



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 23 SEPTEMBER 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: 23 September 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 was 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. 9 - *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 Minutes of the Council Meeting. Questions may be submitted to the Chief Executive Officer at contactus@launceston.tas.gov.au, PO Box 396, Launceston TAS 7250, or Town Hall, St John Street, Launceston.

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

PUBLIC COMMENT ON AGENDA ITEMS

When 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**
- K P Stojansek (retired at 1.40pm)**
- A E Dawkins**
- 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 P Gimpl (Chief Financial Officer)**
- Mr S Tennant (Team Leader Communications)**
- Mrs K Hartland (Team Leader Governance)**
- Mrs A Rooney (Council and Committees Officer)**

Apologies: Councillor

- N D Daking**
- J G Cox**

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm and noted apologies from Councillor N D Daking and Councillor J G Cox.

2 MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements for this Meeting

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.)

The Mayor, Councillor A M van Zetten, declared an interest in Agenda Item 9.3 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings

Councillor K P Stojansek, declared an interest in Closed Council Agenda Item 21.3 - Approval of Lease for Myrtle Park Recreation Ground

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 9 September 2021 be confirmed as a true and correct record.

DECISION: 23 September 2021

MOTION

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

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

CARRIED 10:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, 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.)

7.1 Ms Gillian Miles (Founding Director) - agriCULTURED

Ms Miles provided information regarding agriCULTURED - Tasmania's newest cool season event based in Launceston and the North annually in August reporting on the success of this year's event which was a celebration of the contribution of the agri-food sector to the culture, community and economy of Tasmania - a physical and metaphorical journey through the agricultural landscapes of Northern Tasmania.

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 Paul Bullock - Council Meeting - 9 September 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 9 September 2021 by Mr Paul Bullock, have been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Additional Background Response:

The City of Launceston officers are aware of a change in traffic conditions at the Tamar Street and Esplanade intersection. The surrounding road network has recently undergone a significant change in the varied configuration at the Charles Street Bridge and Esplanade. Some altered travel patterns are to be expected as a result of this change.

City of Launceston officers will continue to monitor this intersection and investigate what improvements may be appropriate to better accommodate this change. Any changes to the functionality of this intersection need to be considered broadly for the potential to impact the network including the proposed Lindsay Street and Invermay Road intersection works in 2022/2023.

Questions:

[With reference to the recently distributed *Future Road Usage in the Launceston Area* brochure]:

1. Will the Council reconsider the recently distributed traffic plan to include consideration of motorcycles?

Response:

Motorcycles are considered as part of the Launceston Transport Strategy (LTS). Generally, motorcycles are considered as light vehicles or personal vehicles for the purpose of transport planning. Particularly for strategic planning, the considerations for both types of vehicles are similar, in that they use the same road space, perform the same function and have similar infrastructure requirements. The key differences for motorcycles tend to be realised at a detail level, which will be considered by the Council at that point in the process, but is outside the scope of the LTS. Accordingly, motorcycles have not been singled out as a separate transport mode in the strategy.

8.1.1 Public Questions on Notice - Mr Paul Bullock - Council Meeting - 9 September 2021 ...(Cont'd)

Based on the feedback received during the consultation for the LTS there have been changes made to reflect that motorcycles are considered as light vehicles.

2. Can the traffic island outside of the Retreat Hotel on Invermay Road be moved or removed to assist traffic flow in the afternoons?

Response:

The traffic island at this location is critical for creating a physical end to the median treatment along Invermay Road and controlling traffic movements in the vicinity of McKenzie Street. Removal of this island would likely create more vehicle conflict points with minimal benefit to traffic flow. Accordingly, the Council would not support its removal or relocation.

8.1.2 Public Questions on Notice - Mr Robin Smith - Council Meeting - 9 September 2021**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 9 September 2021 by Mr Robin Smith, has been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. As the Council is planning to install the Christmas [in the Brisbane Street Mall] tree as it has previously [including the fence], has the Council considered modifications to the fence or guard patrols?

Response:

In response to vandalism of the tree over a number of years, the City of Launceston has constantly reviewed its approach with regards to changes to fencing, increases in security patrols and working with Tasmanian Police via the support of CCTV to take action against those that cause the vandalism.

Unfortunately this is not unique to Launceston and the City of Launceston is always looking for safer ways to install the tree.

A higher fence is considered likely to increase the challenges and consequences for those trying to access the tree and visually a higher fence will be an intrusion.

8.1.3 Public Questions on Notice - Ms Susan Rafferty - 14 September 2021**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to Council in writing on 1 September 2021 by Ms Susan Rafferty, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

Questions:

1. How and why did the 100 metre buffer, required by RMPAT get mitigated to 40 metres and what impact will it have on nearby dwellings?
2. How does Council consider that P1(d) has been thoroughly investigated and how does it satisfy all the necessary planning criteria?
3. How can Council allow the facility on Churchill Park Drive to proceed when it routinely breaches noise limits in the direct vicinity of many *sensitive uses*? Surely, this is a breach of P1(f).

Response:

Similar questions have been submitted over a number of Council Meetings and the relevant previous responses are reproduced below:

DA0711/2019 was assessed by an independent planner who prepared a report and recommendations for the Council Meeting held on 17 September 2020. Council, sitting as a Planning Authority, determined to refuse the submitted Development Application. Subsequently, that decision was appealed by the applicant and, following consideration by the Resource Management Planning and Appeal Tribunal (RMPAT), the Council was instructed to issue a planning permit with conditions. RMPAT's rationale for the determination is contained within the details of its decision.

The issued permit has 50 conditions which must be complied with, both during construction and when the facility is operating. In the event that nuisance noise is emitted from the business once it is established, in the first instance, any suspected breaches of the Planning Permit conditions can be reported to the Council via the contactus@launceston.tas.gov.au email address. Those complaints will be directed to the relevant team to investigate and take appropriate action, including on-referral or liaison with other agencies as required and dependent upon the nature of the alleged breach.

8.1.4 Public Questions on Notice - Mr Lionel Morrell - 15 September 2021**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following question/questions, submitted to Council on 15 September 2021 by Mr Lionel Morrell (on behalf of the Tasmanian Ratepayers Association Inc.), have been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

[With regard to the University of Tasmania Pedestrian Bridge]:

1. Can we be provided with these Engineering Reports and Certifications, including copies of any associated correspondence with or by Council that lead to the unusual need for such Reports and Certifications to be undertaken?

Response:

Engineering review and certification of infrastructure built by developers and transferred to the Council is common practice to ensure the asset is fit for purpose. Some of the documentation around the transfer are legal agreements which are not suitable for release. The Council's officers are happy to meet with Mr Morrell to discuss his concerns.

2. Can we be advised what the designed life of the bridge is, and whether this designed life period has been compromised by the deficiencies/repairs already carried out, and whether the Life Cycle Costing for the bridge has been compromised by a higher-than-anticipated maintenance/testing requirement for the designed life period?

Response:

The bridge has a design life of 100 years which is typical for all the Council's bridges.

**8.1.4 Public Questions on Notice - Mr Lionel Morrell - 15 September 2021
...(Cont'd)**

3. Whether it will take an event where people are injured or lives put at risk before Council, as the responsible statutory authority, takes action to require improvements to the balustrading on the bridge and associated ramps etc., and erect a safety barrier where the southern-side ramp exits onto the top of the levee?

Response:

The Council is satisfied that the bridge meets the necessary standards and guidelines. The issue associated with the ramp meeting the levee has been identified in the defect liability period for further investigation.

The Council is happy to address Mr Morrell's concerns if greater specificity is provided with regard to perceived issues.

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 - City Heart Stage 2 Development

- 1. What documents were used to come to the decision to relocate the bus interchange from St John Street to Dechaineux Way?**

The Mayor, Councillor A M van Zetten, responded by saying that this question would be Taken on Notice and a response provided in the Council Agenda of 6 October 2021.

- 2. By changing the bus stops from St John Street to Dechaineux Way a complicated street pattern occurs. This issue supposed to be eliminated by the City Heart Stage 2 project. Can arrangements regarding this move be clarified?**

The Mayor, Councillor A M van Zetten, responded by saying that this question would be Taken on Notice and a response provided in the Council Agenda of 6 October 2021.

- 3. Anti-Social Behaviour is given as the reason for relocating the bus stops from St John Street. What considerations were given to the lack of observation for that Dechaineux Way bus stop?**

The Mayor, Councillor A M van Zetten, responded by saying that this area would be well lit, it will be open and it will be safe, however, this question would be Taken on Notice and a response provided in the Council Agenda of 6 October 2021.

POINT OF ORDER - COUNCILLOR T G WALKER

I believe there are a number of Councillors who have expressed a clear position on the matter that is going to be discussed under Agenda Item 9.1 and this indicates that there is a clear and perceived bias which would mean that they cannot be involved in the decision today.

The Mayor, Councillor A M van Zetten, advised that this is something each Councillor will take notice of.

The Chief Executive Officer, Mr Michael Stretton, clarified by saying that that each Councillor is to make their own decision in respect of their ability to be able to make a decision in a completely open and unbiased manner. Obviously you have a view that you have expressed and you cannot compel other Councillors to adopt your view. So, really, we are entitled to continue to lawfully determination the matter today.

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 66 - Specific Area Plan Over Land at 123 Paterson Street, 125-133 Paterson Street and 270 Brisbane Street, Launceston (CT151150/3, CT151150/2 and CT175274/1)

FILE NO: SF7233

AUTHOR: Iain More (Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Interim Planning Scheme 2015.

PREVIOUS COUNCIL CONSIDERATION:

Council - 20 May 2021 - Agenda Item 9.1 Initiated Draft Amendment 66 to the Launceston Interim Planning Scheme 2015, to insert a Specific Area Plan over the properties known as 123 Paterson Street, 125-133 Paterson Street and 270 Brisbane Street (CT151150/3, CT151150/2 and CT175274/1)

RECOMMENDATION:

That Council:

1. in accordance with section 39 of the former provisions of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to draft Amendment 66;
 2. amends draft Amendment 66 by modifying F11.1.1 to remove the word *landmark*, and adding the word *unreasonably* between the words *not* and *impact*, and
 3. recommends to the Tasmanian Planning Commission that draft Amendment 66 be approved with the recommended changes.
-
-

9.1 Amendment 66 - Specific Area Plan Over Land at 123 Paterson Street, 125-133 Paterson Street and 270 Brisbane Street, Launceston (CT151150/3, CT151150/2 and CT175274/1) ...(Cont'd)

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

**Ms Victoria Wilkinson spoke against the Recommendation
Mr Jim Collier spoke against the Recommendation
Ms Susie Cai spoke against the Recommendation
Ms Chloe Lyne (on behalf of the JAC Group) spoke for the Recommendation
Mr Joseph Chromy spoke for the Recommendation
Mr Dean Cocker spoke for the Recommendation**

DECISION: 23 September 2021

PROCEDURAL MOTION

Moved Councillor T G Walker, seconded Councillor P S Spencer.

That Agenda Item 9.1 - Amendment 66 - Specific Area Plan Over Land at 123 Paterson Street, 125-133 Paterson Street and 270 Brisbane Street, Launceston (CT151150/3, CT151150/2 and CT175274/1) be deferred from today's Agenda.

LOST 3:7

FOR VOTE: Councillor P S Spencer, Councillor T G Walker and Councillor K M Preece

AGAINST VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins and Councillor A G Harris

- 9.1 **Amendment 66 - Specific Area Plan Over Land at 123 Paterson Street, 125-133 Paterson Street and 270 Brisbane Street, Launceston (CT151150/3, CT151150/2 and CT175274/1) ...(Cont'd)**
-

DECISION: 23 September 2021

MOTION 1

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

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

CARRIED 7:2

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor P S Spencer and Councillor A G Harris

AGAINST VOTE: Councillor T G Walker and Councillor K M Preece

DECISION: 23 September 2021

MOTION 2

Moved Councillor K P Stojansek, seconded Councillor A E Dawkins.

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

CARRIED 10:0

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

Councillor K P Stojansek retired from the Meeting at 1.40pm

- 9.1 Amendment 66 - Specific Area Plan Over Land at 123 Paterson Street, 125-133 Paterson Street and 270 Brisbane Street, Launceston (CT151150/3, CT151150/2 and CT175274/1) ...(Cont'd)
-

During debate Councillor T G Walker foreshadowed an alternate motion to refuse Amendment 66 - Specific Area Plan Over Land at 123 Paterson Street, 125-133 Paterson Street and 270 Brisbane Street (CT151150/3, CT151150/2 and CT175274/1).

That the Council make a recommendation to the Tasmanian Planning Commission to refuse Amendment 66.

Councillor T G Walker foreshadowed a second alternate motion to reduce the building height within the Specific Area Plan.

That Council will amend the motion in regard to the proposed height for zones within the Specific Area Plan.

Councillor R I Soward withdrew from the meeting at 1.50pm

Councillor R I Soward withdrew from the meeting at 1.52pm

DECISION: 23 September 2021

MOTION 3

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

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

CARRIED 9:0

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

9.2 Amendment 67 - Planning Scheme Text Amendment to the Commercial Zone Use Table (23.2) to Insert the Hospital Services Use Class, with the Qualification 'If on land contained within 237-247 Wellington Street' as a Discretionary Use

FILE NO: SF7298

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Interim Planning Scheme 2015.

PREVIOUS COUNCIL CONSIDERATION:

Council - 15 July 2021 - Agenda Item 9.2 - Amendment 67 - Text Amendment to Allow Hospital Services at 243-247 Wellington Street and 237-241 Wellington Street, South Launceston - where Council resolved to initiate a text Amendment 67 to the Launceston Interim Planning Scheme 2015 to:

- Alter the Commercial zone Use Table at clause 23.3 to include the use class Hospital Services as a discretionary use, subject to the qualification *If on land at 237-241 Wellington Street or 243-247 Wellington Street.*

RECOMMENDATION:

That Council:

1. in accordance with section 39 of the former provisions of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for draft Amendment 67; and
 2. recommends to the Tasmanian Planning Commission that draft Amendment 67 be approved as certified and exhibited.
-

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

- 9.2 Amendment 67 - Planning Scheme Text Amendment to the Commercial Zone Use Table (23.2) to Insert the Hospital Services Use Class, With the Qualification *If On Land Contained Within 237-247 Wellington Street* as a Discretionary Use ...(Cont'd)**
-

DECISION: 23 September 2021

MOTION

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

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

CARRIED 9:0

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

9.3 DA0359/2021 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings**FILE NO:** DA0359/2021**AUTHOR:** Duncan Payton (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0359/2021 - Residential - construction of four dwellings at 11 Home 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 Council unless modified by a condition of the Permit:

- a. Cover Page, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 1/15, dated 16/07/2021.
 - b. Locality Plan, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 2/15, dated 16/07/2021.
 - c. Site Plan, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 3/15, dated 16/07/2021.
 - d. Landscaping Plan, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 4/15, dated 16/07/2021.
 - e. Strata Plan, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 5/15, dated 16/07/2021.
 - f. Site Plumbing Plan, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 6/15, dated 16/07/2021.
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9.3 DA0359/2021 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings ...(Cont'd)

- g. Car Parking Plan, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 7/15, dated 16/07/2021.
- h. Floor Plan Unit 1, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 8/15, dated 16/07/2021.
- i. Floor Plan Unit 2, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 9/15, dated 16/07/2021.
- j. Floor Plan Unit 3, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 10/15, dated 16/07/2021.
- k. Floor Plan Unit 4, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 11/15, dated 16/07/2021.
- l. Roof Plan Unit 1/2, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 12/15, dated 16/07/2021.
- m. Roof Plan Unit 3/4, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 13/15, dated 16/07/2021.
- n. Elevations, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 14/15, dated 16/07/2021.
- o. Elevations, prepared by BVZ Designs, drawing no. VIM0621, proposed unit development at 11 Home Street, Invermay, revision no.7, page no. 15/15, dated 16/07/2021.

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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/01155-LCC, 29/07/2021 and attached to the permit.

9.3 DA0359/2021 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings ...(Cont'd)

5. SITE LANDSCAPING

The landscaping must be:

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

6. FENCING

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

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

7. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. each multiple dwelling must be provided with a minimum 6m³ exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
- c. either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.

8. DRIVEWAY AND PARKING AREA CONSTRUCTION

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. be properly constructed to such levels that they can be used in accordance with the plans;
- b. be surfaced with an impervious all weather seal;
- c. be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. be line-marked or otherwise delineated to indicate each car space and access lanes.

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

9.3 DA0359/2021 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings ...(Cont'd)

9. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

10. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of 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.

11. 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.

12. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

9.3 DA0359/2021 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings ...(Cont'd)

13. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)

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

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

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

14. 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.

15. AMENITY

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

WASTE MATERIALS

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

9.3 DA0359/2021 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings ...(Cont'd)

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0359/2021. 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.

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

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

9.3 DA0359/2021 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings ...(Cont'd)

D. Permit Commencement

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

E. Heat Pump Use

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

F. Street addresses for Multiple Dwellings

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

<i>Dwelling No.</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
<i>Unit 1</i>	<i>4</i>	<i>4/11 Home Street</i>
<i>Unit 2</i>	<i>3</i>	<i>3/11 Home Street</i>
<i>Unit 3</i>	<i>2</i>	<i>2/11 Home Street</i>
<i>Unit 4</i>	<i>1</i>	<i>1/11 Home Street</i>

The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes. Refuse and Recycling Collection. If significant issues are identified with kerb waste collection post development, the Council may require the site to opt out of its refuse and recycling collection service in favour of a private on site collection service.

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

The Mayor, Councillor A M van Zetten, handed the Chair to the Deputy Mayor, Councillor D C Gibson at 2.12pm

Due to a declaration of interest in Agenda Item 9.3 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings, the Mayor, Councillor A M van Zetten, withdrew from the Meeting at 2.12pm

9.3 DA0359/2021 - 11 Home Street, Invermay - Residential - Construction of Four Dwellings ...(Cont'd)

Councillor T G Walker withdrew from the Meeting at 2.12pm

DECISION: 23 September 2021

MOTION

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

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

CARRIED 7:0

FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris and Councillor K M Preece

ABSENT DUE to DECLARATION of INTEREST: Mayor Councillor A M van Zetten

The Mayor, Councillor A M van Zetten, re-attended the Meeting and resumed the Chair at 2.15pm

9.4 DA0365/2021 - 81 Gleadow Street, Invermay - Bulky Goods Sales and Storage - Construction of Two Warehouses and Retail Showrooms, Associated Car Parking, Landscaping and Signage

FILE NO: DA0365/2021

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

DA0261/2018 - Subdivision - Subdivide land into six lots plus roads. Approved under Delegated Authority 17 October 2018.

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 DA0365/2021 Bulky Goods Sales and Storage - Construction of two warehouses and retail showrooms, associated car parking, landscaping and signage at 81 Gleadow 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 Council unless modified by a condition of the Permit:

- a. Cover Page, Prepared by Loop Architecture, Dated August 2021.
 - b. Ground Floor Plan, Prepared by Loop Architecture, Drawing SK01, Scale 1:200 A3, Dated August 2021.
 - c. Mezzanine Floor Plan, Prepared by Loop Architecture, Drawing SK02, Scale 1:200 A3, Dated August 2021.
 - d. Roof Plan, Prepared by Loop Architecture, Drawing SK03, Scale 1:200 A3, Dated August 2021.
 - e. Elevations, Prepared by Loop Architecture, Drawing SK02, Scale 1:200 A3, Dated August 2021.
 - f. Landscaping Plan, Prepared by Lance Designs, Drawing RHS0721-LP01, Issue A, Dated 19 July 2021.
 - g. Traffic Impact Assessment, Prepared by Midson traffic Pty Ltd, Dated July 2021.
 - h. Environmental management plan, Prepared by rare, Project 210108, Document No 210108 EMP -001, Dated 13 July 2021.
-

9.4 DA0365/2021 - 81 Gleadow Street, Invermay - Bulky Goods Sales and Storage - Construction of Two Warehouses and Retail Showrooms, Associated Car Parking, Landscaping and Signage ...(Cont'd)

2. LEGAL TITLE

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

3. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am to 6pm

Saturday - 8am to 5pm

No works on Sunday or Public Holidays

4. SITE LANDSCAPING

The landscaping must be:

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

5. SIGNAGE CONTENT

Content of the sign may be updated or changed without separate approval of the Council, subject to:

- a. the structure, location and size of the signage not changing.
- b. the content of the signage relating to the site.
- c. compliance with the requirements of the planning scheme.

6. NO SIGN ILLUMINATION

The sign must not be floodlit or otherwise internally illuminated.

7. SIGN MAINTENANCE

The signs must be constructed and maintained in good condition to the satisfaction of the Council.

8. FLOOD MANAGEMENT

Prior to the commencement of any building works for the site the applicant must submit a detailed Flood Management Report specifying:

- the design measures and/or operational procedures to be employed to mitigate the hydrodynamic and hydrostatic loading resulting from flood waters. The assumptions upon which the design is based are to be clearly outlined in the report.
 - the responsibility for the flood preparedness tasks associated with plan.
 - the regular review and updating of the plan to reflect changes in staffing or operation of the development.
-

9.4 DA0365/2021 - 81 Gleadow Street, Invermay - Bulky Goods Sales and Storage - Construction of Two Warehouses and Retail Showrooms, Associated Car Parking, Landscaping and Signage ...(Cont'd)

9. DRIVEWAY AND PARKING AREA CONSTRUCTION

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. be properly constructed to such levels that they can be used in accordance with the plans;
- b. be surfaced with an impervious all weather seal;
- c. be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. be line-marked or otherwise delineated to indicate each car space and access lanes.

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

10. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

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.

9.4 DA0365/2021 - 81 Gleadow Street, Invermay - Bulky Goods Sales and Storage - Construction of Two Warehouses and Retail Showrooms, Associated Car Parking, Landscaping and Signage ...(Cont'd)

12. 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.

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. AMENITY - COMMERCIAL/INDUSTRIAL USE

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

15. DUST MITIGATION MEASURE

Prior to the use commencing the site is to be fully sealed, other than approved landscaping.

16. ENVIRONMENTAL AND SITE CONTAMINATION MANAGEMENT PLAN

The developer must comply with the mitigation measures specified in the Environmental Management Plan prepared by rare., dated 13 July 2021, including submission of a Soil and Water Management Plan with the building application to the satisfaction of the Manager Health and Compliance.

Any new information which comes to light during construction works which 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.

9.4 DA0365/2021 - 81 Gleadow Street, Invermay - Bulky Goods Sales and Storage - Construction of Two Warehouses and Retail Showrooms, Associated Car Parking, Landscaping and Signage ...(Cont'd)

17. NO MANUFACTURING ON-SITE

On-site manufacturing is not permitted, with the exception of the assembly of showroom stock from pre-packaged components.

18. 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.

19. NO BURNING OF WASTE

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

20. WASTE MATERIALS

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0365/2021. 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.

9.4 DA0365/2021 - 81 Gleadow Street, Invermay - Bulky Goods Sales and Storage - Construction of Two Warehouses and Retail Showrooms, Associated Car Parking, Landscaping and Signage ...(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. Storage of Dangerous Goods

The developer/occupant is to ensure that any dangerous goods/materials are stored in accordance with the Work Health and Safety Regulations 2012 or any subsequent versions of the document.

F. Woodheater Use

Use of woodheaters is subject to the Environmental Management and Pollution Control (Smoke) Regulations 2019 or as superseded.

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

- 9.4 DA0365/2021 - 81 Gleadow Street, Invermay - Bulky Goods Sales and Storage - Construction of Two Warehouses and Retail Showrooms, Associated Car Parking, Landscaping and Signage ...(Cont'd)
-

DECISION: 23 September 2021

MOTION

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

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

CARRIED 8:0

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

9.5 DA0401/2021 - 54A Mulgrave Street, South Launceston - Residential - Construction of a Dwelling**FILE NO:** DA0401/2021**AUTHOR:** Aidan Colahan (Graduate Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0401/2021 Residential - Construction of a dwelling at 54A Mulgrave Street, South Launceston subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Planning Letter, Prepared by S. group, Dated 26/07/2021.
- b. Cover, Prepared by S. Group, Drawing No. A0-001, Project No. #J007203, 54A Mulgrave Street South Launceston, Page No. 1 of 6, Dated 26/07/2021.
- c. Site Plan, Prepared by S. Group, Drawing No. A0-001, Project No. #J007203, 54A Mulgrave Street South Launceston, Page No. 2 of 6, Dated 26/07/2021.
- d. Shadow Diagrams, Prepared by S. Group, Drawing No. A0-001, Project No. #J007203, 54A Mulgrave Street South Launceston, Page No. 3 of 6, Dated 26/07/2021.
- e. Floor Plan, Prepared by S. Group, Drawing No. A0-001, Project No. #J007203, 54A Mulgrave Street South Launceston, Page No. 4 of 6, Dated 26/07/2021.
- f. Elevations, Prepared by S. Group, Drawing No. A0-001, Project No. #J007203, 54A Mulgrave Street South Launceston, Page No. 5 of 6, Dated 26/07/2021.
- g. Elevations, Prepared by S. Group, Drawing No. A0-001, Project No. #J007203, 54A Mulgrave Street South Launceston, Page No. 6 of 6, Dated 26/07/2021.

2. LEGAL TITLE

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

9.5 DA0401/2021 - 54A Mulgrave Street, South Launceston - Residential - Construction of a Dwelling ...(Cont'd)

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/01269-LCC, 02/08/2021 and attached to the permit.

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

5. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

6. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of 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.

7. 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.

9.5 DA0401/2021 - 54A Mulgrave Street, South Launceston - Residential - Construction of a Dwelling ...(Cont'd)

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

8. SOIL AND WATER MANAGEMENT PLAN

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

9. NO BURNING OF WASTE

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

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0401/2021. 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 Council.

9.5 DA0401/2021 - 54A Mulgrave Street, South Launceston - Residential - Construction of a Dwelling ...(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 Assessments) and Mr A Colahan (Graduate Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

9.5 DA0401/2021 - 54A Mulgrave Street, South Launceston - Residential - Construction of a Dwelling ...(Cont'd)

DECISION: 23 September 2021

MOTION

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

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

CARRIED 8:0

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

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

Councillor T G Walker re-attended the Meeting at 2.24pm

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Thursday 9 September 2021

- Attended the *Marjorie Unravalled: Tasmania's Fantabulous Edna* performance

Friday 10 September 2021

- Hosted a Civic Reception to acknowledge *Tasmanian Leaders Inc.*

Saturday 11 September 2021

- Presented the fundraising cheque to *Variety* for the East Launceston Bowls and Community Club
- Officiated at the *Northern Tasmanian Football Association's Premier Division Grand Final* at UTAS Stadium

Sunday 12 September 2021

- Officiated at and participated in the *Womens 5k Walk/Run*
- Attended the *Tasmanian State League Grand Final* at UTAS Stadium

Wednesday 15 September 2021

- Officiated at the *2021 Waste NoT Awards* ceremony
- Attended the *Dance and Drama Celebration 2021* at Launceston Grammar

Thursday 16 September 2021

- Attended the welcome for the 39th *Speak Out Conference Standing Strong, Standing Together'*
- Officiated at the opening of *iSEE CHURCH*
- Officiated at the *Youth Spectacular* event

Friday 17 September 2021

- Officiated at the *Key to the City* presentation for Ariarne Titmus
-

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

Saturday 18 September 2021

- Officiated at the bowls season opener for North Launceston
- Attended the *60th Charter* Anniversary dinner for Launceston Windmill Hill Lions Club

Sunday 19 September 2021

- Officiated at the *MS Walk Run and Roll*

Monday 20 September 2021

- Presented to children at *Launceston Christian School* regarding the Mayoral role

Wednesday 22 September 2021

- Officiated at *Singfest - A Choral Celebration*
-

The Mayor, Councillor A M van Zetten, announced that he did not officiate at the bowls season opener for North Launceston on Saturday, 18 September 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 D C Gibson

- **Attended the *Friends of the QVMAG* Annual General Meeting and thanked those who contribute to the group**
- **Attended the *Chinese Teachers' Association* Meeting on Saturday, 18 September 2021**
- **Noted that Theatre North, throughout the COVID-19 pandemic, has continued to present innovative small and large scale programs, such as *Conversations With Friends***

11.2 Councillor D H McKenzie

- **Noted that Theatre North is still facing COVID-19 pandemic challenges but highlighted the upcoming live theatre performance by *Bell Shakespeare* which to be held in Launceston this Friday**

11.3 Councillor A G Harris

- **Attended the civic reception for the Tas Leader's Program**
- **Attended the Cancer Council's *Womens 5k Walk/Run***
- **Attended the *WasteNot* Awards in Launceston**
- **Noted the *Walk Run and Roll* event which raised over \$45,000 for the MS Society**

11.4 Councillor P S Spencer

- **Attended the *Key to City* presentation for Ariarne Titmus**
- **Attended the Northern Tasmanian Football Association's Bracknell versus South Launceston grand final at UTAS Stadium**

11.5 Councillor T G Walker

- **Attended the *Key to the City* presentation for Ariarne Titmus**
 - **Highlighted Tamar NRM's *Sustainable Living* festival to be held on Saturday, 9 October 2021**
-

11.6 Councillor K M Preece

- **Attended the Northern Suburbs Annual General Meeting and acknowledged the contribution of Councillor D H McKenzie as President of the Committee**
- **Attended the opening of the *iSEE CHURCH***
- **Attended the *Marjorie Unravalled: Tasmania's Fantabulous Edna* performance**
- **Attended the *Key to the City* presentation for Ariarne Titmus and commented on the contributing bands from St Patricks College and the City of Launceston RSL Band**

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 - York Park Centenary - Council Meeting - 9 September 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 9 September 2021 by Councillor P S Spencer, has been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

Questions:

1. [With reference to the 100 year centenary of York Park], will the Council be acknowledging this milestone in some way?

Response:

The Council's officers have reviewed the available records and whilst the first football game was not played at the site until 1923, York Park was officially opened in 1921. Consideration is currently being given to how best to recognise the anniversary.

12.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

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

13 COMMITTEE REPORTS

13.1 Cataract Gorge Reserve Advisory Committee Meeting - 17 August 2021

FILE NO: SF0839

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive and consider a report from the Cataract Gorge Reserve Advisory Committee Meeting held on 17 August 2021.

RECOMMENDATION:

That Council receives the report from the Cataract Gorge Reserve Advisory Committee Meeting held on 17 August 2021.

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

Councillor R I Soward withdrew from the Meeting at 2.39pm

DECISION: 23 September 2021

MOTION

Moved Councillor T G Walker, seconded Councillor A G Harris

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

CARRIED 8:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor D H McKenzie, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece

13.2 Audit Panel Meeting - 31 August 2021**FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Audit Panel Meeting held on 31 August 2021.

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held on 31 August 2021.

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

Councillor R I Soward re-attended the Meeting at 2.42pm

DECISION: 23 September 2021

MOTION

Moved Councillor D H McKenzie, seconded Councillor T G Walker.

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

CARRIED 9:0

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

13.3 Pedestrian and Bike Committee Meeting - 2 September 2021**FILE NO:** SF0618**AUTHOR:** Cathy Williams (Infrastructure and Engineering Officer)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To receive and consider a report from the Pedestrian and Bike Committee Meeting held on 2 September 2021.

RECOMMENDATION:

That Council receives the report from the Pedestrian and Bike Committee Meeting held on 2 September 2021.

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

DECISION: 23 September 2021**MOTION****Moved Councillor A G Harris, seconded Councillor D H McKenzie****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0**

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

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 16 and 23 September 2021:

Strategic Planning Session - Blue Sky

Councillors provided input and participated in a Strategic Planning session.

City of Hobart - Single Use Plastics Ban

Councillors discussed the City of Hobart's single use plastics ban (by-law).

Stadiums Tasmania

Councillors were briefed on the Tasmanian Government's plan to establish a new statutory entity to oversee the management of Tasmania's major public stadia.

Draft Queen Victoria Museum and Art Gallery Futures Plan

Councillors received a presentation on the Draft Queen Victoria Museum and Art Gallery Futures Plan.

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

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

DECISION: 23 September 2021**MOTION****Moved Councillor R I Soward, seconded Councillor D C Gibson.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, 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)

No Notices of Motion were identified as part of these Minutes

16 COMMUNITY AND PLACE NETWORK ITEMS

16.1 Myrtle Park Fees and Charges

FILE NO: SF0896

AUTHOR: Andrew McCarthy (Manager Business Enterprises)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider adopting a fee in relation to the use of camping sites at the Myrtle Park Recreation Ground for 2021/2022.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 4 February 2021 - Draft 2021/2022 Operational Budget and Fees and Charges

Workshop - 1 April 2021 - 2021/2022 Budget Statutory Estimates and Annual Plan

Council - 22 April 2021 - Agenda Item 19.2 - 2021/2022 Council Fees

Workshop - 21 June 2021 - Myrtle Park Proposed Operating Model

RECOMMENDATION:

That, pursuant to section 205 of the *Local Government Act 1993* (Tas), Council adopts the following fees for the use of camping sites at the Myrtle Park Recreation Ground for 2021/2022:

Myrtle Park Camp Site - new fee setting as shown below:

Fee Number	Fee Description	Period	Recommend Fee (\$)	New
New	Myrtle Park Camp Site	per night	20.00	

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

16.1 Myrtle Park Fees and Charges ...(Cont'd)

DECISION: 23 September 2021**MOTION****Moved Councillor P S Spencer, seconded Councillor A G Harris.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

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 Plaques and Memorials in Public Open Space Policy (26-Plx-020)****FILE NO:** SF2232**AUTHOR:** Mike Mead (Parks Planning Officer)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider and endorse the Plaques and Memorials in Public Open Space Policy (ECM Doc Set ID 4606520).

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 5 August 2021 - Draft Plaques and Memorials Policy

RECOMMENDATION:

That Council endorses the Plaques and Memorials in Public Open Space Policy (ECM Doc Set ID 4606520) as follows:

Plaques and Memorials in Public Open Space Policy***PURPOSE***

Plaques and memorials can contribute to the cultural value of the community and the desire and expectations to commemorate subjects of significance. A balance needs to be achieved when considering requests for plaques and memorials, with all uses and values of existing open space. The purpose of this document is to provide a clear and consistent framework for assessing future requests, to improve efficiency and provide better outcomes for all park users. A number of plaques and memorials are in existence in the Council's open space. Any existing plaque or memorial cannot be taken as a precedent for future approvals.

SCOPE

This policy applies to requests from the community to formally recognise significant local people, groups, places and events in public open space owned or managed by the City of Launceston by way of:

- One-off plaques
 - Clusters of plaques and memorials
-

18.1 Plaques and Memorials in Public Open Space Policy (26-Plx-020) ...(Cont'd)

This policy does not cover:

- Signage
- Display boards
- Public art
- Historic interpretive signage
- Plaques installed by the Council as part of funding agreements
- Plaques and memorials outside of the Council's owned or managed public open space

POLICY

Community requests for plaques and memorials must meet the following criteria in their application:

Subject

- Subject must relate to historically important national, state or regional events or people who have made a significant contribution to the social, political and cultural life of Launceston subject to the approval of the Council.
- For clusters of plaques and memorials, the subject cannot be memorialised elsewhere in the municipal area.

Funding

- Applicants agree to cover all costs associated with design, fabrication and installation. Council has no obligation to contribute to these costs.

Location

- The location must be to the satisfaction of the Manager Parks and Sustainability with due regard to any management, maintenance and renewal of spaces including:
 - Site specific plans such as masterplans, heritage and conservation plans.
 - Values of the park and existing user groups.
 - Capitals works and renewals programs.
 - Maintenance schedules.
 - Alignment with current levels of service.

Longevity

- The subject matter must be of enduring interest to the wider community over time.
 - For one-off plaques the subject matter must be at least five years old to allow for historical perspective, ie. events that occurred at least five years ago or people who have passed away at least five years ago. For clusters of plaques and memorials the subject matter must be at least 10 years old.
-

18.1 Plaques and Memorials in Public Open Space Policy (26-Plx-020) ...(Cont'd)

Community support

- Applications must demonstrate community support.
- If armed service related, written endorsement from the RSL and relevant Service or Government Department is a requirement.
- Where individuals are the subject, written support from the immediate family is a requirement.

Aesthetic merit and form

- Factual information must be thoroughly researched by the applicant, and widely accepted by the community and endorsed by the City of Launceston.
- Wording should be positive, considerate and promote equality.
- The size of plaques is to be no smaller than 150mm x 100mm and no larger than 300mm x 300mm. The Council may approve a variation of the size due to the location of the plaque and the associated infrastructure.
- For clusters of plaques and memorials, applicants are required to work collaboratively with the Council's officers on the design proposal.

DONATE A TREE OR PARK FURNITURE

Applications that do not meet the criteria may be permitted to donate a tree or piece of park furniture in suitable areas of public open space subject to the following conditions:

- Plaques and memorials are not applicable on donated trees or park furniture under any circumstances where they have not met the required criteria.
- Applicants agree to cover costs of the item and installation.
- The item is to be arranged by the Council using the Council's suppliers.
- For trees, the species must be to the satisfaction of the manager of Parks and Sustainability and planting is to occur only in winter months.
- The location must be to the satisfaction of the manager of Parks and Sustainability.

APPROVAL PROCESS

- Applications for plaques and memorials must meet all applicable criteria and be made in writing to the manager of Parks and Sustainability. Applications must also include:
 - An Aboriginal Heritage Property Search Report to identify any registered Aboriginal relics or apparent risk of impacting Aboriginal relics at the proposed site.
 - A Planning Report on the proposed Council property to identify any planning requirements such as heritage, fire management, flooding etc.
 - Final approval rests with the General Manager of Infrastructure and Assets Network.
-

18.1 Plaques and Memorials in Public Open Space Policy (26-Plx-020) ...(Cont'd)

INSTALLATION AND MAINTENANCE

- If approved, manufacture and installation will be coordinated by the Council and all agreed upon costs will be borne by the applicant.
- Once installed, the item will become the property of the Council and will be maintained in accordance with its standard level of service for a minimum of 10 years subject to the Council's budget limitations and asset life considerations.
- The Council will maintain a register of plaques, memorials and donated trees and park furniture.

REMOVAL AND RELOCATION

- Any item which has been placed in the Council's open space without the Council's approval will be removed.
- The Council does not guarantee to retain items in perpetuity. Normally items will be retained in place for as long as practicable, with the following exceptions:
 - The area in which the item is sited is to be redeveloped.
 - The use of the area in which the item is sited changes significantly in character and the item is not deemed suitable for the site.
 - The structure or support on which the item is located is to be removed or permanently altered.
 - The item has deteriorated or is damaged and no longer viable.
- If an item is removed reasonable efforts will be made to identify, contact and advise relevant persons associated with the placement.
- The Council cannot guarantee replacement.

PRINCIPLES

The following general principles will apply to the proposal, placement and management of plaques and memorials in the City of Launceston's public open spaces:

- To ensure our plaques and memorials positively contribute to our open spaces and are generally of interest to the wider community.
- To improve efficiencies and costs associated with maintenance and management of plaques and memorials in our open spaces.
- To ensure consistency with the policies and strategies of any management plans for Launceston's open spaces.

This Policy aligns with the City of Launceston values which are:

- Our people matter.
 - We care about our community.
 - We bring an open mind.
 - We go home safe and well.
-

18.1 Plaques and Memorials in Public Open Space Policy (26-Plx-020) ...(Cont'd)

DEFINITIONS

A **plaque** commemorates a person, group, place or event in a single location in the City.

A **plaque cluster** is a group of plaques on a particular theme in one location, such as the one celebrating colourful individuals at Sydney's King's Cross or commemorating communities affected by war outside Adelaide's Immigration Museum.

A **memorial** refers to an object established in the memory of a person, group, association or event. This may include sculptures, statues, fountains and other landscape objects (but not plaques).

For the purpose of this policy **public open space** refers to all the Council's owned or managed land that is primarily reserved for leisure, recreation or nature conservation purposes.

A **significant contribution** is contribution that is extra-ordinary and over and above what might reasonably be expected through paid employment or their voluntary contribution to the community and that contribution stands out from others who may have also made a valuable contribution.

The **City of Launceston** is the corporate identity and informal name of the legal entity, the City of Launceston. Also referred to in this document as the Council.

RSL refers to the Returned and Services League of Australia.

REVIEW

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

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

18.1 Plaques and Memorials in Public Open Space Policy (26-Plx-020) ...(Cont'd)

DECISION: 23 September 2021**MOTION****Moved Councillor A E Dawkins, seconded Councillor A G Harris.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

18.2 Combined Drainage System - TasWater Service Agreement**FILE NO:** SF7106/SF5729**AUTHOR:** Robert Bujnowski (Properties and Legal Officer)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider a service agreement between the Council and TasWater with respect to the provision of stormwater services within the urban area of the City of Launceston.

PREVIOUS COUNCIL CONSIDERATION:

Closed Council - 10 June 2014 - Agenda Item 22.4 - Combined System - Mediation with TasWater

Workshop - 24 June 2021- Combined Drainage Agreement - TasWater and City of Launceston

RECOMMENDATION:

That Council:

1. Requests the *Chief Executive Officer* to enter an agreement with TasWater pursuant to section 6(3) of the *Urban Drainage Act 2013 (Tas)* in accordance with the following terms:
 - (a) five year initial term plus a further five years;
 - (b) the Council to pay TasWater an annual contribution for capital works expenditure totalling \$760,000.00 exclusive of any GST (annual contribution);
 - (c) the annual contribution be adjusted annually during the contracted term in accordance with a mutually agreed capital works program;
 - (d) the Council pay TasWater an annual operational and maintenance fee totalling \$841,000.00 exclusive of any GST (annual operational and maintenance fee);
 - (e) the annual operational and maintenance fee be annually indexed based upon the March consumer price index for *All Groups Hobart* for the immediately preceding financial year.
 2. notes, for the avoidance of doubt, *Chief Executive Officer* is a term of reference used for the *General Manager* as appointed under section 61 of the *Local Government Act 1993 (Tas)*.
-
-

18.2 Combined Drainage System - Taswater Service Agreement ...(Cont'd)

Mr S Eberhardt (General Manager Infrastructure and Assets Network), Mr R Bujnowski (Properties and Legal Officer) and Ms E Deegan (Water Engineer) were in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 23 September 2021

MOTION

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

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

CARRIED 9:0

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

19 ORGANISATIONAL SERVICES NETWORK ITEMS**19.1 Audit Panel - Appointments of Independent Members****FILE NO:** SF3611**AUTHOR:** Leanne Purchase (Manager Governance)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the appointments of independent members of the Audit Panel.

RECOMMENDATION:

That Council determines to extend the current appointments of independent members to the Audit Panel as follows:

Mark Scanlon (Chair) - to 30 November 2021

Lyndal Kimpton - to 30 November 2021

Steven Hernyk - to 5 March 2026

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

DECISION: 23 September 2021**MOTION**

Moved Councillor D H McKenzie, seconded Councillor T G Walker.

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

CARRIED 9:0

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

This decision requires an absolute majority of Council

RECOMMENDATION:

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

21.1 Confirmation of the Minutes

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

21.2 Councillor's Leave of Absence

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

(h) applications by councillors for a leave of absence.

21.3 Approval of Leases - Myrtle Park Recreation Ground

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

(c) commercial information of a confidential nature that, if disclosed, is likely to:

- (i) prejudice the commercial position of the person who supplied it; or
- (ii) confer a commercial advantage on a competitor of the council; or
- (iii) reveal a trade secret;

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

DECISION: 23 September 2021

MOTION

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

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 9:0

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

Council moved into Closed Session at 3.02pm

Council returned to Open Session at 3.17pm

21.4 End of Closed Session

RECOMMENDATION:

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

Minutes Item	Matter	Brief Description
21.1	<i>Closed Council Minutes - 26 August 2021.</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 26 August 2021.</i>
21.2	<i>Councillor's Leave of Absence.</i>	<i>Council endorsed an application for leave by a Councillor.</i>
21.3	<i>Approval of Lease for Myrtle Park Recreation Ground.</i>	<i>Councillors endorsed arrangements for the lease of the Myrtle Park Recreation Ground.</i>

DECISION: 23 September 2021

MOTION

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

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

CARRIED 9:0

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

22 MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 3.18pm.

UNCLASSIFIED MINUTES ITEMS: