



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 14 NOVEMBER 2019  
1.00pm**

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

Date: 14 November 2019

Time: 1.00pm

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## Certificate of Qualified Advice

### Background


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

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

### Certification

I certify that:

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



**Michael Stretton**  
General Manager

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Thursday 14 November 2019

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

**In Attendance:**                            **Mr M Stretton (General Manager)**  
   **Mr S G Eberhardt (Director Infrastructure Services)**  
   **Mrs L M Hurst (Director Development Services and**  
   **Acting Director Facilities Management)**  
   **Mr D Campbell (Governance and Paralegal Officer)**  
   **Mrs A Rooney (Committee Clerk)**

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

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm.

**2 DECLARATIONS OF INTEREST**

*Local Government Act 1993 - section 48*

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

**Councillor R I Soward declared an interest in Agenda Item 8.1 - 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River.**

**3 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 31 October 2019 be confirmed as a true and correct record.

**DECISION: 14 November 2019****MOTION**

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

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

**CARRIED 12:0**

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

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## 4 DEPUTATIONS

No Deputations were identified as part of these Minutes

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**5 PETITIONS**

*Local Government Act 1993 - sections 57 and 58*

**5.1 Petition - Keep Gondolas Out of the Gorge**

**FILE NO:** SF0097/SF3033

**AUTHOR:** Anthea Rooney (Committee Clerk)

**GENERAL MANAGER:** Michael Stretton (General Manager)

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**DECISION STATEMENT:**

To receive a petition submitted by Mrs Anna Povey and Mrs Rocelyn Ives regarding keeping gondolas out of the Gorge.

**RECOMMENDATION:**

That, pursuant to section 58(2) of the *Local Government Act 1993 (Tas)*, Council receives the petition titled *Keep Gondolas Out of the Gorge*, tabled by the General Manager and submitted by Mrs Anna Povey and Mrs Rocelyn Ives.

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**Mr M Stretton (General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.**

**Ms Jo Saunders spoke for the Recommendation  
Mrs Rocelyn Ives spoke for the Recommendation  
Mrs Anna Povey spoke for the Recommendation**

**DECISION: 14 November 2019**

**MOTION**

**Moved Councillor J Finlay, seconded Councillor D C Gibson.**

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

**CARRIED 12:0**

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

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## 6 COMMUNITY REPORTS

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

### 6.1 Mr Rod Knight (Chief Executive Officer) - Landcare Tasmania

**Mr Knight provided Council with an update on the reinvigoration of community landcare in Tasmania. Mr Knight advised that Landcare Tasmania has been operating since 1994 and has over 250 active individual groups. At a recent conference in Hobart there were over 300 delegates in attendance. At the conclusion of the conference the Tasmanian Landcare Awards were presented with Tamar NRM going on to win a national award.**

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**7 PUBLIC QUESTION TIME**

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

**7.1 Public Questions on Notice**

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

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

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**7.1.1 Public Questions on Notice - Mr Ted Sands - Council Meeting - 31 October 2019****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**QUESTIONS and RESPONSES:**

The following matter, raised at the Council Meeting on 31 October 2019 by Mr Ted Sands, has been responded to by Mr Shane Eberhardt (Director Infrastructure Services).

**Questions:**

1. Mr Ted Sands addressed Council on behalf of Mr Gordon Badcock regarding a position taken by the Council about the piping of drainage through 403 Glenwood Road, Relbia. Mr Sands referred to a letter which has been provided to all Councillors. Mr Sands seeks to have the Council reconsider the approach being taken.

**Response:**

*The piping of drainage through 403 Glenwood Road, Relbia would constitute a significant deviation from Council's drainage standards applied in the rural areas of our municipality. The perceived issues identified with the drainage of 403 Glenwood Road, Relbia are primarily due to the inherent nature of the land; low-lying at the lower reaches of a localised catchment area and the land has very little grade over its extent.*

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**7.1.2 Public Questions on Notice - Mr Gordon Badcock - Council Meeting - 31 October 2019****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

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**QUESTIONS and RESPONSES:**

The following matter, raised at the Council Meeting on 31 October 2019 by Mr Gordon Badcock, has been responded to by Mr Shane Eberhardt (Director Infrastructure Services).

**Questions:**

1. Mr Badcock addressed the same issue (as Mr Ted Sands) regarding drainage issues at 403 Glenwood Road, Relbia and informed Councillors of the history of the installation of the drain. Mr Badcock seeks to have the issue resolved more favourably than the current quote of \$75,000.

**Response:**

*Several site inspections have been undertaken at this location with Mr Badcock and Mr Sands to document and consider their perspective. The perceived issues identified with the drainage of 403 Glenwood Road, Relbia are primarily due to the inherent nature of the land; low-lying at the lower reaches of a localised catchment area with very little grade over its extent. These inherent characteristics associated with the land cause it to become inundated during larger rain events; the agricultural use of land subject to these conditions is common and appropriate. Additional upgrade to the drainage through 403 Glenwood Road, Relbia would constitute a significant deviation from the Council's drainage standards applied in the rural areas of our municipality.*

*The Local Government (Highways) Act 1982 (the Act), places the responsibility for managing drainage of highways on adjoining property owners. Section 53 of the Act provides the ability for the Council to serve notice to the owner of the land and undertake necessary drainage works and if not completed with the Council, may undertake the works and recover costs.*

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**7.2 Public Questions Without Notice**

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

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

**6.1 Mr Ted Sands - 403 Glenwood Road, Relbia**

**With regard to questions asked at the Council Meeting of 31 October 2019:**

- 1. Why does the Council refuse to acknowledge that they have a moral obligation and a duty of responsibility in this matter?**
- 2. Why has this Council refused repeatedly, over a long period of time, to remedy the situation Mr Badcock is experiencing?**
- 3. If Mr Badcock did not allow access to his property in the first instance, how was Council going to divert excess water from Glenwood Road to the river?**

**Mr Michael Stretton (General Manager), responded by saying that the Council's position is clear and is unchanged from that which we have previously stated. The Council believes it is both lawful and consistent with past decision making. There is a legislative framework that deals with the matters you are raising and we believe that our handling is in accordance within this framework.**

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The Mayor, Councillor A M van Zetten, announced that under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

## **8 PLANNING AUTHORITY**

### **8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River**

**FILE NO:** DA0312/2019

**AUTHOR:** John Ayers (Consultant Planner GHD Pty Ltd)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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#### **DECISION STATEMENT:**

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

#### **RECOMMENDATION:**

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 Utilities - Construction of a pedestrian bridge across the North Esk River at 2-4 Invermay Road, Invermay and the land extending over the North Esk River from the existing viewing platform on the northern levee adjacent to the Inveresk student accommodation building located at 6 Barnards Way, Invermay within CT 174633/2 and continuing south east across the levee and river to a position on the southern levee bank immediately to the south west of the Scotch Oakburn College Rowing Club and extending into Boland Street road reserve within CT144355/1 subject to the following conditions:

#### **1. ENDORSED PLANS & 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. General Arrangement - Stage 1 Plan, Pitt & Sherry, LN18249-P100, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision E, Page 1, 17/09/2019.
  - b. General Arrangement - Stage 1 Elevation & Section, Pitt & Sherry, LN18249-P101, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision D, Page 1, 21/08/2019.
  - c. General Arrangement - Stage 1 Detail Plans, Pitt & Sherry, LN18249-P102, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision C, Page 1, 20/08/2019.
  - d. General Arrangement - Stage 1 Property Boundary Plan, Pitt & Sherry, LN18249-P110, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision C, Page 1, 20/08/2019.
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**8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)**

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- e. Site Plan - Stage 1, Pitt & Sherry, LN18249-P111, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision E, Page 1, 17/09/2019.

**2. LEGAL TITLE**

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

**3. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

**4. WASTE MATERIALS**

All waste materials generated by the activity are to be disposed of at an approved refuse disposal facility or reclaimed/recycled if possible.

**5. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

**6. 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.

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

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
  - b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
  - c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
  - d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
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**8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)**

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- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.
- j. Measures proposed to monitor the effectiveness of the sediment and erosion controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Director Infrastructure Services. The Soil and Water Management Control Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

**8. SUBMISSION AND APPROVAL OF PLANS**

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

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

**9. OCCUPATION OF ROAD RESERVE (COMPLEX)**

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the Director Infrastructure Services is required.

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**8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)**

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Application for the occupation of Boland Street must be made 28 days prior to date of the scheduled occupation or works and detailing (but not limited to):

- a. The nature, dates and duration of the occupation and/or works.
- b. The contractors name and contact details.
- c. The traffic management works that are must employed to provide for the continued safe use of the road reserve by pedestrians and vehicles.
- d. Any alternative pedestrian and cycling routes to be provided where the existing footpath and/or cycle lane in Boland Street is unavailable for use during construction activities.
- e. The alternative pedestrian and cycling routes to be provided when the levee paths are closed during construction.
- f. Any temporary works required to maintain the serviceability of the road or footpath.

A permit issued for any occupation and/or works may be subject to conditions specifying or limiting:

- a. The nature, dates and duration of the occupation and/or works.
- b. The traffic management works that must be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles, any alternative pedestrian and cycling routes to be provided where the existing footpath and/or cycle lane in Boland Street is unavailable for use during construction activities.
- c. Any temporary works required to maintain the serviceability of the road or footpath.
- d. All remedial works required to repair any damage to the road reserve resulting from the occupation and/or works.
- e. Inspections must be arranged for prior to the commencement of the occupation and at the completion of the works.

**10. CONSTRUCTION DOCUMENTATION**

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

- a. An "as constructed" plan in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure Services Directorate.
  - b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
  - c. Compaction and soil test results for all earthworks or pavement works.
  - d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.
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**8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)**

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**11. COMPLETION OF WORKS**

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

**12. AS CONSTRUCTED PLANS**

An "as constructed" plan must be provided in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure Services Directorate.

**13. LAUNCESTON FLOOD AUTHORITY LOADS UPON FLOOD LEVEL**

The loading applied to the levees during construction must not exceed the loadings shown on Pitt & Sherry drawing number LN18249-P111 Revision E or subsequent replacement drawing as approved by the Launceston Flood Authority.

**14. REINSTATEMENT OF THE LEVEES AND RIVERBANKS**

All disturbed areas of the levees and riverbanks are to be fully reinstated to prevent erosion.

**15. AMENITY**

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land, the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

**16. ACCESS AND SAFETY**

Prior to issuing a building permit the following must be submitted to and approved by the Manager of City Development.

1. A safety management plan prepared by a suitably qualified person demonstrating how the bridge will operate to maintain the safety of all users of the bridge. This plan must make reference to the relevant Austroads Guidelines identifying any departures and making recommendations for the bridge design on what can be done to mitigate any safety risks to tolerable levels.
2. A report by a suitably qualified access consultant demonstrating that the proposed bridge complies with all applicable State and Commonwealth Government access standards and disability discrimination requirements.

Further approvals may be necessary where these reports conclude that design changes are necessary to demonstrate the required level of safety and access.

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**8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)**

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**17. CONTAMINATED LAND**

The applicant must comply with the Environmental Site Assessment Report and Environmental Management Plan prepared by Geo-Environmental Solutions dated June 2019 and complete all Works required in the recommendations. The use and development approved must be undertaken so as to comply with all the recommendations and requirements of the Environmental Site Assessment.

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

**18. 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. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code**

*Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.*

**B. General**

*This permit was issued based on the proposal documents submitted for DA0312/2019. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.*

*This permit takes effect after:*

- a. *The 14 day appeal period expires; or*
  - b. *Any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined; or*
-

**8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)**

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- 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.*

*This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to the Council.*

**C. 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.*

**D. Appeal Provisions**

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

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

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

**E. Permit Commencement**

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

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**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager City Development) and Mr J Ayers (Consultant Planner GHD Pty Ltd) were in attendance to answer questions of Council in respect of this Agenda Item.**

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**8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)**

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**Due to a Declaration of Interest in Agenda item 8.1- 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River, Councillor R I Soward withdrew from the Meeting at 1.19pm.**

**Prof Dominic Geraghty (on behalf of the University of Tasmania) spoke for the Recommendation**

**Mr Chris Griffin (on behalf of Tourism Northern Tasmania) spoke for the Recommendation**

**Mr Sam Tucker (on behalf of the University of Tasmania) spoke for the Recommendation**

**DECISION: 14 November 2019**

**MOTION**

**Moved Councillor J Finlay, seconded Councillor D H McKenzie.**

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

**CARRIED 11:0**

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

**ABSENT DUE to DECLARATION of INTEREST: Councillor R I Soward**

**Councillor R I Soward re-attended the Meeting at 1.30pm.**

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**8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation**

**FILE NO:** DA0407/2019

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

**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

DA0034/2019 - Residential - Construction of new crossover and retaining wall to existing driveway

**RECOMMENDATION:**

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 pursuant to a delegation from Council, for DA0407/2019 - 11B-11D Churchill Crescent, Newstead - Residential - Construction of alterations and additions to the existing dwelling. Visitor accommodation - Construction of three studio units for use as visitor accommodation.

**1. ENDORSED PLANS & DOCUMENTS**

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

- a. Site Plan, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA100, Rev 4, Dated 19/09/2019.
  - b. House existing, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA200, Rev 1, Dated 19/09/2019.
  - c. House Proposed, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA201, Rev 1, Dated 19/09/2019.
  - d. Accommodation, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA202, Rev 2, Dated 19/09/2019.
  - e. Elevations 01, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA300, Rev A2 Dated 19/09/2019.
  - f. Sections, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA400, Rev 3, Dated 19/09/2019.
  - g. Perspective views, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA500, Rev 1, Dated 19/09/2019.
-



**8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)**

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h. Servicing Plan, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA600, Rev 3, Dated 19/09/2019.

**2. AMENDED PLANS REQUIRED**

The plans submitted for Building Approval must show the deletion of the northern facing window of Accommodation Unit 1.

**3. LIGHTING OF DRIVEWAY AND CAR PARKING FOR VISITOR ACCOMMODATION UNITS**

Low level lighting is to be provided along the driveway and to light the car park areas but must be located and designed with suitable baffles so that no direct light is emitted outside the boundaries of the site.

**4. LEGAL TITLE**

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

**5. USE LIMITATION**

This permit allows the new habitable buildings to be used for visitor accommodation only; these building cannot be used as a multiple dwellings or any other use without further application to and approval by Council.

**6. HOURS OF CONSTRUCTION FOR THE VISITOR ACCOMMODATION UNITS**

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

no works on Sunday or Public Holidays

**7. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/01246-LCC, 25 September 2019 and attached to the permit.

**8. HOURS OF CONSTRUCTION FOR THE SINGLE DWELLING**

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

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**8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)**

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**9. SITE LANDSCAPING**

The landscaping along the northern side boundary must be:

- a. Installed in accordance with the endorsed plan; and
  - b. Completed prior to the use of the Visitor Accommodation units commencing; and
  - c. Maintained as part of the life of the use and development approved by this permit.
- Landscaping must not be removed, destroyed or lopped without the written consent of the Council.

**10. NO FURTHER VEGETATION REMOVAL**

Tree and vegetation removal must be limited to those specifically notated on the approved plan(s) as *tree to be removed*.

No other tree or vegetation is to be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed, without the further written consent of the Council.

**11. 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 suitably delineated to indicate each car space and access lanes.

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

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

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

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

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**8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)**

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### **13. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. 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.

### **14. 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.

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

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

### **16. AMENITY**

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

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**8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)**

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**17. AMENITY - COMMERCIAL/INDUSTRIAL USE**

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

**18. 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.

**19. 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. *All building and demolition work is to comply with the Building Act 2016 and the National Construction Code*  
*Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.*
  - B. *Occupancy Permit Required*  
*Occupancy permit required for new or altered habitable buildings: pursuant to section 216 of the Building Act 2016, it is recommended that a licensed building surveyor be consulted to determine if an occupancy permit is required for the building before the building or a part of the building can be, or can continue to be, occupied.*
-

**8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)**

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C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code

*Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.*

D. General

*This permit was issued based on the proposal documents submitted for DA0407/2019. 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 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.*

*This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to the Council.*

E. 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 enquires 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.*

F. Appeal Provisions

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

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**8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)**

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

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

**G. 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.*

**H. Sale of Food and Beverages**

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

**I. Heat Pump Use**

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

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**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager City Development) and Mrs C Mainsbridge (Senior Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Thomas Floyd spoke for the Recommendation**

**Dr Neil Atherton made a written submission against the Recommendation (The Mayor, Councillor A M van Zetten, noted correspondence to Councillors from Dr Atherton who was unable to attend the Council Meeting)**

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- 8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)**
- 

**DECISION: 14 November 2019**

**MOTION**

**Moved Councillor J Finlay, seconded Councillor D H McKenzie.**

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

**CARRIED 12:0**

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

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

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## 9 ANNOUNCEMENTS BY THE MAYOR

### 9.1 Mayors Announcements

FILE NO: SF2375

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#### Friday 1 November 2019

- Attended the Entally Estate Bicentennial Cocktail Party

#### Saturday 2 November 2019

- Officiated at the Greater Regional City Challenge launch

#### Wednesday 6 November 2019

- Officiated at the *Aged Care Embraces Diversity* Program Graduation Morning Tea
- Attended the Launceston College Graduation and Awards Ceremony

#### Thursday 7 November 2019

- Officiated at the Trevallyn Primary School *Be Brave and Shave* Event

#### Friday 8 November 2019

- Officiated at the launch of the 2020 Transplant Games
- Attended the 40<sup>th</sup> anniversary of Karinya Young Women's Shelter event
- Officiated at the 7<sup>th</sup> Birthday Celebrations for Gallery Pejean

#### Monday 11 November 2019

- Officiated at the Remembrance Day Commemorative Service
- Attended the 2019 Australian Veteran Golf Championship Welcome Party

#### Tuesday 12 November 2019

- Attended the Kings Meadows High School Arts evening

#### Wednesday 13 November 2019

- Attended the launch event for *Snug*
- 
-



**10 COUNCILLOR'S 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.)*

**10.1 Councillor R I Soward**

- **Attended the 2019 Australian Veteran Golf Championships and highlighted the economic benefits to the area**

**10.2 Councillor D C Gibson**

- **Attended the Launceston College's Graduation and Awards Ceremony and acknowledged the commitment of the college staff and students**
- **Attended the 40<sup>th</sup> anniversary of Karinya Young Women's Shelter and noted the on-going need to support vulnerable individuals within the community**
- **Noted the partnership between the French Embassy and the University of Tasmania supporting French dancer/choreographer Frank Micheletti**

**Councillor P S Spencer withdrew from the Meeting at 1.40pm.**

**10.3 Councillor J Finlay**

- **Noted a recent interstate holiday included added site visits to local skate parks and their facilities indicating that it would be advantageous to include some of the ideas in Launceston**

**10.4 Councillor D H McKenzie**

- **Acknowledged those on the mainland experiencing natural disasters and noted that some issues in Launceston are being experienced by other rural towns**
- **Attended the Launceston Remembrance Day Commemorative Service and commented on the key note address regarding those members who lost their lives since the conflict**

**10.5 Councillor A G Harris**

- **Attended the launch of the 2020 Transplant Games and indicated that post-launch, a bicycle ride will be organised from 14 - 19 April 2020 from Hobart to Launceston**

**Councillor P S Spencer re-attended the Meeting at 1.42pm.**

**10.6 Councillor N D Daking**

- **Acknowledged *Movember* and encouraged the public to participate however they are able in order to support the cause**
-

**11 QUESTIONS BY COUNCILLORS****11.1 Questions on Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 30*

*(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)*

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

**11.2 Questions Without Notice**

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

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

**11.2.1 Councillor D C Gibson - Princess Theatre Recycling**

- 1. Is it possible to have an update on the implementation of recycling for both patrons and users of the Princess Theatre?**

**The Mayor, Councillor A M van Zetten, responded that this question will be Taken on Notice and a response provided in the Council Agenda of 28 November 2019.**

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## 11.2.2 Councillor D C Gibson - Queen Victoria Museum and Art Gallery Audit

1. Can Councillors be provided with an update on the Audit being undertaken at the Queen Victoria Museum and Art Gallery?

The Mayor, Councillor A M van Zetten, responded that this question will be Taken on Notice and a response provided in the Council Agenda of 28 November 2019.

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## 11.2.3 Councillor T G Walker - Gorge Hotel Development

1. How much has it cost the Council to pursue this matter through the Appeals Tribunal?

The Mayor, Councillor A M van Zetten, responded that this question will be Taken on Notice and a response provided in the Council Agenda of 28 November 2019.

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## 12 COMMITTEE REPORTS

### 12.1 Heritage Advisory Committee Meeting - 24 October 2019

**FILE NO:** SF2965

**AUTHOR:** Fiona Ranson (Heritage Planner)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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#### **DECISION STATEMENT:**

To receive and consider a report from the Heritage Advisory Committee Meeting held on 24 October 2019.

#### **RECOMMENDATION:**

That Council receives the report from the Heritage Advisory Committee Meeting held on 24 October 2019.

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**Mrs L Hurst (Director Development Services), was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 14 November 2019**

#### **MOTION**

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

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

**CARRIED 12:0**

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

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**13 COUNCIL WORKSHOPS****13.1 Council Workshop Report - 14 November 2019****FILE NO:** SF4401**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Louise Foster (Director Corporate Services)

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RECOMMENDATION:**

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

Workshops conducted on 7 and 14 November 2019:

**Upgrade of Facilities on Ben Lomond**

*A presentation was received from the Ben Lomond Committee seeking support for a facility upgrade to the Ben Lomond Village.*

**Proposed Amendments of the Dog Control Policy**

*Councillors engaged in discussions to include Riverbend Park in the declared areas and allow for provision of off-leash areas and vulnerable dog off-leash areas.*

**Stormwater System Management Plan**

*Councillors were provided with the draft Stormwater System Management Plan document.*

**City Deal Updates**

*Councillors were provided with an update following the release of the City Deal's Annual Progress Report.*

**Lilydale Agriculture Mapping**

*Councillors were advised of the proposed changes to the agriculture/rural mapping within the greater Lilydale area.*

**Launceston Brand Development - Brand Framework**

*Councillors were provided with an update on the next steps of the development of brand framework.*

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**13.1 Council Workshop Report - 14 November 2019 ...(Cont'd)**

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**Amended Combined System Overflow Investment Plan and kanamaluka/Tamar Estuary River Health Action Plan**

*Councillors considered an amended Combined System Overflow Investment Plan and kanamaluka/Tamar Estuary Health Action Plan (TERHAP) identifying proposed works which would improve public health measures in the kanamaluka/Tamar Estuary.*

**Launceston's Levee-Protected Areas - Towards a Risk-Based Approach to Land Use Planning**

*Councillors considered a project proposal regarding risk-based approaches to land use planning in levee-protected areas.*

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**Mr M Stretton (General Manager), was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 14 November 2019**

**MOTION**

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

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

**CARRIED 12:0**

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

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**14 NOTICES OF MOTION**

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

**No Notices of Motion were identified as part of these Minutes**

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**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS****15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*****FILE NO:** SF2611/SF0113**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider the delegation from Council to the Chief Executive Officer and other Council officers of particular powers and functions under the *Building Act 2016 (Tas)* and the *Building Regulations 2016 (Tas)*.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting - 23 January 2017 - Agenda Item 19.4 - Delegation from Council to General Manager - *Building Act 2016 (Tas)* and *Building Regulations 2016*

**RECOMMENDATION:**

That Council:

1. pursuant to section 8(3) of the *Building Act 2016 (Tas)* delegates to the holder(s) of the position(s) in Column One of the Schedule, the functions and powers under the sections of the *Building Act 2016 (Tas)* and the regulations of the *Building Regulations 2016 (Tas)* specified in Column B of the Schedule, subject to restrictions (if any) referred to in Column Three of the Schedule.
  2. determines that although the decision to delegate the powers and functions under the *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* is made today, the effective date of delegation is 9 December 2019.
  3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*.
  4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
-

**15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas) and Building Regulations 2016 ... (Cont'd)***

5. notes that the following table is the schedule referred to at Recommendation 1.

**The Schedule**

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of delegation</b>	<b>Restrictions</b>
General Manager Community and Place Manager Health and Compliance Team Leader Compliance	Section 27, 265, 266, 267, 269, 271. Regulation 43, 53.	Nil
Coordinator Administration Administration and Technical Officer Team Leader Statutory Services Statutory Services Officer Permit Authority Officer Planning Administration Officer Administration Officer - City Development	Section 27.	Nil
General Manager Organisational Services Manager Governance Team Leader Legal Services	Section 27(3).	Nil

**Mrs L Hurst (Director Development Services) and Mr D Campbell (Governance and Paralegal Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

***Note: Inadvertently this matter was not voted on during the course of the Council Meeting and will be re-presented to a future Council Meeting for decision.***

**15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas)*****FILE NO:** SF2378/SF0113**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider the delegation from Council to the Chief Executive Officer and other Council officers of particular powers and functions under the *Land Use Planning and Approvals Act 1993 (Tas)* and the *Land Use Planning and Approvals Regulations 2014 (Tas)*.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting - 13 August 2018 - Agenda Item 15.1 - Delegation from Council to General Manger - *Land Use Planning and Approvals Act 1993 (Tas)* and *Land Use Planning and Approvals Regulations 2014 (Tas)*.

**RECOMMENDATION:**

That Council:

1. pursuant to section 6 of the *Land Use Planning and Approvals Act 1993 (Tas)*, delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 5, the powers and functions under the sections of the *Land Use Planning and Approvals Act 1993 (Tas)* and the *Land Use Planning and Approvals Regulations 2014 (Tas)* specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.
  2. determines that although the decision to delegate the powers and functions under the *Land Use Planning and Approvals Act 1993 (Tas)* is made today, the effective date of delegation is 9 December 2019.
  3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Land Use Planning and Approvals Act 1993 (Tas)* or *Land Use Planning and Approvals Regulations 2014 (Tas)*.
  4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
-

**15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)***

5. notes that the following table is the schedule referred to at Recommendation 1.

**The Schedule**

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of Delegation</b>	<b>Restrictions</b>
Chief Executive Officer  General Manager Community and Place  Manager City Development	Sections 35C, 35F, 35G, 35I, 35M, 35P, 40G, 40U, 40W, 43(2), 43(6), 43(7), 43(9), 43(10), 48AA, 48A, 51, 52(1B), 53(5A), 54, 55, 56, 57(2), 57(3), 57(5), 57(6), 57(6)(b), 57(6A), 57(7), 57A, 58, 59(7), 60P(4), 60Q(5), 60Y, 63, 63B(3), 65C(5), 65G, 71, 74(3), 75, 76, 78, together with the <i>Land Use Planning and Approvals Regulations 2014</i> and the former sections 38(1), 39(2), 43J and 43K of the <i>Land Use Planning and Approvals Act 1993</i> saved by section 87C and Schedule 6 of the <i>Land Use Planning and Approvals Act 1993</i> .	The delegation under section 57(2) is exercisable only where such an application cannot lawfully be approved; and/or only exercised where an applicant will not agree to an extension of time that appears that Council will not be able to deal with the application within the time prescribed by section 57 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> ; and/or only where Council is not able to or does not make a decision upon the application within the time prescribed under section 57 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> .

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)*

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
		<p>The delegation under section 57(6) is exercisable only in those cases where:</p> <p>(a) no, or up to two, representations have been received in respect of such applications pursuant to section 57 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> and/or</p> <p>(b) any submissions received from a regulated entity pursuant to section 56P(1) of the <i>Water and Sewerage Industry Act 2008</i>, indicates it 'does not object to' or 'does not object if the permit is subject to conditions' regarding a notice of application from Council to the regulated entity pursuant to section 56O(2) of the <i>Water and Sewerage Industry Act 2008</i>.</p> <p>The delegation under section 57A is only exercisable where the power or function to accept a mediated outcome of a development decision that has been subject to an appeal against a Council decision so long as the outcome is not contrary to the spirit of the original Council decision on the development application.</p>

**15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)***

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of Delegation</b>	<b>Restrictions</b>
Team Leader Planning Assessments  Senior Town Planner Development  Senior Town Planner - Policy and Projects  Town Planner  Graduate Town Planner  Team Leader Strategic Planning  Urban Design Planner  Heritage Planner  (hereinafter Planners)	Sections 40U, 48AA, 48A, 54, 57(3), 60P(4), 60Q(5), 61, 63, 65C(5), 71, 74(3), 75, 76, 78 together with Regulation 9 of the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i> and the former sections 38(1), 39(2), 43J and 43K of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> saved by section 87C and Schedule 6 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> .	
Manager Health and Compliance  Team Leader Compliance  Planning Compliance Officer	Sections 48AA, 48A, 64, 65C(5).	
Team Leader Statutory Services  Statutory Services Officer	Sections 57(3), 71, 74(3), 75, 76, 78 together with Regulations 9 of the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i> .	

**15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)***

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of Delegation</b>	<b>Restrictions</b>
Permit Authority	Sections 57(3) together with Regulation 9 of the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i> .	
Permit Authority Officer		
Planning Administration Officer		
Administration Officer - City Development Administration Assistant		

Mrs L Hurst (Director Development Services) and Mr D Campbell (Governance and Paralegal Officer) were in attendance to answer questions of Council in respect of this Agenda Item.

Councillor N D Daking withdrew from the Meeting at 2.03pm.

**DECISION: 14 November 2019**

**MOTION**

Moved Councillor R I Soward, seconded Councillor D H McKenzie.

That Council:

1. pursuant to section 6 of the *Land Use Planning and Approvals Act 1993 (Tas)*, delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 5, the powers and functions under the sections of the *Land Use Planning and Approvals Act 1993 (Tas)* and the *Land Use Planning and Approvals Regulations 2014 (Tas)* specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.
2. determines that although the decision to delegate the powers and functions under the *Land Use Planning and Approvals Act 1993 (Tas)* is made today, the effective date of delegation is 9 December 2019.

**15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993* (Tas) ...(Cont'd)**

3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Land Use Planning and Approvals Act 1993* (Tas) or *Land Use Planning and Approvals Regulations 2014* (Tas).
4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas), authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
5. notes that the following table is the schedule referred to at Recommendation 1.

**The Schedule**

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
<p>Chief Executive Officer</p> <p>General Manager Community and Place</p> <p>Manager City Development</p>	<p>Sections 35C, 35F, 35G, 35I, 35M, 35P, 40G, 40U, 40W, 43(2), 43(6), 43(7), 43(9), 43(10), 48AA, 48A, 51, 52(1B), 53(5A), 54, 55, 56, 57(2), 57(3), 57(5), 57(6), 57(6)(b), 57(6A), 57(7), 57A, 58, 59(7), 60P(4), 60Q(5), 60Y, 63, 63B(3), 65C(5), 65G, 71, 74(3), 75, 76, 78, together with the <i>Land Use Planning and Approvals Regulations 2014</i> and the former sections 38(1), 39(2), 43J and 43K of the <i>Land Use Planning and Approvals Act 1993</i> saved by section 87C and Schedule 6 of the <i>Land Use Planning and Approvals Act 1993</i>.</p>	<p>The delegation under section 57(2) is exercisable only where such an application cannot lawfully be approved; and/or only exercised where an applicant will not agree to an extension of time that appears that Council will not be able to deal with the application within the time prescribed by section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas): and/or only where Council is not able to or does not make a decision upon the application within the time prescribed under section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas).</p>



15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993* (Tas) ...(Cont'd)

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
		<p>The delegation under section 57(6) is exercisable only in those cases where:</p> <p>(a) no, or up to two, representations have been received in respect of such applications pursuant to section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas) and/or</p> <p>(b) any submissions received from a regulated entity pursuant to section 56P(1) of the <i>Water and Sewerage Industry Act 2008</i>, indicates it 'does not object to' or 'does not object if the permit is subject to conditions' regarding a notice of application from Council to the regulated entity pursuant to section 56O(2) of the <i>Water and Sewerage Industry Act 2008</i>.</p> <p>The delegation under section 57A is only exercisable where the power or function to accept a mediated outcome of a development decision that has been subject to an appeal against a Council decision so long as the outcome is not contrary to the spirit of the original Council decision on the development application.</p>

**15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)***

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of Delegation</b>	<b>Restrictions</b>
<b>Team Leader Planning Assessments</b>  <b>Senior Town Planner Development</b>  <b>Senior Town Planner - Policy and Projects</b>  <b>Town Planner</b>  <b>Graduate Town Planner</b>  <b>Urban Design Planner</b>  <b>Heritage Planner (hereinafter Planners)</b>	<b>Sections 40U, 48AA, 48A, 54, 57(3), 60P(4), 60Q(5), 61, 63, 65C(5), 71, 74(3), 75, 76, 78 together with Regulation 9 of the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i> and the former sections 38(1), 39(2), 43J and 43K of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> saved by section 87C and Schedule 6 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i>.</b>	
<b>Manager Health and Compliance</b>  <b>Team Leader Compliance</b>  <b>Planning Compliance Officer</b>	<b>Sections 48AA, 48A, 64, 65C(5).</b>	
<b>Team Leader Statutory Services</b>  <b>Statutory Services Officer</b>	<b>Sections 57(3), 71, 74(3), 75, 76, 78 together with Regulations 9 of the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i>.</b>	
<b>Permit Authority</b>  <b>Permit Authority Officer</b>  <b>Planning Administration Officer</b>  <b>Administration Officer - City Development</b>  <b>Administration Assistant</b>	<b>Sections 57(3) together with Regulation 9 of the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i>.</b>	

**15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ...*(Cont'd)**

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**CARRIED 11:0**

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

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**15.3 Special Event Sponsorship 2019/2020 - 2020 BMX Australia National Championship****FILE NO:** SF5892**AUTHOR:** Stephanie Berns (Grants and Sponsorship Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider Special Event Sponsorship for the 2020 BMX Australia National Championship.

**RECOMMENDATION:**

That Council commits funds of \$30,000 from the 2019/2020 Special Event Sponsorship budget for the 2020 BMX Australia National Championship.

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**Mrs L Hurst (Director Development Services), Mr J Davis (Team Leader Community Development) and Ms S Berns (Grants and Sponsorship Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Councillor N D Daking re-attended the Meeting at 2.05pm.**

**Mr Martin Shaw spoke for the Recommendation**

**DECISION: 14 November 2019**

**MOTION**

**Moved Councillor R I Soward, seconded Councillor D H McKenzie.**

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

**CARRIED 12:0**

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

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**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**

No Items were identified as part of these Minutes

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

No Items were identified as part of these Minutes

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**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS****18.1 Invermay Traffic Masterplan****FILE NO:** SF6773**AUTHOR:** Nigel Coates (Engineering Officer Traffic)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider and adopt the Invermay Traffic Masterplan.

**PREVIOUS COUNCIL CONSIDERATION:**

Strategic Planning and Policy Committee - 8 April 2013 - Agenda Item 4.3 -  
Goderich/Lindsay Street Intersection - Treatment Options

Council - 23 April 2018 - Agenda Item 18.1 - Draft Invermay Traffic Masterplan - Stage 1  
Major Initiatives

Workshop - 3 September 2018 - Invermay Traffic Masterplan

Council - 22 October 2018 - Agenda Item 18.1 - Invermay Traffic Masterplan

Workshop - 13 December 2018 - Invermay Traffic Masterplan

Workshop - 22 August 2019 - Invermay Traffic Masterplan

**RECOMMENDATION:**

That Council:

1. notes the information provided in relation to the benefits of the individual projects in achieving the aims of the Invermay Traffic Masterplan
  2. adopts the following Traffic Masterplan (Major Initiatives):
    - (a) Invermay Traffic Masterplan (refer to plan below)
    - (b) Invermay Traffic Masterplan Project Delivery Timeframes
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**18.1 Invermay Traffic Masterplan ...(Cont'd)**

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*Short Term (1 - 3 years)*

1. Lindsay Street (West) - street improvements
2. New Link Road - connecting Lindsay Street to Gleadow Street
3. Gleadow Street - street improvements (South side)
4. Goderich Street/Gleadow Street - new traffic lights
5. Goderich Street/Forster Street double right turn lane and Forster Street - improved traffic flow (Stage 1 – North side): Goderich Street to Invermay Road
7. Invermay Road/Lindsay Street - new traffic lights (including changes to Esplanade/Boland Street lights)
8. Forster Street - carpark right turn lane
9. Goderich Street/Charles Street intersections with Lindsay Street and Esplanade - Investigating changes to reduce delay on the East Tamar Highway corridor (new project) including changes to prohibit right turns into the Esplanade and right turns out of the Esplanade.
10. Lindsay Street (East) - street improvement
14. Improved synchronisation of traffic lights along Goderich Street and Charles Street.

*Medium Term (3 - 5 years):*

3. Gleadow Street (North side) and Montagu Streets - street improvements
6. Invermay Road - Corridor Review - pedestrian/cycling connectivity across Invermay Road (to be completed post Inveresk Masterplan and University of Tasmania building design complete)
11. Holbrook Street (South) - bike lanes and street improvement
12. Gleadow Street (East) - bike trail and street improvement
13. Churchill Park Drive - road widening and on-street car parking opportunities (new project)

*Long Term (6+ years)*

5. Forster Street - improved traffic flow (Stage 2 - South side)
  3. notes that projects 2 and 3 are being delivered by the developer as conditions of DA0261/2018.
  4. notes that projects 4 and 5 are being delivered by the Department of State Growth and have been the subject of a separate consultation exercise.
  5. undertakes a trial in consultation with the Department of State Growth to implement a right turn prohibition for a three month period between Charles Street Bridge/Goderich Street into Lindsay Street following the introduction of the traffic signals at Goderich/Gleadow Streets.
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## 18.1 Invermay Traffic Masterplan ...(Cont'd)

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6. develops a Transport Network Operating Plan in consultation with Councillors to provide guidance on how the new traffic signals will operate.
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**Mr S Eberhardt (Director Infrastructure Services) and Mr N Coates (Engineering Officer Traffic) were in attendance to answer questions of Council in respect of this Agenda Item.**

The Mayor, Councillor A M van Zetten, handed the Chair to the Deputy Mayor, Councillor D C Gibson at 2.30pm.

The Mayor, Councillor A M van Zetten, resumed the Chair at 2.33pm.

### **DECISION: 14 November 2019**

#### **MOTION**

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

**That Council:**

1. notes the information provided in relation to the benefits of the individual projects in achieving the aims of the Invermay Traffic Masterplan
2. adopts the following Traffic Masterplan (Major Initiatives):
  - (a) Invermay Traffic Masterplan (refer to plan below)
  - (b) Invermay Traffic Masterplan Project Delivery Timeframes

#### ***Short Term (1 - 3 years)***

1. Lindsay Street (West) - street improvements
  2. New Link Road - connecting Lindsay Street to Gleadow Street
  3. Gleadow Street - street improvements (South side)
  4. Goderich Street/Gleadow Street - new traffic lights
  5. Goderich Street/Forster Street double right turn lane and Forster Street - improved traffic flow (Stage 1 – North side): Goderich Street to Invermay Road
  7. Defer Invermay Road/Lindsay Street - new traffic lights (including changes to Esplanade/Boland Street lights) until after the adoption of a Greater Launceston Transport Vision and receipt of the Traffic Impact Assessment for the University of Tasmania relocation
  8. Forster Street - carpark right turn lane
-



## 18.1 Invermay Traffic Masterplan ...(Cont'd)

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9. Goderich Street/Charles Street intersections with Lindsay Street and Esplanade - Investigating changes to reduce delay on the East Tamar Highway corridor (new project) including changes to prohibit right turns into the Esplanade and right turns out of the Esplanade
10. Lindsay Street (East) - street improvement
14. Improved synchronisation of traffic lights along Goderich Street and Charles Street

### *Medium Term (3 - 5 years):*

3. Gleadow Street (North side) and Montagu Streets - street improvements
6. Invermay Road - Corridor Review - pedestrian/cycling connectivity across Invermay Road (to be completed post Inveresk Masterplan and University of Tasmania building design complete)
11. Holbrook Street (South) - bike lanes and street improvement
12. Gleadow Street (East) - bike trail and street improvement
13. Churchill Park Drive - road widening and on-street car parking opportunities (new project)

### *Long Term (6+ years)*

5. Forster Street - improved traffic flow (Stage 2 - South side)
3. notes that projects 2 and 3 are being delivered by the developer as conditions of DA0261/2018.
4. notes that projects 4 and 5 are being delivered by the Department of State Growth and have been the subject of a separate consultation exercise.
5. undertakes a trial in consultation with the Department of State Growth to implement a right turn prohibition for a three month period between Charles Street Bridge/Goderich Street into Lindsay Street following the introduction of the traffic signals at Goderich/Gleadow Streets.
6. develops a Transport Network Operating Plan in consultation with Councillors to provide guidance on how the new traffic signals will operate.

**CARRIED 11:1**

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

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**19 CORPORATE SERVICES DIRECTORATE ITEMS****19.1 Annual Financial Statements for Year Ended 30 June 2019****FILE NO:** SF2633**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

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**DECISION STATEMENT:**

To receive the annual financial statements for the year ended 30 June 2019.

**PREVIOUS COUNCIL CONSIDERATION:**

Audit Panel - 6 November 2019 - Agenda Item 7.1 - External Audit Report (Acceptance of final audited financial statements for year ended 30 June 2019)

**RECOMMENDATION:**

That Council, pursuant to:

1. section 84(4) of the *Local Government Act 1993* (Tas), receives the audited financial statements for the year ended 30 June 2019 and notes that:
    - (a) the General Manager has certified the financial statements (ECM Document Set ID 4145172) in accordance with section 84(3); and
    - (b) the financial statements have been audited by the Auditor General (ECM Document Set ID 4171868) in accordance with section 84(1) and the statements have received an unqualified audit opinion.
  2. section 72 of the *Local Government Act 1993* (Tas), notes the financial statements will be included in the Annual Report.
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**Mr P Gimpl (Chief Financial Officer) was in attendance to answer questions of Council in respect of this Agenda Item.**

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**19.1 Annual Financial Statements for Year Ended 30 June 2019 ...(Cont'd)**

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**DECISION: 14 November 2019****MOTION****Moved Councillor D H McKenzie, seconded Councillor R I Soward.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 12:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker**

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**19.2 Financial Report to Council - 30 September 2019****FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the Council's financial performance for the three months ended 30 September 2019.

**PREVIOUS COUNCIL CONSIDERATION:**

Audit Panel - 6 November 2019 - Agenda Item 9.4 - Financial Statements - Analysis and Commentary

**RECOMMENDATION:**

That Council adopts the financial report for the three months ended 30 September 2019 which shows an overall deficit of \$0.582 million and notes that after allowing for Financial Assistance Grant revenue received in June 2019 (\$2.261 million) and excluding capital grants, the underlying surplus is \$1.673 million.

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**Mr P Gimpl (Chief Financial Officer) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 14 November 2019****MOTION**

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

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

**CARRIED 12:0**

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

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**19.3 Delegation From Council to Council Officers - *Local Government (Highways) Act 1982 (Tas)*****FILE NO:** SF0113**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)}**DIRECTOR:** Louise Foster (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the delegation from Council to Council Officers of particular powers and functions under the *Local Government (Highways) Act 1982 (Tas)*.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting - 11 July 2019 - Agenda Item 19.1 - Delegation From Council to General Manger and Council Officers - *Local Government (Highways) Act 1982 (Tas)*

Council Meeting - 7 February 2019 - Agenda Item 15.3 - Delegation From Council to General Manger and Council Officers - *Local Government (Highways) Act 1982 (Tas)*

Council Meeting - 10 August 2015 - Agenda Item 18.1 - Delegations Under Heavy Vehicle National Law (Tasmania) Act

**RECOMMENDATION:**

That Council:

1. pursuant to section 124 of the *Local Government (Highways) Act 1982 (Tas)*, delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 7, the powers and functions under the sections of the *Local Government (Highways) Act 1982 (Tas)* specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.
  2. determines that although the decision to delegate the powers and functions under the *Local Government (Highways) Act 1982 (Tas)* is made today, the effective date of delegation is 9 December 2019.
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**19.3 Delegation from Council to Council Officers - Local Government (Highways) Act 1982 (Tas) ...(Cont'd)**

3. notes that the delegation of powers under sections 41, 46 and 99 includes delegation of Council's power to:
  - (a) authorise a Council officer to be an authorised officer pursuant to section 41;
  - (b) authorise another person to exercise Council's powers pursuant to section 46; and
  - (c) authorise a person to be an authorised officer for the purpose of section 99(1) and to
  - (d) authorise an officer to exercise Council's powers under section 99(4).
  
4. notes that the holder of a position delegated a power or function by these Recommendations may seek the assistance of such other Council employees, agents or contractors as are necessary to exercise the power or perform the function so delegated, provided always that the decision to exercise the power or perform the function is made by the delegate.
  
5. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Local Government (Highways) Act (1982)*.
  
6. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
  
7. notes that the following table is the schedule referred to at Recommendation 1.

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of delegation</b>	<b>Restrictions</b>
Chief Executive Officer (CEO)	7(2), 10, 11, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 45, 46, 50, 52, 54, 55, 95, 96, 99, 104, 107, 109, 110, 112.	Except in the case of an emergency, section 27 may only be exercised with 14 days' written notice to the landowner. Section 54 may only be exercised with the permission of the landowner.

19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ...*(Cont'd)

Column One Position	Column Two Extent of delegation	Column Three Restrictions
General Manager Infrastructure and Assets	7(2), 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 46, 50, 52, 54, 95, 96, 99, 104, 109, 110, 112.	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of GM. Section 54 may only be exercised with the permission of the landowner.
Manager Operations	27, 30, 34, 39, 42, 44, 54, 104.	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Manager Infrastructure and Engineering	10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 44, 46, 54, 95, 96, 104.	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.

**19.3 Delegation from Council to Council Officers - Local Government (Highways) Act 1982 (Tas) ...(Cont'd)**

<b>Column One Position</b>	<b>Column Two Extent of delegation</b>	<b>Column Three Restrictions</b>
Team Leader Roads and Traffic	19, 20, 27, 30, 31, 34, 39, 44, 54, 95, 96, 104.	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
General Manager Community and Place	45, 104, 107.	
Manager Health and Compliance	45, 104, 107.	
Parking Coordinator	104, 107.	
Team Leader Regulation Services	45.	
Team Leader Environmental Health	45.	
Regulations Officer	45.	
Coordinator Administration	45.	
Administration and Technical Officer	45.	
General Manager Organisational Services	109(2), 55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Manager Governance	109(2).	
Team Leader Procurement	109(2).	
Manager Innovation and Performance	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.



**19.3 Delegation from Council to Council Officers - Local Government (Highways) Act 1982 (Tas) ...(Cont'd)**

<b>Column One Position</b>	<b>Column Two Extent of delegation</b>	<b>Column Three Restrictions</b>
Team Leader Strategy, Economic Development and Analytics	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
GIS Systems Administrator	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
GIS Data Officer	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Spatial Data Officer - Property	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.

**Mr M Stretton (General Manager) and Mr D Campbell (Governance and Paralegal Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ...*(Cont'd)**

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**DECISION: 14 November 2019**

**MOTION**

**Moved Councillor J Finlay, seconded Councillor J G Cox.**

**That Council:**

- 1. pursuant to section 124 of the *Local Government (Highways) Act 1982 (Tas)*, delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 7, the powers and functions under the sections of the *Local Government (Highways) Act 1982 (Tas)* specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.**
  - 2. determines that although the decision to delegate the powers and functions under the *Local Government (Highways) Act 1982 (Tas)* is made today, the effective date of delegation is 9 December 2019.**
  - 3. notes that the delegation of powers under sections 41, 46 and 99 includes delegation of Council's power to:**
    - (a) authorise a Council officer to be an authorised officer pursuant to section 41;**
    - (b) authorise another person to exercise Council's powers pursuant to section 46; and**
    - (c) authorise a person to be an authorised officer for the purpose of section 99(1) and to**
    - (d) authorise an officer to exercise Council's powers under section 99(4).**
  - 4. notes that the holder of a position delegated a power or function by these Recommendations may seek the assistance of such other Council employees, agents or contractors as are necessary to exercise the power or perform the function so delegated, provided always that the decision to exercise the power or perform the function is made by the delegate.**
  - 5. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Local Government (Highways) Act (1982)*.**
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**19.3 Delegation from Council to Council Officers - Local Government (Highways) Act 1982 (Tas) ...(Cont'd)**

6. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.

7. notes that the following table is the schedule referred to at Recommendation 1.

Column One	Column Two	Column Three
Position	Extent of delegation	Restrictions
Chief Executive Officer (CEO)	7(2), 10, 11, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 45, 46, 50, 52, 54, 55, 95, 96, 99, 104, 107, 109, 110, 112.	Except in the case of an emergency, section 27 may only be exercised with 14 days' written notice to the landowner. Section 54 may only be exercised with the permission of the landowner.
General Manager Infrastructure and Assets	7(2), 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 46, 50, 52, 54, 95, 96, 99, 104, 109, 110, 112.	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of GM. Section 54 may only be exercised with the permission of the landowner.

**19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ...*(Cont'd)**

<b>Column One Position</b>	<b>Column Two Extent of delegation</b>	<b>Column Three Restrictions</b>
<b>Manager Operations</b>	<b>27, 30, 34, 39, 42, 44, 54, 104.</b>	<b>Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.</b>
<b>Manager Infrastructure and Engineering</b>	<b>10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 44, 46, 54, 95, 96, 104.</b>	<b>Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.</b>
<b>Team Leader Roads and Traffic</b>	<b>19, 20, 27, 30, 31, 34, 39, 44, 54, 95, 96, 104.</b>	<b>Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.</b>

**19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ...*(Cont'd)**

<b>Column One Position</b>	<b>Column Two Extent of delegation</b>	<b>Column Three Restrictions</b>
<b>General Manager Community and Place</b>	45, 104, 107.	
<b>Manager Health and Compliance</b>	45, 104, 107.	
<b>Team Leader Parking</b>	104, 107.	
<b>Team Leader Regulation Services</b>	45.	
<b>Team Leader Environmental Health</b>	45.	
<b>Regulations Officer</b>	45.	
<b>Coordinator Administration</b>	45.	
<b>Administration and Technical Officer</b>	45.	
<b>General Manager Organisational Services</b>	109(2), 55(1).	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>
<b>Manager Governance</b>	109(2).	
<b>Team Leader Procurement</b>	109(2).	
<b>Manager Innovation and Performance</b>	55(1).	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>
<b>Team Leader Strategy, Economic Development and Analytics</b>	55(1).	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>
<b>GIS Systems Administrator</b>	55(1).	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>

**19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ...*(Cont'd)**

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of delegation</b>	<b>Restrictions</b>
<b>GIS Data Officer</b>	<b>55(1).</b>	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>
<b>Spatial Data Officer - Property</b>	<b>55(1).</b>	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>

**CARRIED 12:0**

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

**20 GENERAL MANAGER'S DIRECTORATE ITEMS**

**20.1 Council Meeting Schedule 2020**

**FILE NO:** SF0095

**AUTHOR:** Anthea Rooney (Committee Clerk)

**DIRECTOR:** Michael Stretton (General Manager)

**DECISION STATEMENT:**

To consider the Council Meeting Schedule for 2020.

*Pursuant to Regulation 6(1) of the Local Government (Meeting Procedures) Regulations 2015 this item requires an absolute majority of Council.*

**RECOMMENDATION:**

That, pursuant to regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015*, Council approves the following Council Meeting Schedule for 2020:

DAY	DATE	MEETING	TIME
<b>JANUARY</b>			
Thursday	23 January	Council	1.00pm
<b>FEBRUARY</b>			
Thursday	6 February	Council	1.00pm
Thursday	20 February	Council	1.00pm
<b>MARCH</b>			
Thursday	5 March	Council	1.00pm
Thursday	19 March	Council	1.00pm
<b>APRIL</b>			
Thursday	2 April	Council	1.00pm
Thursday	16 April	Council	1.00pm
Thursday	30 April	Council	1.00pm
<b>MAY</b>			
Thursday	14 May	Council	1.00pm
Thursday	28 May	Council	1.00pm
<b>JUNE</b>			
Thursday	11 June	Council	1.00pm
Thursday	25 June	Council	1.00pm
<b>JULY</b>			
Thursday	9 July	Council	1.00pm
Thursday	23 July	Council	1.00pm
<b>AUGUST</b>			
Thursday	6 August	Council	1.00pm
Thursday	20 August	Council	1.00pm

20.1 Council Meeting Schedule 2020 ...(Cont'd)

DAY	DATE	MEETING	TIME
<b>SEPTEMBER</b>			
Thursday	3 September	Council	1.00pm
Thursday	17 September	Council	1.00pm
<b>OCTOBER</b>			
Thursday	1 October	Council	1.00pm
Thursday	15 October	Council	1.00pm
Thursday	29 October	Council	1.00pm
<b>NOVEMBER</b>			
Thursday	12 November	Council	1.00pm
Thursday	26 November	Council	1.00pm
<b>DECEMBER</b>			
Thursday	3 December	Annual General Meeting	5.30pm
Thursday	10 December	Council	1.00pm

Mr M Stretton (General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.

**DECISION:** 14 November 2019

**MOTION**

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

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

**CARRIED 12:0**

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



**21 URGENT BUSINESS**

*Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Minutes.*

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

**22 CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

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

**22.1 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.

**22.2 Acquisition of Land at Lindsay Street, Invermay**

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:

- (f) proposals for the council to acquire land or an interest in land or for the disposal of land.

**22.3 General Manager's Performance Review**

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

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

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**DECISION:** 14 November 2019

**MOTION**

Moved Councillor D H McKenzie, seconded Councillor R I Soward.

That Council moves into Closed Session.

**CARRIED BY ABSOLUTE MAJORITY 12:0**

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

Council moved into Closed Session at 2.41pm.  
Council returned to Open Session at 3.09pm.

**22.4 End of Closed Session**

**RECOMMENDATION:**

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

<b>Minutes Item</b>	<b>Matter</b>	<b>Brief Description</b>
22.1	<i>Closed Council Minutes - 31 October 2019</i>	<i>Minutes of the Closed Meeting of the City of Launceston Council held on 31 October 2019.</i>
22.2	<i>Acquisition of Land at Lindsay Street, Invermay</i>	<i>Councillors discussed land acquisition at Lindsay Street, Invermay.</i>
22.3	<i>General Manager's Performance Review</i>	<i>Councillors discussed the General Manager's Performance Review.</i>

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**DECISION:** 14 November 2019

**MOTION**

Moved Councillor R I Soward, seconded Councillor D H McKenzie.

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

**CARRIED 12:0**

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

**23 MEETING CLOSURE**

The Mayor, Councillor A M van Zetten, closed the Meeting at 3.10pm.

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**UNCLASSIFIED MINUTES ITEMS:**

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