



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 16 APRIL 2020
1.05pm**

The Ordinary Meeting of the City of Launceston Council was held by video conference:

Date: 16 April 2020

Time: 1.05pm

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

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 and can be accessed from www.launceston.tas.gov.au/Council/Meetings/Listen for a minimum of six months after the date of the meeting.

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

Public attendance at this meeting was not permitted. We asked members of the public to stay home to slow the spread of COVID-19 and provided the following information for people wishing to speak to an item in the agenda.

Do you wish to speak to an item in the Agenda of the Council Meeting?

- You are invited to speak to an item on the Agenda by emailing a statement of no more than 300 words. Your statement will be read aloud at the meeting.

Do you have a question to ask during Public Question Time?

- You are invited to email up to three questions. If accepted, your questions will be read aloud at the meeting, and answered or taken on notice. If your questions are not accepted, reasons will be given.

Questions or statements emailed to contactus@launceston.tas.gov.au by 11am, Thursday 16 April 2020 were read out by Council officers at the appropriate item in the agenda.

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
 R I Soward
 J G Cox
 K P Stojansek
 A E Dawkins
 N D Daking
 P S Spencer
 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 Tennant (Team Leader Communications)
 Mrs L Purchase (Manager Governance)

Apologies: **Nil**

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Deputy Mayor, Councillor D C Gibson, opened the Meeting at 1.05pm.

The Mayor, Councillor A M van Zetten, took the chair after Deputy Mayor, Councillor D C Gibson, confirmed that all Councillors were present.

2 MAYORAL ACKNOWLEDGEMENTS

No Mayoral Acknowledgements were identified as part of these Minutes

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.)

Councillor D H McKenzie declared an interest in Agenda Item 9.1 - 233A Charles Street, Launceston - Educational and Occasional Care - Change of use to dance school and construction of additional parking.

Councillor N D Daking declared an interest in Agenda Item 9.3 Amendment 56 - 37 Birch Avenue, Newstead.

4 CONFIRMATION OF MINUTES

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

RECOMMENDATION:

1. That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 2 April 2020, as circulated, are amended on page 10 to change the word Alderman to Councillor and confirmed as true and correct.

2. That the Minutes of the Special Council Meeting of the City of Launceston Council held on 2 April 2020, as circulated, are amended on pages 13 and 18 to change the word in the Motions from Alderman to Councillor and confirmed as true and correct.

DECISION: 16 April 2020

MOTION

Moved Councillor D C Gibson, seconded Councillor J G Cox.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor R I Soward, 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

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.)

No Community Reports have been registered with Council as part of these Minutes

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.)

8.1.1 Public Questions on Notice - Mr Lionel Morell (President, Tasmanian Ratepayers Association Inc.) - Special Council Meeting - 2 April 2020**FILE NO:** SF6381**AUTHOR:** Lee Viney (Administration Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following question, submitted to Council on 2 April 2020 by Mr Lionel Morell (President, Tasmanian Ratepayers Association Inc.), has been answered by Mr Michael Stretton, Chief Executive Officer.

Question:

1. What are the alternate duties being carried out by staff ordinarily employed in facilities that are not currently open to the public? Example QVMAG, LAC, York Park etc (please provide a response to the full list.)

Response:

The Launceston Leisure and Aquatic Centre has 110 employees made up of 21 permanent and 89 casual staff. Unfortunately, we don't have work for the casuals and they are being transitioned to Federal Government assistance payments. However, our permanent staff in the operations area have been busily working on backlog maintenance and other works that can only be undertaken during a shutdown period. Whilst permanent staff in the administration area have been working on business planning, updating policies and procedures and identifying ways to engage with our customers and the community during the COVID-19 closure. For example, gym staff are producing online videos to help members and the community maintain their health and wellbeing.

Once staff at this facility have completed all of the shut-down and/or backlog work they will be re-tasked into areas like community recovery over the next few weeks. We will also be re-tasking staff to assist the Finance Team in managing Applications for financial hardship, which will be received over the next couple of months. It should also be noted that this team has developed specific expertise in the implementation of LEAN methodology and as such there are many business improvement projects that they could undertake throughout the organisation.

Staff at UTAS Stadium are continuing to complete their daily tasks of maintaining the facility. The maintenance of UTAS Stadium is a year-round process which does not stop because games and/or training are not occurring. UTAS stadium management is currently focused on working on a Future Directions Plan for the stadium as well as

8.1.1 Public Questions on Notice - Mr Lionel Morell (President, Tasmanian Ratepayers Association Inc.) - Special Council Meeting - 2 April 2020 ...(Cont'd)

updating policies and procedures in addition to continuity planning for the eventual return of the stadium to games and training..

At the QVMAG, when the doors were closed to the public on Tuesday March 17, management and staff immediately started planning for the possibility of working offsite. The majority of staff are now working from home and their priority tasks are summarised as follows:

A Covid-19 Disaster Response Plan has been put in place specifically for QVMAG and a skeleton staff established to ensure ongoing security of the QVMAG buildings and collections, and respond appropriately to any urgent issues or emergencies.

General

Although some projects have had to be put on hold by necessity, there are others that are still progressing with external partners. These include ongoing work with Tasmanian cultural institutions on the Digital Cultural Experience (DCE), and work with UTAS to maximise opportunities to redevelop The Phenomena Factory and create a closer relationship with the Underwood Centre.

QVMAG is maintaining its connections with its professional colleagues by taking part in weekly telephone and video conferences as part of the Council of Australasian Museum Directors (CAMD). This is proving to be a useful forum for sharing ideas and responses to the crisis.

Management is focusing on progressing some of QVMAG's longer-term plans including working with the CEO on the Governance transition plan and the establishment of a project working group. At the same time, Management is working to create and/or update a number of key policies for QVMAG.

Monitoring of feedback on the Cultural Strategy continues, but the deadline has been pushed out indefinitely to allow for the current disruption.

Museum Operations

The Learning Team is working on creating new ways to engaging QVMAG audiences, including the development of digital educational resources for children learning at home. A range of other resources are in development, including Activity Sheets and new Planetarium content. Across the team key administrative documents are being updated, including the Operations Manual and Standard Operating Procedures (SOPs).

Members of the Exhibitions Team are working on a new QVMAG publication on the Tasmanian Emu with Natural Sciences, and combining 4 QVMAG Records written by

**8.1.1 Public Questions on Notice - Mr Lionel Morell (President, Tasmanian Ratepayers Association Inc.) - Special Council Meeting - 2 April 2020
...(Cont'd)**

Brian Plomley into one single Record, as well as working on social media posts, developing online learning guides for up-and-coming exhibitions, as well as other programs being developed by the Learning Team. Team members are also working on creating new merchandise for the QVMAG shops. A new staff manual is in development as well as routine work on the budget, up-and-coming exhibitions, exhibition schedules and other documentation.

The Visitor Operations Team is reviewing current best practice in the cultural sector and will use the learnings to inform its visitor experience approach in the future. The Team is also working closely with colleagues across the museum to explore merchandising opportunities for the store, as well as the use of social media to grow the retail offer. As with the other teams in Museum Operations, Visitor Operations is also updating various SOPs and staff manuals. The team have a strong focus on continuous improvement and are focusing on developing mindfulness courses for front-of-house staff and revamping donations processes for the cultural sector.

Knowledge and Content

Natural Sciences team members are engaged with researching and writing a range of publications (book chapter, papers, journal articles) as well as generating social media content as needed. Work continues on exhibition planning and development, photographic scanning, and specimen collection, registration, and presentation. The team is also processing the many thousands of entomology specimens collected during the four months of summer collecting – pinning, labelling and entering each individual into the Atlas of Living Australia database – as well as writing research papers detailing QVMAG's contribution to biodiversity knowledge of northern Tasmania.

The Senior Curator Public History has been in the newspaper and on TV discussing the history of Launceston's Infectious Disease Hospital, now a Coronavirus testing clinic. The history team also continue to work on the extensive QVMAG archives, both digitising and researching collections for developing online content. Their focus is currently on the 7EX radio station archive, a treasure trove of Launceston popular culture reaching back to the 1930s. The team is scanning photos, developing text, following up copyright permissions and designing interactive content. Where possible, they continue to answer public enquiries although access to files is limited.

8.1.1 Public Questions on Notice - Mr Lionel Morell (President, Tasmanian Ratepayers Association Inc.) - Special Council Meeting - 2 April 2020 ...(Cont'd)

In addition to this, staff are working on papers for publication, oral history projects, future exhibition planning, and gallery redevelopment.

Library staff continue to answer public enquiries, are creating new collection listings and collection guides, as well as completing QVMAG Record 120. The team is also working on the development of future online exhibition content.

Much of the work of the Visual Art and Design team is exploring ways in which to balance pre-existing commitments to artists with the need to reschedule the exhibition programme, specifically the rehang of the Galleries scheduled for 2021. This requires careful planning and ongoing communication. At the same time, the team continues to ensure that data is 'clean' in order to migrate onto a new database, and eventually support the digitisation of the collections. The team is also continuing to develop plans for re-hanging the central galleries, with the senior curator researching and writing the main catalogue essay highlighting how QVMAG's colonial masterworks can be translated for a contemporary audience. She continues to build relationships with community stakeholders, sharing images and ideas with her reference group through social media. The assistant curator is likewise continuing work on planned exhibitions, clearing copyright, writing exhibition text, scanning QVMAG files and researching/writing significance assessments for collections in focus through the audit.

The Registrar is spending much of her time creating Data Standards in support the DCE project. She is also working on a grant submission for a Significance Assessment of the Textiles Store. She is also continuing to work on material associated with the Digital Cultural Experience, including annotating the CDWA (The Getty Categories for the Description of Works of Art) ready for further discussions with the DCE standards reference group, as well as undertaking further study in Collections Law knowledge through an online course offered by AMaGA.

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.)

8.2.1 Mr Nathan Watkins - Development of the Waverley Community

Questions (typed as received):

- 1. What current plans and/or strategies does the Launceston City Council have for the development/betterment of the Waverley community.**
- 2. Will the Launceston City Council commit to investigating the need for a community hub/hall/centre for the residents of Waverley?**
- 3. Will the Launceston City Council fund the supply and installation of a Waverley sign similar to the Ravenswood sign near the shopping complex?**

The Mayor, Councillor A M van Zetten, responded by saying that these questions would be Taken on Notice and a response provided in the Council Agenda of the next Council Meeting.

8.2.2 Ms Danielle Watkins - Council Strategies for the Development of Waverley

Questions (typed as received):

- 1. What facilities are council investigating to build at Waverley in response to helping the community access services in their own suburb during covid-19 lockdowns?**
- 2. Would council consider providing a temporary shed or facility to be placed on council land in Waverley so that residents can access services such as emergency food, counselling etc?**
- 3. What programs does the council have in place to support communities without facilities such as Waverley to access digital learning devices to support access to federal government university funded courses?**

The Mayor, Councillor A M van Zetten, responded by saying that these questions would be Taken on Notice and a response provided in the Council Agenda of the next Council Meeting.

8.2.3 Mr Ray Norman - QVMAG and COVID-19 Questions

Questions (typed as received):

1. In the interests of ratepayers facing financial distress as a consequence of the COVID-19 Crisis will Council please provide an update on:
 - How many QAVMAG employees have been stood down;
 - How many QVMAG employees have been redeployed and to what tasks; and
 - What program adjustments are being made at the QVMAG relative to appropriate community engagement, specifically Internet facilitated engagements; and

These things given the significant public money as well as the substantial community resources committed to and the QVMAG operation currently and over time.
 2. Given the substantial amount of funding from 'the public purse', community donations and commitments plus the infrastructure committed and capital works relative to the operation of the city's 'Cultural Network' and that 'Council' is the default 'governance body' cum 'trustees' the QVMAG, Princess Theatre etc. why is that on a typical Council Agenda:
 - There is no reporting of QVMAG acquisitions or deaccessions/disposals of collection material;
 - There is no reporting of loans arrangement for QVMAG collection material and the costs and/or income derived;
 - There is no reporting of updated staffing arrangements relative strategic purposes;
 - There is no reporting of updated program development with income and/or cost projections;
 - There is no reporting of research outcomes and the costs attributed to such undertakings;
 - There is no reporting of strategic forward planning relative programming across Council's 'cultural network';
 - There is no reporting relative to income generation across Council's 'cultural network' and performance measures being achieved or otherwise;
 - There is no reporting relative to capital works and/or infrastructure provision and the associated funding?
 3. In the context of the COVID-19 Crisis:
 - What percentage of Council staff have been stood down on full pay and or required to take up their leave entitlements; and/or
 - What percentage of Council staff have been redeployed to other duties; and/or
 - What percentage of Council staff have been stood down without pay; and
 - How is the current staffing strategy being funded and/or subsidised by State or Federal COVID-19 'relief funding'?
-

8.2.3 Mr Ray Norman - QVMAG and COVID-19 Questions ...(Cont'd)

The Mayor, Councillor A M van Zetten, responded by saying that these questions would be Taken on Notice and a response provided in the Council Agenda of the next Council Meeting.

8.2.4 Mr Ray Norman on behalf of Mr Richard Barton - kanamaluka/Tamar River

Questions (typed as received):

- 1. Why should we accept a lower reduction of enterococci and sewerage?**

The Mayor, Councillor A M van Zetten, responded by saying the Council would either accept the marginally lower enterococci levels which will be created through the implementation of the revised plan or we accept that the plan cannot go ahead due to the fact that sufficient funding has not currently been made available by the three levels of Government and TasWater. The compromise which has been developed by the stakeholders will ensure that the water quality in the estuary will be significantly improved as a result of the planned works and this is why we should accept a slightly lower water quality improvement.

- 2. The budget totalling \$11.2 million will be needed during a forecast Recession or Depression of great intensity. Was that budget forecast developed in the knowledge of the likelihood of a severe depression and if so, what is the likelihood that the works will go ahead as planned?**

The Mayor, Councillor A M van Zetten, responded by saying yes, the Council's long-term financial plan has been amended to accommodate the expected financial impacts of the COVID-19 pandemic and it demonstrates that this necessary expenditure on the estuary can be accommodated.

8.2.5 Mr Ray Norman on behalf of Mr Ron Baines - Brisbane Street Mall - Birchalls and Thylacine Statues

Questions (typed as received):

- 1. I'm informed that this council has purchased Birchalls Store plus an adjoining property. Is this true?**

If so, how much of your ratepayers money has been spent on this acquisition?

The Mayor, Councillor A M van Zetten, responded by saying that the Council regularly hold discussions with major retailers, businesses and property owners who are interested in investing in our great city. The Council is considering and discussing the proposed redevelopment of some of Launceston's most prominent CBD sites however the Council have no announcements to make at this time.

- 2. Our Brisbane Street Mall is littered with dangerous metal animals that are on ground level and need to be lifted to avoid accidents. With the current low level of foot traffic due to covid 19 restrictions remedial work could be easily carried out with little or no inconvenience. "Safety is cheaper than litigation".**

Is this council prepared to carry out this work before someone is badly injured?

The Mayor, Councillor A M van Zetten, responded by saying that raising the statues would create a fall issue which would require the installation of soft-fall to comply with Australian Standards. Previous Risk Assessments have indicated that the installation was acceptable. Due to a number of reports of trips and falls due to inattention, the Council is now reviewing the level of risk posed by the Thylacines. The outcomes of this assessment will be communicated to the public once it has been completed.

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Item 9 - Planning Authority.

9 PLANNING AUTHORITY

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking

FILE NO: DA0039/2020

AUTHOR: Luke Rogers (Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

DA0654/2017 - Business and Professional Services - consulting rooms; change of use, internal renovation, minor extension and signage - Approved 22 January 2018.

DA0288/2017 - Business and Professional Services - office; construction of a free standing signage structure including signs for multiple tenancies (re-advertised) - Approved 4 August 2018.

DA0116/2018 - Business and Professional Services - medical centre; consolidation of lots; change of use of 23 Canning Street to medical centre; demolish part of 23 Canning Street; construction of internal and external alterations; use right of ways over 233A Charles Street, 154 and 156 St John Street (re-advertised) - Approved 15 June 2018.

DA0341/2018 - Sports and Recreation - Change of use to fitness studio at 233A Charles Street, Launceston - withdrawn.

DA0748/2018 - Sports and Recreation - Change of use to fitness studio at 233A Charles Street, Launceston - refused.

DA0389/2019 - Demolition of a redundant toilet block at 233A Charles Street, Launceston - Approved 19 September 2019

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

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 DA0039/2020 Educational and Occasional Care - Change of use to dance school and construction of additional parking at 233A Charles Street, Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. 233a Charles Street Car Parking Report, Prepared by Richard Edwards, Version 2, Dated 3 March 2020
- b. Proposed Car Park Layout, Prepared by Pitt & Sherry, Client: Richard Edwards, Drawing No. LN19239-P1, Dated 3 March 2020
- c. Cover Page, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk01, Issue A, Dated 27 April 2018
- d. Site Plan, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk02, Issue A, Dated 27 April 2018
- e. Ground Floor Plan, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk03, Issue A, Dated 27 April 2018
- f. North + East Elevations, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk04, Issue A, Dated 27 April 2018
- g. South + West Elevations, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk05, Issue A, Dated 27 April 2018
- h. Sections, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk06, Issue A, Dated 27 April 2018
- i. Technical Memo - Potters House environmental noise emission assessment, Prepared by Tarkarri Engineering, Project No. 5298_AC_R, Dated 8 August 2019

2. SIGNAGE

No signage is approved as part of this application. Due to the listing of the site as a Local Heritage Place, any new signs or alteration to the content, graphic or illumination of existing approved signs may require separate approval of Council.

3. NOISE MITIGATION MEASURES

The ongoing use must not cause unreasonable noise or interference to adjoining sensitive uses. Prior to the commencement of the use the following recommendations specified in Potters House Environmental Noise Emission Assessment, prepared by Tarkarri Engineering, Reference: 5298_AC_R, dated 08/08/2019; must be installed:

- a) Operable panels in the upper windows in the northern and southern facades of Potters House premises should be sealed with a flexible sealant to prevent acoustic leakage;
 - b) Degraded insulation in the roof/ceiling cavity should be replaced with a minimum R4 fibreglass or rockwool insulation; and,
-

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

- c) A vent at the western end of the roof/ceiling cavity should be sealed off with minimum 6mm thick compressed fibre cement.

4. ON-STREET PARKING RESTRICTIONS

A plan of the parking restrictions in Canning Street is to be submitted for approval by the General Manager Infrastructure and Assets. These restrictions must include two on-street car parking spaces in Canning Street that adjoin the site being provided with the following signage:

- a) No Parking from 2:30pm - 8:00pm Monday - Friday
b) No Parking from 9:00am - 4:00pm Saturday

Once approved, the parking restrictions are to be installed at the applicant's expense and prior to the school operations starting on the site.

5. CAR PARKING

Prior to the commencement of the use, areas set aside for parking vehicles and access lanes must be formed, paved, sealed, line marked and drained to the public stormwater system

6. LEGAL TITLE

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

7. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:
Monday to Friday - 7am and 6pm
Saturday - 9am to 6pm
Sundays and Public Holidays - 10am to 6pm

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.

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

9. DAMAGE TO COUNCIL INFRASTRUCTURE

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

10. SOIL AND WATER MANAGEMENT PLAN

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

11. 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.

12. PUBLIC ADDRESS SYSTEM

No form of public address system must be used on the premises so as to cause a nuisance to neighbouring properties.

13. 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.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0039/2020. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

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

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

- 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 (2) 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 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>>

D. Noise Nuisance

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

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

A written statement from Mr Mark Johnson (representing the Residents Group from Charles Street and the St Johns Court residents), against the Recommendation, was read to the Meeting.

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

Councillor D H McKenzie withdrew from the debate due to a Declaration of Interest in Agenda Item - 9.1 - 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking.

DECISION: 16 April 2020

MOTION 1

Moved Councillor N D Daking, seconded Councillor T G Walker.

That clause 14 be included as follows:

14. HOURS OF OPERATION

This permit allows the use of the site as a Dance School. The use is limited to the following hours of operation:

- a. 3:00pm to 8:00pm Monday to Friday;
- b. 9:00am to 4:00pm Saturday; and,
- c. 9:00am to 2:00pm Sunday.

The alteration or extension of the stated hours of operation would require separate approval by the Council.

LOST 5:6

FOR VOTE: Mayor Councillor A M van Zetten, Councillor J G Cox, Councillor, Councillor N D Daking, Councillor P S Spencer and Councillor T G Walker

AGAINST VOTE: Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor R I Soward, Councillor K P Stojansek, Councillor A E Dawkins and Councillor A G Harris

DID NOT VOTE due to DECLARATION of INTEREST: Councillor D H McKenzie

DECISION: 16 April 2020

MOTION 2

Moved Councillor J Finlay, seconded Councillor D C Gibson.

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

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

DA0039/2020 Educational and Occasional Care - Change of use to dance school and construction of additional parking at 233A Charles Street, Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. 233a Charles Street Car Parking Report, Prepared by Richard Edwards, Version 2, Dated 3 March 2020
- b. Proposed Car Park Layout, Prepared by Pitt & Sherry, Client: Richard Edwards, Drawing No. LN19239-P1, Dated 3 March 2020
- c. Cover Page, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk01, Issue A, Dated 27 April 2018
- d. Site Plan, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk02, Issue A, Dated 27 April 2018
- e. Ground Floor Plan, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk03, Issue A, Dated 27 April 2018
- f. North + East Elevations, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk04, Issue A, Dated 27 April 2018
- g. South + West Elevations, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk05, Issue A, Dated 27 April 2018
- h. Sections, Prepared by Cumulus Studio, Project: 233 Charles St, Drawing No. T18378-sk06, Issue A, Dated 27 April 2018
- i. Technical Memo - Potters House environmental noise emission assessment, Prepared by Tarkarri Engineering, Project No. 5298_AC_R, Dated 8 August 2019

2. SIGNAGE

No signage is approved as part of this application. Due to the listing of the site as a Local Heritage Place, any new signs or alteration to the content, graphic or illumination of existing approved signs may require separate approval of Council.

3. NOISE MITIGATION MEASURES

The ongoing use must not cause unreasonable noise or interference to adjoining sensitive uses. Prior to the commencement of the use the following recommendations specified in Potters House Environmental Noise Emission Assessment, prepared by Tarkarri Engineering, Reference: 5298_AC_R, dated 08/08/2019; must be installed:

- a) Operable panels in the upper windows in the northern and southern facades of Potters House premises should be sealed with a flexible sealant to prevent acoustic leakage;
 - b) Degraded insulation in the roof/ceiling cavity should be replaced with a minimum R4 fibreglass or rockwool insulation; and,
-

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

- c) A vent at the western end of the roof/ceiling cavity should be sealed off with minimum 6mm thick compressed fibre cement.

4. ON-STREET PARKING RESTRICTIONS

A plan of the parking restrictions in Canning Street is to be submitted for approval by the General Manager Infrastructure and Assets. These restrictions must include two on-street car parking spaces in Canning Street that adjoin the site being provided with the following signage:

- a) No Parking from 2:30pm - 8:00pm Monday - Friday
- b) No Parking from 9:00am - 4:00pm Saturday

Once approved, the parking restrictions are to be installed at the applicant's expense and prior to the school operations starting on the site.

5. CAR PARKING

Prior to the commencement of the use, areas set aside for parking vehicles and access lanes must be formed, paved, sealed, line marked and drained to the public stormwater system

6. LEGAL TITLE

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

7. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:
Monday to Friday - 7am and 6pm
Saturday - 9am to 6pm
Sundays and Public Holidays - 10am to 6pm

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.

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

9. DAMAGE TO COUNCIL INFRASTRUCTURE

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

10. SOIL AND WATER MANAGEMENT PLAN

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

11. 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.

12. PUBLIC ADDRESS SYSTEM

No form of public address system must be used on the premises so as to cause a nuisance to neighbouring properties.

13. 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.

14. HOURS OF OPERATION

This permit allows the use of the site as a Dance School. The use is limited to the following hours of operation:

- a. 9:00am to 8:00pm Monday to Friday;
 - b. 9:00am to 4:00pm Saturday; and,
 - c. 9:00am to 2:00pm Sunday.
-

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0039/2020. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined; or*
- 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 (2) 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 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>>

9.1 233A Charles Street, Launceston - Educational and Occasional Care - Change of Use to Dance School and Construction of Additional Parking ...(Cont'd)

D. Noise Nuisance

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

The alteration or extension of the stated hours of operation would require separate approval by the Council.

CARRIED 8:3

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor R I Soward, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins and Councillor A G Harris

AGAINST VOTE: Councillor N D Daking, Councillor P S Spencer, and Councillor T G Walker

DID NOT VOTE due to DECLARATION of INTEREST: Councillor D H McKenzie

9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings**FILE NO:** DA0380/2019**AUTHOR:** Luke Rogers (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

N/A

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 DA0380/2019 Residential - Construction of sixteen (16) dwellings at 7A Napier Street, Youngtown subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Cover Sheet, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.01, Dated 28/02/2020
 - b. Project Information, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.02, Dated 28/02/2020
 - c. Location Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.03, Dated 28/02/2020
 - d. Site Plan - General (A), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.04, Dated 28/02/2020
 - e. Site Plan - General (B), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.05, Dated 28/02/2020
 - f. Site Plan - General (C), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.06, Dated 28/02/2020
 - g. Project Staging, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.07, Dated 28/02/2020
 - h. Site Section - A, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.08, Dated 28/02/2020
 - i. Site Section - B, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.09, Dated 28/02/2020
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9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

- j. Site Plan - Planning (A), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.10, Dated 28/02/2020
 - k. Site Plan - Planning (B), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.11, Dated 28/02/2020
 - l. Site Plan - Planning (C), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.12, Dated 28/02/2020
 - m. Site Plan - Landscaping (A), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.14, Dated 28/02/2020
 - n. Site Plan - Landscaping (B), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.15, Dated 28/02/2020
 - o. Site Plan - Landscaping (C), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.16, Dated 28/02/2020
 - p. Site Plan - Turning (A), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.13, Dated 28/02/2020
 - q. Site Plan - Turning (B), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.17, Dated 28/02/2020
 - r. Site Plan - Turning (C), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.18, Dated 28/02/2020
 - s. Site Plan - Plumbing (A), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.19, Dated 28/02/2020
 - t. Site Plan - Plumbing (B), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.20, Dated 28/02/2020
 - u. Site Plan - Plumbing (C), Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.21, Dated 28/02/2020
 - v. Plumbing General, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A0.22, Dated 28/02/2020
 - w. Unit 1 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A1.1, Dated 06/08/2019
 - x. Unit 1 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A1.2, Dated 06/08/2019
 - y. Unit 1 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A1.3, Dated 06/08/2019
 - z. Unit 2 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A2.1, Dated 06/08/2019
 - aa. Unit 2 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A2.2, Dated 06/08/2019
 - ab. Unit 2 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A2.3, Dated 06/08/2019
 - ac. Unit 3 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A3.1, Dated 06/08/2019
 - ad. Unit 3 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A3.2, Dated 06/08/2019
 - ae. Unit 3 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A3.3, Dated 06/08/2019
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9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

- af. Unit 4 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A4.1, Dated 06/08/2019
 - ag. Unit 4 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A4.2, Dated 06/08/2019
 - ah. Unit 4 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A4.3, Dated 06/08/2019
 - ai. Unit 5 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A5.1, Dated 06/08/2019
 - aj. Unit 5 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A5.2, Dated 06/08/2019
 - ak. Unit 5 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A5.3, Dated 06/08/2019
 - al. Unit 6 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A6.1, Dated 06/08/2019
 - am. Unit 6 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A6.2, Dated 06/08/2019
 - an. Unit 6 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A6.3, Dated 06/08/2019
 - ao. Unit 7 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A7.1, Dated 06/08/2019
 - ap. Unit 7 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A7.2, Dated 06/08/2019
 - aq. Unit 7 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A7.3, Dated 06/08/2019
 - ar. Unit 8 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A8.1, Dated 06/08/2019
 - as. Unit 8 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A8.2, Dated 06/08/2019
 - at. Unit 8 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A8.3, Dated 06/08/2019
 - au. Unit 9 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A9.1, Dated 06/08/2019
 - av. Unit 9 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A9.2, Dated 06/08/2019
 - aw. Unit 9 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A9.3, Dated 06/08/2019
 - ax. Unit 10 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A10.1, Dated 06/08/2019
 - ay. Unit 10 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A10.2, Dated 06/08/2019
 - az. Unit 10 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A10.3, Dated 06/08/2019
 - ba. Unit 11 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A11.1, Dated 06/08/2019
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9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

- bb. Unit 11 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A11.2, Dated 06/08/2019
- bc. Unit 11 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A11.3, Dated 06/08/2019
- bd. Unit 12 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A12.1, Dated 06/08/2019
- be. Unit 12 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A12.2, Dated 06/08/2019
- bf. Unit 12 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A12.3, Dated 06/08/2019
- bg. Unit 13 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A13.1, Dated 06/08/2019
- bh. Unit 13 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A13.2, Dated 06/08/2019
- bi. Unit 13 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A13.3, Dated 06/08/2019
- bj. Unit 14 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A14.1, Dated 06/08/2019
- bk. Unit 14 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A14.2, Dated 06/08/2019
- bl. Unit 14 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A14.3, Dated 06/08/2019
- bm. Unit 15 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A15.1, Dated 06/08/2019
- bn. Unit 15 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A15.2, Dated 06/08/2019
- bo. Unit 15 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A15.3, Dated 06/08/2019
- bp. Unit 16 - Floor Plan, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A16.1, Dated 06/08/2019
- bq. Unit 16 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A16.2, Dated 06/08/2019
- br. Unit 16 - Elevations, Prepared by Douglas Design and Drafting, Address: 5-7 Napier Street, Youngtown, Drawing No. 190701, Layout A16.3, Dated 06/08/2019
- bs. Traffic Impact Assessment, Prepared by RJK Consulting Engineers, Project: Proposed Unit Development 5-7 Napier Street, Youngtown, Dated 31 July 2019

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.

9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/01160-LCC, 19/08/2019 and attached to the permit.

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

5. SITE LANDSCAPING

The landscaping must be:

- a. Installed in accordance with the endorsed plan; and
- b. Completed prior to the use commencing; and
- c. Maintained as part of residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

6. FENCING

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (i.e. 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, unless a higher fence is required by another condition.

7. PRIVACY SCREEN

Prior to the commencement of the use, the fences on the south western side of Units 1, 2, and 3 and the fences to the rear of Units 5, 6 and 7 must be erected to a height 2.1m above the finished ground level of the associated dwelling to ensure privacy for the dwellings on the site or the adjoining property.

8. OBSCURE GLAZING

Prior to the commencement of the use, windows W11 and W12 of Units 14, 15 and 16 must be fitted with obscured glazing.

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 6m³ exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
-

9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

- 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.

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

11. ON-SITE STORMWATER MANAGEMENT

The development must ensure that 20% AEP (Annual Exceedance Probability) peak flow is maintained at the pre-development level for post-development flows of up to a 10% AEP. This can be achieved either by implementation of a detention system and/or the application of Water Sensitive Urban Design (WSUD) treatments for the development. Design of the detention system or WSUD treatment must be undertaken by a civil engineer eligible for membership of IE Aust or equivalent.

Prior to the commencement of works, appropriate plans and calculations must be submitted to the General Manager, Infrastructure & Assets Network for approval.

On completion, an "as constructed" plan must be submitted, complete with levels, a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

Note: Water Sensitive Urban Design (WSUD) treatments measures are encouraged and can be applied to meet the above requirements.

12. REFUSE & RECYCLING COLLECTION ARRANGEMENT

Prior to the occupation of the units, the applicant must provide written evidence of an agreement between the owner and a relevant contractor for the collection of refuse and recycling from the site. The relevant contractor may be the Council appointed contractor for refuse and recycling collection or other contractor engaged in the collection of refuse and/or recycling. Collection will not be permitted to occur directly from Napier Street and bins must be located within the property boundary in the areas set aside for collection.

13. AMENDED PLANS REQUIRED

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

9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

- a. The removal of the linemarking/delineation of the pedestrian path through the site from the point identified with signage as being a shared zone. 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.

14. DAMAGE TO COUNCIL INFRASTRUCTURE

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

15. 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 Infrastructure and Assets 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.

16. 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.

17. 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

9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

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.

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. All car parking and manoeuvring spaces, landscaping, mail boxes, bin storage etc required for the Unit(s) contained within Stage 1.
- b. The construction and sealing of that part of the driveway contained within the Common Property required to facilitate access and manoeuvring for the Unit(s) in Stage 1.

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 required to facilitate access and manoeuvring for the Unit(s) in 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. 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.

20. 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 (e.g. Launceston Waste Centre), reclaimed or recycled.

Notes

- A. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code:

Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a

9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

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

B. Occupancy Permit Required

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

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

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

D General

This permit was issued based on the proposal documents submitted for DA0380/2019. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 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 (2) 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 Council.

E. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own 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.

9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

F. Appeal Provisions

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

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

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

G. Permit Commencement

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

H. Heat Pump Use

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

I. Street addresses for Multiple Dwellings

Residential addressing is undertaken in accordance with Australian Standard AS4819. The development has been assessed according to the standard and the following addresses allocated:

<i>Dwelling No.</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
1	1	1/7A Napier Street, Youngtown
2	3	3/7A Napier Street, Youngtown
3	5	5/7A Napier Street, Youngtown
4	7	7/7A Napier Street, Youngtown
5	9	9/7A Napier Street, Youngtown
6	11	11/7A Napier Street, Youngtown
7	13	13/7A Napier Street, Youngtown
8	15	15/7A Napier Street, Youngtown
9	16	16/7A Napier Street, Youngtown
10	14	14/7A Napier Street, Youngtown
11	12	12/7A Napier Street, Youngtown
12	10	10/7A Napier Street, Youngtown
13	8	8/7A Napier Street, Youngtown
14	6	6/7A Napier Street, Youngtown
15	4	4/7A Napier Street, Youngtown
16	2	2/7A Napier Street, Youngtown

9.2 7A Napier Street, Youngtown - Residential - Construction of Sixteen (16) Dwellings ...(Cont'd)

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

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

A written statement from Ms Maria Maloney, against the Recommendation, was read to the Meeting.

DECISION: 16 April 2020

MOTION

Moved Councillor D H McKenzie, seconded Councillor J Finlay.

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

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor R I Soward, 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

9.3 Amendment 56 - 37 Birch Avenue, Newstead**FILE NO:** SF6959**AUTHOR:** Brian White (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To provide a report, pursuant to section 39(2) of the former provisions *Land Use and Approvals Act 1993* to the Tasmanian Planning Commission, regarding a draft amendment to the Launceston Interim Planning Scheme 2015.

RELEVANT PREVIOUS COUNCIL CONSIDERATION:

Council 6 February 2020 - Agenda Item 9.2, SF6959 - Initiate Amendment 56 to the Launceston Interim Planning Scheme 2015, to replace the existing Utilities Zoning of 37 Birch Avenue, Newstead, with Particular Purpose Zone 10 - Birch Avenue Storage Centre.

RECOMMENDATION:

1. That Council considers the representations received to Amendment 56 to the Launceston Interim Planning Scheme 2015;
 2. That Amendment 56 be modified in light of the representations, in accordance with Section 39(2)(b) of the former *Land Use Planning and Approvals Act 1993*, as follows:
 - i. Insert 'PPZ10 Birch Avenue Storage Centre' as an applicable zone for a wall sign under Table E18.6 (Signs Code) of the Launceston Interim Planning Scheme 2015.
 3. That Council, pursuant to Section 39 (c) of the former *Land Use Planning and Approvals Act 1993*, recommends that modified Amendment 56 be approved, and forwarded to the Tasmanian Planning Commission for determination.
-

Councillors are advised that under Schedule 6 - Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015 - Parts 2A and 3 of the former provisions remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.

Mrs L Hurst (General Manager Community and Place Network) and Mr R Jamieson (Manager City Development) were in attendance to answer questions of Council in respect of this Agenda Item.

9.3 Amendment 56 - 37 Birch Avenue, Newstead ...(Cont'd)

Councillor N D Daking withdrew from the debate due to a Declaration of Interest in Agenda Item - 9.3 - 56 - 37 Birch Avenue, Newstead.

DECISION: 16 April 2020

MOTION

Moved Councillor D H McKenzie, 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 R I Soward, 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

DID NOT VOTE due to DECLARATION of INTEREST: Councillor N D Daking

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure

FILE NO: DA0472/2019

AUTHOR: Heidi Goess (Consultant Planner - Plan Place Pty Ltd)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission regarding a draft amendment to the Launceston Interim Planning Scheme 2015.

PREVIOUS COUNCIL CONSIDERATION:

Council - 23 January 2020 - Agenda Item 9.9 Initiated Draft Amendment 58 to the Launceston Interim Planning Scheme 2015, to rezone land from Rural Resource to Rural Living and pursuant s43A of the *Land Use Planning and Approvals Act 1993*, approved to subdivide one lot into thirty (30), new road, drainage and electricity infrastructure at 40520 Tasman Highway, St Leonards (CT 164745/1).

RECOMMENDATION:

That Council:

1. Considers the representations received to draft Amendment 58 and the subdivision to the Launceston Interim Planning Scheme 2015;
2. Recommends to the Tasmanian Planning Commission that draft Amendment 58 be approved as certified and exhibited; and
3. Recommends to the Tasmanian Planning Commission that the Permit DA0472/2019 as certified and exhibited be amended as follows:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Planning Submission, Section 43A Application, Combined Draft Planning Scheme Amendment and 30-lot Rural Residential Subdivision, 40520 Tasman Highway, St Leonards, prepared by 6ty Pty Ltd, dated 22 November 2019;
 - b. Subdivision Concept, Subdivision Proposal Plan, Project No. 19.060 Drawing No. P01 Rev E prepared by 6ty Pty Ltd, dated 25 October 2019;
-

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

- c. Subdivision Concept, Site Stormwater Existing Drainage Features Plan, Project No. 19.060 Drawing No. P13 prepared by 6ty Pty Ltd, dated 25 October 2019;
- d. Subdivision Concept, Site Stormwater Drainage Path Alignment, Project No. 19.060 Drawing No. P14 prepared by 6ty Pty Ltd, dated 25 October 2019;
- e. Subdivision Concept, Proposed Road Section and Details, Project No. 19.060 Drawing No. P08 prepared by 6ty Pty Ltd, dated 16 October 2019;
- f. Subdivision Concept, Roadside Drainage Concept Plan, Driveway Cross Section;
- g. Agricultural Report, prepared by AK Consultants Pty Ltd, dated 16 August 2019;
- h. Traffic Impact Assessment, prepared by Traffic & Civil Services, dated August 2019;
- i. Natural Values Assessment, prepared by North Barker Ecosystem Services, dated 10 September 2019;
- j. Bushfire Report and Hazard Management Plan, prepared by North Barker Ecosystem Services, dated 23 October 2019;
- k. Landslide Risk Assessment, Preliminary Wastewater Assessment and Preliminary Stormwater Assessment, dated 9 December 2019;
- l. Draft – White Gum Rise Dam Break Assessment, prepared by Macquarie Franklin, dated 15 July 2019.

2. AMENDED PLANS REQUIRED

Prior to works commencing, further amended and additional plans must be submitted to the satisfaction of the Manager City Development and annotated as *Section 71 Agreement Plans Required*. Once approved, these plans will be endorsed by Council and will then form part of the Permit.

The revised plans must show:

Modifications to the Subdivision Proposal Plan, Project No. 19.060 Drawing No. P01 Rev E:

- a. Showing an enlarged turning circle with a 12m radius at the end of each cul-de-sac road;
 - b. 'Natural Values No Build Area' be shown on the Subdivision Proposal Plan in accordance with the green hatched area - *Eucalyptus amygdalina* Inland Forest and Cainozoic Deposit shown on the On-Site Wastewater Plan, Drawing No P07, Rev C, prepared by 6ty Pty Ltd, dated 16 December 2019 for lots 13, 14, 15, 16.
 - c. 'Sensitive Use No Build Area' be shown on the Subdivision Proposal Plan for
 - i. Lots 18, 20, 21 and 23 for a depth of 50m measured from the common boundary shared with the property at 40580 Tasman Highway, St Leonards (CT110442/1); and
-

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

- ii. Lots 27, 28, 29 and 30 for a depth of 50m from the boundaries shared with the Tasman Highway as shown on Figure 7 in the Agricultural Report by AK Consultants.

- d. The 'no build' areas must be clearly delineated by a solid line and/or hatching with the purpose of the no build areas for natural values and sensitive uses clearly noted on the amended plan of subdivision.

Note that, if compliance with a. results in building envelopes inconsistent with the endorsed Bushfire Report and Hazard Management Plan prepared by North Barker Ecosystem Services (dated 23 October 2019) the report will need to be amended to reflect those changes.

3. PROTECTION OF NATURAL VALUES NO BUILD AREAS DURING CONSTRUCTION

Prior to the commencement of works, information must be provided to the satisfaction of Manager City Development which demonstrates that the no build areas shown for natural values shown on the endorsed plans will be protected during construction. This must include measures preventing vehicles from entering and building materials from being stored within those areas.

The 'Natural Values No Build Area' must be physically identified on each lot prior to any construction or infrastructure works commencing.

4. SECTION 71 AGREEMENT

Prior to the sealing of the Final Plan, the owner, under section 71 of the *Land Use Planning and Approvals Act 1993*, must prepare, present for consideration and then enter into an agreement with the Launceston City Council to confirm the following matters:

a. No Build Areas to Protect Natural Values

- i. No buildings, structures or infrastructure, including internal driveways must not be constructed within the 'Natural Values No Build Area' as shown on the endorsed plans amended by Condition 2. The 'Natural Values No Build Area' must be satisfactorily protected during construction via barriers and similar devices.

The agreement must contain a plan prepared for each lot delineating the no build areas and clearly identifying the purpose of each area. The boundaries must be surveyed to allow them to be accurately translated from the plan to the site.

- ii. Requiring the owners of those lots to take all necessary actions to not:
 - a. allow invasive weed species to occur on the lots;
 - b. remove trees or native vegetation;
-

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

- c. plant exotic plant species;
- d. take or harm wildlife; and
- e. keep livestock (including horses)

within the 'Natural Values No Build Areas' as shown on the endorsed plans amended by Condition 2 unless approved in writing by the Council.

b. No Build Area to Protect adjoining Agricultural Uses

- i. No sensitive uses and associated private open space must be constructed within the 'Sensitive Use No Build Area' as shown on the endorsed plans amended by Condition 2.

The agreement must contain a plan prepared for each lot delineating the no build areas and clearly identifying the purpose of each area. The boundaries must be surveyed to allow them to be accurately translated from the plan to the site.

c. On-site Wastewater Treatment

- i. Lots 1, 2 and 4 to 30 inclusive must utilise approved aerated wastewater treatment systems and sub-surface irrigation land application areas to manage the disposal of domestic effluent;
- ii. Installation of an approved aerated wastewater treatment system and sub-surface irrigation land application area is required for any new development and/or alterations to the existing on-site wastewater management system on Lot 3;
- iii. The location of the land application area for disposal of domestic effluent on all lots (1 to 30 inclusive) must achieve the minimum setbacks specified in the Geoton Landslide Risk Assessment, Preliminary Wastewater Assessment and Preliminary Stormwater Assessment dated 9 December 2019.
- iv. Alternate on-site wastewater systems, sub-surface irrigation land application areas may be provided with the prior written permission of Council.

d. Fire-Fighting Water Supply

- i. Installation of water tanks with a capacity of 20,000L must be provided for a new residential use on each lot or alterations to the established residential use on Lot 3;

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*.

All cost associated with preparing and registering the Agreement must be borne by the owner.

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

5. LEGAL TITLE

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

6. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm Saturday

No works on Sunday or Public Holidays

7. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. TWDA2019/01362-LCC, 21 November 2019 and attached to the permit.

8. SOIL AND WATER MANAGEMENT CONTROL PLAN

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
 - b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
 - c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
 - d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
 - e. The estimated dates for the start and finish of the works.
 - f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
 - g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
 - h. Timing of the site rehabilitation or landscaping program.
 - i. Outline of the maintenance program for the erosion and sediment controls. Works must not commence prior to the approval of the Soil and Water Management Control Plan by the General Manager, Infrastructure and Asset Network. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.
 - j. All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:
 - a. Construction requirements,
 - b. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
-

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

- c. Construction Audit inspections,
- d. Practical Completion and after a 12 months defects liability period the Final Inspection and Hand-Over.
- e. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

9. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the General Manager, Infrastructure and Asset Network for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - a. Electricity infrastructure including street lighting.
 - b. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.

10. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager, Infrastructure and Assets Network.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
 - ii. Provision of an overland flow path for flows up to a 100 year ARI storm event.
 - b. Roads
 - i. Provision of a fully constructed S4 sealed rural road 6m wide with 0.4m wide sealed shoulders for the entire length of all the property frontages except Lots 4, 5 and 11, including any changes required in White Gum Rise to facilitate the full range of turning manoeuvres at the proposed junction,
-

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

- ii. Provision of a fully constructed S3 sealed rural road 5.5m wide with 0.4m wide sealed shoulders from the existing termination of Magpie Crescent for the entire length of all the property frontages of Lots 4, 5 and 11,
 - iii. Provision of a sealed turning head with a turning circle radius of 12m with a minimum sealed diameter of 18m at the end of each road
 - iv. Provision of a single sealed vehicular crossing for each lot within the subdivision,
 - v. Provision of a 1.5m wide sealed walkway within the parcel denoted as footpath linking to the sealed shoulder of the turning head of the cul de sac at each end,
 - vi. Bollards or other approved barriers to prevent unauthorised vehicle access are to be installed at either end of the footpath to prevent unauthorised vehicle access. Maximum distance between bollards is to be 1.5m. A minimum of one lockable bollard to be located at each end of the walkway,
 - vii. All road verges are to be established to be readily maintainable and sown with an approved grass mixture,
 - viii. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - ix. Installation of all necessary line marking, signage and other traffic control devices.
- c. Electricity, Communications and Other Utilities
- i. A reticulated electricity system and a Public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,
 - ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.

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

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

11. ACCESS OVER ADJACENT LAND

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

- a. Advise the Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

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

12. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition,
- c. The public drainage system to drain all roads and public lands included in the stage, and
- d. Access to underground electricity and communications infrastructure.

13. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide the Council with construction documentation sufficient to show that the works are completed in accordance with the Council's standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure and Assets Network.
- b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works complies with the approved engineering plans and the Council's standards.

14. EASEMENTS

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

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

15. COVENANTS ON SUBDIVISIONS

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

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

16. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the General Manager, Infrastructure and Assets Network:

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

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

17. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the General Manager Infrastructure and Asset Network, of the Certificate under Section 10(7) of the *Local Government (Highways) Act 1962*. All costs involved in this procedure must be met by the subdivider.

18. COMPLETION OF WORKS

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

19. AS CONSTRUCTED PLANS

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

20. AMENITY

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

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 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. BURNING OF WASTE

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

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0472/2019. You should contact Council with any other use or developments, as they may require the separate approval of the 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.*

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

9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ... (Cont'd)

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

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

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

D. Permit Commencement

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

Note

Councillors are advised that under Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (the Act) 2015* - Parts 2A and 3 of the former provisions remain in force until the Launceston Draft Local Provisions Schedule comes into effect for the municipal area as part of the Tasmanian Planning Scheme. The recommendation has therefore been made under those transitional provisions.

Mrs L Hurst (General Manager Community and Place Network), Mr R Jamieson (Manager City Development) and Heidi Goess (Consultant Planner- Plan Place Pty Ltd) were in attendance to answer questions of Council in respect of this Agenda Item.

Written statements from the people named below were read to the Meeting:

Ms Meg Simpson, against the Recommendation.

Mr Ed Brown and Ms Sarah Tighe, against the Recommendation.

Mr Ashley Brook (Planning Consultant, 6ty), for the Recommendation.

Mr Daniel Warring, against the Recommendation.

Mr Chris Davis, against the Recommendation.

- 9.4 Draft Amendment 58 - Rezoning of Land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living and Development Application to Subdivide One Lot into 30 Lots and Associated Infrastructure ...(Cont'd)
-

DECISION: 16 April 2020

MOTION

Moved Councillor J Finlay, seconded Councillor P S Spencer.

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

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor R I Soward, 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.

10 ANNOUNCEMENTS BY THE MAYOR

Due to the cancellation of functions and community events the Mayor, Councillor A M van Zetten, did not have any announcements relating to these activities.

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 the passing of Mr Gary Cleveland and as founder of *Design Tasmania* recognised Gary's outstanding contributions to Launceston's design and cultural sectors.

11.2 Councillor J Finlay

- Acknowledged the *Youth Advisory Group* and commended their online support to maintain connection, activity and advice for the young people in our community.

11.3 Councillor R I Soward

- Acknowledged the passing of Mr John Laing, a former Principal at Trevallyn Primary School and a leader in information technology in schools. Councillor Soward conveyed condolences to John's family.

11.4 Councillor P S Spencer

- Noted the passing of Mr John Laing, who also taught at Queechy High School. Councillor Spencer sent his regards to John's family.

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 were identified as part of these Minutes

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

13 COMMITTEE REPORTS

No Committee Reports were identified as part of these Minutes

14 COUNCIL WORKSHOPS

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

No Council Workshops were identified as part of these Minutes

15 NOTICES OF MOTION

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

No Notices of Motion were identified as part of these Minutes

16 COMMUNITY AND PLACE NETWORK ITEMS

No Items were identified as part of these Minutes

17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS

No Items were identified as part of these Minutes

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS

18.1 Adoption of the Launceston Flood Authority Rules April 2020

FILE NO: SF4493

AUTHOR: Duncan Campbell (Team Leader Legal Services)

CHIEF EXECUTIVE OFFICER: Michael Stretton

DECISION STATEMENT:

To consider the adoption of the Launceston Flood Authority Rules April 2020.

PREVIOUS COUNCIL CONSIDERATION:

Council - 19 September 2019 - Agenda Item 20.1 - Launceston Flood Authority - Rules Amendment

RECOMMENDATION:

That Council:

1. Notes its proposal made on 19 September 2019 to amend the Launceston Flood Authority Rules 2008 to be in the terms of the Draft Launceston Flood Authority Rules 2019 (ECM Doc Set ID 4090827), and
 2. Pursuant to section 32 of the of *Local Government Act 1993* (Tas), makes the necessary alterations and approves the amendments required so that the rules of the Launceston Flood Authority are in the form of the Launceston Flood Authority Rules April 2020 as certified (Attachment 1, ECM Document Set ID 4273563).
-

Mr D Campbell (Team Leader Legal Services) was in attendance to answer questions of Council in respect of this Agenda Item.

18.1 Adoption of the Launceston Flood Authority Rules April 2020 ...(Cont'd)

DECISION: 16 April 2020**MOTION****Moved Councillor D H McKenzie, seconded Councillor J Finlay.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 12:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor R I Soward, 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**

18.2 Launceston Skyway Proposal - Cataract Gorge**FILE NO:** SF3033/SF3658/SF0838**AUTHOR:** Shane Eberhardt (General Manager Infrastructure and Assets Network)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To consider the Launceston Skyway proposal for the Cataract Gorge Reserve in accordance with the 24-HLPr-018 - Unsolicited Proposals to Develop Council Owned Property - High Level Procedure.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 12 March 2020 - Cataract Gorge Area - Development Assessment Framework.

Council - 28 November 2019 - Agenda Item 18.1 - Unsolicited Proposals to Develop Council Owned Property - High Level Procedure.

Council - 14 November 2019 - Agenda Item 6.1 - Petition - Keep Gondolas out of the Gorge.

Workshop - 7 November 2019 - Cataract Gorge Area - Development Assessment Framework.

Workshop - 15 August 2019 - Cataract Gorge Area - Development Assessment Framework.

Workshop - 20 June 2019 - Possible Gorge Project - Presentation by proponents.

Council - 26 October 2015 - Agenda Item 18.1 - Reimagining the Gorge Project.

RECOMMENDATION:

That Council, as the landowner, decides that the Launceston Skyway proposal is not supported within the Cataract Gorge Reserve based on the evaluation against the assessment criteria in 24-HLPr-018 - Unsolicited Proposals to Develop Council Owned Property - High Level Procedure.

18.2 Launceston Skyway Proposal - Cataract Gorge ...(Cont'd)

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

Written statements from the people named below were read to the Meeting:
Ms Anna Povey and Committee (*Hands Off Our Gorge*) for the Recommendation.
Mr David Larter (*Launceston Skyway*), against the Recommendation.

DECISION: 16 April 2020

MOTION

Moved Councillor T G Walker, seconded Councillor A E Dawkins.

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

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor R I Soward, 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

19 ORGANISATIONAL SERVICES NETWORK ITEMS

No Items were identified as part of these Minutes

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS**20.1 kanamaluka/Tamar Estuary River Health Action Plan****FILE NO:** SF6659**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To consider amendments to the kanamaluka/Tamar Estuary River Health Action Plan and proposed implementation arrangements.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 28 May 2018 - Tamar Estuary River Health Action Plan
Council - 4 June 2018 - Item 18.2 - Tamar Estuary River Health Action Plan
Workshop - 7 November 2019 - kanamaluka/Tamar Estuary Discussions

RECOMMENDATION:

That Council agrees to:

1. Remove the Forster Street Storage Project from the works to be delivered under the kanamaluka/Tamar Estuary River Health Action Plan which would result in the following changes to the Plan's overall benefits:
 - The reductions of enterococci concentrations in the kanamaluka/Tamar Estuary would be in the order of 36% as compared to a 37% reduction nominated for full scope of works in the Plan; and
 - The reductions of combined system sewage load discharged to the kanamaluka/Tamar Estuary under a reduced scope of works would be in the order of 66% as compared to a 68% reduction nominated for full scope of works in the Plan;
 2. Align works that both Council and TasWater have previously planned as future works under the Launceston Sewerage Improvement Project, with the kanamaluka/Tamar Estuary River Health Action Plan projects; and
 3. Amend the City of Launceston Long Term Finance Plan to include expenditure of \$6.0M in 2022/23 and \$5.2M in 2023/24 for implementation of the kanamaluka/Tamar Estuary River Health Action Plan.
-

Mr M Stretton (Chief Executive Officer) and Mr M Newby (Manager Infrastructure and Engineering) were in attendance to answer questions of Council in respect of this Agenda Item.

20.1 kanamaluka/Tamar Estuary River Health Action Plan ...(Cont'd)

DECISION: 16 April 2020**MOTION****Moved Councillor J Finlay, seconded Councillor A G Harris.****That Council agrees to:**

- 1. Remove the Forster Street Storage Project from the works to be delivered under the kanamaluka/Tamar Estuary River Health Action Plan which would result in the following changes to the Plan's overall benefits:**
 - The reductions of enterococci concentrations in the kanamaluka/Tamar Estuary would be in the order of 36% as compared to a 37% reduction nominated for full scope of works in the Plan; and**
 - The reductions of combined system sewage load discharged to the kanamaluka/Tamar Estuary under a reduced scope of works would be in the order of 66% as compared to a 68% reduction nominated for full scope of works in the Plan;**
- 2. Align works that both Council and TasWater have previously planned as future works under the Launceston Sewerage Improvement Project, with the kanamaluka/Tamar Estuary River Health Action Plan projects; and**
- 3. Amend the City of Launceston Long Term Finance Plan to include expenditure of \$6.0M in 2022/23 and \$5.0M in 2023/24 for implementation of the kanamaluka/Tamar Estuary River Health Action Plan.**

CARRIED 12:0**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor R I Soward, 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**

21 URGENT BUSINESS

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

An urgent item was dealt with as Item 22.2 - Community Care and Recovery Package - Innovation Grants

22 CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

That Council moves into Closed Session to consider the following matters which were not included on the published agenda:

22.1 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.

22.2 Community Care and Recovery Package - Innovation Grants

This urgent item was circulated to Councillors on 15 April 2020. The item is confidential in accordance with regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* which permits the meeting to be closed to the public for business relating to:

15(2)(b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business.

DECISION: 16 April 2020**MOTION**

Moved Councillor J Finlay, seconded Councillor R I Soward.

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

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor R I Soward, 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

**Council moved into Closed Session at 3.52pm.
Council returned to Open Session at 5.20pm.**

22.3 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
22.1	<i>Closed Council Minutes - 6 February 2020 and 5 March 2020</i>	<i>Minutes of the Closed Meetings of the City of Launceston Council held on 6 February 2020 and 5 March 2020.</i>
22.2	<i>Community Care and Recovery Package - Innovation Grants</i>	<i>Council discussed action to be taken in respect of the Community Care and Recovery Grants, the outcome of which will be communicated by the Mayor and Chief Executive Officer</i>

DECISION: 16 April 2020

MOTION

Moved Councillor A G Harris, seconded Councillor J Finlay.

That Council returns to Open Session.

CARRIED 12:0

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

23 MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 5.20pm.
