



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 2 DECEMBER 2021
1.00pm**

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

Date: 2 December 2021

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 will be streamed live to and can be accessed at:
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

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. Members of the public will be required to check in on arrival via the *Check In Tas App* as per the Direction Under Section 16 - Contact Tracing - No. 10 - *Public Health Act 1997*.

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 Agenda 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 attending 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)
 R I Soward
 D H McKenzie
 J G Cox
 K P Stojansek
 A E Dawkins
 N D Daking
 P S Spencer
 A G Harris
 T G Walker
 K M Preece

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

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

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

2 MAYORAL ACKNOWLEDGEMENTS

The Mayor announced that the Council had received a certificate and trophy for the *Sustainable Communities Award* through *Keep Australia Beautiful*.

3 DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - section 48

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

Councillor D H McKenzie declared an interest in Agenda Item 9.1 - Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots into 14 Lots and Associated Infrastructure.

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 18 November 2021 be confirmed as a true and correct record.

DECISION: 2 December 2021

MOTION

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

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 R I Soward, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece

5 DEPUTATIONS

No Deputations were identified as part of these Minutes

6 PETITIONS

Local Government Act 1993 (Tas) - sections 57 and 58

No Petitions were identified as part of these Minutes

7 COMMUNITY REPORTS

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

No Community Reports were registered with Council as part of these Minutes

8 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

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

8.1.1 Public Questions on Notice - Mr Ray Norman - 14 November 2021**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted in writing to the Council on 14 November 2021 by Mr Ray Norman, have been answered by Michael Attard (Team Leader Sustainability) and Richard Jamieson (Acting General Manager Community and Place Network).

Questions:

1. In 2021, and backgrounded by this Council Policy [Climate Emergency Policy], what proactive decision making has the Council undertaken to:
 - (a) invest in, and encourage investment in, renewable energy generation in the City/Municipality as a component of planning when acting as a Planning Authority and considering Development Applications?
 - (b) ensure that the Council's vehicle fleet is electrified and within a foreseeable real world timeline?
 - (c) ensure that the Council's operation and policy implementation better facilitates the electrification of transport systems in the municipality within a foreseeable real world timeline?
 - (d) ensure that the Council proactively moves towards investing in renewable energy generation in its operations in order that its ratepayers can benefit from the investment via reducing/minimising rate demands?
 - (e) ensure that the Council desist in investing in expending ratepayer funds in expensive land fill cells that ultimately result in the Council's all too apparent anti-resource recovery cum anti-zero waste strategies?
 - (f) ensure that the Launceston Council's Waste Management Centre is transformed into an efficient and effective Resource Recovery Centre ?
 - (g) ensure that the Launceston Council's Waste Management Contractor is required to move expeditiously towards facilitating a zero waste outcome - say by 2024?
 - (h) ensuring that, as a Planning Authority, development applicants are required to preserve, maintain and augment the municipality's canopy cover?
 - (i) ensuring that the carbon sequestration in the municipality's urban and rural cultural landscapes are not only preserved but enhanced?
 - (j) will the Council review and deliberate upon its policy determination and these questions at its next Open Council Meeting for the benefit of the municipality's concerned citizens?
-

8.1.1 Public Questions on Notice - Mr Ray Norman - 14 November 2021 ...(Cont'd)

Response:

- (a) *The City of Launceston (CoL) has invested in renewable energy for many of its facilities in the form of solar power generation. The CoL is also in the position to be able to purchase 100% renewable energy from Hydro Tasmania. There are currently no provisions in the Launceston Interim Planning Scheme that seek to influence energy choices of property owners. The schemes do, however, provide a suite of exemptions from the need for planning approval for both ground based and roof mounted solar energy installations on properties that are not heritage listed. Additionally, there are design standards in some residential zones that require consideration of solar access.*
 - (b) *The CoL currently has two electric vehicles and has funded six current public place charging stations. There are another four public charging stations planned for the Gorge parking area, Riverbend Park, Inveresk and the Lilydale Hall. Under a sustainable transport strategy and a sustainability action plan there are plans to have more electric fleet vehicles.*
 - (c) *Refer response to (b).*
 - (d) *Refer response to (a).*
 - (e) *The CoL has invested significantly in waste management and resource recovery and boasts, arguably, the best resource recovery facility and initiatives in Tasmania. Landfill cells are expensive as they are fully engineered to limit impacts on the surrounding environment and are regulated under licence by the Environmental Protection Agency. The CoL has long term plans to not rely on landfill practices in the future by investing in different technology and methods to recover these resources. One such measure is the establishment of the first Food Organics and Garden Organics (FOGO) kerbside service and processing facility in Tasmania. In 2020 the CoL diverted 11,000 tonnes of organic material away from landfill, conservatively this equates to 22,000 tonnes of methane a harmful greenhouse gas being abated. Landfill diversion is at the heart of waste management at the CoL. The CoL is developing a construction and demolition facility which will help to divert an estimated 50% of material that is currently being landfilled. The CoL plays a leading role in the Northern Tasmanian Waste Management Group which applies a voluntary landfill levy of \$7.50/tonne to help drive landfill diversion for Northern Tasmania. The CoL has endorsed a Toward Zero Emissions action plan that outlines how the CoL will move towards carbon neutrality by 2025. The plan outlines abatement actions across all of the Council's business to limit the Council's carbon emissions.*
-

8.1.1 Public Questions on Notice - Mr Ray Norman - 14 November 2021 ...(Cont'd)

- (f) *The CoL transfer station offers many opportunities to recover resources prior to landfill, including reuse of items through the Uptippity reuse shop. Recycling includes: polystyrene, cardboard, metals, batteries, electrical cable, books, magazines, car batteries, household batteries, fluoro tubes, motor oil, cooking oil, mattresses, end of life tyres, mobile phones, comingled recycling, clear soft plastic, paint and e-waste. The walking floor has staff reclaiming recyclables and resale items off it on a daily basis. All clean green waste is diverted to FOGO.*
 - (g) *The CoL waste contractor operates under the CoL direction - awareness and education play a key role in the community shifting behaviours toward zero waste ambitions.*
 - (h) *The Launceston Interim Planning Scheme 2015 requires consideration of vegetation on development sites in a number of instances, particularly where recognised natural values may exist, or in places of recognised scenic quality or on heritage listed places. Outside of these the management of vegetation (and canopy) is left to the discretion of the property owner. Management of forest canopy in rural areas is managed by the Forest Practices systems.*
 - (i) *The CoL manages many parks and reserves with that are protected spaces and will remain carbon sinks. The Council is also investigating enhancing soil carbon capture efficiency through compost addition to the soil.*
-

8.1.2 Public Questions on Notice - Mr Robin Smith - Council Meeting - 18 November 2021

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, asked at the Council Meeting on 18 November 2021 by Mr Robin Smith, have been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. With the Paterson and Charles Streets one-way street conversions, what is the demand for that particular route cutting through the CBD? Has that been quantified where technically going from the Town Hall to Jimmy's Supermarket? Would that extend to the Charles Street section as well?

Response:

The characteristics of traffic using this segment of Paterson Street and the interactions between their destination and route selection are complex. Previous studies have quantified the proportion of traffic on this road segment using the Launceston Traffic Model 2014, whilst volumes have likely changed the proportions are likely to remain relevant:

Paterson Street (St John - George)	AM Peak	PM Peak
Total Traffic Volume (veh/hr)	670	870
Parking Within City Heart (veh/hr)	165 (25%)	385 (44%)
Travelling Through CBD (veh/hr)	195 (29%)	310 (36%)
Other Destination (veh/hr)	310 (46%)	175 (20%)

This data implies the theoretical minimum volumes that could be achieved on Paterson Street. Given the location of the car parks directly off Paterson Street, it is likely that those trips defined as parking would likely still need to use Paterson Street. Some 'other destination' trips would also still use Paterson Street. However, much of the through traffic could be reassigned to alternative routes such as Cimitiere Street; such is the objective of this project.

It is recognised that reassignment of all of this traffic is unlikely to be achievable in practice.

8.1.2 Public Questions on Notice - Mr Robin Smith - Council Meeting - 18 November 2021 ...(Cont'd)

The Launceston Traffic Model has provided indications of the two-way traffic volumes to be expected on this segment, with 615 vehicles per hour in the AM peak and 840 vehicles per hour in the PM peak. This calculates to be an 8.2% total volume reduction in the AM peak and a 3.4% total volume reduction in the PM peak. Whilst these reductions can seem small in percentage terms, it only takes small reductions to achieve large benefits. It must also be recognised that the volumes in the two-way scenario will be spread between two directions, with the existing one-way flows seeing much larger reductions than this when looked at individually.

It should be noted that this iteration of modelling included two-way traffic flow on George Street, which is not included in the current proposal. This likely contributes to a larger east-west volume on Paterson Street and it is expected that these volumes would decrease without this provision, further improving traffic volume reductions.

8.1.3 Public Questions on Notice - Mr Lionel Morrell (Tasmanian Ratepayers' Association Inc.) - 24 November 2021**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to the Council in writing on 24 November 2021 by Mr Lionel Morrell (Tasmanian Ratepayers' Association Inc.), have been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Note: All questions are asked referencing the Draft Launceston Transport Strategy 2020-2040 - Public Consultation process.

Questions:

1. Can you please confirm that all public submissions were presented to Councillors prior to Councillors' final consideration of the *Launceston Transport Strategy 2020-2040*?

Response:

The community consultation period for the Launceston Transport Strategy 2020-2040 ran for five weeks from 10 May to 16 June 2021.

Respondents submitted their feedback via Your Voice Your Launceston (YVYL) (where they marked up their comments directly onto the draft strategy), via Facebook or in writing. All feedback was read and considered. Comments made via YVYL and Facebook were transferred directly into a single document. Written submissions were then summarised and added to the document. Respondents totalled 137:

- 75 - YVYL
- 52 - Facebook
- 10 - written

Respondents' commentary was then separated into key categories, resulting in a total of 336 separate comments.

8.1.3 Public Questions on Notice - Mr Lionel Morrell (Tasmanian Ratepayers' Association Inc.) - 24 November 2021 ...(Cont'd)

Comments in each category were assessed against the draft Strategy; resulting in the following actions:

- *15 minor changes to the Draft Strategy*
- *5 Customer Requests created for inspection and action*
- *Feedback related to general infrastructure matters will be considered as part of the City of Launceston's business as usual operations and through the Council's working relationships with the State Government.*

On 8 July 2021, Councillors were provided with an overview of the above; followed by a detailed presentation on 14 October 2021 containing the 336 comments.

2. Can you advise why the public submissions received by Council were not included in the Agenda for the Meeting held on 4 November 2021?

Response:

Agenda Items are prepared by individual Networks, reviewed by the Chief Executive Officer and General Managers and then published in accordance with the Local Government (Meeting Procedures) Regulations 2015 (section 8). There is no requirement to append specific information or documentation relating to individual Agenda Items. The Agenda Item published in the Council Agenda on 4 November 2021 was an endorsement the Launceston Transport Strategy 2020-2040 document.

3. Who are these people? Are they residents or ratepayers of the municipality?

Response:

The response to Question 1 lists those who participated in the public consultation process as respondents. As with the majority of community feedback mechanisms undertaken by the City of Launceston, such as representations to Development Applications, members of the public who speak and ask questions at Council Meetings and similar forums, information sessions, petitions and submissions, to quantitatively investigate whether respondents are or are not ratepayers of the municipality would be unfeasible.

8.1.3 Public Questions on Notice - Mr Lionel Morrell (Tasmanian Ratepayers' Association Inc.) - 24 November 2021 ...(Cont'd)

4. What robust measures have been put in place regarding public consultation for the *Launceston Transport Strategy 2020-2040* to ensure that Councillors were not misled as to the concerns submitted in response to the public consultation?

Response:

As noted in the response to Question 1, with regard to this question, it is advised that on 8 July 2021, Councillors were provided with an overview of the community consultation process which was then followed by a detailed presentation - containing the 336 comments from the submissions - at a Workshop on 14 October 2021.

5. Can the [*Launceston Transport Strategy 2020-2040*] be regarded as having been subjected to competent and comprehensive rigour and are the steps that have been implemented in accord with the strategy, properly justified?

Response:

*The response to Question 1 describes the detailed process undertaken to compile the *Launceston Transport Strategy 2020-2040*. It is felt that the final document has been compiled with competency and accuracy based on information available. Council endorsed the *Launceston Transport Strategy 2020-2040* at its Meeting on 4 November 2021.*

8.2 Public Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(2)(b)

(Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)

8.2.1 Mr Robin Smith - Launceston CBD Traffic

[Questions relate to Agenda Item 15.1 - Notice of Motion - Councillor N D Daking - Proposed Change to Traffic Direction - Paterson and Charles Streets, Launceston]

[With regard to two-way traffic in Launceston and the consultation in *Your Voice Your Launceston*]

- 1. Is there anything else that the Council has received or consulted with regarding the changes from one-way to two-way?**

The Mayor, Councillor A M van Zetten, announced that this question would be Taken on Notice and a response provided in the Council Agenda of 16 December 2021.

- 2. Is there anything else that will be condensed in that process?**

The Mayor, Councillor A M van Zetten, responded by saying that this Agenda Item [Agenda Item 15.1] will be debated later in the Agenda and Councillors will be able to consider the question raised and include that in their deliberations. Mr Shane Eberhardt (General Manager Infrastructure and Assets Network) added to the response by saying should the Notice of Motion be successful at today's Meeting, the Council would need to reinvestigate its planning requirements.

- 3. The proposer of this motion writes that there is increasing evidence that both current and potential business investors, residents and visitors are being turned off Launceston by some of the behaviours that come from the current one-way nature of these streets in the middle of the CBD. Does the Council have anything to support this?**

The Mayor, Councillor A M van Zetten, responded by saying that this is a motion from one of the Councillors. It will be debated and if it is successful, then the Council will need to undertake additional work required.

8.2.2 Mr Max Jago - Christmas Light Display

1. Earlier this year, the City of Launceston approved my request to host a Halloween display. The event worked perfectly, the road closures worked extremely well and kept traffic flowing whilst maintaining people's safety. Could you please tell me how a Christmas display on 24 December differs from the October Halloween display I hosted earlier in the year?

The Mayor, Councillor A M van Zetten, responded by saying the it is not the display that is the issue, it is the time of the year that differs - a long weekend in October on a Sunday night is a lot different to a Friday night coming up to Christmas.

2. As a community member of Launceston, I take joy in spreading the Christmas cheer to others in our community. As such, I have spent my own money and time on these displays to put smiles on people's faces in what has been a difficult year. I have a COVID-19 management plan to adhere to and hire traffic management to ensure people's safety. Public Health have indicated that they will undertake an inspection and I can not afford the fine for a breach of a COVID-19 plan. So, could you tell me what I should do?

The Mayor, Councillor A M van Zetten, responded by saying that as was explained in the email sent to you a week ago, that there is a traffic management plan that needs to be put in place and the Council's staff are more than happy to assist with that, like reducing the speed and similar things. The COVID-19 team would be able to answer additional questions you have. Mr Shane Eberhardt (General Manager Infrastructure and Assets Network) also added that it is a matter to be taken up with the Department of Public Health. Clearly, there is a connection between how much road space you have and the social distancing you can do on site. If that area is reduced then the COVID-19 safe plan has to adjust accordingly.

3. Could you please explain to the room how a Christmas display does not benefit the community?

The Mayor, Councillor A M van Zetten, responded by saying that it has nothing to do with the Christmas display benefitting or not benefitting the community. We believe it would benefit the community that's why the suggestion has been made for another night. It would be a great idea and still benefit the community and one that is not as busy as Christmas Eve on a Friday night.

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 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots into 14 Lots and Associated Infrastructure

FILE NO: SF7379/DA0506/2021

AUTHOR: Iain More (Town Planner)

ACTING GENERAL MANAGER: Richard Jamieson (Community and Place Network)

DECISION STATEMENT:

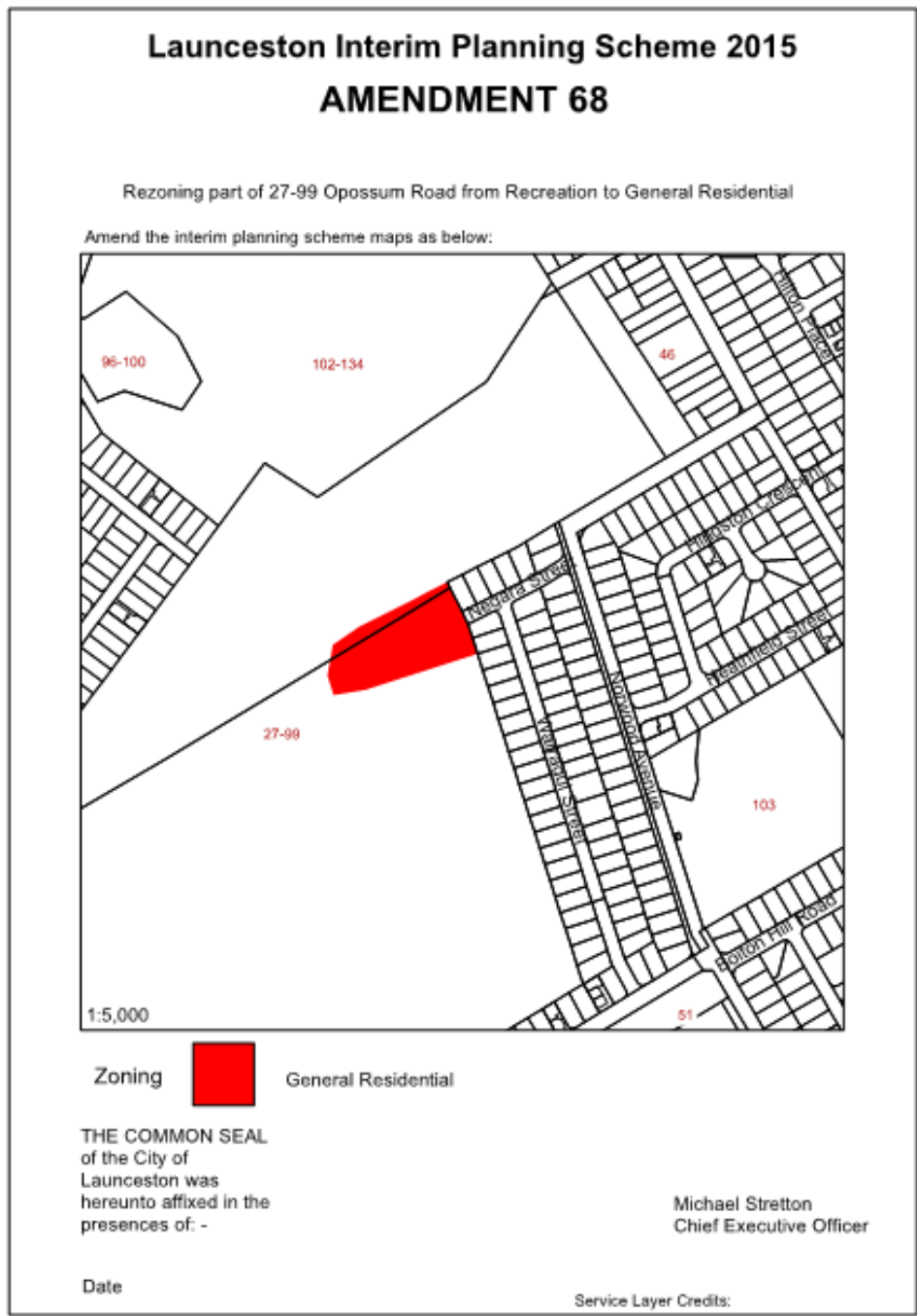
1. To decide whether to reject or exhibit Amendment 68 for a partial rezoning of land at Launceston Golf Club at 27-99 Opossum Road, Kings Meadows from Recreation to General Residential of the Launceston Interim Planning Scheme 2015 to allow subdivision and residential use; and
2. To determine Development Application DA0506/2021 to subdivide two lots into 14 lots and associated works, road, drainage and electricity infrastructure.

RECOMMENDATION:

That Council:

1. pursuant to the former sections 33(3) and 34 of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 68 to the Launceston Interim Planning Scheme 2015 for a partial rezoning of land from Recreation to General Residential at 27-99 Opossum Road, Kings Meadows (CT198059/1 and Unnamed Title) as shown below:
-

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)



2. pursuant to the former section 35(1) of the *Land Use Planning and Approvals Act 1993*, certifies the draft amendment 68.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)

3. in accordance with former section 38(1)(a) of the *land Use Planning and Approvals Act 1993* determines the period for public exhibition to be 28 days.
4. pursuant to the former section 43A of the *Land Use Planning and Approvals Act 1993*, approves DA0506/2021 to subdivide two lots into 14 lots and associated works, road, drainage and electricity infrastructure at 27-99 Opossum Road, Kings Meadows (CT198059/1 and Unnamed Title) 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. S43A - Planning Scheme Amendment and Development Application, prepared by Woolcott Surveys, dated September 2021.
- b. Bushfire Hazard Report, Job No. L191207, prepared by Accredited Practitioner James Stewart BFP-157, dated August 2021.
- c. Natural Values Assessment, prepared by Environmental Consulting Options Tasmania, dated 17 November 2021.
- d. Traffic Impact Assessment (TIA), Revision B, prepared by A Howell, dated August 2021.
- e. Rezone Plan, Job No. L191207, Sheet 1/3, Edition 2, prepared by Woolcott Surveys, dated 04/10/2021.
- f. Subdivision Plan, Job No. L191207, Sheet 6/7, Edition 7, prepared by Woolcott Surveys, dated 15/11/2021.
- g. Existing Stormwater Infrastructure, Job No. L191207, Sheet 1/1, Edition 2, prepared by Woolcott Surveys, dated 15/11/2021.
- h. Road Layout and Concept Services Plan, Drawing No. 332.31-SK01, Revision B, prepared by Hydrodynamica, dated 23/07/2021.

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 - 7am to 6pm

Saturday - 8am to 5pm

No works on Sunday or Public Holidays

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/01548-LCC, 16/09/2021 and attached to the Permit.

5. 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.

6. NO FURTHER VEGETATION REMOVAL

Tree and vegetation removal must be limited to those specifically identified. No other tree or vegetation is to be felled, lopped, topped, ring-barked, uprooted or otherwise wilfully destroyed or removed, without the further written consent of the Council.

7. COVENANTS ON SUBDIVISIONS

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

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

8. FINAL PLAN OF SURVEY

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

9. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved lots as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the subdivider's expense.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)

10. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

11. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of Infrastructure and Engineering is required prior to undertaking works where the works:

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

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

12. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 *Trench Reinstatement Flexible Pavements* and the Council's policy 27-Rfx-012 *Standards for Surface Reinstatement of Works in the Road Service*. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)

13. 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.

14. RETICULATED SERVICES

Prior to the commencement of the use, reticulated water, sewerage and electricity must be available to each lot shown on the endorsed plans.

15. SUBMISSION AND APPROVAL OF PLANS

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

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

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)

16. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager Infrastructure and Assets Network. The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater
 - i. provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve;
 - ii. the provision of a DN100 connection to the lowest point of each lot; and
 - iii. provision of an overland flow path for flows up to a 100 year ARI storm event.
- b. Roads
 - i. provision of a fully constructed road 15.25m wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel;
 - ii. provision of a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;
 - iii. provision of a single vehicular crossing for each lot within the subdivision;
 - iv. provision of a sealed temporary turning head of a suitable size for incomplete roads; and
 - v. all necessary line marking, signage and other traffic control devices.
- c. Public Open Spaces
 - i. all public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.
- d. Electricity, Communications and Other Utilities
 - i. an underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority;
 - ii. an underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority;
 - iii. provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure; and
 - iv. provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

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

- a. Construction requirements.
 - b. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange the Council's Audit inspections and other responsibilities.
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9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)

- c. Construction Audit inspections.
- d. Practical Completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

17. ACCESS OVER ADJACENT LAND

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

- a. advise the Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner; then
- b. contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works; and
- c. ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie. legal, valuation, etc. if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

18. WORKS REQUIRED FOR EACH LOT IN A STAGE

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

- a. fully constructed public road along all frontages, including the secondary frontage where a corner lot;
- b. a sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition;
- c. a stormwater connection to the public drainage system;
- d. access to underground electricity and communications infrastructure; and
- e. where applicable, reticulated gas infrastructure.

19. CONSTRUCTION DOCUMENTATION

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

- a. an *as constructed* plan in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure and Assets Network.
 - b. a Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
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9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)

- 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.

20. EASEMENTS

Easements are required over all the Council's and third party services located on 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.

21. SEALING PLANS OF SUBDIVISION

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

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

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

22. CONVEYANCE OF ROADS

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

23. COMPLETION OF WORKS

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

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)

24. 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.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0506/2021. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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.

9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)

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

Due to a Declaration of Interest in Agenda Item 9.1 - Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots into 14 Lots and Associated Infrastructure, Councillor D H McKenzie withdrew from the Meeting at 1.09pm.

**Mr James Stewart (on behalf of applicants) spoke for the Recommendation
Mr Tony Wilkes (on behalf of the Launceston Golf Club) spoke for the Recommendation**

- 9.1 Amendment 68 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0506/2021 to Subdivide Two Lots Into 14 Lots and Associated Infrastructure ...(Cont'd)**
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DECISION: 2 December 2021

MOTION

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

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

CARRIED 11:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor 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, Councillor T G Walker and Councillor K M Preece

ABSENT DUE to CONFLICT of INTEREST: Councillor D H McKenzie

Councillor D H McKenzie re-attended the Meeting at 1.19pm

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street

FILE NO: DA0486/2021

AUTHOR: Maria Lasso (Town Planner)

ACTING GENERAL MANAGER: Richard Jamieson (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 DA0486/2021 - Business and Professional services, General Retail and Hire, Food Services - Construction of a mixed use development involving partial demolition of existing buildings at 89-93 Cimitiere Street, Launceston (CT90992/1, CT248431/1 and CT112123/1) including the construction of a pedestrian walkway across 34 Cameron Street, Launceston (CT226231/1) 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) Development Application, Prepared by Commercial Project Delivery, Pages 1-57, Dated 8/10/2021, Attachments listed separately.
 - (b) Flood Assessment, Prepared by Pitt & Sherry, Pages 1-12, Appendix A and Appendix B, Dated 13/8/2021.
 - (c) Preliminary Site Assessment, Prepared by es&d, Project No. 7526, Pages 1-24 and Appendix 1, Dated 18/7/2021.
 - (d) Architectural Statement, Prepared by Terroir, Pages 1-24, Dated 5/10/2021.
 - (e) Cover Page, Prepared by Terroir, Project No. 21304, Drawing DA-10.00, Revision G, Dated 4/10/2021.
 - (f) Location Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.01, Revision D, Dated 13/08/21.
 - (g) Existing Site Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.02, Revision E, Dated 4/10/2021.
 - (h) Proposed Demolition Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.03, Revision E, Dated 4/10/2021.
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9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

- (i) Proposed Level -1 Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.04, Revision E, Dated 21/08/2021.
 - (j) Proposed Level 0 (Ground) Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.05, Revision G, Dated 4/10/2021.
 - (k) Proposed Level 1 Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.06, Revision E, Dated 4/10/2021.
 - (l) Proposed Level 2 -5 (Typical) Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.07, Revision E, Dated 4/10/2021.
 - (m) Proposed Level 6 Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.08, Revision E, Dated 4/10/2021.
 - (n) Proposed Level 7 Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.09, Revision E, Dated 4/10/2021.
 - (o) Proposed Roof Plan, Prepared by Terroir, Project No. 21304, Drawing DA-10.10, Revision E, Dated 4/10/2021.
 - (p) Proposed Elevations - Sheet 1, Prepared by Terroir, Project No. 21304, Drawing DA-20.01, Revision G, Dated 4/10/2021.
 - (q) Proposed Elevations - Sheet 2, Prepared by Terroir, Project No. 21304, Drawing DA-20.02, Revision G, Dated 4/10/2021.
 - (r) Proposed Elevations - Sheet 3, Prepared by Terroir, Project No. 21304, Drawing DA-20.03, Revision G, Dated 4/10/2021.
 - (s) Proposed Elevations - Sheet 4, Prepared by Terroir, Project No. 21304, Drawing DA-20.04, Revision G, Dated 4/10/2021.
 - (t) Proposed Sections - Sheet 1, Prepared by Terroir, Project No. 21304, Drawing DA-30.01, Revision E, Dated 4/10/2021.
 - (u) Proposed Sections - Sheet 2, Prepared by Terroir, Project No. 21304, Drawing DA-30.02, Revision D, Dated 4/10/2021.
 - (v) Proposed Sections - Sheet 3, Prepared by Terroir, Project No. 21304, Drawing DA-30.03, Revision D, Dated 4/10/2021.
 - (w) Photomontage View - Sheet 1, Prepared by Terroir, Project No. 21304, Drawing DA-40.01, Revision G, Dated 4/10/2021.
 - (x) Photomontage View - Sheet 2, Prepared by Terroir, Project No. 21304, Drawing DA-40.02, Revision G, Dated 4/10/2021.
 - (y) Photomontage View - Sheet 3, Prepared by Terroir, Project No. 21304, Drawing DA-40.03, Revision G, Dated 4/10/2021.
 - (z) Photomontage View - Sheet 4, Prepared by Terroir, Project No. 21304, Drawing DA-40.04, Revision G, Dated 4/10/2021.
 - (aa) Photomontage View - Sheet 5, Prepared by Terroir, Project No. 21304, Drawing DA-40.05, Undated.
 - (ab) Photomontage View - Sheet 5, Prepared by Terroir, Project No. 21304, Drawing DA-40.06, Revision G, Dated 4/10/2021.
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9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

- (ac) Interior Renders - Sheet 1, Prepared by Terroir, Project No. 21304, Drawing DA-40.07, Revision E, Dated 27/08/2021.
 - (ad) Interior Renders - Sheet 2, Prepared by Terroir, Project No. 21304, Drawing DA-40.08, Revision F, Dated 20/09/2021.
 - (ae) Solar Studies - Sheet 1, Prepared by Terroir, Project No. 21304, Drawing DA-50.01, Revision G, Dated 4/10/2021.
 - (af) Solar Studies - Sheet 2, Prepared by Terroir, Project No. 21304, Drawing DA-50.02, Undated.
 - (ag) Solar Studies - Sheet 3, Prepared by Terroir, Project No. 21304, Drawing DA-50.03, Revision G, Undated.
 - (ah) Solar Studies - Sheet 4, Prepared by Terroir, Project No. 21304, Drawing DA-50.04, Revision G, Dated 4/10/2021.
 - (ai) Solar Studies - Sheet 5, Prepared by Terroir, Project No. 21304, Drawing DA-50.05, Undated.
 - (aj) Solar Studies - Sheet 6, Prepared by Terroir, Project No. 21304, Drawing DA-50.06, Undated.
 - (ak) Solar Studies - Sheet 7, Prepared by Terroir, Project No. 21304, Drawing DA-50.07, Revision G, Dated 4/10/2021.
 - (al) Solar Studies - Sheet 8, Prepared by Terroir, Project No. 21304, Drawing DA-50.08, Revision G, Dated 4/10/2021.
 - (am) Solar Studies - Sheet 9, Prepared by Terroir, Project No. 21304, Drawing DA-50.09, Revision G, Dated 4/10/2021.
 - (an) Solar Studies - Sheet 10, Prepared by Terroir, Project No. 21304, Drawing DA-50.10, Undated.
 - (ao) Solar Studies - Sheet 11, Prepared by Terroir, Project No. 21304, Drawing DA-50.11, Undated.
 - (ap) Solar Studies - Sheet 12, Prepared by Terroir, Project No. 21304, Drawing DA-50.12, Revision G, Dated 4/10/2021.
 - (aq) Solar Studies - Sheet 13, Prepared by Terroir, Project No. 21304, Drawing DA-50.13, Undated.
 - (ar) Solar Studies - Sheet 14, Prepared by Terroir, Project No. 21304, Drawing DA-50.14, Undated.
 - (as) Solar Studies - Sheet 15, Prepared by Terroir, Project No. 21304, Drawing DA-50.15, Revision G, Dated 4/10/2021.
 - (at) Solar Studies - Sheet 16, Prepared by Terroir, Project No. 21304, Drawing DA-50.16, Revision G, Dated 4/10/2021.
 - (au) Solar Studies - Sheet 17, Prepared by Terroir, Project No. 21304, Drawing DA-50.17, Revision G, Dated 4/10/2021.
 - (av) Solar Studies - Sheet 18, Prepared by Terroir, Project No. 21304, Drawing DA-50.18, Undated.
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9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

- (aw) Solar Studies - Sheet 19, Prepared by Terroir, Project No. 21304, Drawing DA-50.19, Undated.
- (ax) Solar Studies - Sheet 20, Prepared by Terroir, Project No. 21304, Drawing DA-50.20, Revision G, Dated 4/10/2021.
- (ay) Solar Studies - Sheet 21, Prepared by Terroir, Project No. 21304, Drawing DA-50.21, Undated.
- (az) Solar Studies - Sheet 22, Prepared by Terroir, Project No. 21304, Drawing DA-50.22, Undated.
- (ba) Solar Studies - Sheet 23, Prepared by Terroir, Project No. 21304, Drawing DA-50.23, Revision G, Dated 4/10/2021.
- (bb) Solar Studies - Sheet 24, Prepared by Terroir, Project No. 21304, Drawing DA-50.24, Revision G, Dated 4/10/2021.
- (bc) Development Servicing Report, Prepared by Gandy and Roberts Consulting Engineers, Project No. 21.0228, Revision B, Pages 1 to 7 and Appendix 1, Dated 20 September 2021.
- (bd) Noise Assessment, Prepared by NVC, Reference 1511-1, Pages 1 to 5, Dated 20 September 2021.
- (be) Traffic Impact Assessment, Prepared by GHD, Project No. 12551634, Revision 1, Pages 1 to 12, Dated 27/09/2021.
- (bf) Statement from Landscape Architects, Pages 1 to 2, Dated 27 September 2021.
- (bg) Boundary Identification Survey, Prepared by Survey Alignment Services, Reference 2021041, Dated 4/10/2021.
- (bh) Site Survey Plan, Prepared by Survey Alignment Services, Undated.
- (bi) Response to RFI - DA0486/2021, Prepared by Commercial Project Delivery, Pages 1 to 5, Dated 8/10/2021.

2. LEGAL TITLE

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

3. CONSOLIDATION OF LOTS

Prior to the issuing of the Occupancy Certificate, lots CT90992/1, CT248431/1 and CT112123/1 must be consolidated into a single lot. The plan must be certified by the Council and lodged with the Land Titles Office for approval.

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am to 6pm

Saturday - 8am to 5pm

No works on Sunday or Public Holidays

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

5. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/01496-LCC, 21/09/2021 and attached to the permit.

6. ROLLER DOOR

Notwithstanding plans endorsed, the roller door located on the Southern façade (Drawing No. 20.03 Rev G) must be deleted.

7. SITE LANDSCAPING PLAN

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

- a. proposed garden areas and plantings (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity).
- b. all proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways.
- c. all garden areas and plantings proposed along the proposed pedestrian crossing on Level 0, climbing plants along the façade on Level 0 and outdoor areas on Level 6.
- d. the outdoor areas on Level 6 must be planted with at least six trees capable of reaching a mature height of 3 - 4m.
- e. the landscaping plan must be accompanied by a report prepared by a suitably qualified person demonstrating that the proposed trees and vegetation can survive in the proposed conditions and can be permanently maintained and retained. This report should detail the soil volumes and irrigation systems required.

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

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

8. MATERIALS DETAILS

Prior to the commencement of any works, the material's manufacturing specifications for the proposed glazed curtain wall must be provided to the Manager City Development for approval. The selected material must display at least the same level of transparency and reflectivity shown in the photomontage views endorsed as part of the permit.

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

9. PLANT EQUIPMENT

Plant and equipment must be screened from public viewpoints, and finished in muted colours compatible with the proposed building, to the satisfaction of the Manager City Development.

10. BICYCLE SPACES

Bicycle parking spaces must:

- a. have minimum dimensions of:
 - (i) 1.7m in length; and
 - (ii) 1.2m in height; and
 - (iii) 0.7m in width at the handlebars;
- b. have unobstructed access with a width of at least 2m and a gradient of no more than 5% from a road, cycle path, bicycle lane, shared path or access way; and
- c. include a rail or hoop to lock a bicycle to that meets AS2890.3 1993 Parking facilities - Bicycle parking facilities

11. LIGHTING OF BICYCLE AREAS

The bicycle parking areas and storage facilities must be available and adequately lit during the times they will be used, in accordance with Table 2.3 of AS/NZS1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.

12. LIGHT SPILL AND ILLUMINATION

The building must contain direct light from external light sources within the boundaries of the site.

13. NO SIGNAGE APPROVED

Notwithstanding plans endorsed, the signs shown in plans are not approved. The installation of signage may be subject to planning approval.

14. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

15. APPLICATION TO ALTER A STORMWATER SERVICE

An application must be made using the Council's eServices web portal, or on the approved form, and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

16. 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.

17. SOIL AND WATER MANAGEMENT PLAN

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

18. OCCUPATION OF ROAD RESERVE (COMPLEX)

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the General Manager Infrastructure and Assets Network is required. Application for the occupation of Cimitiere Street must be made 14 days prior to date of the scheduled occupation or works and detailing (but not limited to:

- a. the nature, dates and duration of the occupation and/or works,
 - b. the contractor's name and registration number,
 - c. the traffic management works that must be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles (noting that Cimitiere Street is designated as a heavy vehicle route and may require additional measures to be implemented).
-

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

- d. any alternative pedestrian routes to be provided where the existing footpath in Cimitiere Street is unavailable for use due to the delivery of materials such as the precast concrete panels.
- e. any temporary works required to maintain the serviceability of the road or footpath.

A permit issued for any occupation and/or works may be subject to conditions specifying or limiting:

- a. the nature, dates and duration of the occupation and/or works;
- b. the traffic management works that must be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles;
- c. Any alternative pedestrian routes to be provided where the existing footpath in Cimitiere Street is unavailable for use due to the delivery of materials such as the precast concrete panels;
- d. Any temporary works required to maintain the serviceability of the road or footpath; and
- e. All remedial works required to repair any damage to the road reserve resulting from the occupation and/or works.

Inspections must be arranged for prior to the commencement of the occupation and at the completion of the works.

19. CAPPING OF SERVICES

Unused service connections must be capped for possible future use, or permanently sealed with concrete plugs and the disused portion of pipe filled with an approved medium. The location of any capped services must be located on a site plan and provided to Council.

20. SUBMISSION AND APPROVAL OF PLANS

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

- a. include all infrastructure works required by the permit or shown in the endorsed plans and specifications.
 - b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
 - c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
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9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

- d. be accompanied by:
- i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

21. CONSTRUCTION OF WORKS

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

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

- a. Roads
 - i. The satisfactory reinstatement of all trenches within the road reserve including but not limited to the new water main.
 - ii. The removal of any existing crossovers rendered redundant by the proposed development.
 - iii. All necessary line marking, signage and other traffic control devices.

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

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

22. VAPOUR ASSESSMENT

Prior to the commencement of excavation, earthworks or construction, a vapour assessment prepared by a suitably qualified environmental practitioner must be submitted to Council to the satisfaction of the manager of Health and Compliance demonstrating that the development does not adversely impact on health and the environment. The assessment must include:

- a. The assessment of the internal building including the basement in order to determine any vapour intrusion that may occur during construction and over the life of the completed building. The vapour intrusion recommendations included in this assessment report must be implemented.
-

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

- b. If vapour intrusion risks are identified, recommendations to prevent the intrusion of vapours into the building structure, including the basement.
- c. A statement that confirms the site is suitable for the intended use or will be suitable upon implementation and completion of the recommendations of the report.

23. VAPOUR MONITORING

Monitoring for vapour intrusion must be undertaken annually by a suitably qualified environmental practitioner specialising in vapour intrusion, unless otherwise directed in writing by the Manager of Health and Compliance. The Council must be notified within 24 hours if vapour intrusion occurs. Annual vapour records must be kept and made available to the Council upon request.

24. POTENTIAL SITE CONTAMINATION

Prior to the commencement of works, an environmental site assessment (ESA) prepared by a suitably qualified environmental practitioner must be submitted to the Council to the satisfaction of the Manager of Health and Compliance demonstrating that the development does not adversely impact on health and the environment in accordance with Clause E2.6.2 of the Launceston Interim Planning Scheme. The applicant must comply with the ESA report including any required protection measures in relation to dermal contact of soil specified.

25. POTENTIAL SITE CONTAMINATION - LOW CONTAMINATION

Notwithstanding the findings of the ESA, prior to the commencement of excavation, earthworks or construction, a construction environmental management plan (CEMP) prepared by a suitably qualified environmental practitioner must be submitted to the Council to the satisfaction of the Manager Health and Compliance demonstrating that the proposal does not adversely impact on health and the environment. The CEMP must address as a minimum:

- a. The management of environmental risk during construction;
 - b. How the supervisor will check for odour or soil discolouration;
 - c. How the work is to stop if contamination is detected;
 - d. The type of protective clothing (disposable) to be used including dust masks (P2); gloves, eye protection etc;
 - e. The method for stockpiling and sampling soil to determine disposal process;
 - f. How sediment and dust generation is to be monitored and mitigated.
-

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

26. POTENTIAL SITE CONTAMINATION - CONTAMINANTS CONFIRMED

If contaminants are confirmed at levels assessed to pose an unacceptable risk to human health or the environment, the following is required:

- a. Prior to the commencement of excavation, earthworks or construction, a remediation and protection plan (RPP) prepared by a suitably qualified environmental practitioner must be submitted to the satisfaction of the Manager of Health and Compliance. The plan must include any remediation or protection measures needed, specific to the identified contamination, to ensure protection of both human health and the environment. Mitigation measures can be used in situations where remediation is not possible to protect receptors. This may include minor modifications to the development to prevent vapour intrusion via passive venting or vapour barriers. Whatever the case the risk must be acceptable for all receptors. The remediation and protection plan must demonstrate that the proposal does not adversely impact on human health or the environment and must include, as a minimum:
 - i. Remediation goal(s), with acceptable residual contamination levels.
 - ii. Remediation process(s) and methodologies.
 - iii. Protective measures and design
 - iv. A plan for validating successful remediation of the site.
 - b. Prior to the commencement of excavation, earthworks or construction, a construction containment management plan (CCMP) prepared by a suitably qualified environmental practitioner must be submitted to the satisfaction of the Manager of Health and Compliance. The CCMP must include the following:
 - i. Specify each contaminant and its location;
 - ii. If required, outline the remediation and protection measures that must be implemented in accordance with the completed ESA and the National Environmental Protection Measures;
 - iii. Specify the volumes of soil (if any) to be removed and to what depth soil will be removed;
 - iv. Outline the process for containing contaminated soils onsite after excavation and prior to disposal;
 - v. Describe the disposal process for soils that are to be removed from site, including any testing to be undertaken;
 - vi. Specify the final ground levels and the required compaction;
 - vii. If groundwater is to be remediated, outline the remediation process;
 - viii. Outline the type of volatile organic compound (VOC) gas meters required to monitor exposure to VOC and explosive gasses.
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9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

- c. Once remediation is completed, a remediation and validation report prepared or reviewed by a suitably qualified environmental practitioner must be provided to the satisfaction of the Manager Health and Compliance. This report must include as a minimum:
 - i. A statement confirming that the land is suitable for the intended use;
 - ii. A statement confirming that the proposal does not adversely impact on health and the environment.
- d. Notwithstanding the findings of the ESA, prior to the commencement of excavation, earthworks or construction, a construction environmental management plan (CEMP) prepared by a suitably qualified environmental practitioner must be submitted to the satisfaction of the Manager of Health and Compliance demonstrating that the proposal does not adversely impact on health and the environment. The CEMP must address as a minimum:
 - i. The management of environmental risk during construction;
 - ii. How the supervisor will check for odour or soil discolouration;
 - iii. How the work is to stop if contamination is detected;
 - iv. The type of protective clothing (disposable) to be used including dust masks (P2); gloves, eye protection etc.
 - v. The method for stockpiling and sampling soil to determine disposal process;
 - vi. How sediment and dust generation is to be monitored and mitigated.

27. POTENTIAL SITE CONTAMINATION - NEW INFORMATION

Any new information which comes to light during demolition or construction works and has the potential to alter previous conclusions about site contamination must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery. Any works on site should cease until the new information has been appropriately assessed and approved by a suitably qualified environmental practitioner.

28. CONTROL OF DUST EMISSIONS

- a. Dust emissions from the land must be controlled to prevent environmental nuisance beyond the boundary of the land during development and use.
- b. Prior to the use commencing the site is to be fully sealed, other than approved landscaping.
- c. The person responsible is to maintain the site seal in good condition over the life of the operation.

29. EXTERIOR AND SECURITY LIGHTING PLANNING

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

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

30. WASTE MATERIALS

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

31. DEMOLITION

The Developer must:

- a. carry out all demolition work in accordance with Safe Work Australia *Demolition Work Code of Practice* or any subsequent versions of the document;
- b. protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- c. not undertake any burning of waste materials on site;
- d. remove all rubbish from the site for disposal at a licensed refuse disposal site;
- e. dispose of any asbestos found during demolition in accordance with the Safe Work Australia *How to Safely Remove Asbestos Code of Practice* or any subsequent versions of the document

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0486/2021. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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.

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

E. Food Premises

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

F. Noise Nuisance

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

G. Heat Pump Use

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

9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)

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

**Mr Jim Collier spoke against the Recommendation
Mr Michael Hine (on behalf of Newton and Henry) spoke for the Recommendation
Mr Maurice De Jersey spoke against the Recommendation
Mr Sam Tucker spoke for the Recommendation
Ms Chloe Lyne spoke for the Recommendation
Mr Martin Rees (on behalf of St Lukes Health) spoke for the Recommendation**

DECISION: 2 December 2021

MOTION 1

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

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

CARRIED 11:1

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

- 9.2 DA0486/2021 - 89-93 Cimitiere and 34 Cameron Street, Launceston - Business, Professional Services, General Retail, Hire and Food Services - Construction - Mixed Use Development Involving Partial Demolition of Existing Buildings at 89-93 Cimitiere Street ...(Cont'd)**
-

DECISION: 2 December 2021

MOTION 2

Moved Councillor R I Soward, seconded Councillor K P Stojansek.

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

CARRIED 12:0

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

DECISION: 2 December 2021

MOTION 3

Moved Councillor R I Soward, seconded Councillor P S Spencer.

That Councillor T G Walker be granted an additional three minutes speaking time.

CARRIED 12:0

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

9.3 DA0608/2021 - 24 Mayne Street, Invermay - Residential - Demolition of Outbuilding and Construction of an Outbuilding**FILE NO:** DA0608/2021**AUTHOR:** Duncan Payton (Town Planner)**ACTING GENERAL MANAGER:** Richard Jamieson (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:

The existing outbuilding, to be demolished, was approved under BA537/97. Planning approval was not required at that time.

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 DA0608/2021 - Residential - demolition of outbuilding and construction of an outbuilding at 24 Mayne Street, Invermay, 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. Cover Page, prepared by Plans to Build, project no. 21053, alterations and additions at 24 Mayne Street, Invermay, revision 0 page A00, dated 12/10/2021.
 - b. Demolition Site Plan, prepared by Plans to Build, project no. 21053, alterations and additions at 24 Mayne Street, Invermay, revision 0 page A01, dated 12/10/2021.
 - c. Site and Drainage Plan, prepared by Plans to Build, project no. 21053, alterations and additions at 24 Mayne Street, Invermay, revision 0 page A02, dated 12/10/2021.
 - d. Floor Plan, prepared by Plans to Build, project no. 21053, alterations and additions at 24 Mayne Street, Invermay, revision 0 page A03, dated 12/10/2021.
 - e. Roof Plan, prepared by Plans to Build, project no. 21053, alterations and additions at 24 Mayne Street, Invermay, revision 0 page A04, dated 12/10/2021.
 - f. South Elevation, prepared by Plans to Build, project no. 21053, alterations and additions at 24 Mayne Street, Invermay, revision 0 page A05, dated 12/10/2021.
 - g. Lighting Calculation and Corrosion Table, prepared by Plans to Build, project no. 21053, alterations and additions at 24 Mayne Street, Invermay, revision 0 page A06, dated 12/10/2021.
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9.3 DA0608/2021 - 24 Mayne Street, Invermay - Residential - Demolition of Outbuilding and Construction of an Outbuilding ...(Cont'd)

- h. General Requirements, prepared by Plans to Build, project no. 21053, alterations and additions at 24 Mayne Street, Invermay, revision 0 page A07, dated 12/10/2021.

2. AMENDED PLANS REQUIRED

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

- a. the western end of the proposed building enclosed.
- b. the installation of sound mitigating insulation.

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the planning officer.

3. 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.

4. LEGAL TITLE

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

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

6. OUTBUILDINGS

The use of outbuildings is not permitted for human habitation and is limited to residential storage and related residential activities, including up to 40m² for a home occupation, only.

9.3 DA0608/2021 - 24 Mayne Street, Invermay - Residential - Demolition of Outbuilding and Construction of an Outbuilding ...(Cont'd)

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 Infrastructure and Engineering 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. 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.

9.3 DA0608/2021 - 24 Mayne Street, Invermay - Residential - Demolition of Outbuilding and Construction of an Outbuilding ...(Cont'd)

10. DEMOLITION

The Developer must:

- a. carry out all demolition work in accordance with Safe Work Australia *Demolition Work Code of Practice* or any subsequent versions of the document;
- b. protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- c. not undertake any burning of waste materials on site;
- d. remove all rubbish from the site for disposal at a licensed refuse disposal site;
- e. dispose of any asbestos found during demolition in accordance with the Safe Work Australia *How to Safely Remove Asbestos Code of Practice* or any subsequent versions of the document

11. PROTECTION OF STREET TREES

Existing street trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970: Protection of Trees on Development Sites*. The protection works are to be installed prior to the commencement of any other works on the site and are to remain in place until the completion of all other works.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0608/2021. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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.

9.3 DA0608/2021 - 24 Mayne Street, Invermay - Residential - Demolition of Outbuilding and Construction of an Outbuilding ...(Cont'd)

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. 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. No Approval for Alterations to Driveway Crossover

No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.

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

Mr Gene McLaren spoke for the Recommendation

9.3 DA0608/2021 - 24 Mayne Street, Invermay - Residential - Demolition of Outbuilding and Construction of an Outbuilding ...(Cont'd)

DECISION: 2 December 2021

MOTION

Moved Councillor P S Spencer, seconded Councillor R I Soward.

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

CARRIED 12:0

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

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

Thursday 18 November 2021

- Officiated at the grand opening of the *Polytec Launceston Selection Studio*
- Attended the *Art Evening*, a celebration of Kings Meadows High School student works

Friday 19 November 2021

- Welcomed delegates to the *Institute of Public Works Engineering Australia* conference

Saturday 20 November 2021

- Attended the *Citizen Advocacy Launceston* annual Christmas barbeque
- Attended *Illuminate* by *TasDance*

Sunday 21 November 2021

- Delivered the welcome speech at the *Thai Food and Cultural Festival*

Monday 22 November 2021

- Visited the *John Calvin School* to speak with Grade 7/8 students

Tuesday 23 November 2021

- Attended the *Children's University* graduation ceremony

Wednesday 24 November 2021

- Attended *Resurgence* (14th Anniversary of *Dance Fever*)

Thursday 25 November 2021

- Officiated at the grand opening of *RDO Equipment*
 - Hosted a civic function to mark the 30th Anniversary of *Yemaya*
-

10.1 Mayor's Announcements ...(Cont'd)

Friday 26 November 2021

Officiated at the lighting of the City's Christmas tree

Saturday 27 November 2021

- Attended the *Vietnam Veterans Association Launceston Sub Branch* Christmas dinner

Tuesday 30 November 2021

- Attended the *Launceston Chamber of Commerce's* Christmas cocktail evening
-

The Mayor noted that, due to inclement weather conditions, he did not attend the second session of *Illuminate* by *TasDance* on 20 November 2021

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 R I Soward

- **Attended the National Basketball League's *Tasmania Jack Jumpers* pre-season blitz event at the Elphin Sports Centre**

11.2 Councillor D C Gibson

- **With regard to *Resurgence* (14th Anniversary of *Dance Fever*) noted the support of the Council and school students making the event such a success**
- **Attended the first session of *Illuminate* by *TasDance* at the Gorge**
- **Attended *VOX Harmony's* annual concert and highlighted the forthcoming North West Tasmanian tour**
- **Noted the recently held *Design Tasmania* forums discussing what the future of *Design Tasmania* could look like**

11.3 Councillor D H McKenzie

- **Attended the *Children's University* graduation ceremony**
- **Commended the Council's staff on the presentation of the Gorge grounds**

11.4 Councillor K M Preece

- **Attended the *Clifford Craig Foundation* garden fete held at Les and Sue Arnold's property at Lilydale**

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 - Brisbane Street Mall Christmas Tree - Council Meeting - 18 November 2021**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 18 November 2021 by Councillor P S Spencer, has been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Why did the electrical contractor who undertook work last year on the Christmas tree in the Brisbane Street Mall - both in paid and volunteer capacities - not get an opportunity to quote work for this year?

Response:

The Christmas tree establishment is undertaken in partnership with CityProm. The City of Launceston installs the Christmas tree with internal labour and CityProm arranges the relevant electrical contractors in accordance with their procurement processes.

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.)

12.2.1 Councillor T G Walker - Building Better Regions Fund - Round 4 Drought Funding

1. **Now, through a Federal Court ruling, that the Council does not have the landowner's permission to contribute that money towards a creative precinct, can the Chief Executive Officer advise when the money granted to the Council as part of the grants process will be returned to the Federal Government?**

The Mayor, Councillor A M van Zetten, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 16 December 2021.

2. **As the Council no longer has the ability to plan for a bus interchange on the 41-43 Paterson Street site (Birchall's car park), what aspects of our transport and our City Strategy will be directly affected by the failure to build a bus interchange?**

The Mayor, Councillor A M van Zetten, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 16 December 2021.

13 COMMITTEE REPORTS

13.1 Sister City Committee Meeting - 18 November 2021

FILE NO: SF0175

AUTHOR: Kelsey Hartland (Team Leader Governance)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive and consider a report from the Sister City Committee Meeting held on 18 November 2021.

RECOMMENDATION:

That Council receives the report from the Sister City Committee Meeting held on 18 November 2021.

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

DECISION: 2 December 2021

MOTION

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

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

CARRIED 12:0

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

DECISION: 2 December 2021

MOTION

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

That Agenda Item 13.2 - Heritage Advisory Committee Meeting - 28 October 2021 and Agenda Item 16.1 - Heritage Advisory Committee Terms of Reference be moved conjointly.

CARRIED 12:0

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

Council moved to discuss Agenda Item 13.2 - Heritage Advisory Committee Meeting - 28 October 2021 and Agenda Item 16.1 - Heritage Advisory Committee Terms of Reference.

13.2 Heritage Advisory Committee Meeting - 28 October 2021**FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Place and Heritage Officer)**ACTING GENERAL MANAGER:** Richard Jamieson (Community and Place Network)

DECISION STATEMENT:

To receive and consider a report from the Heritage Advisory Committee Meeting held on 28 October 2021.

RECOMMENDATION:

That Council receives the report from the Heritage Advisory Committee Meeting held on 28 October 2021.

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

Councillor A E Dawkins withdrew from the Meeting at 2.23pm

DECISION: 2 December 2021**MOTION**

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

That Council:

- 1. receives the report from the Heritage Advisory Committee Meeting held on 28 October 2021 as per the Recommendation for Agenda Item 13.2 - Heritage Advisory Committee Meeting - 28 October 2021.**
 - 2. amends the existing Heritage Advisory Committee (14-ToR-002) by changing the reference to Meeting Quorum as listed below as per the Recommendation for Agenda Item 16.1 - Heritage Advisory Committee Terms of Reference.**
-

13.2 Heritage Advisory Committee Meeting - 28 October 2021 ...(Cont'd)

Launceston Heritage Advisory Committee - Terms of Reference

The Launceston Heritage Advisory Committee is a Special Committee of Council as defined under section 24 of the *Local Government Act 1993* (Tas).

ROLE/PURPOSE:

The primary purpose of the Launceston Heritage Advisory Committee is to provide advice to the Council on heritage matters and to promote the value of heritage places within the municipality.

ROLE/OBJECTIVES:

The role of the Launceston Heritage Advisory Committee is to:

- provide advice and recommendations on the development of the Council's policy relating to heritage matters;
- provide advice on and participate in the overview of heritage studies undertaken by the Council;
- provide advice and recommendations on applications made by the Council for heritage funding;
- consult with stakeholders to determine community aspirations relating to heritage places and objects;
- promote the Council's objectives and the principles of reuse of heritage assets in the City;
- promote community participation in and awareness of heritage activities; and
- provide advice to the Council in regard to development proposals involving and/or impacting on heritage values on properties either heritage registered or covered by heritage precinct or overlay.

MEMBERSHIP:

The Launceston Heritage Advisory Committee will consist of the following positions:

- City of Launceston Councillors (two) nominated and endorsed by Council
 - One of the endorsed City of Launceston Councillors to chair the Committee
 - A representative from Heritage Tasmania
 - A representative from the National Trust of Australia (Tasmania)
 - A representative from the University of Tasmania's School of Architecture and Design
 - A representative from the Real Estate Institute of Tasmania
 - A representative from the Launceston Historical Society
 - Community Representation (a minimum of two) with relevant experience to participate in performing the role of the Committee to be nominated by the Committee and approved by Council
-

13.2 Heritage Advisory Committee Meeting - 28 October 2021 ...(Cont'd)

The Councillors' role will be for a four year period to coincide with Local Government Council elections, subject to a review after two years. Following the review process, the Chair and Deputy Chair are to be elected by the Committee.

The Place and Heritage Officer, Liveable Communities will provide advice and/or assistance to the Committee. Relevant officers of the City of Launceston will attend Meetings as necessary.

Community Representative will be filled in accordance with the Community Appointments to Advisory Committees Policy (14-Plx-029).

MEETING ARRANGEMENTS:

The Heritage Advisory Committee will generally meet six times per year (and at other times as required).

MEETING QUORUM:

An absolute majority is considered a quorum including one Councillor. If a quorum cannot be achieved, the Meeting is to be postponed and reconvened at a later date.

MEETING NOTICES

Meeting Agendas, Minutes and supporting papers will be distributed to all Committee members via email at least four clear days of the scheduled Meeting.

HOW THE COMMITTEE WILL OPERATE:

The Committee's role regarding Development Applications (DAs) involving heritage properties is as follows

1. Pre-lodgement - Where an applicant requests, or is offered the opportunity to air ideas and intentions prior to submission of a DA, to investigate issues and/or the likelihood of support from heritage interested bodies, the applicant may be invited to a Meeting of the Committee.
2. During advertising period - Committee members will be individually notified that a DA may be of interest and individuals or the groups represented may make representations during the allotted time (for or against) for the consideration of the assessing officers and the Council. The Committee shall not collectively form a view on individual DAs.
3. Post-assessment - The Committee may be notified that a DA is being forward to Council and the Agenda report may be sent out for the information of member organisations.

In regard to Pre-lodgement Meetings:

- this is the most effective means of input and the Council's officers will endeavour to facilitate this process when it appears to be useful.
-

13.2 Heritage Advisory Committee Meeting - 28 October 2021 ...(Cont'd)

- Meetings dealing with advice in regard to future proposals should be chaired by City of Launceston officers to avoid potential for conflicts of interest.
- the content of these Meetings are confidential and not to be used outside the Meeting.

CODE OF CONDUCT:

All Committee members must adhere to the Code of Conduct for Committees. Councillors and the Council's officers must also adhere to their own relevant Codes of Conduct.

CONFLICT OF INTEREST:

A Committee Member who has an actual, potential or perceived conflict of interest in a matter to be considered must declare the nature of the interest prior to discussion of the matter and if required, withdraw from the meeting during that discussion.

RESOURCES:

The Personal Assistant, Community and Place Network will organise Meetings, take Minutes and distribute follow-up actions.

HONORARIUMS:

The Council will not pay any honorariums or expenses to any member on the Heritage Advisory Committee.

REVIEW:

The Terms of Reference will be reviewed every two years after the date of approval or more frequently, if dictated by operational demands, election cycle, etc. and with the Council's approval.

RELATED POLICIES AND PROCEDURES:

14-Plx-029 Community Appointments to Advisory Committees Policy

14-Plx-032 Code of Conduct for Councillors

14-Plx-033 Code of Conduct for Members of Special Committees

22-PI-030 Code of Conduct Policy

CARRIED 11:0

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

13.3 Northern Youth Coordinating Committee Meeting - 2 November 2021**FILE NO:** SF0136**AUTHOR:** Claudia Taylor (Community Development Officer Youth)**ACTING GENERAL MANAGER:** Richard Jamieson (Community and Place Network)

DECISION STATEMENT:

To receive and consider a report from the Northern Youth Coordinating Committee's regular Meeting held on 2 November 2021.

RECOMMENDATION:

That Council receives the report from the Northern Youth Coordinating Committee Meeting held on 2 November 2021.

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

DECISION: 2 December 2021**MOTION**

Moved Councillor D C Gibson, 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 R I Soward, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece

ABSENT at TIME of VOTE: Councillor A E Dawkins

13.4 Tender Review Committee Meeting - 11 November 2021**FILE NO:** SF0100/CD.026/2021/CD.035/2021/CD.027/2021**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 tenders submitted by:

1. Crossroads Civil Contracting Pty Ltd for the Olive Street Rehabilitation, Contract Number CD.026/2021 for \$365,306.51 (exclusive of GST).
 2. Crossroads Civil Contracting Pty Ltd for the Churchill Park Car Park Stage 3, Contract Number 035/2021 for \$238,973.91 (exclusive of GST).
 3. Zanetto Civil Pty Ltd for the Leachate Rising Main Replacement - Launceston Waste Centre, Contract Number CD.027/2021 for \$559,066.00 (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: 2 December 2021**MOTION**

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

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

CARRIED 11:0

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

Councillor A E Dawkins re-attended the Meeting at 2.26pm

14 COUNCIL WORKSHOPS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(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 8(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 25 November and 2 December 2021:

University of Tasmania Development Update

Councillors received an update on the University of Tasmania's Northern Transformation Program.

World Cup Training Sites (FIFA)

Councillors received a presentation on the World Cup Training Sites (FIFA).

Communities Tasmania Housing Presentation

Councillors received an update from Communities Tasmania, including a briefing on the Launceston Youth at Risk Centre proposed in Brisbane Street, Launceston.

Urban Forestry Strategy - Project Briefing

Councillors were provided with a project briefing on the City of Launceston's Urban Forest Strategy.

Micro-Mobility Legislation and Options

Councillors discussed relevant Tasmanian legislation and options that the Council will have as road managers with regards to micro-mobility devices.

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

Naming of University of Tasmania Assets

Councillors discussed naming conventions for the assets in the Inveresk Precinct.

Proposed Traffic Safety Measures - Trevallyn and Gorge Roads, Trevallyn

Councillors discussed the proposed traffic management recommendations for Trevallyn and Gorge Roads, Trevallyn.

South Launceston Health Precinct Parking Implementation Plan

Councillors received a presentation and provided comment on the South Launceston Health Precinct Parking Implementation Plan.

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

DECISION: 2 December 2021

MOTION

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

That, pursuant to Regulation 8(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 25 November and 2 December 2021:

University of Tasmania Development Update

Councillors received an update on the University of Tasmania's Northern Transformation Program.

World Cup Training Sites (FIFA)

Councillors received a presentation on the World Cup Training Sites (FIFA).

Communities Tasmania Housing Presentation

Councillors received an update from Communities Tasmania.

Urban Forestry Strategy - Project Briefing

Councillors were provided with a project briefing on the City of Launceston's Urban Forest Strategy.

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

Micro-Mobility Legislation and Options

Councillors discussed relevant Tasmanian legislation and options that the Council will have as road managers with regards to micro-mobility devices.

Naming of University of Tasmania Assets

Councillors discussed naming conventions for the assets in the Inveresk Precinct.

Proposed Traffic Safety Measures - Trevallyn and Gorge Roads, Trevallyn

Councillors discussed the proposed traffic management recommendations for Trevallyn and Gorge Roads, Trevallyn.

South Launceston Health Precinct Parking Implementation Plan

Councillors received a presentation and provided comment on the South Launceston Health Precinct Parking Implementation Plan.

CARRIED 12:0

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

15 NOTICES OF MOTION

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

15.1 Notice of Motion - Councillor N D Daking - Proposed Change to Traffic Direction - Paterson and Charles Streets, Launceston

FILE NO: SF5547

CHIEF EXECUTIVE OFFICER: Michael Stretton

DECISION STATEMENT:

To consider a Notice of Motion submitted by Councillor N D Daking regarding a proposed change to traffic direction in Paterson and Charles Streets, Launceston.

RECOMMENDATION:

That Council:

1. agrees to change traffic from one-way to two-way traffic in Paterson Street (between Charles Street to St John Street) and Charles Street (between York Street to Paterson Street) as a priority and make the necessary provisions for works in the 2021/2022 and 2022/23 budgets.
 2. asks the Chief Executive Officer to complete the necessary work to enact these changes, as part of the City Heart Master Plan, by end of 2023.
-

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

Mr Robin Smith spoke against the Recommendation

Ms Lauren Johnston spoke for the Recommendation

Ms Amanda McEvoy (on behalf of Cityprom) spoke for the Recommendation

Councillor K P Stojansek withdrew from the Meeting at 2.55pm

Councillor K P Stojansek re-attended the Meeting at 2.57pm

Councillor R I Soward withdrew from the Meeting at 3.01pm

Councillor R I Soward re-attended the Meeting at 3.04pm

15.1 Notice of Motion - Councillor N D Daking - Proposed Change to Traffic Direction - Paterson and Charles Streets, Launceston ...(Cont'd)

DECISION: 2 December 2021**MOTION 1****Moved Councillor N D Daking, seconded Councillor A E Dawkins.****That the Motion, as per the Recommendation to Council, be adopted.****LOST 4:8****FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor A E Dawkins, Councillor N D Daking and Councillor A G Harris****AGAINST VOTE: Mayor Councillor A M van Zetten, Councillor R I Soward, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor P S Spencer, Councillor T G Walker and Councillor K M Preece****DECISION: 2 December 2021****MOTION 2****Moved Councillor P S Spencer, seconded Councillor N D Daking.****That Councillor T G Walker be granted an additional three minutes speaking time.****CARRIED 12:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

16 COMMUNITY AND PLACE NETWORK ITEMS**16.1 Heritage Advisory Committee - Terms of Reference****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Place and Heritage Officer)**ACTING GENERAL MANAGER:** Richard Jamieson (Community and Place Network)

DECISION STATEMENT:

To consider the revised Terms of Reference for the Heritage Advisory Committee.

PREVIOUS COUNCIL CONSIDERATION:

Council - 25 March 2021 - Agenda Item 15.1 - Heritage Advisory Committee - Terms of Reference

Council - 28 November 2016 - Agenda Item 15.1 - Heritage Advisory Committee - Terms of Reference

Council - 24 October 2011 - Agenda Item 13.2 - Heritage Advisory Committee - Terms of Reference

RECOMMENDATION:

That Council amends the existing Heritage Advisory Committee (14-ToR-002) by changing the reference to Meeting Quorum as listed below:

Launceston Heritage Advisory Committee - Terms of Reference

The Launceston Heritage Advisory Committee is a Special Committee of Council as defined under section 24 of the *Local Government Act 1993* (Tas).

ROLE/PURPOSE:

The primary purpose of the Launceston Heritage Advisory Committee is to provide advice to the Council on heritage matters and to promote the value of heritage places within the municipality.

16.1 Heritage Advisory Committee - Terms of Reference ...(Cont'd)

ROLE/OBJECTIVES:

The role of the Launceston Heritage Advisory Committee is to:

- provide advice and recommendations on the development of the Council's policy relating to heritage matters;
- provide advice on and participate in the overview of heritage studies undertaken by the Council;
- provide advice and recommendations on applications made by the Council for heritage funding;
- consult with stakeholders to determine community aspirations relating to heritage places and objects;
- promote the Council's objectives and the principles of reuse of heritage assets in the City;
- promote community participation in and awareness of heritage activities; and
- provide advice to the Council in regard to development proposals involving and/or impacting on heritage values on properties either heritage registered or covered by heritage precinct or overlay.

MEMBERSHIP:

The Launceston Heritage Advisory Committee will consist of the following positions:

- City of Launceston Councillors (two) nominated and endorsed by Council
- One of the endorsed City of Launceston Councillors to chair the Committee
- A representative from Heritage Tasmania
- A representative from the National Trust of Australia (Tasmania)
- A representative from the University of Tasmania's School of Architecture and Design
- A representative from the Real Estate Institute of Tasmania
- A representative from the Launceston Historical Society
- Community Representation (a minimum of two) with relevant experience to participate in performing the role of the Committee to be nominated by the Committee and approved by Council

The Councillors' role will be for a four year period to coincide with Local Government Council elections, subject to a review after two years. Following the review process, the Chair and Deputy Chair are to be elected by the Committee.

The Place and Heritage Officer, Liveable Communities will provide advice and/or assistance to the Committee. Relevant officers of the City of Launceston will attend Meetings as necessary.

Community Representative will be filled in accordance with the Community Appointments to Advisory Committees Policy (14-Plx-029).

16.1 Heritage Advisory Committee - Terms of Reference ...(Cont'd)

MEETING ARRANGEMENTS:

The Heritage Advisory Committee will generally meet six times per year (and at other times as required).

MEETING QUORUM:

An absolute majority is considered a quorum including one Councillor. If a quorum cannot be achieved, the Meeting is to be postponed and reconvened at a later date.

MEETING NOTICES

Meeting Agendas, Minutes and supporting papers will be distributed to all Committee members via email at least four clear days of the scheduled Meeting.

HOW THE COMMITTEE WILL OPERATE:

The Committee's role regarding Development Applications (DAs) involving heritage properties is as follows

- 1. Pre-lodgement** - Where an applicant requests, or is offered the opportunity to air ideas and intentions prior to submission of a DA, to investigate issues and/or the likelihood of support from heritage interested bodies, the applicant may be invited to a Meeting of the Committee.
- 2. During advertising period** - Committee members will be individually notified that a DA may be of interest and individuals or the groups represented may make representations during the allotted time (for or against) for the consideration of the assessing officers and the Council. The Committee shall not collectively form a view on individual DAs.
- 3. Post-assessment** - The Committee may be notified that a DA is being forward to Council and the Agenda report may be sent out for the information of member organisations.

In regard to Pre-lodgement Meetings:

- this is the most effective means of input and the Council's officers will endeavour to facilitate this process when it appears to be useful.
- Meetings dealing with advice in regard to future proposals should be chaired by City of Launceston officers to avoid potential for conflicts of interest.
- the content of these Meetings are confidential and not to be used outside the Meeting.

CODE OF CONDUCT:

All Committee members must adhere to the Code of Conduct for Committees. Councillors and the Council's officers must also adhere to their own relevant Codes of Conduct.

CONFLICT OF INTEREST:

A Committee Member who has an actual, potential or perceived conflict of interest in a matter to be considered must declare the nature of the interest prior to discussion of the matter and if required, withdraw from the meeting during that discussion.

16.1 Heritage Advisory Committee - Terms of Reference ...(Cont'd)

RESOURCES:

The Personal Assistant, Community and Place Network will organise Meetings, take Minutes and distribute follow-up actions.

HONORARIUMS:

The Council will not pay any honorariums or expenses to any member on the Heritage Advisory Committee.

REVIEW:

The Terms of Reference will be reviewed every two years after the date of approval or more frequently, if dictated by operational demands, election cycle, etc. and with the Council's approval.

RELATED POLICIES AND PROCEDURES:

14-Plx-029 Community Appointments to Advisory Committees Policy

14-Plx-032 Code of Conduct for Councillors

14-Plx-033 Code of Conduct for Members of Special Committees

22-PI-030 Code of Conduct Policy

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

Councillor A E Dawkins withdrew from the Meeting at 2.23pm

This Agenda Item was voted conjointly with Agenda Item 13.2 - Heritage Advisory Committee Meeting - 28 October 2021. The decision from the vote taken at Agenda Item 13.2 - Heritage Advisory Committee Meeting - 28 October 2021 is shown below:

DECISION: 2 December 2021

MOTION

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

That Council:

- 1. receives the report from the Heritage Advisory Committee Meeting held on 28 October 2021 as per the Recommendation for Agenda Item 13.2 - Heritage Advisory Committee Meeting - 28 October 2021.**
-

16.1 Heritage Advisory Committee - Terms of Reference ...(Cont'd)

2. amends the existing Heritage Advisory Committee (14-ToR-002) by changing the reference to Meeting Quorum as listed below as per the Recommendation for Agenda Item 16.1 - Heritage Advisory Committee Terms of Reference.

Launceston Heritage Advisory Committee - Terms of Reference

The Launceston Heritage Advisory Committee is a Special Committee of Council as defined under section 24 of the *Local Government Act 1993 (Tas)*.

ROLE/PURPOSE:

The primary purpose of the Launceston Heritage Advisory Committee is to provide advice to the Council on heritage matters and to promote the value of heritage places within the municipality.

ROLE/OBJECTIVES:

The role of the Launceston Heritage Advisory Committee is to:

- provide advice and recommendations on the development of the Council's policy relating to heritage matters;
- provide advice on and participate in the overview of heritage studies undertaken by the Council;
- provide advice and recommendations on applications made by the Council for heritage funding;
- consult with stakeholders to determine community aspirations relating to heritage places and objects;
- promote the Council's objectives and the principles of reuse of heritage assets in the City;
- promote community participation in and awareness of heritage activities; and
- provide advice to the Council in regard to development proposals involving and/or impacting on heritage values on properties either heritage registered or covered by heritage precinct or overlay.

MEMBERSHIP:

The Launceston Heritage Advisory Committee will consist of the following positions:

- City of Launceston Councillors (two) nominated and endorsed by Council
 - One of the endorsed City of Launceston Councillors to chair the Committee
 - A representative from Heritage Tasmania
 - A representative from the National Trust of Australia (Tasmania)
 - A representative from the University of Tasmania's School of Architecture and Design
-

16.1 Heritage Advisory Committee - Terms of Reference ...(Cont'd)

- A representative from the Real Estate Institute of Tasmania
- A representative from the Launceston Historical Society
- Community Representation (a minimum of two) with relevant experience to participate in performing the role of the Committee to be nominated by the Committee and approved by Council

The Councillors' role will be for a four year period to coincide with Local Government Council elections, subject to a review after two years. Following the review process, the Chair and Deputy Chair are to be elected by the Committee.

The Place and Heritage Officer, Liveable Communities will provide advice and/or assistance to the Committee. Relevant officers of the City of Launceston will attend Meetings as necessary.

Community Representative will be filled in accordance with the Community Appointments to Advisory Committees Policy (14-Plx-029).

MEETING ARRANGEMENTS:

The Heritage Advisory Committee will generally meet six times per year (and at other times as required).

MEETING QUORUM:

An absolute majority is considered a quorum including one Councillor. If a quorum cannot be achieved, the Meeting is to be postponed and reconvened at a later date.

MEETING NOTICES

Meeting Agendas, Minutes and supporting papers will be distributed to all Committee members via email at least four clear days of the scheduled Meeting.

HOW THE COMMITTEE WILL OPERATE:

The Committee's role regarding Development Applications (DAs) involving heritage properties is as follows

1. Pre-lodgement - Where an applicant requests, or is offered the opportunity to air ideas and intentions prior to submission of a DA, to investigate issues and/or the likelihood of support from heritage interested bodies, the applicant may be invited to a Meeting of the Committee.
 2. During advertising period - Committee members will be individually notified that a DA may be of interest and individuals or the groups represented may make representations during the allotted time (for or against) for the consideration of the assessing officers and the Council. The Committee shall not collectively form a view on individual DAs.
 3. Post-assessment - The Committee may be notified that a DA is being forward to Council and the Agenda report may be sent out for the information of member organisations.
-

16.1 Heritage Advisory Committee - Terms of Reference ...(Cont'd)

In regard to Pre-lodgement Meetings:

- this is the most effective means of input and the Council's officers will endeavour to facilitate this process when it appears to be useful.
- Meetings dealing with advice in regard to future proposals should be chaired by City of Launceston officers to avoid potential for conflicts of interest.
- the content of these Meetings are confidential and not to be used outside the Meeting.

CODE OF CONDUCT:

All Committee members must adhere to the Code of Conduct for Committees. Councillors and the Council's officers must also adhere to their own relevant Codes of Conduct.

CONFLICT OF INTEREST:

A Committee Member who has an actual, potential or perceived conflict of interest in a matter to be considered must declare the nature of the interest prior to discussion of the matter and if required, withdraw from the meeting during that discussion.

RESOURCES:

The Personal Assistant, Community and Place Network will organise Meetings, take Minutes and distribute follow-up actions.

HONORARIUMS:

The Council will not pay any honorariums or expenses to any member on the Heritage Advisory Committee.

REVIEW:

The Terms of Reference will be reviewed every two years after the date of approval or more frequently, if dictated by operational demands, election cycle, etc. and with the Council's approval.

RELATED POLICIES AND PROCEDURES:

14-Plx-029 Community Appointments to Advisory Committees Policy

14-Plx-032 Code of Conduct for Councillors

14-Plx-033 Code of Conduct for Members of Special Committees

22-PI-030 Code of Conduct Policy

16.1 Heritage Advisory Committee - Terms of Reference ...(Cont'd)

CARRIED 11:0

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

ABSENT at TIME of VOTE: Councillor A E Dawkins

17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS

No Items were identified as part of these Minutes

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS**18.1 Launceston Waste Centre Bicycle Tyre Fee for 2021-2022****FILE NO:** SF0628**AUTHOR:** Rachael Eberhardt (Waste Management Officer Operations)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider a new fee to accept bicycle tyres for recycling at the Launceston Waste Centre.

RECOMMENDATION:

That Council:

1. pursuant to section 205 of the *Local Government Act 1993* (Tas) sets a fee of \$2 per bicycle tyre (GST inclusive) for the period ending 30 June 2022.
 2. notes that Council's Fees and Charges 2021/2022 and relevant signage at the Launceston Waste Centre will be updated to reflect the fees determined at Recommendation 1.
-

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

DECISION: 2 December 2021**MOTION**

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

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

CARRIED 12:0

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

19 ORGANISATIONAL SERVICES NETWORK ITEMS

19.1 Local Government Association of Tasmania General Meeting - 3 December 2021

FILE NO: SF0331/SF2217

AUTHOR: Anthea Rooney (Council and Committees Officer)

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 Meeting to be held on 3 December 2021.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 25 November 2021 - Items for Discussion/Decision at LGAT General Meeting - 3 December 2021

RECOMMENDATION:

That, in respect of the items listed for decision at the Local Government Association of Tasmania's General Meeting on 3 December 2021, Council directs the Council's delegate to vote as follows:

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
1.1	6	Confirmation of Minutes <i>That the Minutes of the Meetings held on 5 August and 4 November 2021, as circulated, be confirmed.</i>	LGAT	Confirmed
1.2	6	Business Arising <i>That Members note the information.</i>	LGAT	Noted
1.3	7	Confirmation of Agenda <i>That consideration be given to the Agenda items and the order of business.</i>	LGAT	Consideration at the Meeting
1.4	7	Follow Up of Motions <i>That Members note the following report.</i>	LGAT	Noted

19.1 Local Government Association of Tasmania General Meeting - 3 December 2021 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
1.5	7	President's Report <i>That Members note the report on the President's activity from 2 July to 19 November 2021.</i>	LGAT	Noted
1.6	8	Chief Executive Officer's Report <i>That the Meeting note the report on the CEO's activity from 2 July to 19 November 2021.</i>	LGAT	Noted
1.7	9	Council Round Ups <i>That Members determine who will present briefings at the next Meeting.</i>	LGAT	Noted
2.1	10	Motion - Single Use Plastics <i>That LGAT:</i> 1. <i>Develop a policy on the phasing out of single use plastics in Tasmania by 2022.</i> 2. <i>that such a policy is put to LGAT members for voting as soon as practical.</i> 3. <i>That such a policy is recommended to the State Government for action.</i>	Burnie City	Shane Eberhardt (Manager Infrastructure and Assets Network) Supported <i>It is reasonable for the Council to be involved in the ongoing lobbying for a State Government led approach to phasing out single use plastics. However, LGAT believe that if local government wish to expedite the phase out (to 2022) that Councils would need to introduce by-laws that ban single use plastics in their municipal areas as per the Hobart City Council approach. This would become problematic as it would be unwieldy, expensive and difficult for Councils across the State to resource.</i>

19.1 Local Government Association of Tasmania General Meeting - 3 December 2021 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
2.2	12	Motion - Councillor Vacancy <i>That the Local Government Association of Tasmania call upon the Tasmanian State Government to amend the Local Government Act 1993 to provide a mechanism that when a Councillor changes their House of Assembly electoral enrolment to an address outside the Municipal Area to which they are elected, that the General Manager and the Councillor are notified within 7 days of that change of enrolment or, as an alternative, that once the General Manager becomes aware of the change of enrolment and the Councillor is otherwise eligible to be enrolled on the General Manager's electoral roll, the Councillor is to be given 7 days notice to rectify their enrolment before the office of Councillor becomes vacant.</i>	Huon Valley	Louise Foster (General Manager Organisational Services Network) Not Supported <i>The concern raised by Huon Valley is valid but the proposal does not address all the gaps in the legislation.</i> <i>In the absence of legislative reform, the onus is on an elected representative to understand the legislative framework within which they hold office, including those things that may disqualify them from holding office.</i>
2.3	14	Motion - Tiny Houses <i>That the Local Government Association of Tasmania call upon the Tasmanian State Government to address the use of Tiny Houses and Self Contained Caravans for alternative accommodation with appropriate standards in planning schemes or other legislation to provide for the safe and healthy use and addressing needs for affordable housing whilst balancing the potential poor planning and environmental outcomes.</i>	Huon Valley	Richard Jamieson (Acting General Manager Community and Place Network) Supported <i>This proposal has the potential to support the provision of additional flexible and affordable housing options for our communities.</i>

19.1 Local Government Association of Tasmania General Meeting - 3 December 2021 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
2.4	17	Motion - Infrastructure Charges <i>That LGAT advocate to the State Government for the introduction of a consistent State-wide approach to infrastructure charges to ensure that the burden of public infrastructure provision is shared equitably between developers and communities.</i>	Kingborough	Shane Eberhardt (General Manager Infrastructure and Assets Network) Supported <i>A sectoral approach is needed to provide equitably between developers and communities and is an important mechanism to assist local government with financial sustainability.</i>
2.5	20	Motion - LUPAA Amendment Conflicts of Interest <i>That LGAT lobby the State Government to investigate amending the Land Use Planning and Approvals Act 1993 to provide alternative mechanisms for consideration of the development applications submitted by elected members as a means to removing any perception of bias or conflict of interest. The investigation shall provide the pros and cons of any (alternative) solutions.</i>	Clarence City	Richard Jamieson (Acting General Manager Community and Place Network) Not Supported <i>This is a matter that can be adequately dealt with by policy at an individual Council level.</i>
2.6	22	LGAT Strategic Plan <i>That Members endorse the draft LGAT Strategic Plan 2022 - 2025 and note the LGAT Annual Plan 2022.</i>	LGAT	Louise Foster (General Manager Organisational Services Network) Supported
4.1	24	Local Government Review <i>That Members not a verbal update will be provided at the Meeting.</i>	LGAT	Noted
4.2	24	Waste and Resource Recovery <i>That Members note the report on waste and resource recovery.</i>	LGAT	Noted

19.1 Local Government Association of Tasmania General Meeting - 3 December 2021 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
4.3	26	TasWater Expert Advisory Group <i>That Members note the update on TasWater.</i>	LGAT	Noted
4.4	28	Climate Change Update <i>That Members note the update on climate change.</i>	LGAT	Noted
4.5	30	Infrastructure Contributions <i>That Members note the following report.</i>	LGAT	Noted
4.6	32	Planning - Phase 2 Reforms and Housing <i>That Members note the following report.</i>	LGAT	Noted
4.7	34	Stormwater - Regulation Development <i>That Members note the following report.</i>	LGAT	Noted
4.8	35	Emergency Management Update <i>That Members note the update on Emergency Management.</i>	LGAT	Noted
4.9	38	Health and Wellbeing Report <i>That Members note the update on the LGAT Health and Wellbeing Project.</i>	LGAT	Noted
4.10	40	LGAT Procurement <i>That Members note the following update on procurement support for councils.</i>	LGAT	Noted
4.11	42	LGAT Performance and Improvement <i>That Members note the report on LGAT's performance and improvement work.</i>	LGAT	Noted
4.12	42	Policy Update <i>That Members note the following updates on various policy matters.</i>	LGAT	Noted
4.13	43	LGAT Events Update <i>That Members note the report on LGAT events.</i>	LGAT	Noted

19.1 Local Government Association of Tasmania General Meeting - 3 December 2021 ...(Cont'd)

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
4.14	45	<i>Annual Plan Reporting That Members note the report against the Annual Plan.</i>	LGAT	Noted

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

DECISION: 2 December 2021

MOTION

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

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

CARRIED 12:0

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

19.2 2021/2022 Budget - Budget Amendments**FILE NO:** SF6817/SF7334**AUTHOR:** Nathan Williams (Manager Finance)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider:

1. changes to the Council's 2021/2022 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).

2. adjustments made during 1 October to 31 October 2021 by the Chief Executive Officer to the 2021/2022 Budget.

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 2021/2022 Statutory Estimates:
 - (a) Expenses
 - i. the net increase in operations expenditure of \$43,046.
 - (b) Capital Works Expenditure
 - i. the decrease in the Council's funded expenditure of \$43,046.
 2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$11,354,409 (including capital grants of \$18,542,049) for 2021/2022.
 - (b) the capital budget being decreased to \$41,556,382 for 2021/2022.
 3. pursuant to section 82(7) of the *Local Government Act 1993* (Tas), receives the Chief Executive Officer's report on adjustments to the 2021/2022 budget for the period 1 October to 31 October 2021.
-

Ms L Foster (General Manager Organisational Services Network) and Mr N Williams (Manager Finance) were in attendance to answer questions of Council in respect of this Agenda Item.

19.2 2021/2022 Budget - Budget Amendments ...(Cont'd)

DECISION: 2 December 2021**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 12:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

No Items were identified as part of these Minutes

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 3.23pm.
