



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 20 AUGUST 2020
1.00pm**

The Ordinary Meeting of the City of Launceston Council was held via video-conference:

Date: 20 August 2020

Time: 1.00pm

Certificate of Qualified Advice

Background


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

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

Certification

I certify that:

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



Michael Stretton
Chief Executive Officer

AUDIO of COUNCIL MEETINGS

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

This Council Meeting was streamed live and can be accessed from: www.launceston.tas.gov.au/Council/Meetings/Listen for a minimum of six months after the date of the Meeting.

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

Public attendance at this Meeting was not permitted. Members of the public were requested to stay home to slow the spread of COVID-19 and the following information was provided for people wishing to speak to an item on the Minutes.

Do you wish to speak to an item in the Minutes of the Council Meeting?

- You are invited to speak to an item on the Minutes by emailing a statement of no more than 300 words. Your statement will be read aloud at the Meeting.

Do you have a question to ask during Public Question Time?

- You are invited to e-mail up to three questions. If accepted, your questions will be read aloud at the Meeting and answered or Taken on Notice. If your questions are not accepted, reasons will be provided.

Questions or statements e-mailed to contactus@launceston.tas.gov.au by 11.00am, Thursday, 20 August 2020 were read out by Council Officers at the appropriate item in the Minutes.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

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

In Attendance:
Mr M Stretton (Chief Executive Officer)
Mrs L Hurst (Community and Place Network)
Mr S Eberhardt (Infrastructure and Assets Network)
Mr S Tennant (Team Leader Communications)
Mrs L Purchase (Manager Governance)
Mrs K Hartland (Team Leader Governance)
Mrs A Rooney (Council and Committees Officer)

Apologies: Councillor A M van Zetten (Mayor)

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

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

2 MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements for this Meeting

3 DECLARATIONS OF INTEREST

Local Government Act 1993 - section 48

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

Councillor P S Spencer declared an interest in Agenda Item 13.1 - Tender Review Committee Meeting - 6 August 2020

4 CONFIRMATION OF MINUTES

Local Government (Meeting Procedures) Regulations 2015 - Regulation 35(1)(b)

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 6 August 2020 be confirmed as a true and correct record.

DECISION: 20 August 2020**MOTION**

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

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

CARRIED 11:0

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

5 DEPUTATIONS

No Deputations were identified as part of these Minutes

6 PETITIONS

Local Government Act 1993 - sections 57 and 58

6.1 Receipt of Petition - Rejection of a Proposal/DA for a Composting Facility on the Property, *Dunedin*, St. Leonards

FILE NO: SF0097

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

DECISION STATEMENT:

To receive a petition submitted by Mrs Hayley Adams and Mr Joshua Adams regarding the rejection of a proposal/DA for a composting facility on the property, *Dunedin*, St. Leonards.

RECOMMENDATION:

That, pursuant to section 58(2) of the *Local Government Act 1993 (Tas)*, Council receives the petition regarding the rejection of a proposal/DA for a composting facility on the property, *Dunedin*, St. Leonards tabled by the Chief Executive Officer and submitted by Mrs Hayley Adams and Mr Joshua Adams.

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

DECISION: 20 August 2020

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

6.2 Receipt of Petition - Installation of Speed Humps, Bedford Street, Invermay**FILE NO:** SF0097/SF0607**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To receive a petition submitted by Ms Claire Richardson regarding the installation of speed humps and the provision of adequate signage in Bedford Street, Invermay.

RECOMMENDATION:

That, pursuant to section 58(2) of the *Local Government Act 1993 (Tas)*, Council receives the petition regarding the installation of speed humps and the provision of adequate signage in Bedford Street, Invermay tabled by the Chief Executive Officer and submitted by Ms Claire Richardson.

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

DECISION: 20 August 2020**MOTION**

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

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

CARRIED 11:0

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

7 COMMUNITY REPORTS

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

No Community Reports were registered with Council as part of these Minutes

8 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

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

8.1.1 Public Questions on Notice - Ms Susan Rafferty - 7 August 2020**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to Council on 7 August 2020 by Ms Susan Rafferty, have been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Can councillors assure residents that the levee works, undertaken on the North Esk River between Vermont Road and Churchill Park, will not create a funnel effect in the event of flooding?

Response:

The works that have been undertaken on private property between Vermont Road and Churchill Park are those of re-establishing farm access roads. The road is higher than the surrounding area and therefore, will act as a minor levee, however, it is substantially lower than the Council's levee system. The height of the works undertaken is at approximately the king tide level. These works will be overtopped in a minor flood event and the land will be inundated and thereby not impacting Council's levee infrastructure or flood height.

2. Has an engineer's report or environmental impact study on this work been undertaken?

Response:

All dams, including levees and weirs, are regulated in Tasmania under the Water Management Act 1999 (the Act) and the Water Management (Safety of Dams) Regulations 2015. This Act is administered by the Department of Primary Industries, Parks, Water and Environment (DPIPWE).

To our knowledge, these works have been the re-establishment of an existing road. The Council has referred these works to DPIPWE but do not believe a permit is required.

8.1.1 Public Questions on Notice - Ms Susan Rafferty - 7 August 2020 ...(Cont'd)

3. Whose responsibility is it to mitigate potential flooding risk on a major river in Tasmania?

Response:

Mitigation of potential flooding risks on major rivers in Tasmania is a collective responsibility. For the North Esk, this responsibility includes the Launceston Flood Authority, State and Local Government through the implementation of the relevant planning schemes and flood protection schemes, DPIPWE for levee and dam management and well as those responsible for emergency management, including Tasmania Police, the State Emergency Service and the City of Launceston. Individuals also have a personal responsibility to understand their personal flood risk and implement plans to ensure they are flood resilient.

8.2 Public Questions Without Notice

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

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

The following questions, submitted to the Council on 19 and 20 August 2020, were read aloud by a Council Officer at the Council Meeting on 20 August 2020. Responses were read aloud by the Deputy Mayor, Councillor D C Gibson.

8.2.1 Mr Ray Norman - Citizen's Assembly

1. In the context of the Council implementing a *Cultural Strategy* a number of issues arise that need to be addressed given what has been invested in the process over an extended period involving external experts at considerable expense to the Council's constituents and whose advice has essentially remained confidential on the premise that the consultants reports are confidential operational documents albeit that the subject of the reporting is the region's Communities of Ownership and Interest's cultural realities and cultural landscaping albeit that in large measure the subject communities have been excluded from the process and moreover the draft strategy reveals itself as being a strategy to have a strategy without articulating objectives and rationales for them as typically strategic plans do in order to be meaningful, inclusive and effective therefore arguably rendering the current Council process relatively purposeless leading towards some form of a rendition of the Council operation's managerially preferred outcome essentially framed in isolation and insulated from any kind of critical interrogation that might lend it an element of vernacular relevance of the kind the draft strategy purports to embrace via an obscure algorithm apparently devised and designed to collect personal data on a promise that it will be held in confidence even though the internet site is blighted by broken links and arguably seeking information that might allow for the Community of Ownership and Interest to be characterised as culturally singular as it might once have been understood rather than diverse and dynamic as anthropology tells us Australian, indeed Tasmanian, communities are currently and in the light of that will Council revise and revue the process to enable a Citizen's Assembly to interrogate the current process thus far and plot a more inclusive way forward towards developing a dynamic understanding of the actual cultural realities currently in play?

The Deputy Mayor, Councillor D C Gibson, responded by saying that the question in respect to the establishment of Citizen Assemblies has been previously addressed by this Council. The Council intends to maintain its focus on our existing engagement processes, for example the *Tomorrow Together*.

8.2.1 Mr Ray Norman - Citizen's Assembly ...(Cont'd)

2. In the context of Launceston's declaration of a climate emergency the issue of peri-urban agriculture arises relative to planning and place making and arguably especially so relative peri-urban land in regions such as to be found around Launceston given that peri-urban agriculture systems are characterised as agricultural ecosystems that provide goods and services related to leisure and recreation, the process development beneficial to the environment, such as fixing CO₂, the safe and secure production of healthy food and the preservation of natural and cultural landscapes, there are powerful arguments, given the disruptions increasingly evident as a consequence of the COVID-19 pandemic crisis, for these factors being an integral and proactive components of civic planning processes going forward given the emerging weaknesses and unanticipated consequences of global supply chain strategies that are currently threatening food security across Australia due to the concentration corporate suppliers operating by and large outside the aegis strategic governance imperatives and given all that is at stake and risk it is now increasingly important in the current climate emergency and the COVID-19 pandemic crisis there is a context that underpins the importance of peri-urban planning, will Council now move proactively to initiate a Citizen's Assembly Process designed and devised to engage with community experts with the relevant experience, expertise and qualifications to appropriately inform a peri-urban agriculture policy relevant to the geo-region and more specifically the catchments of the three rivers and their hinterlands towards putting in place a policy relevant to local governance's purpose and consistent with that ensure that Council officers undergo appropriate professional development in order that they be enabled to implement such a community driven policy framed in a 21st Century context?

The Deputy Mayor, Councillor D C Gibson, noted that the response to this question had been provided in the previous question.

8.2.2 Mr Ray Norman - Long Term Financial Plan

1. Against the background of the current recession/depression impacting upon communities across Australia and the ways that the COVID-19 pandemic crisis is apparently prolonging and further impacting upon small business operators opportunities and the corporate sector's challenging the long-term economic viability of an increasing number of business operations all of which is increasingly being adversely effected by the insecurity of global supply chains the effects of which we can expect to have trickle down impact on regional communities such as those to be found in northern Tasmania, the economic outlooks for the region are no longer as secure or anticipatable as has been asserted based on past indications and assertions of media commentators, economic analysts, bankers and the corporate sector more generally, all of which are currently highly contestable as time progresses not to mention the disruption of what was once understood as the economic norm and the dissipation and the changing relevance of central business districts in the wake of people increasing dependence of online supply chains all of which impacts upon local government's ability demand ever increasing funding levels from constituents, and fiscal accountability being almost entirely delivered by the Auditor General's assessment of the Council's financial reporting's accuracy it is arguably time to revise Council's medium to long term fiscal viability projections and to pay very close attention to the Council's accumulated debt liabilities in the context of ratepayers' capacity to meet the anticipated rate demands looking ahead in the light of extravagant salary levels and the questionable development priorities, will Council now enlist the support of a recognised expert forensic economic analyst in order that the Council and its constituency can more confidently plot a viable and affordable way forward for both ratepayers and residents in the short term and also looking forward for a decade plus?

The Deputy Mayor, Councillor D C Gibson, noted that this question was previously answered by Council at its Meeting held on 23 July 2020. The Council is continuing work on revisiting its Long Term Finance Plan has no plans to enlist the support of an external economic analyst at this time.

8.2.3 Mr Lionel Morrell (President - Tasmanian Ratepayers' Association Inc.) - QVMAG Governance Issues

1. Collectively, the Queen Victoria Museum and Art Gallery's stakeholder, ratepayers and donors have accumulated collection assets in the order of \$240 million, have underwritten in the recurrent budget, something in the order of \$60 million plus, over the last decade; have funded significant capital expenditure that Council argues is confidential as an operation matter; has largely excluded ratepayers from taking any part in or being permitted to offer comment, criticism or critique, relative to such operational matters; and that pre-COVID-19, stakeholders and ratepayers have been underwriting the QVMAG's costs in excess of \$50 per visitor per annum. Then, over time, on our assessment, Council has failed or has been unable to provide expert institutional governance and it is very concerning to ratepayers that Council has allowed for the blending of the functions of governance and management. This has reduced the QVMAG's capacity to operate purposefully and deliver on performance indicators determined collectively by governance and funding agencies, and in turn, seriously reduced its funding opportunities. Furthermore, this diminishes and devalues the trust the ratepayers and supporters have invested in the QVMAG and security of its collections and is against the interests of stakeholders in Tasmania nationally and internationally. Council has been unsuccessful in shaming our State Government into trebling the funding it currently provides. Consequent to all this will Council now consider abdicating its governance role in favour of an expert Commissioner and Board of Governors, formally charged with proactively reviewing and renewing the QVMAG Charter and a purposeful Strategic Plan; transition the QVMAG into a stand alone Regional Community Cultural Trust say, within a decade; establishing working entrepreneurial alliances with like institutions in Tasmania, nationally and internationally and consider doing this in the current financial year?

The Deputy Mayor, Councillor D C Gibson, responded by saying that the Council is in the process of completing a review of the Queen Victoria Museum and Art Gallery which will address the matters raised in your question. It is intended that the details of the review will be publicly released later this year.

8.2.4 Mr Basil Fitch - Royal National Agricultural and Pastoral Society - Launceston Show Society

1. At a 2018 Council Meeting, I asked why the Council did not allow the Show Society to have RV overnight parking which would have brought in \$70,000pa for the Society. The answers made it clear to everyone that the Council had no intention of assisting the Show in any way whatsoever. Why is the Council now doing the opposite and helping UTAS with its unpopular plan on show ground?

The Deputy Mayor, Councillor D C Gibson, responded that the Council has supported the Show Society both financially and professionally over many years. As previously answered, the proposal for RV parking use on the site is contrary to the interim planning scheme. UTAS and the Show Society reached a mutual agreement in respect to the planned future for the site and the Council is proceeding in accordance with the agreed intent.

2. Before that, MP for Bass, Mr Nikolic, was going to get Federal funding or a grant for the Show Society to do the Round House area up because he thought their plan was a good one. But, the Council said no. So even then, Council stymied the Society's efforts to improve the Launceston Show and to raise revenue. Council deliberately prevented the Show from increasing its revenue from its own lease, but then still turned around and demanded that the Society pay the Council the \$150,000 that Council reckoned it owed. Why did the Council demand payment from the Society when other Shows are getting grants and did it threaten the Society with bankruptcy if it did not pay the \$150,000, leaving it with no choice but to give up (sell) its lease?

The Deputy Mayor, Councillor D C Gibson, answered by saying that the repayment of any monies owed to the Council was a requirement of the current lease with the Show Society. In agreeing to surrender the lease, the Show Society agreed to repay the money it owed to the Council. The Council has never threatened the Show Society with bankruptcy.

3. On the subject of York Park budget overrun, I heard Councillors going on about if you dig under the ground and it having been an old tip. What rubbish excuses. It has been used for sport and recreation for over 130 years. It became the first Show ground in 1873 and a football and general sports oval in 1923. In 2019 the costs were to be in renewing the turf (without calling for tenders), drainage (it is sub-tidal remember), irrigation/sprinklers, fencing, realigning the oval, (not a few bits of glass from a 130 year-old tip). What were the real reasons and cost break-down for the budget overrun on the stadium?

The Deputy Mayor, Councillor D C Gibson, noted that this question has been previously answered at a Council Meeting and the financial information is available in our Council Meeting Minutes.

8.2.5 Ms Jillian Koshin - Gleadow - Goderich Street Road Works

1. When will all the road works, traffic lights etc. associated with the new Gleadow-Goderich Street traffic lights, Forster Street the Forster-Goderich Street intersection be finished and at what cost to the public purse?
2. Before allowing any more developments in the Lindsay-Gleadow-Goderich Street area, such as the Good Guys DA on today's Agenda, does the Council intend to carry out a study and assessment of the full effects of the altered traffic and lights system on traffic flow and congestion right across the associated road-street network area that takes in Lower Charles Street, Lindsay Street, Invermay Road, Boland Street, the Esplanade, Charles Street Bridge, Tamar Street Bridge, the Northern Outlet at least as far as Mowbray Hill, and the east-west flow of traffic?
3. How, when, who and what method will the Council use to assess the effects and costs (on time, residents, commuters, etc.) of the altered system on local amenity, traffic flow, saturation, congestion, noise and air pollution?

The Deputy Mayor, Councillor D C Gibson, indicated that these questions will be Taken on Notice and responses will be provided in the Council Agenda of 3 September 2020.

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

9 PLANNING AUTHORITY

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay

FILE NO: DA0047/2020

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

DA0261/2018.A02 - Subdivision - Subdivide land into six lots plus roads - Delegated Discretionary

DA0091/2019 - Service Industry - New vehicle detailing and cleaning workshop, Bulky Goods Sales - Two new motor vehicle showrooms and service centres, Storage - Group store - Delegated Discretionary

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 DA0047/2020 Bulky Goods Sales - Construction of a showroom; installation of signage, subdivide one lot into five and associated works within Goderich Street road reserve at 65-77 Gleadow Street, Invermay 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. Gleadow Street Subdivision and Development, Supporting Planning Submission, Prepared by ERA Planning and Environment, 26 June 2020.
 - b. Site Plan, Prepared by Artas Architects, Project 191010, Drawing/Rev No. A0001-Sk56, Scales: as shown, Dated 26/06/2020.
-

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

- c. Building 5 Ground Floor Plan, Prepared by Artas Architects, Project 191010, Drawing/Rev No. A1250-P08, Scales: 1:100, Dated 26/06/2020.
- d. Building 5 External elevations, Prepared by Artas Architects, Project 191010, Drawing/Rev No. A2150-P07, Scales: 1:100, Dated 26/06/2020.
- e. Building 5 External elevations, Prepared by Artas Architects, Project 191010, Drawing/Rev No. A2151-P05, Scales: 1:100, Dated 25/06/2020.

2. AMENDED PLANS REQUIRED

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

1. Changes to the signage detail as follows:
 - the vertical panel of the blade sign must be reduced to a maximum height of 10m.
 - the pylon sign is limited to a maximum height of 7m and requires a clearance to the underside of 2.7m.
 - the wall signs are limited a size of 2m x 2m.
 - the building fascia sign must not protrude over the top of the building and is limited to a size of 3.6m x 3.6m.
2. The provision of a shower and change area in the staff amenities area for staff riding a bicycle to work.

3. WORKS IN THE STATE ROAD

Provision of the new road intersection and associated turn lane construction on Goderich Street shall be undertaken to the standards and specifications of the Department of State Growth. Detailed engineering drawings showing the extent of the works inclusive of associated drainage, road pavement, kerb and footpath, tree removal, traffic control facilities and street lighting must be provided to the Department for review and acceptance as part of a works permit application per the details noted below.

Note:

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

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

4. LEGAL TITLE

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

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

6. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2020/00122-LCC, 03/02/2020 and attached to the permit.

7. SITE LANDSCAPING

The landscaping must be:

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

8. SIGN ILLUMINATION

The signs to be illuminated must only be illuminated during business hours.

9. SIGN MAINTENANCE

The signs must be constructed and maintained in good condition to the satisfaction of the Council.

10. FLOOD EMERGENCY MANAGEMENT PLAN

A Flood Emergency Management Plan must be prepared, which includes recommendations of the Hydrological Report and regard to the Invermay Evacuation Plan Version 2. A copy must be provided to the Council, prior to the issue of an occupancy certificate for the bulky goods outlet.

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;
-

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

- c. be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. be line-marked or otherwise delineated to indicate each car space and access lanes.
- e. bicycle parking must be in accordance with *AS 2890.3 1993 Parking facilities - Bicycle parking facilities*.
- f. three motor cycle spaces are required within the motor bike parking area.

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

12. DAMAGE TO COUNCIL INFRASTRUCTURE

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

13. SINGLE STORMWATER CONNECTIONS

It is not permitted to have multiple connections to the Council's stormwater mains. All private pipelines must be contained wholly within the subject lot boundary.

14. 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.
 - 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.
-

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

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

15. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the additional approved lots as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the subdivider's expense.

16. PROTECTION OF PIPELINES

The existing underground Council pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. footings must be no closer than 1.5m from the outer edge of the pipe;
- b. footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe;
- c. there must be a minimum clear space between buildings or substantial structures of at least 3m in width to allow maintenance along the line of the pipe;
- d. manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to section 13 of the *Urban Drainage Act 2013*.

17. SUBMISSION AND APPROVAL OF PLANS

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

- a. include all infrastructure works required by the permit or shown in the endorsed plans and specifications 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.
-

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

- 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.

18. CONSTRUCTION OF WORKS

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

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

- a. Stormwater
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
 - ii. The provision of one stormwater connection to the lowest point of each lot,
 - b. Roads
 - i. Provision of a fully constructed road 9.3m wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
 - ii. Provision of a new roundabout with an 8m outer diameter and a raised centre island, western splitter island and all signage and line marking,
 - iii. Provision of a slip lane on the western side of Goderich Street. The slip lane geometry is to be designed to accommodate light vehicles,
 - iv. Provision of 1800mm wide footpaths located on each side of the road and all necessary pedestrian kerb ramps,
 - v. Provision of one new heavy duty vehicular crossing for Lots 4 and 5, and two new heavy duty vehicular crossings for Lots 1 and 3 including the access to Lot 1 from the new roundabout. No other driveway crossovers are to be constructed,
 - vi. Provision of a 3.1m wide nature strip on the northern side of the new road. Nature strip is to be free of all infrastructure and finished with top soil and sown with grass,
 - vii. all necessary line marking, signage and other traffic control devices.
-

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

- c. Electricity, Communications and Other Utilities
 - i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,
 - ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
 - iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

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

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

19. 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 the Infrastructure and Assets Network.
- b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and the Council's standards.

20. EASEMENTS

Easements are required over all Council and third party services located in private property. The minimum width of any easement must be 3m for Council (public) mains. A greater width will be required in line with the LCC document '*How close can I build to a Council Service?*' where the internal diameter of the pipe is greater than 475mm or where the depth of the pipe exceeds 2.1m. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

21. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the General Manager Infrastructure and Assets Network:

- a. The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council's requirements.
- b. The subsequent issue of a Certificate of Practical Completion by the General Manager Infrastructure and Assets Network.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

22. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the General Manager Infrastructure and Assets Network, of the Certificate under section 10(7) of the *Local Government (Highways) Act 1962*. All costs involved in this procedure must be met by the subdivider.

23. COMPLETION OF WORKS

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

24. 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 and Assets Network.

25. 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.

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

26. ENVIRONMENTAL MANAGEMENT PLAN

An Environmental Management Plan (EMP), prepared by a suitably qualified person, is to be submitted to the satisfaction of Manager Health and Compliance prior to commencement of works on site. Site works must be conducted in accordance with the EMP following approval. The plan is to address potential environmental impacts from excavation and works on site (eg. noise, dust) and include protection measures to manage contamination and associated risk to human health and the environment during the construction phase.

27. EXTERIOR AND SECURITY LIGHTING PLANNING

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting" or any subsequent versions of the document.

28. 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.

29. STREET LANDSCAPING PLAN

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the Council. Once approved by Council, it will form part of this permit. The approved landscaping of the site must:

- a. Be completed prior to the sealing of the Final plan of Survey.
- b. Provide shade trees on one side of the road of an approved species with a minimum planted height of 2.5m, a minimum trunk diameter of 25mm (measured 1m above the surface) and at an average spacing of one per 20m of frontage.
- c. Have each shade tree provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal.
- d. Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0047/2020. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

9.1 Bulky Goods Sales - Construction of a Showroom; Installation of Signage, Subdivide One Lot Into Five and Associated Works Within Goderich Street Road Reserve at 65-77 Gleadow Street, Invermay ...(Cont'd)

E. Flood Resilience

To maximise flood resilience it is recommended that, where practical, electrical and communication fittings be installed above the 1% AEP flood level of 5.4m AHD.

Mrs L Hurst (General Manager Community and Place Network), 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.

DECISION: 20 August 2020

MOTION

Moved Councillor J Finlay, seconded Councillor P S Spencer.

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

CARRIED 11:0

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

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

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Tuesday 11 August 2020

- Attended the St Thomas More's for Local Government curriculum work
- Attended the *Dance and Drama Celebration 2020* at Launceston Grammar

Monday 17 August 2020

- Attended the 5th Anniversary gathering of The Women's Friendship Group at Riverbend Park

Tuesday 18 August 2020

- Officiated at the Vietnam Veterans Day Commemorative Service at the Cenotaph
- Attended a Civic Reception for Vietnam Veterans Association at RSL

Wednesday 19 August 2020

- Attended the TasWater Owners' Representatives Quarterly Briefing
-

11 COUNCILLORS' REPORTS

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

11.1 Councillor D C Gibson

- **Attended the launch of Tourism Northern Tasmania's newly released name change and branding. Tourism Northern Tasmania is now known as Visit Northern Tasmania**
- **Acknowledged the development and progress of the City of Launceston's *Cultural Strategy* and in conjunction with that development attended *World Cafe* at the Princess Theatre. Councillor Gibson also noted the opportunity for the community to engage in an on-line question and answer session as part of the *Cultural Strategy* consultation process next Wednesday**
- **Announced the ArtRage Exhibition, which highlights years 11 and 12 student artworks, is being facilitated through the Queen Victoria Museum and Art Gallery and is due to open in late- December 2020 through to March 2021**

11.2 Councillor D H McKenzie

- **Noted the *Cultural Strategy* consultation currently being undertaken and encouraged public participation and feedback**
- **Attended the Vietnam Commemorative Service conducted during the week and commented on the issues experienced by returning veterans highlighted by the Vietnam Veteran's Association guest speaker**
- **Noted that the Launceston Airport's new CEO, Hans van Pelt, will assume his post next week**
- **Attended the *Friends of Theatre North Speakers' Program* with guest speaker Stella Kent**

12 QUESTIONS BY COUNCILLORS**12.1 Questions on Notice**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

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

12.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

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

13 COMMITTEE REPORTS**13.1 Tender Review Committee Meeting - 6 August 2020****FILE NO:** SF0100/CD.018/2020**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

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

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept the tender submitted by Flying Colours (Tas) Pty Ltd for the Launceston City Heart Wayfinding, Contract Number CD.018/2020 for \$169,615.00 (exclusive of GST).

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

Due to a Declaration of Interest Councillor P S Spencer withdrew from discussion regarding this item.

DECISION: 20 August 2020

MOTION

Moved Councillor J G Cox, seconded Councillor D H McKenzie.

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

CARRIED 10:0

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

ABSENT DUE to DECLARATION of INTEREST: Councillor P S Spencer

Councillor P S Spencer returned to discussions following this item.

14 COUNCIL WORKSHOPS

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

14.1 Council Workshop Report

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

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 13 and 20 August 2020

Affordable Housing Development

Councillors were briefed on an affordable housing development by Community Housing Limited.

Customer Service Charter

Councillors discussed the Customer Service Charter prior to adoption at Council.

Northern Suburbs Community Recreational Hub

Councillors were provided with an update on the planned Northern Suburbs Community Recreational Hub.

Financial Management Strategy and Asset Management Policy

Councillors engaged in a discussion regarding the Draft Financial Management Strategy and the Draft Asset Management Policy.

Relbia Feasibility Study

Councillors were presented with the Relbia Feasibility Study Report prepared by Mesh Consultants which outlined the next steps in the projecting including community consultation.

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

My Place My Future Implementation Update

Councillors were updated on two significant projects regarding the implementation program for the My Place My Future Strategy.

QVMAG Futures Plan - A Paradigm Shift

Councillors were presented with the draft of the QVMAG Futures Plan - A Paradigm Shift.

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

DECISION: 20 August 2020

MOTION

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

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

CARRIED 11:0

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

15 NOTICES OF MOTION

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

No Notices of Motion were identified as part of these Minutes

16 COMMUNITY AND PLACE NETWORK ITEMS

No Items were identified as part of these Minutes

17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS

No Items were identified as part of these Minutes

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS**18.1 Nature Strip Policy****FILE NO:** SF2538**AUTHOR:** Leigh Handley (Manager Operations)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider and approve the Nature Strip Policy.

PREVIOUS COUNCIL CONSIDERATION:

pre-Council Workshop - 23 July 2020 - Draft Nature Strip Policy (26-Plx-019)

RECOMMENDATION:

That Council approves the Nature Strip Policy (26-Plx-019), ECM Doc Set ID 4336617, as follows:

PURPOSE

The City of Launceston (CoL) is focussed on achieving the community's long-term vision of creating a diverse, vibrant and liveable environment that is an attractive and safe place to live, work and play. Large trees and green spaces, including nature strips, play an important role in defining the image and culture of the City and suburbs, enhancing aesthetic appeal of our streets and facilities, maintaining urban biodiversity and increasing property values.

Nature strips are the narrow publicly owned green space left unconstructed for vehicles and pedestrians within the road reserve between the edge of the road and property boundaries.

Nature strips also provide:

- space for a range of above and below ground services such as electricity, telecommunications, lighting, water, gas, stormwater, drainage and sewage;
 - visibility and sight lines for pedestrians, cyclists and motorists particularly at intersections, curves in the road and driveway access points;
 - space for improving accessibility and usability of footpaths for people with mobility issues, prams or walking in pairs or passing;
 - space for people walking where there is no footpath;
 - safe vehicle parking and space to open doors between the road and footpath;
 - space for kerbside collection for bins;
-

18.1 Nature Strip Policy ...(Cont'd)

- space for street tree planting;
- unpaved areas to allow infiltration of rainwater and oxygen into the soil improving the health and growth of street trees and reducing stormwater runoff; and
- visual softening of hard streetscape elements such as roads, footpaths, driveways, fences and buildings.

The standard nature strip is a grassed verge with or without a street tree with maintenance requirements generally limited to mowing, edging, weeding and rubbish removal.

Residents are encouraged to maintain the nature strip adjoining their property. The City of Launceston does maintain some nature strips or road verges. The nature strip is part of the road reserve and legally remains owned and managed by the relevant road authority (either the Council or State Growth). City of Launceston maintains street trees in nature strip in accordance with the 26-Plx-005 Tree Management Policy.

The City of Launceston often receives requests to either extend garden or landscaping onto the nature strip or replace the grassed area with hardstand or artificial surfaces.

This document aims to provide a clear and consistent management approach to ensure that nature strips within the Launceston municipality:

- are kept in a safe and well-maintained condition;
- are recognised as publicly owned assets;
- are safe for pedestrians, cyclists and vehicles; and
- that there is adequate protection for services (above and below ground), street trees and stormwater management.

SCOPE

This policy provides a strategic direction for nature strip management to guide Councillors, employees, residents, planners, developers, contractors and landscapers. It applies to all nature strips within road reserves owned and/or managed by City of Launceston.

This policy is not applicable to conversion of the nature strip to vehicle parking or vice versa nor to proposals including structural components such as footpaths, driveway crossovers, kerb and channel or any other hardstand including concrete, paving, brick or asphalt.

OUR VALUES



Our people matter



We care about our community



We bring an open mind



We go home safe and well

18.1 Nature Strip Policy ...(Cont'd)

POLICY

The City of Launceston encourages property owners to recognise the value of nature strips and to take pride in maintaining them.

Maintenance of Nature Strips by City of Launceston

The City of Launceston will maintain nature strips or road verges that meet any or all of the following:

- Adjacent to the Council's community facilities.
- Adjacent to parks and reserves.
- Nature strips on state roads where the adjoining properties back onto the state road.
- Nature strips where the resident or owner of the property is unable to physically and financially undertake the work themselves, has made application to the Council, fits the eligibility criteria and has had the application approved by the Council.

The City of Launceston provides a special needs nature strip mowing service for eligible people with disabilities or injuries. If they do not have someone living with them who is capable of mowing the nature strip and financially cannot afford someone on their behalf to perform the works, they may be eligible for this service.

The eligibility criteria includes.

- A permanent resident of the City of Launceston, who occupies the property which is the subject of the nature strip mowing service application;
- Does not have anyone capable to perform the task on their behalf;
- Is unable to manage or causes pain to operate a lawnmower;
- Is totally dependent on others for mobility;
- Has sensory disability or vision impairment;
- The terrain is beyond their physical capability to mow; and
- Other discretionary reasons preventing mowing of the nature strip.

Applicants requesting this nature strip mowing service must fill in the application form and have it signed by their qualified health care professional.

Once the application has been assessed, residents who meet the eligibility criteria will be entered on the Council's special needs nature strip mowing service list.

All recipients of this service are required to reapply annually to reconfirm eligibility. Application forms will be sent out by the Council and the service will be suspended if a response is not received.

The Council reserves the right to remove any person from the nature strip special needs mowing service mowing list at any time with two weeks written notice, if any of the following occur:

18.1 Nature Strip Policy ...(Cont'd)

- The person sells or otherwise transfers their interest in the property, and/or ceases to occupy the property;
- The circumstances of the owner / occupier of the property change dramatically, such that the person no longer meets the eligibility criteria stated in this policy;
- The person fails to report any changes in their circumstances, which could make them ineligible for inclusion on the nature strip mowing list; or
- Council deems that the person no longer meets the eligibility criteria stated in this policy.

The Council reserves the right to take special conditions into consideration, other than those listed above.

The nature strip mowing service does not provide a guaranteed mowing frequency and site visits under this Policy will generally be no more than five times a year, or at the Council's discretion.

The Council will clean grass clippings from the footpath, driveway and gutter that results from works carried out in the maintenance of the nature strips. No other rubbish, debris or green waste will be cleaned up and/or removed from the nature strip or private property at the time of mowing.

Alternative Nature Strip Plantings and Treatments

Whilst the preferred standard for nature strips is a grassed verge with or without a street tree, the City of Launceston will consider alternative nature strip treatments upon request and under certain conditions.

A resident wishing to replace the grass verge with low maintenance plantings or garden areas must apply in writing to the Council for approval prior to undertaking any works.

Any proposal must comply with the following conditions:

- Road owners consent is granted prior to any works from either the Council or State Growth.
 - Any changes to the nature strip does not alienate public land for a private purpose. Nature strips shall remain part of the road reserve and in public ownership;
 - Public safety is paramount in all considerations and the works must not create an obstacle or obstruction to the adjoining property owners and/or public use of the nature strip, footpath or road, including pedestrians, cyclists, kerbside parking, rubbish collection and property access;
 - Swale drains located within the nature strip are not modified and remain grassed;
 - Council is not liable for any damage to underground services. *A Dial Before You Dig* must be undertaken by the resident prior to works commencing;
 - Installation and maintenance of alternative plantings and treatments complies with City of Launceston's Guideline for Nature Strips;
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18.1 Nature Strip Policy ...(Cont'd)

- Plantings (excluding street trees) are maintained at a maximum of 60cm;
- Plantings do not include Weeds of National Significance, declared weeds under the *Weed Management Act 1999* or environmental weeds within the Launceston municipality;
- Residents are not permitted to plant, prune, damage or remove street trees in accordance with the 26-Plx-005 Tree Management Policy. Damage includes branches, trunk and roots of the tree. Residents can, however, make a customer service request for a new, replacement or maintenance of a street tree through the Council's Customer Service Centre;
- The Council can require the resident to remove any nature strip treatments that are considered a risk to users of the nature strip, footpath or road, prevents access or impacts of site distances for pedestrians, cyclists or motorists and if the resident does not or cannot maintain the nature strip;
- The Council will not contribute financially to the installation, maintenance or damage caused to an alternative nature strip. The resident is responsible for all costs of ongoing maintenance and the reinstatement back to grass verge if requested or required by the Council; and
- Retrospective approval for nature strips modified prior to endorsing this policy is not required unless deemed unsafe by the Council or there is a failure to maintain the alternative plantings and surfacing in accordance with the City of Launceston's Guideline for Nature Strips.

PRINCIPLES

In line with City of Launceston's vision, purpose and values, the Council provides services for nature strip maintenance where there is no adjoining resident or the adjoining resident is physically and financially unable to maintain the nature strip.

Provided nature strips are kept in a safe and well-maintained condition for pedestrians, cyclists and vehicles; and that there is adequate protection for services (above and below ground), street trees and stormwater management, the City of Launceston will support alternative nature strips plantings and treatments.

RELATED POLICIES & PROCEDURES

Sustainability Strategy 2019

26-Plx-005 Tree Management Policy

26-HLPr-005 Guideline for Nature Strips

26-Fmx-042 Special needs nature strip mowing services for people with incapacities or permanent injuries form

18.1 Nature Strip Policy ...(Cont'd)

RELATED LEGISLATION

Electricity Wayleaves and Easements Act 2000
Environment Protection and Biodiversity Conservation Act 1999
Building Act 2016
Building Regulations 2016
Fire Services Act 1995
Forest Practices Act 1985
Historic Cultural Heritage Act 1995
Local Government Act 1993
Local Government (Highways) Act 1982
Land Use Planning and Approvals Act 1993
Nature Conservation Act 2002
Road Rules 2019
Threatened Species Protection Act 1995
Water Management Act 1999
Water and Sewerage Industry Act 2008
Weed Management Act 1999
Urban Drainage Act 2015

REFERENCES

Australian Standard 4373-2007: Australian Standard for Pruning of Amenity Trees.
Australian Standard 4970-2009: Protection of Trees on Development Sites.

DEFINITIONS

Nature Strip: means the unmade area between the edge of the road and adjacent land, but does not include a bicycle path, footpath or shared path.

Tree: Long-lived woody perennial plant generally with one or relatively few main stems or trunks.

REVIEW

This policy will be reviewed no more than five years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

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

18.1 Nature Strip Policy ...(Cont'd)

DECISION: 20 August 2020

MOTION

Moved Councillor A E Dawkins, seconded Councillor P S Spencer.

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

CARRIED 11:0

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

18.2 Deputy Municipal Emergency Management Coordinator**FILE NO:** SF3177**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Asset Network)

DECISION STATEMENT:

To obtain Council's endorsement for nomination to the position of Deputy Municipal Emergency Management Coordinator.

PREVIOUS COUNCIL CONSIDERATION:

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

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

RECOMMENDATION:

That Council:

1. nominates Mr Peter Denholm as the Deputy Municipal Emergency Management Coordinator with his name to be forwarded to the Minister for Police and Emergency Management via the State Emergency Management Controller as per section 23(1) of the *Emergency Management Act 2006*.
 2. recommends the appointment be for a period of three years as per section 23(4) of the *Emergency Management Act 2006*.
-

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

18.2 Deputy Municipal Emergency Management Coordinator ...(Cont'd)

DECISION: 20 August 2020**MOTION****Moved Councillor D H McKenzie, seconded Councillor J G Cox.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor R I Soward, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

19 ORGANISATIONAL SERVICES NETWORK ITEMS

No Items were identified as part of these Minutes

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

No Items were identified as part of these Minutes

21 CLOSED COUNCIL

No Closed Items were identified as part of these Minutes

22 MEETING CLOSURE

The Deputy Mayor, Councillor D C Gibson, closed the Meeting at 2.07pm.
