



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING**

**THURSDAY 20 OCTOBER 2022**

**1.00pm**

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

**Date: 20 October 2022**

**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 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](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**

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.

## **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 D C Gibson (Deputy Mayor)**  
**Councillor R I Soward**  
**Councillor D H McKenzie**  
**Councillor K P Stojansek**  
**Councillor A E Dawkins**  
**Councillor N D Daking**  
**Councillor P S Spencer**  
**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)**  
**Richard Jamieson (Manager City Development) (Agenda Items 9.2 and 9.3)**  
**Iain More (Town Planner) (Agenda Item 9.2)**  
**Catherine Mainsbridge (Senior Town Planner) (Agenda Item 9.3)**  
**Simon Tennant (Team Leader Communications)**  
**Kelsey Hartland (Team Leader Governance)**  
**Anthea Rooney (Council and Committees Officer)**

***Apologies:***

**Councillor A M van Zetten (Mayor)**

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

The Deputy Mayor, Councillor D C Gibson, opened the Meeting at 1.00pm and noted an apology from The Mayor Councillor, A M van Zetten.

The Deputy Mayor, Councillor D C Gibson provided an Acknowledgement of Country.

**2. MAYORAL ACKNOWLEDGEMENTS**

The Deputy Mayor, Councillor D C Gibson, acknowledged the contributions of the Council's staff with respect to the recent flooding events.

**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 A E Dawkins declared an interest in Agenda Item 13.1 - Community Grants 2022/2023 Round 1 (RANT Arts)**

**Councillor D H McKenzie declared an interest in Agenda Item 17.3 - Launceston City Heart Project (Motion 2)**



**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 5 October 2022 be confirmed as a true and correct record.

**DECISION: 20 October 2022**

**MOTION**

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

**That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 5 October 2022 be confirmed as a true and correct record.**

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

**5. COUNCIL WORKSHOPS**

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

**No Council Workshops were identified as part of these Minutes**

**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 David Higgins (Chief Executive Officer) - *Crime Stoppers***

***Crime Stoppers*** acts as a conduit between the public and law enforcement agencies in the sharing of information relating to crime and suspicious behaviours. David provided an update on current activities including the upcoming *Shop Safe* program which aims to reduce anti-social behaviour in the CBD and promote a safer environment and experience for shoppers. David noted that over 4,000 community reports are received annually and the public are encouraged to share relevant information.

**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)*

**No Public Questions on Notice were identified as part of these Minutes**

**8.2 Public Questions Without Notice**

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

**8.2.1 Public Questions Without Notice - Brian Khan - Launceston Flood Authority**

- 1. Has the Chief Executive Officer quantified the loss of those industries bounded by Goderich Street and the Tamar River?**

**The Deputy Mayor, Councillor D C Gibson, responded that this question would be Taken on Notice and a response provided in the Council Agenda of 17 November 2022.**

**8.2.2 Public Questions Without Notice - Ross Broomhall - North East Rail Line**

- 1. Are you aware that two-thirds of the sleepers on the railway line are steel sleepers?**
- 2. Are you aware that over 75% of the population of Scottsdale, Dorset and Lilydale want the railway retained?**

**The Deputy Mayor, Councillor D C Gibson, responded by saying that individual Councillors will consider those questions noting that the Development Application advertised in today's Agenda (Agenda Item 9.1) has been withdrawn, however, the Petition regarding the North East Rail Line is still to be considered.**

## 9. PLANNING AUTHORITY

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 DA0377/2022 - 228 Golconda Road, Lilydale - Passive Recreation - Development of a Rail Trail Including Associated Works and Development of a Vehicle Parking Area at Lilydale Falls

**FILE NO:** DA0377/2022

**AUTHOR:** Ashley Brook (Planning Consultant)

**GENERAL MANAGER APPROVAL:** Dan Ryan (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*.

#### **PLANNING APPLICATION INFORMATION:**

Applicant:	Dorset Council
Property:	Part of the North East Corridor, Adjoining Public Roads Crossed and 228 Golconda Road, Lilydale
Zoning:	Open Space, Rural Resource, Utilities
Receipt Date:	27/06/2022
Validity Date:	15/07/2022
Further Information Request:	29/07/2022
Further Information Received:	15/08/2022
Deemed Approval (extension granted):	20/10/2022
Representations:	34

#### **RELEVANT LEGISLATION:**

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

#### **STANDARDS REQUIRING PLANNING DISCRETION:**

28.3.1 Capacity of existing utilities  
E2.6.2 Excavation  
E4.5.1 Existing road accesses and junctions  
E4.6.2 Road accesses and junctions  
E4.6.4 Sight distance at accesses, junctions and level crossings  
E6.5.1 Car parking numbers  
E6.6.3 Pedestrian access  
E7.6.1 Scenic road corridor  
E7.6.2 Scenic management areas

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- E8.6.1 Habitat and vegetation management
- E9.6.1 Development in the vicinity of a watercourses and wetlands
- E9.6.3 Discharges to watercourses and wetlands

**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 DA0377/2022 - Passive Recreation - Development of a Rail Trail including associated works and the development of a vehicle parking area at Lilydale Falls Reserve (228 Golconda Road) including associated works at North East Corridor (former railway) extending across multiple parcels between Lilydale Falls and Wyena, adjoining public roads (multiple) and Lilydale Falls Reserve at 228 Golconda Road, Lilydale, subject to the following conditions:

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Proposal Plans, prepared by Dorset Council, Project Reference: Proposed North East Rail Trail, pages 1, 2 and 3, dated 14 January 2021.
- b. Proposal Plans (with aerial image), prepared by Dorset Council, Project Reference: Proposed North East Rail Trail, pages 1, 2 and 3, dated 14 January 2021.
- c. Proposal Plans, prepared by Dorset Council, Project Reference: Proposed North East Rail - Lilydale Falls Carpark, dated 20 January 2021.
- d. Planning Application Supporting Report, prepared by Dorset Council, dated 24 June 2022.
- e. Site History Review, prepared by pitt&sherry, Project Reference: Rail Trail – Wyena to Lilydale Falls (Area in Close Proximity to 843 Golconda Road, Lebrina), dated 7 June 2022.
- f. Traffic Impact Statement, prepared by Traffic & Civil Services, Project Reference: Proposed Lilydale Falls Carpark Upgrade, 228 Golconda Road, Lilydale, dated 13 April 2022.
- g. Response to Further Information Request (DA0377/2022), prepared by Dorset Council, dated 15 August 2022.
- h. Traffic Safety Assessment, prepared by Dorset Council, Project Reference: Road Crossings (North East Rail Trail), dated September 2022.

**2. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

Prior to the commencement of decommissioning and construction works, a Construction Environmental Management Plan (CEMP) must be submitted, to the satisfaction of Council's Manager City Development, for approval. Once approved by the Manager City Development, the CEMP will be endorsed and will form part of the permit. The CEMP must be prepared by a suitably qualified person and must include the following components:

- a. a Contamination Risk Assessment of all areas near watercourses that:
  - i. is informed by sampling and testing for polycyclic aromatic hydrocarbons (PAH) and arsenic to depths of approximately 200mm, at ten (10) nominally selected locations and each within 50 metres of a watercourse or wetland, to better characterise the risk of cinders and ash being present in the soils within materials that are to be disturbed or crushed; and

- ii. recommends best practice construction management measures to minimise dust, soil and other rail infrastructure materials from becoming airborne and from otherwise exiting the path formation of the Rail Trail by erosion and stormwater according to the determined risk. Best practice construction management measures may include, but are not be limited to, the following:
  - a. limiting vehicle movements and subsequent disturbance to only the areas necessary to the work, such as the rail line itself and the staging areas;
  - b. installation of temporary silt fencing at places where surface drainage leaves the rail corridor from areas of disturbance. Silt fencing may also include a shallow pond to provide for the collection of silt intercepted by the fencing. Where temporary silt ponds and silt fencing are recommended, they are to be located at the end of the disturbed areas and clear of watercourses or wetlands that may adjoin the rail corridor;
  - c. the provision or maintenance of surface drainage to collect and manage stormwater flows within the site;
  - d. the designing of surface drainage to contain flows likely to be concentrated into the drain and to minimise flow velocities to limit the transport of silts;
  - e. the removal of any excavated silt to suitable place(s) of disposal;
  - f. the reinstatement of disturbed surfaces by the provision of mulching, topsoil or reseeded, where recommended; and
  - g. where reinstatement is required in accordance with f., the inspection and maintenance of the reinstated surfaces, silt ponds and silt fences until such time as the recommended management measures has been established. This may involve the clearing of accumulated silt at the fences and the repair of damaged surfaces. A typical maintenance period is a minimum of six (6) months duration or an extended period that includes a complete winter; and
- b. a Site Management Plan, consistent with the findings and recommendations of the Contamination Risk Assessment, that details how soil and water is to be managed on the site during the construction process to minimise dust, soil and other rail infrastructure materials from becoming airborne and from otherwise exiting the path formation of the Rail Trail via erosion and stormwater according to the determined risk.

The CEMP must be implemented and maintained during construction works by the responsible person, to the satisfaction Council's Manager City Development.

### **3. HOURS OF CONSTRUCTION**

Construction works must only be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or Public Holidays.

### **4. CONSTRUCTION NOISE MANAGEMENT PLAN**

Prior to the commencement of decommissioning and construction works, a construction noise management plan must be submitted to the satisfaction of the Manager Health and Compliance. The report must address the following:

- a. Identification of sensitive land uses which may be impacted by construction noise. Sensitive use includes a residential use or a use involving the presence of people for extended periods such as a caravan park, childcare centre or school. It also includes other uses such as temporary accommodation and hospitality venues.
- b. The proposed duration and period when decommissioning and construction works will be scheduled;

- c. The likely noise impacts from the various decommissioning and construction processes and equipment on identified sensitive uses;
- d. Strategies to mitigate decommissioning and construction noise on identified sensitive uses; and
- e. Any community notification or engagement about the proposed decommissioning and construction noise.

## **5. 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 General Manager Infrastructure and Assets Network 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.

## **6. 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 and maintained for the life of the development.

## **7. SOIL AND WATER MANAGEMENT PLAN**

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



## 8. SUBMISSION AND APPROVAL OF PLANS

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

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

## 9. CONSTRUCTION OF WORKS

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

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

- a. Car parking construction at Lilydale Falls Reserve
  - i. Construction of a fully sealed and drained parking area for 12 cars and 1 bus parking bay
  - ii. Provision of a 2 metre wide compacted gravel path from the car parking area to the Tail Rail
  - iii. Provision of all necessary linemarking, signage and barriers to prevent unauthorised vehicle access to areas other than the car park.
- b. Bacala Road Crossing treatment consisting of the following in line with the recommendations of the Traffic Safety Assessment, prepared by Dorset Council, Project Reference: Road Crossings (North East Rail Trail), dated September 2022:
  - i. Bollard treatment (3 bollards - one central and two side, with a maximum 1.6 metre separation between each - each setback 5 metres from the existing road seal edge) in accordance with Austroads GRD06A (2021) standards;
  - ii. Provision of W6-8B and R1-2AA signs on Rail Trail approaches to the Corridor crossing location at Bacala Road; and
  - iii. Provision of W6-7B and W8-23B warning signs on each Bacala Road approach to the Corridor crossing location, positioned 120 metres prior to the crossing point.
- c. Golconda Road (adjacent to 843 Golconda Road, Lebrina) Crossing treatment consisting of the following in line with the recommendations of the Traffic Safety Assessment, prepared by Dorset Council, Project Reference: Road Crossings (North East Rail Trail), dated September 2022:
  - i. Staggered fence treatment, in accordance with Austroads GRD06A (2021) standards, and each setback up to 7.5 metres from the existing road seal edge of Golconda Road to account for clear zone requirements for the operating speed and traffic volumes;

- ii. Provision of W6-8B and R1-2AA signs on Rail Trail approaches to the Corridor crossing location at Golconda Road; and
- iii. Provision of W6-7B and W8-23B warning signs on each Golconda Road approach to the Corridor crossing location, positioned 120 metres prior to the crossing point.
- d. Golconda Road (near Kempeners Road, Lilydale) Crossing treatment consisting of the following in line with the recommendations of the Traffic Safety Assessment, prepared by Dorset Council, Project Reference: Road Crossings (North East Rail Trail), dated September 2022:
  - i. Staggered fence treatment, in accordance with Austroads GRD06A (2021) standards, and each setback up to 7.5 metres from the existing road seal edge of Golconda Road to account for clear zone requirements for the operating speed and traffic volumes;
  - ii. Provision of W6-8B and R1-2AA signs on Rail Trail approaches to the Corridor crossing location at Golconda Road; and
  - iii. Provision of W6-7B and W8-23B warning signs on each Golconda Road approach to the Corridor crossing location, positioned 120 metres prior to the crossing point.
- e. Stormwater discharges to water courses:
  - i. Any design and construction of any stormwater discharge into watercourses resulting from the works are to be consistent with the requirements and findings of the CEMP so as to minimise the loss of biological values to watercourses caused by the discharge of stormwater.

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

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

## 10. CONSTRUCTION DOCUMENTATION

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

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

### **11. COMPLETION OF WORKS**

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

### **12. AS CONSTRUCTED PLANS**

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

### **13. CHAINSAW OPERATION AUTHORISATION**

The use of a chainsaw is permitted to remove vegetation within the Lilydale Falls Reserve carpark footprint between the hours of Monday to Friday 9am to 6pm.

### **14. REMOVAL OF FELLED VEGETATION AND DEBRIS**

All felled vegetation and debris shall be removed from the site within four weeks of felling.

### **15. ONSITE WASTE WATER MANAGEMENT SYSTEM**

Stormwater runoff from the carpark development at Lilydale Falls Reserve must be directed away from the land application area of the onsite waste water management system.

### **16. EXTERIOR AND SECURITY LIGHTING**

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

### **17. 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), salvaged, reclaimed or recycled. Sleepers may be retained on-site within the corridor, neatly stacked and positioned at least 50 metres from watercourses.

### **18. LITTER MANAGEMENT**

Measures must be implemented to control litter on the land and to prevent the escape of litter from the land.

### **Notes**

#### **A. General**

*This permit was issued based on the proposal documents submitted for DA0377/2022. You should contact Council with any other use or developments, as they may require the separate approval of Council. 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 (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.*

**B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the 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) <<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 Council's Notice to Waive Right of Appeal is attached.*

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**This Agenda Item was withdrawn prior to the Meeting in order that the Dorset Council undergo an engagement process with the local Lilydale Community.**

**9.2 DA0487/2022 - 269 Wellington Street, South Launceston - Bulky Goods Sales - Demolition of Existing Workshop and Construction of a New Showroom, Replacement of Signage and Change of Use of 269 Wellington Street from Residential to Bulky Goods Sales**

**FILE NO:** DA0487/2022

**AUTHOR:** Iain More (Town Planner)

**GENERAL MANAGER APPROVAL:** Dan Ryan (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*.

**PLANNING APPLICATION INFORMATION:**

Applicant:	Artas Architects
Property:	269 Wellington Street, South Launceston
Zoning:	Commercial
Receipt Date:	8/08/2022
Validity Date:	31/08/2022
Further Information Request:	16/08/2022
Further Information Received:	31/08/2022
Deemed Approval (extension granted):	20/10/2022
Representations:	Five

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

DA0017/2022 - Business and Professional Services - Demolition of existing buildings - Permitted Application - Approved under delegation 31/01/2022 (269 Wellington Street)  
DA0711/2018 - Bulky good sales - Alterations to existing car showroom, service centre and detailing area and install new signs - Discretionary Application - Approved under delegation 21/01/2019 (271 Wellington Street).

**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 DA0487/2022 - Bulky Goods Sales - Demolition of existing workshop and construction of a new showroom and replacement of signage; and change of use of 269 Wellington Street from Residential to Bulky Goods Sales at 269 Wellington 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. Site Plan, prepared by ARTAS Architects, Drawing no. A00-A05, Revision Sk04, dated 18/08/2022;
- b. Ground Floor Plan, prepared by ARTAS Architects, Drawing no. A00-A04, Revision Sk05, dated 18/08/2022; and
- c. West Elevation, prepared by ARTAS Architects, Drawing no. A20-A04, Revision Sk03, dated 05/08/2022.

## **2. BLADE SIGN AND LIGHT POLE ILLUMINATION**

Both the light from the light pole, and the illumination from the blade sign must be baffled to prevent direction lighting from extending to adjoining properties.

## **3. COMMERCIAL VEHICLE MOVEMENTS**

Commercial vehicle movements and the unloading and loading of commercial vehicles for a use must be within the hours of 7.00am to 9.00pm Monday to Saturday 8.00am to 9.00pm Sunday and public holidays.

## **4. LEGAL TITLE**

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

## **5. EXTERIOR AND SECURITY LIGHTING**

Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.

## **6. HOURS OF CONSTRUCTION**

Construction works must only be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or Public Holidays.

## **7. SIGNAGE CONTENT**

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

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

## **8. SIGN MAINTENANCE**

The sign(s) must be constructed and maintained in good condition to the satisfaction of the Council.

## **9. SITE ACCESS**

Vehicular access to the site will only be permitted via the existing driveway crossover accesses located on Wellington Street and West Street. Vehicles are not permitted to access the site from the pedestrian walkway between Wellington Street and West Street. Barriers to prevent such access are to be installed prior to the commencement of the use.

## **10. DRIVEWAY AND PARKING AREA CONSTRUCTION**

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

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

Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

## **11. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with the repair of damage to Council 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 Council 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.

## **12. 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 General Manager Infrastructure and Assets Network 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.

## **13. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

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

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

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

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

All new works must be constructed to Council 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). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense. Where the driveway crossing works result in changes to existing parking restrictions (bay markings, linemarking and/or signage) these works must be undertaken by Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

#### **15. 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.

#### **16. CAPPING OF SERVICES**

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

#### **Notes**

##### **A. General**

*This permit was issued based on the proposal documents submitted for DA0487/2022. You should contact Council with any other use or developments, as they may require the separate approval of Council. 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 (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.*

**B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the 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) <<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 Council's Notice to Waive Right of Appeal is attached.*

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**Liam Nicholson (on behalf of Byron and Jenny) spoke against the Recommendation**  
**Chris Cox (on behalf of Sally Cannon) spoke against the Recommendation**  
**Tim Grigg spoke against the Recommendation**  
**Fay Gervasoni spoke against the Recommendation**

**DECISION: 20 October 2022**

**MOTION**

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

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 DA0487/2022 - Bulky Goods Sales - Demolition of existing workshop and construction of a new showroom and replacement of signage; and change of use of 269 Wellington Street from Residential to Bulky Goods Sales at 269 Wellington 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. Site Plan, prepared by ARTAS Architects, Drawing no. A00-A05, Revision Sk04, dated 18/08/2022;
- b. Ground Floor Plan, prepared by ARTAS Architects, Drawing no. A00-A04, Revision Sk05, dated 18/08/2022; and
- c. West Elevation, prepared by ARTAS Architects, Drawing no. A20-A04, Revision Sk03, dated 05/08/2022.

**2. BLADE SIGN AND LIGHT POLE ILLUMINATION**

Both the light from the light pole, and the illumination from the blade sign must be baffled to prevent direction lighting from extending to adjoining properties.

**3. COMMERCIAL VEHICLE MOVEMENTS**

Commercial vehicle movements and the unloading and loading of commercial vehicles for a use must be within the hours of 7.00am to 9.00pm Monday to Saturday 8.00am to 9.00pm Sunday and public holidays.

**4. LEGAL TITLE**

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

**5. EXTERIOR AND SECURITY LIGHTING**

Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.

**6. HOURS OF CONSTRUCTION**

Construction works must only be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or Public Holidays.

## **7. SIGNAGE CONTENT**

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

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

## **8. SIGN MAINTENANCE**

The sign(s) must be constructed and maintained in good condition to the satisfaction of the Council.

## **9. SITE ACCESS**

Vehicular access to the site will only be permitted via the existing driveway crossover accesses located on Wellington Street and West Street. Vehicles are not permitted to access the site from the pedestrian walkway between Wellington Street and West Street. Barriers to prevent such access are to be installed prior to the commencement of the use.

## **10. DRIVEWAY AND PARKING AREA CONSTRUCTION**

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

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

Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

## **11. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with the repair of damage to Council 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 Council 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.

## **12. 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 General Manager Infrastructure and Assets Network 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.

### **13. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

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

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

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

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

All new works must be constructed to Council 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). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense. Where the driveway crossing works result in changes to existing parking restrictions (bay markings, linemarking and/or signage) these works must be undertaken by Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

#### **15. 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.

#### **16. CAPPING OF SERVICES**

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

#### **Notes**

##### **A. General**

*This permit was issued based on the proposal documents submitted for DA0487/2022. You should contact Council with any other use or developments, as they may require the separate approval of Council. 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 (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.*

##### **B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the 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) <<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 Council's Notice to Waive Right of Appeal is attached.*

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

**9.3 DA0494/2022 - 14 Audrey Avenue, St Leonards - Residential - Construction of an Outbuilding**

**FILE NO:** DA0494/2022

**AUTHOR:** Catherine Mainsbridge (Senior Town Planner)

**GENERAL MANAGER APPROVAL:** Dan Ryan (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*.

**PLANNING APPLICATION INFORMATION:**

Applicant:	Jason Mark Carr, Leah Jane Carr
Property:	14 Audrey Avenue, St Leonards
Zoning:	Low Density Residential
Receipt Date:	11/08/2022
Validity Date:	13/09/2022
Further Information Request:	18/08/2022
Further Information Received:	13/09/2022
Deemed Approval:	25/10/2022
Representations:	Three

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

DA0163/2008 - Subdivision - Subdivide land to create 15 lots plus public open space and road (Part Class 5 Land Stability Area) - under delegation

**STANDARDS REQUIRING PLANNING DISCRETION:**

10.4.3 Setbacks

**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 DA0494/2022 Residential - Construction of an outbuilding at 14 Audrey Avenue, St Leonards, subject to the following conditions:

## **1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Site Plan, Prepared by Steve Jordan Drafting, Drawing No. SJD 22/39-01, Scale 1:250, Dated June 2022.
- b. Foundation Plan, Prepared by Skyline Roofing Pty Ltd, Job No SKSG33461. Sheet 1 of 8, Dated 10/8/2022.
- c. Elevations, Prepared by Skyline Roofing Pty Ltd, Job No SKSG33461. Sheet 7 of 8, Dated 10/8/2022.

## **2. LEGAL TITLE**

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

## **3. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

## **4. OUTBUILDINGS**

The use of outbuildings is not permitted for human habitation and is limited to residential storage and related residential activities only.

## **5. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with the repair of damage to Council 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 Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

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

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

The explicit permission of General Manager Infrastructure and Assets Network 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.

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## 7. SOIL AND WATER MANAGEMENT PLAN

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

## 8. 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.

## 9. 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 DA0494/2022. You should contact Council with any other use or developments, as they may require the separate approval of Council. 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 (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.*

#### B. Restrictive Covenants

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

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

C. Appeal Provisions

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the 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) <<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 Council's Notice to Waive Right of Appeal is attached.*

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**DECISION: 20 October 2022**

**MOTION**

**Moved Councillor P S Spencer, 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 DA0494/2022 Residential - Construction of an outbuilding at 14 Audrey Avenue, St Leonards, subject to the following conditions:**

**1. ENDORSED PLANS AND DOCUMENTS**

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

- a. Site Plan, Prepared by Steve Jordan Drafting, Drawing No. SJD 22/39-01, Scale 1:250, Dated June 2022.**
- b. Foundation Plan, Prepared by Skyline Roofing Pty Ltd, Job No SKSG33461. Sheet 1 of 8, Dated 10/8/2022.**
- c. Elevations, Prepared by Skyline Roofing Pty Ltd, Job No SKSG33461. Sheet 7 of 8, Dated 10/8/2022.**

**2. LEGAL TITLE**

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

### **3. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

### **4. OUTBUILDINGS**

The use of outbuildings is not permitted for human habitation and is limited to residential storage and related residential activities only.

### **5. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with the repair of damage to Council 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 Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

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

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

The explicit permission of General Manager Infrastructure and Assets Network is required prior to undertaking works where the works:

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

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

### **7. SOIL AND WATER MANAGEMENT PLAN**

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

## 8. 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.

## 9. 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 DA0494/2022. You should contact Council with any other use or developments, as they may require the separate approval of Council. 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 (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.*

#### B. Restrictive Covenants

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

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

**C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the 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) <<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 Council's Notice to Waive Right of Appeal is attached.*

**CARRIED 10:0**

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

**AGAINST VOTE:** Nil

The Deputy Mayor, Councillor D C Gibson, announced that Council no longer sits as a Planning Authority.

## 10. ANNOUNCEMENTS BY THE MAYOR

### 10.1 Mayor's Announcements

FILE NO: SF2375

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#### Sunday 9 October 2022

- Officiated at the *Nepalese Cultural Parade* in Civic Square
- Officiated at the *Annual Probus District Church Service* at the Salvation Army Citadel

#### Tuesday 11 October 2022

- Officiated at the *Launceston Competitions AGM* in East Launceston

#### Wednesday 12 October 2022

- Hosted a Civic Function for *Order of Australia* recipients
- Attended the *North 2022 Opening* at Dare Darlin

#### Friday 14 October 2022

- Attended the *Tamar Valley Writers Festival Official Gala Opening* at Peppers Silo Hotel
- Attended the *Cape Hope Foundation Charity Cocktail Party*

#### Sunday 16 October 2022

- Attended the *Vice-Chancellors Rowing Challenge* at Riverbend Park
- Officiated at the *5k and 10k run4reef race presentations* in Civic Square

#### Monday 17 October 2022

- Officiated at the *Special Olympics Australia National Games - Lighting of the Cauldron* in Civic Square
- Hosted a Civic Function to welcome the *Special Olympics Australia National Games* to Launceston
- Officiated at the *Special Olympics Australia National Games Opening Ceremony* at the Silverdome

#### Tuesday 18 October 2022

- Officiated at the *Seniors' Morning Tea* at the Migrant Resource Centre, Northern Suburbs

#### Wednesday 19 October 2022

- Officiated at the *Seniors' Morning Tea* at the Starting Point Neighbourhood House
- Attended *Opening Night of Garden on the Moon* by *Mudlark Theatre* at the Earl Art Centre

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**The Deputy Mayor, Councillor D C Gibson, noted that due to unfavourable weather conditions, the Mayor did not attend the 5k and 10k run4reef race presentations in Civic Square on 16 October 2022**

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## 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

- Noted that this week is *Seniors' Week* and a host of events, organised by the Council's staff, have been held throughout the municipality
- Noted that the *Special Olympics* are being hosted in Launceston this week with over 100 participants and supporters in attendance
- Highlighted that second annual *North Festival*, hosted by Launceston City Marketing, is underway in Launceston

### 11.2 Councillor D H McKenzie

- Attended the *Order of Australia Association's* reception at Town Hall
- Participated in *Theatre North's* Strategic Planning event
- Attended the *Mens' 5km Walk for Men's Table*
- Attended the *Tamar Valley Writer's Festival*
- Attended the *Tasmanian Bicycle User's Group Annual General Meeting*
- Acknowledged the contribution of the Council's staff in the recent flood event
- Thanked and acknowledged those Councillors not seeking re-election

### 11.3 Councillor A G Harris

- Attended a *Get on Line* event at OneCare Retirement Village
- Participated in *Ride to Work*
- Attended the *Tasmanian Bicycle User's Group Annual General Meeting*
- Attended the *Mens' 5km Walk for Men's Table*
- Attended the *Order of Australia Association's* reception at Town Hall
- Attended the *North Wine Walk* event as part of the *North Festival*, hosted by Launceston City Marketing
- Attended the *Tamar Valley Leaders' luncheon* with guest speaker Dr Tony McCall
- Attended the *Mayor's Forum* hosted by the Chamber of Commerce at Boags Brewery
- Thanked and acknowledged those Councillors not seeking re-election

## **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).*

**No Councillors' Questions on Notice were identified as part of these Minutes**

### **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).*

**Councillor N D Daking withdrew from the Meeting at 1.59pm**

**Councillor N D Daking re-attended the Meeting at 2.01pm**

#### **12.2.1 Councillor A G Harris - North Esk Flood Issues**

- 1. What has happened to the river trail between Henry Street and Hobler's Bridge and does it need to be resurfaced?**
- 2. With regard to the two recently constructed foot and cycle bridges across the North Esk River and affected by the recent flood event, were they damaged in any way?**

**The Deputy Mayor, Councillor D C Gibson, noted that these questions would be Taken on Notice and responses provided in the Council Agenda of 17 November 2022.**



### **12.2.2 Councillor T G Walker - Control of Street Lighting**

- 1. Is there any ability for the Council to control street lighting and its effects on housing?**

**The Deputy Mayor, Councillor D C Gibson, noted that this question would be Taken on Notice and a response provided in the Council Agenda of 17 November 2022.**

### 13. COMMUNITY AND PLACE NETWORK

#### 13.1 Community Grants 2022/2023 Round 1

**FILE NO:** SF7405

**AUTHOR:** Stephanie Berns (Grants and Sponsorship Officer)

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

#### **DECISION STATEMENT:**

To consider applications for Community Grants received in Round 1, 2022/2023.

#### **PREVIOUS COUNCIL CONSIDERATION:**

Council - 22 October 2019 - Agenda Item 15.2 - Community Grants (Organisations) Policy Review (05-PI-018)

Council - 22 October 2019 - Agenda Item 15.1 - Community Grants (Individuals/Teams/Groups) Policy Review (05-PI-017)

#### **RECOMMENDATION:**

That Council:

1. approves the following organisations receive the recommended grant amounts:

<b>Organisation</b>	<b>Project/Activity</b>	<b>Score</b>	<b>Requested \$</b>	<b>Recom \$</b>
Starting Point Neighbourhood House	Adventuring On	82%	\$5,000	\$5,000
Launceston Benevolent Society	Food Pantry Project	80%	\$3,400	\$2,550
RANT Arts	Northern Journeys	80%	\$5,000	\$3,750
GroWaverley	GroWaverley Food Co-op	79%	\$5,000	\$3,750
Self Help Workshop Inc	Kitchen Garden Greenhouse	78%	\$5,000	\$3,750
Bravehearts Foundation Limited	Ditto's in a Box - Teachers Resource - Personal Safety Program - Schools and Kinders	77%	\$4,500	\$3,375
Australian Red Cross	In Search of Safety / Pathways to Protection	74%	\$5,000	\$3,750

Organisation	Project/Activity	Score	Requested \$	Recom \$
Community Gardens Australia - Tasmania (Northern Suburbs)	Flavours of Launceston Cookbook	63%	\$5,000	\$3,750
Sawtooth Ari Inc	SAW: Sawtooth Artist Workshops	63%	\$5,000	\$3,750
<b>TOTAL</b>			<b>\$42,900</b>	<b>\$33,425</b>
<b>TOTAL AVAILABLE</b>				<b>\$35,000</b>
<b>BALANCE</b>				<b>\$1,575</b>

2. notes the following Community Grant Organisations application not receive funding by Council of 50% (\$2,100), rather receive funding of \$1,575 as a result of the Round 1 2022/2023 budget allocation being fully committed and this application receiving the lowest assessment score.

Organisation	Project/Activity	Score	Request \$	Recom \$	Amended Recom \$
Rapid Relief Team (RRT) Ltd	2022 Launceston Festive Food Box Project	55%	\$4,200	\$2,100	\$1,575
<b>TOTAL</b>			<b>\$4,200</b>	<b>\$2,100</b>	<b>\$1,575</b>
<b>TOTAL AVAILABLE</b>					<b>\$1,575</b>
<b>BALANCE</b>					<b>\$0</b>

3. notes the following Community Grant Organisation's application will not be funded by Council, as the application received a score less than the recommended level for funding (ie. <50%).

Organisation	Project/Activity	Score	Requested \$	Recommended \$
Launceston Chinese Association Inc.	Saturday - Cultural Activities for Children	45%	\$3,000	\$0
<b>TOTAL</b>			<b>\$3,000</b>	<b>\$0</b>
<b>TOTAL AVAILABLE</b>				<b>\$0</b>
<b>BALANCE</b>				<b>\$0</b>

**Councillor A E Dawkins withdrew from the Meeting at 2.02pm**

**Jurgen Vos spoke for the Recommendation**

**DECISION: 20 October 2022**

**MOTION**

Moved Councillor K P Stojansek, seconded Councillor D H McKenzie.

That Council:

1. approves the following organisations receive the recommended grant amounts:

Organisation	Project/Activity	Score	Requested \$	Recom \$
Starting Point Neighbourhood House	Adventuring On	82%	\$5,000	\$5,000
Launceston Benevolent Society	Food Pantry Project	80%	\$3,400	\$2,550
RANT Arts	Northern Journeys	80%	\$5,000	\$3,750
GroWaverley	GroWaverley Food Co-op	79%	\$5,000	\$3,750
Self Help Workshop Inc	Kitchen Garden Greenhouse	78%	\$5,000	\$3,750
Bravehearts Foundation Limited	Ditto's in a Box - Teachers Resource - Personal Safety Program - Schools and Kinders	77%	\$4,500	\$3,375
Australian Red Cross	In Search of Safety / Pathways to Protection	74%	\$5,000	\$3,750
Community Gardens Australia - Tasmania (Northern Suburbs)	Flavours of Launceston Cookbook	63%	\$5,000	\$3,750
Sawtooth Ari Inc	SAW: Sawtooth Artist Workshops	63%	\$5,000	\$3,750
<b>TOTAL</b>			<b>\$42,900</b>	<b>\$33,425</b>
<b>TOTAL AVAILABLE</b>				<b>\$35,000</b>
<b>BALANCE</b>				<b>\$1,575</b>

2. notes the following Community Grant Organisations application not receive funding by Council of 50% (\$2,100), rather receive funding of \$1,575 as a result of the Round 1 2022/2023 budget allocation being fully committed and this application receiving the lowest assessment score.

Organisation	Project/Activity	Score	Request \$	Recom \$	Amended Recom \$
Rapid Relief Team (RRT) Ltd	2022 Launceston Festive Food Box Project	55%	\$4,200	\$2,100	\$1,575
<b>TOTAL</b>			<b>\$4,200</b>	<b>\$2,100</b>	<b>\$1,575</b>
<b>TOTAL AVAILABLE</b>					<b>\$1,575</b>
<b>BALANCE</b>					<b>\$0</b>

3. notes the following Community Grant Organisation's application will not be funded by Council, as the application received a score less than the recommended level for funding (ie. <50%).

Organisation	Project/Activity	Score	Requested \$	Recommended \$
Launceston Chinese Association Inc.	Saturday - Cultural Activities for Children	45%	\$3,000	\$0
<b>TOTAL</b>			<b>\$3,000</b>	<b>\$0</b>
<b>TOTAL AVAILABLE</b>				<b>\$0</b>
<b>BALANCE</b>				<b>\$0</b>

**CARRIED 9:0**

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

Councillor A E Dawkins re-attended the Meeting at 2.10pm

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**13.2 Special Events Sponsorship - 2022/2023 - 2023 Men's and Women's  
Tasmanian Open (Golf)**

**FILE NO:** SF5892

**AUTHOR:** Stephanie Berns (Grants and Sponsorship Officer)

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

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**DECISION STATEMENT:**

To consider Special Event Sponsorship for 2023 Men's and Women's Tasmanian Open (Golf).

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 24 January 2019 - Agenda Item 15.2 - Event Sponsorship Policy Review (05-PI-012)

**RECOMMENDATION:**

That Council notes the following Special Event Sponsorship funding application is not to be supported by Council, as the application received a score less than the recommended level for funding (ie. <50%).

<b>Organisation</b>	<b>Event</b>	<b>Score</b>	<b>\$Request</b>	<b>\$Assess</b>	<b>\$Recom</b>
Golf Australia	2023 Men's and Women's Tasmanian Open (Golf)	46%	\$30,000	\$30,000	\$0
<b>Total</b>			<b>\$30,000</b>	<b>\$30,000</b>	<b>\$0</b>

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**DECISION: 20 October 2022**

**MOTION**

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

**That Council notes the following Special Event Sponsorship funding application is not to be supported by Council, as the application received a score less than the recommended level for funding (ie. <50%).**

<b>Organisation</b>	<b>Event</b>	<b>Score</b>	<b>\$Request</b>	<b>\$Assess</b>	<b>\$Recom</b>
Golf Australia	2023 Men's and Women's Tasmanian Open (Golf)	46%	\$30,000	\$30,000	\$0
<b>Total</b>			<b>\$30,000</b>	<b>\$30,000</b>	<b>\$0</b>

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

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**14. CREATIVE ARTS AND CULTURAL SERVICES NETWORK**

**14.1 QVMAG Activity Report July-September 2022**

**FILE NO:** SF5478

**AUTHOR:** Karina West (Manager Museum Operations)

**GENERAL MANAGER:** Shane Fitzgerald (Creative Arts and Cultural Services Network)

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**DECISION STATEMENT:**

To receive the Queen Victoria Museum and Art Gallery July-September 2022 activity report.

**RECOMMENDATION:**

That Council receives the Queen Victoria Museum and Art Gallery's activity report for the period July-September 2022 (ECM Doc Set ID 4765495) (Attachment 1).

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**Councillor R I Soward withdrew from the Meeting at 2.12pm**

**Councillor R I Soward re-attended the Meeting at 2.13pm**

**DECISION: 20 October 2022**

**MOTION**

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

**That Council receives the Queen Victoria Museum and Art Gallery's activity report for the period July-September 2022 (ECM Doc Set ID 4765495) (Attachment 1).**

**CARRIED 10:0**

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

**AGAINST VOTE:** Nil



## 15. INFRASTRUCTURE AND ASSETS NETWORK

### 15.1 Action on Petition - North East Rail Line

**FILE NO:** SF0097/SF0619

**AUTHOR:** Leanne Purchase (Manager Governance)

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

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#### **DECISION STATEMENT:**

To consider action on petitions received by the Council in respect of the North East Rail Line.

#### **RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

#### **PREVIOUS COUNCIL CONSIDERATION:**

Council - 5 October 2022 - Agenda Item 10.1 - Petition - Paul Cabalzar, Wayne Venn and Dianne Venn - North East Rail Line

#### **RECOMMENDATION:**

That Council asks the Chief Executive Officer to write to Dorset Council, requesting that Dorset Council undertake community consultation directly with the Lilydale community to establish community sentiment in relation to construction of the Rail Trail and associated works at the Lilydale Falls Reserve, such sentiment to be used to inform the City of Launceston's position on consent to commence the work.

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**Wendy McLennan spoke for the Recommendation**

**Elizabeth Cute spoke for the Recommendation**

**Paul Cabalzar spoke for the Recommendation**

**DECISION: 20 October 2022**

**MOTION**

**Moved Councillor T G Walker, seconded Councillor R I Soward.**

**That Council asks the Chief Executive Officer to write to Dorset Council, requesting that Dorset Council undertake community consultation directly with the Lilydale community to establish community sentiment in relation to construction of the Rail Trail and associated works at the Lilydale Falls Reserve, such sentiment to be used to inform the City of Launceston's position on consent to commence the work.**

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

**16. CHIEF EXECUTIVE OFFICER NETWORK**

**16.1 Draft Aboriginal Partnership Plan**

**FILE NO:** SF5555

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**DECISION STATEMENT:**

To determine if the City of Launceston Draft Aboriginal Partnership Plan is suitable to undergo a community engagement process.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 26 May 2022 - Draft Aboriginal Partnership Plan: Community Engagement Strategy

**RECOMMENDATION:**

That Council:

1. agrees that the Draft Aboriginal Partnership Plan (ECM Doc Set ID No 4798133) (Attachment 1) is suitable to undergo a community engagement process; and
2. requests that the Chief Executive Officer conduct a suitable community engagement process and submit the final draft of the Aboriginal Partnership Plan to a future Council Meeting to consider its endorsement.

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**The Deputy Mayor, Councillor D C Gibson, handed the Chair to Councillor R I Soward at 2.38pm**  
**The Deputy Mayor, Councillor D C Gibson, resumed the Chair at 2.40pm**

**DECISION: 20 October 2022**

**MOTION**

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

**That Council:**

- 1. agrees that the Draft Aboriginal Partnership Plan (ECM Doc Set ID No 4798133) (Attachment 1) is suitable to undergo a community engagement process; and**
- 2. requests that the Chief Executive Officer conduct a suitable community engagement process and submit the final draft of the Aboriginal Partnership Plan to a future Council Meeting to consider its endorsement.**

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

**DECISION: 20 October 2022**

**MOTION 1**

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

**That Council suspend Standing Orders to make presentations to Councillors not seeking re-election - Councillors A M van Zetten, Councillor R I Soward, Councillor J G Cox, Councillor K P Stojansek and Councillor N D Daking.**

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

**Standing Orders were suspended at 2.44pm**

**DECISION: 20 October 2022**

**MOTION 2**

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

**That Council resumes Standing Orders.**

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

**Council resumed Standing Orders at 3.00pm**

**17. CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

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

**17.1 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.

**17.2 Corporate Applications Replacement Program (Enterprise Resource Planning)**

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

- (d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

**17.3 Launceston City Heart Project**

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

- (d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.
- (f) proposals for the council to acquire land or an interest in land or for the disposal of land.
- (i) matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council.

**DECISION: 20 October 2022**

**MOTION**

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

**That Council moves into Closed Session and notes that Allan Titterton (Consultant SEMZ) will be in attendance for Agenda Item 17.3 - Launceston City Heart Project.**

**CARRIED BY ABSOLUTE MAJORITY 10:0**

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

**AGAINST VOTE: Nil**

**Council moved into Closed Session at 3.00pm**

**Council returned to Open Session at 4.30pm**

17.4 End of Closed Session

**RECOMMENDATION:**

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

Agenda Item	Matter	Brief Description
17.1	<i>Closed Council Minutes - 5 October 2022</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 5 October 2022.</i>
17.2	<i>Corporate Applications Replacement Program (Enterprise Resource Planning)</i>	<i>The Council has selected a tender for the City of Launceston's Local Government Enterprise Resource Planning Solution - CD.004/2022 and will disclose the name of the successful tenderer once all tenderers have been advised of the outcome.</i>
17.3	<i>Launceston City Heart Project</i>	<i>Councillors considered progress options for the Launceston City Heart Project.</i>

**DECISION:** 20 October 2022

**MOTION**

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

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

**CARRIED 10:0**

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

**AGAINST VOTE:** Nil

18. **MEETING CLOSURE**

The Deputy Mayor, Councillor D C Gibson, closed the Meeting at 4.31pm.

19. **NEXT COUNCIL MEETING DATE**

The next Ordinary Meeting of Council will be held at 1.00pm on 17 November 2022 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.