



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 17 SEPTEMBER 2020  
1.00pm**

# City of Launceston

## COUNCIL MINUTES

Thursday 17 September 2020

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

Date: 17 September 2020

Time: 1.00pm

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### Certificate of Qualified Advice

#### Background


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

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

#### Certification

I certify that:

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



**Michael Stretton**  
Chief Executive Officer

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### AUDIO of COUNCIL MEETINGS

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

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

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

### PUBLIC ATTENDANCE AT THE COUNCIL MEETING

To help keep you safe, a maximum of 20 members of the public are permitted to attend a Council Meeting. You must register your attendance in advance by telephoning 6323 3145 and leaving a message, or emailing us at [invitation@launceston.tas.gov.au](mailto:invitation@launceston.tas.gov.au) by 11.00am on the morning of the Council Meeting. A Council Officer will contact you to confirm the details of your attendance.

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

### PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

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### PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

### LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

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**Present:**      **Councillor**      **A M van Zetten (Mayor)**  
   **D C Gibson (Deputy Mayor)**  
   **J Finlay**  
   **D H McKenzie**  
   **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 Eberhardt (Infrastructure and Assets Network)**  
   **Mr S Tennant (Team Leader Communications)**  
   **Mrs K Hartland (Team Leader Governance)**  
   **Mrs A Rooney (Council and Committees Officer)**

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### 1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm.

### 2 MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements for this Meeting

### 3 DECLARATIONS OF INTEREST

*Local Government Act 1993 - section 48*

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

**Council R I Soward noted a Declaration of Interest in Agenda Item 19.4 - Disposal of Interest in Land - Disposal of Interest in Land - 2 Invermay Road - Electricity Infrastructure Easement**

### 4 CONFIRMATION OF MINUTES

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

#### **RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 3 September 2020 be confirmed as a true and correct record.

#### **DECISION: 17 September 2020**

#### **MOTION**

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

**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**

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**5 DEPUTATIONS**

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

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### 6 PETITIONS

*Local Government Act 1993 - sections 57 and 58*

#### 6.1 Receipt of Petition - Ms Peta Frost, Ms Lisa Shearing and Mr Adam Redburn - DA0711/2019

**FILE NO:** SF0097

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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### DECISION STATEMENT:

To receive a petition submitted by Ms Peta Frost, Ms Lisa Shearing and Mr Adam Redburn regarding DA0711/2019 - 19-25 Churchill Park Drive, Invermay.

### RECOMMENDATION:

That Council:

1. by absolute majority:
    - pursuant to regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, determines to deal with this matter, being one that was not included in the published Agenda; and
    - notes the advice from the Chief Executive Officer in respect of the reason it was not possible to include this matter in the Agenda and that the matter is urgent, that advice having been provided to Councillors by email on 14 September 2020 and in the report attached to this Item.
  2. by simple majority, pursuant to section 58(2) of the *Local Government Act 1993* (Tas), receives the petition regarding refusal of DA0711/2019 - 19-25 Churchill Park Drive, Invermay tabled by the Chief Executive Officer and submitted by Ms Peta Frost, Ms Lisa Shearing and Mr Adam Redburn.
  3. pursuant to section 60(4) of the *Local Government Act 1993* (Tas); notes:
    - i. the subject matter of the petition is:  
*We petition the Council in accordance with the Local Government Act 1993 to refuse DA0711/2019 on the grounds that the siting of the Veolia recycling plant at 19-25 Churchill Park Drive, Invermay is inappropriate given the negative impact it will have on neighbouring residents with particular reference to noise, smell, traffic congestion, opening hours and drainage.*
    - ii. the number of signatories to the petition is 384.
-

**6.1 Receipt of Petition - Ms Peta Frost, Ms Lisa Shearing and Mr Adam Redburn - DA0711/2019 ...(Cont'd)**

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4. pursuant to section 60(2) of the *Local Government Act 1993* (Tas), notes that as the petition relates to Agenda Item 9.1, that will be dealt with at the Council Meeting today, it will not be necessary to provide a further report to Council on action to be taken in respect of the petition.
- 

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

**DECISION: 17 September 2020**

**MOTION 1**

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

**That the Motion, as per the Recommendation 1. 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**

**Ms Peta Frost spoke for the Recommendation**

**DECISION: 17 September 2020**

**MOTION 2**

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

**That the Motion, as per the Recommendations 2., 3. and 4. 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**

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**7 COMMUNITY REPORTS**

*(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on Minutes Items; that opportunity exists when that Minutes Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Councillors.)*

**No Community Reports were 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.)*

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**8.1.1 Public Questions on Notice - Ms Lisa Shearing - 7 September 2020****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following questions, submitted in writing on 7 September 2020 by Ms Lisa Shearing, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

**Questions:**

1. How many counsellors and their families sitting at the table would like to live 3 doors away from a recycling plant?

**Response:**

*This is a question for individual Councillors to consider. However, as members of the Planning Authority with a statutory obligation to determine Development Application DA0711/2019, it is a requirement that professional advice is considered with respect to whether the development and use complies with the Launceston Interim Planning Scheme (2015). The report, with assessment against the provisions of the Scheme, and recommendation, will be considered at today's Council Meeting.*

2. How can this even pass the planning stage when the noise level results in their investigations are clearly skewed and due to this, flawed. I say this because the report mentioned they based their testing on the site which is located at Spreyton however, going off google maps it looks like the Spreyton site is around 250 metres to the closest house. Here in Invermay it appears we have about 10 homes within 10 meters from the boundary wall, about 20 homes within 50 meters and about 200 homes within 200 meters of this proposed plant. VERY different! I don't believe they should be allowed to actually use these test results regarding noise impacts due to this fact.

**Response:**

*Drawing upon the Spreyton operation is legitimate in the sense of gaining a reasonable picture of the noise generated from the recycling facility and therefore, the likely impact upon residential properties in the vicinity of the present site. In this case, yes, it is correct that residential properties are closer to the proposed Churchill Park Drive development, but the noise readings of levels associated with the operation at Spreyton are then applied to the current/proposed development and measured against criteria such as the ambient noise levels and the distance to existing residential properties.*

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## 8.1.1 Public Questions On Notice - Ms Lisa Shearing - 7 September 2020 ...(Cont'd)

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3. Who is going to be paying me for the drop in value of my property? We have heard from real estate agents to confirm that this plant going ahead will definitely have a negative impact on the value of the surrounding properties and I believe if this goes ahead, I have the right to be financially compensated for this.

**Response:**

*There is no provision in either the Land Use Planning and Approvals Act 1993 or the Launceston Interim Planning Scheme (2015) for property values to be considered as part of an assessment as to whether a proposed use or development meets the provisions of the Scheme. There is no provision for compensation to be claimed where a Planning Authority has lawfully fulfilled its obligations under the enabling legislation.*

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**8.1.2 Public Questions on Notice - Ms Carmel Kaya - 8 September 2020****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following questions, submitted in writing to Council on 8 September 2020 by Ms Carmel Kaya, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

**Questions:**

1. Noting Tasmania's pristine natural environment and Launceston's developing arts precinct in the Invermay/Inveresk area, what type of waste will be disposed of here and how will affect the health of the surrounding community?

**Response:**

*If approved, the only waste types able to be stored on the site will be:*

- *General waste materials*
  - *domestic kerbside commingled recyclables*
  - *commercial recyclables (cardboard, plastic, out of date beverage products)*
  - *clean soil from trenching carried out by statutory authorities*
- *Controlled wastes*
  - *medical waste from surgeries (sharps in sealed containers, PPE)*
  - *waste oil from local workshops (where stored for offsite recycling)*

*All other waste is not permitted to be kept onsite. Contaminated recyclables accumulated through the normal sorting operations of the materials recovery facility are required to be removed from the site within 24 hours, and no processing of oil is to take place on the land. Conditions have been recommended regarding the safe storage, handling, disposal and record keeping of materials.*

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## 8.1.2 Public Questions On Notice - Ms Carmel Kaya - 8 September 2020 ...(Cont'd)

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2. [Regarding the *Environmental Management and Pollution Control Act 1994* guidelines]  
How are the proposed hours from 3.00am to 10.00pm in line with these restrictions and what will be done to ensure there will be minimal disruption to near-by residents at inappropriate hours of the night?

**Response:**

*Recommended conditions have been applied to restrict truck start ups, movements and operating hours. These conditions are contained in Agenda Item 9.1 to be considered at today's Council Meeting.*

3. Launceston is also home to many youth sport activities which are based around the proposed area for the recycling tip. Why can't this be made into an area for developing youth sport groups instead?

**Response:**

*The proposed development is on private land located within the light industrial zone and is therefore, considered to be an appropriate development for this area, subject to satisfactory assessment against the relevant sections of the Launceston Interim Planning Scheme 2015.*

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**8.1.3 Public Questions on Notice - Ms Rosanne Fitch - 9 September 2020****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following questions, submitted in writing on 8 September 2020 by Ms Rosanne Fitch, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

**Questions:**

1. Has an actual EPA study/report been done and submitted with the application regarding the pollution, noise, dust, water, vibration and safety (fuel depot)? If so is it possible to read this report?

**Response:**

*The Development Application has been assessed against the Environmental Impacts and Attenuation Code within the Launceston Interim Planning Scheme (2015). The proposal does not relate to a sensitive use and the recycling activity will not encroach within the 50m buffer required between the operation and the residential precinct. Notwithstanding this, a number of environmental reports were submitted in support of the Development Application along with responses to requests for further information by the Planning Authority. These reports were advertised publicly along with the development proposal on 27 July 2020 for a period of two weeks and are also provided as attachments to Agenda Item 9.1 in today's Council Agenda. In particular attention is drawn to:*

- *Noise and Odour Assessment, prepared by Pitt & Sherry, 19-25 Churchill Park Drive - MRF, dated 14/07/2020*
- *Additional information, prepared by Pitt & Sherry, 19-25 Churchill Park Drive - MRF, dated 14/07/2020*
- *Construction Environmental Management Plan, prepared by David Denman & Associates, Veolia Recycling Centre: 19-25 Churchill Park Drive, dated 30/06/2020*
- *Drainage Services Report, prepared by JMG Engineers & Planners, 19 Churchill Park Drive, version 4, dated 14/02/2020.*

*Recommended conditions have been applied.*

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**8.1.3 Public Questions on Notice - Ms Rosanne Fitch - 9 September 2020 ...(Cont'd)**

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2. With the fuel depot being placed close to residents in Oswald Street, along with other possible combustible products being dumped at the site how can we be sure there will not be a disaster here like there has been in two mainland depots in recent times? What is there safety precautions should something like this happens?

**Response:**

*Permit conditions have been proposed to address the recording, storage, handling and disposal of hazardous materials, emergency response planning and incident response. Issues relative to fire risk are the domain of the TasFire and will be addressed in accordance with normal practice at the next stage of the development process incorporating detailed design of infrastructure and related services.*

3. Invermay is becoming the suburb to live in with Uni, house proud residents, sporting grounds and you are now considering a refuse/recycling plant here, which I might add does not equate to light industrial, Why, this would never be considered for other suburbs like Norwood, Newstead, Riverside or Trevallyn to name a few, why Invermay? There are a number of industrial areas on the outskirts of Launceston which could be used for this - there are better applications for this site, eg. would have been great for car parking and self storage sheds to name a few.

**Response:**

*The application was made by a commercial operator for use and development on private land and, being a valid application, the Planning Authority is required by legislation to assess it and make a determination. The site is zoned Light Industrial and is part of the industrial estate precinct along Churchill Park Drive. The planning scheme allows at discretion the Recycling and Waste Disposal use, excluding refuse disposal, in the Light Industrial zone. Additionally, Transport Depot and Distribution is a permitted use. Both may be approved in the zone subject to the avoidance of environmental harm and nuisance, which provides for the amenity of adjoining residential properties.*

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## COUNCIL MINUTES

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### 8.1.4 Public Questions on Notice - Ms Jo-Anne Murray - 9 September 2020

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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#### QUESTIONS and RESPONSES:

The following questions, submitted in writing on 9 September 2020 by Ms Jo-Anne Murray, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

#### **Questions:**

1. Why in the Veolia DA are all the components or buildings which will create extensive environmental issues such as noise, smell, lighting etc. facing the residential area and the offices and employee car park facing the river's edge?
  2. I believe the grounds that the council did not approve the gym in the old Gunners Arms Bottle Shop were concerns about traffic, opening times and loud *doof doof* music which were raised by residents and councillors. The number of residences around the site are far less than the current DA before you. Replace the *doof doof* with *beep beep and bang bang and a smash smash* and you have the DA before you. How does the impact on those residents differ for those residents in Invermay?
  3. Environmental noise exposure is a contributing factor to biological responses and increases an individual's risk of developing obesity, diabetes, hypertension, cardiovascular disease, other metabolic diseases, and mental health issues. Has the council considered Environmental noise as a real risk factor for physical and psychological health of the residents of Invermay?
  4. The DA is silent on the number of vehicle movements expected each day and at what time of the day. If the DA is being approved based on the future state (28% increase on current), can you confirm the daily movements including time on the future state of traffic, including the cardboard traffic?
  5. A Councillor who spoke against the Gym DA at the Gunners Arms stated: *I don't like to admit this. But I don't have the confidence in our own internal systems to be able to respond and act on any potential breaches.* Can you detail what changes have been made in this space?
-

**8.1.4 Public Questions on Notice - Ms Jo-Anne Murray - 9 September 2020  
...(Cont'd)**

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6. The DA is unclear in what hours of operation the council is to approve.
  - opening hours from 3am to 10pm
  - opening hours from 6am to 2pm
  - opening hours from 6am to 6pmall of which have been mentioned somewhere in the DA. Can you please clarify exactly what the opening hours of this plant will be if approved?
7. The councillors had a site visit to JJ Richardson at 9.30 in the morning. At this stage, the noise of Invermay Road, other sites next to Richardson's and just general background noise are at full swing. To get a real understanding are the councillors considering a more appropriate time to undertake a site visit such as 6am when there is no background noise?
8. A quote from <https://www.cirrusresearch.co.uk> states that peak levels above 140 dB (equivalent of an aircraft carrier deck) are common in a recycling plant, especially when glass impacts glass. Without any sound proofing of the shed and no guarantee that the doors will be closed I would suggest a large amount of that noise will be heard by the nearby residences. What measures are council and Veolia putting in place to keep the noise below 50dB?
9. What are the mitigation plans for the seagulls, rodents, cats, rats etc. that are known to accumulate in recycling plants? Do Veolia have any plants in Australia that are so close to residential areas, if so where, so that I can undertake my own site visit?

**Response:**

*The application was lodged with the following information/analysis reports:*

- *Site development plans incorporating new structures*
  - *Washbay plans*
  - *Noise and Odour report*
  - *Site Contamination report*
  - *Humes Plant demolition and remediation*
  - *Concept services plan*
  - *Drainage report*
  - *Oil recovery - details and volumes*
  - *Site lighting return brief*
  - *Traffic Impact Assessment*
-

**8.1.4 Public Questions on Notice - Ms Jo-Anne Murray - 9 September 2020  
...(Cont'd)**

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*The applicant has provided additional information in clarification addressing the following matters:*

- *Noise and Odour*
- *Vehicle movement and parking arrangements*
- *Operating hours*
- *Medical waste*
- *Soil validation*
- *Draft (typical Veolia) Construction Environmental Management plan (CEMP)*
- *Draft (typical Veolia) Emergency Response plan*
- *Comingled Recycling volumes*

*As a part of the assessment process, the consultant planner undertook the following site visits and interviews with Veolia site Managers:*

- *Veolia operations at Invermay, Spreyton and Cambridge;*
- *19-25 Churchill Park Drive - subject site visit and walkover;*
- *site visit to the adjoining residential precincts;*
- *meetings with the applicant and consultant to discuss issues and matters of clarification associated with the application.*

*The consultant planner has provided an assessment against the relevant provisions of the planning scheme and has recommended 50 permit conditions which address many of the concerns raised in the above questions.*

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**8.1.5 Public Questions on Notice - Ms Anna Goodsall - 9 September 2020****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following questions, submitted in writing on 9 September 2020 by Ms Anna Goodsall, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

***Questions:***

1. How much of this “recycling” is really sorting, compaction and storage?
  2. Will oils and other petroleum products collected from places like mechanics businesses be stored here?
  3. Will batteries be stored on site (especially pertinent given the recent disaster in Melbourne’s north)?
  4. What measures will be in place to prevent the occurrence of a catastrophic event including, but not limited to, a fire?
  5. What measures will be in place to warn the neighbours should a catastrophic event such as, but not limited to, a fire occur?
  6. Will waste water collected from water reliant businesses (like car detailing) that is currently collected by Veolia be “processed” here?
  7. What ground water mitigation processes are in place to avoid potential contamination of the adjacent river?
  8. What measures will be in place to deter the vermin that will be attracted by the smell and the stored waste?
  9. What safety measures are in place for the traffic along Churchill Park Drive which sees many cars, pedestrians and cyclists already as well as the potential of up to 70 Veolia trucks making several return journeys in a day and associated staff traffic, given that it is a narrow road which presumably cannot be widened as there are businesses on one side and drainage and the levee on the other side of the road?
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**8.1.5 Public Questions on Notice - Ms Anna Goodsall - 9 September 2020  
...(Cont'd)**

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10. What will be done about the fact that there is quite a bend in the road at the continuation of Forster Street into Churchill Park Drive that makes it difficult for cars coming down Herbert Street to see what is coming around the corner from Churchill Park Drive?
  11. There was very little information about the lighting of the site in the planning application. During what times is it expected that there will be lighting on at the site?
  12. What lumens will the maximum lighting be and for what hours will it be at this intensity and what will it drop to, and for what hours of the day?
  13. Where will lighting be situated on the site?
  14. What studies have been carried out to determine the effects of the vibrations from the sorting shed and the numerous very large trucks on the surrounding Residential Area. Not only the noise they will create but also the actual physical sensations and potential damage to housing structural integrity, especially as much of Invermay is built in a flood zone on marshland?
  15. What measures will be in place to prevent the spread of any type of dust or liquid spray from the site to the surrounding Residential Area?
  16. Is the Medical Waste going to be sterilised before being transported to the site?
  17. How is the Medical Waste going to be transported to the site?
  18. What is going to be done with the Medical Waste while it is on the site?
  19. Is this Waste recycling plant defined as Recycling and Waste Disposal or Utilities?
  20. What are the trucks defined as and what is the sorting shed defined as (as per the Justice Department Tasmanian Planning Scheme)?
  21. Forster street is prone to flooding near to Herbert Street and Churchill Park Drive during wet weather events. If trucks cannot pass along Forster Street from Churchill Park Drive during such an occurrence will the trucks detour through the smaller Residential streets of Invermay?
  22. Given that there are apparently safety protocols for vehicles to have to test their reversing 'beeper' before leaving a site at the start of the shift how can having approximately 30 of them starting up at 'around' 6am possibly be quiet enough not to wake the Residential neighbours?
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**8.1.5 Public Questions on Notice - Ms Anna Goodsall - 9 September 2020  
...(Cont'd)**

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23. Given that it is a safety protocol that horns should be beeped when coming out of roller doors how can the 4% of Front Lift Trucks starting at 3am operate safely without causing a major noise disturbance to the surrounding Residential Area?
24. It is hard to tell from the plans how high the planned extension to the sorting shed is going to be - how high will it be at its apex?
25. How far from the concrete boundary wall will the new extension be at its nearest and farthest point from the wall?
26. In the plans, trucks are drawn as sitting in the space between the new extension and the concrete boundary wall. How far from the boundary wall will these trucks be?
27. At what time of the day will these trucks be here?
28. How close to the boundary wall will trucks have to be to move around the site if there are trucks parked between the extension and the boundary wall, given that even though the concrete wall is approximately 2m high the cab height of many of the large trucks is above this, leading to loss of privacy?
29. Until what time of the day will any trucks or vehicles be moving about the site?
30. As the site is apparently relocating from Ti Tree bend will people other than Veolia employees still be dropping off cardboard to this site, thus further increasing the traffic?
31. What plans are in place to mitigate the smell that will emanate from the site given that there is always the potential for the wrong sort of waste material to find its way into recycling bins, as well as unclean waste material?

**Response:**

*The majority of the questions raised are responded to within the report at Agenda Item 9.1, either through the preliminary discussion on the proposal, the assessment comments, responses to representations and through the recommended conditions. The report provides a summary of the recycling process, which is contained within the advertised development application documentation. Similarly, details are provided as to the types of materials permitted to be received, processed, stored and disposed of, and conditions have been recommended regarding controls to mitigate any potential impacts, emergency planning, incident response, safety and record keeping. Traffic, lighting, noise, flood, odour, safety protocols, operating hours, have all been addressed through the submitted documentation, assessment and recommended conditions. All associated documents and plan relevant to this assessment have been included as Attachments to Agenda Item 9.1.*

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**8.1.6 Public Questions on Notice - Ms Jane Whyte - 9 September 2020****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following questions, submitted in writing on 9 September 2020 by Ms Jane Whyte, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

**Questions:**

1. Why hasn't there been a public meeting/consultation regarding this application with all residents within a 250 metre radius [minimum] and not just a notification to those residents immediately adjacent to the proposed site?

**Response:**

*It is understood that the applicant undertook consultation with near neighbors as part of the process, however, the formal notification process is provided under the Land Use Planning and Approvals Act 1993 allowing 14 days for representations.*

2. If Council allows this application to be passed, what written guarantees do the residents of Invermay have in upholding all operational regulations given to the running of this plant?

**Response:**

*Conditions have been recommended for inclusion if a permit is issued. Planning Permits and their associated conditions are enforceable under the provisions of the Land Use Planning and Approvals Act 1993.*

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**8.1.6 Public Questions on Notice - Ms Jane Whyte - 9 September 2020 ...(Cont'd)**

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3. Does the Council consider that the placement of the Veolia facility in Churchill Park Drive is appropriate forward planning for an inner city suburb?

**Response:**

*The site is zoned Light Industrial and is part of the industrial estate precinct along Churchill Park Drive. The planning scheme allows at discretion the Recycling and Waste Disposal use, excluding refuse disposal. Additionally, Transport Depot and Distribution is a permitted use. Both may be approved in the zone subject to the avoidance of environmental harm and nuisance, which provides for the amenity of adjoining residential properties.*

4. Why is it that Veolia has been allowed to enter the proposed site, to drop off machinery, when their application has not yet been approved?

**Response:**

*Compliance Officers have been monitoring the site in response to queries received. The use of the site to park vehicles is not considered to constitute the commencement of use.*

5. Will the Council be offering houses in the 250m radius finance to double-glaze their windows against noise and building work on the cracked foundations and walls which will be directly affected by heavy vehicles constantly moving in and out of the proposed site as these are all old houses?

**Response:**

*Noise has been assessed as part of the consideration of the Development Application, which is addressed at Agenda Item 9.1 on this Agenda. The site has been zoned for light industrial use for some considerable decades and, along with Forster Street and Invermay Roads, has been used extensively by both light and heavy vehicles during that time.*

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**8.1.6 Public Questions on Notice - Ms Jane Whyte - 9 September 2020 ...(Cont'd)**

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6. Does the Council consider the part of Invermay which will be affected a run-down area, not worthy of preservation?

**Response:**

*The development is proposed within an existing light industrial estate which is zoned to allow the use proposed. The character of the area within these precincts represents the zoning allocations existing under the planning scheme, no differently to the situation of the previous use of the site as a concrete pipe manufacturing plant. The Council's records show that this site has been zoned for industrial use since at least 1956.*

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**8.1.7 Public Questions on Notice - Mr Shane Hayden - 9 September 2020****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following question/questions, submitted in writing on 9 September 2020 by Mr Shane Hayden, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

**Questions:**

1. One truck idling in the yard, next to the big green shed facing Oswald Street had recorded average 60dB with a maximum of 82dB. An increase in 22dB (noting that an increase in 20dB is equivalent to multiplying the sound by 100). I am a shift worker and need to know what measures are being put in place to ensure that the decibels that are heard remain below 50 which is the equivalent of quiet suburb or a normal conversation at home so that I can get appropriate rest.

**Response:**

*The application was lodged with a Noise and Odour report, and responses provided for requests for further information with respect to noise and vehicle movements and parking. Noise impacts are addressed in the assessment at Agenda Item 9.1.*

2. The mechanics workshop will be especially noisy/smelly with vehicles being revved, engines running, ratchets, tools, voices, alarms going off when doors are open, exhausts fumes, etc. and yet it is positioned closest to the homes. Why is it next to homes and what hours are Veolia proposing it is open?

**Response:**

*Recommended conditions are made for Agenda Item 9.1, including noise mitigation and hours of operation.*

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**8.1.7 Public Questions on Notice - Mr Shane Hayden - 9 September 2020 ...(Cont'd)**

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3. Reversing alarms, according to the Truck Industry Council, should be between 80 to 100 decibels, louder in noisy environments. The DA states that during the day the reversing of vehicles in the yard, is to be minimised. Are the maintenance shed, wash bays and truck parking bays all drive through to minimise this particular noise?

**Response:**

*The application, supporting documentation and assessment are discussed at Agenda Item 9.1 and permit conditions recommended with respect to vehicle movements and noise mitigation.*

4. Do Veolia allow drivers to turn off their reversing alarms (beepers) in heavy vehicles? If so, are they willing to turn them off in this proposed yard?

**Response:**

*The supporting documentation lodged with the development application included a Noise and Odour assessment which recommends mitigation measures to minimise the need for reversing of vehicles on the site. Additionally, recommended conditions have been made with respect to noise mitigation measures, records of noise generating activities, noise emission limits, noise surveying and reporting, and complaints.*

5. The reversing beepers from one truck from a nearby light industrial site woke me up at 4.24am 09/09/20, however, beepers were not included in the noise study. Does the Council believe they should have been?

**Response:**

*The lodged documentation and responses provided to requests for further information was considered sufficient to enable assessment against the planning scheme to be made.*

6. How many other Australian Veolia recycling sites have high density housing on their boundary?

**Response:**

*The Planning Authority is required to assess the development application lodged for the subject site. The site is zoned Light Industrial in the planning scheme and the proposed use is able to be approved subject to meeting the provisions on the planning scheme.*

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## COUNCIL MINUTES

Thursday 17 September 2020

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### 8.1.8 Public Questions on Notice - Mr Shane Hayden and Ms Jo Murray - 9 September 2020

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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#### **QUESTIONS and RESPONSES:**

The following questions, submitted in writing on 9 September 2020 by Mr Shane Hayden and Ms Jo Murray, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

#### **Questions:**

1. What compensation are Marching Ants, Veolia or the Council willing to pay for the loss of value of homes?
2. What funds are Marching Ants, Veolia or the Council willing to pay when we need to sell our home because of the environmental pollution?
3. Will Marching Ants, Veolia or the Council be replacing old sash window class with Double glazing to keep out the environmental pollution?
4. Will Marching Ants, Veolia or the Council be issuing residences with a loss of amenity compensation payment due to the loss of amenity with the introduction of environmental pollution?

#### **Response:**

*There is no provision in either the Land Use Planning and Approvals Act 1993 or the Launceston Interim Planning Scheme (2015) for property values to be considered as part of an assessment as to whether a proposed use or development meets the provisions of the Scheme. There is no provision for compensation to be claimed where a Planning Authority has lawfully fulfilled its obligations under the enabling legislation. The development and use proposed is located on land zoned as Light Industrial under the Scheme and is able to be approved for use subject to meeting the provisions of the Scheme. Noise and other nuisance mitigation measures are required by recommended conditions at Agenda Item 9.1, as well as requirements for the management of any complaints.*

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**8.1.9 Public Questions on Notice - Ms Rebecca Goodsall - 9 September 2020****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following questions, submitted in writing on 9 September 2020 by Ms Rebecca Goodsall, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

**Questions:**

1. How did the council initially consider placing a waste recycling plant next door to a residential area? Is this plant purely for the residents of Launceston or will recycling waste from the Tamar Valley, and other nearby localities like Evandale, Perth and “commuting towns” that are part of other municipalities also be included? If so, why are Launceston residents going to pay for the infrastructure costs that are going to be associated with installing the plant to safety standards?

**Response:**

*The site is zoned Light Industrial and is part of the industrial estate precinct along Churchill Park Drive. The planning scheme allows at discretion the Recycling and Waste Disposal use, excluding refuse disposal. Additionally, Transport Depot and Distribution is a permitted use. Both may be approved in the zone subject to the avoidance of environmental harm and nuisance, which provides for the amenity of adjoining residential properties. The Council's records indicate that this site has been zoned for industrial use since at least 1956.*

*The proposed development is a commercial operation and as such, Launceston residents will not be asked to pay for any necessary infrastructure or modifications that are necessary to meet relevant planning scheme requirements. The planning scheme does not specify how commercial operators run their business or where their consumables are sourced.*

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**8.1.9 Public Questions on Notice - Ms Rebecca Goodsall - 9 September 2020  
...(Cont'd)**

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2. The recent report in the paper (*The Examiner*, Tuesday 8th September, page 5) recently about the Aquatic Centre's switch to solar and electricity stated that the surrounding residents are to be protected by barriers installed over heat pumps to minimise the A-weighted decibels to a level of no more than 35 dbA, why is this reassurance not being offered to ratepaying residents in Invermay?

**Response:**

*Noise and other nuisance mitigation measures are required by recommended conditions at Agenda Item 9.1.*

3. What is wrong with recycling being located in an industrial park where there no residents, surrounding community activities, or facilities are likely to interfere with the completion of tasks through traffic congestion or continual complaints being made to council?

**Response:**

*The consideration of the Development Application will be considered at Agenda Item 9.1 on this Agenda. The site has been zoned for light industrial use for some considerable decades and, along with Forster Street and Invermay Roads, has been used extensively by both light and heavy vehicles during that time. Conditions have been recommended for inclusion if a permit is issued. Planning Permits and their associated conditions are enforceable under the provisions of the Land Use Planning and Approvals Act 1993.*

4. I would like to know which the councillor would like this over their fence? I have heard/been told why would you buy in an area that is zoned light industrial, but all residents in the area have bought in prior to the proposal and Invermay is a lovely suburb currently to live in - flat, easily accessible particularly for people with disabilities and health concerns, close to transport (such as it is) and a hub of positive community activity.

**Response:**

*This response to this question is for individual Councillors to consider. However, as members of the Planning Authority with a statutory obligations to determine Development Application DA0711/2019, it is a requirement that professional advice is considered with respect to whether the development and use complies with the Launceston Interim Planning Scheme (2015). The report, with assessment against the provisions of the Scheme, and recommendation, will be considered at today's Council Meeting.*

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**8.1.9 Public Questions on Notice - Ms Rebecca Goodsall - 9 September 2020  
...(Cont'd)**

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*The development is proposed within an existing light industrial estate which is zoned to allow consideration of the use proposed. The character of the area within these precincts reflects the zoning allocations existing under the planning scheme, no differently to the situation of the previous use of the site as a concrete pipe manufacturing plant. The Council's records show that this site has been zoned for industrial use since at least 1956.*

5. Why does council not have definitions of zoning areas in plain English?

**Response:**

*Consideration of Development Applications, including this application, by Council are considered under the requirements of a Planning Authority. When Council sits as a Planning Authority, it is required to assess Development Applications utilising provisions and definitions provided by the Launceston Interim Planning Scheme (2015) and the Land Use Planning and Approvals Act 1993. The Council, in its deliberations, is not in a position to amend those definitions.*

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**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 Ms Anna Goodsall - 19-25 Churchill Park Drive, Invermay**

- 1. As I do not have qualifications in architecture or planning, I find the plans submitted for the extension of the current factory buildings hard to read. Could you please tell me how far from the boundary wall running along Oswald and Gaunt Streets the extended factory building will be?**
- 2. In condition 42: Exterior and Security Lighting planning it states that: *Exterior Lighting and Security lighting to comply with the Australian Standard AS4282 Control of the obtrusive effects of outdoor lighting or any subsequent versions of the document.* Unfortunately, it costs a lot of money to download this standard. Could I be provided with a copy to read to see if my house will actually be protected from the intrusiveness of lighting from the site. I would also like to know where the lights will be placed on site because this will be done for the safety of staff, not in consideration of the residential neighbours.**

**The Mayor, Councillor A M van Zetten, stated that these matters would be considered during debate in Agenda Item 9.1 in today's Meeting.**

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**8.2.2 Ms Jo Murray - 19-25 Churchill Park Drive, Invermay**

1. At approximately 11.30am today, what was the loud noise in the yard today that reached 62 decibels on my deck?

The Mayor, Councillor A M van Zetten, noted that it would be impossible to answer that question.

**8.2.3 Mr Nick Vincent - 19-25 Churchill Park Drive, Invermay**

- 1. As this Development Application affects most of Invermay, why are only a handful of people and residents notified about this development application?**

**Mr M Stretton (Chief Executive Officer), responded by saying that the statutory process for considering a development application under the Land Use Planning and Approvals Act is that we notify all the neighbours that adjoin the specific site where the development is happening or occurring or proposed to happen, we are required to put a notice on that site at the front boundary and also to advertise in the newspapers to be able to alert the broader community that it is occurring. So, that is the statutory process that we have to follow.**

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

## **9 PLANNING AUTHORITY**

### **9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works**

**FILE NO:** DA0711/2019

**AUTHOR:** John Ayers (Consultant Planner GHD)

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

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#### **DECISION STATEMENT:**

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

#### **RECOMMENDATION:**

In accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0711/2019 - Recycling and Waste Disposal - Change of use to recycling depot and construction of buildings and associated works at 19-25 Churchill Park Drive, Invermay, 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 Page, prepared by David Denman & Associates, drawing no. 1838\_A00, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - b. Existing Site Plan, prepared by David Denman & Associates, drawing no. 1838\_A01.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 13/12/2019.
  - c. Proposed Site Plan, prepared by David Denman & Associates, drawing no. 1838\_A01.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision I, dated 13/12/2019.
  - d. Detailed Site Plan/Car Park, prepared by David Denman & Associates, drawing no. 1838\_A01.03, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision F, dated 13/12/2019.
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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- e. Fence Details, prepared by David Denman & Associates, drawing no. 1838\_A01.04, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision A, dated 04/09/2019.
  - f. Concept Services Plan, prepared by David Denman & Associates, drawing no. 1838\_A01.05, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision A, dated 21/11/2019.
  - g. Recycling Building - Demolition Plan, prepared by David Denman & Associates, drawing no. 1838\_A02.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - h. Recycling Building - Demolition Elevations, prepared by David Denman & Associates, drawing no. 1838\_A02.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - i. Recycling Building Plans, prepared by David Denman & Associates, drawing no. 1838\_A02.03, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - j. Recycling Building - Elevations, prepared by David Denman & Associates, drawing no. 1838\_A02.04, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - k. Oil Storage & drying Beds, prepared by David Denman & Associates, drawing no. 1838\_A03.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision C, dated 04/09/2019.
  - l. Oil Storage & Drying Beds - Elevations, prepared by David Denman & Associates, drawing no. 1838\_A03.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision C, dated 04/09/2019.
  - m. Workshop Existing / Demolition, prepared by David Denman & Associates, drawing no. 1838\_A04.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision C, dated 04/09/2019.
  - n. Workshop Proposed, prepared by David Denman & Associates, drawing no. 1838\_A04.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision A, dated 04/09/2019.
  - o. Administration Building, prepared by David Denman & Associates, drawing no. 1838\_A06.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision C, dated 04/09/2019.
  - p. Administration Building, prepared by David Denman & Associates, drawing no. 1838\_A05.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 01/10/2020.
  - q. Wash Bay 02 Plans & Elevations, prepared by David Denman & Associates, drawing no. 1838\_A05.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision B, dated 17/02/2020.
  - r. Wash Bay 01 - Plans & Elevations, prepared by David Denman & Associates, drawing no. 1838\_A05.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 17/02/2020.
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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- s. Additional Information, prepared by Pitt & Sherry, 19-25 Churchill Park Drive - MRF, dated 14/07/2020.
- t. Noise and Odour Assessment, prepared by Pitt & Sherry, 19-25 Churchill Park Drive - MRF, dated 14/07/2020.
- u. Email advice, prepared by Tony Seymour, Additional information, Churchill Park Drive, Launceston, dated 03/07/2020.
- v. Construction Environmental Management Plan, prepared by David Denman & Associates, Veolia Recycling Centre: 19-25 Churchill Park Drive, dated 30/06/2020.
- w. Lighting Report, prepared by Engineering Solutions Tasmania, Veolia Launceston, version 4, dated 14/02/2020.
- x. Flood Emergency Response Plan, prepared by Pitt & Sherry, 19-25 Churchill Park Drive, version 4, dated 14/02/2020.
- y. Flood Assessment, prepared by Pitt & Sherry, 19-25 Churchill Park Drive, version 4, dated 14/02/2020.
- z. Drainage Services Report, prepared by JMG Engineers & Planners, 19 Churchill Park Drive, version 4, dated 14/02/2020.
- aa. Report to support a development application, for Marching Ants Pty Ltd, 19-25 Churchill Park Drive, version 4, dated 14/02/2020.

**2. LEGAL TITLE**

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

**3. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7:00am to 6:00pm

Saturday - 8:00am to 5:00pm

No works on Sunday or Public Holidays

**4. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2019/01853-LCC24/12/2019 and attached to the permit.

**5. 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;
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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(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.

**6. DAMAGE TO COUNCIL INFRASTRUCTURE**

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

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

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

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

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

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

**8. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

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

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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**9. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)**

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

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

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

**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. SITE STAFF**

While the site is open for reception and sorting of waste materials, 19-25 Churchill Park Drive, Invermay (The Land) must be attended by a person or persons whose duties must include supervising the management of waste deposition and sorting and ensuring compliance with these conditions.

**12. PERMITTED WASTE MATERIALS**

Unless otherwise approved by the Manager Health and Compliance, no wastes may be deposited or stored on The Land other than wastes of the following types:

(a) General waste materials:

- i. domestic kerbside commingled recyclables;
  - ii. commercial recyclables (cardboard/plastic/out of date beverage products);
  - iii. clean soil from trenching carried out by statutory authorities.
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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- (b) Controlled wastes:
  - i. medical waste from surgeries (sharps in sealed containers, PPE);
  - ii. waste oil from local workshops (where stored for offsite recycling).
- (c) Wastes not permitted to be stored on The Land:
  - i. animal effluent and residues;
  - ii. asbestos;
  - iii. batteries;
  - iv. contaminated oil;
  - v. controlled waste (other than those listed above);
  - vi. inert waste;
  - vii. liquid waste;
  - viii. putrescible waste;
  - ix. sanitary waste;
  - x. scrap tyres;
  - xi. sewage sludge.
- (d) The following waste materials must be removed from The Land within 24 hours of receiving them:
  - i. contaminated recyclables accumulated through the normal sorting operations of the materials recovery facility.
- (e) No processing of oil is to take place on The Land.

**13. RECORD OF WASTE MATERIALS**

- (a) The person responsible must keep records on the total tonnage, source and destination of waste materials broken down into the following categories:
  - i. domestic kerbside commingled recyclables;
  - ii. commercial recyclables;
  - iii. clean soil;
  - iv. medical waste;
  - v. waste oil;
  - vi. contaminated recyclables.
- (b) The records are to be kept for a minimum of two years and made available to a Council Officer within seven days of a written request to do so.

**14. PLANT AND EQUIPMENT**

All equipment and vehicles must be operated in accordance with the manufacturer's specifications and maintained in good condition to the extent necessary to prevent emissions from the equipment and vehicles causing environmental nuisance beyond the boundary of The Land.

**15. RESTRICTIONS FOR BURNING ON-SITE**

Fires, including for heating, are not permitted on The Land.

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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**16. EMERGENCY RESPONSE PLAN**

- (a) Prior to the use commencing, a detailed and site-specific Emergency Response Plan must be prepared and submitted to the Manager Health and Compliance. The Plan must be prepared in consultation with, and endorsed by the State Emergency Service (SES) and the Tasmania Fire Service (TFS).
- (b) The plan must, at a minimum, contain the following information:
  - i. identification of potential emergency situations including, but not necessarily limited to, fire and flood;
  - ii. identification of incidents, accidents, power failures and malfunctions with the potential to cause the accumulation of waste materials and emissions which do not comply with these conditions;
  - iii. management strategies to deal with, and minimise environmental impacts arising from, identified potential emergency situations, incidents, accidents, power failures and malfunctions.
- (c) Firefighting wastewater must not be discharged from The Land, unless it is for the purpose of removal for disposal to a facility approved to receive such material or in accordance with any direction provided by the Manager Health and Compliance.
- (d) The activity must be undertaken in accordance with the endorsed Plan, and any subsequent amendment to the Plan endorsed by the TFS and SES.

**17. HOURS OF OPERATION**

- (a) Unless otherwise approved in writing by the Manager Health and Compliance, activities on The Land, including the receipt and dispatch of materials, but with the exception of start-up and departure of waste/recycling collection vehicles, must not be undertaken outside the following times:
    - i. 6:00am to 6:00pm Monday to Friday;
    - ii. 9:00am to 4:00pm on public holidays that are observed State-wide (Easter Tuesday excepted).
  - (b) Unless otherwise approved in writing by the Manager Health and Compliance, waste/recycling collection vehicle start-up and departure from The Land must not be undertaken outside the following times:
    - i. 5:30am to 6:00pm Monday to Friday (for a maximum of three vehicles);
    - ii. 6:00am to 6:00pm Monday to Friday;
    - iii. 8:00am to 6:00pm on Saturdays, Sundays and public holidays that are observed State-wide (Easter Tuesday excepted).
  - (c) Notwithstanding the above paragraphs, vehicle start-up and movement on The Land must not be carried out within 40m of the western boundary; no more than three vehicles may start-up simultaneously; and reversing of vehicles fitted with reversing alarms must not be carried out at any location on The Land outside of the following times:
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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- i. 7:00am to 6:00pm Monday to Friday;
  - ii. 9:00am to 6:00pm Saturdays, Sundays and public holidays that are observed State-wide (Easter Tuesday excepted).
- (d) The above operating hours do not apply to activities associated with a response to an incident that is causing or threatening environmental harm.

**18. APPROVAL REQUIRED FOR CHANGE TO HOURS OF OPERATION**

- (a) In the event of an extenuating circumstance requiring extension to the approved operating hours, the responsible person must, no less than three days prior to the date the extended hours are required, submit a request in writing to the Manager Health and Compliance detailing:
- i. the date and time-frame of the extension requested;
  - ii. the reasons for requesting extended operating hours; and
  - iii. the measures proposed to notify the occupants of nearby sensitive uses and mitigate the impact of potential nuisance emissions.
- (b) An extension to operating hours may only be granted up to a maximum of three days per calendar year.

**19. NOISE MITIGATION MEASURES**

- (a) Prior to the use commencing:
- i. the site is to be fully sealed, other than approved landscaping;
  - ii. the 10km/h site speed limit must be posted on signs at the truck entrance to the land and at appropriate locations around the truck travel path;
  - iii. the 40m attenuation from the western boundary, as indicated in the site plan (Dwg# 1838\_A01.02\_Rev I prepared by David Denman + Associates) is to be clearly and permanently marked on the sealed pavement;
  - iv. broadband reverse alarms are to be fitted to vehicles requiring a reverse alarm. Narrow band reversing alarms are not permitted to be used on The Land.
  - v. all air compressors must be housed in sound attenuating enclosures; and
  - vi. noise control devices, such as exhaust mufflers, must be installed on all equipment and vehicles where reasonably practical.
- (b) Notwithstanding the above, noise mitigation measures must be implemented in accordance with the report (Noise and Odour Assessment, 14 July 2020, Pitt & Sherry) submitted as part of this permit application.
- (c) The person responsible is to maintain the noise mitigation measures, including the existing nominal 2m concrete boundary wall, in good condition over the life of the operation.
- (d) If complaints indicate there is emission of nuisance noise occurring, mitigation measures are to be implemented that control the emissions to the extent necessary to prevent environmental nuisance beyond the boundary of The Land.
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**20. RECORD OF NOISE GENERATING ACTIVITIES**

- (a) The person responsible must make and retain written or electronic records of the various operational activities and changes to operational activities, on The Land, that have the potential to change the level and/or character of noise emitted from The Land.
- (b) These records must include, but should not be limited to, the commissioning of major plant and equipment and any major start-ups and shutdowns of major plant and equipment.
- (c) These records must be kept for a minimum of two years and made available to a Council Officer within seven days of any written request to do so.

**21. NOISE EMISSION LIMITS**

- (a) Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
  - i. 50 dB(A) between 7:00am and 6:00pm (day time); and
  - ii. 40 dB(A) between 6:00pm and 7:00am (night time).
- (b) Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
- (c) The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Manager Health and Compliance.
- (d) Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the *Tasmanian Noise Measurement Procedures Manual*.
- (e) All methods of measurement must be in accordance with the *Tasmanian Noise Measurement Procedures Manual*.

**22. NOISE SURVEY REQUIREMENTS**

Unless otherwise approved by the Manager Health and Compliance, a noise survey must be carried out by a suitably qualified and experienced practitioner:

- (a) within 60 days from the date the use commences; and
  - (b) within six months of any change to the activity which is likely to substantially alter the character or increase the volume of the noise emitted from The Land; and
  - (c) at such other times as may reasonably be required by the Manager Health and Compliance by notice in writing.
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**23. NOISE SURVEY METHOD AND REPORTING**

- (a) Prior to undertaking a noise survey as required by these conditions, a proposed noise survey method must be submitted to the Manager of Health and Compliance for approval.
- (b) Without limitation, the survey method must address the following:
  - i. measurements must be carried out at day and night times at each location; and
  - ii. measurement locations, and the number thereof, must be specified, with one location established as a control location (noise).
- (c) Measurements and data recorded during the survey must include:
  - i. operational status of noise producing equipment and vehicles and throughput of the activity;
  - ii. subjective descriptions of the sound at each location;
  - iii. details of meteorological conditions relevant to the propagation of noise; and
  - iv. the equivalent continuous (Leq) and L1, L10, L50, L90 and L99 A-weighted sound pressure levels measured over a period of ten minutes or an alternative time interval approved by the Manager Health and Compliance.
- (d) A noise survey report must be forwarded to the Manager Health and Compliance within 30 days from the date on which the survey is completed.
- (e) The noise survey report must include the following:
  - i. the results and interpretation of the measurements required by these conditions;
  - ii. a map of the area surrounding the activity with the boundary of The Land, measurement locations, and noise sensitive premises clearly marked on the map;
  - iii. any other information that will assist with interpreting the results and whether the activity is in compliance with these conditions and EMPCA; and
  - iv. recommendations of appropriate mitigation measures to manage any noise problems identified by the noise survey.

**24. CONTROL OF DUST EMISSIONS**

Dust emissions from The Land must be controlled to the extent necessary to prevent environmental nuisance beyond the boundary of The Land.

**25. ODOUR MANAGEMENT**

- (a) The person responsible must institute such odour management measures as are necessary to prevent odours causing environmental nuisance beyond the boundary of The Land.
  - (b) Vehicles are to be washed daily after use to prevent build-up of odorous materials, using disinfectant as required to control odour emissions.
  - (c) Bins are to be washed prior to storage in bulk bin storage and bin storage area, using disinfectant as required to control odour emissions.
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**26. LITTER MANAGEMENT**

All practicable measures must be implemented to control litter on The Land and prevent the escape of litter from The Land.

**27. VERMIN MANAGEMENT**

All practicable measures must be implemented to eradicate, prevent the harbourage of and actively discourage the presence of vermin on The Land to the extent necessary to ensure that they do not present an unacceptable public health risk.

**28. INVENTORY OF HAZARDOUS MATERIALS**

An inventory must be kept of all environmentally hazardous materials stored and handled on The Land. The inventory must specify the location of storage facilities and the maximum quantities of each environmentally hazardous material likely to be kept in storage and must include safety data sheets for those environmentally hazardous materials. The inventory is to be provided to a Council Officer and the Tasmania Fire Service upon request.

**29. STORAGE AND HANDLING OF ENVIRONMENTALLY HAZARDOUS MATERIALS**

- (a) Unless otherwise approved in writing by the Manager Health and Compliance, all environmentally hazardous materials, including chemicals, fuels and oils, stored on The Land must be stored within impervious bunded areas or spill trays which are designed to contain at least 110% of the total volume of materials; and managed to prevent unauthorised discharge, emission or deposition of pollutants to soil, groundwater or beyond the boundary of The Land.
  - (b) All activities that involve a significant risk of spillages, including the loading and unloading of bulk materials, must take place in a bunded containment area or on a transport vehicle loading apron.
  - (c) Bunded containment areas and transport vehicle loading aprons must:
    - i. be made of materials that are impervious to any environmentally hazardous material stored within the bund;
    - ii. be graded or drained to a sump to allow recovery of liquids;
    - iii. be chemically resistant to the chemicals stored or transferred;
    - iv. be designed and managed such that any leakage or spillage is contained within the bunded area (including where such leakage emanates vertically higher than the bund wall);
    - v. be designed and managed such that the transfer of materials is adequately controlled by valves, pumps and meters and other equipment wherever practical. The equipment must be adequately protected (for example, with bollards) and contained in an area designed to permit recovery of any released chemicals; and
    - vi. be designed such that chemicals which may react dangerously if they come into contact have measures in place to prevent mixing.
  - (d) Be managed such that the capacity of the bund is maintained at all times (for example, by regular inspections and removal of obstructions).
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- (e) Proof of proper disposal of environmentally hazardous materials must be kept for a minimum of two years and made available for inspection by a Council Officer upon request.

**30. DISPOSAL OF ENVIRONMENTALLY HAZARDOUS MATERIALS**

Proof of proper disposal of environmentally hazardous materials must be kept for a minimum of two years and made available for inspection by a Council Officer upon request.

**31. NOTIFICATION OF CESSATION**

Within 30 days of becoming aware of any event or decision which is likely to give rise to the permanent cessation of the activity, the person responsible for the activity must notify the Manager Health and Compliance in writing of that event or decision. The notice must specify the date upon which the activity is expected to cease or has ceased.

**32. DECOMMISSIONING AND REHABILITATION PLAN (DRP) REQUIREMENTS**

Unless otherwise approved in writing by the Manager Health and Compliance, a Decommissioning and Rehabilitation Plan (DRP) for the activity must be submitted by the person responsible to the satisfaction of the Manager Health and Compliance within 30 days of the Manager Health and Compliance being notified of the planned cessation of the activity, or by a date specified in writing by the Manager Health and Compliance. The DRP must be prepared in accordance with any guidelines provided by the Manager Health and Compliance.

**33. REHABILITATION FOLLOWING CESSATION**

- (a) Following permanent cessation of the activity, and unless otherwise approved in writing by the Manager Health and Compliance, The Land must be rehabilitated including:
- i. removal or mitigation of all environmental hazards or land contamination, that might pose an on-going risk of causing environmental harm;
  - ii. removal of any remaining wastes, including waste oils and soils; and
  - iii. decommissioning of any equipment that has not been removed.
- (b) Where the Manager Health and Compliance is satisfied with a Decommissioning and Rehabilitation Plan (DRP), decommissioning and rehabilitation must be carried out in accordance with that plan, as may be amended from time to time with written approval of the Manager Health and Compliance.

**34. STORAGE OF WASTE MATERIALS**

No external storage of sorted and unsorted waste materials is permitted.

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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**35. REGULATORY LIMITS**

The quantity of unsorted and sorted recyclables (excluding waste oil, medical waste and clean soil) stored on The Land at any time must not exceed either 1,000m<sup>3</sup> or a limit appropriate to the building size/layout, compartmentation, installed safety systems, process equipment and plant etc., whichever is the lesser of the two.

**36. ACCESS TO AND AWARENESS OF CONDITIONS AND ASSOCIATED DOCUMENTS**

A copy of this permit and any associated documents referred to in the permit conditions must be held in a location that is known to and accessible to the person responsible for the activity. The person responsible for the activity must ensure that all persons who are responsible for undertaking work on The Land, including contractors and sub-contractors, are familiar with these conditions to the extent relevant to their work.

**37. NOTIFICATION PRIOR TO COMMENCEMENT OF USE**

The Manager Health and Compliance must be notified in writing of the commencement of the use and the full particulars of the responsible person at least 14 days before that occurs.

**38. CHANGE OF RESPONSIBILITY**

Within 30 days of becoming aware that the person responsible for the activity will cease or has ceased to be responsible for the activity that person must:

- (a) notify the Manager Health and Compliance in writing of the fact;
- (b) provide the Manager Health and Compliance with full particulars of any person succeeding them as the person responsible; and
- (c) notify any such person of the requirements of this permit.

**39. COMPLAINTS REGISTER**

- (a) A public complaints register must be maintained. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that environmental harm (including an environmental nuisance) has been caused by the activity:
    - i. contact details of the complainant (where provided);
    - ii. the subject matter of the complaint;
    - iii. any investigations undertaken with regard to the complaint; and
    - iv. the manner in which the complaint was resolved, including any mitigation measures implemented.
  - (b) Complaint records must be maintained for a period of at least two years and be provided to a Council Officer within seven days of any written request to do so.
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**40. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

- (a) Prior to the commencement of construction and excavation activities a Construction Environmental Management Plan (Construction EMP) must be submitted to the Manager Health and Compliance to the satisfaction of the Manager Health and Compliance.
- (b) The Construction EMP must be prepared by a suitably qualified and experienced practitioner and contain a detailed description of the proposed timing and sequence of the major construction activities and of the proposed management measures to be implemented to avoid or minimise the environmental impacts during the construction phase.
- (c) The Construction EMP must include, but not necessarily be limited to, management measures in relation to the following:
  - i. prevention of impacts upon surface water and waterways;
  - ii. noise emissions;
  - iii. dust emissions;
  - iv. contaminated soil;
  - v. environmentally hazardous materials;
  - vi. pests;
  - vii. disposal of construction and excavation waste materials (noting burning waste on The Land is not permitted);
  - viii. quality control arrangements including supervision by appropriately qualified and experienced persons, detailed construction specifications for key items of environmental management infrastructure, documented site procedures, quality control testing and the keeping of appropriate records.
- (d) Construction activities must be carried out in accordance with the Construction EMP.

**41. SITE SECURITY**

The Land must be securely fenced to discourage unauthorised access and must be secured when not attended by the person responsible for the activity.

**42. EXTERIOR AND SECURITY LIGHTING PLANNING**

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

**43. INCIDENT RESPONSE**

If an incident causing or threatening serious or material environmental harm from pollution occurs in the course of the activity to which this Permit relates, then the person responsible for the activity must:

- (a) immediately take all practicable action to minimise any adverse environmental effects from the incident;
  - (b) as soon as reasonably practicable, but not later than 24 hours after becoming aware of the incident, contact the Council's Customer Service Centre on 6323 3000; and
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- (c) not later than 30 days after becoming aware of the incident, provide a report to the Council's Health and Compliance Department, outlining the nature of the incident, the circumstances in which it occurred and the action taken to deal with the incident (this report must be provided irrespective of whether the person responsible for the activity has reasonable grounds for believing that the incident has already come to the notice of the Council's Health and Compliance Department or any officer engaged in the administration or enforcement of the *Environmental Management and Pollution Control Act 1994*).

**44. NO BURNING OF CONSTRUCTION WASTE**

No burning of any waste materials generated by the construction process, including the removal of any vegetation, is to be undertaken on The Land. Any such waste materials are to be removed to a licensed refuse disposal facility (eg. Launceston Waste Centre).

**45. WASH BAYS**

- (a) The wash bays must:
- i. be bunded and graded to direct waste water to sewer;
  - ii. have all plant and machinery associated with the wash bays located, enclosed or otherwise attenuated to prevent noise emission from affecting occupiers of other premises; and
  - iii. provide some form of barrier to prevent spray drift from leaving The Land.
- (b) All washing of mobile plant and equipment, including vehicles and bins, must occur in the wash bays.

**46. REPAIRS OF VEHICLES**

Servicing, detailing and repairs of vehicles or vehicle parts, with the exception of changing damaged tyres, must be conducted in a covered, bunded area.

**47. STORMWATER**

No liquids, including liquid waste produced by the bin crusher, but with the exception of unpolluted rain water are to be allowed to discharge or drain to the Council's stormwater system or receiving water bodies or watercourses.

**48. NOISE - COMMERCIAL/INDUSTRIAL**

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

**49. SPILL KITS**

Spill kits, appropriate for the types and volumes of materials handled on The Land, must be kept in appropriate locations and be appropriately maintained to assist with the containment of any spill of environmentally hazardous materials.

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## 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)

### 50. SOIL VALIDATION REPORT

Prior to the commencement of construction and excavation works, a Soil Validation Report prepared and endorsed by a Certified Environmental Practitioner with a nominated area of capability in contaminated site assessment, must be submitted to the satisfaction of the Manager Health and Compliance.

#### Notes

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

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

#### B. Occupancy Permit Required

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

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

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

#### D. General

*This permit was issued based on the proposal documents submitted for DA0711/2019. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.*

*This permit takes effect after:*

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

## 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)

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

### F. Appeal Provisions

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

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

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

### G. Permit Commencement

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

### Definitions

**Activity** means any relevant activity to which this document relates, and includes more than one such activity.

**Construction** means activities associated with the construction phase of the activity, including but not limited to, activities associated with the clearance of vegetation, site works to create a level site, rock breaking, installation of fences and other infrastructure whether on land or in water.

**Controlled waste** has the meaning described in Section 3(1) of *Environmental Management and Pollution Control Act 1994*.

## 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)

**Council Officer** means the City of Launceston Manager Health and Compliance; City of Launceston Planning Compliance Officer and any other Council Officer appointed for the purposes of EMPCA.

**EMPCA** means the *Environmental Management and Pollution Control Act 1994*.

**Environmental Harm** means any adverse effect on the environment (of whatever degree or duration) and includes environmental nuisance.

**Environmentally Hazardous Material** means any substance or mixture of substances of a nature or held in quantities which present a reasonably foreseeable risk of causing serious or material environmental harm if released to the environment and includes fuels, oils, waste and chemicals but excludes sewage.

**Environmental nuisance** means:

- (a) the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment; and
- (b) any emission, discharge, depositing or disturbance specified in an environment protection policy to be an environmental nuisance.

**Inert waste** means waste that does not undergo environmentally significant physical, chemical or biological transformations and has no potentially hazardous content and is not contaminated with non-inert material, such as putrescible waste, and includes clean fill.

**Liquid Waste** means any waste that is in liquid form or is substantially comprised of free liquids or is not spadeable (able to be lifted and moved in heaps with a spade).

**Manager Health and Compliance** means the person appointed to or acting in the role of City of Launceston Manager Health and Compliance.

**Noise** includes vibration.

**Person Responsible** is any person who is or was responsible for the environmentally relevant activity to which this document relates and includes the officers, employees, contractors, joint venture partners and agents of that person, and includes a body corporate.

**Pollutant** includes:

- (a) a gas, liquid or solid; or
- (b) an odour; or
- (c) an organism (whether alive or dead), including a virus; or
- (d) energy, including noise, radioactivity and electromagnetic radiation; or
- (e) a combination of pollutants.

**PPE** means personal protective equipment such as medical gloves, gowns and facemasks.

**Putrescible Waste** means waste containing materials that are capable of rapid biological decay or rotting.

**Recycling** means a set of processes (including biological) for converting recovered materials that would otherwise be disposed of as wastes, into useful materials and/or products.

**Serious and material environmental harm** have the meanings described in Section 5 of EMPCA.



## 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)

**Sensitive use** means a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school.

**Tasmanian Noise Measurement Procedures Manual** means the document titled *Noise Measurement Procedures Manual* by the Department of Environment, Parks, Heritage and the Arts, dated July 2008, and any amendment to or substitution of this document.

**The Land** means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land. The Land falls within the area defined by:

(a) Certificate of Title reference number 41141/5.

**Waste** means any:

(a) discarded, rejected, unwanted, surplus or abandoned matter, whether of any value or not; or

(b) discarded, rejected, unwanted, surplus or abandoned matter, whether of any value or not, intended:

- i. for recycling, reprocessing, recovery, reuse or purification by a separate operation from that which produced the matter; or
- ii. for sale.

*Environmental Management and Pollution Control Act 1994 (EMPCA)*

*The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.*

*Storage and handling of dangerous goods and controlled waste*

*The storage, handling and transport of dangerous goods and controlled waste must comply with the requirements of relevant State Acts and any regulations thereunder, including:*

- a. *Work Health and Safety Act 2012 and subordinate regulations;*
- b. *Dangerous Goods (Road and Rail Transport) Act 2010; and*
- c. *Environmental Management and Pollution Control (Waste Management) Regulations 2020.*

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

**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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Ms Anna Goodsall spoke against the Recommendation  
Ms Lorraine Gowland spoke against the Recommendation  
Ms Jane Whyte spoke against the Recommendation  
Ms Jo Murray spoke against the Recommendation  
Ms Jo Murray (on behalf of Mr Shaun Hayden) spoke against the Recommendation  
Ms Susan Doak spoke against the Recommendation  
Ms Janet Kelly spoke against the Recommendation  
Ms Rebecca Goodsall spoke against the Recommendation  
Mr Nick Vincent spoke against the Recommendation  
Ms Janet Kelly (on behalf of Ms Carmel Kaya) spoke against the Recommendation  
Ms Jo Murray (on behalf of Mr Chris and Ms Felicity Bucknell) spoke against the Recommendation  
Ms Jo Murray (on behalf of Ms Claire Massey) spoke against the Recommendation  
Ms Jo Murray (on behalf of Ms Lisa-Maree Shearing) spoke against the Recommendation  
Mr David Benyon spoke against the Recommendation  
Ms Sarah Shaw spoke against the Recommendation  
Ms Joanne Jones (and Mr Eugene Jones) spoke against the Recommendation  
Mr Martin Robinson spoke for the Recommendation  
Mr Martin Robinson (on behalf of Mr Ray Mostogl) spoke for the Recommendation  
Mr Ian Abernethy spoke for the Recommendation  
Mr Nick Vincent (on behalf of Ms Karen Vincent) spoke against the Recommendation  
Mr Tony Seymour spoke for the Recommendation

**DECISION: 17 September 2020**

**MOTION 1**

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

**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 Page, prepared by David Denman & Associates, drawing no. 1838\_A00, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - b. Existing Site Plan, prepared by David Denman & Associates, drawing no. 1838\_A01.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 13/12/2019.
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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- c. Proposed Site Plan, prepared by David Denman & Associates, drawing no. 1838\_A01.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision I, dated 13/12/2019.
  - d. Detailed Site Plan/Car Park, prepared by David Denman & Associates, drawing no. 1838\_A01.03, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision F, dated 13/12/2019.
  - e. Fence Details, prepared by David Denman & Associates, drawing no. 1838\_A01.04, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision A, dated 04/09/2019.
  - f. Concept Services Plan, prepared by David Denman & Associates, drawing no. 1838\_A01.05, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision A, dated 21/11/2019.
  - g. Recycling Building - Demolition Plan, prepared by David Denman & Associates, drawing no. 1838\_A02.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - h. Recycling Building - Demolition Elevations, prepared by David Denman & Associates, drawing no. 1838\_A02.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - i. Recycling Building Plans, prepared by David Denman & Associates, drawing no. 1838\_A02.03, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - j. Recycling Building - Elevations, prepared by David Denman & Associates, drawing no. 1838\_A02.04, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 04/09/2019.
  - k. Oil Storage & drying Beds, prepared by David Denman & Associates, drawing no. 1838\_A03.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision C, dated 04/09/2019.
  - l. Oil Storage & Drying Beds - Elevations, prepared by David Denman & Associates, drawing no. 1838\_A03.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision C, dated 04/09/2019.
  - m. Workshop Existing / Demolition, prepared by David Denman & Associates, drawing no. 1838\_A04.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision C, dated 04/09/2019.
  - n. Workshop Proposed, prepared by David Denman & Associates, drawing no. 1838\_A04.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision A, dated 04/09/2019.
  - o. Administration Building, prepared by David Denman & Associates, drawing no. 1838\_A06.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision C, dated 04/09/2019.
  - p. Administration Building, prepared by David Denman & Associates, drawing no. 1838\_A05.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 01/10/2020.
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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- q. Wash Bay 02 Plans & Elevations, prepared by David Denman & Associates, drawing no. 1838\_A05.02, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision B, dated 17/02/2020.
- r. Wash Bay 01 - Plans & Elevations, prepared by David Denman & Associates, drawing no. 1838\_A05.01, Veolia Recycling Centre, Churchill Park Drive, Launceston, revision D, dated 17/02/2020.
- s. Additional Information, prepared by Pitt & Sherry, 19-25 Churchill Park Drive - MRF, dated 14/07/2020.
- t. Noise and Odour Assessment, prepared by Pitt & Sherry, 19-25 Churchill Park Drive - MRF, dated 14/07/2020.
- u. Email advice, prepared by Tony Seymour, Additional information, Churchill Park Drive, Launceston, dated 03/07/2020.
- v. Construction Environmental Management Plan, prepared by David Denman & Associates, Veolia Recycling Centre: 19-25 Churchill Park Drive, dated 30/06/2020.
- w. Lighting Report, prepared by Engineering Solutions Tasmania, Veolia Launceston, version 4, dated 14/02/2020.
- x. Flood Emergency Response Plan, prepared by Pitt & Sherry, 19-25 Churchill Park Drive, version 4, dated 14/02/2020.
- y. Flood Assessment, prepared by Pitt & Sherry, 19-25 Churchill Park Drive, version 4, dated 14/02/2020.
- z. Drainage Services Report, prepared by JMG Engineers & Planners, 19 Churchill Park Drive, version 4, dated 14/02/2020.
- aa. Report to support a development application, for Marching Ants Pty Ltd, 19-25 Churchill Park Drive, version 4, dated 14/02/2020.

**2. LEGAL TITLE**

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

**3. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7:00am to 6:00pm

Saturday - 8:00am to 5:00pm

No works on Sunday or Public Holidays

**4. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2019/01853-LCC24/12/2019 and attached to the permit.

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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**5. 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.

**6. DAMAGE TO COUNCIL INFRASTRUCTURE**

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

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

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

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

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

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

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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**8. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

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

**9. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)**

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

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

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

**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. SITE STAFF**

While the site is open for reception and sorting of waste materials, 19-25 Churchill Park Drive, Invermay (The Land) must be attended by a person or persons whose duties must include supervising the management of waste deposition and sorting and ensuring compliance with these conditions.

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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**12. PERMITTED WASTE MATERIALS**

Unless otherwise approved by the Manager Health and Compliance, no wastes may be deposited or stored on The Land other than wastes of the following types:

- (a) General waste materials:**
  - i. domestic kerbside commingled recyclables;
  - ii. commercial recyclables (cardboard/plastic/out of date beverage products);
  - iii. clean soil from trenching carried out by statutory authorities.
- (b) Controlled wastes:**
  - i. medical waste from surgeries (sharps in sealed containers, PPE);
  - ii. waste oil from local workshops (where stored for offsite recycling).
- (c) Wastes not permitted to be stored on The Land:**
  - i. animal effluent and residues;
  - ii. asbestos;
  - iii. batteries;
  - iv. contaminated oil;
  - v. controlled waste (other than those listed above);
  - vi. inert waste;
  - vii. liquid waste;
  - viii. putrescible waste;
  - ix. sanitary waste;
  - x. scrap tyres;
  - xi. sewage sludge.
- (d) The following waste materials must be removed from The Land within 24 hours of receiving them:**
  - i. contaminated recyclables accumulated through the normal sorting operations of the materials recovery facility.
- (e) No processing of oil is to take place on The Land.**

**13. RECORD OF WASTE MATERIALS**

- (a) The person responsible must keep records on the total tonnage, source and destination of waste materials broken down into the following categories:**
    - i. domestic kerbside commingled recyclables;
    - ii. commercial recyclables;
    - iii. clean soil;
    - iv. medical waste;
    - v. waste oil;
    - vi. contaminated recyclables.
  - (b) The records are to be kept for a minimum of two years and made available to a Council Officer within seven days of a written request to do so.**
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- 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**
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## **14. PLANT AND EQUIPMENT**

All equipment and vehicles must be operated in accordance with the manufacturer's specifications and maintained in good condition to the extent necessary to prevent emissions from the equipment and vehicles causing environmental nuisance beyond the boundary of The Land.

## **15. RESTRICTIONS FOR BURNING ON-SITE**

Fires, including for heating, are not permitted on The Land.

## **16. EMERGENCY RESPONSE PLAN**

- (a) Prior to the use commencing, a detailed and site-specific Emergency Response Plan must be prepared and submitted to the Manager Health and Compliance. The Plan must be prepared in consultation with, and endorsed by the State Emergency Service (SES) and the Tasmania Fire Service (TFS).**
- (b) The plan must, at a minimum, contain the following information:**
  - i. identification of potential emergency situations including, but not necessarily limited to, fire and flood;**
  - ii. identification of incidents, accidents, power failures and malfunctions with the potential to cause the accumulation of waste materials and emissions which do not comply with these conditions;**
  - iii. management strategies to deal with, and minimise environmental impacts arising from, identified potential emergency situations, incidents, accidents, power failures and malfunctions.**
- (c) Firefighting wastewater must not be discharged from The Land, unless it is for the purpose of removal for disposal to a facility approved to receive such material or in accordance with any direction provided by the Manager Health and Compliance.**
- (d) The activity must be undertaken in accordance with the endorsed Plan, and any subsequent amendment to the Plan endorsed by the TFS and SES.**

## **17. HOURS OF OPERATION**

- (a) Unless otherwise approved by the manager Health and Compliance. Activities on The Land, including the receipt and dispatch of materials, but with the exception of start-up and departure of waste/recycling collection vehicles, must not be undertaken outside the following times:**
    - i. 7.30am to 4.30pm - Monday to Friday - Sorting Centre;**
    - ii. 9.00am - 4.00pm - Saturday and Public Holidays;**
    - iii. 10.00am to 4.00pm - Sunday.**
  - (b) Unless otherwise approved in writing by the Manager Health and Compliance, waste/recycling collection vehicle start-up and departure from The Land must not be undertaken outside the following times:**
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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- i. 5:30am to 6:00pm - Monday to Friday (for a maximum of three vehicles);
  - ii. 6:00am to 6:00pm - Monday to Friday;
  - iii. 8:00am to 6:00pm - Saturdays, Sundays and public holidays that are observed State-wide (Easter Tuesday excepted).
- (c) Notwithstanding the above paragraphs, vehicle start-up and movement on The Land must not be carried out within 40m of the western boundary; no more than three vehicles may start-up simultaneously; and reversing of vehicles fitted with reversing alarms must not be carried out at any location on The Land outside of the following times:
- i. 7:00am to 6:00pm - Monday to Friday;
  - ii. 9:00am to 6:00pm - Saturdays, Sundays and public holidays that are observed State-wide (Easter Tuesday excepted).
- (d) The above operating hours do not apply to activities associated with a response to an incident that is causing or threatening environmental harm.

**18. APPROVAL REQUIRED FOR CHANGE TO HOURS OF OPERATION**

- (a) In the event of an extenuating circumstance requiring extension to the approved operating hours, the responsible person must, no less than three days prior to the date the extended hours are required, submit a request in writing to the Manager Health and Compliance detailing:
- i. the date and time-frame of the extension requested;
  - ii. the reasons for requesting extended operating hours; and
  - iii. the measures proposed to notify the occupants of nearby sensitive uses and mitigate the impact of potential nuisance emissions.
- (b) An extension to operating hours may only be granted up to a maximum of three days per calendar year.

**19. NOISE MITIGATION MEASURES**

- (a) Prior to the use commencing:
- i. the site is to be fully sealed, other than approved landscaping;
  - ii. the 10km/h site speed limit must be posted on signs at the truck entrance to the land and at appropriate locations around the truck travel path;
  - iii. the 40m attenuation from the western boundary, as indicated in the site plan (Dwg# 1838\_A01.02\_Rev I prepared by David Denman + Associates) is to be clearly and permanently marked on the sealed pavement;
  - iv. broadband reverse alarms are to be fitted to vehicles requiring a reverse alarm. Narrow band reversing alarms are not permitted to be used on The Land.
  - v. all air compressors must be housed in sound attenuating enclosures; and
  - vi. noise control devices, such as exhaust mufflers, must be installed on all equipment and vehicles where reasonably practical.
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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- (b) Notwithstanding the above, noise mitigation measures must be implemented in accordance with the report (Noise and Odour Assessment, 14 July 2020, Pitt & Sherry) submitted as part of this permit application.
- (c) The person responsible is to maintain the noise mitigation measures, including the existing nominal 2m concrete boundary wall, in good condition over the life of the operation.
- (d) If complaints indicate there is emission of nuisance noise occurring, mitigation measures are to be implemented that control the emissions to the extent necessary to prevent environmental nuisance beyond the boundary of The Land.

**20. RECORD OF NOISE GENERATING ACTIVITIES**

- (a) The person responsible must make and retain written or electronic records of the various operational activities and changes to operational activities, on The Land, that have the potential to change the level and/or character of noise emitted from The Land.
- (b) These records must include, but should not be limited to, the commissioning of major plant and equipment and any major start-ups and shutdowns of major plant and equipment.
- (c) These records must be kept for a minimum of two years and made available to a Council Officer within seven days of any written request to do so.

**21. NOISE EMISSION LIMITS**

- (a) Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
    - i. 50 dB(A) between 7:00am and 6:00pm (day time); and
    - ii. 40 dB(A) between 6:00pm and 7:00am (night time).
  - (b) Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
  - (c) The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Manager Health and Compliance.
  - (d) Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the *Tasmanian Noise Measurement Procedures Manual*.
  - (e) All methods of measurement must be in accordance with the *Tasmanian Noise Measurement Procedures Manual*.
-

- 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**
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## **22. NOISE SURVEY REQUIREMENTS**

Unless otherwise approved by the Manager Health and Compliance, a noise survey must be carried out by a suitably qualified and experienced practitioner:

- (a) within 60 days from the date the use commences; and**
- (b) within six months of any change to the activity which is likely to substantially alter the character or increase the volume of the noise emitted from The Land; and**
- (c) at such other times as may reasonably be required by the Manager Health and Compliance by notice in writing.**

## **23. NOISE SURVEY METHOD AND REPORTING**

- (a) Prior to undertaking a noise survey as required by these conditions, a proposed noise survey method must be submitted to the Manager of Health and Compliance for approval.**
  - (b) Without limitation, the survey method must address the following:**
    - i. measurements must be carried out at day and night times at each location; and**
    - ii. measurement locations, and the number thereof, must be specified, with one location established as a control location (noise).**
  - (c) Measurements and data recorded during the survey must include:**
    - i. operational status of noise producing equipment and vehicles and throughput of the activity;**
    - ii. subjective descriptions of the sound at each location;**
    - iii. details of meteorological conditions relevant to the propagation of noise; and**
    - iv. the equivalent continuous (Leq) and L1, L10, L50, L90 and L99 A-weighted sound pressure levels measured over a period of ten minutes or an alternative time interval approved by the Manager Health and Compliance.**
  - (d) A noise survey report must be forwarded to the Manager Health and Compliance within 30 days from the date on which the survey is completed.**
  - (e) The noise survey report must include the following:**
    - i. the results and interpretation of the measurements required by these conditions;**
    - ii. a map of the area surrounding the activity with the boundary of The Land, measurement locations, and noise sensitive premises clearly marked on the map;**
    - iii. any other information that will assist with interpreting the results and whether the activity is in compliance with these conditions and EMPCA; and**
    - iv. recommendations of appropriate mitigation measures to manage any noise problems identified by the noise survey.**
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## **24. CONTROL OF DUST EMISSIONS**

Dust emissions from The Land must be controlled to the extent necessary to prevent environmental nuisance beyond the boundary of The Land.

## **25. ODOUR MANAGEMENT**

- (a) The person responsible must institute such odour management measures as are necessary to prevent odours causing environmental nuisance beyond the boundary of The Land.**
- (b) Vehicles are to be washed daily after use to prevent build-up of odorous materials, using disinfectant as required to control odour emissions.**
- (c) Bins are to be washed prior to storage in bulk bin storage and bin storage area, using disinfectant as required to control odour emissions.**

## **26. LITTER MANAGEMENT**

All practicable measures must be implemented to control litter on The Land and prevent the escape of litter from The Land.

## **27. VERMIN MANAGEMENT**

All practicable measures must be implemented to eradicate, prevent the harbourage of and actively discourage the presence of vermin on The Land to the extent necessary to ensure that they do not present an unacceptable public health risk.

## **28. INVENTORY OF HAZARDOUS MATERIALS**

An inventory must be kept of all environmentally hazardous materials stored and handled on The Land. The inventory must specify the location of storage facilities and the maximum quantities of each environmentally hazardous material likely to be kept in storage and must include safety data sheets for those environmentally hazardous materials. The inventory is to be provided to a Council Officer and the Tasmania Fire Service upon request.

## **29. STORAGE AND HANDLING OF ENVIRONMENTALLY HAZARDOUS MATERIALS**

- (a) Unless otherwise approved in writing by the Manager Health and Compliance, all environmentally hazardous materials, including chemicals, fuels and oils, stored on The Land must be stored within impervious bunded areas or spill trays which are designed to contain at least 110% of the total volume of materials; and managed to prevent unauthorised discharge, emission or deposition of pollutants to soil, groundwater or beyond the boundary of The Land.**
  - (b) All activities that involve a significant risk of spillages, including the loading and unloading of bulk materials, must take place in a bunded containment area or on a transport vehicle loading apron.**
  - (c) Bunded containment areas and transport vehicle loading aprons must:**
    - i. be made of materials that are impervious to any environmentally hazardous material stored within the bund;**
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- ii. be graded or drained to a sump to allow recovery of liquids;
  - iii. be chemically resistant to the chemicals stored or transferred;
  - iv. be designed and managed such that any leakage or spillage is contained within the bunded area (including where such leakage emanates vertically higher than the bund wall);
  - v. be designed and managed such that the transfer of materials is adequately controlled by valves, pumps and meters and other equipment wherever practical. The equipment must be adequately protected (for example, with bollards) and contained in an area designed to permit recovery of any released chemicals; and
  - vi. be designed such that chemicals which may react dangerously if they come into contact have measures in place to prevent mixing.
- (d) Be managed such that the capacity of the bund is maintained at all times (for example, by regular inspections and removal of obstructions).
- (e) Proof of proper disposal of environmentally hazardous materials must be kept for a minimum of two years and made available for inspection by a Council Officer upon request.

**30. DISPOSAL OF ENVIRONMENTALLY HAZARDOUS MATERIALS**

Proof of proper disposal of environmentally hazardous materials must be kept for a minimum of two years and made available for inspection by a Council Officer upon request.

**31. NOTIFICATION OF CESSATION**

Within 30 days of becoming aware of any event or decision which is likely to give rise to the permanent cessation of the activity, the person responsible for the activity must notify the Manager Health and Compliance in writing of that event or decision. The notice must specify the date upon which the activity is expected to cease or has ceased.

**32. DECOMMISSIONING AND REHABILITATION PLAN (DRP) REQUIREMENTS**

Unless otherwise approved in writing by the Manager Health and Compliance, a Decommissioning and Rehabilitation Plan (DRP) for the activity must be submitted by the person responsible to the satisfaction of the Manager Health and Compliance within 30 days of the Manager Health and Compliance being notified of the planned cessation of the activity, or by a date specified in writing by the Manager Health and Compliance. The DRP must be prepared in accordance with any guidelines provided by the Manager Health and Compliance.

**33. REHABILITATION FOLLOWING CESSATION**

- (a) Following permanent cessation of the activity, and unless otherwise approved in writing by the Manager Health and Compliance, The Land must be rehabilitated including:
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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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- i. removal or mitigation of all environmental hazards or land contamination, that might pose an on-going risk of causing environmental harm;
  - ii. removal of any remaining wastes, including waste oils and soils; and
  - iii. decommissioning of any equipment that has not been removed.
- (b) Where the Manager Health and Compliance is satisfied with a Decommissioning and Rehabilitation Plan (DRP), decommissioning and rehabilitation must be carried out in accordance with that plan, as may be amended from time to time with written approval of the Manager Health and Compliance.

**34. STORAGE OF WASTE MATERIALS**

No external storage of sorted and unsorted waste materials is permitted.

**35. REGULATORY LIMITS**

The quantity of unsorted and sorted recyclables (excluding waste oil, medical waste and clean soil) stored on The Land at any time must not exceed either 1,000m<sup>3</sup> or a limit appropriate to the building size/layout, compartmentation, installed safety systems, process equipment and plant etc., whichever is the lesser of the two.

**36. ACCESS TO AND AWARENESS OF CONDITIONS AND ASSOCIATED DOCUMENTS**

A copy of this permit and any associated documents referred to in the permit conditions must be held in a location that is known to and accessible to the person responsible for the activity. The person responsible for the activity must ensure that all persons who are responsible for undertaking work on The Land, including contractors and sub-contractors, are familiar with these conditions to the extent relevant to their work.

**37. NOTIFICATION PRIOR TO COMMENCEMENT OF USE**

The Manager Health and Compliance must be notified in writing of the commencement of the use and the full particulars of the responsible person at least 14 days before that occurs.

**38. CHANGE OF RESPONSIBILITY**

Within 30 days of becoming aware that the person responsible for the activity will cease or has ceased to be responsible for the activity that person must:

- (a) notify the Manager Health and Compliance in writing of the fact;
  - (b) provide the Manager Health and Compliance with full particulars of any person succeeding them as the person responsible; and
  - (c) notify any such person of the requirements of this permit.
-

**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**39. COMPLAINTS REGISTER**

- (a) A public complaints register must be maintained. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that environmental harm (including an environmental nuisance) has been caused by the activity:
- i. contact details of the complainant (where provided);
  - ii. the subject matter of the complaint;
  - iii. any investigations undertaken with regard to the complaint; and
  - iv. the manner in which the complaint was resolved, including any mitigation measures implemented.
- (b) Complaint records must be maintained for a period of at least two years and be provided to a Council Officer within seven days of any written request to do so.

**40. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

- (a) Prior to the commencement of construction and excavation activities a Construction Environmental Management Plan (Construction EMP) must be submitted to the Manager Health and Compliance to the satisfaction of the Manager Health and Compliance.
- (b) The Construction EMP must be prepared by a suitably qualified and experienced practitioner and contain a detailed description of the proposed timing and sequence of the major construction activities and of the proposed management measures to be implemented to avoid or minimise the environmental impacts during the construction phase.
- (c) The Construction EMP must include, but not necessarily be limited to, management measures in relation to the following:
- i. prevention of impacts upon surface water and waterways;
  - ii. noise emissions;
  - iii. dust emissions;
  - iv. contaminated soil;
  - v. environmentally hazardous materials;
  - vi. pests;
  - vii. disposal of construction and excavation waste materials (noting burning waste on The Land is not permitted);
  - viii. quality control arrangements including supervision by appropriately qualified and experienced persons, detailed construction specifications for key items of environmental management infrastructure, documented site procedures, quality control testing and the keeping of appropriate records.
- (d) Construction activities must be carried out in accordance with the Construction EMP.

**41. SITE SECURITY**

The Land must be securely fenced to discourage unauthorised access and must be secured when not attended by the person responsible for the activity.

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- 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)
- 

## 42. EXTERIOR AND SECURITY LIGHTING PLANNING

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

## 43. INCIDENT RESPONSE

If an incident causing or threatening serious or material environmental harm from pollution occurs in the course of the activity to which this Permit relates, then the person responsible for the activity must:

- (a) immediately take all practicable action to minimise any adverse environmental effects from the incident;
- (b) as soon as reasonably practicable, but not later than 24 hours after becoming aware of the incident, contact the Council's Customer Service Centre on 6323 3000; and
- (c) not later than 30 days after becoming aware of the incident, provide a report to the Council's Health and Compliance Department, outlining the nature of the incident, the circumstances in which it occurred and the action taken to deal with the incident (this report must be provided irrespective of whether the person responsible for the activity has reasonable grounds for believing that the incident has already come to the notice of the Council's Health and Compliance Department or any officer engaged in the administration or enforcement of the *Environmental Management and Pollution Control Act 1994*).

## 44. NO BURNING OF CONSTRUCTION WASTE

No burning of any waste materials generated by the construction process, including the removal of any vegetation, is to be undertaken on The Land. Any such waste materials are to be removed to a licensed refuse disposal facility (eg. Launceston Waste Centre).

## 45. WASH BAYS

- (a) The wash bays must:
  - i. be bunded and graded to direct waste water to sewer;
  - ii. have all plant and machinery associated with the wash bays located, enclosed or otherwise attenuated to prevent noise emission from affecting occupiers of other premises; and
  - iii. provide some form of barrier to prevent spray drift from leaving The Land.
- (b) All washing of mobile plant and equipment, including vehicles and bins, must occur in the wash bays.

## 46. REPAIRS OF VEHICLES

Servicing, detailing and repairs of vehicles or vehicle parts, with the exception of changing damaged tyres, must be conducted in a covered, bunded area.

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- 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)
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## 47. STORMWATER

No liquids, including liquid waste produced by the bin crusher, but with the exception of unpolluted rain water are to be allowed to discharge or drain to the Council's stormwater system or receiving water bodies or watercourses.

## 48. NOISE - COMMERCIAL/INDUSTRIAL

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

## 49. SPILL KITS

Spill kits, appropriate for the types and volumes of materials handled on The Land, must be kept in appropriate locations and be appropriately maintained to assist with the containment of any spill of environmentally hazardous materials.

## 50. SOIL VALIDATION REPORT

Prior to the commencement of construction and excavation works, a Soil Validation Report prepared and endorsed by a Certified Environmental Practitioner with a nominated area of capability in contaminated site assessment, must be submitted to the satisfaction of the Manager Health and Compliance.

## Notes

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

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

B. **Occupancy Permit Required**

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

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- 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)

**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 DA0711/2019. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.*

*This permit takes effect after:*

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

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

**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.*

**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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

**G. Permit Commencement**

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

**Definitions**

**Activity** means any relevant activity to which this document relates, and includes more than one such activity.

**Construction** means activities associated with the construction phase of the activity, including but not limited to, activities associated with the clearance of vegetation, site works to create a level site, rock breaking, installation of fences and other infrastructure whether on land or in water.

**Controlled waste** has the meaning described in Section 3(1) of *Environmental Management and Pollution Control Act 1994*.

**Council Officer** means the City of Launceston Manager Health and Compliance; City of Launceston Planning Compliance Officer and any other Council Officer appointed for the purposes of EMPCA.

**EMPCA** means the *Environmental Management and Pollution Control Act 1994*.

**Environmental Harm** means any adverse effect on the environment (of whatever degree or duration) and includes environmental nuisance.

**Environmentally Hazardous Material** means any substance or mixture of substances of a nature or held in quantities which present a reasonably foreseeable risk of causing serious or material environmental harm if released to the environment and includes fuels, oils, waste and chemicals but excludes sewage.

**Environmental nuisance means:**

- (a) the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment; and
- (b) any emission, discharge, depositing or disturbance specified in an environment protection policy to be an environmental nuisance.

**Inert waste** means waste that does not undergo environmentally significant physical, chemical or biological transformations and has no potentially hazardous content and is not contaminated with non-inert material, such as putrescible waste, and includes clean fill.

**Liquid Waste** means any waste that is in liquid form or is substantially comprised of free liquids or is not spadeable (able to be lifted and moved in heaps with a spade).

**Manager Health and Compliance** means the person appointed to or acting in the role of City of Launceston Manager Health and Compliance.

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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**Noise** includes vibration.

**Person Responsible** is any person who is or was responsible for the environmentally relevant activity to which this document relates and includes the officers, employees, contractors, joint venture partners and agents of that person, and includes a body corporate.

**Pollutant includes:**

- (a) a gas, liquid or solid; or
- (b) an odour; or
- (c) an organism (whether alive or dead), including a virus; or
- (d) energy, including noise, radioactivity and electromagnetic radiation; or
- (e) a combination of pollutants.

**PPE** means personal protective equipment such as medical gloves, gowns and facemasks.

**Putrescible Waste** means waste containing materials that are capable of rapid biological decay or rotting.

**Recycling** means a set of processes (including biological) for converting recovered materials that would otherwise be disposed of as wastes, into useful materials and/or products.

**Serious and material environmental harm** have the meanings described in Section 5 of EMPCA.

**Sensitive use** means a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school.

**Tasmanian Noise Measurement Procedures Manual** means the document titled *Noise Measurement Procedures Manual by the Department of Environment, Parks, Heritage and the Arts, dated July 2008, and any amendment to or substitution of this document.*

**The Land** means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land.

The Land falls within the area defined by:

- (a) Certificate of Title reference number 41141/5.

**Waste** means any:

- (a) discarded, rejected, unwanted, surplus or abandoned matter, whether of any value or not; or
- (b) discarded, rejected, unwanted, surplus or abandoned matter, whether of any value or not, intended:
  - i. for recycling, reprocessing, recovery, reuse or purification by a separate operation from that which produced the matter; or
  - ii. for sale.

**Environmental Management and Pollution Control Act 1994 (EMPCA)**

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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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*The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.*

***Storage and handling of dangerous goods and controlled waste***

***The storage, handling and transport of dangerous goods and controlled waste must comply with the requirements of relevant State Acts and any regulations thereunder, including:***

- a. Work Health and Safety Act 2012 and subordinate regulations;***
- b. Dangerous Goods (Road and Rail Transport) Act 2010; and***
- c. Environmental Management and Pollution Control (Waste Management) Regulations 2020.***

**LOST 4:8**

**FOR VOTE: Councillor D H McKenzie, Councillor J G Cox and Councillor A G Harris**

**AGAINST VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor R I Soward, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking and Councillor T G Walker**

**ABSTAINED FROM VOTING: Councillor P S Spencer**

**During debate, an alternate motion for refusal was foreshadowed by Councillor D C Gibson.**

**DECISION: 17 September 2020**

**MOTION 2**

**Moved Councillor D H McKenzie, seconded Councillor R I Soward.**

**That an additional three minutes speaking time be granted to Councillor A G Harris.**

**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**

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## COUNCIL MINUTES

Thursday 17 September 2020

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- 9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)
- 

**DECISION:** 17 September 2020

### MOTION 3

Moved Councillor R I Soward, seconded Councillor J G Cox.

That an additional three minutes speaking time be granted to Councillor D H McKenzie.

**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

**DECISION:** 17 September 2020

### MOTION 4

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

That an additional three minutes speaking time be granted to Councillor R I Soward.

**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

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**9.1 19-25 Churchill Park Drive, Invermay - Recycling and Waste Disposal - Change of Use to Recycling Depot and Construction of Buildings and Associated Site Works ...(Cont'd)**

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**DECISION: 17 September 2020**

**MOTION 5**

Moved Councillor D C Gibson, seconded Councillor J Finlay.

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 not be granted for DA0711/2019 - Recycling and Waste Disposal - Change of use to recycling depot and construction of buildings and associated works at 19-25 Churchill Park Drive, Invermay, for the following reasons:

1. Having regard to the number and proximity of sensitive uses in the area and the nature of the use, the noise emissions from the intensified site activity, and particularly from trucks starting and leaving the site early in the morning, will adversely impact on the amenity of those nearby sensitive uses and is contrary to clause 24.3.2 P1 of the Scheme; and
2. The Attenuation Table (Table E11.1) stipulates that attenuation distances are to be measured at the shortest distance from the boundary of the site on which the activity is located. The site is to be used as a transfer station and the Table prescribes an attenuation distance of 150m. Having regard to the number of sensitive uses within the attenuation area and the degree of pollution (eg. noise) that would emanate from the activity, the proposal has not demonstrated that there will be no environmental nuisance and is therefore contrary to clause E11.6.1 P2 of the Scheme.

**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

Council adjourned for a break at 2.57pm

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

Council resumed following a break at 3.07pm

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**10 ANNOUNCEMENTS BY THE MAYOR****10.1 Mayor's Announcements****FILE NO: SF2375**

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**Thursday 10 September 2020**

- Attended the Mayor's Workshop Dinner

**Friday 11 September 2020**

- Attended the Local Government Association of Tasmania General Meeting

**Tuesday 15 September 2020**

- Visited the Launceston Christian School to speak about Civic Affairs

**Wednesday 16 September 2020**

- Attended the Chamber of Commerce Breakfast and David Peach talk
  - Presented the Volunteer Recognition Awards for the City of Launceston
  - Attended the Annual General Meeting for Citizen Advocacy
- 

**The Mayor, Councillor A M van Zetten noted that the Citizen's Advocacy Meeting start time was delayed and he was unable to participate.**

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**11 COUNCILLORS' REPORTS**

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

**11.1 Councillor A E Dawkins**

- **Reported on the latest Access Committee Meeting with guest speaker Sam Tucker**
-

**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.)*

**12.1.1 Councillors' Question on Notice - Councillor D C Gibson - Cultural Strategy and Child Friendly City - 7 September 2020****FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following questions, submitted in writing on 7 September 2020 by Councillor D C Gibson, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network) and Ms Tracy Puklowski (General Manager Creative Arts and Cultural Services Network).

**Questions:**

1. Following the conclusion of the consultation period for the Cultural Strategy, what are the steps/processes and milestone dates that will be undertaken now and who will be implementing the additional changes into the document (ie. will this be undertaken internally by staff or using a consultant)?

**Response:**

*To ensure continuity, consultant Colin James is working closely with the City of Launceston team to integrate any changes arising from community feedback into the final Cultural Strategy document. It is envisaged that a final document will be presented to Council for endorsement in November. The timing of a public launch will then be confirmed, depending on COVID-19 restrictions.*

*Post adoption, the Creative Arts and Cultural Services and Place Making teams will work together on developing a draft Implementation Framework. At the same time, Governance models to support the implementation of the Strategy will be explored based on best practice, capacity to manage, the Council's governance structures and representativeness of the wider cultural sector.*

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**12.1.1 Councillors' Question on Notice - Councillor D C Gibson - Cultural Strategy and Child Friendly City - 7 September 2020 ...(Cont'd)**

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2. [With regards to the process of achieving a Child Friendly City status] How is this important work tracking and how are we going in our efforts to achieve this?

**Response:**

*Following Council's decision in May 2013, to give in-principle support to Launceston pursuing Child Friendly City status as recognised by UNICEF, the Council in partnership with Anglicare's Communities for Children (CFC) initiative and the Northern Tasmanian Early Years Group formed the Child Friendly Working Group.*

*One part of developing a strategic pathway for Launceston to become a child friendly city was to identify what data was being collected on the health and wellbeing of children aged 0-18 in the Launceston area. In addition to collating data from State and Federal Government reports, including data from the Australian Bureau of Statistics, two forums were held in September and December 2013 with service providers and community groups. Data was gathered in five key areas with indicators relating to:*

- Children developing well;*
- Children being safe and secure;*
- Children learning and engaged;*
- The health of children; and*
- Children participating in their communities.*

*In many ways it indicated that Launceston is a wonderful place to bring up a family, however, there are some children who are considered vulnerable or at risk.*

*As a result, "The State of Launceston Children's Report" was produced by Anglicare's CFC initiative and was released in July 2014 as a first step towards Launceston becoming a Child Friendly City. It was envisaged as a tool to assist in informing the community's decision-making about how together we can work on addressing the health and well-being issues of Launceston's children.*

*There followed a period of community engagement, including "The State of Launceston Children Summit", coordinated by Anglicare in August 2014. The summit participants identified areas of priority from the Report findings to focus on moving forward. A number of conversations were held with the community and providers through to the end of 2014. At this time Anglicare, as facilitating partner for the Launceston and East Tamar Communities for Children site, was exploring a collective impact approach and also reviewing its governance model.*

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**12.1.1 Councillors' Question on Notice - Councillor D C Gibson - Cultural Strategy and Child Friendly City - 7 September 2020 ...(Cont'd)**

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*In 2015, the then Communities for Children Council (on which City of Launceston officers were represented), was dissolved and a new governance structure was put in place, with a new Council with changed membership and focussed on funding priorities, as well as local committees identifying local area needs using a collective impact approach. This effectively also dissolved the Child Friendly City working group. The "Every Child Succeeds" initiative was launched by CFC at the same time as a collective impact approach to attaining better outcomes for Launceston and the Tamar Valley's children. It appears to be around this time that the focus of efforts shifted away from directly seeking UNICEF Child Friendly City status for Launceston.*

*In conclusion, while Council did give its in-principle support to support to Launceston pursuing Child Friendly City status in 2013 and has engaged with the community in the manner outlined above, the action has not been included in the Council's annual work plans for many years and accordingly, it has not been resourced as a priority action. It is suggested that if the Council still believes that this is an important initiative to pursue, then it needs to be workshopped and re-prioritised in future.*

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**12.2 Questions Without Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 29*

*(Questions Without Notice, and any answers to those questions, are not required to be recorded in the Minutes of the Meeting.)*

**No Councillor's Questions Without Notice were identified as part of these Minutes**

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**13 COMMITTEE REPORTS****13.1 Audit Panel Meeting****FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To receive a report from the Audit Panel Meeting held on 21 August 2020.

**RECOMMENDATION:**

That Council receives the report from the Audit Panel Meeting held on 21 August 2020.

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

**DECISION: 17 September 2020****MOTION**

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

**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**

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**14 COUNCIL WORKSHOPS**

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

**14.1 Council Workshop Report - 17 September 2020**

**FILE NO:** SF4401

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

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

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RECOMMENDATION:**

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

Workshops conducted on 10 and 17 September 2020:

**Blue Café Lease Discussions**

*Councillors received a presentation from the current lessee of Blue Café.*

**Cityprom Review**

*Councillors received a briefing presentation regarding outcomes of the Cityprom review.*

**Myrtle Park**

*Councillors reviewed the Myrtle Park management and leasing model including options analysis.*

**Launceston City Heart Two Way Traffic Flow**

*Councillors discussed the proposed changes to traffic flow in Launceston's city heart.*

**Regional Land Use Strategy**

*Councillors were provided with an update on the Northern Tasmania Regional Land Use Strategy.*

**Update on the University of Tasmania's Northern Transformation Program**

*Councillors were provided with an update on the University of Tasmania's Northern Transformation Program and the Newnham masterplan.*

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**14.1 Council Workshop Report - 17 September 2020 ...(Cont'd)**

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

**DECISION: 17 September 2020****MOTION**

**Moved Councillor A G Harris, 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**

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**15 NOTICES OF MOTION**

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

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

**16 COMMUNITY AND PLACE NETWORK ITEMS**

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

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**17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS****17.1 Queen Victoria Museum and Art Gallery Fees and Charges****FILE NO:** SF2968**AUTHOR:** Tracy Puklowski (Creative Arts and Cultural Services)**DECISION STATEMENT:**

To approve the minor changes in fees as detailed in this paper.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 27 February 2020 - Draft 2020/2021 Annual Plan and Fees and Charges

Workshop - 12 March 2020 - Building Surveying Fees and Charges 2020/2021

Council Meeting - 19 March 2020 - Agenda Item 19.1 - Council Fees 2020/2021

**RECOMMENDATION:**

That Council, under section 205 of the *Local Government Act 1993* (Tas) approves the following fees for 2020/2021 for the Queen Victoria Museum and Art Gallery services and products:

**Creative Arts and Cultural Services**

No.	Fee Name	GST Status	Fee Incl. GST \$ (proposed)
1.	General group booking fee (scheduling, booked room access) per group	GST Free	\$11.00
3.	Instructed sessions with Curator, Education Officer or Guide per adult (NEW)	GST Free	\$6.00
4.	External groups e.g. Aboriginal sharers of knowledge / art teachers / artists using QVMAG facilities to conduct own session (Adult)	GST Free	\$4.50
5.	External groups (e.g. Aboriginal sharers of knowledge / art teachers / artists using QVMAG facilities to conduct own session (Child)	GST Free	\$3.00
6.	Workshop sessions - per child (materials additional)	GST Free	\$5.50
7.	Workshop sessions - per adult (materials additional) (NEW)	GST Free	\$8.00

**17.1 Queen Victoria Museum and Art Gallery Fees and Charges ...(Cont'd)**

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

**DECISION: 17 September 2020**

**MOTION**

**Moved Councillor D C Gibson, 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**

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**18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS****18.1 Petition Response - Installation of Speed Humps and Improved Signage - Bedford Street, Invermay****FILE NO:** SF0095/SF0607**AUTHOR:** Nigel Coates (Engineering Officer Traffic)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

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**DECISION STATEMENT:**

To consider the issues raised in a petition received on 20 August 2020 requesting speed humps and improved signage in Bedford Street, Invermay.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 20 August 2020 - Agenda Item 6.2 - Receipt of Petition - Installation of Speed Humps, Bedford Street, Invermay

**RECOMMENDATION:**

That Council advises the petitioners that:

1. the installation of speed humps in Bedford Street, Invermay is not supported.
  2. existing *One Way* and *No Entry* signage has been reviewed and will be replaced or adjusted as required.
  3. the *Stop* signage at the junction of the Invermay Road service road and Bedford Street will be reviewed to find a more effective solution.
  4. engagement will occur with the local community as part of the review.
- 

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

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**18.1 Petition Response - Installation of Speed Humps and Improved Signage - Bedford Street, Invermay ...(Cont'd)**

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**DECISION: 17 September 2020**

**MOTION**

**Moved Councillor D H McKenzie, seconded Councillor R I Soward.**

**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**

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**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown****FILE NO:** 26390**AUTHOR:** Robert Bujnowski (Property and Legal Officer)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

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**DECISION STATEMENT:**

To consider disposing of an interest in land that is public land.

*This decision is required to be made by absolute majority according to section 178 of the Local Government Act 1993 (Tas).*

**RECOMMENDATION:**

That Council:

1. notes the valuation advice marked Attachment 1 (ECM Doc Set Id 4350546) concerning the interests in the relevant land.
  2. decides that the consideration for the sale of public land in favour of the owners of 276 Opossum Road, Youngtown is to be the sum of:
    - A. North section: \$250
    - B. South section: \$350Total: \$600 (Six Hundred Dollars) (plus any GST)
  3. decides that the sale of public land be subject to the owners of 276 Opossum Road, Youngtown:
    - (a) meeting all of the Council's out-of-pocket expenses associated with obtaining an independent valuation report;
    - (b) bearing all costs with respect to obtaining necessary permits, a plan of survey and conveyancing fees including plan lodgement and transfer fees;
    - (c) providing an agreement that is acceptable to the Council to enter into a legal relationship for the transaction to occur; and
    - (d) agreeing to and registering a Right of Way over the North and South sections of land for the benefit the Council.
  4. notes that before the sale may occur, the requirements of section 178 of the *Local Government Act 1993 (Tas)* must be met.
-

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

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

**DECISION: 17 September 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**

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## 19 ORGANISATIONAL SERVICES NETWORK ITEMS

### 19.1 Asset Management Policy (12-PI-012)

**FILE NO:** SF5203

**AUTHOR:** Paul Gimpl (Chief Financial Officer)

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

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#### **DECISION STATEMENT:**

To consider and approve the Asset Management Policy.

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

Workshop - 13 August 2020 - Draft Asset Management Policy (12-PI-012)

#### **RECOMMENDATION:**

That Council approves the Asset Management Policy (12-PI-012) (ECM Doc Set ID 1566973), as follows:

### ***Asset Management Policy***

#### **PURPOSE:**

To give formal organisational commitment and set the broad direction for the application of asset management at City of Launceston.

#### **SCOPE**

This policy:

- Applies to all City of Launceston operations and to the assets and infrastructure it controls. This includes Council authorities.
- Excludes Queen Victoria Museum and Art Gallery's collections.

#### **POLICY**

The City of Launceston is committed to the application of the discipline of Asset Management through the strategic management of its assets and infrastructure in order to achieve the adopted sustainable levels of service and operational objectives at optimum cost.

#### **PRINCIPLES**

The following principles will apply to operation and management of Asset Management at City of Launceston:

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**19.1 Asset Management Policy (12-PI-012) ...(Cont'd)**

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1. City of Launceston will utilise the local government industry standard framework and methodology as guided by ISO 55000 the international suite of standards for asset management, and set out in the International Infrastructure Management Manual - 2015, and comply with the Australian equivalents in the International Financial Reporting Standards.
  2. Utilise an Asset Management Strategy and Strategic Asset Management Plan to implement consistent and systematic asset management and appropriate asset management best-practice by asset owners across Council.
  3. Asset management strategies will include:
    - The development and implementation of plans and programs for asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance monitoring;
    - Establishment of asset management parameters such as service levels, valuations, critical assets and condition ratings;
    - Community consultation to guide the levels of service;
    - Future life cycle costs for all projects of \$1,000,000 or more in value will be reported and considered in all decisions relating to new services (and assets) and renewal or upgrading of existing services (and assets);
    - Ongoing refinement of the financial modelling to determine optimum costs for annual and long-term service delivery; and
    - Consider the effects of climate change.
  4. The Asset Management System will be integrated with the following established systems:
    - Financial Management;
    - Risk Management;
    - Customer Services;
    - Knowledge (including Information and GIS) Management; and
    - Operations and Managementso that it becomes an integral part of our daily processes and is not seen as an additional system.
  5. Council management will maintain processes and procedures through the Asset Management Strategy and Strategic Asset Management Plan to ensure that:
    - Roles, responsibilities and resources are allocated;
    - Appropriate systems and levels of documentation are maintained;
    - Coordination occurs to avoid duplication; and
    - Asset management policy is applied with a consistent framework across the organisation.
-

**19.1 Asset Management Policy (12-PI-012) ...(Cont'd)**

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6. Managers will develop and maintain systems and procedures that include:
  - Asset management strategies and plans to cover all asset classes;
  - Whole of life costing;
  - Service levels;
  - Asset registers; and
  - Condition ratings appropriate to the asset and the associated risk.
7. Outputs from the asset management plans and associated methodology will be used to guide inputs into the 10 year Corporate Strategic Plan and Long Term Financial Plan.
  - To ensure competency, training in asset and financial management will be provided for Councillors and relevant staff.

**RELATED POLICIES & PROCEDURES**

Risk Management Policy (30-PI-004)

Corporate Strategic Plan 2014 - 2024: 2019 Review (30-SDX-001)

Strategic Asset Management Plan 2019 - 2039 (30-SDX-003) (includes Asset Management Strategy)

Long Term Financial Plan 2019 - 2029 (12-SDX-004)

Financial Management Strategy (30-Plx-005)

Financial Management - Management and Operation Diagram (12-HLPr-008)

**RELATED LEGISLATION**

*Local Government Act 1993* (Tas) section 70C

**REFERENCES**

International Infrastructure Management Manual - 2015

AS/NZS ISO 31000 Risk Management - Principles and Guidelines

**DEFINITIONS**

Extracted from International Infrastructure Management Manual - Version 5.0, 2015  
glossary Pages xvii to xx

**Asset** - An item, thing or entity that has potential or actual value to an organisation (such as plant, machinery, buildings, etc).

**Asset Management** - The systematic and coordinated activities and practices of an organisation to optimally and sustainably deliver on its objectives through the cost-effective lifecycle management of assets.

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### 19.1 Asset Management Policy (12-PI-012) ...(Cont'd)

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**Asset Management Plan** - Long-term plans (usually 10-20 years or more for infrastructure assets) that outline the asset activities and programmes for each service area and resources applied to provide a defined level of service in the most cost effective way.

**Asset Management Strategy** - A strategy for asset management covering the development and implementation of plans and programmes for asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance monitoring to ensure that the desired levels of service and other operational objectives are achieved at optimum cost.

**Asset Register** - A record of asset information, typically held in a spreadsheet, database or software system, including asset attribute data such as quantity, type and construction cost.

**Level of Service** - The parameters or combination of parameters that reflect social, political, economic and environmental outcomes that the organisation delivers. Levels of service statements describe the outputs or objectives an organisation or activity intends to deliver to customers.

**Strategic Asset Management Plan** - A plan containing the long-term goals and strategies of an organisation. Strategic Plans have a strong external focus, cover major portions of the organisation and identify major targets, actions and resource allocation relating to the long-term survival, value and growth of the organisation.

#### REVIEW

This policy will be reviewed no more than four years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

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

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**19.1 Asset Management Policy (12-PI-012) ...(Cont'd)**

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**DECISION:** 17 September 2020

**MOTION**

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

**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**

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**19.2 Financial Management Strategy (30-Plx-005)****FILE NO:** SF0472**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To consider and approve the Financial Management Strategy.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Workshop - 13 August 2020 - Draft Financial Management Strategy (30-Plx-005)

**RECOMMENDATION:**

That Council approves the Financial Management Strategy (30-Plx-005) (ECM Doc Set ID 3799909), as follows:

***Financial Management Strategy*****PURPOSE**

The objectives of this strategy are to ensure City of Launceston (CoL):

- is financially sustainable and affordable for the community over the long term, while maintaining acceptable levels of service;
- employs a continual improvement mindset;
- achieves consistent small underlying surpluses as a basic measure of financial sustainability; and
- achieves intergenerational equity.

**SCOPE**

The Financial Management Strategy is a guiding set of principles which assist guiding City of Launceston in making prudent strategic financial decisions. It is intended to be used by both Councillors and Council officers.

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**19.2 Financial Management Strategy (30-Plx-005) ...(Cont'd)**

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**POLICY****Targets to achieve objectives**

The objectives of this strategy will be achieved by:

- adoption by Council of an appropriate rating strategy to ensure long term financial sustainability.
  - aim for rate increases no greater than the prevailing Council Cost Index, unless circumstances dictate a departure from this strategy to ensure the Council remains sustainable.
  - level of service reviews to be completed on an ongoing basis to ensure services remain appropriate and in line with long term financial sustainability and community expectations.
  - where feasible 'user pays' principles will be applied.
  - ongoing review and implementation of the Long Term Financial Plan (LTFP).
    - annual review of the LTFP and accompanying model;
    - integration of the LTFP and other corporate planning documents such as the Strategic Asset Management Plan (SAMP) and the Strategic Plan;
    - measurement and reporting of key sustainability indicators in the LTFP and Annual Report; and
    - negotiate a new ownership and governance model for UTAS Stadium and the Queen Victoria Museum and Art Gallery to reduce the ongoing recurrent expenditure the City of Launceston invests annually in these two significant regional assets.
  - capital expenditure.
    - capital projects will be required to submit detailed business case proposals to allow for suitable rigor in the Capital Works Program selection process;
    - budgeted depreciation expense will be used as the baseline for the asset renewal budget. Asset renewal requirements will be informed by the Strategic Asset Management Plan and asset class Asset Management Plans;
    - priority will be given to capital projects that demonstrate they will provide a revenue stream or cost saving through efficiencies or asset disposals; and
    - capital projects with a value of and greater than \$1,000,000 will be required to utilise Council's Net Present Value (NPV) tool. This will better inform the long term financial implications of each project.
  - have an appropriate mix of revenue streams including rates, fees and grants.
    - reduce CoL's reliance on rate income;
    - annually review fees and charges to ensure they are appropriate;
    - apply for grant funding for capital and operational projects where appropriate; and
    - monitor Financial Sustainability Indicators, particularly Rate Coverage Ratio and Grant Coverage Ratio, to ensure revenue mix is suitable.
-

**19.2 Financial Management Strategy (30-Plx-005) ...(Cont'd)**

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- Borrowings.
  - will be considered to fund major new and upgrade projects when the proposed new borrowing is supported by a comprehensive business case for each project and the asset is such that it can be considered intergenerational;
  - will be considered if the cost of borrowing is funded by increased revenue or cost savings generated by the project;
  - will not be used to fund ordinary business operational costs, except for unexpected emergencies (ie.COVID-19 or extreme natural disasters);
  - will not be used to fund capital renewal projects; and
  - will be monitored using the Debt Service Ratio, to ensure Council has the capacity to meet required repayments.
- operating cash surpluses sufficient to fund
  - the annual capital works program (excluding major new additional assets); and
  - 100% of the annual principal repayment of loan debt.

**Capital Assumptions**

Using annual depreciation levels as a baseline measure, and including a constrained program for new capital projects, the resulting annualised program will be included in the LTFP scenario modelling.

- Beyond 2018/2019, capital assumptions are informed by the SAMP.
  - Contains a fully funded renewals program.
  - Includes \$2,000,000 annual allocation to address the renewal backlog.
  - Balance of funding allocated to new and upgrade projects.
  - The intention is not to prescribe what projects are adopted, simply the value of funding available.
-



## 19.2 Financial Management Strategy (30-Plx-005) ...(Cont'd)

## Financial Sustainability Indicators

Ratio	Definition	Benchmark
		(from Annual Report)
<b>Underlying Surplus or Deficit</b>	The recurrent income (not including income received specifically for new or upgraded assets, physical resources received free of charge or other income of a capital nature) of Council for the financial year less the recurrent expenses of Council for the financial year. Serves as an overall measure of financial operating effectiveness.	Greater than zero
<b>Underlying Surplus Ratio</b>	The underlying surplus or deficit divided by the recurrent income (not including income received specifically for new or upgraded assets, physical resources received free of charge or other income of a capital nature) for the financial year. Serves as an overall measure of financial operating effectiveness.	Greater than zero
<b>Net Financial Liabilities</b>	Total liabilities less liquid financial assets (cash and cash equivalents plus trade and other receivables plus other financial assets). Indicates what is owed to others less money held, invested or owed to Council.	Greater than zero
<b>Net Financial Liabilities Ratio</b>	Net financial liabilities divided by recurrent income. Indicates the extent to which net financial liabilities could be met by operating income.	0% to -50%
<b>Asset Consumption Ratio</b>	The depreciated replacement cost of plant, equipment and infrastructure assets divided by the current replacement cost of depreciable assets. Indicates the level of remaining service potential in the Council's existing asset base.	Greater than 60%
<b>Asset Renewal Funding Ratio</b>	The current value of projected capital funding outlays for an asset class identified in the long-term financial plan divided by the value of projected capital expenditure funding for an asset class identified in the long-term strategic asset management plan of Council. Indicates the Council's asset renewal and replacement performance.	90% to 100%
<b>Asset Sustainability Ratio</b>	The amount of capital expenditure by Council in a financial year on the replacement and renewal of existing assets divided by Council's annual depreciation expense for the financial year. Indicates Council's capacity to fund future asset replacement requirements.	80% to 100%
<b>Debt Service Ratio</b>	Total Principal repayments and interest expense divided by operating revenue (excluding Capital Grants). Indicates the amount of recurrent income that is used to repay debt and interest charges.	0% to 20%

**19.2 Financial Management Strategy (30-Plx-005) ...(Cont'd)**

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**RELATED POLICIES & PROCEDURES**

Risk Management Policy (30-PI-004)  
Corporate Strategic Plan 2014 - 2024: 2019 Review (30-SDX-001)  
Strategic Asset Management Plan 2019 - 2039 (30-SDX-003) (includes Asset Management Strategy)  
Asset Management Policy (12-PI-012)|Version DRAFT 17/07/2020  
Long Term Financial Plan 2019 - 2029 (12-SDX-004)  
Financial Management - Management and Operation Diagram (12-HLPr-008)

**RELATED LEGISLATION**

*Local Government Act 1993* (Tas) section 70A  
Australian Accounting Standards

**DEFINITIONS**

CoL - City of Launceston  
LTFP - Long Term Financial Plan  
SAMP - Strategic Asset Management Plan  
NPV - Net Present Value  
CPI - Consumer Price Index  
CCI - Council Cost Index

**REVIEW**

This policy will be reviewed no more than four years after the date of approval or more frequently, if dictated by operational demands.

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

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**19.2 Financial Management Strategy (30-Plx-005) ...(Cont'd)**

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**DECISION: 17 September 2020****MOTION****Moved Councillor D H McKenzie, seconded Councillor A G Harris.****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**

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**19.3 City of Launceston Band and Choir****FILE NO:** SF4238**AUTHOR:** Elizabeth Clark (Civic Affairs Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

To consider a report on the Expressions of Interest received for the appointments of a City of Launceston Band and a City of Launceston Choir.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 23 May 2005 - City Band for Launceston

Council - 30 May 2005 - Agenda item 13.2 - City Band for Launceston

Council - 26 April 2010 - Agenda item 3.9 - City of Launceston Band and Choir

Council - 10 September 2012 - Agenda item 19.1 - City of Launceston Choir

Workshop - 4 June 2020 - Launceston City Band and Choir

**RECOMMENDATION:**

That Council:

1. approves the appointment of a City of Launceston Band and the appointment of a City of Launceston Choir, each to be sponsored by Council for five years; and
  2. approves the appointment of:
    - A. The RSL Band as the City of Launceston Band in accordance with the following conditions:
      - (a) The band performs at both Anzac Day services and one other Council managed function or event each year during the duration of its appointment.
      - (b) The band covers all its own administrative costs associated with its adoption by Council, including stationery, uniforms and travel.
      - (c) The band adopts the name City of Launceston Band for the duration of its appointment to be used alone or alongside its existing name.
      - (d) The band is given authority to bear the City of Launceston logo for the duration of its appointment, if it wishes, on its band uniforms, stationery and other promotional materials for the duration of the appointment.
      - (e) The band appoints a Council Liaison Officer.
      - (f) That an annual grant of \$5,000 be paid to the City of Launceston Band (with any additional fees for events outside of the agreement to be negotiated).
-

**19.3 City of Launceston Band and Choir ...(Cont'd)**

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- B. Vox Harmony Choir as the City of Launceston Choir in accordance with the following conditions:
- (a) The choir performs at both Anzac Day services and one other Council managed function or event each year during the duration of its appointment.
  - (b) The choir covers all its own administrative costs associated with its adoption by Council, including stationery, uniforms and travel.
  - (c) The choir adopts the name City of Launceston choir for the duration of its appointment to be used alone or alongside its existing name.
  - (d) The choir is given authority to bear the City of Launceston logo for the duration of its appointment, if it wishes, on its choir uniforms, stationery and other promotional materials for the duration of the appointment.
  - (e) The choir appoints a Council Liaison Officer.
  - (f) That an annual grant of \$3,000 be paid to the City of Launceston Choir (with any additional fees for events outside of the agreement to be negotiated).
- 

**Ms L Foster (General Manager Organisational Services Network) and Ms E Clark (Civic Affairs Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 17 September 2020****MOTION**

**Moved Councillor D H McKenzie, 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**

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## 19.4 Disposal of Interest in Land - 2 Invermay Road - Electricity Infrastructure Easement

**FILE NO:** 118450

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

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

### DECISION STATEMENT:

To consider disposing of an interest in Council land.

*This decision is required to be made by absolute majority according to section 177 of the Local Government Act 1993 (Tas).*

### RECOMMENDATION:

That Council

1. notes the valuation advice marked Attachment 1 (ECM Doc Set Id 4387183) concerning the interest in the relevant land.
2. decides, pursuant to section 177 of the *Local Government Act 1993* (Tas), to dispose of an interest in the relevant land by creating an Electricity Infrastructure Easement in favour of Tasmanian Networks Pty Ltd as identified in Figure 1 below at no charge:



Figure 1

3. requests that, to the extent necessary, the Chief Executive Officer vary the exact parameters and dimensions of the relevant land to allow the easement to proceed.
4. the Chief Executive Officer means the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).

## COUNCIL MINUTES

Thursday 17 September 2020

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### 19.4 Disposal of Interest In Land - 2 Invermay Road - Electricity Infrastructure Easement ...(Cont'd)

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

Due to a Declaration of Interest, Councillor R I Soward, withdrew from the Meeting at 3.20pm

**DECISION:** 17 September 2020

#### **MOTION**

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

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

**CARRIED BY ABSOLUTE MAJORITY 11:0**

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

Councillor R I Soward re-attended the Meeting at 3.25pm

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**20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS****20.1 Appointment of Acting Chief Executive Officer****FILE NO:** SF0113**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**DECISION STATEMENT:**

To consider the appointment of an Acting Chief Executive Officer

**RECOMMENDATION:**

That, in accordance with section 61B of the *Local Government Act 1993* (Tas), Council appoints General Manager Organisational Services Network, Louise Foster as the Acting Chief Executive Officer during the period of 28 September to 11 October 2020 inclusive.

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

**DECISION:** 17 September 2020**MOTION**

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

**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

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**21 CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

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

**21.1 Confirmation of the Minutes**

Regulation 35(6) of the *Local Government (Meeting Procedures) Regulations 2015* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

**21.2 Northern Tasmania Development Corporation - Funding Commitment**

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

- (d) contracts and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

**DECISION: 17 September 2020****MOTION**

Moved Councillor R I Soward, seconded Councillor A G Harris.

That Council moves into Closed Session.

**CARRIED BY ABSOLUTE MAJORITY 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**

**Council moved into Closed Session at 3.26pm.  
Council returned to Open Session at 3.32pm.**

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## 21.3 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
21.1	<i>Closed Council Minutes - 3 September 2020</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 3 September 2020.</i>
21.2	<i>Northern Tasmanian Development Corporation - Funding Commitment</i>	<i>Councillors discussed the proposed motion from the Meander Valley Council regarding an NTDC funding commitment alteration.</i>

### DECISION: 17 September 2020

### MOTION

Moved Councillor D H McKenzie, seconded Councillor R I Soward.

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 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

## 22 MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 3.33pm.