

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 30 JUNE 2022
1.00pm**

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

Date: 30 June 2022

Time: 1.00pm

Certificate of Qualified Advice

Background

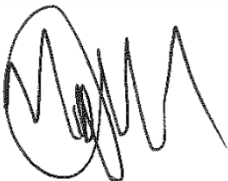
To comply with section 65 of the *Local Government Act 1993* (Tas):

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

Certification

I certify that:

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



**Michael Stretton
Chief Executive Officer**

AUDIO of COUNCIL MEETINGS

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

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

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

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

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

PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

Present:

Councillor A M van Zetten (Mayor)
Councillor D C Gibson (Deputy Mayor)
Councillor R I Soward
Councillor D H McKenzie
Councillor J G Cox
Councillor K P Stojansek
Councillor A E Dawkins
Councillor P S Spencer
Councillor A G Harris
Councillor T G Walker
Councillor K M Preece

In Attendance:

Michael Stretton (Chief Executive Officer)
Shane Eberhardt (General Manager Infrastructure and Assets Network)
Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)
Paul Gimpl (Chief Financial Officer)
Richard Jamieson (Manager City Development) (Agenda Items 9.1, 9.2 and 9.3)
Duncan Payton (Town Planner) (Agenda Item 9.1)
Anushka Gardiye (Town Planner) (Agenda Item 9.2)
Dileep Karna (Graduate Town Planner) (Agenda Item 9.3)
Leanne Purchase (Manager Governance)
Anthea Rooney (Council and Committees Officer)

Apologies:

Councillor N D Daking

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

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

Aboriginal elder, Aunty Sharon Holbrook, provided a Welcome to Country in recognition of NAIDOC Week.

The Mayor, Councillor A M van Zetten, provided an Acknowledgement of Country: In the spirit of reconciliation, we the citizens of Launceston, recognise that Launceston is situated on country of which the Tasmanian Aboriginal people have been owners for over 35,000 years and on which they have performed age-old ceremonies of celebration, initiation and renewal. We acknowledge the Aboriginal Community of today, their living culture and unique role in the life of this region and offer our deep appreciation of their ongoing contribution to the community.

2. MAYORAL ACKNOWLEDGEMENTS

For the third year in a row, the Launceston City Council has received the *Mobile Muster* Recycling Award award for the recycling of the most mobile telephones in Tasmanian Council areas up until April 2022.

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).

No Declarations of Interest were identified as part of these Minutes

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 16 June 2022 be confirmed as a true and correct record.

DECISION: 30 June 2022

MOTION

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

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 16 June 2022 be confirmed as a true and correct record.

CARRIED 11:0

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

5. COUNCIL WORKSHOPS

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

5.1 Council Workshop Report - 23 June 2022

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

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

Workshops conducted on 23 June 2022:

Commissioner for Children and Young People

Councillors received a presentation from the Commissioner for Children and Young People.

Regional Collaboration - Northern Tasmania Development Corporation

Councillors considered and discussed the outcomes of the Northern Tasmania Development Corporation's Board Review and regional collaboration options.

Asset Management Plans

Councillors discussed asset management plans.

Queen Victoria Museum and Art Gallery Futures Plan

Councillors discussed the Draft Queen Victoria Museum and Art Gallery Futures Plan.

Queen Victoria Museum and Art Gallery Interim Branding

Councillors discussed proposed changes to the Queen Victoria Museum and Art Gallery interim brand.

Launceston Suicide Prevention Trial

Councillors discussed the outcomes of the Launceston Suicide Prevention Trial.

DECISION: 30 June 2022

MOTION

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

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

Workshops conducted on 23 June 2022:

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Councillors discussed proposed changes to the Queen Victoria Museum and Art Gallery interim brand.

Launceston Suicide Prevention Trial

Councillors discussed the outcomes of the Launceston Suicide Prevention Trial.

CARRIED 11:0

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

AGAINST VOTE: Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

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

Councillors' Leave of Absence Applications will be considered in Closed Council at Agenda Items 18.1 and 18.2 - Councillors' Leave of Absence.

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 Community Report - Andrew Jones (Project Manager) - National Joblink

Andrew provided Council with information on the area of youth with an interest in online games who are often marginalised due to the assumption that such activities are not relevant to finding a job. Recently conducted *GamesFest - Digital Work is Real*, funded by the Department of Education, was a 13-week innovative local jobs program that challenged this view by providing an opportunity for participants to use their online games transferable skills as a potential pathway to employment through training and job seeking skills.

8. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

8.1.1 Public Questions on Notice - Ray Norman - Birchalls Aquisition and Paterson Street Car Park

FILE NO: SF6381

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to the Council in writing on 8 June 2022 by Ray Norman, have been answered by Michael Stretton (Chief Executive Officer).

Questions:

1. In reference to the Council's acquisition of the Birchalls building and the attempted purchase of the Paterson Street Central Car Park:
 - a. how did the proposal to acquire the Birchalls Building and the carpark come about and upon whose initiative and under what imagined social licence?
 - b. taking all associated expenditures into account, how much has the Council invested in the building to date?
 - c. taking all associated expenditures into account how much has been invested thus far in the overall proposal to acquire and redevelop the Paterson Street Central Car Park?
 - d. of the total expenditure committed to the Paterson Street Central Car Park project, how much of that sum is attributable to legal expenses?
 - e. given the ongoing litigation relative to the acquisition of the Paterson Street Central Car park site, how much does the Council anticipate expending on legal expenses?
 - f. on what grounds can the Council defend it actions of exposing a property owner and an investor in the City's infrastructure to the extraordinary expenditure that it has?
 - g. in the event of the pending appeal before the Supreme Court failing, what will the total cost of the overall project be and will that ultimately be carried by the municipality's ratepayers?
 - h. should the Council not have purchased the Birchalls Building, how much would its owners have contributed to the Council's budget via rates?

Response:

- a. *The need to identify an alternative location for the Launceston CBD bus stops was created following a Council decision on 21 August 2017 to rescind the proposed redevelopment of St John Street which related to the relocation of the St John Street Bus Stop. Following this decision, the Council undertook an exhaustive investigation to identify all viable options to relocate the bus stops within the Launceston CBD. This process identified the Paterson Street Central Car Park site as the preferred location for a bus interchange to be established to service the Launceston CBD. A copy of the Launceston Central Bus Interchange Options Technical Feasibility Assessment is available at [Launceston-Central-Bus-Interchange-Options-technical-feasibility-assessment-December-2017.pdf](#). The Council has made a decision to progress with the relocation of the bus stops from St John Street to the Paterson Street site and also to acquire the former Birchalls building to provide connectivity to this site and to assist in the revitalisation of the Brisbane Street Mall. It has been necessary for these decisions to be made in closed Council owing to commercial in confidence consideration. As soon as these commercial in confidence matters are resolved, it is proposed that there will be a community engagement process in respect to both the proposed bus interchange and the proposed future use of the Birchalls building.*
 - b. *It is assumed that this question relates to the Birchalls building only. Aside from the cost to purchase the building (which has been previously reported at \$8.4m), the Council, over the last two years, has spent \$18,388 on security, \$14,978 on utilities (majority TasWater charges) and \$29,691 for various building maintenance works to maintain the building.*
 - c. *This question was answered at the Council Meeting on 2 June 2022. Please refer to [Council-Agenda-2-June-2022.pdf](#).*
 - d. *This question was answered at the Council Meeting on 2 June 2022. Please refer to [Council-Agenda-2-June-2022.pdf](#).*
 - e. *It is estimated that the Council's legal expenses for this matter will be approximately \$5,000 more than was reported at the Council Meeting on 2 June 2022.*
 - f. *The Council has not acted in any way to expose any individual to extraordinary expenditure. Given the current legal action, the Council is not at liberty to expand further on this response.*
 - g. *It is not appropriate to speculate on this matter at this time.*
 - h. *The Birchalls building was acquired by the Council partially because it was clear that there was limited commercial ability for the private sector to re-develop the building. It was listed for sale and may have remained so for some time, without intervention by the Council. Were the Council not to have acquired the building, the rates which would have been payable for the 2020/2021 and 2021/2022 financial years would have been \$96,335.*
-

8.1.2 Public Questions on Notice - Paul Mallett - Road Safety Centre

FILE NO: SF6381

AUTHOR: Shane Eberhardt (General Manager Infrastructure and Assets)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to the Council in writing on 22 June 2022 by Paul Mallett, have been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Can the Council provide additional detail on the progress of the [Road Safety Centre] redevelopment - specifically is the project still being affected by contractor and/or materials delays?

Response:

Works are progressing on site, however we have prioritised other works for the contractor. The current progress includes demolition of internal infrastructure, substantial completion of a new car park, installation of a new retaining wall, bathroom facilities and completion of drainage works.

2. Can the Council provide detail on the cost of the redevelopment - specifically has the cost of redevelopment exceeded the original budget/forecast cost?

Response:

The Road Safety Centre project has a total budget of \$2.5m. The project is forecast to be delivered within this budget allocation.

3. When will the redevelopment be re-opened?

Response:

It is the Council's intention to have the Road Safety Centre re-opened by June 2023.

8.2. Public Questions Without Notice

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

8.2.1 Public Questions Without Notice - Laura Stagoll - YMCA Building Proposal

1. Based on the supplied feasibility report, funded by the Federal and State Governments, does the Launceston City Council consider the number of veterans and first responders, including nurses, identified in the Launceston region as being significant enough to seriously consider *Stand-To Fitness*' proposal as appropriate use of the former YMCA building?
2. Do you appreciate that *Stand-To Fitness* has specialised mental health professionals on standby awaiting a building to operate from and does not require rate payer funds?
3. Do you require further information on our proposal, in order to shortlist *Stand-To Fitness* for serious consideration?

Shane Eberhardt (General Manager Infrastructure and Assets Network) noted that the *Stand-To-Fitness*' proposal had been received. Currently the building is being used by community groups for basketball and netball and the Benevolent Society will begin operating some weekday services in the near future. These are temporary uses whilst appropriate long term uses are being investigated. Following those investigations it is likely that a public Expression of Interest Process will be undertaken for management of the site.

8.2.2 Public Questions Without Notice - Jacqueline Foley - Homeless at Seaport

- 1. With reference to the Seaport area and the large homeless community who have taken up residence in there, what are the plans for this? Will the population of tents increase in the area and is there somewhere we can house the homeless community?**

The Mayor, Councillor A M van Zetten, responded by saying that this is a very complex issue. The matter is currently being investigated and the City of Launceston has combined with other stakeholders to provide basic facilities, such as shower facilities. The Council has also established a Homelessness Committee to resolve issues such as this and this Committee will provide advice as to the best way forward to solving this problem. Tasmania Police and the State Government are also consulted on this issue, especially the state Government in relation to housing matters.

8.2.3 Public Questions Without Notice - Helen Tait - Peel Street Development Application

- 1. Noting that the development in the Peel Street sub-division, the area has already been cleared of the majority of the bush, understory and most of the large trees, what provisions and sanctions are available to the Council to prevent this situation from arising?**
- 2. Given the United Nations declaration of the criticality for native species, the climate vulnerability is becoming to be realised as an emergency, will the Council step up its focus on protecting natural values versus development at all costs?**
- 3. How will the Council be strengthening and upholding, through our Planning Scheme, the Greater Launceston Strategy Plan and other rulings and guiding policies, work on developing our City more prudently in regard to our natural values?**

Richard Jamieson (Manager City Development) responded by saying that development in the City is guided by the Launceston Planning Scheme. The Launceston planning scheme is a public document created through a public process and the community can get involved with that process. The documents are available for everyone to look at. The provisions can be quite complex and if people do not understand then the Council's officers are available to assist. The Planning Scheme deals with natural values, scenic management and other issues important to members of the community [Documentation can be accessed through the Tasmanian Planning Commission's website at: <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/lps-lau-tps>].

9. PLANNING AUTHORITY

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

9.1 DA0753/2021 - 13-15 Russell Street, Invermay - Residential - Partial Demolition of the Shed and Construction of a Dwelling

FILE NO: DA0753/2021

AUTHOR: Duncan Payton (Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Joanne Lynne Woodbury
Property:	13-15 Russell Street, Invermay
Zoning:	Inner Residential
Receipt Date:	15/12/2021
Validity Date:	16/02/2022
Further Information Request:	24/12/2021
Further Information Received:	23/02/2022
Deemed Approval (extension granted):	4/07/2022
Representations:	13

LEGISLATIVE REQUIREMENTS:

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

STANDARDS REQUIRING PLANNING DISCRETION:

11.4.2 Site coverage and rear setback for single dwellings
11.4.23 Development for discretionary uses
11.4.3 Building envelope for single dwellings
11.4.5 Privacy for single dwellings
E13.6.1 Demolition
E13.6.11 Driveways and parking
E13.6.4 Site coverage
E13.6.5 Height and bulk of buildings
E13.6.6 Site of buildings and structure

E13.6.7 Fences
E13.6.8 Roof form and materials
E13.6.9 Wall materials
E16.7.2 Flood Impact
E2.5 Use Standards
E2.6.2 Excavation
E4.6.2 Road accesses and junctions
E6.5.1 Car parking numbers

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 DA0753/2021 - Community meeting and entertainment - partial demolition of the existing building; and Residential - construction of a dwelling at 13-15 Russell Street, Invermay, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Title sheet, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A001, 15/02/2022 - Amended plan required.
- b. Site plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A100, 15/02/2022 - Amended plan required.
- c. On-site parking swept paths, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A101, 15/02/2022.
- d. Existing off-street parking, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A102, 15/02/2022.
- e. Proposed on-street parking, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A103, 15/02/2022.
- f. Shed existing and demolition plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A104, 15/02/2022.
- g. Dwelling ground floor plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A105, 15/02/2022 - Amended plan required.
- h. Dwelling 1st floor plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A106, 15/02/2022 - Amended plan required..
- i. Shed proposed floor plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A107, 15/02/2022
- j. Elevations, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A201, 15/02/2022 - Amended plan required.

- k. Elevations, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A202, 15/02/2022 - Amended plan required.
- l. 3D visuals DA, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A303, 15/02/2022.
- m. Shadow Diagrams, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A304, 15/02/2022.
- n. Pottery studio existing plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B100, 03/11/2021.
- o. Pottery studio demolition plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B101, 03/11/2021.
- p. Pottery studio proposed floor plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B102, 03/11/2021 - Amended plan required.
- q. Pottery studio access plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B103, 03/11/2021.
- r. Pottery studio roof plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B104, 03/11/2021.
- s. Pottery studio elevations, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B105, 03/11/2021.
- t. Pottery studio elevations, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B106, 03/11/2021.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any works, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as *Amended Plans Required* and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. the dwelling with a maximum gross floor area of not more than 200m²;
- b. one accessible car parking space;
- c. the provision of a front fence in a metal or timber picket style to provide screening of car parking;
- d. roof cladding profile in *custom orb*;
- e. colour of roof and wall cladding to be in a light grey such as colorbond *Basalt* or *Shale Grey*;
- f. courtyard fence to be finished in a heritage white; and
- g. windows in the southern elevation shall have a sill height of not less than 1,700mm above the finished floor or be fitted with obscure glass.

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the planning officer.

3. 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.

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/02248-LCC, 06/01/2022 and attached to the permit.

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

6. 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. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

9. 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.

10. 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 the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc). All redundant crossovers and driveways must be removed prior to the occupation of the development.

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

11. SOIL AND WATER MANAGEMENT PLAN

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

12. 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.

13. POTENTIAL SITE CONTAMINATION - NEW INFORMATION

Any new information which comes to light during demolition or construction works that has the potential to alter previous conclusions about site contamination must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery. Works on site must immediately cease until the new information has been assessed. Works can only recommence:

- a. once the site has been assessed by a site contamination practitioner certified under the Environment Institute of Australia and New Zealand Inc's Certified Environmental Practitioners (Site Contamination); and
- b. in accordance with any additional recommended control measures as specified by the site contamination practitioner.

14. ACID SULPHATE SOIL MANAGEMENT

The developer must comply with the Environmental Site Assessment Report section 3.5 *Acid Sulfate Soils* prepared by ES&D dated November 2021.

15. NO BURNING OF WASTE

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

16. DEMOLITION

The Developer must:

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0753/2021. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).

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

For more information see the Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>

D. Permit Commencement

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

E. Noise Nuisance

Noise Nuisance is regulated under the Environmental Management and Pollution Control Act 1994. Please note that if complaints are received and verified, you will be required to implement measures to eliminate the nuisance.

**Amber Miller spoke against the Recommendation
Sarah Jessup spoke for the Recommendation
Louise Finney spoke for the Recommendation
Sonya Brough spoke for the Recommendation
Eli Thurrowgood spoke for the Recommendation
Morgan Tuma spoke for the Recommendation
Belinda Steele spoke against the Recommendation
Bernie Steele spoke against the Recommendation
Fiona Hughes spoke for the Recommendation**

DECISION: 30 June 2022

MOTION 1

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

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0753/2021 - Community meeting and entertainment - partial demolition of the existing building; and Residential - construction of a dwelling at 13-15 Russell Street, Invermay, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Title sheet, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A001, 15/02/2022 - Amended plan required.**
- b. Site plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A100, 15/02/2022 - Amended plan required.**
- c. On-site parking swept paths, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A101, 15/02/2022.**
- d. Existing off-street parking, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A102, 15/02/2022.**
- e. Proposed on-street parking, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A103, 15/02/2022.**

- f. Shed existing and demolition plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A104, 15/02/2022.
- g. Dwelling ground floor plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A105, 15/02/2022 - Amended plan required.
- h. Dwelling 1st floor plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A106, 15/02/2022 - Amended plan required..
- i. Shed proposed floor plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A107, 15/02/2022
- j. Elevations, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A201, 15/02/2022 - Amended plan required.
- k. Elevations, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A202, 15/02/2022 - Amended plan required.
- l. 3D visuals DA, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A303, 15/02/2022.
- m. Shadow Diagrams, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page A304, 15/02/2022.
- n. Pottery studio existing plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B100, 03/11/2021.
- o. Pottery studio demolition plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B101, 03/11/2021.
- p. Pottery studio proposed floor plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B102, 03/11/2021 - Amended plan required.
- q. Pottery studio access plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B103, 03/11/2021.
- r. Pottery studio roof plan, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B104, 03/11/2021.
- s. Pottery studio elevations, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B105, 03/11/2021.
- t. Pottery studio elevations, prepared by Woodbury & Co, project no. SJ2020, alterations to existing pottery shed and construction of new dwelling at 13-15 Russell Street, Invermay, page B106, 03/11/2021.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any works, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as *Amended Plans Required* and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. the dwelling with a maximum gross floor area of not more than 200m²;
- b. one accessible car parking space;
- c. the provision of a front fence in a metal or timber picket style to provide screening of car parking;
- d. roof cladding profile in *custom orb*;
- e. colour of roof and wall cladding to be in a light grey such as colorbond *Basalt* or *Shale Grey*;
- f. courtyard fence to be finished in a heritage white; and
- g. windows in the southern elevation shall have a sill height of not less than 1,700mm above the finished floor or be fitted with obscure glass.

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the planning officer.

3. 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.

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/02248-LCC, 06/01/2022 and attached to the permit.

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

6. 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. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

9. 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.

10. 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 the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc). All redundant crossovers and driveways must be removed prior to the occupation of the development.

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

11. SOIL AND WATER MANAGEMENT PLAN

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

12. 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.

13. POTENTIAL SITE CONTAMINATION - NEW INFORMATION

Any new information which comes to light during demolition or construction works that has the potential to alter previous conclusions about site contamination must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery. Works on site must immediately cease until the new information has been assessed. Works can only recommence:

- a. once the site has been assessed by a site contamination practitioner certified under the Environment Institute of Australia and New Zealand Inc's Certified Environmental Practitioners (Site Contamination); and
- b. in accordance with any additional recommended control measures as specified by the site contamination practitioner.

14. ACID SULPHATE SOIL MANAGEMENT

The developer must comply with the Environmental Site Assessment Report section 3.5 *Acid Sulfate Soils* prepared by ES&D dated November 2021.

15. NO BURNING OF WASTE

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

16. DEMOLITION

The Developer must:

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0753/2021. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).

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

For more information see the Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>

D. Permit Commencement

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

E. Noise Nuisance

Noise Nuisance is regulated under the Environmental Management and Pollution Control Act 1994. Please note that if complaints are received and verified, you will be required to implement measures to eliminate the nuisance.

CARRIED 10:1

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

AGAINST VOTE: Councillor T G Walker

DECISION: 30 June 2022

MOTION 2

Moved Councillor K P Stojansek, seconded Deputy Mayor Councillor D C Gibson.

That Councillor R I Soward be granted an additional three minutes speaking time.

CARRIED 11:0

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

AGAINST VOTE: Nil

9.2 DA0239/2022 - 66 Peel Street West, West Launceston - Residential - Construction of a Dwelling and an Outbuilding

FILE NO: DA0239/2022

AUTHOR: Anushka Gardiye (Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Genette Anne Stagoll
Property:	66 Peel Street West, West Launceston
Zoning:	Low Density Residential
Receipt Date:	2/05/2022
Validity Date:	3/05/2022
Further Information Request:	09/05/2022
Further Information Received:	18/05/2022
Deemed Approval (extension granted):	08/07/2022
Representations:	Five

RELEVANT LEGISLATION:

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

STANDARDS REQUIRING PLANNING DISCRETION:

12.4.2 Building height, setback and siting
12.4.3 Outbuildings and other structures
E7.6.2 Scenic management areas

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0239/2022 - Residential - Construction of a dwelling and an outbuilding at 66 Peel Street West, West Launceston, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site and Contour Plan, Prepared by i4 Design, Drawing No. 1/6, Project No. 2021:21, Dated 12.05.2022, Amended plans required.
- b. Floor Plan, Prepared by i4 Design, Drawing No. 2/6, Project No. 2021:21, Dated 12.05.2022, Amended plans required.
- c. Elevations, Prepared by i4 Design, Drawing No. 3/6, Project No. 2021:21, Dated 12.05.2022, Amended plans required.
- d. Elevations, Prepared by i4 Design, Drawing No. 4/6, Project No. 2021:21, Dated 12.05.2022, Amended plans required.
- e. 3D images, Prepared by i4 Design, Drawing No. 6/6, Project No. 2021:21, Dated 29.04.2022, Amended plans required.
- f. Garage elevations and floor plan, Prepared by i4 Design, Drawing No. 2/6, Project No. 2021:21, Dated 16.05.2022, Amended plans required.
- g. RFI response, Prepared by i4 Design, Dated 12.05.2022, Pg 1.
- h. RFI response, Prepared by i4 Design, Dated 12.05.2022, Pg 2.
- i. RFI response, Prepared by i4 Design, Dated 12.05.2022, Pg 3.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as *Amended Plans Required* and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. all existing vegetation on site.
- b. all trees/vegetation proposed to be removed
- c. all trees proposed to be retained including the two trees located west to the proposed family room.

Amended plans should include identification information such as updated revision numbers, revision date and revision description.

3. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

- a. be properly constructed to such levels that they can be used in accordance with the plans; and
- b. be surfaced with an impervious all weather seal; and
- c. be properly drained to prevent stormwater being discharged to neighbouring property.

4. LEGAL TITLE

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

5. NON REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building(s) must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

6. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

7. SITE LANDSCAPING

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. Completed within three months of the use commencing; and
- c. maintained as part of residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

8. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

9. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

10. 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.

11. 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.

12. 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.

13. PROTECTION OF STREET TREES

Existing street trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970: Protection of Trees on Development Sites*. The protection works are to be installed prior to the commencement of any other works on the site and are to remain in place until the completion of all other works.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0239/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).

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

For more information see the Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>

D. Permit Commencement

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

E. Heat Pump Use

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

F. No Approval for Alterations to Driveway Crossover

No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.

Genette Stagoll (on behalf of the owners) spoke for the Recommendation
Ann Serisier spoke against the Recommendation
Helen Tate spoke against the Recommendation

DECISION: 30 June 2022

MOTION

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

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0239/2022 - Residential - Construction of a dwelling and an outbuilding at 66 Peel Street West, West Launceston, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site and Contour Plan, Prepared by i4 Design, Drawing No. 1/6, Project No. 2021:21, Dated 12.05.2022, Amended plans required.**

- b. Floor Plan, Prepared by i4 Design, Drawing No. 2/6, Project No. 2021:21, Dated 12.05.2022, Amended plans required.
- c. Elevations, Prepared by i4 Design, Drawing No. 3/6, Project No. 2021:21, Dated 12.05.2022, Amended plans required.
- d. Elevations, Prepared by i4 Design, Drawing No. 4/6, Project No. 2021:21, Dated 12.05.2022, Amended plans required.
- e. 3D images, Prepared by i4 Design, Drawing No. 6/6, Project No. 2021:21, Dated 29.04.2022, Amended plans required.
- f. Garage elevations and floor plan, Prepared by i4 Design, Drawing No. 2/6, Project No. 2021:21, Dated 16.05.2022, Amended plans required.
- g. RFI response, Prepared by i4 Design, Dated 12.05.2022, Pg 1.
- h. RFI response, Prepared by i4 Design, Dated 12.05.2022, Pg 2.
- i. RFI response, Prepared by i4 Design, Dated 12.05.2022, Pg 3.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as *Amended Plans Required* and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. all existing vegetation on site.
- b. all trees/vegetation proposed to be removed
- c. all trees proposed to be retained including the two trees located west to the proposed family room.

Amended plans should include identification information such as updated revision numbers, revision date and revision description.

3. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

- a. be properly constructed to such levels that they can be used in accordance with the plans; and
- b. be surfaced with an impervious all weather seal; and
- c. be properly drained to prevent stormwater being discharged to neighbouring property.

4. LEGAL TITLE

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

5. NON REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building(s) must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

6. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

7. SITE LANDSCAPING

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. Completed within three months of the use commencing; and
- c. maintained as part of residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

8. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

9. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

10. 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.

11. 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.

12. 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.

13. PROTECTION OF STREET TREES

Existing street trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970: Protection of Trees on Development Sites*. The protection works are to be installed prior to the commencement of any other works on the site and are to remain in place until the completion of all other works.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0239/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).

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

For more information see the Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>

D. Permit Commencement

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

E. Heat Pump Use

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

F. No Approval for Alterations to Driveway Crossover

No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.

CARRIED 11:0

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

AGAINST VOTE: Nil

9.3 DA0158/2022 - 28 Stanley Street, Summerhill - Residential - Demolition of an Existing Dwelling and Outbuildings and Construction of Three Dwellings

FILE NO: DA0158/2022

AUTHOR: Dileep Karna (Graduate Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Community Housing Limited, C/- Holmes Dyer
Property:	28 Stanley Street, Summerhill
Zoning:	General Residential
Receipt Date:	23/03/2022
Validity Date:	7/04/2022
Further Information Request:	12/04/2022
Further Information Received:	19/05/2022
Deemed Approval (Approval Granted):	30/06/2022
Representations:	Three

RELEVANT LEGISLATION:

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

STANDARDS REQUIRING PLANNING DISCRETION:

10.4.1 Residential density for multiple dwellings
10.4.6 Privacy for all dwellings
E6.5.1 Car parking numbers

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 DA0158/2022 - Residential - Demolition of an existing dwelling and outbuildings and construction of three dwellings at 28 Stanley Street, Summerhill 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 City Development unless modified by a condition of the Permit:

- a. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 1, dated 17/05/2022.
- b. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 2, dated 17/05/2022.
- c. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 3, dated 17/05/2022.
- d. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 4, dated 17/05/2022.
- e. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 5, dated 17/05/2022.
- f. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 6, dated 17/05/2022.
- g. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 7, dated 17/05/2022.
- h. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 8, dated 17/05/2022.
- i. Site Plan, prepared by Holmes Dyer, drawing no 1189-007, three dwelling, Rev 02, page 9, dated 17/05/2022.
- j. Land scaping, prepared by Holmes Dyer, drawing no 1189-007, three dwelling, Rev 02, page 10, dated 17/05/2022.
- k. Private vs Common Land, prepared by Holmes Dyer, drawing no 1189-007, three dwelling, Rev 01, page 11, dated 17/05/2022.
- l. Site Plan, prepared by Survey Plus, drawing no SP21555, three dwelling, Rev A, page 12, dated 15/09/2021.
- m. Apartment 2, prepared by Holmes Dyer, drawing no 1189-007d, three dwelling, Rev 01, page 13, dated 27/01/2022.
- n. Floor Plan (Hipped End), prepared by Holmes Dyer, drawing no 1189-007d, three dwelling, Rev 2, page 14, dated 17/05/2022.
- o. Shadow Diagrams, prepared by Holmes Dyer, drawing no 1189-007c, three dwelling, Rev 1, page 15, dated 27/01/2022.

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. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/00526-LCC dated 14/04/2022 and attached to the permit.

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

5. SITE LANDSCAPING

The landscaping must be:

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

6. FENCING

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

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

The existing garage on southern side boundary must be retained with a similar colorbond fence

7. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

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

8. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

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

9. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

10. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

11. SOIL AND WATER MANAGEMENT PLAN

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

12. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). No such items are to be placed within the road reserve without approval.

13. 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.

14. NO BURNING OF WASTE

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

15. DEMOLITION

The Developer must:

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0158/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).

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

For more information see the Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>

D. Permit Commencement

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

E. Demolition

Planning approval is granted for demolition of the existing building/s so indicated on the endorsed plan. However, Building Approval for the demolition is required before demolition can proceed.

F. Heat Pump Use

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

G. Street Addresses for Multiple Dwellings and Strata Lot Numbers Where Applicable

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

<i>Dwelling No.</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
<i>A1 Type 2 - Ground floor</i>	<i>1</i>	<i>1/28 Stanley Street, Summerhill</i>
<i>A1 Type 2 - First floor</i>	<i>2</i>	<i>1/28 Stanley Street, Summerhill</i>
<i>D1 Type 18</i>	<i>3</i>	<i>1/28 Stanley Street, Summerhill</i>

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

H. No Approval for Alterations to Driveway Crossover

No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.

Lois Hayes spoke against the Recommendation

DECISION: 30 June 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 DA0158/2022 - Residential - Demolition of an existing dwelling and outbuildings and construction of three dwellings at 28 Stanley Street, Summerhill 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 City Development unless modified by a condition of the Permit:

- a. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 1, dated 17/05/2022.
- b. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 2, dated 17/05/2022.
- c. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 3, dated 17/05/2022.
- d. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 4, dated 17/05/2022.
- e. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 5, dated 17/05/2022.
- f. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 6, dated 17/05/2022.
- g. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 7, dated 17/05/2022.
- h. Report, prepared by Holmes Dyer, Ref: 0710b, three dwelling, page 8, dated 17/05/2022.
- i. Site Plan, prepared by Holmes Dyer, drawing no 1189-007, three dwelling, Rev 02, page 9, dated 17/05/2022.
- j. Land scaping, prepared by Holmes Dyer, drawing no 1189-007, three dwelling, Rev 02, page 10, dated 17/05/2022.
- k. Private vs Common Land, prepared by Holmes Dyer, drawing no 1189-007, three dwelling, Rev 01, page 11, dated 17/05/2022.
- l. Site Plan, prepared by Survey Plus, drawing no SP21555, three dwelling, Rev A, page 12, dated 15/09/2021.
- m. Apartment 2, prepared by Holmes Dyer, drawing no 1189-007d, three dwelling, Rev 01, page 13, dated 27/01/2022.
- n. Floor Plan (Hipped End), prepared by Holmes Dyer, drawing no 1189-007d, three dwelling, Rev 2, page 14, dated 17/05/2022.
- o. Shadow Diagrams, prepared by Holmes Dyer, drawing no 1189-007c, three dwelling, Rev 1, page 15, dated 27/01/2022.

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. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/00526-LCC dated 14/04/2022 and attached to the permit.

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

5. SITE LANDSCAPING

The landscaping must be:

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

6. FENCING

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

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

The existing garage on southern side boundary must be retained with a similar colorbond fence

7. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

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

8. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

- a. be properly constructed to such levels that they can be used in accordance with the plans;

- b. be surfaced with an impervious all weather seal;
- c. be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. be line-marked or otherwise delineated to indicate each car space and access lanes.

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

9. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

10. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

11. SOIL AND WATER MANAGEMENT PLAN

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

12. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law

(No. 1 of 2021). No such items are to be placed within the road reserve without approval.

13. 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.

14. NO BURNING OF WASTE

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

15. DEMOLITION

The Developer must:

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0158/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).

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

For more information see the Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>

D. Permit Commencement

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

E. Demolition

Planning approval is granted for demolition of the existing building/s so indicated on the endorsed plan. However, Building Approval for the demolition is required before demolition can proceed.

F. Heat Pump Use

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

G. Street Addresses for Multiple Dwellings and Strata Lot Numbers Where Applicable

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

<i>Dwelling No.</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
<i>A1 Type 2 - Ground floor</i>	<i>1</i>	<i>1/28 Stanley Street, Summerhill</i>
<i>A1 Type 2 - First floor</i>	<i>2</i>	<i>1/28 Stanley Street, Summerhill</i>
<i>D1 Type 18</i>	<i>3</i>	<i>1/28 Stanley Street, Summerhill</i>

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

H. No Approval for Alterations to Driveway Crossover

No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.

CARRIED 11:0

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

10. ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Thursday 16 June 2022

- Officiated at the *Sustainable Business* event
- Attended the farewell cocktail party for John Kirwan

Friday 17 June 2022

- Attended the *Circa's Peepshow* at the Princess Theatre

Sunday 19 June 2022

- Attended the *Boer War Memorial Service* in City Park

Wednesday 22 June 2022

- Provided a Welcome at the *Active Inclusion Sports Inclusion Day* at Elphin Sports Centre

Friday 24 June 2022

- Officiated at the *Friends of the Library 30th Anniversary* in the Launceston Library
- Attended the *Shannons Rally Launceston* show and dinner

Saturday 25 June 2022

- Attended the *South Launceston Rotary Club* change over dinner

Tuesday 28 June 2022

- Officiated at the *Launceston Probus Club's* monthly gathering

Wednesday 29 June 2022

- Officiated at the *Community Recognition Awards* for the City of Launceston
-

The Mayor, Councillor A M van Zetten, also noted that on 25 June 2022 he attended the *Pickleball Competitions*.

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).

Councillor D C Gibson

- **Noted the work and support of the Council's Community Development Team in connection with the recently conducted *Full Gear* initiative providing education pertaining to motorcycle riding through a State Growth grant and a Northern Suburbs Community Centre partnership**

Councillor D H McKenzie

- **Attended the Rocherlea *Full Gear* initiative graduation and noted the role activities such as this have in the area of mentoring in the community**

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).

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

13. COMMITTEE REPORTS

13.1 Tender Review Committee Meeting - 9 June 2022

FILE NO: SF0100/CD.015/2022

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Tender Review Committee.

RECOMMENDATION:

That Council receives the report from the Tender Review Committee Meeting held on 9 June 2022.

DECISION: 30 June 2022

MOTION

Moved Councillor P S Spencer, seconded Councillor J G Cox.

That Council receives the report from the Tender Review Committee Meeting held on 9 June 2022.

CARRIED 11:0

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

13.2 Council Committee - Petition to Amend Sealed Plans - 16325 and 19533 - 304 and 308 Penquite Road, Norwood - 21 April and 9 June 2022

FILE NO: 11250

AUTHOR: Leanne Purchase (Manager Governance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Committee convened to deal with a petition to amend sealed plans 16325 and 19533 - 304 and 308 Penquite Road, Norwood.

RELEVANT LEGISLATION:

Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)

RECOMMENDATION:

That Council, in relation to the petition to amend Sealed Plans 16325 and 19533 - 304 and 308 Penquite Road, Norwood, notes:

1. the Council Committee convened in relation to the above met on 21 April 2022 for the purposes of the hearing and then on 9 June 2022 to make a decision.
2. on 9 June 2022, pursuant to the delegation of Council made on 23 March 2022 and section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)*, the Council Committee refused to exercise the discretion to cause the amendments to be made, as sought by the Petition to Amend Sealed Plan Numbers 16325 and 19533, 304 and 308 Penquite Road, Norwood (Petition) on the basis of the following reasons:
 - (a) the covenants sought to be removed from Sealed Plan Numbers 16325 and 19533 confer proprietary rights in favour of third parties who were representors at the Meeting;
 - (b) representors objected to the removal of the relevant restrictive covenants on the basis that:
 - (i) properties benefiting from and restricted by the covenants were purchased with notice;
 - (ii) the covenants continue to provide proprietary rights holders with value, in terms of monetary value and amenity; and
 - (iii) the covenants and associated rights had not been abandoned;
 - (c) the evidence provided by the petitioner, in the form of the Petition itself and the submissions made by Peter Woolston and the petitioner's representative, Irene Duckett:
 - (i) fails to address how the removal of the restrictive covenants to facilitate the proposed development will not constitute an unreasonable detriment to the rights holders; and
 - (ii) provides an insufficient basis upon which to exercise discretion in favour of causing the amendments to be made.

3. The amendments sought by the Petition will not be made.
-

DECISION: 30 June 2022

MOTION

Moved Councillor A G Harris, seconded Councillor K M Preece.

That Council, in relation to the petition to amend Sealed Plans 16325 and 19533 - 304 and 308 Penquite Road, Norwood, notes:

1. the Council Committee convened in relation to the above met on 21 April 2022 for the purposes of the hearing and then on 9 June 2022 to make a decision.
2. on 9 June 2022, pursuant to the delegation of Council made on 23 March 2022 and section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (Tas), the Council Committee refused to exercise the discretion to cause the amendments to be made, as sought by the Petition to Amend Sealed Plan Numbers 16325 and 19533, 304 and 308 Penquite Road, Norwood (Petition) on the basis of the following reasons:
 - (a) the covenants sought to be removed from Sealed Plan Numbers 16325 and 19533 confer proprietary rights in favour of third parties who were representors at the Meeting;
 - (b) representors objected to the removal of the relevant restrictive covenants on the basis that:
 - (i) properties benefiting from and restricted by the covenants were purchased with notice;
 - (ii) the covenants continue to provide proprietary rights holders with value, in terms of monetary value and amenity; and
 - (iii) the covenants and associated rights had not been abandoned;
 - (c) the evidence provided by the petitioner, in the form of the Petition itself and the submissions made by Peter Woolston and the petitioner's representative, Irene Duckett:
 - (i) fails to address how the removal of the restrictive covenants to facilitate the proposed development will not constitute an unreasonable detriment to the rights holders; and
 - (ii) provides an insufficient basis upon which to exercise discretion in favour of causing the amendments to be made.

3. The amendments sought by the Petition will not be made.

CARRIED 11:0

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

AGAINST VOTE: Nil

14. INFRASTRUCTURE AND ASSETS NETWORK

14.1 Proposed Street Name - Barbara Close, West Launceston

FILE NO: DA0760/2020/SF0621

AUTHOR: Jaclyn Galea (Infrastructure Development Officer)

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

DECISION STATEMENT:

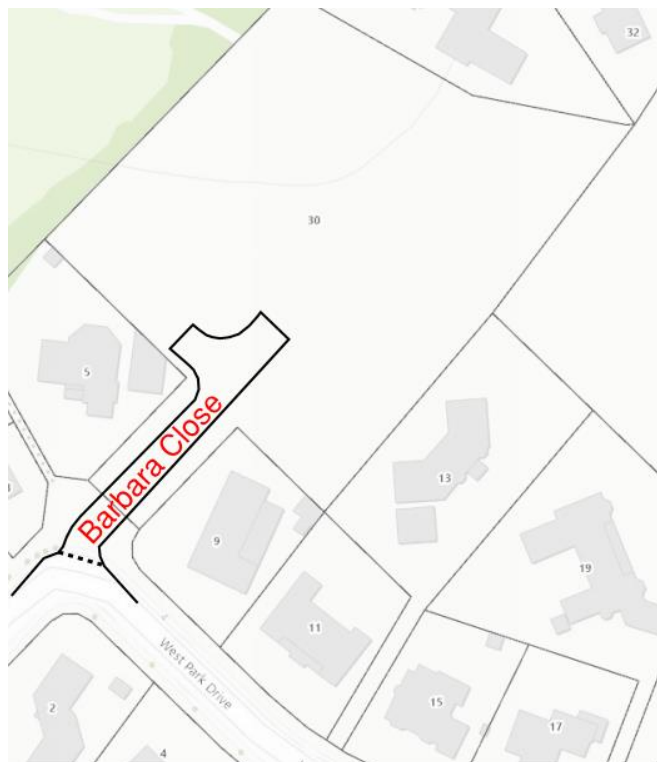
To consider approval for a new street name Barbara Close, West Launceston for the new residential street constructed between 5 and 9 West Park Drive, West Launceston.

RELEVANT LEGISLATION:

Local Government (Highways) Act 1982
Survey Co-ordination Act 1944

RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the name Barbara Close, West Launceston for the newly created cul-de-sac:

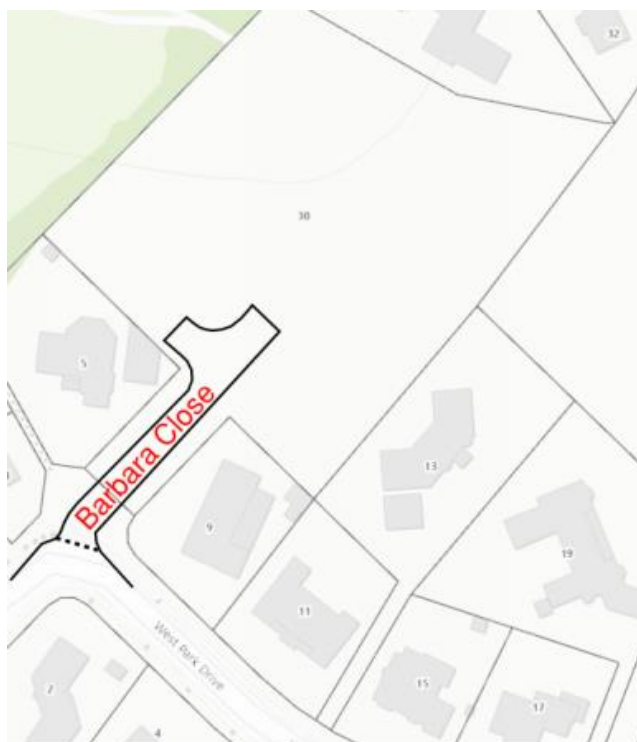


DECISION: 30 June 2022

MOTION

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

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the name Barbara Close, West Launceston for the newly created cul-de-sac:



CARRIED 11:0

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

14.2 Proposed Street Name - Tasha Street, Youngtown

FILE NO: DA0222/2016/SF0621

AUTHOR: Jaclyn Galea (Infrastructure Development Officer)

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

DECISION STATEMENT:

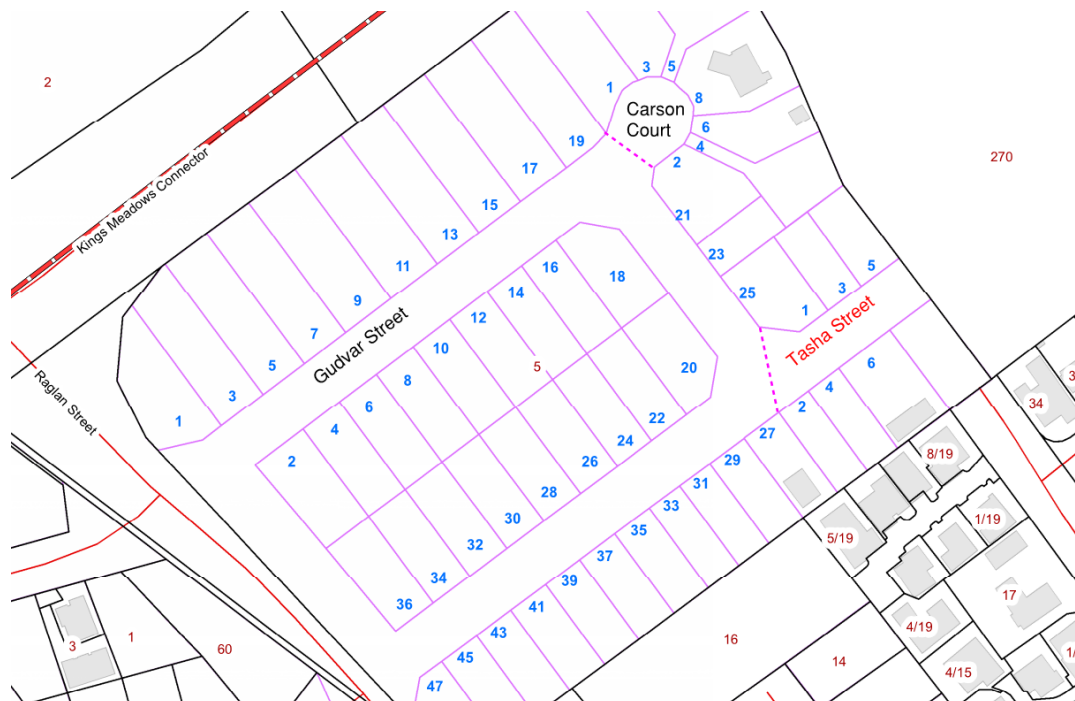
To consider approval for a new street name, Tasha Street, Youngtown for the new residential street constructed off Gudvar Street.

RELEVANT LEGISLATION:

Local Government (Highways) Act 1982
Survey Co-ordination Act 1944

RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the name Tasha Street for a new residential street resulting from a subdivision located at 5 Dundas Street, Youngtown:

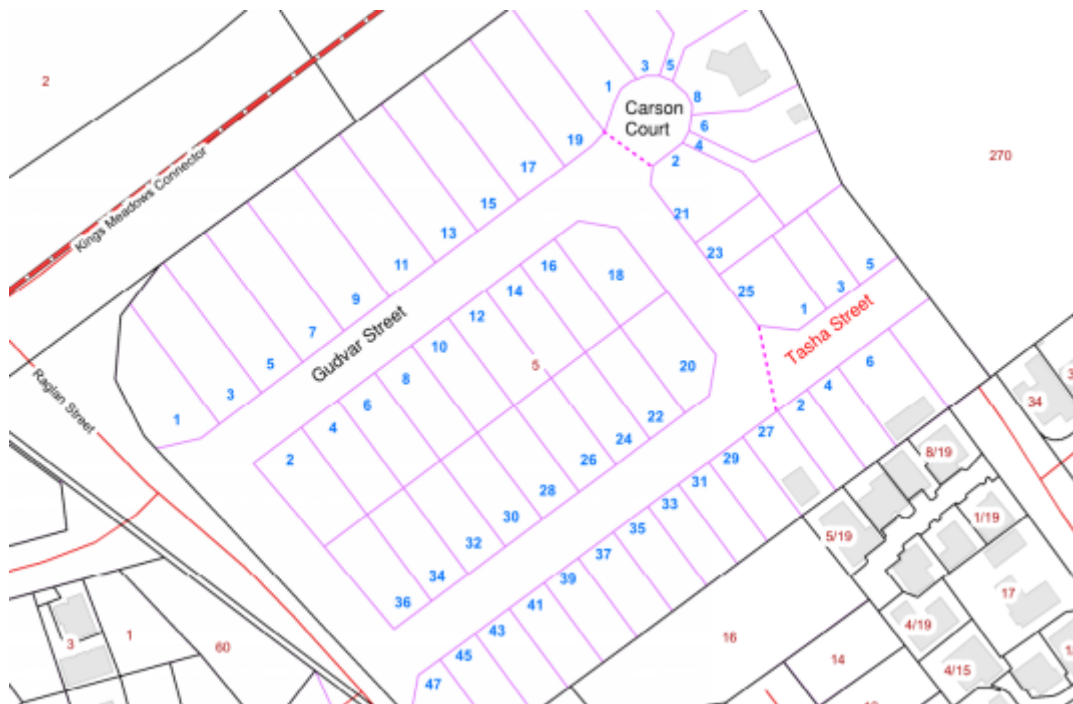


DECISION: 30 June 2022

MOTION

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

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the name Tasha Street for a new residential street resulting from a subdivision located at 5 Dundas Street, Youngtown:



CARRIED 11:0

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

15. ORGANISATIONAL SERVICES NETWORK

15.1 2021/2022 Budget - Budget Amendments

FILE NO: SF6817/SF7334

AUTHOR: Nathan Williams (Manager Finance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

For Council to:

1. consider changes to the Council's 2021/2022 Statutory Estimates.

A decision for Recommendation 1. requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).

2. consider adjustments made during 1 - 31 May 2022 by the Chief Executive Officer to the 2021/2022 Budget.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993* (Tas) and by an absolute majority, approves the following changes to the 2021/2022 Statutory Estimates:
 - (a) Expenses
 - i. the net decrease in operations expenditure of \$175,359.00.
 - (b) Capital Works Expenditure
 - i. the increase in the Council's funded expenditure of \$175,359.00.
 2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$17,784,394 (including capital grants of \$24,819,194) for 2021/2022.
 - (b) the capital budget being increased to \$47,986,366 for 2021/2022.
 3. pursuant to section 82(7) of the *Local Government Act 1993* (Tas), receives the Chief Executive Officer's report on adjustments to the 2021/2022 budget for the period 1 - 31 May 2022.
-

DECISION: 30 June 2022

MOTION

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

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993* (Tas) and by an absolute majority, approves the following changes to the 2021/2022 Statutory Estimates:
 - (a) Expenses
 - i. the net decrease in operations expenditure of \$175,359.00.
 - (b) Capital Works Expenditure
 - i. the increase in the Council's funded expenditure of \$175,359.00.
2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$17,784,394 (including capital grants of \$24,819,194) for 2021/2022.
 - (b) the capital budget being increased to \$47,986,366 for 2021/2022.
3. pursuant to section 82(7) of the *Local Government Act 1993* (Tas), receives the Chief Executive Officer's report on adjustments to the 2021/2022 budget for the period 1 - 31 May 2022.

CARRIED 11:0

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

15.2 Fees and Charges - 2022/2023

FILE NO: SF2968

AUTHOR: Nathan Williams (Manager Finance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider amendments to the Council's fees for the 2022/2023 financial year, adopted on 21 April 2022 in accordance with the requirements of the *Local Government Act 1993* (Tas).

STATUTORY REQUIREMENTS:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

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

Workshop - 17 March 2022 - 2022/2023 Annual Plan and Budget

Workshop - 31 March 2022 - Follow Up Budget Discussion

RECOMMENDATION:

That Council, pursuant to section 205 of the *Local Government Act 1993 (Tas)*, amends the fees as detailed below for the financial year ending 30 June 2023. All other fees remain as per the decision of Council at its 21 April 2022 Meeting.

Change to Original Fees and Charges	Fee	GST Status	2022/2023 Fee
	<i>Myrtle Park</i>		
Add Fee	Camp Site With Firepit (maximum two adults)	Taxable	25.00
Add Fee	Camp Site Without Firepit (maximum two adults)	Taxable	20.00
Add Fee	Extra Adult (after maximum of two per site)	Taxable	5.00
	<i>Dog Registrations</i>		
Remove Fee - Redundant	Purebred dog with papers with microchip - paid on or before 1 July	GST Exempt (Div 81)	0.00
Remove Fee - Redundant	Purebred kept for breeding - greyhound or working dog with microchip - paid on or before 1 July	GST Exempt (Div 81)	0.00

Change to Original Fees and Charges	Fee	GST Status	2022/2023 Fee
Remove Fee - Redundant	Dangerous dog (guard) with microchip - paid on or before 1 July	GST Exempt (Div 81)	0.00
Remove Fee - redundant	Tasmanian Canine Association registered with microchip - paid on or before July 1	GST Exempt (Div 81)	0.00
	<i>Creative Arts and Cultural Services</i>		
Add Fee	Education guided tours - adult (10 students minimum charge)	GST Free	6.00
Amend Fee - change from \$7.50 to \$5.50- remove reference to <i>per child</i> and <i>materials</i> .	Workshop Sessions	GST Free	5.50
Amend Wording - remove reference to <i>per adult</i> and <i>materials</i> .	Workshop Sessions	GST Free	10.00
	<i>Community Relations</i>		
Add Fee	Busking Permit - per annum	GST Free	20.00
	<i>Banner Booking Fees</i>		
Add Fee	<i>Group 1: Charles Street and Kingsway</i> Paterson Street to York Street (8) and Kingsway (4) - 12 single or double sided - Specification A	Taxable	462.00
Add Fee	<i>Group 2: Paterson Street</i> Charles Street to George Street - 12 single or double sided - Specification A	Taxable	462.00
Add Fee	<i>Group 3: York Street</i> Charles Street to George Street - 10 single or double sided - Specification A	Taxable	385.00

DECISION: 30 June 2022

MOTION

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

That Council, pursuant to section 205 of the *Local Government Act 1993 (Tas)*, amends the fees as detailed below for the financial year ending 30 June 2023. All other fees remain as per the decision of Council at its 21 April 2022 Meeting.

Change to Original Fees and Charges	Fee	GST Status	2022/2023 Fee
	<i>Myrtle Park</i>		
Add Fee	Camp Site With Firepit (<i>maximum two adults</i>)	Taxable	25.00
Add Fee	Camp Site Without Firepit (<i>maximum two adults</i>)	Taxable	20.00
Add Fee	Extra Adult (<i>after maximum of two per site</i>)	Taxable	5.00
	<i>Dog Registrations</i>		
Remove Fee - Redundant	Purebred dog with papers with microchip - paid on or before 1 July	GST Exempt (Div 81)	0.00
Remove Fee - Redundant	Purebred kept for breeding - greyhound or working dog with microchip - paid on or before 1 July	GST Exempt (Div 81)	0.00
Remove Fee - Redundant	Dangerous dog (guard) with microchip - paid on or before 1 July	GST Exempt (Div 81)	0.00
Remove Fee - redundant	Tasmanian Canine Association registered with microchip - paid on or before July 1	GST Exempt (Div 81)	0.00
	<i>Creative Arts and Cultural Services</i>		
Add Fee	Education guided tours - adult (<i>10 students minimum charge</i>)	GST Free	6.00
Amend Fee - change from \$7.50 to \$5.50- remove reference to <i>per child</i> and <i>materials</i> .	Workshop Sessions	GST Free	5.50
Amend Wording - remove reference to <i>per adult</i> and <i>materials</i> .	Workshop Sessions	GST Free	10.00

Change to Original Fees and Charges	Fee	GST Status	2022/2023 Fee
	<i>Community Relations</i>		
Add Fee	Busking Permit - per annum	GST Free	20.00
	<i>Banner Booking Fees</i>		
Add Fee	<i>Group 1: Charles Street and Kingsway</i> Paterson Street to York Street (8) and Kingsway (4) - 12 single or double sided - Specification A	Taxable	462.00
Add Fee	<i>Group 2: Paterson Street</i> Charles Street to George Street - 12 single or double sided - Specification A	Taxable	462.00
Add Fee	<i>Group 3: York Street</i> Charles Street to George Street - 10 single or double sided - Specification A	Taxable	385.00

CARRIED 11:0

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

AGAINST VOTE: Nil

16. CREATIVE ARTS AND CULTURAL SERVICES NETWORK

16.1 Queen Victoria Museum and Art Gallery Futures Plan and Queen Victoria Museum and Art Gallery Interim Brand

FILE NO: SF5784

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

DECISION STATEMENT:

To consider the endorsement of the *Queen Victoria Museum and Art Gallery Futures Plan* and the Queen Victoria Museum and Art Gallery Interim Brand.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 20 August 2020 - The *QVMAG Futures Plan - A Paradigm Shift*

Workshop - 1 April 2021 - *QVMAG Futures Plan*

Workshop - 23 June 2022 - Queen Victoria Museum and Art Gallery Futures Plan and Queen Victoria Museum and Art Gallery Interim Branding

RECOMMENDATION:

That Council:

1. endorses the *Queen Victoria Museum and Art Gallery Futures Plan* (ECM Doc Set ID 4738858) (Attachment 1).
2. commits to the Recommendations outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*, namely:
 - (a) Queen Victoria Museum and Art Gallery governance arrangements will transition to a Company Limited by Guarantee, and that:
 1. the Council retains ownership of the Queen Victoria Museum and Art Gallery Collection and all building assets;
 2. an interim transitional Board is established; and
 3. a governance framework review is commenced which outlines the pathway of transition.
 - (b) agrees to actively lobby the State Government in the increase of State funding in the operational funding of Queen Victoria Museum and Art Gallery as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*.
 - (c) agrees to work with the State Government, public and private sectors in the establishment and realisation of the Queen Victoria Museum and Art Gallery Futures Fund.
 - (d) supports Queen Victoria Museum and Art Gallery in the generation of own-source revenue.

- (e) that Queen Victoria Museum and Art Gallery establishes and implements an advancement strategy.
 - (f) that Queen Victoria Museum and Art Gallery establishes and implements a commercial strategy.
 - (g) that Queen Victoria Museum and Art Gallery develops and implements the Organisational Strategic Development Program.
 - (h) that Queen Victoria Museum and Art Gallery develops and implements the Queen Victoria Museum and Art Gallery brand and *marcomms* strategy.
 - (i) that Council will support Queen Victoria Museum and Art Gallery in achieving increased activation outcomes as identified in the *Queen Victoria Museum and Art Gallery Futures Plan*.
 - (j) that Council will support Queen Victoria Museum and Art Gallery in achieving increased accessibility of the institution as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*.
 - (k) that Council will support support, prioritise and lobby the infrastructure initiatives outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*, recognising that such support is provided in principle and dependent upon stakeholder partnerships (operational and capital funding) from State and Federal Government partners and public and private sectors, for:
 - 1. the delivery of the Royal Park expansion project as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*;
 - 2. the establishment of the Centre for Aboriginal Science and Education at the Royal Park facility as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*;
 - 3. the design and development of the Queen Victoria Museum and Art Gallery Collections Discovery Centre as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*; and
 - 4. the design and development of the community/cultural/creative/education precinct at Inveresk, as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*.
3. endorses the implementation of the Queen Victoria Museum and Art Gallery Interim Brand.
-

Councillor P S Spencer withdrew from the Meeting at 2:55pm
Councillor P S Spencer re-attended the Meeting at 2:57pm

DECISION: 30 June 2022

MOTION 1

Moved Deputy Mayor Councillor D C Gibson, seconded Councillor A E Dawkins.

That Council:

1. endorses the *Queen Victoria Museum and Art Gallery Futures Plan* (ECM Doc Set ID 4738858) (Attachment 1).
2. commits to the Recommendations outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*, namely:
 - (a) Queen Victoria Museum and Art Gallery governance arrangements will transition to a Company Limited by Guarantee, and that:
 1. the Council retains ownership of the Queen Victoria Museum and Art Gallery Collection and all building assets;
 2. an interim transitional Board is established; and
 3. a governance framework review is commenced which outlines the pathway of transition.
 - (b) agrees to actively lobby the State Government in the increase of State funding in the operational funding of Queen Victoria Museum and Art Gallery as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*.
 - (c) agrees to work with the State Government, public and private sectors in the establishment and realisation of the Queen Victoria Museum and Art Gallery Futures Fund.
 - (d) supports Queen Victoria Museum and Art Gallery in the generation of own-source revenue.
 - (e) that Queen Victoria Museum and Art Gallery establishes and implements an advancement strategy.
 - (f) that Queen Victoria Museum and Art Gallery establishes and implements a commercial strategy.
 - (g) that Queen Victoria Museum and Art Gallery develops and implements the Organisational Strategic Development Program.
 - (h) that Queen Victoria Museum and Art Gallery develops and implements the Queen Victoria Museum and Art Gallery brand and *marcomms* strategy.
 - (i) that Council will support Queen Victoria Museum and Art Gallery in achieving increased activation outcomes as identified in the *Queen Victoria Museum and Art Gallery Futures Plan*.
 - (j) that Council will support Queen Victoria Museum and Art Gallery in achieving increased accessibility of the institution as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*.

- (k) that Council will support support, prioritise and lobby the infrastructure initiatives outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*, recognising that such support is provided in principle and dependent upon stakeholder partnerships (operational and capital funding) from State and Federal Government partners and public and private sectors, for:
1. the delivery of the Royal Park expansion project as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*;
 2. the establishment of the Centre for Aboriginal Science and Education at the Royal Park facility as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*;
 3. the design and development of the Queen Victoria Museum and Art Gallery Collections Discovery Centre as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*; and
 4. the design and development of the community/cultural/creative/education precinct at Inveresk, as outlined in the *Queen Victoria Museum and Art Gallery Futures Plan*.
3. endorses the implementation of the Queen Victoria Museum and Art Gallery Interim Brand.

CARRIED 11:0

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

DECISION: 30 June 2022

MOTION 2

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

That Deputy Mayor Councillor D C Gibson be granted an additional three minutes speaking time.

CARRIED 11:0

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

The Mayor, Councillor A M van Zetten, handed the chair to Councillor R I Soward at 3.14pm

The Mayor, Councillor A M van Zetten, resumed the Chair at 3.18pm

17. CHIEF EXECUTIVE OFFICER NETWORK

17.1 UNESCO City of Gastronomy Funding Request

FILE NO: SF7420

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider a request for funding to be provided for the 2022/2023 financial year for the UNESCO City of Gastronomy program.

PREVIOUS COUNCIL CONSIDERATION:

Council - 20 May 2021 - Agenda Item 19.2 - UNESCO Creative City of Gastronomy Bid

RECOMMENDATION:

That Council approves the request for financial support of \$25,000 for the UNESCO City of Gastronomy program in 2022/2023.

DECISION: 30 June 2022

MOTION

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

That Council approves the request for financial support of \$25,000 for the UNESCO City of Gastronomy program in 2022/2023.

CARRIED 11:0

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

AGAINST VOTE: Nil

18. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

18.1 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.

18.2 Councillor's Leave of Absence

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

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

18.3 Councillor's Leave of Absence

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

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

18.4 Chief Executive Officer Employment and Performance Review Committee Report

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

(a) personnel matters, including complaints against an employee of the council and industrial relations matters.

DECISION: 30 June 2022

MOTION

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

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 11:0

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

Council moved into Closed Session at 3.32pm
Council returned to Open Session at 3.38pm

18.5 End of Closed Session

RECOMMENDATION:

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

Agenda Item	Matter	Brief Description
18.1	<i>Closed Council Minutes - 16 June 2022</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 16 June 2022.</i>
18.2	<i>Councillor's Leave of Absence</i>	<i>Councillors endorsed a request for a personal leave of absence.</i>
18.3	<i>Councillor's Leave of Absence</i>	<i>Councillors endorsed a request for a personal leave of absence.</i>
18.4	<i>Chief Executive Officer Employment and Performance Review Committee Report</i>	<i>Councillors endorsed and accepted the recommendation from the Chief Executive Officer Employment and Performance Review Committee.</i>

DECISION: 30 June 2022

MOTION

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

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

CARRIED 11:0

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

19. MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 3.39pm.

20. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 14 July 2022 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.