



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 26 NOVEMBER 2020
1.00pm**

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

Date: 26 November 2020

Time: 1.00pm

Certificate of Qualified Advice

Background


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

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

Certification

I certify that:

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



Michael Stretton
Chief Executive Officer

AUDIO of COUNCIL MEETINGS

An audio recording of this Council Meeting, except for any part held in Closed Session, 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 .

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

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

To help keep you safe you must register your attendance at the Council Meeting in advance by telephoning 6323 3145 and leaving a message, or emailing us at invitation@launceston.tas.gov.au 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, 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.

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 (retired at 2.42pm)
D H McKenzie
R I Soward
J G Cox
K P Stojansek
A E Dawkins (retired at 1.01pm)
N D Daking (retired at 3.14pm)
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)
Ms T Puklowski (Creative Arts and Cultural Services Network)
Mr P Gimpl (Chief Financial Officer)
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

No Mayoral Acknowledgements were identified for this Meeting

3 DECLARATIONS OF INTEREST

Local Government Act 1993 - section 48

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

No Declarations of Interest were identified as part of these Minutes

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 12 November 2020 be confirmed as a true and correct record.

DECISION: 26 November 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

5 DEPUTATIONS

No Deputations were identified as part of these Minutes

6 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions were identified as part of these Minutes

Councillor A E Dawkins retired from the Meeting at 1.01pm.

Councillor K P Stojansek withdrew from the Meeting at 1.01pm.

7 COMMUNITY REPORTS

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

7.1 **Festivale 2021 - Mr David Dunn - Chairman**

Mr Dunn outlined *Festivale's* planned 2021 event *Indulge - the Summer Festival* which will be held at the University of Tasmania Stadium and run over four sessions to cater for appropriate numbers during the current COVID-19 pandemic restrictions. Mr Dunn thanked *Events Tasmania* and the City of Launceston for ongoing funding support to allow the event to take place.

8 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)

8.1.1 Public Questions on Notice - Mr Basil Fitch - 12 November 2020**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to Council in writing on 12 November 2020 by Mr Basil Fitch, have been answered by Mr Michael Stretton (Chief Executive Officer).

Questions:

1. How many meetings did council officers and aldermen (now councillors) have with previous Vice-Chancellor Peter Rathjen and/or the UTas relocation project team and what was the cost, including any in-kind work, of the council (aldermen, councillors, GM/CEO, staff etc) involvement in meetings, advice and assistance to UTas on the relocation project?

Response:

The Council has not kept records of the number of meetings held between Councillors and/or the Council's Officers and the former University of Tasmania Vice-Chancellor, Peter Rathjen. This said, however, I can advise that Professor Rathjen attended a number of Workshops with Councillors and had meetings with the Council's senior staff and/or Councillors at various times during his tenure at the University.

Workshops and/or meetings held with University of Tasmania staff in relation to the Northern Transformation Project have been predominantly held during normal working hours and therefore, the costs have been included in the Council's annual budgets throughout the project.

8.1.1 Public Questions on Notice - Mr Basil Fitch - 12 November 2020 ...(Cont'd)

2. What is the situation with the pedestrian bridge across the North Esk river to Boland St and has it gone way beyond the original development approval? What are the costs so far and what future costs will there be to the council and ratepayers as a result of this bridge development?

Response:

The construction of the pedestrian bridge across the North Esk River to Boland Street is proceeding in accordance with the approved Planning Permit. The bridge is being delivered by the University of Tasmania and will be transferred into the Council's ownership upon its completion. Accordingly, the current construction costs are a matter for the University of Tasmania. The Council will not make a financial contribution towards the construction of the bridge, but will assume depreciation costs once it is transferred as an asset. These costs will be approximately \$50,000 to \$70,000 annually.

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.)

No Public Questions Without Notice were identified as part of these Minutes

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 25 Duke Street, West Launceston - Residential - Construction of Front Gates (Retrospective)

FILE NO: DA0692/2020

AUTHOR: Laura Small (Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

DA0586/2015 - Residential - multiple dwellings; demolition of existing dwelling and construction and use of eight dwellings

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 DA0692/2020 Residential - Construction of front gates (Retrospective) at 25 Duke Street, West Launceston subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Front Fence Cover Sheet, Prepared by Honed Architecture and Design, Project Name - Private Residences 25 Duke Street West Launceston, Project No. 1915, Drawing No. A-DA-01, Revision A, Dated 06/10/20.
 - b. Front Fence Level 1 Plan, Prepared by Honed Architecture and Design, Project Name - Private Residences 25 Duke Street West Launceston, Project No. 1915, Drawing No. A-BA-02, Revision A, Dated 06/10/20.
 - c. Front Fence Northern Elevation and Existing Site Photos, Prepared by Honed Architecture and Design, Project Name - Private Residences 25 Duke Street West Launceston, Project No. 1915, Drawing No. A-DA-03, Revision A, Dated 06/10/20.
-

9.1 25 Duke Street, West Launceston - Residential - Construction of Front Gates (Retrospective) ...(Cont'd)

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.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0692/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

9.1 25 Duke Street, West Launceston - Residential - Construction of Front Gates (Retrospective) ...(Cont'd)

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

D. Permit Commencement

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

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

Mr Malcolm Cowan spoke against the Recommendation

Mr Malcolm Cowan (read a statement on behalf of Ms Becca Briggs) against the Recommendation

Mr Michael Bernacki spoke for the Recommendation

Councillor K P Stojansek re-attended the Meeting at 1.20pm

DECISION: 26 November 2020

MOTION

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

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

CARRIED 11:0

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

9.2 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation**FILE NO:** DA0485/2020**AUTHOR:** Luke Rogers (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0485/2020 Subdivision - Subdivide one lot into two lots and removal of vegetation at 29 Talbot Road, South Launceston subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Proposal Plan, Prepared by 6ty Degrees, Project No. 20.042, Drawing No, P01, Revision D, Dated 18/09/2020.
- b. Planning Compliance Letter, Prepared by 6ty Degrees, Development Application - 2 Lot Subdivision and Vegetation Removal - 29 Talbot Road, South Launceston, Reference No. 20.042, Dated 16/08/2020.
- c. Supplementary Report, Prepared by Tasman Geotechics, Reference: TG18231/1-02 Letter, Dated 07/08/2020.
- d. Landslide Risk Assessment, Prepared by Tasman Geotechics, Reference: TG18231/1-01 Report, Dated 15/01/2020.

2. FINAL PLAN OF SURVEY

The Final Plan will not be sealed until all conditions have been complied with.

3. LEGAL TITLE

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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/01270-LCC, 28/09/2020 and attached to the permit.

9.2 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation ...(Cont'd)

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

6. COVENANTS ON SUBDIVISIONS

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

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

7. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

9.2 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation ...(Cont'd)

9. APPLICATION TO ALTER A STORMWATER SERVICE

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

10. 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.

11. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)

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

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

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.

12. SOIL AND WATER MANAGEMENT PLAN

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

9.2 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation ...(Cont'd)

13. RETICULATED SERVICES

Prior to the sealing of the final plan of survey, Lot 1 as shown on the endorsed plans must be provided with connections to the reticulated water, sewerage and stormwater networks. The stormwater connection must be located so as to drain the lowest part of the lot possible.

14. CONSTRUCTION DOCUMENTATION

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

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

15. EASEMENTS

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

16. AS CONSTRUCTED PLANS

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

17. AMENITY

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

9.2 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation ...(Cont'd)

18. NO BURNING OF WASTE

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

19. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan of Survey, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of Lot 1 shown on the final plan. The valuation shall be determined by a registered land valuer and must be not more than 12 months old at the time of the sealing of the final plan. Valuations are to be procured at the subdivider's expense.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0485/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

9.2 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation ...(Cont'd)

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

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

Dr Rebecca Bradfield (on behalf of concerned residents) spoke against the Recommendation

Mr Greg Bradfield spoke against the Recommendation

Mr Leigh Walters spoke against the Recommendation

DECISION: 26 November 2020

MOTION 1

Moved Councillor D H McKenzie, seconded Councillor P S Spencer.

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

CARRIED 11:0

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

9.2 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation ...(Cont'd)

DECISION: 26 November 2020

MOTION 2

Moved Councillor D C Gibson, seconded Councillor R I Soward.

That the Item lay on the Table in order that the Council's Officers seek clarification of a questioned Title Reference Number.

CARRIED 11:0

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

The Item was laid on the Table at 1.33pm.

The Item was taken off the Table at 1:41pm.

DECISION: 26 November 2020

MOTION

Moved Councillor D C Gibson, seconded Councillor R I Soward.

That the Council move to discuss Agenda Item 9.4 - 175 Glenford Farm Road, Underwood - Subdivision - Construction of Alterations and Additions to a Dwelling and Install a Second Crossover.

CARRIED 11:0

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

Council moved to Agenda Item 9.4 - 175 Glenford Farm Road, Underwood - Subdivision - Construction of Alterations and Additions to a Dwelling and Install a Second Crossover.

9.4 175 Glenford Farm Road, Underwood - Subdivision - Boundary Adjustment Between Four Lots**FILE NO:** DA0345/2020**AUTHOR:** Iain More (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0345/2020 - Subdivision - Boundary adjustment between four lots at 175 Glenford Farm Road, Underwood, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Plan of Subdivision, prepared by Cohen and Associates P/L, Ref: 96-88 (7923), dated 10/06/2020.
- b. Bushfire Hazard Management Report, prepared by Accredited Bushfire Practitioner Scott Livingston, dated 23/06/2020.
- c. Onsite Waste Water Assessment for Lots 1 and 4 of the Proposed 4 Lot Subdivision, prepared by JD Consulting, dated August 2020.
- d. Flora and Fauna Habitat Survey, prepared by Bushways Environmental Services Tasmania.
- e. Agricultural Report Lot 1, prepared by AK Consultants, dated 17/06/2020.
- f. Agricultural Report Lot 4, prepared by AK Consultants, dated 17/06/2020.
- g. Agricultural Letter for Subdivision, prepared by AK Consultants, dated 17/06/2020.

2. FINAL PLAN OF SURVEY

The Final Plan will not be sealed until all conditions have been complied with.

3. LEGAL TITLE

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

9.4 175 Glenford Farm Road, Underwood - Subdivision - Boundary Adjustment Between Four Lots ...(Cont'd)

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0345/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

9.4 175 Glenford Farm Road, Underwood - Subdivision - Boundary Adjustment Between Four Lots ...(Cont'd)

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

D. Permit Commencement

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

E. On-Site Disposal of Effluent

This permit does not give permission for the installation of an on site waste water system on this site. The applicant will need to submit a design report (including site and soil evaluation in accordance with AS/NZS 1547:2012) as well as a Plumbing Application (for an on-site wastewater system) with the Building Application. Before occupation of a dwelling, the required system must be commissioned.

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

**Mr Richard Pearn spoke against the Recommendation
Mr Warwick Morgan spoke for the Recommendation**

DECISION: 26 November 2020

MOTION

Moved Councillor D H McKenzie, seconded Councillor J Finlay.

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

CARRIED 11:0

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

DECISION: 26 November 2020

MOTION

Moved Councillor D C Gibson, seconded Councillor R I Soward.

That the Council return to debate on Agenda Item 9.2 - 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation.

CARRIED 11:0

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

Council resumed the published order of business at Agenda Item 9.2 - 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation.

9.3 30 Lanoma Street, East Launceston - Residential - Construction of Alterations and Additions to a Dwelling and Install a Second Crossover**FILE NO:** DA0706/2020**AUTHOR:** Maria Chledowska (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

DA0499/2020 - Residential - construction of alterations and additions to a dwelling and construction of an outbuilding and a second driveway (withdrawn)

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 DA0706/2020 Residential - construction of alterations and additions to a dwelling and install a second crossover at 30 Lanoma Street, East Launceston subject to the following conditions:

1. ENDORSED PLANS

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

- a. Site Plan, prepared by Prime Design, Project/Drawing No: PD19316-01, Revision 09, Dated 06/10/20.
 - b. Landscaping Plan, prepared by Prime Design, Project/Drawing No: PD19316-02, Revision 09, Dated 06/10/20.
 - c. Locality Plan, prepared by Prime Design, Project/Drawing No: PD19316-03, Revision 09, Dated 06/10/20.
 - d. Ground Floor Plan, prepared by Prime Design, Project/Drawing No: PD19316-04, Revision 09, Dated 06/10/20.
 - e. Shed Floor Plan, prepared by Prime Design, Project/Drawing No: PD19316-05, Revision 09, Dated 06/10/20.
 - f. Elevations, prepared by Prime Design, Project/Drawing No: PD19316-06, Revision 09, Dated 06/10/20.
 - g. Elevations, prepared by Prime Design, Project/Drawing No: PD19316-07, Revision 09, Dated 06/10/20.
-

9.3 30 Lanoma Street, East Launceston - Residential - Construction of Alterations and Additions to a Dwelling and Install a Second Crossover ...(Cont'd)

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 and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

4. SITE LANDSCAPING

The landscaping must be:

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

5. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

6. 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.

9.3 30 Lanoma Street, East Launceston - Residential - Construction of Alterations and Additions to a Dwelling and Install a Second Crossover ...(Cont'd)

7. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)

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

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

The new driveway crossover and kerb and channel must be constructed from bluestone, in accordance with *LGAT/IPWEA Tasmanian Standard Drawing - TSD-R19-v2 - Bluestone Kerbs and Channels Construction Details*, in order to match the existing infrastructure in Lanoma Street.

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.

8. 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.

9. CONSTRUCTION OF RETAINING WALLS

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

9.3 30 Lanoma Street, East Launceston - Residential - Construction of Alterations and Additions to a Dwelling and Install a Second Crossover ...(Cont'd)

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0706/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

9.3 30 Lanoma Street, East Launceston - Residential - Construction of Alterations and Additions to a Dwelling and Install a Second Crossover ...(Cont'd)

D. Permit Commencement

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

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

Mr Steve Ison spoke against the Recommendation

DECISION: 26 November 2020

MOTION

Moved Councillor A G Harris, seconded Councillor J Finlay.

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

CARRIED 11:0

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

9.4 175 Glenford Farm Road, Underwood - Subdivision - Construction of Alterations and Additions to a Dwelling and Install a Second Crossover

A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 9.2 - 29 Talbot Road, South Launceston - Subdivide One Lot Into Two Lots and Removal of Vegetation on page 18 of these Minutes.

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

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Sunday 15 November 2020

- Officiated at the *Festival of Lights* celebration

Monday 16 November 2020

- Attended the *7 Deadly Sins* performance and spoke at the reception marking 50 years of performance at the Princess Theatre

Wednesday 18 November 2020

- Welcomed delegates to the EHA State Conference
- Presented an award at *2020 Waste NoT Awards* ceremony

Thursday 19 November 2020

- Assisted with presenting awards at the *Heritage Snap! Awards*

Friday 20 November 2020

- Participated in the *Lighting of the Christmas Tree* in the Brisbane Street Mall

Saturday 21 November 2020

- Officiated at the opening of the *FunTastic ArTastic* event
- Attended the Northern Tasmanian Junior Soccer Association's 2020 annual dinner

Sunday 22 November 2020

- Attended the *Launceston Running Festival* launch at the Launceston Airport
-
-

11 COUNCILLORS' REPORTS

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

11.1 Councillor D H McKenzie

- **Thanked the Council for its assistance of Theatre North under the COVID-19 Care and Recovery Package**
- **Noted that Denise Delphin will be retiring from the Northern Suburbs Community Centre at Christmas time and thanked her for the work and support of the local community**

11.2 Councillor D C Gibson

- **Attended the launch of the State's Cultural and Creative Industries Strategy and noted the similarities with the City of Launceston's Cultural Strategy**
- **Attended the 50th Anniversary event celebrating the First Live Performance at the Princess Theatre and noted the 50-year work life of Stephen Grieve**

11.3 Councillor N D Daking

- **Acknowledged Cityprom's recently launched *Love Launnie* campaign**

11.4 Councillor A G Harris

- **Attended the *Waste Not Awards* and highlighted the contribution of the various category winners**
- **Attended the *Heritage Snap! Awards* and acknowledged the host Councillor T G Walker**

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' Questions on Notice - Councillor P S Spencer - USA President Elect Visit - Council Meeting - 12 November 2020**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 12 November 2020 by Councillor P S Spencer, has been answered by Mr Michael Stretton (Chief Executive Officer).

Questions:

1. Is it possible to invite the President [Elect] of the USA to visit the Cataract Gorge and Launceston next year?

Response:

The Council can send a written invitation to the United States President [Elect] and extend an invitation to visit the Cataract Gorge during the proposed presidential visit to Australia in 2021.

12.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

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

13 COMMITTEE REPORTS**13.1 Tender Review Committee Meeting - 12 November 2020****FILE NO:** SF0100/CD.052/2019**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept the tender submitted by VOS Construction and Joinery Pty Ltd for the Paterson Street West Facilities Upgrade, Contract Number CD.052/2019 for \$597,565 (exclusive of GST).

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

DECISION: 26 November 2020**MOTION**

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

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

CARRIED 11:0

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

13.2 Cataract Gorge Advisory Committee Meeting - 5 November 2020**FILE NO:** SF0839**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive and consider a report from the Cataract Gorge Reserve Advisory Committee Meeting held on 5 November 2020.

RECOMMENDATION:

That Council receives a report from the Cataract Gorge Reserve Advisory Committee Meeting held on 5 November 2020.

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

DECISION: 26 November 2020**MOTION**

Moved Councillor T G Walker, seconded Councillor A G Harris.

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

CARRIED 11:0

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

13.3 Pedestrian and Bike Committee Meeting - 22 October 2020**FILE NO:** SF0618**AUTHOR:** Cathy Williams (Infrastructure and Engineering Officer)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To receive and consider a report from the Pedestrian and Bike Committee Meeting held on 22 October 2020.

RECOMMENDATION:

That Council receives the report from the Pedestrian and Bike Committee Meeting held on 22 October 2020.

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

DECISION: 26 November 2020**MOTION**

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

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

CARRIED 11:0

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

14 COUNCIL WORKSHOPS

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

14.1 Council Workshop Report

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

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 19 and 26 November 2020

Communications Protocols

As part of the review of the Council's policy, Councillors reviewed the communications protocol between Councillors and employees.

Update on CBD Mass Building Heights Study

Councillors were provided with information and an update on the CBD Mass Building Heights study.

Local Government Association of Tasmania - General Meeting - 3 December 2020

Councillors provided feedback for voting directions for the City of Launceston's representatives for the Local Government Association of Tasmania's General Meeting.

Commercial Leases

Councillors provided feedback on the Council's Lease and Licence Policy and discussed relevant commercial leasing arrangements.

Flying of Flags Policy Review

Councillors provided feedback on the scheduled review of the Flying of the Flags Policy.

South Prospect

Councillors received an update on the progress of the South Prospect residential area.

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

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

DECISION: 26 November 2020

MOTION

Moved Alderman D C Gibson, seconded Alderman A G Harris.

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 19 and 26 November 2020

Communications Protocols

As part of the review of the Council's policy, Councillors reviewed the communications protocol between Councillors and employees.

Update on CBD Mass Building Heights Study

Councillors were provided with information and an update on the CBD Mass Building Heights study.

Local Government Association of Tasmania - General Meeting - 3 December 2020

Councillors provided feedback for voting directions for the City of Launceston's representatives for the Local Government Association of Tasmania's General Meeting.

Commercial Leases

Councillors provided feedback on the Council's Lease and Licence Policy and discussed relevant commercial leasing arrangements.

South Prospect

Councillors received an update on the progress of the South Prospect residential area.

be adopted.

CARRIED 11:0

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

15 NOTICES OF MOTION

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

15.1 Notice of Motion - Deputy Mayor Councillor D C Gibson - 403 Glenwood Road, Relbia

FILE NO: SF5547

AUTHOR: Leanne Purchase (Manager Governance)

CHIEF EXECUTIVE OFFICER: Michael Stretton

DECISION STATEMENT:

To consider a Notice of Motion regarding drainage works at 403 Glenwood Road, Relbia.

Pursuant to Regulation 18(2)(a) of the Local Government (Meeting Procedures) Regulations 2015, Recommendation 1. requires an absolute majority.

RECOMMENDATION:

That Council:

1. rescinds the decision of Council at its Meeting of 15 October 2020, regarding 403 Glenwood Road, Relbia.
2. authorises the Chief Executive Officer to allocate funds to allow for the realignment of the drain across properties in Glenwood Road.

Mr M Stretton (Chief Executive Officer), Mr D Campbell (Team Leader Legal Services) and Mr W Frankcombe (Governance and Legal Officer) were in attendance to answer questions of Council in respect of this Agenda Item.

Mr Ted Sands spoke for the Recommendation

15.1 Notice of Motion - Deputy Mayor Councillor D C Gibson - 403 Glenwood Road, Relbia ...(Cont'd)

DECISION: 26 November 2020

MOTION

Moved Councillor D C Gibson, seconded Councillor R I Soward.

That Council:

1. rescinds the following part of the decision of Council made at Agenda Item 18.1 - 403 Glenwood Road, Relbia, at its Meeting of 15 October 2020, being:

That Council ... accepts the recommendation that no further works are planned or constructed on the open drain at 403 Glenwood Road, Relbia, other than necessary erosion works delivered at the culvert headwall.

2. requests the Chief Executive Officer to contact all property owners through which the subject drain at Glenwood Road runs and gain written consent for the requested drainage realignment work to be completed.
3. notes that if the written consent of all relevant property owners is provided, authorises the Chief Executive Officer to allocate sufficient funding and organise for the requested drainage realignment works to be completed in the 2020/2021 financial year.

LOST 3:8

FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor R I Soward and Councillor P S Spencer

AGAINST VOTE: Mayor Councillor A M van Zetten, Councillor J Finlay, Councillor D H McKenzie, Councillor K P Stojansek, Councillor J G Cox, Councillor N D Daking, Councillor A G Harris and Councillor T G Walker

The Mayor, Councillor A M van Zetten, handed the Chair to the Deputy Mayor, Councillor D G Gibson at 2.41pm.

15.2 Notice of Motion - Mayor Councillor A M van Zetten - Family and Domestic Violence**FILE NO:** SF5547**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To consider a Notice of Motion, submitted by the Mayor, Councillor A M van Zetten, regarding family and domestic violence.

RECOMMENDATION:

That Council requests officers develop a Domestic and Family Violence Strategy for adoption by Council that demonstrates the Council's commitment as both an employer and as a leader within the community to raising awareness, educating and supporting individuals and families impacted by domestic and family violence.

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

Councillor J Finlay retired from the Meeting at 2.46pm.

DECISION: 26 November 2020

MOTION

Moved Councillor A M van Zetten, seconded Councillor K P Stojansek.

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

CARRIED 10:0

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

The Mayor, Councillor A M van Zetten, resumed the Chair at 2.51pm.

16 COMMUNITY AND PLACE NETWORK ITEMS

No Items were identified as part of these Minutes

17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS**17.1 City of Launceston Cultural Strategy 2020-2030****FILE NO:** SF3547**GENERAL MANAGER:** Tracy Puklowski (Creative Arts and Cultural Services Network)

DECISION STATEMENT:

To endorse the City of Launceston Cultural Strategy and note the intention to establish an Implementation Framework and a Cultural Advisory Committee following endorsement.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 22 October 2020 - City of Launceston Cultural Strategy 2020-2030

Council - 5 March 2020 - Agenda Item 17.1 - City of Launceston Cultural Strategy

Workshop - 13 February 2020 - Draft City of Launceston Cultural Strategy

Workshop - 24 October 2019 - *Our Place, Our People, Our Stories* - City of Launceston Cultural Strategy Introduction and Discussion

RECOMMENDATION:

That Council:

1. endorses the City of Launceston Cultural Strategy 2020-2030 (ECM Document Set ID 4451354).
 2. notes the intention to establish an Implementation Framework and Cultural Advisory Committee once the Strategy is endorsed.
-

Ms T Puklowski (General Manager Creative Arts and Cultural Services Network) was in attendance to answer questions of Council in respect of this Agenda Item.

The Mayor, Councillor A M van Zetten, handed the Chair to Councillor D H McKenzie at 3.06pm.

The Mayor, Councillor A M van Zetten, resumed the Chair at 3.08pm.

17.1 City of Launceston Cultural Strategy 2020-2030 ...(Cont'd)

DECISION: 26 November 2020**MOTION****Moved Councillor D C Gibson, seconded Councillor D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 10:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor D H McKenzie, Councillor R I Soward, Councillor J G Cox, Councillor K P Stojansek, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS

18.1 Lease - Land at Cataract Gorge

FILE NO: SF2229

AUTHOR: Duncan Campbell (Team Leader Legal Services)

GENERAL MANAGER: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider the extension of a lease at the Cataract Gorge.

PREVIOUS COUNCIL CONSIDERATION:

Council - 13 December 2004 - Agenda Item 9.8 - Mobile Phone Installation - Cataract Gorge

RECOMMENDATION:

That Council

1. pursuant to section 179 of the *Local Government Act 1993* (Tas) decides to lease public land on the following basis: the decision of Council on 13 December 2004 in respect of the lease at the Cataract Gorge to Telstra Limited, as varied, is expanded to allow the exercise of a third option of five years if requested.
 2. notes that the relevant land to be leased is more particularly described in the officer report attached to this Agenda Item.
-

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

18.1 Lease - Land at Cataract Gorge ...(Cont'd)

DECISION: 26 November 2020**MOTION****Moved Councillor A G Harris, seconded Councillor D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 10:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor D H McKenzie, Councillor R I Soward, Councillor J G Cox, Councillor K P Stojansek, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

19 ORGANISATIONAL SERVICES NETWORK ITEMS**19.1 2020/2021 Budget - Budget Amendments****FILE NO:** SF6816**AUTHOR:** Nathan Williams (Manager Finance)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider changes to the Council's 2020/2021 Statutory Estimates.

A decision for Recommendation 1. requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).

RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993* (Tas) and by an absolute majority, approves the following changes to the 2020/2021 Statutory Estimates:
 - (a) Revenue
 - i. the net increase in revenue from external grants and contributions of \$1,206,930.
 - (b) Expenses
 - i. the net increase in operations expenditure of \$13,900.
 - (c) Capital Works Expenditure
 - i. the net increase in expenditure from external funds of \$1,206,930.
 - ii. the decrease in the Council's funded expenditure of \$13,900.
 2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$6,755,344 (including capital grants of \$18,031,576) for 2020/2021.
 - (b) the capital budget being increased to \$50,442,826 for 2020/2021.
-

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.

Councillor K P Stojansek withdrew from the Meeting at 3.11pm.

19.1 2020/2021 Budget - Budget Amendments ...(Cont'd)

DECISION: 26 November 2020**MOTION****Moved Councillor D H McKenzie, seconded Councillor A G Harris.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED BY ABSOLUTE MAJORITY 9:0****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 P S Spencer, Councillor A G Harris and Councillor T G Walker
ABSENT at the TIME of VOTING: Councillor K P Stojansek****Councillor K P Stojansek re-attended the Meeting at 3.13pm.**

**19.2 2020/2021 Budget - Chief Executive Officer's Report on Adjustments - 1
September 2020 to 31 October 2020****FILE NO:** SF7144**AUTHOR:** Nathan Williams (Manager Finance)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider adjustments made during 1 September 2020 to 31 October 2020 by the Chief Executive Officer to the 2020/2021 Budget.

RECOMMENDATION:

That Council, pursuant to section 82(7) of the *Local Government Act 1993* (Tas), receives the Chief Executive Officer's report on adjustments to the 2020/2021 budget for the period 1 September 2020 to 31 October 2020.

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.

Councillor N D Daking retired from the Meeting at 3.14pm.

DECISION: 26 November 2020**MOTION**

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

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

CARRIED 9:0

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

19.3 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program (1 October 2020 to 31 October 2020)**FILE NO:** SF7114**AUTHOR:** Nathan Williams (Manager Finance)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider changes to the Council's 2020/2021 Statutory Estimates.

A decision for Recommendation 1. requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).

PREVIOUS COUNCIL CONSIDERATION:

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

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

Council - 28 May 2020 - Agenda Item 20.2 - Accelerated Capital Works Program Policy (30-Plx-007)

Council - 1 October 2020 - Agenda Item 19.1 - 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program

RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993* (Tas), and by an absolute majority, approves the following changes to the 2020/2021 Statutory Estimates:
 - (a) Expenses
 - i. the net increase/decrease in operations expenditure of \$0.
 - (b) Capital Works Expenditure
 - i. the increase/decrease in the Council's funded expenditure of \$0.
 - (c) New Projects for 2020/2021.
-

19.3 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program (1 October 2020 to 31 October 2020) ...(Cont'd)

Project Number	Project Description
24234	Rural Reseal Program 2020/2021
24183	Patersonia River Bridge (BR#649)
24190	George Town Road/University Way Reseal
24211	Wellington Street (Peel-Meredith) Reseal
24212	Wellington Street (Cridge-Pipeworks) Reseal
24215	Opossum Road Reseal
24218	Forest Road Reseal
24219	Lilydale Road Reseal
24221	Auburn Street Reseal
24222	Penquite Road Reseal
24229	Taroona Street Gate Upgrade
24194	Boiton Hill Road Charlton to Norwood
24201	Charlton Street Reseal
24208	Gorge Road Reseal
24202	Hart Street Reseal
24216	Seymour Street Reseal
24204	Victoria Street Reseal
24193	Malunga Street Chifley to Panubra
24236	Brougham Street Road Contribution

(d) Projects with amended budget amounts for 2020/2021

Project Number	Project Description
23785	Prospect Flood Alleviation
24000	Gorge Cliff Grounds SPS Renewal
24151	Ashleigh Avenue Rehabilitation
24157	Harrow/Mimosa Place Rehabilitation
23832	Riverbend/Lindsay Street Precinct Work 2020/2021
24143	Reimagining the Cataract Gorge 2020/2021
23705	Alexandra Suspension Bridge
21587	Carr Villa Ash Placement Area
23881	Paterson Street Exeloo
24095	Poplar Parade Pavement Reconstruction
24163	Invermay (Forster-Mann) Rehabilitation
23887	Newnham Creek/Hortus Place Bank Remediation
24015	Youngtown Oval Facilities Upgrade
24134	Upper Blessington Road Bridge (BR#666)
24137	Footpath Reseal Program 2020/2021

19.3 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program (1 October 2020 to 31 October 2020) ...(Cont'd)

(e) Projects Cancelled for 2020/2021

Project Number	Project Description
24153	Windermere Road Reconstruction
24138	Urban Road Reseal Program 2020/2021
24162	Kings Meadows CBD Road Resurface

2. notes that amendments from Recommendation 1. result in:
- (a) the operating surplus remaining at \$6,755,344 (including capital grants of \$18,031,576) for 2020/2021.
 - (b) the capital budget being remaining at \$50,442,826 for 2020/2021.

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

DECISION: 26 November 2020

MOTION

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

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

CARRIED BY ABSOLUTE MAJORITY 9:0

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

19.4 Delegation from Council to Chief Executive Officer - *Urban Drainage Act 2013* (Tas)**FILE NO:** SF0113**AUTHOR:** Wezley Frankcombe (Governance and Legal Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider delegation from Council to the Chief Executive Officer of all powers under the *Urban Drainage Act 2013* (Tas).

RECOMMENDATION:

That Council:

1. pursuant to section 22(1) of the *Local Government Act 1993* (Tas), delegates all of its functions and powers under the *Urban Drainage Act 2013* (Tas) to the holder of the position of Chief Executive Officer.
 2. pursuant to section 64(1)(b) of the *Local Government Act 1993* (Tas), authorises the holder of the position of Chief Executive Officer to delegate the functions and powers to an employee or employees of the Council.
 3. determines that the delegations made by the decision, revokes any previous delegation made under the *Urban Drainage Act 2013* (Tas).
 4. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference used for the General Manager as appointed under section 61 of the *Local Government Act 1993* (Tas).
 5. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas), authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
-

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

19.4 Delegation From Council to Chief Executive Officer - *Urban Drainage Act 2013 (Tas) ...*(Cont'd)

DECISION: 26 November 2020

MOTION

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

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

CARRIED 9:0

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

19.5 Remission of Fees and Charges - Community Care and Recovery Package

FILE NO: SF2968

AUTHOR: Nathan Williams (Manager Finance)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the approval of the remission of Fees and Charges as prescribed under Council's Community Care and Recovery Package.

This decision, pursuant to section 207 of the Local Government Act 1993 (Tas), states that Council may remit all or part of a fee or charge paid or payable requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

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

RECOMMENDATION:

That Council:

1. pursuant to section 207 of the *Local Government Act 1993* (Tas) and by absolute majority, approves the schedule of Fees and Charges remissions, totalling \$820,105 and indicated in the table below:

Description	Estimated Remission	Amount of Remission	Variance
Rent Relief	508,000	222,936	285,064
Parking	-	68,851	(68,851)
Hall Hire	-	3,580	(3,580)
Sporting Ground Hire	6,000	58,224	(52,224)
Events	-	545	(545)
Development Application Minimum Fee	360,000	377,840	(17,840)
Food Business and Public Health Registrations	99,000	88,127	10,873
Totals	\$973,000	\$820,105	\$152,895

**19.5 Remission of Fees and Charges - Community Care and Recovery Package
...(Cont'd)**

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

DECISION: 26 November 2020

MOTION

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

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

CARRIED BY ABSOLUTE MAJORITY 9:0

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

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020

FILE NO: SF0331/SF2217

AUTHOR: Kelsey Hartland (Team Leader Governance)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To provide voting direction to the Council's delegate for the items listed for decision at the Local Government Association of Tasmania General to be held on 3 December 2020.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 19 November 2020 - Items for Discussion/Decision at LGAT General Meeting 3 December 2020

RECOMMENDATION:

That, in respect of the items listed for decision at the Local Government Association of Tasmania's General Meeting on 3 December 2020, Council directs the Council's delegate to vote as follows:

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
1	6	Minutes Decision Sought: <i>That the Minutes of the General Meeting held on 11 September 2020, as circulated, be confirmed.</i>	LGAT	Recommendation: <i>Accept</i>
2	6	Confirmation of Agenda and Order of Business Decision Sought: <i>That the Agenda and Order of Business be confirmed.</i>	LGAT	Recommendation: <i>Accept</i>
3	6	President's Report Decision Sought: <i>That the Meeting notes the Report on the President's Activities from 22 August to 30 October 2020.</i>	LGAT	Recommendation: <i>Noted</i>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
4	7	CEO's Report Decision Sought: <i>That the Meeting notes the Report on the CEO's Activity from 22 August to 30 October 2020.</i>	LGAT	Recommendation: <i>Noted</i>
5	8	Business Arising Decision Sought: <i>That Members note the following information on Business Arising.</i>	LGAT	Recommendation: <i>Noted</i>
6	8	Follow Up Of Motions Decision Sought: <i>That the Meeting notes the Report detailing progress of motions passed at previous Meetings and not covered in Business Arising.</i>	LGAT	Recommendation: <i>Noted</i>
7.1	9	LGAT Future Role in Emergency Management Decision Sought: <i>That member councils agree to LGAT having an emergency response role when there is a significant state-wide impact as a result of an emergency event and the State Control Centre (SCC) is activated by the State Emergency Management Controller. In these circumstances, LGAT's principal function will be as a Local Government Liaison Officer embedded in the SCC.</i>	LGAT	Recommendation: <i>Support</i> Michael Stretton (Chief Executive Officer): <i>It was the Council's experience during the COVID-19 pandemic that LGAT provided an invaluable contribution to the sector by engaging with Councils and coordinating discussion and responses on a State-wide basis. This should be recognised and leveraged moving forward.</i>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
8.1	12	PESRAC Update Decision Sought: <i>That Members note the update on the Premier's Economic and Social Recovery Advisory Council (PESRAC) Activities.</i>	LGAT	Recommendation: <i>Noted</i>
8.2	13	Charitable Rates Decision Sought: <i>That the Meeting notes a verbal update will be provided to the Meeting.</i>	LGAT	Recommendation: <i>Noted</i>
8.3	14	Parliamentary Inquiries - TasWater Decision Sought: <i>That Members note the Report on activity related to TasWater.</i>	LGAT	Recommendation: <i>Noted</i>
8.4	15	21st Century Councils Decision Sought: <i>That Members note the progress on the 21st Century Councils' Project.</i>	LGAT	Recommendation: <i>Noted</i>
8.5	17	Planning Decision Sought: <i>That Members note the report on planning reform and the red tape reduction agenda and proposed advocacy priorities for the next two years.</i>	LGAT	Recommendation: <i>Noted</i>
8.6	19	Waste and Resource Recovery Decision Sought: <i>That Members note the Report on waste and resource recovery.</i>	LGAT	Recommendation: <i>Noted</i>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ... (Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
8.7	20	Infrastructure Contributions Survey Decision Sought: <i>That Members note the investigations underway on infrastructure contributions and the current survey seeking council feedback to inform the development of a sector position.</i>	LGAT	Recommendation: <i>Noted</i>
8.8	22	Energy Decision Sought: <i>That Members note the report in relation to Energy and the potential for savings through LGAT services.</i>	LGAT	Recommendation: <i>Noted</i>
8.9	24	Emergency Management Decision Sought: <i>That Members note the report on Emergency Management.</i>	LGAT	Recommendation: <i>Noted</i>
8.10	26	Road Safety Decision Sought: <i>That Members note the draft Safe System Guiding Principles for Local Government and provide any feedback by the end of January 2021.</i>	LGAT	Recommendation: <i>Noted</i>
8.11	27	LGAT Procurement Decision Sought: <i>That Members note the following update on procurement support for councils.</i>	LGAT	Recommendation: <i>Noted</i>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
8.12	29	Strategic Asset Management Plan Training Decision Sought: <i>That Members note the success of the recent Strategic Asset Management Plan (SAMP) training.</i>	LGAT	Recommendation: <i>Noted</i>
8.13	30	Policy Updates Decision Sought: <i>That Members note the following updates on various matters.</i>	LGAT	Recommendation: <i>Noted</i>
8.14	31	Environmental Health Officer Workforce Development Project Decision Sought: <i>That Members note the progress of the Environmental Health Officer (EHO) Workforce Development project.</i>	LGAT	Recommendation: <i>Noted</i>
8.15	33	Community Health and Well Being Project Decision Sought: <i>That Members note the progress on the LGAT Health and Wellbeing Project 2020-2022.</i>	LGAT	Recommendation: <i>Noted</i>
8.16	34	Events Update Decision Sought: <i>That Members note the report and update on LGAT events. Members are encouraged to attend LGAT events and training as appropriate.</i>	LGAT	Recommendation: <i>Noted</i>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
8.17	37	Communications Update Decision Sought: <i>That Members note the following report, particularly the 2019-2020 LGAT Year in Review that strategically links to the new LGAT advocacy pages on the LGAT website.</i>	LGAT	Recommendation: <i>Noted</i>
8.18	38	Operations Update Decision Sought: <i>That Members note the report on LGAT operational matters.</i>	LGAT	Recommendation: <i>Noted</i>
8.19	39	LGAT Annual Plan Decision Sought: <i>That Members note the report against the Annual Plan.</i>	LGAT	Recommendation: <i>Noted</i>
10.1	40	Elected Member Election Nomination Requirements Decision Sought: <i>That LGAT determine as a policy position and lobby the State Government to require all future candidates nominating for Local Government elections in Tasmania undertake a National Police check in current name and any previous names. The requirements to be a mandatory part of the nomination form which must be completed by all candidates and be available for public scrutiny.</i>	Devonport City	Recommendation: <i>Not Supported</i> Michael Stretton (Chief Executive Officer): <i>In practice, a person cannot nominate for Council under the Local Government Act 1993 (Tas) if they:</i> <ul style="list-style-type: none"> • <i>Have been barred by court order from nominating in respect to various offences under the Act;</i> • <i>Are bankrupt;</i> • <i>Have been removed from office because of inadequacy or incompetency;</i> • <i>Are undergoing a term of imprisonment; and</i> • <i>Have been sentenced for a crime but the sentence has not been executed.</i> <i>It is difficult to see what a police check can add if a person is able to demonstrate compliance with these requirements.</i>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
10.2	42	<p>Code of Conduct Decision Sought: <i>That LGAT call on the State Government to include mandatory arbitration in the first instance of the Code of Conduct process.</i></p>	George Town	<p>Recommendation: <i>Not Supported</i></p> <p><i>Council would support mediation as a first step in the process (noting work being done around review of the Code of Conduct process).</i></p> <p>Michael Stretton (Chief Executive Officer): <i>I am not sure whether arbitration should be required, however, I believe mediation should be. I don't think it should be up to an arbitrator to make a decision on a Code of Conduct complaint. Rather, if the parties can mediate a solution to a matter then that would be great, however, if not, the matter should be referred to the Panel.</i></p>
10.3	43	<p>Code of Conduct Panel Decision Sought: <i>That the Local Government Association of Tasmania declares it has no confidence in the Local Government Code of Conduct Panel and calls on the Minister for Local Government to take a more active role in resolving this process.</i></p>	Kingborough	<p>Recommendation: <i>Not Supported</i></p> <p><i>At Workshop on 19 November 2020 Councillors acknowledged that the process needs refining and we are supportive of the current review.</i></p>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
12.1	46	<p>Grant Timing and Harmonisation Decision Sought: <i>LGAT calls on the State Government to harmonise the timing requirements of its Local Government grant schemes with other grant funding agencies (such as the Federal Government) in order to reduce contradictory and conflicting expenditure and benchmark requirements.</i></p>	George Town	<p>Recommendation: <i>Support - in principle</i></p> <p>Michael Stretton (Chief Executive Officer): <i>Agree with the State Government's position - support, in principle, alignment and harmonisation of grant arrangements to Local Government to the extent that this is practically achievable, is within its control, and does not impact on the delivery of grant objectives.</i></p>
13.1	47	<p>Dog Control and Wildlife Conservation Decision Sought: <i>That LGAT ask the Tasmanian Government to improve and increase its education and enforcement programs for the conservation of shorebirds and other coastal wildlife values, in particular to underpin the efforts Councils make, through their Dog Management Policies, to support the Government's responsibilities for wildlife conservation and Reserve management.</i></p>	Break O'Day	<p>Recommendation: <i>Support</i></p> <p>Leanne Hurst (General Manager Community and Place Network): <i>Local Government regulations team resources are stretched and as the protection of wildlife is a State responsibility. The Tasmanian Government should take a leading role in education and enforcement.</i></p>
13.2	49	<p>Dog Control and Wildlife Management Decision Sought: <i>That LGAT coordinate arrangements for a more collaborative arrangement between Local Government and State compliance agencies with responsibilities that include dog control and wildlife management and protection.</i></p>	Burnie City	<p>Recommendation: <i>Support</i></p> <p>Leanne Hurst (General Manager Community and Place Network): <i>LGAT and the Tasmanian Government have already commenced discussions on how agencies and local government can effectively engage on dog control and wildlife management.</i></p>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
13.3	51	<p>EPA Resourcing and Delegation Decision Sought: <i>That LGAT calls on the State Government to increase or share resourcing to Local Governments to meet the increasing EPA regulatory and compliance functions required to be provided by Local Governments. This should include the resourcing and authorisation of Council Officers to facilitate illegal dumping enforcement on crown land.</i></p>	George Town	<p>Recommendation: <i>Support</i></p> <p>Leanne Hurst (General Manager Community and Place Network): <i>Although it is preferable that the State Government takes responsibility for enforcement and removal of rubbish dumped on Crown land, in reality the community's expectation is that Local Government will address incidences of dumping regardless of whether it is on private, Crown or local government land. It is not seen as an acceptable response when complainants are advised that another level of government is responsible. Where local government is expected to address regulatory and compliance concerns that involve State land or policy positions, it should be compensated by the State Government.</i></p>
13.4	53	<p>Shipping Containers Decision Sought: <i>That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas.</i></p>	Northern Midlands	<p>Recommendation: <i>Not Supported</i></p> <p><i>The motion is too generalised.</i></p> <p>Leanne Hurst (General Manager Community and Place Network): <i>As indicated in the comments to the Agenda Item, the State Government's planning focus remains on the introduction of the TPS.</i></p>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
				<i>Shipping containers can be used effectively as a building form and there are many examples here, and overseas, where converted containers have provided affordable and attractive dwelling types. Arguably, there is a case for providing better support and advice to the Council's Compliance Officers when temporary or non-compliant containers are placed for prolonged periods in residential zones and where they draw complaints from neighbours.</i>
14.1	56	Family and Sexual Violence Strategies Decision Sought: <i>That LGAT Members support in principal the development of Family and Sexual Violence Strategies by Local Governments across the State.</i>	George Town	Recommendation: Support Michael Stretton (Chief Executive Officer): <i>The Mayor's Notice of Motion will be considered by Council prior to this Meeting.</i>
15.1	59	Date of Australia Day Decision Sought: <i>That LGAT approach the State Government to lobby the Federal Government for a change of date for Australia Day.</i>	Burnie	Recommendation: Supported Michael Stretton (Chief Executive Officer): <i>The Council's current position on this matter is:</i> 1. <i>that unless the Australian Government adopts proposed changes to the Citizenship Ceremonies Code legislating that councils must hold a citizenship ceremony on 26 January, the City of Launceston will hold a Citizenship Ceremony on 25 January.</i>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
				2. <i>that the City of Launceston will replace the National Australia Day Awards program with a community recognition awards ceremony to be held on 25 January following the Citizenship Ceremony.</i>
15.2	61	<p>Indigenous Site of Significance Signage Decision Sought: <i>That LGAT call on the State Government to, where appropriate, support the identification, preservation and celebration of indigenous places of importance across the municipalities of Tasmania.</i></p>	George Town	<p>Recommendation: <i>Support</i></p> <p>Michael Stretton (Chief Executive Officer): <i>I believe this is consistent with the current State Government policy for the naming of Tasmanian geographical places and features. The policy states that:</i></p> <p><i>the Government is committed to working with Tasmanian Aboriginal people and the wider community to encourage more Aboriginal place names in Tasmania. Part of this commitment is the establishment and use of the Aboriginal and Dual Naming Policy.</i></p>
16.1	63	<p>Elected Member Professional Development Decision Sought: <i>That Members discuss, if time allows, what constitutes best practice for Elected Member Professional Development.</i></p>	LGAT	<p>Recommendation: <i>Currently the City of Launceston offers a robust induction process that supports these areas. There is a budget allocation to support professional development.</i></p>

19.6 Local Government Association of Tasmania General Meeting - 3 December 2020 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
				<p>Michael Stretton (Chief Executive Officer):</p> <p><i>This has always been a vexed issue, particularly when it involves discussions of compulsory professional development.</i></p> <p><i>I think, in reality, there are core competencies areas in which elected members should receive professional development in and these relate largely to governance, Land Use Planning, leadership, strategic planning/management and financial management.</i></p>

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

DECISION: 26 November 2020

MOTION

Moved Councillor A G Harris, seconded Councillor J G Cox.

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

CARRIED 9:0

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

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS**20.1 Design Tasmania - Request for Financial Support****FILE NO:** SF0375**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To consider the provision of financial support to Design Tasmania under the Community Care and Recovery Package as a one-off subsidy.

RECOMMENDATION:

That Council approves financial support in the form of a one-off operational subsidy in the amount of \$18,855 to Design Tasmania.

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

DECISION: 26 November 2020**MOTION**

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

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

CARRIED 9:0

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

21 CLOSED COUNCIL

No Closed Items were identified as part of these Minutes

22 MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 3.30pm.
