECOMMENDATION:**

That, pursuant to section 70 of the *Local Government Act 1993* (Tas), Council adopts the Long Term Financial Plan 2020-2030 (ECM Document Set ID 4430260).

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**Ms L Foster (General Manager Organisational Services Network) and Mr P Gimpl (Chief Financial Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 10 December 2020**

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

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

**CARRIED 9:0**

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

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**19.2 Delegation from Council to Chief Executive Officer - *Burial and Cremation Act 2019 (Tas)*****FILE NO:** SF0113**AUTHOR:** Wezley Frankcombe (Governance and Legal Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To consider a delegation from Council to the Chief Executive Officer of all powers under the *Burial and Cremation Act 2019 (Tas)*.

**RECOMMENDATION:**

That Council:

1. pursuant to section 22(1) of the *Local Government Act 1993 (Tas)*, delegates all of its functions and powers under the *Burial and Cremation Act 2019 (Tas)* to the position of Chief Executive Officer.
  2. pursuant to section 64(1)(b) of the *Local Government Act 1993 (Tas)*, authorises the Chief Executive Officer to delegate the functions and powers to an employee or employees of the Council.
  3. notes, for the avoidance of doubt, *Chief Executive Officer* is a term of reference used for the *General Manager* as appointed under section 61 of the *Local Government Act 1993 (Tas)*.
  4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
- 

**Ms L Foster (General Manager Organisational Services Network), Mr D Campbell (Team Leader Legal Services) and Mr W Frankcombe (Governance and Legal Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

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**19.2 Delegation from Council to Chief Executive Officer - *Burial and Cremation Act 2019* (Tas) ...(Cont'd)**

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**DECISION: 10 December 2020**

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

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

**CARRIED 9:0**

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

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**19.3 Delegation From Council to Council Officers - *Local Government (Highways) Act 1982 (Tas)*****FILE NO:** SF0113**AUTHOR:** Duncan Campbell (Team Leader Legal Services)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To consider the delegation from Council to the Council's Officers of particular powers and functions under the *Local Government (Highways) Act 1982 (Tas)*.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting - 14 November 2019 - Agenda Item 19.3 - Delegation From Council to Council Officers - *Local Government (Highways) Act 1982 (Tas)*

Council Meeting - 11 July 2019 - Agenda Item 19.1 - Delegation From Council to General Manager and Council Officers - *Local Government (Highways) Act 1982 (Tas)*

Council Meeting - 7 February 2019 - Agenda Item 15.3 - Delegation From Council to General Manager and Council Officers - *Local Government (Highways) Act 1982 (Tas)*

Council Meeting - 10 August 2015 - Agenda Item 18.1 - Delegations Under *Heavy Vehicle National Law Act (Tas)*

**RECOMMENDATION:**

That Council:

1. pursuant to section 124 of the *Local Government (Highways) Act 1982 (Tas)*, delegates the powers and functions contained in section 45 of the *Local Government (Highways) Act 1982 (Tas)* to the position of Team Leader City Services.
  2. notes that the holder of a position delegated a power or function by these Recommendations may seek the assistance of such other of the Council's employees, agents or contractors as are necessary, to exercise the power or perform the function so delegated, provided always that the decision to exercise the power or perform the function is made by the delegate.
  3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Local Government (Highways) Act (1982)*.
-

**19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ...*(Cont'd)**

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4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
- 

**Ms L Foster (General Manager Organisational Services Network) and Mr D Campbell (Team Leader Legal Services) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 10 December 2020**

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

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

**CARRIED 9:0**

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

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## 19.4 Crown Lease - Home Point Parade Pontoons, Boat Ramp and Boardwalk

**FILE NO:** SF0699/SF1081

**AUTHOR:** Tricia De Leon-Hillier (Lease and Licencing Officer)

**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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### DECISION STATEMENT:

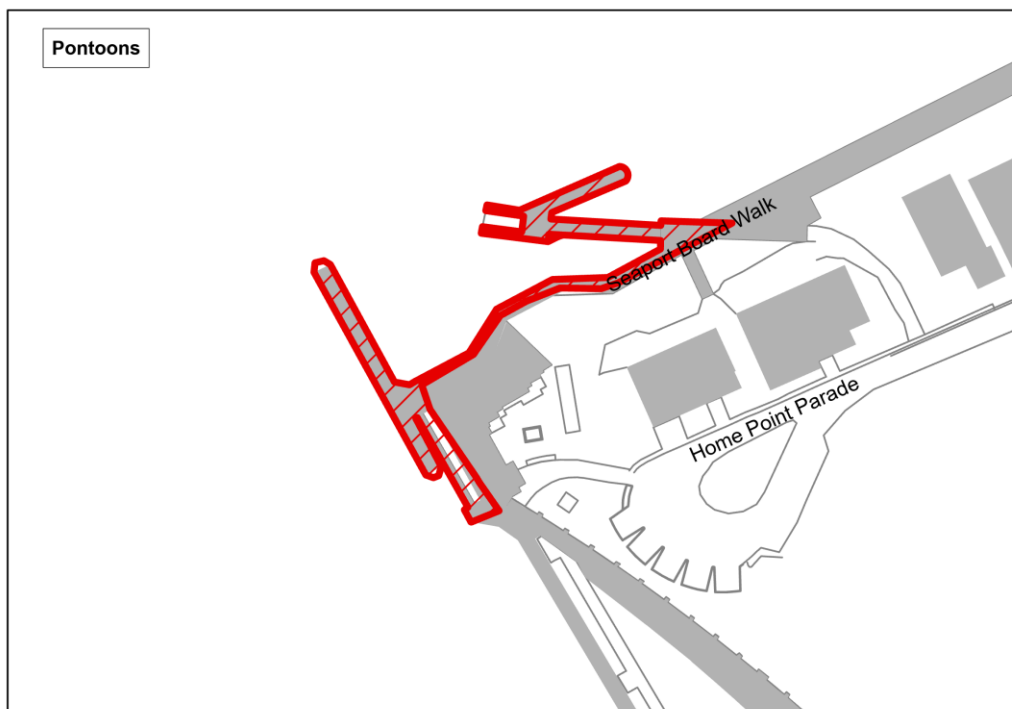
To consider entering into a new lease agreement over the two pontoons, boat ramp and boardwalk situated off Seaport at Home Point Parade for the purpose of providing access for the Council's tenants, Tamar River Cruises, 1<sup>st</sup> Tamar Sea Scouts and the Navy Cadets.

*This decision requires an absolute majority of Council.*

### RECOMMENDATION:

That Council, by absolute majority, pursuant to section 175 of the *Local Government Act 1993* (Tas):

1. approves entering into a ten year lease agreement at Home Point Parade, Launceston (PID 1759078) with the Crown as appearing in the map below, with the exact dimensions of the land to be determined by the Chief Executive Officer:



**19.4 Crown Lease - Home Point Parade Pontoons, Boat Ramp and Boardwalk  
...(Cont'd)**

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2. requests the Chief Executive Officer to enter into a formal lease under the following terms:
    - the term of the lease is for ten years commencing on 1 December 2020.
    - there are no further options.
    - the rental charge commencing at \$2,400 per annum and adjusted annually by CPI.
    - the Council remains as the asset owners of the two pontoons, boat ramp and board walk.
    - the Council will be responsible for building and contents insurance.
    - the Council will continuously maintain
      - any existing or new infrastructure; and
      - public liability insurance of at least \$20 million.
    - the Council will retain ownership of the improvements and fixtures at the premises for the term of the proposed new lease.
    - the lease will allow Council to sub-lease and sub-licence the relevant land to approved sub-tenants.
    - all remaining terms to be determined by the Chief Executive Officer.
  3. requests any right, option or discretion exercisable by Council under the lease may be exercised by the Chief Executive Officer.
  4. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
- 

**Ms L Foster (General Manager Organisational Services Network) and Mr D Campbell (Team Leader Legal Services) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Councillor K P Stojansek withdrew from the Meeting at 3.34pm.**

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**19.4 Crown Lease - Home Point Parade Pontoons, Boat Ramp and Boardwalk  
...(Cont'd)**

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**DECISION: 10 December 2020**

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

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

**CARRIED BY ABSOLUTE MAJORITY 8:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson,  
Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor A E  
Dawkins, Councillor A G Harris and Councillor T G Walker  
ABSENT at TIME of VOTING: Councillor K P Stojansek**

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**19.5 UNESCO Creative City of Gastronomy Bid****FILE NO:** SF0797**AUTHOR:** James McKee (Manager Innovation and Performance)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To consider in principle support of the Launceston Creative Cities Steering Group's City of Gastronomy bid for Launceston.

**RECOMMENDATION:**

That Council:

1. provides in principle support for the City of Gastronomy application preparation to progress, noting that preparation includes seeking commitment from other funding partners; and
2. agrees to consider formal endorsement of the City of Gastronomy bid, including consideration of Council funding, once other funding partners have been fully explored.

---

**Ms L Foster (General Manager Organisational Services Network) was in attendance to answer questions of Council in respect of this Agenda Item.**

**Councillor K P Stojansek re-attended the Meeting at 3.36pm.**

**DECISION: 10 December 2020**

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

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

**CARRIED 9:0**

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

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## 20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

### 20.1 Report on Council's 2020 Annual General Meeting

**FILE NO:** SF0098

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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#### **DECISION STATEMENT:**

To report on the Council's 2020 Annual General Meeting, held in compliance with section 72B of the *Local Government Act 1993* (Tas) on Thursday, 3 December 2019 at 5.30pm in the Council Chambers, Town Hall, Launceston.

#### **RECOMMENDATION:**

That Council:

1. in respect of the Annual General Meeting held on Thursday, 3 December 2020 at 5.30pm in the Council Chambers, Town Hall, Launceston, notes the following motions passed at that Meeting:
    - (i) That the Minutes of the Annual General Meeting of the City of Launceston Council held on 5 December 2019 be confirmed as a true and correct record.
    - (ii)(a) That the City of Launceston Annual Report for the year ended 30 June 2020 be adopted with the following changes:
      - a. The figure for Specialist Product Disposals on page 33 is changed from 6311 to 6914.
      - b. Rate Coverage Ratios percentages of 61.4%, 57.9%, 56.8%, 56.8% and 59.7% are added in the Financial Ratios table on page 56.
      - c. The table on pages 94-95 labelled *Note 2.1 - Functions and Activities of Council (Cont)* is replaced with a new table for Note 6.1:
-

20.1 Report on Council's 2020 Annual General Meeting ...(Cont'd)

Notes to the Financial Statements

Note 6.1 - Movements in Equity  
Current Year

	Balance 1 July \$'000	Net Surplus \$'000	Comprehensive Income \$'000	Transfers \$'000	Balance 30 June \$'000
<b>Capital Reserves</b>					
Government Grants	192,395	2,989	-	-	195,384
Other Contributions	21,363	34	-	-	21,397
	<b>213,758</b>	<b>3,023</b>	-	-	<b>216,781</b>
<b>Revenue Reserves</b>					
General	991,271	2,478	-	702	994,451
CBD	16	(97)	-	-	(81)
Flood Authority	1	482	-	(483)	-
Investment Water Corporation	2,724	-	-	-	2,724
Public Open Space	343	90	-	(35)	398
Self Insurance	3,297	187	-	-	3,484
Special Committees	23	8	-	-	31
Waste Centre Rehabilitation	10,359	4,467	-	-	14,826
Employee Benefits	1,098	-	442	-	1,540
	<b>1,009,132</b>	<b>7,615</b>	<b>442</b>	<b>184</b>	<b>1,017,373</b>
<b>Asset Revaluation Reserves</b>					
General	652,707	-	47,950	-	700,657
<b>Investment Reserves</b>					
TasWater	19,085	-	(63,238)	-	(44,153)
<b>Trusts And Bequests</b>					
Parks	31	-	-	-	31
Museum	2,323	189	-	(184)	2,328
	<b>2,354</b>	<b>189</b>	-	<b>(184)</b>	<b>2,359</b>
	<b>1,897,036</b>	<b>10,827</b>	<b>(14,846)</b>	-	<b>1,893,017</b>

Notes to the Financial Statements

Note 6.1 - Movements in Equity (Cont)  
Comparative figures for prior year  
Prior Year 2019

	Balance 1 July \$'000	Net Surplus \$'000	Comprehensive Income \$'000	Transfers \$'000	Balance 30 June \$'000
<b>Capital Reserves</b>					
Government Grants	178,452	13,943	-	-	192,395
Other Contributions	21,207	156	-	-	21,363
	<b>199,659</b>	<b>14,099</b>	-	-	<b>213,758</b>
<b>Revenue Reserves</b>					
General	983,634	4,179	-	3,476	991,289
CBD	17	(1)	-	-	16
Flood Authority	(114)	-	-	115	1
Investment Water Corporation	-	2,724	-	-	2,724
Public Open Space	319	24	-	-	343
Self Insurance	3,105	192	-	-	3,297
Special Committees	40	(17)	-	-	23
Waste Centre	13,950	-	-	(3,591)	10,359
Employee Benefits	3,534	(1,053)	(1,383)	-	1,098
	<b>1,004,485</b>	<b>6,048</b>	<b>(1,383)</b>	-	<b>1,009,150</b>
<b>Asset Revaluation Reserves</b>					
General	638,548	-	14,159	-	652,707
<b>Investment Reserves</b>					
TasWater	(15,479)	-	34,564	-	19,085
<b>Trusts And Bequests</b>					
Parks	31	-	-	-	31
Museum	2,163	160	-	-	2,323
	<b>2,194</b>	<b>160</b>	-	-	<b>2,354</b>
	<b>1,829,407</b>	<b>20,307</b>	<b>47,340</b>	-	<b>1,897,054</b>

(b) Annual Reports for the following City of Launceston entities and Authorities for the year ended 30 June 2020 be adopted:

- a. Queen Victoria Museum and Art Gallery; and
- b. Launceston Flood Authority.

(iii) That Council substantially modifies the CityHeart built multi-tiered hexagon public seating structure at the West end of the Brisbane St Mall with the aim being to design-out-crime and anti-social behaviour.

**20.1 Report on Council's 2020 Annual General Meeting ...(Cont'd)**

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- (iv)(a) provides more vehicle loading zones as defined in the Road Rules 2009, available on Sundays in the Launceston CBD.
  - (b) reviews the demand and opportunities of Sunday and public holiday on-street parking controls in the Launceston CBD.
2. determines to consider the motions at Recommendations 1.(iii) and 1.(iv) above at the Council Meeting to be held on 28 January 2021.
- 

**Mr M Stretton (Chief Executive Officer) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 10 December 2020**

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

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

**CARRIED 9:0**

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

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**21 CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

That Council moves into Closed Session to consider the following matters:

**21.1 Confirmation of the Minutes**

Regulation 35(6) of the *Local Government (Meeting Procedures) Regulations 2015* 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.

**21.2 Road Widening - Golconda Road, Lilydale**

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

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

**21.3 Building Better Regions Fund**

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

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

**DECISION: 10 December 2020****MOTION**

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

**That Council moves into Closed Session.**

**CARRIED BY ABSOLUTE MAJORITY 9:0**

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

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Council moved into Closed Session at 3.50pm.  
Council returned to Open Session at 4.21pm.

## 21.4 End of Closed Session

### RECOMMENDATION:

That, pursuant to Regulation 34(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, resolves to report in Open Session that it has considered the following matters in Closed Session.

Minutes Item	Matter	Brief Description
21.1	<i>Closed Council Minutes - 29 October 2020</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 29 October 2020.</i>
21.2	<i>Road Widening - Golconda Road, Lilydale</i>	<i>Councillors discussed land acquisitions for the Golconda Road, Lilydale road widening project.</i>
21.3	<i>Building Better Regions Grant</i>	<i>Information was provided regarding the Building Better Regions Grant application.</i>

### DECISION: 10 December 2020

#### MOTION

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

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

**CARRIED 9:0**

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

## 22 MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 4.21pm.