



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
8 APRIL 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: 8 April 2021

Time: 1.00pm

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### Certificate of Qualified Advice

#### Background


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

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

#### Certification

I certify that:

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



**Michael Stretton**  
Chief Executive Officer

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## AUDIO of COUNCIL MEETINGS

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

This Council Meeting will be streamed live to:  
[www.launceston.tas.gov.au/Council/Meetings/Listen](http://www.launceston.tas.gov.au/Council/Meetings/Listen) .

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

### PUBLIC ATTENDANCE AT THE COUNCIL MEETING

To help keep you safe 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 Agenda of the Council Meeting. Questions may be submitted to the Chief Executive Officer at [contactus@launceston.tas.gov.au](mailto:contactus@launceston.tas.gov.au), PO Box 396, Launceston TAS 7250, or Town Hall, St John Street, Launceston.

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

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## PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

## LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

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# City of Launceston

**COUNCIL MINUTES**

**Thursday 8 April 2021**

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**Present: Councillor** A M van Zetten (Mayor)  
D C Gibson (Deputy Mayor)  
D H McKenzie  
J G Cox  
A E Dawkins  
P S Spencer  
A G Harris  
T G Walker

**In Attendance:** Mr M Stretton (Chief Executive Officer)  
Mrs L Hurst (Community and Place Network)  
Mr S Eberhardt (Infrastructure and Assets Network)  
Mr S Tennant (Team Leader Communications)  
Mr R Bujnowski (Acting Team Leader Governance)  
Mrs A Rooney (Council and Committees Officer)

**Apologies: Councillor** J Finlay  
R I Soward  
K P Stojansek  
N D Daking

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## **1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES**

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm and noted apologies from Councillors J Finlay, R I Soward, K P Stojansek and N D Daking.

## **2 MAYORAL ACKNOWLEDGEMENTS**

The Mayor, Councillor A M van Zetten, noted that he had received a Certificate of Appreciation for the Council's funding and support of the Launceston City Community Christmas 2020 celebrations.

## **3 DECLARATIONS OF INTEREST**

*Local Government Act 1993 - section 48*

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

**No Declarations of Interest were identified for this Meeting**

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**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 25 March 2021 be confirmed as a true and correct record.

**DECISION: 8 April 2021**

**MOTION**

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

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

**CARRIED 8:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor D H McKenzie, Councillor J G Cox, Councillor A E Dawkins, 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**

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## 7 COMMUNITY REPORTS

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

### 7.1 Mr Grahame Foster (President) and Mr Jeff Hockley (Vice-President) - Launceston Players' Society

**Mr Foster provided Council with details relating to the writing of the history of the Launceston Players' Society which is to be published in 2022 and Mr Hockley outlined the Society's theatre plans for 2021. The Launceston Players' Society acknowledged and thanked the Council for its support.**

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**8 PUBLIC QUESTION TIME**

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

**8.1 Public Questions on Notice**

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

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

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**8.1.1 Public Questions on Notice - Ms Samantha Batchelor - 25 March 2021****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following question/questions, submitted in writing to Council on 25 March 2021 by Ms Samantha Batchelor, has been answered by Ms Louise Foster (General Manager Organisational Services Network).

**Questions:**

1. City of Launceston Employees are currently Enterprise Bargaining for their pay and conditions. Council has outlined a wage offer in year 1 of 0%. Freezing (or cutting in real terms) workers' wages will hurt employees and the communities in which they live, work and spend. The vast majority of members we have consulted with do not support the Council's wage offer and have grave concerns on the impacts on their household budget, particularly in the climate of high rental and housing costs and an offer below the increases to Consumer Price Index (CPI). Anecdotally, employees are being advised that a failure to accept such an offer may result in job losses or service reductions. Given the retrenchment of over 70 Council employees in the last 12 months and given a scheduled increase of 3.75% is due to rate payers over the coming years, can the Council confirm if there are in fact any plans to reduce jobs and services or if this may be an apparent veiled threat to encourage employees into accepting a sub-standard wages offer?

**Response:**

*The question does not accurately represent the position of the Council, its values or objectives and unfortunately is predicated on information which is not factual.*

*The wage offer which has been proposed to the organisation by the Executive Leadership Team (ELT) as part of current negotiations for the City of Launceston's Enterprise Agreement (EA) represents a creative and dynamic approach which takes into account the organisation's current circumstances and the wider global ramifications and challenges of the COVID-19 pandemic.*

*In 2020, the Council negotiated a 12-month extension to its current EA, as negotiating in the midst of a pandemic was not safe or aligned to the City of Launceston's value of We Go Home Safe and Well. As part of the extension agreed with our employees and the Australian Services Union the City of Launceston provided our employees with a wage increase of 2.25% effective from 6 July 2020.*

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**8.1.1 Public Questions on Notice - Ms Samantha Batchelor - 25 March 2021  
...(Cont'd)**

*The wage offer which has been proposed to the organisation by ELT, as part of current negotiations for our EA, is an element of a broader suite of proposals put forward which aim to provide our employees with tangible financial and non-financial benefits that will enrich their work-home life experience.*

*The ELT is proposing the following wages position over four years:*

*Year 1 - An additional five days leave with no leave loading, pro rata for part-time and 1.9% for casuals, on top of the loaded casual rate.*

*Year 2 - 1% increase, plus three days leave (with the same parameters as Year 1)*

*Year 3 - 2.5% increase*

*Year 4 - 2.75% increase*

*The leave proposed for Years 1 and Year 2 of the wages proposal is a once off and does not become additional leave for the life of the agreement.*

*In the first year of the agreement employees will have access to additional leave to spend more time with family, take a holiday or simply have a break from work. After the challenges of 2020 and 2021, the Council knows this will be highly valued by many employees and aligns with the organisational values of Our People Matter and We Go Home Safe and Well.*

*Over the past five years, from July 2016, the Council's EA wage increases have kept pace with CPI, as shown in the following table. Last year from March 2020 to December 2020 the CPI rose by 0.3% - it is the Council's view that the wage offer of five days leave in the first year continues to keep pace with CPI.*

	<b>EA Increase</b>	<b>All Groups Hobart CPI</b>
2016/2017	2.00%	1.33%
2017/2018	2.35%	2.35%
2018/2019	2.20%	2.02%
2019/2020	2.30%	2.07%
2020/2021	2.25%	3.35%
	<u>11.10%</u>	<u>11.12%</u>

*The Council has no intention to reduce jobs and/or service levels, nor has any such intention been expressed. It is not true that the organisation has retrenched more than 70 Council employees in the past 12 months. In fact, the Organisational Alignment Project which was conducted in 2019 resulted in a net increase of jobs at the City of Launceston from 479.04 FTEs to 489.50 FTEs.*

**8.1.1 Public Questions on Notice - Ms Samantha Batchelor - 25 March 2021  
...(Cont'd)**

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*The ELT believes the proposal it has outlined provides a financially sustainable course of action for our organisation, which takes into account the many financial challenges faced by our community as a result of global circumstances.*

*The City of Launceston's ELT continues to negotiate with employees in good faith, as its seek to achieve a new four-year Enterprise Agreement.*

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**8.2 Public Questions Without Notice**

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

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

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

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

## 9 PLANNING AUTHORITY

### 9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure

**FILE NO:** DA0023/2021

**AUTHOR:** Doug Fotheringham (Planning Consultant)

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

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#### DECISION STATEMENT:

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

#### PREVIOUS COUNCIL CONSIDERATION:

Council - 17 October 2019 - Agenda Item 9.1 - 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 - Launceston - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility, Associated Works Including Infrastructure and Landscaping, Demolition of Building, Removal of Vegetation and Removal of Car Park

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

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

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**9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)**

Council - 25 March 2021 - 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

Council - 25 March 2021 - Agenda Item 9.2 - 2 Invermay Road, Invermay - Residential - Student Accommodation and Associated Landscaping Works

Council - 25 March 2021 - Agenda Item 9.3 - 2 Invermay Road, Invermay - Educational and Occasional Care - Internal Refurbishment and Alterations to the Existing Stone Building

**STANDARDS REQUIRING COUNCIL DISCRETION**

<b>Standard</b>	<b>Reason</b>
35.3.2 Noise levels P1	Application does not demonstrate compliance with A1
E2.5.1 Suitability for intended use P1(c)	Does not comply with A1
E2.6.2 Excavation P1(c)	Does not comply with A1
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
E6.6.5 Bicycle facilities P1	Application does not demonstrate compliance with A1
E6.6.6 Bicycle parking and storage facilities P1 and P2	Application does not demonstrate compliance with A1 and A2
E9.6.1 Development in the vicinity of a watercourses and wetlands P1	No Acceptable Solution
E9.6.3 Discharges to watercourses and wetlands P1	Application does not demonstrate compliance with A1
E13.6.12 Tree and vegetation removal P1	No Acceptable Solution

**9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)**

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**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 - tree removal, landscaping and development of service vehicle access, cycling and pedestrian infrastructure at 2 Invermay Road, Invermay, subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

The use and/or 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. Design Statement, prepared by Aspect Studios, Drawing No. 18041-LAB-002, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- b. Overall Legend, prepared by Aspect Studios, Drawing No. 18041-LAB-003, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- c. Existing Conditions, prepared by Aspect Studios, Drawing No. 18041-LAB-004, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- d. Tree Removal Plan, prepared by Aspect Studios, Drawing No. 18041-LAB-101, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- e. General Arrangement Overall Plan, prepared by Aspect Studios, Drawing No. 18041-LAB-102, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- f. Planting Plan, prepared by Aspect Studios, Drawing No. 18041-LAB-103, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- g. Planting Schedule, prepared by Aspect Studios, Drawing No. 18041-LAB-202, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.
- h. Sections and Elevations Sheet 1, prepared by Aspect Studios, Drawing No. 18041-LAB-701, McGrath Way and Levee Wall Landscape, Revisions P2, 22 February 2021.

**2. LEGAL TITLE**

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

**3. 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.

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**9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)**

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**4. SITE LANDSCAPING**

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. maintained for the life of the use.

**5. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

**6. CONTAMINATED LAND**

The applicant must comply with the Preliminary Site Investigation Version 2 report prepared by Environmental Service and Design dated February 2021 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 Preliminary Site Investigation.

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.

**7. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

**8. EASEMENTS AND RIGHTS OF WAY**

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.

Where necessary, rights of way shall be created of sufficient dimension to ensure access by an appropriately sized vehicle for the intended purpose.

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**9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)**

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## **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.*

*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) <<http://www.rmpat.tas.gov.au>>*

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**9.1 2 Invermay Road, Invermay - Education and Occasional Care - Tree Removal, Landscaping and Development of Service Vehicle Access, Cycling and Pedestrian Infrastructure ...(Cont'd)**

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**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.*

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

**DECISION: 8 April 2021**

**MOTION**

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

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

**CARRIED 6:2**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor D H McKenzie, Councillor J G Cox, Councillor A E Dawkins and Councillor A G Harris**

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

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**9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling****FILE NO:** DA0853/2020**AUTHOR:** Iain More (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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**DECISION STATEMENT:**

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

**RECOMMENDATION:**

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 DA0853/2020 - Residential - construction of an additional dwelling at 34 Galvin Street, South Launceston subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Cover Page, prepared by Design to Live, Job No. GLVN34-1, Drawing No. 1/9, dated 23 December 2020.
  - b. Site Plan, prepared by Design to Live, Job No. GLVN34-2, Drawing No. 2/9, dated 23 December 2020.
  - c. Floor Plan, prepared by Design to Live, Job No. GLVN34-3, Drawing No. 3/9, dated 23 December 2020.
  - d. First Floor Plan, prepared by Design to Live, Job No. GLVN34-4, Drawing No. 4/9, dated 23 December 2020.
  - e. External Services, prepared by Design to Live, Job No. GLVN34-5, Drawing No. 5/9, dated 23 December 2020.
  - f. Elevations NE-SW, prepared by Design to Live, Job No. GLVN34-6, Drawing No. 6/9, dated 23 December 2020.
  - g. Elevations SE-NW, prepared by Design to Live, Job No. GLVN34-7, Drawing No. 7/9, dated 23 December 2020.
  - h. Parking and Turning, prepared by Design to Live, Job No. GLVN34-8, Drawing No. 8/9, dated 23 December 2020.
  - i. Landscape Plan, prepared by Design to Live, Job No. GLVN34-9, Drawing No. 9/9, dated 23 December 2020.
-

**9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)**

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**2. AMENDED PLANS REQUIRED**

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager City Development. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show a reduction in the maximum building height of 200mm.

**3. ADJOINING OUTBUILDING PROTECTION**

The structural integrity of the outbuilding located at 36 Galvin Street and that shares a boundary with the subject site, must not be compromised as a result of the demolition.

**4. SCREENING**

Prior to the occupation of the proposed dwelling, and to the satisfaction of the Manager City Development, the following screening is required:

- a. Proposed Dwelling: The master bedroom window facing the northern side boundary and the kitchen window facing the southern side boundary must have a fixed obscure glazing to ensure privacy is maintained; and
- b. Existing Dwelling: The two habitable room windows facing the northern side boundary be screened to minimise vehicular light intrusion that might be detrimental to the liveability of the dwelling.

**5. 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.

**6. 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

**7. SITE LANDSCAPING**

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. completed within three months of the use commencing; and
- c. maintained as part of the residential development.

**8. PROTECTION OF EXISTING TREES**

The large tree located on the adjoining lot at 32 Galvin Street must not be damaged or destroyed. The tree must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees*.

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**9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)**

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**9. FENCING**

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

- a. 1.2m within 4.5m of the frontage;
- b. 1.8m - 2.1m along the southern side boundary to 36 Galvin Street when measured from the highest finished level on either side of the common boundaries; and
- c. 2.1m along the boundaries to 35 and 33 Hampden Street, as well as 32 Galvin Street.

**10. MULTIPLE DWELLINGS - SERVICE FACILITIES**

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

- a. mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. each multiple dwelling must be provided with a minimum 6m<sup>3</sup> exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
- c. either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.

**11. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 220/02203-LCC and attached to the permit.

**12. 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.

**13. ON-SITE DETENTION (TASWATER ADVICE TO DRAINAGE AUTHORITY)**

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of one hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development

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## **9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)**

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Prior to the commencement of works, the plans and calculations must be submitted to the General Manager Infrastructure and Assets Network for approval. On completion, an as *constructed* plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

### **14. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE**

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

### **15. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

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

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

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

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

### **16. 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.

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## **9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)**

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### **17. 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.

### **18. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)**

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

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

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

### **19. 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.

### **20. AMENITY**

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

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**9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)**

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**21. NO BURNING OF WASTE**

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

**22. DEMOLITION**

The Developer must:

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

**Notes****A. General**

*This permit was issued based on the proposal documents submitted for DA0853/2020. 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.*

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**9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)**

**B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

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

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

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

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

**F. Street Addresses for Multiple Dwellings**

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

<i>Dwelling No</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
<i>1 (existing)</i>	<i>1</i>	<i>1/34 Galvin Street</i>
<i>2 (proposed)</i>	<i>2</i>	<i>2/34 Galvin Street</i>

*The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.*

**9.2 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling ...(Cont'd)**

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

**Mr Peter de Angelis spoke against the Recommendation  
Ms Christine Hepburn spoke against the Recommendation**

**DECISION: 8 April 2021**

**MOTION**

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

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

**CARRIED 7:1**

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

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

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**DECISION:** 8 April 2021

**MOTION**

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

That Agenda Item 16.1 - Petition - *Future of Relbia Project* be brought forward in the Agenda.

**CARRIED 8:0**

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

Council moved to discuss Agenda Item 16.1 - Petition - *Future of Relbia Project*.

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## 16.1 Petition - *Future of Relbia Project*

**FILE NO:** SF0097/SF6874

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

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### **DECISION STATEMENT:**

To consider a petition submitted by Mr Anthony Lowe regarding the *Planning for the Future of Relbia Project*.

### **PREVIOUS COUNCIL CONSIDERATION:**

Council - 11 March 2021 - Agenda Item 6.2 - Receipt of Petition - *Future of Relbia Project*

### **RECOMMENDATION:**

That Council, with respect to a petition received from Mr Anthony Lowe regarding the *Planning for the Future of Relbia Project*.

1. notes that separate advice has been provided to Mr Lowe on the process for lodging a Code of Conduct complaint under section 28V of the *Local Government Act 1993* (Tas).
  2. resolves to consider the final report and recommendations from the *Future of Relbia Project* before determining its position.
- 

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

**Mr Anthony Lowe spoke against the Recommendation**

**Mr Tim Domeney spoke against the Recommendation**

**Ms Julie Wise spoke against the Recommendation**

**Ms Susan Springer spoke against the Recommendation**

**Ms Genevieve Youngman spoke against the Recommendation**

**Mr Mark Youngman spoke against the Recommendation**

**Ms Teresa Pilling spoke against the Recommendation**

**The Mayor, Councillor A M van Zetten, handed the Chair to the Deputy Mayor, Councillor D C Gibson and 2.00pm.**

**The Mayor, Councillor A M van Zetten, resumed the Chair at 2.02pm.**

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**16.1 Petition - Future of Relbia Project ...(Cont'd)**

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**DECISION: 8 April 2021****MOTION****Moved Councillor A G Harris, seconded Councillor D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 8:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor D H McKenzie, Councillor J G Cox, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker****Council returned to the published order of the Agenda.**

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## 10 ANNOUNCEMENTS BY THE MAYOR

### 10.1 Mayor's Announcements

FILE NO: SF2375

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#### Friday 26 March 2021

- Attended the official opening of *Alida*
- Attended the Northern Tasmanian Football Association's season launch

#### Saturday 27 March 2021

- Officiated at the *Celebrating Resilience Together - 2021 Business Excellence Awards*

#### Monday 29 March 2021

- Attended the City Mission's *Pay It Forward* launch

#### Tuesday 30 March 2021

- Officiated at the Public Citizenship Ceremony

#### Thursday 1 April 2021

- Attended the Northern Tasmanian Cricket Association's end of season presentation function

#### Saturday 3 April 2021

- Officiated at the Northern Tasmanian Easter Croquet Tournament
- 
-

**11 COUNCILLORS' REPORTS**

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

**11.1 Councillor D C Gibson**

- **Attended the well supported Council sponsored *Launceston Ukulele Jamboree***
- **Opened the *Tasmanian Rotary District Conference* in Launceston**

**11.2 Councillor A G Harris**

- **Attended the *Business Awards* and congratulated those that were nominated**
- **Attended the Franklin House Meeting and fundraising Fair in March noting that the community is again supporting community events**
- **Attended the production of *The Gospel According to Paul* at the Princess Theatre**
- **Attended Newstead College Association's Meeting and noted increased student registration numbers**
- **Attended the *Hydrogen Energy* luncheon hosted by the Advanced Manufacturing Zone**

**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.)*

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## 12.1.1 Councillors' Questions on Notice - Councillor N D Daking - Number of Serving Aldermen/Councillors - Council Meeting - 25 March 2021

**FILE NO:** SF2375

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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### **QUESTIONS and RESPONSES:**

The following questions, asked at the Council Meeting on 25 March 2021 by Councillor N D Daking, have been answered by Ms L Foster (General Manager Organisational Services).

#### **Questions:**

1. Since 1853, when Council was first formed, what is the number of serving Aldermen/Councillors that have served the City of Launceston?

#### **Response:**

*The City of Launceston records indicate a total of 198 serving Aldermen/Councillors since 1853. Additionally, there have been 76 Mayors and one Acting Mayor during that time.*

2. After noting the total number of serving Aldermen/Councillors, what is the gender breakdown of that number?

#### **Response:**

*Of the 198 serving Aldermen/Councillors since 1853, there have been 13 female elected members, the first being elected in 1949.*

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**12.1.2 Councillors' Questions on Notice - Councillor P S Spencer - University of Tasmania Pedestrian and Cycle Bridge - 25 March 2021****FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following question, asked at the Council Meeting on 25 March 2021 by Councillor P S Spencer, has been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

**Questions:**

1. What is the warranty on the walk bridge from the University across the Tamar in future times [University of Tasmania's pedestrian and cycle bridge]?

**Response:**

*The City of Launceston's process for managing infrastructure developed through a development permit has several quality checks to ensure the Council receives fit for purpose infrastructure.*

*This typically consists of:*

- *preliminary plans being endorsed as part of the Planning Authority's decision.*
- *detailed design plans are required to be submitted for approval by the General Manager Infrastructure and Assets Network.*
- *the design plans require certification by the design engineer.*
- *during construction it is typical for the Council to require independent engineering supervision which is the case for the University of Tasmania's pedestrian/cycle bridge.*
- *the Council's engineers undertake periodic inspections.*

*The Council will take over the infrastructure once it is satisfied that it is fit for purpose and reaches practical completion.*

*When the Council takes ownership of infrastructure from a developer there is a standard defects liability period of 12 months. This is also consistent with the Council's construction contracts. The Council holds a financial security over the defect liability period.*

*The defects period can be extended for all or part of the infrastructure where there are variations from the approved design. It is possible that there may be an extended defects liability period on the bridge surface which is yet to be determined by the Council's officers.*

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**12.1.2 Councillors' Questions on Notice - Councillor P S Spencer - University of Tasmania Pedestrian and Cycle Bridge - 25 March 2021 ...(Cont'd)**

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*As part of the question there were suggestions that the structure is not fit for purpose. This has been investigated, however, no evidence was found that this is the case.*

*The Council officers are finalising legal documentation in order to take over ownership of the bridge with appropriate protections in place. In the event of a failure, the Council will rely upon the warranties and other options available to it, including enforcing its common law and legislative rights.*

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**12.2 Questions Without Notice**

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

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

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

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## 13 COMMITTEE REPORTS

### 13.1 Launceston Access Advisory Committee Meeting - 10 March 2021

**FILE NO:** SF0025

**AUTHOR:** Tracey Mallett (Manager Liveable Communities)

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

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#### **DECISION STATEMENT:**

To receive and consider a report from the Launceston Access Advisory Committee.

#### **RECOMMENDATION:**

That Council receives the report from the Launceston Access Advisory Committee Meeting held on 10 March 2021.

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

**DECISION: 8 April 2021**

#### **MOTION**

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

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

**CARRIED 8:0**

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

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**13.2 Tender Review Committee Meeting - 18 March 2021****FILE NO:** SF0100/CD.073/2020**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

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

**RECOMMENDATION:**

That Council notes the decision of the Tender Review Committee to accept the tender submitted by Terroir for the Architectural Services - Albert Hall Renewal Project, Contract Number CD.073/2020 for \$460,655.00 (exclusive of GST).

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

**DECISION: 8 April 2021****MOTION**

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

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

**CARRIED 8:0**

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

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**14 COUNCIL WORKSHOPS**

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

**14.1 Council Workshop Report**

**FILE NO:** SF4401

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

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

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RECOMMENDATION:**

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

Workshops conducted on 1 and 8 April 2021

**2021/2022 Budget Statutory Estimates and Annual Plan**

*Councillors discussed the 2021/2022 Draft Budget and Annual Plan.*

**Planning for the Future of Relbia - Community Feedback**

*Councillors discussed the feedback options moving forward with the project.*

**Cityprom Review**

*Councillors continued their discussions of the Cityprom Review.*

**QVMAG Futures Plan**

*Councillors were provided with an update on the QVMAG Futures Plan - A Paradigm Shift.*

**Greater Launceston Plan Review Update**

*Councillors received a briefing on the upcoming Greater Launceston Plan Review.*

**Delegation Update**

*Councillors were provided with background information and an update regarding delegations.*

**TasPolice Introduction - Northern District Commander**

*Councillors heard from the newly appointed Northern District TasPolice Commander - Stuart Wilkinson.*

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

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

**DECISION: 8 April 2021**

**MOTION**

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

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

**CARRIED 8:0**

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

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**15 NOTICES OF MOTION**

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

**15.1 Notice of Motion - Renaming of Batman Bridge - Councillor T G Walker**

**FILE NO:** SF5547

**AUTHOR:** Councillor T G Walker

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**DECISION STATEMENT:**

To consider a Notice of Motion regarding renaming of the Batman Bridge.

**RECOMMENDATION:**

That Council:

1. notes George Town Council's recent motion seeking to recognise and commemorate the leetermairremener people's connection with the greater kanamaluka/Tamar River area in consultation with the Aboriginal community;
  2. acknowledges the name of Batman Bridge is inappropriate for clear historical reasons;
  3. agrees to write to the State government requesting they start a process to rename the bridge as soon as possible; and
  4. agrees to write to seek support for this change from West Tamar Council and George Town Council.
- 

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

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**15.1 Notice of Motion - Renaming of Batman Bridge - Councillor T G Walker  
...(Cont'd)**

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**DECISION: 8 April 2021**

**MOTION 1**

**Moved Councillor T G Walker, seconded Councillor A E Dawkins.**

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

**CARRIED 5:3**

**FOR VOTE: Mayor Councillor A M van Zetten, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

**AGAINST VOTE: Deputy Mayor Councillor D C Gibson, Councillor D H McKenzie and Councillor J G Cox**

**DECISION: 8 April 2021**

**MOTION 2**

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

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

**CARRIED 8:0**

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

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**16 COMMUNITY AND PLACE NETWORK ITEMS****16.1 Petition - *Future of Relbia Project***

A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 9.2 - 34 Galvin Street, South Launceston - Residential - Construction of an Additional Dwelling on page 24 of these Minutes.

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**16.2 Launceston Safer Communities Partnership****FILE NO:** SF3804**AUTHOR:** Tracey Mallett (Manager Liveable Communities)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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**DECISION STATEMENT:**

To receive and consider a report from the Launceston Safer Communities Partnership.

**RECOMMENDATION:**

That Council receives the report from the Launceston Safer Communities Partnership.

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

**DECISION: 8 April 2021****MOTION**

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

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

**CARRIED 8:0**

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

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**17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS**

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

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**18.1 Proposed Street Names - Solis Rise and Visum Chase, Dilston ...(Cont'd)**

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

**DECISION: 8 April 2021**

**MOTION**

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

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

**CARRIED 8:0**

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

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**18.2 2021 Concessional Entry Policy Review (12-Plx-014)****FILE NO:** SF0628**AUTHOR:** Jess Nesbit (Waste and Environment Officer)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

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**DECISION STATEMENT:**

To consider the review of the Concessional Entry Policy for the Launceston Waste Centre.

**PREVIOUS COUNCIL CONSIDERATION:**

Pre-Council Workshop - 9 April 2018 - Reviewed Concessional Entry to the Council's Waste Disposal Facilities Policy and Application Form

Council - 26 June 2017 - Agenda Item 18.7 - Resident Waste Centre Disposal Vouchers

Council - 28 September 2015 - Agenda Item 18.2 - Launceston Waste Centre - Waste Concessions Review

**RECOMMENDATION:**

That Council adopts the recommended changes to the Concessional Entry Policy 12-Plx-014 (ECM Doc Set ID 1771329) in preparation for the 2021/2022 program.

***Concessional Entry to the Council's Waste Disposal Facilities Policy******PURPOSE:***

To set out the criteria when to apply a concessional or reduced fee to dispose refuse at the waste disposal facilities at the Launceston Waste Centre, Lilydale and Nunamara.

***SCOPE:***

This policy varies the waste disposal charges annually adopted by Council pursuant to section 205 of the *Local Government Act 1993* (Tas) which applies to the following:

- (a) Pensioners;
  - (b) Waste entry vouchers
  - (c) Community organisations and
  - (d) Commercial customers.
-

**18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)**

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**POLICY:****1. General**

All persons and organisations (including the Council's Operations departments and contractors) who dispose of refuse at the Council's waste disposal facilities, shall be charged the appropriate fee(s) as adopted by Council pursuant to section 205 of the *Local Government Act 1993* (Tas), unless varied by this policy.

**2. Pensioners**

Pensioners and pensioner householders who hold a Commonwealth Pensioner Card are entitled to receive a concession card known as a *Smart Card* which will have an endorsed value loaded onto the card at the start of each financial year, to be used at the Launceston municipal waste centres. The same card has an endorsed value for pensioners to use at selected Council owned car parks (Note: 1x smart will be issued per household not per pension holder). The service is provided to minimise the financial burden to pensioners as per the following.

(a) The Smart Cards shall be distributed:

- To pensioners whose properties are in the City of Launceston municipality and received the State Government pensioner property rate rebate *or* by others who hold a Commonwealth Pensioner Card and where the residential address is listed within the City of Launceston.
- Smart Cards are available by collection from the Council's Customer Service Centre where they must be activated prior to use.

(b) Smart Cards may be used on the following basis:

Disposed at the:

- Launceston Waste Centre, Remount Road, Mowbray
- Lilydale Waste Transfer Station, Second River Road, Lilydale
- Nunamara Waste Transfer Station, Bingham's Road, Nunamara

Provided the waste:

- is domestic in nature and quantity (generated from a household)
- is not classed as a 'Controlled' (Hazardous) Waste (ie. asbestos)

In all other cases (including dual axle trailer) normal gate/fee charges apply without concession will expire.

Once the balance reaches \$0 (displayed on the receipt upon each use) *or* on the last day of the financial year (30 June):

- balance is not transferable for cash
  - balance remaining will not be carried over to the new financial year
  - Balance will reset at 12am 1 July each year
-

**18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)**

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- (c) Smart Cards shall be accepted at the waste disposal sites:
- when the person disposing the refuse is acting directly for the pensioner issued with the smart card;
  - when there is a positive remaining balance (*Note: if the fee is \$10 and there is only \$5 left on the card the pensioner must pay outstanding balance at the gate*) once the card balance is \$0 the card is inactive; and
  - when the incoming load of waste has been appropriately sorted and all recyclable items have been deposited at the Launceston Recycling Centre.

Smart Cards are not transferable to the benefit of another person and at all times are only available for the benefit of the pensioner originally issued the smart card. Smart Cards are bar coded to minimise administration tasks at the gate, the cards are linked to the pensioner card holder's details. Where breaches of any conditions of use occur, the Chief Executive Officer may suspend the issue of future balances to the Smart Card to the applicable pensioner for as long a period as considered appropriate.

- (d) The Waste Management Income account shall be reimbursed at the value of Smart Cards balances redeemed at the waste disposal sites from the Council's General Rates. The concession shall be treated as a Community Service Obligation.
- (e) Each pensioner or householder is entitled to receive an endorsed credit for the financial year (the balance to be determined by the Council each year).

**3. Waste Entry Vouchers**

All Launceston households shall be given one waste entry voucher per year. This service is provided to allow domestic properties to conduct seasonal maintenance.

- (a) The Council's waste disposal sites at:
- Launceston Waste Centre, Remount Road, Mowbray
  - Lilydale Waste Transfer Station, Second River Road, Lilydale
  - Nunamara Waste Transfer Station, Bingham's Road, Nunamara
- shall accept waste material in exchange for one free entry voucher on any day during the current financial year.

Provided that:

- The waste is:
    - domestic in nature and quantity (generated from a household, if you are receiving a reimbursement for services such as disposing of waste the waste is then classed as commercial)
    - not classed as a 'Controlled' (hazardous) waste (ie. asbestos)
    - transported in a vehicle/trailer less than a total GMV of 3 tonnes
-

**18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)**

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and on the conditions that:

- the waste is sorted and separated at the recycling centre
- the waste entry voucher has been validated by staff at the recycling centre
- excludes the following:
  - Anything for burial ('Controlled' or hazardous waste)
  - Car tyres
  - Car bodies
  - Asbestos
  - Contaminated soil
  - Mattresses
  - Refrigerators

Please note, domestic sized loads are allowed only. All other vehicles are charged as per the normal disposal fees.

- (b) The Waste Management Income account shall be reimbursed the value of the entries from the Council's General Rates. The concession shall be treated as a Community Service Obligation. Valid for City of Launceston residents only.

#### **4. Community organisations**

The Council can support the activities of community organisations by subsidising the cost of disposing waste at the Council's waste disposal sites by up to 80% for successful applicants.

The concessional entry program is also a waste reduction program designed to assist community organisations in managing their waste streams.

Community organisations seeking concessional access to the:

- Launceston Waste Centre, Remount Road, Mowbray
- Lilydale Waste Transfer Station, Second River Road, Lilydale
- Nunamara Waste Transfer Station, Bingham Road, Nunamara

Shall make an application for concessional access to the above waste centres each year subject to the following conditions.

The Council will advertise and send letters to previous year's recipients calling for applications for consideration by Council. *Note:* The Council will subsidise no more than 80% of the applicant's waste management fees. New applicants who can not provide evidence of historical disposal fees will be limited to apply for no more than \$150.00. After their first year they will be provided with data to determine the amount they will be eligible for:

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**18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)**

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- (a) Community organisations making an application for a concessional access shall:
- be registered with the Australian Charities and Not-for-profit Commission (ACNC) and hold an Australian Taxation Office Certificate to say they are endorsed as a deductible gift recipient

**OR ALTERNATIVELY**

- be an organisation for the principal purpose of community good where:
  - the activities are benevolent;
  - the organisation is not-for-profit;
  - the organisation has no paid operational/field employees (reimbursements and honorariums excepted);
  - the organisation is non-government;
  - the organisation is not already receiving a reimbursement or compensation for waste disposal costs.

These organisations shall provide details to satisfy the conditions to be considered by the Council prior to each financial year (*Note: submitting an application does not automatically guarantee a concessional entry will be granted*).

Information to be included in all applications (but not be limited to) shall be:

- number and broad location of benefiting participants;
- whether any charge of any kind is applied;
- number of volunteers and quantity and type of waste being disposed of;
- each applicant will also need to submit a waste management plan to outline how the applicant will be reducing their waste to landfill volumes in the coming 12 months. This must be a detailed plan of at least 100 words and assistance can be obtained from the Council's Waste Management Team to help develop a plan. The applicant may submit testimonials or references if considered appropriate.

**AND**

- submit only one application per organisation (only one application per organisation will be accepted by the Council).
  - have the registered address in the City of Launceston as shown on the Australian Taxation Office certificate or evidence of premises in Launceston (if applicable).
  - establish a debtor account to allow the Council to charge for refuse where the concession is less than 100% of the ruling gate fee or the subsidy provided by the Council has been used.
  - acknowledge that waste deposited at the waste disposal site shall be separated and disposed in the relevant green waste, recycling, resource recovery and waste areas.
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**18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)**

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(b) Community organisations shall ensure that the account:

- is only used to dispose of waste that has been generated in the normal conduct of charitable and/or community good work (ie. benevolent work) and generated within the City of Launceston (evidence of authority to use account may be asked for in the form of a signed letter from the manager of the organisation).
- is not used by any other person or company or organisation no matter the intent of their use or the type of their business.
- is not used for 'Controlled' (hazardous) waste; building and construction waste; or commercial type materials.

Where serious breaches of any conditions occurs (whether or not with the knowledge of the management of the community organisation), the Chief Executive Officer may suspend the use of the account to the applicable community organisation for as long as a period considered appropriate.

The Council has the right to conduct random on the spot waste audits on concessional waste entry material at the Waste Centre to provide feedback to organisations.

(c) The Waste Management Income account shall be reimbursed at the value of the entries from the Council's General Rates. The concession shall be treated as a Community Service obligation.

(d) The concession to fees applicable to community organisations shall be to establish a reimbursement limit for each registered community organisation prior to each financial year as approved by Council. The decision shall consider the recommendations of the Community Grants Panel who will take into account the:

- budget limit within the draft or adopted budget.
- applications of each registered community organisation
- historical use of the concessional entry by the applicant organisation.
- the organisations waste management plan.

At the end of each month a progress reimbursement report shall be sent to each community organisation. Any use in excess of the reimbursement allowance shall be billed each month after the allowance is exhausted.

## **5. Commercial customers**

Commercial customers may apply for an account (12-Fmx-016) in which if successful will enter into a 30 day account system.

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**18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)**

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Account holders must:

- see that accounts are paid on time.
- notify the Council of new vehicle registrations numbers linked to the account.
- adhere to site safety requirements whilst on the landfill site, such as wearing relevant PPE and must be contactable by UHF radio on channel 11 at all times on site.

Where breaches of any conditions of use occur, the Chief Executive Officer may suspend the account for as long a period as considered appropriate.

***PRINCIPLES:***

To provide support to pensioners, benevolent community organisations, residents and businesses in disposing of waste materials at the Council's waste disposal facilities.

***RELATED POLICIES & PROCEDURES:***

Application for Concessional Entry to Council's Waste Disposal Facilities 12-Fmx-104.

***RELATED LEGISLATION:***

*Local Government Act 1993 (Tas), section 205 (Fees and Charges)*

***REFERENCES:***

Not applicable

***DEFINITIONS:***

'Community organisation' - for this policy shall be a non-government organisation which holds an ATO certificate demonstrating they are a benevolent charity or whose principal activities are for benevolent community good, be not-for-profit and have no paid operational/field employees, as approved by Council.

'Controlled' (Hazardous) Waste - includes all waste identified by the Environmental Pollution Authority (EPA) and includes asbestos, chemicals, tyres, sewage and contaminated soils.

'Refuse' - includes any unwanted goods or materials whether putrescibles green or solid waste.

***REVIEW:***

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

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

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**18.2 2021 Concessional Entry Policy Review (12-Plx-014) ...(Cont'd)**

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**DECISION: 8 April 2021****MOTION****Moved Councillor D H McKenzie, seconded Councillor A G Harris.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 8:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor D H McKenzie, Councillor J G Cox, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

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## 19 ORGANISATIONAL SERVICES NETWORK ITEMS

No Items were identified as part of these Minutes

## 20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

No Items were identified as part of these Minutes

## 21 CLOSED COUNCIL

*This decision requires an absolute majority of Council*

### **RECOMMENDATION:**

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

#### **21.1 Confirmation of the Minutes**

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

#### **21.2 Councillor's Leave of Absence**

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

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

#### **21.3 Councillor's Leave of Absence**

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

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

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**21.4 Local Government Association of Tasmania - 2021 General Management Committee Election**

Regulation 15(2)(g) 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: 8 April 2021**

**MOTION**

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

That Council moves into Closed Session.

**CARRIED BY ABSOLUTE MAJORITY 8:0**

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

**Council moved into Closed Session at 2.43pm.**

**Council returned to Open Session at 2.46pm.**

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## 21.5 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 - 25 March 2021</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 25 March 2021.</i>
21.2	<i>Councillor's Leave of Absence</i>	<i>Leave was approved to a Councillor.</i>
21.3	<i>Councillor's Leave of Absence</i>	<i>Leave was approved to a Councillor.</i>
21.4	<i>Local Government Association of Tasmania - 2021 General Management Committee Election</i>	<i>Councillors provided nominations for the 2021 Local Government Association of Tasmania General Management Committee Election to be conducted by the Tasmanian Electoral Commission.</i>

### DECISION: 8 April 2021

#### MOTION

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

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

**CARRIED 8:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor A E Dawkins, Councillor D H McKenzie, 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 2.47pm.