



City of
LAUNCESTON

COUNCIL MINUTES

COUNCIL MEETING

THURSDAY 11 AUGUST 2022

1.00pm

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

Date: 11 August 2022

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 agenda item.



**Michael Stretton
Chief Executive Officer**

AUDIO of COUNCIL MEETINGS

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

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

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

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

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

PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

Present:

Councillor A M van Zetten (Mayor)
Councillor D C Gibson (Deputy Mayor)
Councillor D H McKenzie
Councillor J G Cox
Councillor K P Stojansek
Councillor A E Dawkins
Councillor N D Daking
Councillor A G Harris
Councillor T G Walker
Councillor K M Preece

In Attendance:

Michael Stretton (Chief Executive Officer)
Dan Ryan (General Manager Community and Place Network)
Louise Foster (General Manager Organisational Services Network)
Shane Eberhardt (General Manager Infrastructure and Assets Network)
Richard Jamieson (Manager City Development) (Agenda Items 9.1, 9.2 and 9.3)
Maria Lasso (Town Planner) (Agenda Item 9.1)
Dileep Karna (Graduate Town Planner) (Agenda Item 9.3)
Robert Bujnowski (Legal and Properties Officer)
Kelsey Hartland (Team Leader Governance)
Anthea Rooney (Council and Committees Officer)

Apologies:

Councillor R I Soward
Councillor P S Spencer

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm and noted apologies from Councillor R I Soward and Councillor P S Spencer.

2. MAYORAL ACKNOWLEDGEMENTS

3. DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - section 48

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

Councillor D H McKenzie declared an interest in Agenda Item 9.2 - Amendment 71 - Partial Rezoning of Land at Launceston Golf Club - 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0760/2021 to Subdivide One Lot Into Three Including the Construction of a Road.

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 28 July 2022 be confirmed as a true and correct record.

DECISION: 11 August 2022

MOTION

Moved Deputy Mayor Councillor A G Harris, seconded Councillor N D Daking.

CARRIED 10:0

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

AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)

5.1 Council Workshop Report - 4 August 2022

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)

RECOMMENDATION:

That, pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, Council notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshops conducted on 4 August 2022:

Toll Tasmania Presentation

Councillors were provided with an update on pre-feasibility work with Toll Tasmania.

Launceston Speed Limit Reviews

Councillors discussed a proposal to reduce speed limits in the Launceston CBD, suburban shopping centres and sections of arterial roads.

Long Term Finance Plan

Councillors discussed the latest financial modelling of the Long Term Financial Plan for the years 2022/2023 - 2031/2032.

State Election Commitment Projects

Councillors were provided with project status information on the 2021 State Election commitment projects.

Petition - North Esk Memorial Hall

Councillors discussed the matters raised in a petition regarding the North Esk Memorial Hall Committee.

DECISION: 11 August 2022

MOTION

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

That, pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, Council notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshops conducted on 4 August 2022:

Toll Tasmania Presentation

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Councillors discussed the latest financial modelling of the Long Term Financial Plan for the years 2022/2023 - 2031/2032.

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Councillors were provided with project status information on the 2021 State Election commitment projects.

Petition - North Esk Memorial Hall

Councillors discussed the matters raised in a petition regarding the North Esk Memorial Hall Committee.

CARRIED 10:0

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

AGAINST VOTE: Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)

No Councillors' Leave of Absence Applications 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 Agenda Items; that opportunity exists when that Agenda 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 Veronica Lyons (Secretary) - Launceston Jazz Club Inc.

Veronica provided Council with a brief history of the Launceston Jazz Club Inc. and highlighted recent activities. Veronica thanked the City of Launceston for its financial support and encouragement.

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)

8.1.1 Public Questions on Notice - Ray Norman - Staff Qualifications

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted in writing to the Council on 27 July 2022 by Ray Norman, have been answered by Roxanne Chugg (Manager People and Culture) and Leanne Purchase (Manager Governance).

Questions:

1. Given the increasing demands upon strategic decision making and the consequent need for expert advice, plus the reported inability of local government to attract qualified experts in multiple fields, will the Council please inform its constituency as to how many of its current staff members hold:
 - (a) Tertiary qualifications and relevant professional experience in the hard sciences; and/or
 - (b) Tertiary qualifications and relevant professional experience in the social science arena; and/or
 - (c) Tertiary qualifications at any level in a field of cultural study; and/or
 - (d) A Trade Certificate of any kind or the equivalent; and/or
 - (e) Research qualifications in any field of study; and by extension and/or
 - (f) How many Councillors hold tertiary qualifications and relevant professional experience in any of the fields identified above?

Response:

- (a)-(e) *The City of Launceston employees hold a vast range of qualifications and professional experience related to the diverse range of services that are provided by the organisation. Whilst not an exhaustive list, qualifications include those in horticulture, engineering, mechanical maintenance, light vehicle maintenance, psychology, sociology, philosophy, business, economics, political science, carpentry, tourism, human resources, environmental health, information technology, accountancy, asset management, risk, land use planning, law, urban design, environmental science, administration, health and fitness, visual arts, media communications and science.*
-

| Type of Qualification | Number of Employees |
|------------------------------|----------------------------|
| <i>Certificate IV</i> | 124 |
| <i>Certificate III</i> | 77 |
| <i>Certificate II</i> | 11 |
| <i>Bachelor Degree</i> | 29 |
| <i>Masters Degree</i> | 25 |
| <i>Associate Degree</i> | 1 |
| <i>Diploma</i> | 45 |
| <i>Advanced Diploma</i> | 18 |
| <i>Graduate Certificate</i> | 12 |
| <i>Graduate Diploma</i> | 12 |

- (f) *The City of Launceston does not maintain records of the tertiary qualifications, trade certificates and professional experience qualifications for Councillors, as these types of credentials are not relevant to a person's eligibility for the office of Councillor as detailed in section 270 of the Local Government Act 1993 (Tas). Some Councillors choose to share information about their credentials via the profiles available at <https://www.launceston.tas.gov.au/Council/Meet-Us>.*
-

8.2 Public Questions Without Notice

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

8.2.1 Public Questions Without Notice - Helen Tait - Development Application Assessment Process

This question applies to matters relating to public open space - the public open space contribution required for a subdivision. This question applies to when a Development Application is being assessed as a combined application for rezoning plus a subsequent development which comes before you today for the Launceston Golf Course.

- 1. Does the required 5% dollar value of public open contribution be assessed before or after the rezoning?**
- 2. What is the situation in regard to the two recent Development Applications for the Launceston Golf Course?**
- 3. Good management of natural drainage lines has ramifications for the whole City, flooding down stream, the loss of visual amenity and bio-diversity devalues, so when a sub-division is proposed beside a natural drainage line, what provisions are made to protect and/or rehabilitate further, the natural values and the ecosystem services provided to the adjacent properties and the City by that stream line?**

Richard Jamieson (Manager City Development) responded by saying that percentage is assessed on the unimproved value of the land at the time the final plan of survey is sealed and that is normally determined by a valuer at that time. With regard to the two recent Development Applications for the Launceston Golf Club, neither of the plans of survey have been sealed so no valuations have been determined as yet. And, with regard as to how draining lines are assessed in sub-divisions, it is difficult to speculate as it depends on the circumstances but the Natural Values Code in the Planning Scheme applies. The circumstances of each application would determine the appropriate approach.

9. PLANNING AUTHORITY

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.

9.1 DA0240/2022 - 1065 Pipers River Road, Karoola - Construction of a Dwelling and Boundary Adjustment between Two Lots

FILE NO: DA0240/2022

AUTHOR: Chloe Lyne (Consultant Town Planner)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

| | |
|--------------------------------------|---------------------------------|
| Applicant: | 6ty° Pty Ltd |
| Property: | 1065 Pipers River Road, Karoola |
| Zoning: | Rural Resource |
| Receipt Date: | 3/05/2022 |
| Validity Date: | 5/05/2022 |
| Further Information Request: | 13/05/2022 |
| Further Information Received: | 29/06/2022 |
| Deemed Approval (extension granted): | 11/08/2022 |
| Representations: | Three |

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Launceston Interim Planning Scheme 2015

STANDARDS REQUIRING PLANNING DISCRETION:

26.3.2 Dwellings
26.4.1 Building height, setback and siting
26.4.2 Lot size and dimensions
26.4.4 Wastewater management
E6.6.1 Construction of parking areas

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 construction of a dwelling and boundary adjustment between two lots at 1065 Pipers River Road, Karoola, 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. Existing Site Plan, Prepared by Apogee Pty Ltd, Drawing A02-DA05, Project 2114, Revision 05, Dated 30/07/2022.
- b. Site Plan, Prepared by Apogee Pty Ltd, Drawing A03-DA05, Project 2114, Revision 05, Dated 30/07/2022.
- c. Site Plan, Prepared by Apogee Pty Ltd, Drawing A03-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- d. Plan: Ground Floor, Prepared by Apogee Pty Ltd, Drawing A04-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- e. Plan: Roof, Prepared by Apogee Pty Ltd, Drawing A05-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- f. Elevation, Prepared by Apogee Pty Ltd, Drawing A06-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- g. Elevation, Prepared by Apogee Pty Ltd, Drawing A07-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- h. Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan, Prepared by Rebecca Green and Associates, Version 1, Dated 20/06/2022.

2. FINAL PLAN OF SURVEY

The Final Plan will not be sealed until all conditions relevant to the subdivision have been complied with.

3. STATE GROWTH CONDITIONS

The existing access serving the proposed dwelling on Lot 2 shall be reconstructed to comply with Department of State Growth standards including being realigned and squared up between Pipers River Road and the property boundary (nominally as shown in Sketch 1 below) to ensure entering drivers are perpendicular to the road. The access shall be a minimum of 3m wide at the property boundary with suitable flaring at the road edge to ensure a light vehicle can make a left turn in and a left turn out without crossing the centre line on Pipers River Road. The entire access area between Pipers River Road and the property boundary shall be sealed. Basic engineering drawings showing the extent of the access and associated works must be provided to the Department of State Growth for review and acceptance as part of a works permit application per the details noted below.

The existing internal driveway link between Lot 1 and Lot 2 access shall be removed.

All vegetation within the road reservation between the access location and the eastern boundary of Lot 2 that is greater than 450mm in height shall be removed to ensure driver sight line to the east is maximised.

Confirmation of the existing fence line location for Lot 1 and Lot 2 in relation to the existing and proposed title boundary shall be undertaken by a registered surveyor. All boundary fences shall be relocated as necessary to align with the true title boundaries. It is noted that fence line adjustments to the south eastern and eastern boundaries of Lot 2 will necessarily be addressed as part of the separate property acquisition process.

Any existing structures located within the road reservation shall be removed or relocated into private property.

Note: A valid works permit is required for all works undertaken in the State Road (Tasman Highway) reservation. Details of the permit process and application forms can be found at: www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways <http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways>. Applications must be received by the Department of State Growth a minimum of 20 business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

Whilst it is a decision for the proponent, it is recommended that it would be prudent to wait until formal agreement with the Department on the proposed property acquisition is reached before committing to and/or commencing any construction activity should the Council issue planning approval.

4. 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.

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. BUSHFIRE SAFETY

Prior to sealing of final plans, a certificate of compliance by an accredited person, must be submitted confirming all measures required under the approved bushfire management plan are completed.

7. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

9. SOIL AND WATER MANAGEMENT PLAN

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

10. PERMIT TO UNDERTAKE WORKS IN STATE ROAD

Pipers River Road is a State Road and is under the jurisdiction of the Department of State Growth (DSG). A works permit pursuant to Section 16 of the *Roads and Jetties Act 1935* must be obtained to undertake works within the state road reservation to install, modify or remove a driveway crossover. No works on or affecting the State Road must commence until the required permit has been issued by DSG. A copy of the DSG permit must be submitted to the Council's General Manager Infrastructure and Assets Network prior to the commencement of the works.

11. NO BURNING OF WASTE

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0240/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) 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 Tasmanian Civil and Administrative Tribunal (TASCAT).

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 Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <http://www.tascat.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. State Growth Condition - Sketch 1

Sketch 1 below is referred to in the State Growth Conditions:



F. On-Site Disposal of Effluent (Wastewater)

This permit does not give permission for the installation of an on-site wastewater system on this site. The applicant will need to submit a design report (including site and soil evaluation in accordance with AS/NZS 1547:2012 or any subsequent versions of this document) as well as a plumbing application (for the on-site wastewater system) with their building application. Before occupation of the dwelling, the required system must be commissioned.

Andrew McKillop (on behalf of Ellie Atkinson and Rosemary and Stuart Leader) spoke against the Recommendation
George Walker (on behalf of 6ty° Pty Ltd) spoke for the Recommendation

DECISION: 11 August 2022

MOTION

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

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 construction of a dwelling and boundary adjustment between two lots at 1065 Pipers River Road, Karoola, subject to the following conditions:

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- a. Existing Site Plan, Prepared by Apogee Pty Ltd, Drawing A02-DA05, Project 2114, Revision 05, Dated 30/07/2022.
- b. Site Plan, Prepared by Apogee Pty Ltd, Drawing A03-DA05, Project 2114, Revision 05, Dated 30/07/2022.
- c. Site Plan, Prepared by Apogee Pty Ltd, Drawing A03-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- d. Plan: Ground Floor, Prepared by Apogee Pty Ltd, Drawing A04-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- e. Plan: Roof, Prepared by Apogee Pty Ltd, Drawing A05-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- f. Elevation, Prepared by Apogee Pty Ltd, Drawing A06-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- g. Elevation, Prepared by Apogee Pty Ltd, Drawing A07-DA04, Project 2114, Revision 05, Dated 30/07/2022.
- h. Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan, Prepared by Rebecca Green and Associates, Version 1, Dated 20/06/2022.

2. FINAL PLAN OF SURVEY

The Final Plan will not be sealed until all conditions relevant to the subdivision have been complied with.

3. STATE GROWTH CONDITIONS

The existing access serving the proposed dwelling on Lot 2 shall be reconstructed to comply with Department of State Growth standards including being realigned and squared up between Pipers River Road and the property boundary (nominally as shown in Sketch 1 below) to ensure entering drivers are perpendicular to the road. The access shall be a minimum of 3m wide at the property boundary with suitable flaring at the road edge to ensure a light vehicle can make a left turn in and a left turn out without crossing the centre line on Pipers River Road. The entire access area between Pipers River Road and the property boundary shall be sealed. Basic engineering drawings showing the extent of the access and associated works must be provided to the Department of State Growth for review and acceptance as part of a works permit application per the details noted below.

The existing internal driveway link between Lot 1 and Lot 2 access shall be removed.

All vegetation within the road reservation between the access location and the eastern boundary of Lot 2 that is greater than 450mm in height shall be removed to ensure driver sight line to the east is maximised.

Confirmation of the existing fence line location for Lot 1 and Lot 2 in relation to the existing and proposed title boundary shall be undertaken by a registered surveyor. All boundary fences shall be relocated as necessary to align with the true title boundaries. It is noted that fence line adjustments to the south eastern and eastern boundaries of Lot 2 will necessarily be addressed as part of the separate property acquisition process.

Any existing structures located within the road reservation shall be removed or relocated into private property.

Note: A valid works permit is required for all works undertaken in the State Road (Tasman Highway) reservation. Details of the permit process and application forms can be found at:

www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways
<http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways>. Applications must be received by the Department of State Growth a minimum of 20 business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

Whilst it is a decision for the proponent, it is recommended that it would be prudent to wait until formal agreement with the Department on the proposed property acquisition is reached before committing to and/or commencing any construction activity should the Council issue planning approval.

4. 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.

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. BUSHFIRE SAFETY

Prior to sealing of final plans, a certificate of compliance by an accredited person, must be submitted confirming all measures required under the approved bushfire management plan are completed.

7. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

9. SOIL AND WATER MANAGEMENT PLAN

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

10. PERMIT TO UNDERTAKE WORKS IN STATE ROAD

Pipers River Road is a State Road and is under the jurisdiction of the Department of State Growth (DSG). A works permit pursuant to Section 16 of the *Roads and Jetties Act 1935* must be obtained to undertake works within the state road reservation to install, modify or remove a driveway crossover. No works on or affecting the State Road must commence until the required permit has been issued by DSG. A copy of the DSG permit must be submitted to the Council's General Manager Infrastructure and Assets Network prior to the commencement of the works.

11. NO BURNING OF WASTE

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0240/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) 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 Tasmanian Civil and Administrative Tribunal (TASCAT).

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 Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <http://www.tascat.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. State Growth Condition - Sketch 1

Sketch 1 below is referred to in the State Growth Conditions:



F. On-Site Disposal of Effluent (Wastewater)

This permit does not give permission for the installation of an on-site wastewater system on this site. The applicant will need to submit a design report (including site and soil evaluation in accordance with AS/NZS 1547:2012 or any subsequent versions of this document) as well as a plumbing application (for the on-site wastewater system) with their building application. Before occupation of the dwelling, the required system must be commissioned.

CARRIED 10:0

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

AGAINST VOTE: Nil

9.2 Amendment 71 - Partial Rezoning of Land at Launceston Golf Club 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and Development Application DA0760/2021 to Subdivide One Lot Into Three Including the Construction of a Road

FILE NO: SF7421/DA0760/2021

AUTHOR: Iain More (Town Planner)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant: Woolcott Surveys
Properties: 27-99 Opossum Road, King Meadows (CT198059/1)
Received: 16 December 2021
Advertised: 11/06/2022 - 12/07/2022
Representations: Four

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Launceston Interim Planning Scheme 2015

PREVIOUS COUNCIL CONSIDERATION:

Council - 2 June 2022 - Agenda Item 9.3 - Amendment 71 - Partial Rezoning of Land at Launceston Golf Club, 27-99 Opossum Road, Kings Meadows from Recreation to General Residential and DA0760/2021 to Subdivide One Lot into Three Including the Construction of a Road.

Initiated Draft Amendment 71 to the Launceston Interim Planning Scheme 2015, to partially rezone land at Launceston Golf Club at 27-99 Opossum Road, King Meadows from Recreation to General Residential and approve Development Application DA0760/2021 to subdivide one lot into three including the construction of a road 27-99 Opossum Road, King Meadows (CT198059/1).

RECOMMENDATION:

That Council:

1. in accordance with section 39 of the former provisions of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to draft Amendment 71 and DA0760/2021;

2. amend Permit DA0760/2021 by revising Condition 10(a)(iii) to remove any reference to TasGas.
-

Councillor D H McKenzie withdrew from the Meeting at 1:35pm

**James Stewart (on behalf of Woolcott Surveys) spoke for the Recommendation
Helen Tait spoke against the Recommendation**

DECISION: 11 August 2022

MOTION

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

That Council:

1. in accordance with section 39 of the former provisions of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to draft Amendment 71 and DA0760/2021;
2. amend Permit DA0760/2021 by revising Condition 10(a)(iii) to remove any reference to TasGas.

CARRIED 8:1

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

Councillor D H McKenzie re-attended the Meeting at 1:51pm

9.3 DA0313/2022 - 61 Parkfield Drive, Youngtown - Residential - Construction of a Dwelling, an Outbuilding and a Pool

FILE NO: DA0313/2022

AUTHOR: Dileep Karna (Graduate Town Planner)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

| | |
|-------------------------------|-------------------------------|
| Applicant: | Design To Live Pty Ltd |
| Property: | 61 Parkfield Drive, Youngtown |
| Zoning: | General Residential |
| Receipt Date: | 2/06/2022 |
| Validity Date: | 30/06/2022 |
| Further Information Request: | 27/06/2022 |
| Further Information Received: | 30/06/2022 |
| Deemed Approval: | 11/08/2022 |
| Representations: | Nil |

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Launceston Interim Planning Scheme 2015

STANDARDS REQUIRING PLANNING DISCRETION:

10.4.11 Outbuildings, swimming pools and fences
10.4.12 Earthworks and retaining walls
10.4.2 Setbacks and building envelope for all dwellings
E4.6.1 Development adjacent to roads and railways
E7.6.1 Scenic road corridor
E7.6.2 Scenic management areas

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 refused for DA0313/2022 - Residential - Construction of a dwelling, an outbuilding and a pool at 61 Parkfield Drive, Youngtown on the following grounds:

1. The application fails to meet the performance criteria of Clause E7.6.1 P1 and E7.6.2 P1 as the proposal for an outbuilding will result in the removal of four mature native trees from the site that currently contribute to the scenic character of the Midland Highway and the arrival experience into and out of Launceston and unreasonable bulk and scale that will result in the development being obtrusive from the scenic road.
2. The application fails to meet the performance criteria of Clause E7.6.2 P2 as proposal includes the removal of four mature native trees from the site which are part of the vegetation corridor along the Midland Highway and which contribute to the scenic landscape of the entry and exit into Launceston. This vegetation corridor also contributes to the screening and softening of the newly developed subdivision in which this lot was created.

DECISION: 11 August 2022

MOTION

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

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 refused for DA0313/2022 - Residential - Construction of a dwelling, an outbuilding and a pool at 61 Parkfield Drive, Youngtown on the following grounds:

1. **The application fails to meet the performance criteria of Clause E7.6.1 P1 and E7.6.2 P1 as the proposal for an outbuilding will result in the removal of four mature native trees from the site that currently contribute to the scenic character of the Midland Highway and the arrival experience into and out of Launceston and unreasonable bulk and scale that will result in the development being obtrusive from the scenic road.**
2. **The application fails to meet the performance criteria of Clause E7.6.2 P2 as proposal includes the removal of four mature native trees from the site which are part of the vegetation corridor along the Midland Highway and which contribute to the scenic landscape of the entry and exit into Launceston. This vegetation corridor also contributes to the screening and softening of the newly developed subdivision in which this lot was created.**

CARRIED 10:0

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

10. ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Friday 29 July 2022

- Attended the *UNESCO City of Gastronomy* launch
- Officiated at the launch of the *Junction Arts Festival* Program

Saturday 30 July 2022

- Attended *Jane Eyre* by *Charlotte Bronte* at the Princess Theatre

Sunday 31 July 2022

- Attended the *Jolly Jelly Beans Variety Show* - theatre sports group of Northern Suburbs Community Centre

Monday 1 August 2022

- Attended the *Homeless Week* launch

Tuesday 2 August 2022

- Accompanied Her Excellency The Honourable Barbara Baker AC, Governor of Tasmania and Emeritus Professor Don Chalmers to East Tamar Primary School, Northern Suburbs Community Centre, Glass Manifesto and John Cobbler Pounds Youth Ltd (JCP)
- Hosted a civic function to welcome Her Excellency The Honourable Barbara Baker AC, Governor of Tasmania

Wednesday 3 August 2022

- Accompanied Her Excellency The Honourable Barbara Baker AC, Governor of Tasmania and Emeritus Professor Don Chalmers to Franklin House, Queen Victoria Museum and Art Gallery at Invermay and the Art Gallery at Royal Park
- Attended the Film: *Some Happy Day*

Thursday 4 August 2022

- Attended the *Meet the Producer* agriCULTURED dinner

Friday 5 August 2022

- Attended the *agriCULTURED Adam Liaw* Conversation Starter
- Attended the *agriCULTURED The Last Word*
- Officiated at the *Fire and Fog* night market with agriCULTURED

Saturday 6 August 2022

- Welcomed delegates to the *Modern Language Teachers Association of Tasmania Inc.* 2022 State Conference
- Attended the Hawthorn versus Gold Coast Suns AFL Game at UTAS Stadium

Wednesday 10 August 2022

- Attended Launceston College's production opening night of *RENT*
-

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 *UNESCO City of Gastronomy* launch**
- **Attended Launceston College's production of *RENT***
- **Acknowledged the Mayor's intention not to seek re-election in the upcoming 2022 Local Government Elections**

11.2 Councillor D H McKenzie

- **Participated in events related to the Governor's Visit noting the Northern Suburbs Community Centre visit and thanked local volunteers for their support on the day**
- **Attended the *agriCULTURED* launch with Adam Liaw as the guest speaker**

11.3 Councillor A G Harris

- **Attended the launch of the *Junction Arts Festival* Program**
- **Attended the *agriCULTURED* launch with Adam Liaw as the guest speaker**
- **Participated in events related to the Governor's Visit**
- **Attended the Hawthorn versus Gold Coast Suns AFL match at UTAS Stadium**

12. QUESTIONS BY COUNCILLORS

12.1 Councillors' 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 Chief Executive Officer of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be provided in writing).

12.1.1 Councillors' Questions on Notice - Councillor P S Spencer - Asbestos Removal Project

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 28 July 2022 by Councillor P S Spencer, has been answered by Michael Stretton (Chief Executive Officer).

Questions:

1. How many other companies quoted for the work [Northern Community Recreation Hub asbestos removal at Mowbray]? Being over \$250,000, normally, there would have been three quotes. How many other companies quoted?

Response:

As part of the early investigations for the Northern Community Recreation Hub development, it was identified that the subject building contained a substantial amount of asbestos material, primarily comprising roof sheeting. An Asbestos Site Survey was completed which indicated that there was substantial damage to suspect asbestos sheeting in multiple locations and those areas posed a significant risk to Health and Safety to any person entering the subject areas. PPE should be worn when accessing these areas.

It was determined that the asbestos material identified in this Assessment Report needed to be removed as matter of urgency. This urgency was driven by the following immediate concerns:

- *the building is the subject of frequent trespassing from persons entering, remaining, sleeping and, at times, vandalising the building. Whilst efforts had been made to prevent this practice, it is a large building with many entry points and until construction commences, it could not be adequately secured;*
 - *access to the building is required by project staff, designers and other contractors in order to progress the development of the building. It is necessary to remove the asbestos material and re-roof the building as a first stage of the development to enable contractors to commence work within the building in the second half of this year; and*
 - *there is an adjoining school playground within meters of the building and it is preferable to remove any potential friable asbestos from the vicinity to reduce any potential risk of wind-blown exposure.*
-

There are few Class A asbestos removalist companies located within the State. Three companies were approached to provide a quote and two elected to take up this opportunity. Of these companies, only one was available to complete the work in a timely manner.

12.1.2 Councillors' Questions on Notice - Councillor T G Walker - e-Scooter Insurance

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 28 July 2022 by Councillor T G Walker, has been answered by Jarred Ranson (Team Leader Strategy, Economic Development and Analytics).

Questions:

1. There has been some recent conjecture in the media regarding e-scooters and the liability involved when someone riding an e-scooter has an accident with someone and then, for whatever reason, they may not be of legal age or have not been riding the scooter legally. This has caused a problem whereby the insurance of the scooter companies will not cover any liability for the damage. Has the City of Launceston Council given any thought to this, specifically for e-scooters being ridden on footpaths and in CBD areas where, if, there have been accidents that is the most likely places that pedestrians would have been involved?

Response:

There are currently two e-scooter operators in Launceston:

- *Beam (Purple): teamsupportau@ridebeam.com or (03) 7302 8265*
- *Neuron (Orange): Launcestonsupport@neuron.sg or (03) 6361 0338*

Both vendors have insurance for personal accident and liability cover for the hirers of their e-scooters if being lawfully ridden and operated responsibly. Where damages occur that are not covered by the vendor's insurances, a civil claim would need to be made against the rider/hirer of the device.

As the Council does not own or operate the e-scooters and they are permitted on our footpaths and streets by State Government legislation, the City of Launceston can not be held liable for damages and injuries that occur as a result of them being used in the municipality.

Queries about the specifics of hirer's insurance coverage can be directed to the vendors noted above.

12.2 Councillors' 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 Councillors' Questions Without Notice were identified as part of these Minutes

13. NOTICES OF MOTION

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

13.1 Notice of Motion - Launceston Skate Park - Councillor D C Gibson

FILE NO: SF5547

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider a notice of motion submitted by Councillor D C Gibson regarding the Launceston Skate Park.

RELEVANT LEGISLATION:

Local Government (Meeting Procedures) Regulations 2015

RECOMMENDATION:

That the Council requests the Chief Executive Officer to:

1. immediately investigate operational issues at the Launceston Skate Park at Royal Park, such as drainage and initiate immediate works to address any identified problems.
 2. within three months, advise the renewal planning timeline for this important facility, to ensure the recreational needs and expectations of our community are continued through replacement.
 3. investigate and report in 2022/2023 the upgrade options to this loved facility, including necessary budget costings.
-

Christian Rawell spoke for the Recommendation

DECISION: 11 August 2022

MOTION

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

That the Council requests the Chief Executive Officer to:

- 1. immediately investigate operational issues at the Launceston Skate Park at Royal Park, such as drainage and initiate immediate works to address any identified problems.**
- 2. within three months, advise the renewal planning timeline for this important facility, to ensure the recreational needs and expectations of our community are continued through replacement.**
- 3. investigate and report in 2022/2023 the upgrade options to this loved facility, including necessary budget costings.**

CARRIED 10:0

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

AGAINST VOTE: Nil

**13.2 Notice of Motion - Suburban Business District's Green Spaces -
Councillor T G Walker**

FILE NO: SF5547

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider a notice of motion submitted by Councillor T G Walker regarding suburban business district's green spaces.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

In support of, and complimentary to, the City of Launceston's recent Memorandum of Understanding with the Launceston Chamber of Commerce regarding the urban greening of the City, that the Council agrees to pursue the following initiatives:

1. provides its in-principle support for the provision of additional green spaces adjacent to and/or within suburban business districts such as (but not limited to) Kings Meadows, Mowbray, St Leonards and Newstead; and
 2. requests the Chief Executive Officer to ensure that current review process for the Greater Launceston Plan includes a framework to promote the opportunity and identify suitable spaces for this provision, either currently held land, or prospective sites that may be available for this purpose; and
 3. following the review of the GLP, that the Council develop an implementation plan which identifies and provides the necessary actions and resourcing to deliver the green spaces. The implementation plan would need to include a community engagement process with, amongst other objectives, the need to determine the extent and scope of infrastructure that would be desirable in these spaces; and
 4. that priority be given to maximising the greening of the area, but that additional facilities such as playgrounds or toilets be considered desirable additions if possible.
-

DECISION: 11 August 2022

MOTION

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

That Council, in support of, and complimentary to, the City of Launceston's recent Memorandum of Understanding with the Launceston Chamber of Commerce regarding the urban greening of the City, provides its in-principle support for the provision of additional green spaces adjacent to and/or within suburban business districts such as (but not limited to) Kings Meadows, Mowbray, St Leonards and Newstead and requests the Chief Executive Officer to investigate the need and options that exist to deliver additional green spaces with a report to be provided back to Council.

CARRIED 10:0

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

14. INFRASTRUCTURE AND ASSETS NETWORK

14.1 Fees and Charges Amendment 2022/2023

FILE NO: SF2968

AUTHOR: Michael Attard (Team Leader Sustainability)

GENERAL MANAGER APPROVAL: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider an amendment to the adopted Fees and Charges 2022/2023 for the CBD Kerbside Service.

STATUTORY REQUIREMENTS:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 21 April 2022 - Agenda Item 14.2 - Fees and Charges 2022/2023

RECOMMENDATION:

That Council, pursuant to section 205 of the *Local Government Act 1993 (Tas)*, approves the proposed amendments to 2022/2023 adopted Fees and Charges under CBD kerbside collection service annual fee to remove the text *No Pro Rata* to now be displayed as:

- (a) CBD Kerbside Annual Fee per Annum (140L waste, 240L recycling) Non Refundable
 - (b) CBD Kerbside Annual Fee per Annum (240L waste, 240L recycling) Non Refundable
-

DECISION: 11 August 2022

MOTION

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

That Council, pursuant to section 205 of the *Local Government Act 1993 (Tas)*, approves the proposed amendments to 2022/2023 adopted Fees and Charges under CBD kerbside collection service annual fee to remove the text *No Pro Rata* to now be displayed as:

- (a) CBD Kerbside Annual Fee per Annum (140L waste, 240L recycling) Non Refundable**
 - (b) CBD Kerbside Annual Fee per Annum (240L waste, 240L recycling) Non Refundable**
-

CARRIED 10:0

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

AGAINST VOTE: Nil

14.2 Northern Tasmania Waste Management Group Council Report

FILE NO: SF6223

AUTHOR: Michael Attard (Team Leader Sustainability)

GENERAL MANAGER APPROVAL: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider a new governance arrangement for the Northern Tasmanian Waste Management Group (NTWVG).

RELEVANT LEGISLATION:

Tasmanian Waste and Resource Recovery Act 2022

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 11 July 2022 - Northern Tasmanian Waste Management Group Governance Workshop

RECOMMENDATION:

That the Council agrees to transition the hosting, administration and secretariat of the Northern Tasmanian Waste Management Group from the City of Launceston to Natural Resources Management North consistent with the approach outlined in the paper entitled, *Northern Tasmanian Waste Management Group Revised Government Model* (ECM Doc Set ID 4758202).

DECISION: 11 August 2022

MOTION

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

That the Council agrees to transition the hosting, administration and secretariat of the Northern Tasmanian Waste Management Group from the City of Launceston to Natural Resources Management North consistent with the approach outlined in the paper entitled, *Northern Tasmanian Waste Management Group Revised Government Model* (ECM Doc Set ID 4758202).

CARRIED 10:0

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

AGAINST VOTE: Nil

14.3 Launceston Flood Authority Report

FILE NO: SF4493

AUTHOR: Debbie Pickett (Personal Assistant - Infrastructure and Assets)

GENERAL MANAGER APPROVAL: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To receive the Launceston Flood Authority Quarterly Report - April to June 2022.

RELEVANT LEGISLATION:

Launceston Flood Authority Rules, April 2020

RECOMMENDATION:

That Council, in accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, receives the Launceston Flood Authority Quarterly Report, April to June 2022 (ECM Doc Set ID 4757890).

DECISION: 11 August 2022

MOTION

Moved Councillor A G Harris, seconded Councillor A E Dawkins.

That Council, in accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, receives the Launceston Flood Authority Quarterly Report, April to June 2022 (ECM Doc Set ID 4757890).

CARRIED 10:0

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

AGAINST VOTE: Nil

15. ORGANISATIONAL SERVICES NETWORK

15.1 Closure of Portion of a Highway - 37 Salisbury Crescent, West Launceston

FILE NO: SF1965

AUTHOR: Robert Bujnowski (Properties and Legal Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider closing a portion of a highway located in the road verge at the front of 37 Salisbury Crescent, West Launceston.

RELEVANT LEGISLATION:

Local Government (Highways) Act 1982 (Tas)
Highways Act 1951 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop – 21 July 2022

RECOMMENDATION:

That Council:

1. forms the opinion that, pursuant to section 14 of the *Local Government (Highways) Act 1982 (Tas)*, a portion of the highway at 37 Salisbury Crescent, West Launceston measuring approximately 30.3m² as shown on the plan below by red hatch should be closed as a highway for the public benefit and because of lack of use.

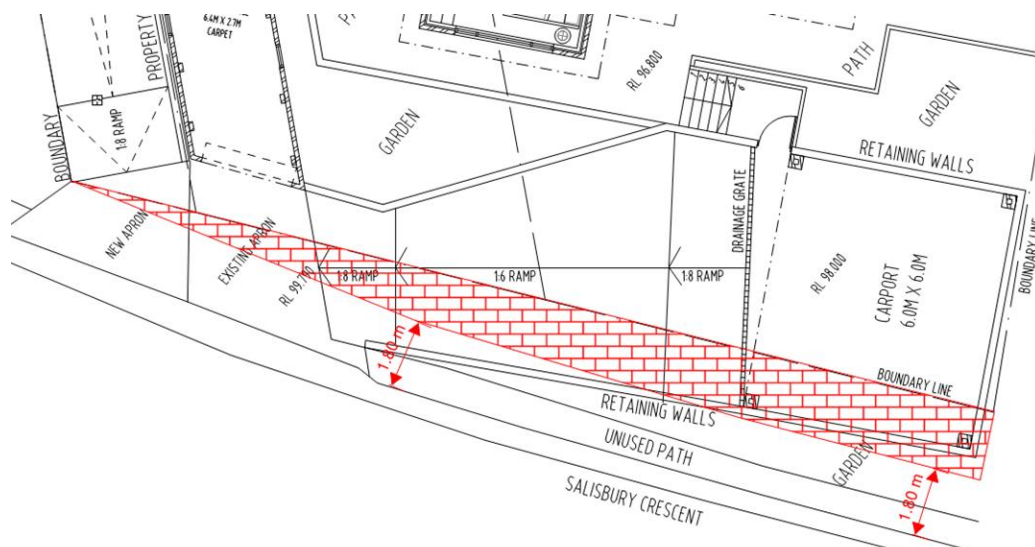


Figure 1 - Plan of Proposed Area of Highway Closure in the Road Verge

- determines that the applicant is to pay the Council's reasonably incurred out-of-pocket expenses associated with the highway closure, including any necessary advertising costs.
- authorises that the Chief Executive Officer do anything necessary to affect the closure of the part of the highway as shown above, including exercising the Council's powers under the *Local Government (Highways) Act 1982* (Tas), and determining the exact dimensions of the relevant part of the highway that is proposed to be closed.
- notes, for the avoidance of doubt, Chief Executive Officer means the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993*.

DECISION: 11 August 2022

MOTION

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

That Council:

- forms the opinion that, pursuant to section 14 of the *Local Government (Highways) Act 1982* (Tas), a portion of the highway at 37 Salisbury Crescent, West Launceston measuring approximately 30.3m² as shown on the plan below by red hatch should be closed as a highway for the public benefit and because of lack of use.

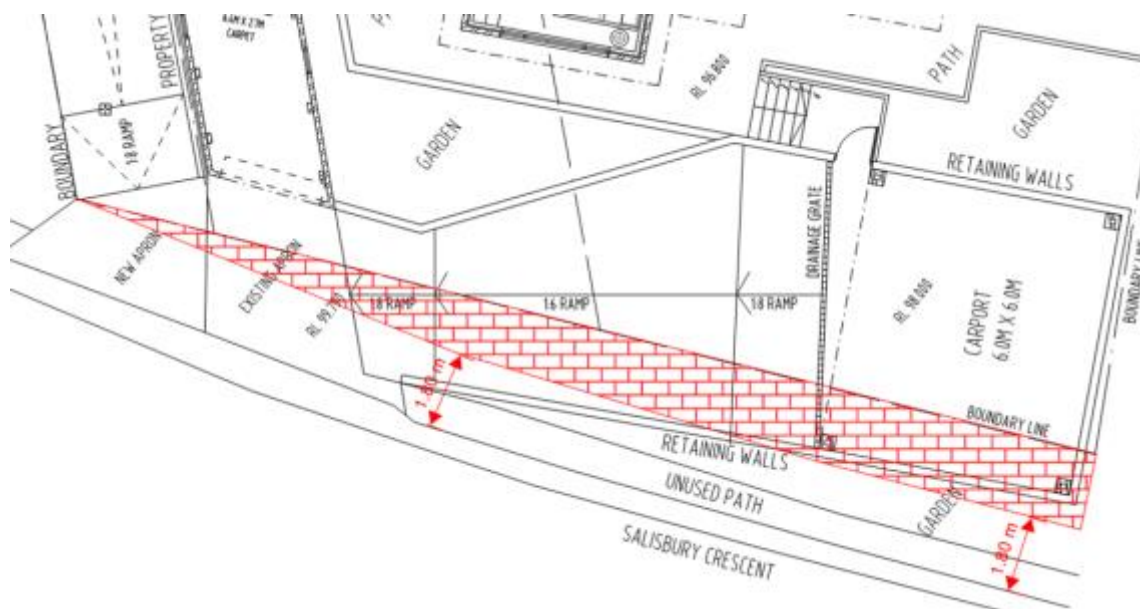


Figure 1 - Plan of Proposed Area of Highway Closure in the Road Verge

- determines that the applicant is to pay the Council's reasonably incurred out-of-pocket expenses associated with the highway closure, including any necessary advertising costs.

3. authorises that the Chief Executive Officer do anything necessary to affect the closure of the part of the highway as shown above, including exercising the Council's powers under the *Local Government (Highways) Act 1982 (Tas)*, and determining the exact dimensions of the relevant part of the highway that is proposed to be closed.
4. notes, for the avoidance of doubt, Chief Executive Officer means the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993*.

CARRIED 10:0

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

AGAINST VOTE: Nil

16. CHIEF EXECUTIVE OFFICER NETWORK

**16.1 Municipal Emergency Management Coordinator and Deputy Municipal
Emergency Management Coordinator Nominations**

FILE NO: SF0031/SF3177

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To obtain Council's endorsement for nominations to the positions of Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator.

RELEVANT LEGISLATION:

The Emergency Management Act 2006 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 7 August 2017 - Agenda Item 21.4 - Deputy Municipal Emergency Management Coordinator

Council - 27 June 2019 - Agenda Item 20.1 - Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator Nominations

Council - 20 August 2020 - Agenda Item 18.2 - Deputy Municipal Emergency Management Coordinator

RECOMMENDATION:

That Council:

1. nominates Shane Eberhardt as the Municipal Emergency Management Coordinator, with his name to be forwarded to the Minister of Police and Emergency Management via the State Controller as per section 23(1) of the *Emergency Management Act 2006*;
2. nominates Louise Foster as Deputy Emergency Management Coordinator with her name to be forwarded to the Minister for Police and Emergency Management via the State Controller as per section 23(1) of the *Emergency Management Act 2006*;
3. recommends the appointment of both roles be for a period of three years as per section 23(4) of the *Emergency Management Act 2006*;
4. recommends the rescindment of the position of Deputy Emergency Management Coordinator for Peter Denholm; and

5. notes the contribution of the former Deputy Municipal Emergency Management Coordinators, Peter Denholm and Leigh Handley and thanks them for their dedicated service.

DECISION: 11 August 2022

MOTION

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

That Council:

1. **nominates Shane Eberhardt as the Municipal Emergency Management Coordinator, with his name to be forwarded to the Minister of Police and Emergency Management via the State Controller as per section 23(1) of the *Emergency Management Act 2006*;**
2. **nominates Louise Foster as Deputy Emergency Management Coordinator with her name to be forwarded to the Minister for Police and Emergency Management via the State Controller as per section 23(1) of the *Emergency Management Act 2006*;**
3. **recommends the appointment of both roles be for a period of three years as per section 23(4) of the *Emergency Management Act 2006*;**
4. **recommends the rescindment of the position of Deputy Emergency Management Coordinator for Peter Denholm; and**
5. **notes the contribution of the former Deputy Municipal Emergency Management Coordinators, Peter Denholm and Leigh Handley and thanks them for their dedicated service.**

CARRIED 10:0

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

AGAINST VOTE: Nil

17. MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 2.42pm.

18. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 25 August 2022 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.