



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 25 MARCH 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: 25 March 2021

Time: 1.00pm

Certificate of Qualified Advice

Background

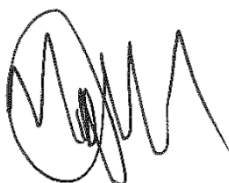
To comply with section 65 of the *Local Government Act 1993* (Tas):

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

Certification

I certify that:

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



Michael Stretton
Chief Executive Officer

AUDIO of COUNCIL MEETINGS

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

This Council Meeting will be streamed live to and can be accessed at:
www.launceston.tas.gov.au/Council/Meetings/Listen .

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

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

To help keep you safe you must register your attendance at the Council Meeting in advance by telephoning 6323 3000 during business hours by 11.00am on the morning of the Council Meeting. A Council Officer will contact you to confirm attendance details.

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

PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

City of Launceston

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Thursday 25 March 2021

Present: Councillor A M van Zetten (Mayor)
D C Gibson (Deputy Mayor)
J Finlay
R I Soward
J G Cox
K P Stojansek
A E Dawkins
N D Daking
P S Spencer
A G Harris
T G Walker

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

Apologies: Councillor D H McKenzie

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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 an apology from Councillor D H McKenzie.

2 MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements for this Meeting

3 DECLARATIONS OF INTEREST

Local Government Act 1993 - section 48

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

Councillor R I Soward declared an interest in Agenda Item 9.1 - 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees.

Councillor R I Soward declared an interest in Agenda Item 9.2 - 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works.

Councillor R I Soward declared an interest in Agenda Item 9.3 - 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building.

Councillor R I Soward declared in interest in Agenda Item 18.1 - 2 Invermay Road, Invermay - Proposed Name for Right of Way - McGrath Way.

Councillor P S Spencer declared an interest in Agenda Item 9.4 - 152 Bathurst Street, Launceston - Visitor Accommodation and Business and Professional Services - Consulting Rooms (Massage) (Retrospective).

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 11 March 2021 be confirmed as a true and correct record.

DECISION: 25 March 2021

MOTION

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

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

CARRIED 11:0

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

5 DEPUTATIONS

No Deputations were identified as part of these Minutes

6 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions were identified as part of these Minutes

7 COMMUNITY REPORTS

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

7.1 Ms Penny Terry (Creative Director and Co-Founder) - Healthy Tasmania

Ms Terry provided Council with an update on Healthy Tasmania's public private partnership which produces a local mental health podcast - *Get Psyched!* Ms Terry outlined the positive impacts the podcast is having within the local community.

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 Robin Smith - Council Meeting - 11 March 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 11 March 2021 by Mr Robin Smith, has been answered by Michael Stretton (Chief Executive Officer).

Questions:

1. With reference to the City Heart thylacine theming in the Brisbane Street Mall - can you confirm if the costing of \$250,000 for the thylacine statues in the Brisbane Street Mall is an accurate figure?

Response:

The total cost for the thylacine public art sculptures and their installation was \$288,420.

8.2 Public Questions Without Notice

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

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

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

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

9 PLANNING AUTHORITY

9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works. Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees

FILE NO: DA0695/2020

AUTHOR: Doug Fotheringham (Planning Consultant)

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:

Council - 17 October 2019 - Agenda Item 8.1 - 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition

Council - 3 September 2020 - Agenda Item 9.1 - 2-4 Invermay Road, Invermay - Vehicle Parking - Extension of Existing Car Park

Council - 12 November 2020 - Agenda Item 9.1 - 2 and 7 Willis Street, 78 and 80 Cimitiere Street, Launceston - Educational and Occasional Care, Vehicle Parking, Passive Recreation, Demolition and Subdivision - Construction of Tertiary Education Facility, Associated Works and Consolidation of Three Lots

Council - 12 November 2020 - Agenda Item 9.2 - 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park

Council - 28 January 2021 - Agenda Item 9.1 - 2-4 Invermay Road, Invermay - Education and Occasional Care - Change of Use to Education and Occasional Care; Alterations and Additions to a Building

9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)

DA0883/2020 - Alterations and Extensions to the School of Architecture and Design Building (to facilitate the relocation of the Creative Arts and Media School from the nearby Stone building), approved under delegated powers March 2021.

STANDARDS REQUIRING COUNCIL DISCRETION

Standard	Reason
35.3.2 Noise levels P1	Application does not demonstrate compliance with A1
35.4.1 Building height P1	No Acceptable Solution
35.4.3 Active ground floors P1	Does not comply with A1
E2.5.1 Suitability for intended use P1	Does not comply with A1
E2.6.2 Excavation P1(c)	Does not comply with A1
E4.5.1 Existing road accesses and junctions P3	Does not comply with A3
E6.5.1 Car parking numbers P1.1	No additional spaces are proposed
E6.5.2 Bicycle parking numbers P1	No additional spaces are proposed
E6.5.3 Taxi spaces P1	No additional spaces are proposed
E6.5.4 Motorcycle parking P1	No additional spaces are proposed
E6.5.5 Loading bays P1	A1 is not applicable
E6.6.4 Loading bays P2	Application does not demonstrate compliance with A2
E6.6.6 Bicycle parking and storage facilities P1 &P2	Application does not demonstrate compliance with A1 & A2
E9.6.1 Development in the vicinity of a watercourses and wetlands P1	No Acceptable Solution
E13.6.1 Demolition P1	No Acceptable Solution
E13.6.4 Site coverage P1	No Acceptable Solution
E13.6.5 Height and bulk of buildings	No Acceptable Solution
E13.6.6 Site of buildings and structure	No Acceptable Solution
E13.6.8 Roof form and materials P1	No Acceptable Solution
E13.6.9 Wall materials P1	No Acceptable Solution
E13.6.10 Outbuildings and structures P1	No Acceptable Solution
E13.6.12 Tree and vegetation removal P1	No Acceptable Solution

9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)

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 Education and Occasional Care and Minor Utilities - Landscaping works, plantings and associated infrastructure including two outbuildings, a steel structure, water tanks; recreational area including playing courts and bleachers; removal of parking spaces and trees at 2 Invermay Road, Invermay and 6 Barnards Way, Invermay, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site Plan, prepared by Realm Studios, Drawing No. 20327-00-L001, Landscape Drawings, Amended 21 January 2021.
 - b. Site Plan, prepared by Realm Studios, Drawing No. 20327-00-L002, Landscape Drawings, Amended 21 January 2021.
 - c. Legend prepared by Realm Studios, Drawing No. 20327-00-L003, Landscape Drawings, Amended 21 January 2021.
 - d. Site Layout, prepared by Realm Studios, Drawing No. 20327-00-L004, Landscape Drawings, Amended 21 January 2021.
 - e. Site Layout, prepared by Realm Studios, Drawing No. 20327-00-L005, Landscape Drawings, Amended 21 January 2021.
 - f. Site Layout, prepared by Realm Studios, Drawing No. 20327-00-L006, Landscape Drawings, Amended 21 January 2021.
 - g. Site Layout, prepared by Realm Studios, Drawing No. 20327-00-L007, Landscape Drawings, Amended 21 January 2021.
 - h. Site Layout prepared by Realm Studios, Drawing No. 20327-00-L008, Landscape Drawings, Amended 21 January 2021.
 - i. Existing Conditions and Demolition, prepared by Realm Studios, Drawing No. 20327-00-L009, Landscape Drawings, Amended 21 January 2021.
 - j. Existing Conditions and Demolition, prepared by Realm Studios, Drawing No. 20327-00-L010, Landscape Drawings, Amended 21 January 2021.
 - k. Existing Conditions and Demolition, prepared by Realm Studios, Drawing No. 20327-00-L011, Landscape Drawings, Amended 21 January 2021.
 - l. Existing Conditions and Demolition, prepared by Realm Studios, Drawing No. 20327-00-L012, Landscape Drawings, Amended 21 January 2021.
 - m. Existing Conditions and Demolition prepared by Realm Studios, Drawing No. 20327-00-L013, Landscape Drawings, Amended 21 January 2021.
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9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)

- n. General Arrangement, prepared by Realm Studios, Drawing No. 20327-00-L100, Landscape Drawings, Amended 21 January 2021.
 - o. General Arrangement, prepared by Realm Studios, Drawing No. 20327-00-L101, Landscape Drawings, Amended 21 January 2021.
 - p. General Arrangement, prepared by Realm Studios, Drawing No. 20327-00-L102, Landscape Drawings, 21.01.21; Drawing No. 20327-00-L013, Landscape Drawings, Amended 21 January 2021.
 - q. General Arrangement, prepared by Realm Studios, Drawing No. 20327-00-L103, Landscape Drawings, Amended 21 January 2021.
 - r. General Arrangement, prepared by Realm Studios, Drawing No. 20327-00-L104, Landscape Drawings, Amended 21 January 2021.
 - s. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L200, Landscape Drawings, Amended 21 January 2021.
 - t. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L201, Landscape Drawings, Amended 21 January 2021.
 - u. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L202, Landscape Drawings, Amended 21 January 2021.
 - v. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L203, Landscape Drawings, Amended 21 January 2021.
 - w. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L204, Landscape Drawings, Amended 21 January 2021.
 - x. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L205, Landscape Drawings, Amended 21 January 2021.
 - y. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L206, Landscape Drawings, Amended 21 January 2021.
 - z. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L207, Landscape Drawings, Amended 21 January 2021.
 - aa. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L208, Landscape Drawings, Amended 21 January 2021.
 - bb. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L209, Landscape Drawings, Amended 21 January 2021.
 - cc. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L210, Landscape Drawings, Amended 21 January 2021.
 - dd. Surface Finishes, prepared by Realm Studios, Drawing No. 20327-00-L211, Landscape Drawings, Amended 21 January 2021.
 - ee. Sections, prepared by Realm Studios, Drawing No. 20327-00-L800, Landscape Drawings, Amended 21 January 2021.
 - ff. Sections, prepared by Realm Studios, Drawing No. 20327-00-L801, Landscape Drawings, Amended 21 January 2021.
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- 9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)**
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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. HERITAGE

The development must be undertaken in accordance with any conditions included on the Tasmanian Heritage Council's *Notice of Heritage Decision* for THC Works Reference No. 6388, dated 16 March 2021 and attached to the permit.

4. AMENDED PLANS REQUIRED

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

- a. A revised swept path for the width of a 19m semi-trailer to provide occasional delivery access to the QVMAG to the loading dock adjacent the main pedestrian entrance. The swept path is to minimise the required length of reversing and may incorporate access along Spine Walk. The Gandy and Roberts drawing 20.0256 C306 A: *Articulated Vehicle Accessing Loading Area via Spine* dated 23.03.2021 is deemed to satisfy this requirement.
- b. A Traffic management plan prepared by a suitably qualified professional to be used by City of Launceston employees or other contractors when semi-trailer based deliveries occur to the loading dock.
- c. Indicative layout changes to the balance of the car park to maintain circulation for light vehicles.
- d. Enlargement of the paved area to the northeast of the *Guardian Stones* to provide a path of the same width as the eastern ramp from the new pedestrian and cyclist bridge across the North Esk River to match into the proposed path.

Once approved by the Manager City Development, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans.

5. SITE LANDSCAPING

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
 - b. maintained as part of the development.
-

9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)

6. SUBMISSION AND APPROVAL OF PLANS

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

- a. include all public infrastructure works required by the permit or shown in the endorsed plans and specifications.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

7. 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.

8. LIGHTING AND SEATING

Prior to the commencement of the development, the following details shall be submitted for written approval by the Manager City Development:

- Lighting diagrams for the whole development site;
- Amended plans showing at least one seating area or place of rest at an appropriate location along the green spine to provide respite for site users.

Thereafter, the development must be carried out in accordance with the approved details.

9. 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

- 9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)**
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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 (BARNARDS WAY)

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

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

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

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

12. APPLICATION TO ALTER A STORMWATER SERVICE

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

13. 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.

- 9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)**
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14. PROTECTION OF PIPELINES

The Council's existing underground pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5m from the outer edge of the pipe,
- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. There must be a minimum clear space between buildings or substantial structures of at least 3m in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to section 13 of the *Urban Drainage Act 2013*.

15. PROTECTION OF THE COUNCIL OWNED LAND (LEVEES AND LEVEE RELATED LAND)

The Council's Owned Land is to be protected from damage during the construction works by ensuring that where required:

- a. Prior to commencing any work on the subject site the owner must erect fencing on the boundary between the Council's Owned Land and the subject site.
 - b. No building material, stockpiles, skip bins or machinery are to be stored on the Council's Owned Land.
 - c. No excavation or fill works within the subject site are permitted to extend into, impact upon the stability of, or reduce the ability of the Council to maintain, the Council's Owned Land.
 - d. No access to the subject site is permitted via the Council's Owned Land without express written consent from the General Manager (Infrastructure and Assets Network).
 - e. Where permission is granted to access subject site via the Council's Owned Land, any and all damage caused to the Council's Owned Land is to be remediated within the timeframe specified in the written consent to access.
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- 9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)**
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16. CONSTRUCTION OF WORKS

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

- a. Stormwater
 - i. All necessary alterations to the site drainage system, including any new or upsized infrastructure required to adequately drain all pervious and impervious surfaces affected by the development.
- b. Roads
 - i. All necessary works to maintain the functionality of Barnards Way while providing for a pedestrian and cyclist crossing to the east of the existing Student Accommodation Building.
 - ii. All necessary line marking, signage and other traffic control devices required as part of the pedestrian and cyclist crossing.
- c. Heavy Vehicle Access to Loading Dock
 - i. All necessary works to provide heavy vehicle access along Spine Walk, within the Welcome Space Museum Forecourt and the remaining car parking area to the west of Spine Walk.
- d. Balance of Car Park
 - i. All necessary works to maintain the functionality of the balance of the circular car park area including the removal of parking spaces to enable circulation for light/passenger vehicles.

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

17. CONSTRUCTION DOCUMENTATION

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

- a. An *as constructed plan* in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure and Assets Network.
 - b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
 - c. Compaction and soil test results for all earthworks or pavement works.
 - d. An engineer's certificate that each component of the works comply with the approved engineering plans and the Council's standards.
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- 9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)**
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18. AS CONSTRUCTED PLANS

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

19. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) is to be prepared by a suitably qualified person, and submitted to Council's Environmental Health Services for written approval. Thereafter, all works and recommendations contained within the approved CEMP must be undertaken so as to comply with the recommendations and requirements of the CEMP.

20. CONTAMINATED LAND

The applicant must comply with the Environmental Site Assessment Report prepared by Environmental Service and Design (ES&D), dated November 2020 and complete all Works required in the recommendations. The use and development approved must be undertaken so as to comply with all the recommendations and requirements of the Environmental Site Assessment.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to the Council and (Environmental Protection Authority if relevant) immediately upon discovery.

21. 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.

22. 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.

- 9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)**
-

23. DEMOLITION

The Developer must:

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

Notes

A. General

This permit was issued based on the proposal documents submitted for (DA0695/2020). You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)

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. Additional tree removal

A separate planning permit will be required before further tree or vegetation removal can occur.

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

Councillor R I Soward declared an interest in Agenda Item 9.1 - 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees and withdrew from the Meeting at 1.06pm.

Mr Andrew Pitt spoke for the Recommendation

Ms Karina Dambergs spoke for the Recommendation

Prof Rufus Black (on behalf of the University of Tasmania) spoke for the Recommendation

- 9.1 2 Invermay Road and 6 Barnards Way, Invermay - Education and Occasional Care - Landscaping Works, Associated Infrastructure Including Two Outbuildings, a Steel Structure, Water Tanks; Recreational Area - Playing Courts; Removal of Parking Spaces and Trees ...(Cont'd)**
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DECISION: 25 March 2021

MOTION

Moved Councillor J Finlay, seconded Councillor D C Gibson.

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

CARRIED 8:2

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

AGAINST VOTE: Councillor P S Spencer and Councillor T G Walker

ABSENT DUE to DECLARATION of INTEREST: Councillor R I Soward

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works**FILE NO:** DA0780/2020**AUTHOR:** Douglas Fotheringham (Consultant)**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:

Council - 17 October 2019 - Agenda Item 8.1 - 2-4 Invermay Road, Invermay - Educational and Occasional Care - Construction of a New Building Including Demolition

Council - 3 September 2020 - Agenda Item 9.1 - 2-4 Invermay Road, Invermay - Vehicle Parking - Extension of Existing Car Park

Council - 12 November 2020 - Agenda Item 9.1 - 2 and 7 Willis Street, 78 and 80 Cimitiere Street, Launceston - Educational and Occasional Care, Vehicle Parking, Passive Recreation, Demolition and Subdivision - Construction of Tertiary Education Facility, Associated Works and Consolidation of Three Lots

Council - 12 November 2020 - Agenda Item 9.2 - 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park

Council - 28 January 2021 - Agenda Item 9.1 - 2-4 Invermay Road, Invermay - Education and Occasional Care - Change of Use to Education and Occasional Care; Alterations and Additions to a Building

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

STANDARDS REQUIRING COUNCIL DISCRETION

Standard	Reason
35.4.1 Building height P1	No Acceptable Solution
35.4.2 Location of car parking P1	Application does not demonstrate compliance with A1
35.4.3 Active ground floors P1	Application does not demonstrate compliance with A1
E6.5.1 Car parking numbers P1.1	Car parking requirements under Table E6.1 are not met
E6.5.3 Taxi spaces	Application does not demonstrate compliance with A1
E6.5.4 Motorcycle parking	Application does not demonstrate compliance with A1
E6.6.2 Design and layout of parking areas P1	Application does not demonstrate compliance with A1
E6.6.3 Pedestrian access P1	Application does not demonstrate compliance with A1
E6.6.5 Bicycle facilities P1	Application does not demonstrate compliance with A1
E9.6.1 Development in the vicinity of a watercourses and wetlands P1	No acceptable solution
E9.6.3 Discharges to watercourses and wetlands P2	Application does not demonstrate compliance with A2.2
E13.6.1 Demolition	No acceptable solution
E13.6.4 Site coverage	Acceptable Solution
E13.6.5 Height and bulk of buildings	No Acceptable Solution
E13.6.6 Site of buildings and structure	No Acceptable Solution
E13.6.8 Roof form and materials	No Acceptable Solution
E13.6.9 Wall materials	No Acceptable Solution
E13.6.12 Tree and vegetation removal	No Acceptable Solution
E16.7.2 Flood Impact P2	Application does not demonstrate compliance with A2

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

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 Residential - Student Accommodation and associated landscaping works at 2 Invermay Road, Invermay, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site Plan (Existing Demolition), prepared by x-squared Architects, Drawing No. AR-N0-101, Project No. 1907010, Issue D, 2 November 2020.
- b. Site Plan (Proposed), prepared by x-squared Architects, Drawing No. AR-N0-102, Project No. 1907010, Issue E, 20 January 2021.
- c. GA Plan Level 00, prepared by x-squared Architects, Drawing No. AR-N0-201, Project No. 1907010, Issue H, 20 January 2021.
- d. GA Plan Level 01, prepared by x-squared Architects, Drawing No. AR-N0-202, Project No. 1907010, Issue D, 2 November 2020.
- e. GA Plan Level 02, prepared by x-squared Architects, Drawing No. AR-N0-203, Project No. 1907010, Issue D, 2 November 2020.
- f. GA Plan Level 03, prepared by x-squared Architects, Drawing No. AR-N0-204, Project No. 1907010, Issue C, 2 November 2020.
- g. GA Plan Roof, prepared by x-squared Architects, Drawing No. AR-N0-301, Project No. 1907010, Issue D, 2 November 2020.
- h. GA Elevations, prepared by x-squared Architects, Drawing No. AR-N0-301, Project No. 1907010, Issue C, 29 October 2020.
- i. GA Elevations, prepared by x-squared Architects, Drawing No. AR-N0-302, Project No. 1907010, Issue C, 29 October 2020.
- j. GA Sections, prepared by x-squared Architects, Drawing No. AR-N0-401, Project No. 1907010, Issue C, 29 October 2020.
- k. Shadow Diagrams, prepared by x-squared Architects, Drawing No. AR-N0-801, Project No. 1907010, Issue C, 29 October 2020.

2. LEGAL TITLE

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

3. FLOOD EMERGENCY MANAGEMENT PLAN

Prior to the occupation of the approved development, a final Flood Emergency Management Plan must be submitted to the Launceston Flood Authority for written approval.

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/01980-LCC and attached to the permit.

5. SITE LANDSCAPING PLAN

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

- a. Major site features such as building footprints, topography, contours existing vegetation and street boundaries; and
- b. Existing and proposed garden areas and plantings (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity); and
- c. All proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
- d. Suitable irrigation or a fixed sprinkler system for the watering of all lawns and landscaped areas.

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

6. SCHEDULE OF MATERIALS AND COLOURS

Prior to the commencement of any works, a schedule of external building materials, finishes and colours, must be submitted to the Council for written approval by the Manager City Development. Thereafter, the development must be carried out in accordance with the approved schedule of external building materials, finishes and colours.

7. SOIL AND WATER MANAGEMENT PLAN

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

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

8. SUBMISSION AND APPROVAL OF PLANS

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

- a. Include all infrastructure works required by the permit or shown in the endorsed plans.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

9. SINGLE TITLE

No works for the development may commence until such time as the proposed development site is wholly contained within a single title.

10. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

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

11. 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

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

12. 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.

13. SINGLE STORMWATER CONNECTIONS

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains.

14. APPLICATION TO ALTER A STORMWATER SERVICE

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

15. 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.

16. CONSTRUCTION OF WORKS

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

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

- a. Stormwater
 - i. The provision of all necessary infrastructure including a suitably sized offline stormwater pumping station to direct flows to the existing gravity line to the Victoria Bridge Pump Station designed to operate during high tide events or flooding of the river in accordance with the requirements of the City of Launceston and any upgrades of existing pipelines required to accommodate additional flows.
-

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

- b. Sewerage
 - i. Connection to the existing sewage network for the site.
 - ii. All necessary upgrades to the existing infrastructure including the sewage pumping station required to accommodate additional flows from the development.
- c. Water supply
 - i. Provision of a metered connection to the existing shared ring main, with all necessary valves and backflow prevention devices.

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

1. Construction requirements.
2. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange the Council's Audit inspections and other responsibilities.
3. Construction Audit inspections.
4. Practical completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

17. CONSTRUCTION DOCUMENTATION

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

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

18. EASEMENTS

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

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

19. AS CONSTRUCTED PLANS

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

20. CONTAMINATED LAND

The developer must comply with the following measures:

- a. Prior to the commencement of the development, a Soil and Acid Sulfate Management Plan must be submitted to the City of Launceston Council for written approval by the Environmental Health Officer. Once approved, the development must be implemented in accordance with the approved Soil and Acid Sulfate Management Plan.
- b. If contaminated soil is to be removed from the site, it must be removed according to EPA IB105 guidelines.
- c. All excavated soil must be stockpiled and must not be reused onsite without further testing for contaminants and acid sulfate properties.
- d. Fill materials found from the surface and 1m below ground level generally should be stockpiled separate to natural black silty clays. Acid sulfate forming soils are likely to be found in the natural silty clays. In addition, segregation of fill and natural soils may reduce the disposal costs of contaminated soils.
- e. Excavated soil must be stockpiled so that it may be later identified from which of the locations it was taken. This will assist with matching soil for suitability for reuse and also classification of the soil for disposal.
- f. Where soil does not meet the criteria for recreational use it may meet the criteria for use under hardstand such as footpaths.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to the Council and Environmental Protection Authority if relevant, immediately upon discovery.

21. 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.

22. 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.

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

23. DEMOLITION

The Developer must:

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

Notes**A. General**

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

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

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

Councillor R I Soward declared an interest in Agenda Item 9.2 - 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works and withdrew from the Meeting at 1.06pm.

Mr Jacob Workman (on behalf of the University of Tasmania) spoke for the Recommendation

Ms Karina Dambergs (read a letter of support on behalf of Mark Baker Northern Tasmania Development Corporation) for the Recommendation

9.2 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works ...(Cont'd)

DECISION: 25 March 2021

MOTION

Moved Councillor J Finlay, seconded Councillor A G Harris.

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

CARRIED 8:2

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

AGAINST VOTE: Councillor P S Spencer and Councillor T G Walker

ABSENT DUE to DECLARATION of INTEREST: Councillor R I Soward

9.3 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building

FILE NO: DA0886/2020

AUTHOR: Doug Fotheringham (Planning Consultant)

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 Education and Occasional Care - Internal refurbishment and alterations to the existing Stone Building at 2 Invermay Road, Invermay subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site Plan, prepared by x-squared Architects, Drawing No. AR-STO-A10-XX-01, Stone Building, Issue No. 1, 21 December 2020.
 - b. GA Plan - Level 01, prepared by x-squared Architects, Drawing No. AR-STO-B10-01-01, Stone Building, Issue No. 2, 2 February 2021.
 - c. GA Plan Additional Area - Level 01, prepared by x-squared Architects, Drawing No. AR-STO-B10-01-02, Stone Building, Issue No. 2, 2 February 2021.
 - d. GA Plan - Level 02, prepared by x-squared Architects, Drawing No. AR-STO-B10-02-01, Stone Building, Issue No. 2, 2 February 2021.
 - e. GA Plan Additional Area - Level 02, prepared by x-squared Architects, Drawing No. AR-STO-B10-02-02, Stone Building, Issue No. 2, 2 February 2021.
 - f. GA Plan - Level 03, prepared by x-squared Architects, Drawing No. AR-STO-B10-03-01, Stone Building, Issue No. 2, 2 February 2021.
 - g. GA Plan Additional Area - Level 03, prepared by x-squared Architects, Drawing No. AR-STO-B10-03-02, Stone Building, Issue No. 2, 2 February 2021.
 - h. GA Plan - Level 04, prepared by x-squared Architects, Drawing No. AR-STO-B10-04-01, Stone Building, Issue No. 2, 2 February 2021.
 - i. GA Plan Additional Area - Level 04, prepared by x-squared Architects, Drawing No. AR-STO-B10-04-02, Stone Building, Issue No. 2, 2 February 2021.
 - j. GA Plan - Roof, prepared by x-squared Architects, Drawing No. AR-STO-B10-05-01, Stone Building, Issue No. 1, 21/12/2020;
-

9.3 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building ...(Cont'd)

- k. GA Plan - Level 01 - Existing, prepared by x-squared Architects, Drawing No. AR-STO-B11-01-01, Stone Building, Issue No. 1, 21 December 2020.
- l. GA Plan - Level 02 - Existing, prepared by x-squared Architects, Drawing No. AR-STO-B11-02-01, Stone Building, Issue No. 1, 21 December 2020.
- m. GA Plan - Level 03 - Existing, prepared by x-squared Architects, Drawing No. AR-STO-B11-03-01, Stone Building, Issue No. 1, 21 December 2020.
- n. GA Plan - Level 04 - Existing, prepared by x-squared Architects, Drawing No. AR-STO-B11-04-01, Stone Building, Issue No. 1, 21 December 2020.
- o. GA Plan - Roof - Existing, prepared by x-squared Architects, Drawing No. AR-STO-B21-01-01, Stone Building, Issue No. 1, 21 December 2020.
- p. Demolition Plan - Level 01, prepared by x-squared Architects, Drawing No. AR-STO-B21-01-01, Stone Building, Issue No. 1, 21 December 2020.
- q. Demolition Plan - Level 02, prepared by x-squared Architects, Drawing No. AR-STO-B21-02-01, Stone Building, Issue No. 1, 21/12/2020;
- r. Demolition Plan - Level 03, prepared by x-squared Architects, Drawing No. AR-STO-B21-03-01, Stone Building, Issue No. 1, 21 December 2020.
- s. Demolition Plan - Level 04, prepared by x-squared Architects, Drawing No. AR-STO-B21-04-01, Stone Building, Issue No. 1, 21 December 2020.
- t. Elevation, prepared by x-squared Architects, Drawing No. AR-STO-C10-XX-01, Stone Building, Issue No. 1, 21 December 2020.
- u. Elevation, prepared by x-squared Architects, Drawing No. AR-STO-C10-XX-02, Stone Building, Issue No. 1, 21 December 2020.
- v. Elevation - Existing, prepared by x-squared Architects, Drawing No. AR-STO-C11-XX-01, Stone Building, Issue No. 1, 21 December 2020.
- w. Elevation - Existing, prepared by x-squared Architects, Drawing No. AR-STO-C11-XX-02, Stone Building, Issue No. 1, 21 December 2020.
- x. Elevation - Demolition, prepared by x-squared Architects, Drawing No. AR-STO-C21-XX-01, Stone Building, Issue No. 1, 21 December 2020.
- y. Elevation - Demolition, prepared by x-squared Architects, Drawing No. AR-STO-C21-XX-02, Stone Building, Issue No. 1, 21 December 2020.
- z. GA Sections, prepared by x-squared Architects, Drawing No. AR-STO-D10-XX-01, Stone Building, Issue No. 2, 22 January 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. FLOOD EMERGENCY MANAGEMENT PLAN

Prior to the occupation of the approved development, a final Flood Emergency Management Plan must be submitted to the Launceston Flood Authority for written approval.

9.3 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building ...(Cont'd)

4. HERITAGE

The development must be undertaken in accordance with any conditions included on the Tasmanian Heritage Council's *Notice of Heritage Decision* for THC Works Reference No. 6462, dated 11 March 2021 and attached to the permit.

5. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/00052-LCC and attached to the permit.

6. SCHEDULE OF MATERIALS AND COLOURS

Prior to the commencement of any works, a schedule of external building materials, finishes and colours, must be submitted to Council for written approval by the Manager City Development. Thereafter, the development must be carried out in accordance with the approved schedule of external building materials, finishes and colours.

7. MOTORCYCLE SPACES

Prior to the commencement of any works, details demonstrating the provision of eight (8) new motorcycle parking spaces located on 2 Invermay Road, Invermay, must be submitted to Council for written approval by the Manager City Development. Thereafter, the development must be carried out in accordance with the approved details.

8. SUBMISSION AND APPROVAL OF PLANS

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

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

9.3 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building ...(Cont'd)

9. 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

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. 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.

12. PROTECTION OF PIPELINES

The Council's existing underground pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5m from the outer edge of the pipe,
- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. There must be a minimum clear space between buildings or substantial structures of at least 3m in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to section 13 of the *Urban Drainage Act 2013*.

9.3 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building ...(Cont'd)

13. CONSTRUCTION OF WORKS

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

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

- a. Stormwater
 - i. Gravity connection to the existing gravity outfall to the North Esk River.
 - ii. The provision of a suitably sized offline stormwater pumping station to direct flows to the North Esk River designed to operate during high tide events or flooding of the river in accordance with the requirements of the City of Launceston.
- b. Sewerage
 - i. Connection to the existing private sewage pumping station located adjacent to the proposed building.
 - ii. All necessary upgrades to the existing infrastructure to accommodate additional flows from the development.
- c. Water supply
 - i. Provision of a metered connection to the existing shared ring main, with all necessary valves and backflow prevention devices.
- d. Electricity, Communications and Other Utilities
 - i. All necessary upgrades and connections to electricity, communications and other third party utilities installed to the approval of the Responsible Authority.

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

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

14. CONSTRUCTION DOCUMENTATION

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

- a. An *as constructed* plan in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure and Assets Network.
 - b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
-

9.3 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building ...(Cont'd)

- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and the Council's standards.

15. EASEMENTS

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

16. COMPLETION OF WORKS

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

17. AS CONSTRUCTED PLANS

Upon completion of the works an *as constructed* plan showing any new services installed outside of the building footprint must be provided in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure and Assets Network.

18. CONTAMINATED LAND

The developer must comply with the following measures:

- a. Prior to the commencement of the development, a Soil and Acid Sulfate Management Plan must be submitted to the City of Launceston Council for written approval by the Environmental Health Officer. Once approved, the development must be implemented in accordance with the approved Soil and Acid Sulfate Management Plan.
 - b. All excavated soil must be stockpiled and must not be reused onsite without further testing for contaminants and acid sulfate properties.
 - c. Fill materials found from the surface and 1m below ground level generally should be stockpiled separate to natural black silty clays. Acid sulfate forming soils are likely to be found in the natural silty clays. In addition, segregation of fill and natural soils may reduce the disposal costs of contaminated soils.
 - d. Excavated soil must be stockpiled so that it may be later identified from which of the locations it was taken. This will assist with matching soil for suitability for reuse and also classification of the soil for disposal.
-

9.3 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building ...(Cont'd)

- e. Where soil does not meet the criteria for recreational use it may meet the criteria for use under hardstand such as footpaths.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and (Environmental Protection Authority if relevant) immediately upon discovery.

19. 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.

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.

21. DEMOLITION

The Developer must:

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0886/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

9.3 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building ...(Cont'd)

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>>

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.

9.3 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building ...(Cont'd)

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

Councillor R I Soward declared an interest in Agenda Item 9.3 - 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building and withdrew from the Meeting at 1.06pm.

Prof Rufus Black (on behalf of the University of Tasmania) spoke for the Recommendation

Mr David Peach (on behalf of the Launceston Chamber of Commerce) spoke for the Recommendation

Mr James Riggall spoke for the Recommendation

DECISION: 25 March 2021

MOTION

Moved Councillor J Finlay, seconded Councillor A G Harris.

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

CARRIED 9:1

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

AGAINST VOTE: Councillor P S Spencer

ASBSENT DUE to DECLARATION of INTEREST: Councillor R I Soward

Councillor R I Soward re-attended the Meeting at 2.02pm.

9.4 152 Bathurst Street, Launceston - Visitor Accommodation and Business and Professional Services - Consulting Rooms (Massage) (Retrospective)**FILE NO:** DA0016/2021**AUTHOR:** Eric Smith (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 Visitor Accommodation and Business and Professional Services - Consulting Rooms (Massage) (Retrospective) at 152 Bathurst Street, Launceston, subject to the following conditions:

1. ENDORSED DOCUMENTS

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

- a. Planning Report - by JMG for Abwoon Properties Pty Ltd - Change of Use - 152 Bathurst Street, Launceston dated January 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. CAR PARKING

At least one car parking space must be provided on the subject land to service the approved use.

4. 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.

9.4 152 Bathurst Street, Launceston - Visitor Accommodation and Business and Professional Services - Consulting Rooms (Massage) (Retrospective) ... (Cont'd)

5. AMENITY

Visitor Accommodation - The on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by the emission of noise, artificial light, vibration or any other source of nuisance.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0016/2021. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

9.4 152 Bathurst Street, Launceston - Visitor Accommodation and Business and Professional Services - Consulting Rooms (Massage) (Retrospective) ... (Cont'd)

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

D. Permit Commencement

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

E. Sale of Food and Beverages

If food and/or beverages are to be sold to visitors, including with an inclusive charge for food and accommodation, the Food Act 2003 will apply and the operator must notify the Council prior to operating the food business.

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

Councillor P S Spencer declared an interest in Agenda Item 9.4 - 152 Bathurst Street, Launceston - Visitor Accommodation and Business and Professional Services - Consulting Rooms (Massage) (Retrospective) withdrew from the Meeting at 2.02pm

Ms Madeleine Rose spoke against the Recommendation

- 9.4 152 Bathurst Street, Launceston - Visitor Accommodation and Business and Professional Services - Consulting Rooms (Massage) (Retrospective) ... (Cont'd)
-

DECISION: 25 March 2021

MOTION

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

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 J Finlay, Councillor R I Soward, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor A G Harris and Councillor T G Walker

ABSENT DUE to DECLARATION of INTEREST: Councillor P S Spencer

Councillor P S Spencer re-attended the Meeting at 2.09pm.

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Thursday 11 March 2021

- Attended the *Orbit* Exhibition - Ten Days on the Island

Friday 12 March 2021

- Attended the *Tasmanian Honour Roll of Women* luncheon

Saturday 13 March 2021

- Officiated at the *Relay for Life*
- Attended the *Friendship Ball - Care for Africa*

Sunday 14 March 2021

- Attended the *Marvellous Corricks* - Ten Days on the Island

Wednesday 17 March 2021

- Officiated at the QVMAG Arts Foundation Presentation

Friday 19 March 2021

- Officiated at the *Harmony Day Event* in Civic Square
- Officiated at Princess Theatre's 50th Anniversary Celebrations

Saturday 20 March 2021

- Attended the *Autumn Fashion Festival* in the Brisbane Street Mall
- Attended the *St Patricks River Valley Day*

Sunday 21 March 2021

- Officiated at the *Conferral Ceremony* and *Freedom of Entry March* for Cadet Units
-

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

Monday 22 March 2021

- Officiated at the *Science and Engineering Challenge*

Wednesday 24 March 2021

- Attended the *Caravan Boat Treehouse* show by Mudlark Theatre
-

- **The Mayor, Councillor A M van Zetten, noted that he did not attend the Princess Theatre's 50th Anniversary Celebrations on Friday, 19 March 2021, as they were postponed.**
-

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 Mud Lark Theatre's production of *Caravan Boat Treehouse* at the Earl Arts Centre**
- **Attended *Cody's Army Expo* - an animal welfare support and refuge organisation event held at Royal Park. Special thanks was extended to Michelle Polley at the City of Launceston for her work in assisting with the event**
- **Attended *Ten Days on The Island* events including *Where Do We Start?* - performed by TasDance; the international art exhibition *Orbit*, curated by Paul Snell and hosted at the Launceston Church Grammar School and the centre piece of the North's offerings - *The Marvellous Corricks***

11.2 Councillor A G Harris

- **Attended the *Why We Cycle* film as part of Tamar Bicycle User Group's bike week program**
- **Attended the *Van Diemen Project* discussion on free parking**
- **Attended *The Marvellous Corricks* as part of the *Ten Days on the Island* program**
- **Participated in the Tasmanian Active Living Coalition's priority setting meeting for the year**
- **Attended the Migrant Resource Centre's *Harmony Day Celebrations* in Civic Square**
- **Participated in the ABCDE sponsored event in the Alma Street Reserve to view the Rotary Club of Youngtown's work in the space**
- **New Horizons Western Tiers Cycle Challenge fund raising event**
- **Attended the Science and Engineering Challenge**

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 T G Walker - Council Meeting - 11 March 2021

FILE NO: SF2375

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, asked at the Council Meeting on 11 March 2021 by Councillor T G Walker, have been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network) and Michael Stretton (Chief Executive Officer).

Questions:

1. What is the process regarding removal of trees in and around the Inveresk precinct, including Heritage Park and around the rail lines, in view of upcoming development projects?

Response:

Shane Eberhardt (General Manager Infrastructure and Assets Network)

The Council adopted a Tree Management Policy (26-Plx-005) in 2018 that provides a clear and consistent management approach to ensure that the City of Launceston's trees are:

- *recognised as valuable community assets;*
- *adequately protected from works and development;*
- *maintained in a healthy condition to increase useful life expectancy; and*
- *removed only under defined conditions.*

The Policy is very clear on what criteria needs to be met to remove a tree.

In the case of the sites mentioned in the question:

- *Tree removal in the Inveresk Precinct is subject to a current development application.*
 - *The sports facility upgrade at Churchill Park was subject to a development permit. Trees removed will be replaced with new plantings. Also the trees removed were assessed at being near the end of their life and likely requiring removal within five years.*
 - *Management of trees in Heritage Forest is an ongoing challenge given the former use as a landfill. Trees are regularly removed as they present a public risk due to their poor health. However, there are more trees being planted in Heritage Forest than removed.*
-

12.1.1 Councillors' Questions on Notice - Councillor T G Walker - Council Meeting - 11 March 2021 ...(Cont'd)

The Council plants in the order of 200 to 500 trees annually.

2. With regard to a response to Question 3. previously asked [at the Council Meeting of 25 February 2021], as to when the Council first became aware of the proposed development, can you please confirm advice provided in the response regarding when the Council first met with the proponents *Marching Ants*? Why is there a discrepancy between the two accounts provided to Councillors by the developer and advice provided in the Minutes?

Response:

Mr Michael Stretton (Chief Executive Officer)

The previously prepared response was based on a search of the Council's records following the information request by Councillor Walker. Following the most recent request for information a subsequent search has been carried out, which identified that Veolia made preliminary enquiries with Council's Planning and Environmental Health teams in 2017 regarding the Churchill Park Drive site. However, those electronic communications had not been properly filed until a Development Application was lodged by the current owner (Marching Ants) in 2019, which is why the earlier search had not identified this information.

Additionally, the Chief Executive Officer has now met with the owner or Marching Ants, which has identified that preliminary advice was also provided by one of the Council's Town Planners to the owner of Marching Ants in 2017. However, this e-mail was not properly filed and therefore was not identified in the initial search of the Council's information.

There is no other information on our files concerning alleged meetings throughout 2017, 2018 and 2019. As previously answered, there were meetings with the Council's staff in 2019 in respect to the submission of the development application.

Neither the Chief Executive Officer nor the General Manager of Infrastructure and Assets have met with the developer or any representatives of Marching Ants in respect to the Churchill Park Drive site.

Veolia are one of the Council's most significant contractors and have been a supplier for the Council for over two decades. The Council's staff, including the Chief Executive Officer and General Manager Infrastructure and Assets, meet with Veolia at various frequencies to discuss contractual arrangements, performance, maintain relationships and understanding waste industry challenges.

12.1.1 Councillors' Questions on Notice - Councillor T G Walker - Council Meeting - 11 March 2021 ...(Cont'd)

The Chief Executive Officer and General Manager Infrastructure and Assets met with Veolia in early 2020 specifically to discuss the challenges of the materials recycling facility and support considerations of alternative sites.

12.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12.2.1 Councillor P S Spencer - University of Tasmania Pedestrian and Cycle Bridge

- 1. What is the warranty on the walk bridge from the University across the Tamar in future times?**

The Mayor, Councillor A M van Zetten, noted that this question would be Taken on Notice and a response provided in the Council Agenda of 8 April 2021.

12.2.2 Councillor N D Daking - Number of Serving Aldermen/Councillors

- 1. Since 1853, when Council was first formed, what is the number of Aldermen/Councillors that have served the City of Launceston?**
- 2. After noting the total number of serving Aldermen/Councillors, what is the gender breakdown of that number?**

The Mayor, Councillor A M van Zetten, noted that although names were displayed on the boards in the Town Hall for information, these questions would be Taken on Notice and responses provided in the Council Agenda of 8 April 2021.

13 COMMITTEE REPORTS

13.1 Cataract Gorge Reserve Advisory Committee Meeting - 16 February 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.

RECOMMENDATION:

That Council receives the report from the Cataract Gorge Reserve Advisory Committee Meeting held on 16 February 2021.

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

DECISION: 25 March 2021

MOTION

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

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

CARRIED 11:0

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

13.2 Northern Youth Coordinating Committee Meeting - 2 March 2021**FILE NO:** SF0136**AUTHOR:** Dana Lester (Youth Development Officer)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider a report from the Northern Youth Coordinating Committee Meeting held on 2 March 2021 and highlights of meetings since the beginning of the financial year.

RECOMMENDATION:

That Council receives the report from the Northern Youth Coordinating Committee Meeting held on 2 March 2021 and notes the highlights since the beginning of the financial year.

Mrs L Hurst (General Manager Community and Place Network), Mr J Davis (Team Leader Community Development) and Ms D Lester (Youth Development Officer) were in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 25 March 2021**MOTION****Moved Councillor D C Gibson, seconded Councillor A G Harris.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0**

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

13.3 Heritage Advisory Committee Meeting - 11 March 2021

FILE NO: SF2965

AUTHOR: Fiona Ranson (Place and Heritage Officer)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To receive and consider a report from the Heritage Advisory Committee Meeting held on 11 March 2021.

RECOMMENDATION:

That Council receives the report from the Heritage Advisory Committee Meeting held on 11 March 2021.

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

DECISION: 25 March 2021

MOTION

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

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

CARRIED 11:0

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

14 COUNCIL WORKSHOPS

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

14.1 Council Workshop Report

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RECOMMENDATION:

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

Workshops conducted on 18 and 25 March 2021

Draft Launceston Transport Strategy and Central Activities District Parking Implementation Plan

Councillors received updates on and provided feedback to the Draft Launceston Transport Strategy and the Draft Central Activities Parking Implementation Plan.

Launceston Chamber of Commerce

Councillors received a presentation and an update on the organisation's activities.

Update on Planning Scheme

Councillors received an update on the new Planning Scheme.

Mobile Food Vendor Policy

Councillors reviewed and provided feedback on the policy.

Cityprom Review Update

Councillors discussed the Cityprom Review.

Local Government Association of Tasmania - 2021 General Management Committee Election

Councillors considered nominations for LGAT office bearer positions for upcoming elections.

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

University of Tasmania Northern Transformation Program Update

Councillors received an update on the University of Tasmania's commitment to the City.

Community Care and Recovery Package - Innovation Grants Summary Update

Councillors were provided with information on the Community Care and Recovery Package Innovation Grants and provided relevant feedback.

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

DECISION: 25 March 2021

MOTION

Moved Councillor A G Harris, seconded Councillor J Finlay.

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

CARRIED 11:0

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

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 Heritage Advisory Committee - Terms of Reference

FILE NO: SF2965

AUTHOR: Fiona Ranson (Place and Heritage Officer)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

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

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

RECOMMENDATION:

That Council:

1. revokes the existing Heritage Advisory Committee Terms of Reference (18-Plx-021).
2. adopts the Heritage Advisory Committee's Terms of Reference (14-ToR-002) as listed below:

Heritage Advisory Committee - Terms of Reference

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

ROLE/PURPOSE:

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

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

ROLE/OBJECTIVES:

The role of the Heritage Advisory Committee is to:

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

MEMBERSHIP:

The Heritage Advisory Committee will consist of the following positions:

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

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

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

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

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

MEETING ARRANGEMENTS:

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

MEETING QUORUM:

An absolute majority is considered a quorum, including one Councillor and one Community Representative, for meetings of the Launceston Heritage Advisory Committee.

MEETING NOTICES

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

HOW THE COMMITTEE WILL OPERATE:

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

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

In regard to Pre-lodgement Meetings:

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

CODE OF CONDUCT:

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

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

CONFLICT OF INTEREST:

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

RESOURCES:

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

HONORARIUMS:

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

REVIEW:

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

RELATED POLICIES AND PROCEDURES:

14-Plx-029 - Community Appointments to Advisory Committees Policy

14-Plx-032 - Code of Conduct for Councillors

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

22-PI-030 - Code of Conduct Policy

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

DECISION: 25 March 2021

MOTION

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

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

CARRIED 11:0

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

16.2 Heritage Advisory Committee - Appointment of Community Representatives**FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Place and Heritage Officer)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider the appointment of community representatives to the Heritage Advisory Committee.

RECOMMENDATION:

That Council appoints Dr Anne Neale, Mrs Margot Smart and Mr Lez Penzes as Committee Members (Community Representatives) on the Heritage Advisory Committee for a period of two years.

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

DECISION: 25 March 2021**MOTION**

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

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

CARRIED 11:0

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

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 2 Invermay Road, Invermay - Proposed Name for Right of Way - McGrath Way

FILE NO: SF0621

AUTHOR: Amanda Craig (Engineering Officer Infrastructure Development)

GENERAL MANAGER: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider approval for a way name located within the Inveresk Site at 2 Invermay Road, Invermay.

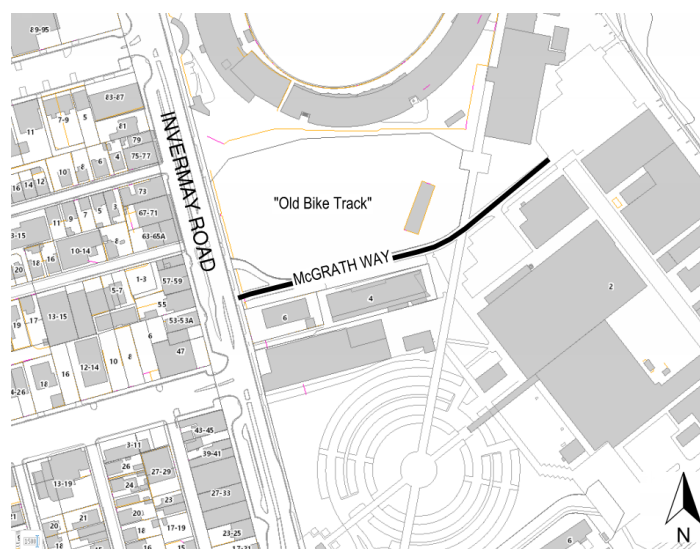
PREVIOUS COUNCIL CONSIDERATION:

Workshop - 14 May 2018 - 2 Invermay Road - Proposed Name for Right of Way

Council Meeting - 4 June 2018 - Agenda Item 16.1 - 2 Invermay Road, Proposed Naming of Ways

RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act* 1982 and section 20E of the *Survey Co-ordination Act* 1944, approves the name McGrath Way.



**18.1 2 Invermay Road, Invermay - Proposed Name for Right of Way - McGrath Way
...(Cont'd)**

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

Councillor R I Soward declared in interest in Agenda Item 18.1 - 2 Invermay Road, Invermay - Proposed Name for Right of Way - McGrath Way and withdrew from the Meeting at 2.34pm.

DECISION: 25 March 2021

MOTION

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

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 J Finlay, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker

ABSENT DUE to DECLARATION of INTEREST: Councillor R I Soward

Councillor R I Soward re-attended the Meeting at 2.36pm.

18.2 Tamar NRM - Funding Agreement

FILE NO: SF3419

AUTHOR: Phil Bonney (Manager Parks and Sustainability)

GENERAL MANAGER: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider a three year funding agreement with Tamar NRM.

Under section 84(4) of the Local Government Act 1993 (Tas), this decision requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

Council - 22 August 2016 - Agenda Item 15.2 - Tamar NRM Funding

Strategic Planning and Policy Committee - 29 May 2017 - Agenda Item 4.1 - Tamar NRM Annual Report Presentation

Council - 4 June 2018 - Agenda Item 18.1 - Funding Agreement - Tamar NRM

RECOMMENDATION:

That Council, by absolute majority, pre-commits funding to Tamar Natural Resource Management for 2021/2022 of \$127,849; 2022/2023 of \$127,849 and 2023/2024 of \$127,849 to deliver a continuation of their Strategic Direction 2018-2021 (ECM Document Set ID Number 3808164).

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

18.2 Tamar NRM - Funding Agreement ...(Cont'd)

DECISION: 25 March 2021**MOTION****Moved Councillor A E Dawkins, seconded Councillor J Finlay.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED BY ABSOLUTE MAJORITY 11:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor R I Soward, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

18.3 Draft *Waste and Resource Recovery Bill 2021*

FILE NO: SF1048

AUTHOR: Michael Attard (Team Leader Sustainability)

GENERAL MANAGER: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider the City of Launceston's public submission on the Draft *Waste and Resource Recovery Bill 2021*.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 4 March 2021 - Draft *Waste and Resource Recovery Bill 2021*

RECOMMENDATION:

That Council adopts the submission on the Draft *Waste and Resource Recovery Bill 2021* (Attachment 1 and ECM Doc Set ID 4511369) which includes:

- The City of Launceston strongly advocating for the Tasmanian Government to guarantee funding and resourcing to continue to build on the leadership and success of the Northern Tasmanian Waste Management Group.
 - Consider realistic implementation timeframes that allows for collaboration with Local Government and industry.
 - The need for a comprehensive communications strategy to educate the community on the role and use of the waste levy funds during implementation.
-

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

18.3 Draft *Waste and Resource Recovery Bill 2021* ...(Cont'd)

DECISION: 25 March 2021**MOTION****Moved Councillor A G Harris, seconded Councillor T G Walker.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor R I Soward, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

19 ORGANISATIONAL SERVICES NETWORK ITEMS

19.1 Lease - Lilydale Football Club

FILE NO: SF0907

AUTHOR: Tricia De Leon-Hillier (Lease and Licencing Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing an additional area of land situated at 38-40 Doaks Road, Lilydale to the Lilydale Football Club Inc as marked on the attached plan.

This decision requires an absolute majority of Council.

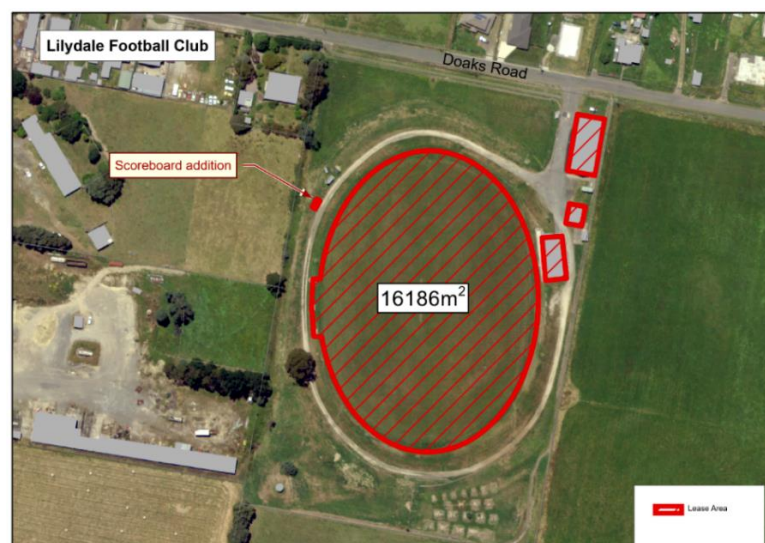
PREVIOUS COUNCIL CONSIDERATION:

Council - 7 May 2018 - Agenda Item 18.1 - Lease Lilydale Football Club

RECOMMENDATION:

That Council, by absolute majority pursuant to section 179 of the *Local Government Act 1993* (Tas):

1. decides to allow the tenant to occupy a further additional area of land situated at 38-40 Doaks Road, Lilydale, known as the Lilydale Recreation Ground within (CT49467/1) for the purpose of placing a new score board as indicated below:



19.1 Lease - Lilydale Football Club ...(Cont'd)

2. notes that Recommendation 1. will be implemented by amending the current lease dated 10 July 2018, with the exact location and dimensions of land within the relevant Certificate of Title to be determined by the Chief Executive Officer.
 3. notes, for avoidance of doubt, that the 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).
-

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

DECISION: 25 March 2021

MOTION

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

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

CARRIED BY ABSOLUTE MAJORITY 11:0

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

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS**20.1 Notice of Motion - Annual General Meeting - 3 December 2020 - Mr Robin Smith - Brisbane Street Mall Public Seating****FILE NO:** SF0098**AUTHOR:** Leanne Hurst (General Manager Community and Place Network)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To consider Mr Robin Smith's Notice of Motion that Council substantially modifies the CityHeart built multi-tiered hexagon public seating structure at the West end of the Brisbane St Mall with the aim being to design-out-crime and anti-social behaviour, passed at the Council's Annual General Meeting on 3 December 2020.

PREVIOUS COUNCIL CONSIDERATION:

Council - 3 December 2020 - Agenda Item 5.3 - Notice of Motion - Mr Robin Smith - Brisbane Street Mall Public Seating

Council - 10 December 2020 - Agenda Item 20.1 - Notices of Motions - Annual General Meeting - 3 December 2020

Council - 28 January 2021 - Agenda Item 20.1 - Notices of Motion - Annual General Meeting - 3 December 2020

RECOMMENDATION:

That Council notes that the:

1. tiered seating is being reviewed as part of the project to re-imagine the Thylacine experience in the Brisbane Street Mall and that a further report will be presented to a future Council meeting for consideration.
 2. mover of the Motion at the Annual General Meeting be advised of Council's decision in writing.
-

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

20.1 Notice of Motion - Annual General Meeting - 3 December 2020 - Mr Robin Smith - Brisbane Street Mall Public Seating ...(Cont'd)

DECISION: 25 March 2021

MOTION

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

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

CARRIED 11:0

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

20.2 Notice of Motion - Annual General Meeting - 3 December 2020 - Mr Robin Smith - CBD Parking Issues**FILE NO:** SF0098**AUTHOR:** Leanne Hurst (General Manager Community and Place Network)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To consider Mr Robin Smith's Notice of Motion passed that the Annual General Meeting on 3 December 2020, that Council:

- (a) provides more vehicle loading zones as defined in the Road Rules 2009, available on Sundays in the Launceston CBD.
- (b) reviews the demand and opportunities of Sunday and public holiday on-street parking controls in the Launceston CBD.

PREVIOUS COUNCIL CONSIDERATION:

Council - 3 December 2020 - Agenda Item 5.4 - Notice of Motion - Mr Robin Smith - CBD Parking Issues

Council - 10 December 2020 - Agenda Item 20.1 - Notices of Motions - Annual General Meeting - 3 December 2020

Council - 28 January 2021 - Agenda Item 20.1 - Notices of Motion - Annual General Meeting - 3 December 2020

RECOMMENDATION:

That Council notes that:

1. the Central Activities District Parking Implementation Plan is currently being developed and that the suggestions noted in the Notice of Motion at the Annual General Meeting on 3 December 2020 will be taken into consideration.
 2. the mover of the Motion at the Annual General Meeting be advised of the Council's decision in writing.
-

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

20.2 Notice of Motion - Annual General Meeting - 3 December 2020 - Mr Robin Smith - CBD Parking Issues ...(Cont'd)

DECISION: 25 March 2021

MOTION

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

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

CARRIED 11:0

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

21 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 Launceston City Deal - Three Year Report

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:

- (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

DECISION: 25 March 2021

MOTION

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

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 11:0

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

Council moved into Closed Session at 3.01pm.

Council returned to Open Session at 3.16pm

21.3 End of Closed Session**RECOMMENDATION:**

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

Minutes Item	Matter	Brief Description
21.1	<i>Closed Council Minutes - 28 January 2021 and 11 March 2021.</i>	<i>Confirmation of the Minutes of the Closed Meetings of the City of Launceston Council held on 28 January 2021 and 11 March 2021.</i>
21.2	<i>Launceston City Deal - Three Year Report</i>	<i>Councillors considered the report prior to its submission to both State and Federal Government for endorsement</i>

DECISION: 25 March 2021**MOTION**

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

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

CARRIED 11:0

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

22 MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 3.17pm.