



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 14 DECEMBER 2023
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 December 2023

Time: 1.00pm

Certificate of Qualified Advice

Background

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

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

Certification

I certify that:

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



Shane Eberhardt
Acting Chief Executive Officer

AUDIO of COUNCIL MEETINGS

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

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

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

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

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

PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

Present:

Mayor Councillor M K Garwood
Deputy Mayor Councillor D H McKenzie
Councillor D C Gibson
Councillor A G Harris
Councillor T G Walker
Councillor Dr G Razay
Councillor A J Palmer
Councillor S Cai
Councillor A J Britton

In Attendance:

Shane Eberhardt (Acting Chief Executive Officer)
Michelle Ogulin (Acting General Manager Community and Place Network)
Louise Foster (General Manager Organisational Services Network)
Kathryn Pugh (Acting General Manager Infrastructure and Assets Network)
Nathan Williams (Chief Financial Officer)
Leanne Purchase (Manager Governance) (Agenda Item 16.3)
Matthew Morgan (Team Leader Procurement) (Agenda Item 16.3)
Richard Jamieson (Manager City Development) (Agenda Items 10.1 - 10.5)
Duncan Payton (Town Planner) (Agenda Item 10.3)
Catherine Mainsbridge (Senior Town Planner) (Agenda Item 10.2 and 10.4)
Rachael Huby (Town Planner) (Agenda Item 10.1)
Duncan Campbell (Team Leader Governance) (Agenda Item 16.1 and 16.2)
Lucas Lim (Governance and Legal Officer) (Agenda Item 16.2)
Michelle Grey (Properties and Legal Officer) (Agenda Item 16.1)
Luke Scott (Acting Team Leader Communications)
Kelsey Hartland (Risk Officer)
Esther Counsel (Team Leader Governance)
Anthea Rooney (Council and Committees Officer)

Apologies:

Councillor A E Dawkins
Councillor J J Pentridge
Councillor L M McMahon

ORDER OF BUSINESS

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES.....	9
2. MAYORAL ACKNOWLEDGEMENTS	9
3. DECLARATIONS OF INTEREST	9
4. CONFIRMATION OF MINUTES.....	10
5. COUNCIL WORKSHOPS	11
5.1. Council Workshop Report - 30 November and 7 December 2023	11
6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS	13
7. COMMUNITY REPORTS	13
7.1. Community Report - Joanne Dean (Northern Schools Program Manager) - 24 Carrot Gardens.....	14
8. PUBLIC QUESTION TIME	15
8.1. Public Questions on Notice.....	15
8.1.1. Public Questions on Notice - Jim Dickenson - Albert Hall	15
8.1.2. Public Questions on Notice - Rocelyn Ives - Defibrillators at the Cataract Gorge	16
8.2. Public Questions Without Notice.....	17
8.2.1. Public Questions Without Notice - Ron Baines - Council Services, Parking Infringements and Birchalls Building	17
8.2.2. Public Questions Without Notice - Jim Dickenson - Albert Hall	18
8.2.3. Public Questions Without Notice - Robin Smith - Graffiti, Brisbane Street Mall and Seating	19
9. DEPUTATIONS	20
9.1. Youth Advisory Group Annual Reporting - Deputation.....	20
10. PLANNING AUTHORITY	22
10.1. DA0419/2023 - 29 Hillary Street, St Leonards - Community Meeting and Entertainment - Construction and Use of a Place of Worship	22

10.2. DA0403/2022 - 99 Abels Hill Road, St Leonards - Subdivision - One Lot Into Seven Lots and Construction of a Road	29
10.3. DA0302/2020 - 2-4 Middle Street, Launceston - Residential - Construction of a Dwelling; Subdivision - Subdivide One Lot into Two Lots	37
10.4. DA0441/2023 - 37 Talbot Road, South Launceston - Residential - Demolition of a Dwelling and Associated Outbuilding and Construction of Four Dwellings	45
10.5. Amendment PSA-LLP0002 - Rezoning of Land at 9 Rose Lane, South Launceston (Described as CT159336/1, CT247578/2, CT217855/1 and CT200709/1) From the General Residential Zone and Recreation Zone to Community Purpose Zone and Development Application	53
11. ANNOUNCEMENTS BY THE MAYOR.....	56
11.1. Mayor's Announcements.....	56
12. COUNCILLORS' REPORTS	58
13. QUESTIONS BY COUNCILLORS	59
13.1. Councillors' Questions on Notice.....	59
13.1.1. Councillors' Questions on Notice - Councillor D C Gibson - Plane Trees at Norwood and Pump Track.....	60
13.1.2. Councillors' Questions on Notice - Councillor T G Walker - Traffic Issues and Brisbane Street Mall Christmas Tree.....	62
13.2. Councillors' Questions Without Notice.....	63
14. COMMITTEE REPORTS.....	64
14.1. Homelessness Advisory Committee Meeting - 24 October 2023.....	64
15. INFRASTRUCTURE AND ASSETS NETWORK.....	65
15.1. Road Safety Centre Upgrade - Budget Adjustment	65
16. ORGANISATIONAL SERVICES NETWORK	67
16.1. Lease - 18-26 Brussels Street, Mowbray.....	67
16.2. Intention to Close Part of Trevallyn Road.....	69

16.3. Next Steps in Expression of Interest Process - 56 Frederick Street, Launceston	71
16.4. Launceston Central Marketing Inc. Annual Report 2022/2023	73
17. CHIEF EXECUTIVE OFFICER NETWORK	74
17.1. Report on Council's 2023 Annual General Meeting	74
18. CLOSED COUNCIL	76
18.1. Confirmation of the Minutes	76
18.2. Proposed Sale of Council Land in Trevallyn Road, Trevallyn	76
18.3. Road Safety Centre Upgrade	76
18.4. End of Closed Session	77
19. MEETING CLOSURE	77
20. NEXT COUNCIL MEETING DATE	78

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm and noted apologies from Councillor A E Dawkins, Councillor J J Pentridge and Councillor L M McMahon.

2. MAYORAL ACKNOWLEDGEMENTS

The Mayor advised that Councillor Dr G Razay has been appointed Clinical Professor at the University of Tasmania Clinical School.

3. DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - section 48

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

Deputy Mayor Councillor D H McKenzie declared an interest in Agenda Item - 16.1 - Lease - 18-26 Brussels Street, Mowbray

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 30 November 2023 be confirmed as a true and correct record.

DECISION: 14 December 2023

MOTION

Moved Councillor A J Palmer, seconded Councillor A G Harris.

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

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

5.1. Council Workshop Report - 30 November and 7 December 2023

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

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

1. pre-Council Workshop conducted on 30 November 2023:

Road Safety Centre

Councillors received an update on planned works at the Road Safety Centre.

Expressions of Interest - 56 Frederick Street, Launceston

Councillors considered the next steps for the Expression of Interest process for 56 Frederick Street, Launceston.

In Attendance: Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton
Apologies: Mayor Councillor M K Garwood

2. Workshop conducted on 7 December 2023:

Budget 2024/2025 Update

Councillors received an update on the 2024/2025 budget process and parameters, including a draft listing of the Capital and Major Operations programs.

Dogs Home of Tasmania

Councillors received a presentation from the Dogs Home of Tasmania Chief Executive Officer.

Northern Tasmanian Waste Management Group

Councillors were provided with an update by the Northern Tasmanian Waste Management Group.

Launceston Recovery Planning

Stemming from the recently conducted Recovery Exercise, Councillors discussed the Recovery Considerations Action Plan.

In Attendance: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

Apologies: Councillor T G Walker, Councillor J J Pentridge and Councillor L M McMahon

DECISION: 14 December 2023

MOTION

Moved Councillor D C Gibson, seconded Councillor A J Britton.

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

No Councillors' Leave of Absence were identified as part of these Minutes

7. COMMUNITY REPORTS

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

**7.1. Community Report - Joanne Dean (Northern Schools Program Manager) -
24 Carrot Gardens**

FILE NO: SF6368

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER APPROVAL: Shane Eberhardt

SUMMARY OF PRESENTATION

Joanne provided Council with information relating to 24 Carrot Gardens: a kitchen garden program that enriches food education for children, young people and community across Lutruwita/Tasmania. The program's garden-to-plate approach builds practical skills whilst fostering curiosity, creativity and connection with food and one another. Based in Ravenswood, the program supports both school and community food culture development.

8. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1. Public Questions on Notice

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

8.1.1. Public Questions on Notice - Jim Dickenson - Albert Hall

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following questions, submitted to the Council in writing on 26 November 2023 by Jim Dickenson, have been answered by Kathryn Pugh (Acting General Manager Infrastructure and Assets Network).

Questions:

1. Please advise current state of progress with this work. Apart from the felling of several mature trees, there are no obvious signs of any building works presently being undertaken. Is the builder on site? Are the works to be completed before the end of 2024?

Response:

Site establishment works have progressed including the removal of identified trees. In the coming weeks demolition works are programmed to commence. Works are due for completion in late 2024.

2. By the start of 2025 the Albert Hall will effectively have been out of community use for three years depriving our City of essential cultural activities such as the six concerts played in the venue each year by the world class Tasmanian Symphony Orchestra. Is the Council in discussions with the TSO Management regarding concerts returning to Launceston in 2025?

Response:

The Council's staff have been, and will continue to be, in contact with all relevant stakeholders, including the Tasmanian Symphony Orchestra to organise future bookings as the facility becomes available.

8.1.2. Public Questions on Notice - Rocelyn Ives - Defibrillators at the Cataract Gorge

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER APPROVAL: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following questions, asked at the Council Meeting on 30 November 2023 by Rocelyn Ives, have been answered by Kathryn Pugh (Acting General Manager Infrastructure and Assets Network).

Questions:

1. Will the Council consider the provision of two defibrillators at the Cataract Gorge before the current summer season transpires?

Response:

The Council is currently in the process of purchasing three defibrillator units for the Cataract Gorge:

- *one unit to be with the lifeguards when on duty - 11.00am - 4.00pm (Saturday and Sunday only during school term 4 and daily during summer holidays);*
- *one unit located at the lockers near the playground underneath the Basin Café;*
and
- *one unit located at Gorge Restaurant.*

2. Would the Council also seek advice about the updates now available for safe and secure location placement of defibrillators?

Response:

It may take several weeks to install the defibrillators at the lockers beneath the Basin Café and in the Gorge Restaurant. The lifeguards will carry the new unit as soon as it arrives. The Council's Officers will ensure that onsite Security Officers are aware of the location of the defibrillators in order to direct people to them in the case of an emergency.

The defibrillators will not be available 24/7 given the potential for vandalism or damage to the units.

8.2. Public Questions Without Notice

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

8.2.1. Public Questions Without Notice - Ron Baines - Council Services, Parking Infringements and Birchalls Building

- 1. [With reference to recycling initiatives in the community and schools] Will this Council promote and run with this proposal and to what degree?**

The Mayor, Councillor M K Garwood, responded by saying that the ideas and initiatives presented would be considered by the Council and the Council would look at how advocacy in this area could be provided.

- 2. Apparently, the Council acted illegally when a number of parking fines were imposed. The Council was advised of this illegality. Will the Council advise ratepayers of a possible outcome in order to sidestep a freedom on information request from ratepayers?**

Shane Eberhardt, Acting Chief Executive Officer, responded by saying that the Council is unaware of any illegally issued parking infringements and of course, if infringements were issued illegally, they would be revoked. However, if individuals have a point of concern regarding traffic infringements, there is a process to work through such issues on a case by case basis by contacting Customer Service.

- 3. Apparently ratepayers look like losing \$2 million on a future sale of the Birchalls property. As there is a strong likelihood of other losses against this property, is there a likelihood of there being a thorough independent audit regarding all costs associated with this financial disaster?**

The Mayor, Councillor M K Garwood, responded by saying that in relation to the \$2m difference - it is around what is continuing to be retained by the Council in the proposal. No documentation has been signed around this issue as yet, but if the Council were to undertake the development as the plans currently reflect, the thoroughfares, amenities, toilets and possibly some of the office space, will go into that \$2m. It is not necessarily a financial difference or loss, but rather a writing down in the books of the \$2m investment that will go back into the community.

8.2.2. Public Questions Without Notice - Jim Dickenson - Albert Hall

1. [With regard to the SHAPE contract in connection with the Albert Hall] is it a secret that the completion dates are not in the contract?

The Mayor, Councillor M K Garwood, responded by saying that work is currently underway, however, the Acting Chief Executive Officer, Shane Eberhardt will provide further information and advice. It was advised that the contractors are on site and work has commenced. There are multiple stages within the contract and the works being undertaken by SHAPE are just one part of the contract of which there are multiple timeframes and schedules for delivery. In terms of upgrades inside the Hall, these are not part of the current contract with SHAPE and the final details are still to be worked through in order that the project can be delivered.

2. Is SHAPE on site at the moment?

Shane Eberhardt, Acting Chief Executive Officer, advised that SHAPE has commenced on site.

3. As SHAPE are currently on site, what are they doing?

The Mayor, Councillor M K Garwood, responded by saying that it is impossible to accurately answer that question but they are working through the project as they have been employed to do.

4. I have read out a number of responses as to when the project may start and when it may finish, is there one person [at the Council] that could provide an accurate date?

The Mayor, Councillor M K Garwood, responded by saying that as advised by the Acting Chief Executive Officer, the project is due for completion in the last quarter of 2024 and there are other stages that will be delivered that will have an impact on that timeframe.

5. Has a Project Manager, a Supervisor or a Project Team been appointed for the redevelopment of the Albert Hall?

The Acting Chief Executive Officer, Shane Eberhardt, answered by saying, yes - an external Project Manager has been appointed for the project who has been in that position since the start of the project.

8.2.3. Public Questions Without Notice - Robin Smith - Graffiti, Brisbane Street Mall and Seating

- 1. In today's Agenda there is no section for presentation of a petition. How can a petition be presented to the Council?**

The Mayor, Councillor M K Garwood, responded by saying that there is no section included in the Agenda as no Petitions have been submitted as part of the Agenda. There is process for presentation of a Petition to the Council including submission to the Council, formal acceptance at a Council Meeting and discussion or other appropriate action.

Mr Smith indicated he had a petition from Brisbane Street Mall traders regarding cleansing processes. That was provided to the Acting Chief Executive Officer.

- 2. [With regard to removal of graffiti issues] Is it [current removal guidelines] something the Council will look at in light of swastikas appearing around the City?**

The Mayor, Councillor M K Garwood, answered by saying that the Council actively removes graffiti as quickly as possible once it has been identified. Shane Eberhardt, Acting Chief Executive Officer, also added that the Council has no legislative power to remove graffiti from private property, but with consent of property owners, graffiti is removed where the Council can do so.

- 3. With reference to cleansing processes in the Brisbane Street Mall, is it something the Council could look at getting back to paying closer attention to, cleansing and those sorts of things?**

The Mayor, Councillor M K Garwood, responded by saying that the Council could certainly look at its timelines and schedules around cleansing and also around opportunities for urban greening and more plants.

- 4. The public seat besides the taxi rank at 73 George Street has been replaced by an interpretive sculpture which is intended to act as a seat. It is too high as a seat. Is that something the Council could look at installing?**

The Mayor, Councillor M K Garwood, responded by saying that the Council would investigate the matter in light of the City Heart Project work.

9. DEPUTATIONS

9.1. Youth Advisory Group Annual Reporting - Deputation

FILE NO: SF0097

PRESENTERS: Youth Advisory Group Member - Charles Smith

ACTING CHIEF EXECUTIVE OFFICER APPROVAL: Shane Eberhardt

SUMMARY OF PRESENTATION

The City of Launceston Youth Advisory Group (YAG) kicked off another year of youth representation in the community by convening a Meeting on 31 January 2023 in which over 60 Launceston youth participated. Since then, YAG has undertaken discussions about potential projects to include for the year and possibly for the coming years too.

A key change that YAG has instigated is the chairing of meetings by its members based on their chosen topic of interest. This decision demonstrates the potential of YAG members to lead projects and collaborate with one another with the support of the Community Development Officer - Youth and Councillors.

In April, for the first time in YAG's history, YAG was included in the roster of official attendees at the ANZAC Memorial Service. YAG representatives marched and laid a wreath on the Cenotaph after the service.

Another prominent Agenda Item for YAG this year has been rebranding. In May, the group participated in a brief marketing workshop with the aim of introducing the group to the basics of marketing and the different strategies that can be used by the group for future projects.

After being advised about the available marketing tools for YAG, the group revamped its school funding program by changing the old name of Student Executive Equity Development (SEED) to Schools Training and Empowerment Program (STEP). The group also looked at the other aspects of the funding program including the application process, conditions, assessment, monitoring and promotion in a bid to elevate and improve the current program.

In addition, preliminary plans for YAG's involvement in Mental Health Week in October were tabled at one of the meetings in May.

In the same month, the Music in the Mall event was held. Proudly supported by the Council, YAG and Launceston Central City, it featured young local music performers who showcased their talents in front of an audience from different backgrounds in the Brisbane Street Mall.

In June, three YAG members travelled to Hobart to attend the Tasmanian Youth Forum which focused on mental wellbeing and resilience. The participants contributed to table discussions and activities which involved answering questions about what to keep, change and create.

In the same month, YAG started looking at the prospects and utilisation of social media as the main tool to execute their rebranding goal, reach the wider community, launch future projects and promote the people behind YAG and their works. The group agreed to approach rebranding by employing an online facelift on its Facebook and Instagram pages and building momentum on social media first prior to launching major projects. As such, the group penned a Social Media Connection Plan in preparation for the official use of social media for their future endeavors.

In July, YAG green-lit a project proposal that aimed to relaunch and remake the Young Local Legends campaign, a project from 2020. The group finalised the fundamental aspects of the project. It will go full steam ahead, as well as other projects in the pipeline, once its social media arm is up and running.

August and September saw more progress with the social media plans and approval of the social connection and style guide. The YAG Facebook page was reignited early October with the aim of at least one post a week in the future.

As the year approached October it was becoming apparent that external commitments were taking precedence for many YAG members. As exams loomed and decisions about futures needed to be made, as a group it was voted that a modification of the YAG calendar could result in better engagement with a longer break during October exams and reconvening in early December to plan for 2024.

YAG underscores the role of youth in the local political landscape by expressing their growing interest in being more involved in policymaking in terms of youth representation and advising on matters concerning young people at the local level.

The projects undertaken this year will hopefully and ideally leave a legacy that will be carried over to the coming years by future members.

10. PLANNING AUTHORITY

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 9 - Planning Authority.

10.1. DA0419/2023 - 29 Hillary Street, St Leonards - Community Meeting and Entertainment - Construction and Use of a Place of Worship

FILE NO: DA0419/2023

AUTHOR: Rachael Huby (Town Planner)

ACTING GENERAL MANAGER APPROVAL: Michelle Ogulin (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Wilkin Design and Drafting Pty Ltd
Property:	29 Hillary Street, St Leonards
Zoning:	General Residential
Receipt Date:	4/09/2023
Validity Date:	9/11/2023
Further Information Request:	13/10/2023
Further Information Received:	15/11/2023
Deemed Approval:	21/12/2023
Representations:	17

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

PREVIOUS COUNCIL CONSIDERATION:

DA0568/2014 - Delegated Report with two representations received (*permit lapsed*)

DA0242/2011 - Subdivision - 1 lot into 7 lots (including drainage reserve) plus road and balance - Delegated Report with no representations received. No further lots within 29 Hillary Street itself.

STANDARDS REQUIRING PLANNING DISCRETION:

- 8.3.1 P1, P4 Discretionary uses
- 8.5.1 P2, P6 Non-dwelling development
- C2.5.1 P1.1 Car parking numbers
- C2.5.2 P1 Bicycle parking numbers

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme - Launceston, a permit be granted for Community meeting and entertainment - Construction and use of a place of worship at 29 Hillary Street, St Leonards subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover Page, Prepared by Wilkin Design, Drawing No. DA01, Project name: Place of Worship, Dated 23/08/2023.
- b. Project Introduction, Prepared by Wilkin Design, Drawing No. DA02, Project name: Place of Worship, Dated 23/08/2023.
- c. Project Introduction, Prepared by Wilkin Design, Drawing No. DA03, Project name: Place of Worship, Dated 23/08/2023.
- d. Site Plan, Prepared by Wilkin Design, Drawing No. DA04, Project name: Place of Worship, Dated 23/08/2023. *Plan to be amended in accordance with the permit condition.*
- d. Site Section, Prepared by Wilkin Design, Drawing No. DA05, Project name: Place of Worship, Dated 23/08/2023
- e. Floor Plans, Prepared by Wilkin Design, Drawing No. DA06, Project name: Place of Worship, Dated 23/08/2023
- f. North-West Elevation, Prepared by Wilkin Design, Drawing No. DA07, Project name: Place of Worship, Dated 23/08/2023
- g. South-East Elevation, Prepared by Wilkin Design, Drawing No. DA08, Project name: Place of Worship, Dated 23/08/2023
- h. Elevations, Prepared by Wilkin Design, Drawing No. DA09, Project name: Place of Worship, Dated 23/08/2023
- i. 3D Views, Prepared by Wilkin Design, Drawing No. DA010, Project name: Place of Worship, Dated 23/08/2023
- j. Planning Report, Prepared by Wilkin Design submitted with application dated 4/9/2023.
- k. Response to Request for Information, Prepared by Wilkin Design, received via email dated 9/11/2023.
- l. Bushfire Hazard Report, Prepared by Rebecca Green, Job Number RGA-B115, Dated 11/12/2014.

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 and will then form part of the Permit. The amended plans must show:

- a. a Revised Site Plan that includes provision of 12 car parking spaces within the nominated and/or future car parking area on the site

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

3. CAR PARKING

Prior to the commencement of the use, areas set aside for parking vehicles and access lanes must be constructed as shown on the endorsed plans.

4. LEGAL TITLE

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

5. EXTERIOR AND SECURITY LIGHTING

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

6. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/01332-LCC, dated 09/11/2023.

7. HOURS OF CONSTRUCTION

- a. Unless otherwise approved in writing by the Manager Health and Compliance construction, activities must only be carried out between the hours of:
 - i. Monday to Friday - 7am to 6pm; and
 - ii. Saturday - 8am to 6pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

8. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

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

9. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

10. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

11. SINGLE STORMWATER CONNECTIONS

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains.

12. APPLICATION TO ALTER A STORMWATER SERVICE

An application must be made using the Council's eServices web portal, or on the approved form and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

13. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)

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

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

All new works must be constructed to the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

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

14. 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.

15. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

16. EXTERIOR AND SECURITY LIGHTING

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0419/2023. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning Staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

E. Place of Assembly Licence

Prior to the occupation of the premises the applicant is required to attain registration for the Place of Assembly activity in accordance with the Public Health Act 1997. Please contact the Council's Environmental Services Department on 6323 3000 for further information.

F. Signage

Separate approval may be required for any signage proposed on the site.

G. Noise Nuisance

Noise nuisance is regulated under the Environmental Management and Pollution Control Act 1994. Amplified and non-amplified equipment should be used in a manner that will not cause an environmental nuisance, or unreasonable loss of amenity to residential zones.

H. Environmental Management and Pollution Control Act 1994

The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.

DECISION: 14 December 2023

MOTION

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

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

CARRIED 8:1

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Councillor D C Gibson

10.2. DA0403/2022 - 99 Abels Hill Road, St Leonards - Subdivision - One Lot Into Seven Lots and Construction of a Road

FILE NO: DA0403/2022

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

ACTING GENERAL MANAGER APPROVAL: Michelle Ogulin (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	6ty° Pty Ltd
Property:	99 Abels Hill Road, St Leonards
Zoning:	Rural Living
Receipt Date:	7/07/2022
Validity Date:	21/07/2022
Further Information Request:	18/07/2022
Further Information Received:	19/09/2023
Deemed Approval:	14/12/2023
Representations:	Four

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Launceston Interim Scheme 2015

STANDARDS REQUIRING PLANNING DISCRETION:

13.4.4 Lot size and dimensions
13.4.5 Frontage and access
13.4.6 Discharge of stormwater
13.4.7 Water and sewerage services
13.4.8 Local natural values
E4.6.2 Road accesses and junctions

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Scheme 2015, a permit be granted for DA0403/2022 Subdivision - One lot into seven lots and construction of a road at 99 Abels Hill Road, St Leonards subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Proposal Plan, Prepared by 6ty°, Project No 22.185, Drawing No. Cp01, Rev 4, Dated 05.06.23. Amended Plans Required.
- b. Stormwater Drain, Prepared by 6ty°, Project No 22.185, Drawing No. Cp05, Rev A, Dated 05.06.23.
- c. Bushfire Hazard Management Report: 99 Abels Hill Road, Prepared by Michael Tempest, Dated 31 March 2023. Amended Document Required.
- d. Traffic Impact Assessment: 99 Abels Hill Road, Prepared by Traffic and Civil Services, Dated March 2023.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans must be submitted to show:

- a. the extension of the proposed public road toward the north to the extent that the length of the road is maximised while still providing that the combined lot area of Lot 4 and Lot 5 does not fall below 20,000m².
- b. a notation on the plan that an 18m wide reservation is made for a future road connection to the north.
- c. the Bushfire Hazard Management Report must be updated to reflect the required amendments to the plan.

Once approved by the Manager City Development, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans.

3. LEGAL TITLE

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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No.TWDA 2022/011111-LCC and attached to the permit.

5. HOURS OF CONSTRUCTION

- a. Unless otherwise approved in writing by the Manager Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7am to 6pm; and
 - ii. Saturday - 8am to 6pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

6. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

8. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

9. ROAD CROSSINGS FOR SERVICE CONNECTIONS

Where it is required by a service provider (ie. TasWater, Telstra, Aurora, etc.) to upgrade, relocate or remove the existing connection or install a new connection, the developer must apply to the Council's Roads and Hydraulics Manager for approval to install the connection across Abels Hill Road.

The approved installation method is direction drilling/boring. Open trench installation will not be permitted except in exceptional circumstances and requires the written consent of the Council's Infrastructure and Engineering Manager who will specify the required construction and reinstatement works.

No work must commence for the installation, alteration or removal of the connection until such time as the service crossing approval has been obtained.

10. VEHICULAR CROSSING APPLICATION (LOT 1)

Prior to the sealing of the final plan of survey, Lot 1 must be provided with an adequate all weather access from the edge of the road pavement to the property boundary in accordance with LGAT-IPWEA Tasmanian Standard Drawings TSD-R03 *Rural Roads* typical property access and TSD-R04 *Rural Roads* typical driveway profile, unless specified otherwise.

Where such work is not included in detailed engineering drawings of the proposed infrastructure submitted for approval, an application for such work must be lodged electronically via the Council's eServices web portal or on the approved hard copy form.

All redundant driveways must be removed prior to the sealing of the final plan of survey. All new works must be constructed to the Council's standards. The work must include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra, and TasNetworks, etc.). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

11. SOIL AND WATER MANAGEMENT PLAN

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

12. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

13. 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. the provision of an underground electricity supply for each lot and street lighting at the new intersection and the head of the cul de sac.
 - ii. the provision of telecommunications.
- 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.

14. 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. provision of an overland flow path for flows up to a 100 year ARI storm event.
- b. Roads
 - i. provision of a S4 rural style road to provide frontage to all of the proposed lots including all necessary turning facilities, culverts, barriers and all works to meet Austroads sight distance requirements for the junction,
 - ii. provision of a single vehicular crossing for each lot within the subdivision,
 - iii. provision of a 2m wide corridor for the future provision of a footpath, where the finished surface has a crossfall not exceeding 2 per cent.
 - iv. provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - v. provision all necessary line marking, signage and other traffic control devices.
 - vi. provision of street trees in accordance with an approved street landscaping plan.
- c. Electricity, Communications and Other Utilities
 - i. provision of a connection to an underground reticulated electricity system must be provided for each lot and installed to the approval of the Responsible Authority,
 - ii. provision of a street lighting scheme which has lighting at the road junction and the cul de sac head,
 - iii. provision of a connection to an underground telecommunications system for each lot,
 - iv. Provision of a connection to telecommunications infrastructure for each lot,

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 the Council's 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.

15. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. advise the Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then
- b. contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie. legal, valuation, etc. if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

16. 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 and Assets Network.
- b. a Closed Circuit Television inspection report for all stormwater drains constructed or incorporated in the works.
- c. compaction and soil test results for all earthworks and pavement works.
- d. an engineer's certificate that each component of the works comply with the approved engineering plans and the Council's standards.
- e. evidence of completion of third party works (ie. electricity, telecommunications) provided by the Responsible Authority.

17. 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 with 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.

18. 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.

19. 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.

20. STREET LANDSCAPING PLAN

Prior to the approval of the engineering design plans for the road and drainage works, a landscape plan must be prepared by a suitably qualified person and submitted to the Council. Once approved by the 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 street trees on both sides 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. additional screening plantings are to be provided on the western side of the road where the new road reserve abuts 97 Abels Hill Road to provide for privacy. Plantings are to be located so as not to reduce sight distance at the junction.
- d. have each street 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.
- e. be coordinated with the construction plans of any underground services and pavement works so as to provide sufficient clearances around each shade tree.

21. COVENANTS ON SUBDIVISIONS

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- a. such covenants or controls are expressly authorised by the terms of this permit; or
- b. such covenants or similar controls are expressly authorised by the consent in writing of the Council.
- c. such covenants or similar controls are submitted for and receive written approval by the Council prior to submission of a Plan of Survey and associated title documentation is submitted to the Council for sealing.

22. FINAL PLAN OF SURVEY

The Final Plan will not be sealed until all conditions have been complied with.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0403/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning Staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

E. Subdivision - On-site Wastewater Disposal

Be advised, the Preliminary On-site Wastewater Evaluation and Stormwater Disposal Assessment prepared by Geoton, dated 12 September 2022, specifies all proposed new lots will have sufficient available area suitable for the on-site disposal of domestic effluent by way of secondary treated wastewater system, including sufficient reserve area. This permit does not give permission for the installation of an on-site wastewater system on this site. The applicant will need to submit a design report (including site and soil evaluation in accordance with AS/NZS1547:2012 or any subsequent versions of this document) as well as a plumbing application (for the on-site wastewater system) with their building application. Before occupation of the dwelling, the required system must be commissioned.

DECISION: 14 December 2023

MOTION

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

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

10.3. DA0302/2020 - 2-4 Middle Street, Launceston - Residential - Construction of a Dwelling; Subdivision - Subdivide One Lot into Two Lots

FILE NO: DA0302/2020

AUTHOR: Duncan Payton (Town Planner)

ACTING GENERAL MANAGER APPROVAL: Michelle Ogulin (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	PDA Surveyors Engineers and Planners
Property:	2-4 Middle Street, Launceston
Zoning:	Inner Residential
Receipt Date:	11/06/2020
Validity Date:	12/06/2020
Further Information Request:	18/06/2020
Further Information Received:	19/10/2023
Deemed Approval:	18/12/2023
Representations:	Four

RELEVANT LEGISLATION:

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

STANDARDS REQUIRING PLANNING DISCRETION:

- 11.4.2 Site coverage and rear setback for single dwellings
- 11.4.24 Lot size and dimensions
- 11.4.25 Frontage and access
- 11.4.3 Building envelope for single dwellings
- 11.4.5 Privacy for single dwellings
- E13.6.3 Lot size and dimensions and frontage
- E13.6.4 Site coverage
- E13.6.5 Height and bulk of buildings
- E13.6.6 Site of buildings and structure
- E13.6.8 Roof form and materials
- E13.6.9 Wall materials
- E6.5.1 Car parking numbers

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0302/2020 - Residential - construction of a dwelling; Subdivision - subdivide one lot into two lots at 2-4 Middle Street, Launceston, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover Page, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 01, dated 22/05/2023.
- b. Existing Site Plan, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 02, dated 22/05/2023.
- c. Site Plan, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 03, dated 22/05/2023.
- d. Ground Floor Plan, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 04, dated 22/05/2023.
- e. First Floor Plan, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 05, dated 22/05/2023.
- f. Second Floor Plan, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 06, dated 22/05/2023.
- g. Elevation , prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 07, dated 22/05/2023.
- h. Elevation, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 08, dated 22/05/2023.
- i. Existing Floor Plan, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 09, dated 22/05/2023.
- j. Existing Elevations, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 00, dated 22/05/2023.
- k. Turning Circles, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 11, dated 22/05/2023.
- l. Street Elevations, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 12, dated 22/05/2023.
- m. Over Shadowing, prepared by Free Form Designs, construction of a dwelling and subdivision at 2-4 Middle Street, Launceston, revision 06, page 13, dated 22/05/2023.

2. FINAL PLAN OF SURVEY

The Final Plan will not be sealed until all conditions have been complied with.

3. LEGAL TITLE

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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. 2020/00806-LCC, dated 19/10/2023 and attached to the permit.

5. HOURS OF CONSTRUCTION

- a. Unless otherwise approved in writing by the Manager Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7am to 6pm; and
 - ii. Saturday - 8am to 6pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

6. MULTIPLE DWELLINGS - SERVICE FACILITIES

Prior to the commencement of the use, mail receptacles must be provided and appropriately numbered for each dwelling unit.

7. URBAN FLOODING

The new dwelling is located on land that may be subject to riverine and urban flooding. Flood resilient materials are to be used for surfaces below 5.2m AHD and electrical systems and power outlets are to be located above 5.2m AHD to limit the impact of flooding on the development.

8. LETTERBOX

The letterbox for the new dwelling on proposed Lot 2 is to be located on the front boundary of the lot.

9. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

10. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

11. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

12. 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.

13. 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 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.

14. SEPARATION OF SERVICE CONNECTIONS

The applicant must locate and identify the existing service connections (water supply, sewer and stormwater) for the existing development of the land and complete the following work:

- a. ensure that each new title has a single connection to a public stormwater main or kerb adaptor with all other connections being capped.
- b. where required, reroute internal stormwater or sewer pipes within each lot so as to provide an independent system for each lot.
- c. stormwater drains that do cross the new title boundary between lots must be upgraded to a public drain standard or where permitted must be subject to private easement.
- d. ensure each lot has a water connection and meter in accordance with the requirements of TasWater.

The applicant must provide detailed construction plans of all proposed public works prepared by suitably qualified persons and complying with Council's current standards and approved by the Council's General Manager Infrastructure and Assets Network prior to any works commencing. A fee of 1.5% of the public works estimate (or a minimum of \$250) is payable for any public works. Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

15. 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.

16. 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.

17. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan of Survey, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of proposed Lot 2 on the endorsed plan. The valuation shall be determined by a registered land valuer and must be not more than 12 months old at the time of the sealing of the final plan. Valuations are to be procured at the subdivider's expense.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0302/2020. 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.

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.

E. Heat Pump Use

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

Councillor D C Gibson withdrew from the Meeting at 2.46pm
Councillor D G Gibson re-attended the Meeting at 2.48pm

DECISION: 14 December 2023

MOTION

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

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

10.4. DA0441/2023 - 37 Talbot Road, South Launceston - Residential - Demolition of a Dwelling and Associated Outbuilding and Construction of Four Dwellings

FILE NO: DA0441/2023

AUTHOR: Catherine Mainsbridge (Senior Town Planner Development)

ACTING GENERAL MANAGER APPROVAL: Michelle Ogulin (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	6ty° Pty Ltd
Property:	37 Talbot Road, South Launceston
Zoning:	Low Density Residential
Receipt Date:	18/09/2023
Validity Date:	07/11/2023
Further Information Request:	26/09/2023
Further Information Received:	07/11/2023
Deemed Approval:	19/12/2023
Representations:	Four

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

STANDARDS REQUIRING PLANNING DISCRETION:

10.3.1 - Discretionary use
10.4.1 - Residential density for multiple dwellings
10.4.3 - Setback (front and southern side boundaries)

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0441/2023 Residential - Demolition of a dwelling and associated outbuilding, and construction of four dwellings at 37 Talbot Road, South Launceston subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover Page/Location Plan, Prepared by 6ty°, Project 23.117, Dated 10-10-23.
- b. Site Plan, Prepared by 6ty°, Project 23.117, Drawing No. Ap01, Rev 003, Scale 1:200@A1, Dated 10-10-23. AMENDED PLANS REQUIRED.
- c. Concept Services Plan, Prepared by 6ty°, Project 23.117, Drawing No. CP01, Rev B, Scale 1:250@A1, Dated 10-10-23. AMENDED PLANS REQUIRED.
- d. Unit 1 Ground & First Floor and Roof Plan, Prepared by 6ty°, Project 23.117, Drawing No. 1Ap01, Rev 003, Scale 1:100@A1, Dated 10-10-23.
- e. Unit 1 Elevations, Prepared by 6ty°, Project 23.117, Drawing No. 1Ap02, Rev 003, Scale 1:100@A1, Dated 10-10-23.
- f. Unit 2 Ground & First Floor and Roof Plan, Prepared by 6ty°, Project 23.117, Drawing No. 2Ap01, Rev 003, Scale 1:100@A1, Dated 10-10-23.
- g. Unit 2 Elevations, Prepared by 6ty°, Project 23.117, Drawing No. 2Ap01, Rev 003, Scale 1:100@A1, Dated 10-10-23.
- h. Unit 3 Ground & First Floor and Roof Plan, Prepared by 6ty°, Project 23.117, Drawing No. 3Ap01, Rev 003, Scale 1:100@A1, Dated 10-10-23.
- i. Unit 3 Elevations, Prepared by 6ty°, Project 23.117, Drawing No. 3Ap01, Rev 003, Scale 1:100@A1, Dated 10-10-23.
- j. Unit 4 Ground & First Floor and Roof Plan, Prepared by 6ty°, Project 23.117, Drawing No. 4Ap01, Rev 003, Scale 1:100@A1, Dated 10-10-23. AMENDED PLANS REQUIRED.
- k. Unit 4 Elevations, Prepared by 6ty°, Project 23.117, Drawing No. 4Ap01, Rev 003, Scale 1:100@A1, Dated 10-10-23. AMENDED PLANS REQUIRED.
- l. Planning report, Prepared by 6ty°, Dated 11-10-23.

2. AMENDED PLANS REQUIRED

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

- a. dwelling 4 must be setback a minimum of 3m from the southern side boundary.
- b. the windows in the southern elevation of dwelling 4 at the top of the stairs and of the dining room are to have a minimum sill height of 1.5m from finished floor level.

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

3. LEGAL TITLE

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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023 01327-LCC, dated 19/10/2023 and attached to the permit.

5. HOURS OF CONSTRUCTION

- a. Unless otherwise approved in writing by the Manager Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7am to 6pm; and
 - ii. Saturday - 8am to 6pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

6. MULTIPLE DWELLINGS - SERVICE FACILITIES

Prior to the commencement of the use, mail receptacles must be provided and appropriately numbered for each dwelling unit.

7. ADHESION OF TITLES

Prior to the issuing of the Occupancy Certificate, the lots being Volume 22135 Folio 1 and Volume 22135 Folio 2 must be adhered into a single lot under the *Local Government (Building and Miscellaneous Provisions) Act 1993*. The plan must be certified by the Council and lodged with the Land Titles Office for approval.

8. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

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

9. ON-SITE STORMWATER MANAGEMENT

The development must ensure that 20% Annual Exceedance Probability (AEP) peak flow is maintained at the pre-development level for post-development flows of up to a 10% AEP. This can be achieved either by implementation of a detention system and/or the application of Water Sensitive Urban Design (WSUD) treatments for the development. Design of the detention system or WSUD treatment must be undertaken by a civil engineer eligible for membership of IE Aust or equivalent.

Prior to the commencement of works, appropriate plans and calculations must be submitted to the General Manager Infrastructure and Assets Network for approval.

On completion, an *as constructed* plan must be submitted, complete with levels, a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

Note: Water Sensitive Urban Design (WSUD) treatments measures are encouraged and can be applied to meet the above requirements.

10. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

11. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

12. APPLICATION TO ALTER A STORMWATER SERVICE

An application must be made using the Council's eServices web portal, or on the approved form, and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

13. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

14. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)

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

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

All new works must be constructed to the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

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

15. SOIL AND WATER MANAGEMENT PLAN

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

16. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

17. STRATA LOT NUMBERS AND ADDRESSES FOR DWELLINGS

The following number and addressing is to be assigned to the development consistent with the residential addressing standard: Australian Standard AS4819:

Dwelling No	Strata Lot No.	Street Address
1	1	Unit 1/37 Talbot Road
2	2	Unit 2/37 Talbot Road
3	3	Unit 3/37 Talbot Road
4	4	Unit 4/37 Talbot Road

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

17. 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.

18. 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.

19. NO BURNING OF WASTE

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

20. DEMOLITION

The developer must:

- a. protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b. not undertake any burning of waste materials or removed vegetation;
- c. remove all rubbish from the site for disposal at a licensed waste disposal site;
- d. dispose of any asbestos found during demolition in accordance with the Safe Work Australia *How to Safely Remove Asbestos: Code of Practice, July 2020*, or any subsequent versions of the document.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0441/2023. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning Staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

E. Fixed Equipment Use

Use of fixed equipment (eg. heat pumps, water pumps, swimming pool pumps) is subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or any subsequent versions of this regulation.

Councillor A J Palmer withdrew from the Meeting at 2:55pm
Councillor A J Palmer re-attended the Meeting at 3:01pm

Councillor A J Britton withdrew from the Meeting at 2:55pm
Councillor A J Britton re-attended the Meeting at 2:57pm

George Walker (6ty° on behalf of the Applicant) spoke for the Recommendation

DECISION: 14 December 2023

MOTION

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

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

10.5. Amendment PSA-LLP0002 - Rezoning of Land at 9 Rose Lane, South Launceston (Described as CT159336/1, CT247578/2, CT217855/1 and CT200709/1) From the General Residential Zone and Recreation Zone to Community Purpose Zone and Development Application DA0439/2022 - Subdivision - Consolidate Four Titles Into one, Including Alterations to the Road Network; Business and Professional Services - Construction of Six New Commercial Tenancies and Associated Car Parking

FILE NO: PSA-LLP0002/DA0439/2022

AUTHOR: Iain More (Senior Town Planner Policy and Projects)

ACTING GENERAL MANAGER APPROVAL: Michelle Ogulin (Community and Place Network)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Local Provisions Schedule.

PLANNING APPLICATION INFORMATION:

Applicant: ERA
Area of the Site: 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1, CT200709/1, CT210081/1, CT226165/2 and CT68237/1)
Existing Zones: General Residential and Recreation
Existing Use: Vacant land
Receipt Date: 10 September 2022

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

PREVIOUS COUNCIL CONSIDERATION:

Council - 15 December 2022 - Agenda Item 9.3
Initiated Draft Amendment PSA-LLP0002 to the Launceston Local Provisions Schedule, to initiate Amendment PSA-LLP0002, to Rezone land at 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1 and CT200709/1; and approve DA0439/2022 - Subdivision - Consolidate four titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston.

Council - 9 March 2023 - Agenda Item 10.2

Section 40.K report to consider representations for Amendment PSA-LLP0002 - Rezoning of land at 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1, and CT200709/1) from the General Residential Zone and Recreation Zone to Community Purpose Zone, and Development Application DA0439/2022 - Subdivision - Consolidate three titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking

RECOMMENDATION:

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, consider any representations, if received, to draft Amendment PSA-LLP0002 and DA0439/2022.
2. recommends to the Tasmanian Planning Commission that draft Amendment PSA-LLP0002 be approved as shown below, subject to the site being demonstrated to be suitable for its intended purpose, as required by the National Environment Protection (Assessment of Site Contamination) Measure and other relevant guidelines.

TASMANIAN PLANNING COMMISSION



Apply the General Residential Zone to 9 Rose Lane, South Launceston folios of the Register 247578/2 and 200709/1.



Zoning  General Residential Zone

3. refuses DA0439/2022 as the proposed uses no longer align to the General Residential Zone.
-

DECISION: 14 December 2023

MOTION

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

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

11. ANNOUNCEMENTS BY THE MAYOR

11.1. Mayor's Announcements

FILE NO: SF2375

Friday 1 December 2023

- Attended the 40th Anniversary of Northern Suburbs Community Centre, Newnham
- Officiated at the Botanica Exhibition launch, Queen Victoria Museum and Art Gallery, Inveresk
- Attended the Shine Fundraiser, Janie Findlay Carpark

Saturday 2 December 2023

- Participated as a judge for the Launceston Lions Christmas Parade
- Attended the Alpha Company Tas Battalion dinner

Monday 4 December 2023

- Officiated at the Migrant Resource Centre Cultural Connections Opening Ceremony, Civic Square

Tuesday 5 December 2023

- Attended the Indie School End of Year Presentation, Boathouse Centre
- Attended the Glen Dhu Primary School Presentation Evening, Door of Hope

Wednesday 6 December 2023

- Attended the opening of Able Australia Hub and Celebration, Queen Victoria Building
- Officiated at the Bus Stop Films Showcase Night, Queen Victoria Museum and Art Gallery

Thursday 7 December 2023

- Attended the City of Launceston Annual General Meeting, Town Hall
- Attended the Lighting of the Menorah, Brisbane Street Mall

Friday 8 December 2023

- Attended the Playgroup Tasmania 50th Year Anniversary, Playgroup Tasmania
- Participated in the University of Tasmania Town and Gown Parade, Civic Square
- Attended Christmas in Rocherlea, The Shed at Rocherlea
- Attended the Celebration Scotch Oakburn End of Year Event, Launceston Silverdome

Monday 11 December 2023

- Attended the Big Bash League Hurricanes versus Sixers, University of Tasmania Stadium

Tuesday 12 December 2023

- Spoke at the Prospect High School Final Presentation Assembly, Prospect High School
- Attended the Chamber of Commerce Christmas Cocktail Evening, Star Theatre

Wednesday 13 December 2023

- Attended the Waverley Primary School Awards Ceremony, Waverley Primary School
 - Officiated at the Riverside High School Presentation 2023, Riverside High School
-

The Mayor, Councillor M K Garwood, advised that he did not attend the Playgroup Tasmania 50th Year Anniversary or at the Prospect High School Final Presentation Assembly and was represented by Councillor A G Harris.

12. COUNCILLORS' REPORTS

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

Councillor T G Walker withdrew from the Meeting at 3:09pm

Councillor T G Walker re-attended the Meeting at 3:10pm

Councillor T G Walker withdrew from the Meeting at 3.12pm

Councillor T G Walker re-attended the Meeting at 3.13pm

12.1. Councillor A G Harris

- Attended the Prospect High School Final Presentation Assembly
- Attended the Playgroup Tasmania 50th Year Anniversary celebrations
- Attended the Tasmanian *Active Living Council* Meeting

12.2. Councillor S Cai

- Attended three events included in the Sixteen Days of Activism's Walk to End Violence Against Women
- Attended the Migrant Resource *Cultural Connections* opening ceremony

12.3. Councillor A J Palmer

- Attended the Launceston Christian School End of Year Celebration event at the Door of Hope
- Advised that the Lilydale Community Christmas Carols event will be held at 5.00pm on Saturday, 16 December 2023 at the Lilydale Bowls Club
- Advised that the Launceston Community Christmas Carols event will be held at 4.30pm on Sunday, 17 December 2023 at the Silverdome

12.4 Deputy Mayor Councillor D H McKenzie

- Attended the final event of the 40th Anniversary celebrations for the Northern Suburbs Community Centre
- Attended the City of Launceston Christmas Parade
- Attended the opening of Launceston Airport's new security screen
- Attended the Norwood Primary School's End of Year celebrations

12.5. Councillor Dr G Razay

- Attended the Glenara Lakes Christmas Carols event
- Participated (as Dorothy the Dinosaur) in the City of Launceston Christmas Parade
- Attended the New Horizons End of Year concert
- Participated in Sixteen Days of Activism's Walk to End Violence Against Women
- Attended the Dr Carly Peters Exhibition at the Launceston General Hospital

13. QUESTIONS BY COUNCILLORS

13.1. Councillors' Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

13.1.1. Councillors' Questions on Notice - Councillor D C Gibson - Plane Trees at Norwood and Pump Track

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following questions, submitted in writing to the Council on 15 November 2023 by Councillor D C Gibson (*Councillor D C Gibson nominated the Council Meeting of 15 December 2023 as the Meeting for response*), have been answered by Shane Eberhardt (Acting Chief Executive Officer).

Questions:

1. Following Council's consideration on 15 December 2022 regarding the Plane Trees in Norwood, three recommendations were supported, including the development of a management plan. I am aware that consultation has been undertaken with residents.

What was the outcome of the consultation and how are we progressing with the management plan?

Response:

The City of Launceston engaged with the community on a number of projects, including the Norwood Avenue Plane Trees in the first quarter of 2023 (as per the City of Launceston Annual Plan 2023/2024 Progress Report - Council Meeting - 16 November 2023). The feedback from the residents was comprehensive and well considered. A roughly even split of respondents liked/disliked the London plane trees. Residents who liked the London plane trees spoke of their beauty, shade and the character of the street. Those who disliked the trees largely felt that the trees were too large for the street, caused issues with the leaf litter and allergies and had concerns about the root systems. Whilst there were substantial differences in the preferences for the overall outcome for Norwood Avenue, the large majority agreed that they would like to retain a tree-lined avenue and that the greening was important to them.

The City of Launceston's newly appointed Urban Forester has reviewed the petition and consultation responses and has inspected Norwood Avenue. Planning is currently underway to determine the next steps for the avenue, which will include preparation of a draft management plan, based on the community's responses and advice from urban foresters with experience in managing London plane trees in residential areas. The draft management plan will be shared with the residents for feedback and review prior to being finalised.

2. Following Council's decision to support my Notice of Motion on 5 May 2022, there is much excitement about Launceston's first Pump Track. I was thrilled to receive unanimous support and then the budget allocation for this important infrastructure.

Can the community receive an update on this exciting initiative?

Response:

Following an extensive assessment process for the location of a pump track, Launceston's popular Riverbend Park will be home to the municipality's first pump track. The pump track will be located on a 900 square metre area between the North Esk Rowing Club and the Lower Charles Street Bridge. Close proximity to Riverbend Park allows for access to amenities like toilets and car parks, and builds on the location as a recreational hub for Launceston.

The Minutes of the Council Meeting held on 30 November 2023 reflected the response provided at the Meeting in that:

The Council is intending to call for tenders for design and construction of a pump track between the North Esk Rowing Facility and Charles St Bridge in coming weeks. Construction is intended to occur in the first half of 2024.

Since that time the tender has been called and was advertised in The Examiner Newspaper on Saturday, 2 December 2023, with a closing date of 19 January 2024. Following review of tenders, design and construction will commence.

13.1.2. Councillors' Questions on Notice - Councillor T G Walker - Traffic Issues and Brisbane Street Mall Christmas Tree

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following questions, asked at the Council Meeting on 30 November 2023 by Councillor T G Walker, has been answered by Michelle Ogulin (Acting General Manager Community and Place Network).

Questions:

1. What is the Council's definition of an oversized vehicle?

The City of Launceston do have regulations setting out the minimum size for an oversized vehicle. This is determined as a vehicle that has a length of 6m or greater that would not fit in a normal parking bay. The size of the vehicle is determined by the parking attendant through visual inspection, as well as by using a tape measure when necessary. Whilst it is understood vehicles like family SUVs are getting bigger, they are generally under the 6m in length and will fit in a standard parking bay.

2. Is there anything further that can be done to safeguard the Brisbane Street Mall Christmas tree?

Response:

Launceston's revamped Christmas tree has been incredibly popular, and the Council has had really positive feedback about it. Several security measures are already in place and there has been very limited damage to the tree:

- *the tree is under 24-hour CCTV surveillance and the City of Launceston has also had private security on hand to monitor it.*
 - *vandalism incidents have been minimal and the Council is pleased with the pride most members of the community are taking in the tree.*
 - *the Council is investigating upgrading the fence in the future to make it more difficult for anyone to scale it in the future.*
-

13.2. Councillors' Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

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

14. COMMITTEE REPORTS

14.1. Homelessness Advisory Committee Meeting - 24 October 2023

FILE NO: SF7447

AUTHOR: Nindarra Wheatley (Community Development Officer Inclusion)

ACTING GENERAL MANAGER APPROVAL: Michelle Ogulin (Community and Place Network)

DECISION STATEMENT:

To receive a report from the Homelessness Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Homelessness Advisory Committee Meeting held on 24 October 2023.

DECISION: 14 December 2023

MOTION

Moved Councillor T G Walker, seconded Councillor Dr G Razay.

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

15. INFRASTRUCTURE AND ASSETS NETWORK

15.1. Road Safety Centre Upgrade - Budget Adjustment

FILE NO: SF0905

AUTHOR: Michael Newby (Chief Infrastructure Officer)

ACTING GENERAL MANAGER APPROVAL: Kathryn Pugh (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider the budget adjustment required to facilitate the construction of the Road Safety Centre Upgrade project, Stages 3 and 4.

Recommendations 1 and 2 require an absolute majority of Council.

RELEVANT LEGISLATION:

*Local Government (Meeting Procedures) Regulations 2015
Local Government Act 1993 (Tas)*

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 30 November 2023 - Road Safety Centre Upgrade Update

RECOMMENDATION:

That Council:

1. receives the project update and acknowledges the required budget adjustment (uplift) of \$1,098,258 required to complete the works for the Road Safety Centre Upgrade project at 1 Lawrence Vale Road, South Launceston.
 2. notes that the budget increase will be funded through the Council receiving the Australian Government's Local Roads and Community Infrastructure grant with the budget adjustment to occur early in 2024.
-

DECISION: 14 December 2023

MOTION

Moved Councillor T G Walker, seconded Councillor D C Gibson.

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

CARRIED BY ABSOLUTE MAJORITY 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

16. ORGANISATIONAL SERVICES NETWORK

16.1. Lease - 18-26 Brussels Street, Mowbray

FILE NO: SF7573/SF2967

AUTHOR: Michelle Grey (Lease and Licensing Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing part of the property situated at 18-26 Brussels Street, Mowbray (part of CT251351 Folio 1, CT151512 Folio 27 and CT230610 Folio 1) to the Northern Suburbs Community Centre and Starting Point Neighbourhood House.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. by absolute majority in accordance with section 179 of the *Local Government Act 1993* (Tas), agrees to lease public land situated at 18-26 Brussels Street, Mowbray (part of CT251351 Folio 1, CT151512 Folio 27 and CT230610 Folio 1) to the Northern Suburbs Community Centre Incorporated and Starting Point Neighbourhood House Incorporated as indicated on the plan shown below:



Plan showing the proposed market garden at Dover Reserve

2. authorises the Acting Chief Executive Officer to enter into a formal lease under the following terms:
 - (a) the term shall be five years commencing on 1 January 2024;
 - (b) the commencing rent shall be \$323.96 per annum based on 182 fee units;
 - (c) tenant to be responsible for all outgoing costs such as:
 - energy costs;
 - connecting the property to water reticulation;
 - volumetric and connection service charges for water; and
 - sewerage charges
 - (d) tenant shall continuously maintain:
 - the property in good and reasonable order; and
 - public liability insurance of at least \$10 million
 - (e) the exact dimensions of land to be leased and all remaining terms to be determined by the Acting Chief Executive Officer.
 3. authorises the Acting Chief Executive Officer to exercise any right, option or discretion exercisable by the Council under the lease.
 4. notes, for the avoidance of doubt, Acting 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).
-

Deputy Mayor Councillor D H McKenzie withdrew from the Meeting at 3:43pm

DECISION: 14 December 2023

MOTION

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

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

CARRIED BY ABSOLUTE MAJORITY 8:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

ABSENT DUE to DECLARATION OF INTEREST: Deputy Mayor Councillor D H McKenzie

Deputy Mayor Councillor D H McKenzie re-attended the Meeting at 3.54pm

16.2. Intention to Close Part of Trevallyn Road

FILE NO: SF2075

AUTHOR: Lucas Lim (Governance and Legal Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the permanent closure of part of the highway adjacent to 12 Trevallyn Road, Trevallyn.

RELEVANT LEGISLATION:

Local Government (Highways) Act 1982 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 31 August 2023 - Disposal of Interest in Land - 12 Trevallyn Road, Trevallyn

RECOMMENDATION:

That Council:

1. pursuant to section 14(1) of the *Local Government (Highways) Act 1982 (Tas)*, forms the opinion that approximately 74m² of the local highway in Trevallyn Road subject to a historical building and fence encroachment and indicated in the hatched portion in the picture below, should be closed because of lack of use:



2. requests the Chief Executive Officer to:
 - (a) ensure that notification is provided as required by section 14 of the *Local Government (Highways) Act 1982* (Tas); and
 - (b) subject to any formal objections being received and referred to the Magistrates Court (Administrative Appeals Division), permanently close the part of the local highway described at Recommendation 1.
 3. notes, for the avoidance of doubt, that the term 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).
-

DECISION: 14 December 2023

MOTION

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

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

16.3. Next Steps in Expression of Interest Process - 56 Frederick Street, Launceston

FILE NO: CD.037/2023

AUTHOR: Leanne Purchase (Manager Governance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the next steps in relation to the expression of interest process for future use of 56 Frederick Street, Launceston.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 4 May 2023 - Disposal of 56 Frederick Street, Launceston

Workshop - 23 November 2023 - Expression of Interest Process - 56 Frederick Street, Launceston

Workshop - 30 November 2023 - 56 Frederick Street, Launceston - Next Steps

RECOMMENDATION:

That Council:

1. notes that 15 expressions of interest were received for the future use of 56 Frederick Street, Launceston.
 2. determines that:
 - (a) 56 Frederick Street, Launceston is not to be sold and notes that because of this decision, two expressions of interest that seek to buy the premises will now be excluded from further consideration;
 - (b) a lease in alignment with the Council's Lease and Licence Policy 19-Plx-002 is the appropriate mechanism for managing the ongoing use of 56 Frederick Street, Launceston; and
 - (c) the remaining 13 applications will be assessed against weighted criteria of community benefit (25%), location fit for purpose (25%), ongoing viable use (25%) and activation of the site (25%).
 3. requests that the Chief Executive Officer progresses the Expression of Interest process by providing the remaining applicants with an opportunity to provide additional information by 11.59pm on Thursday, 1 February 2024 in response to:
 - (a) the weighted criteria; and
 - (b) questions around the structure of the entity with which/whom the Council may enter a lease, the business experience of that entity and the investment the applicant intends to make in the premises, beyond any investment by the Council to attend to identified maintenance and structural matters.
-

Councillor A J Britton withdrew from the Meeting at 4:02pm
Councillor A J Britton re-attended the Meeting at 4:05pm

DECISION: 14 December 2023

MOTION

Moved Councillor D C Gibson, seconded Councillor T G Walker.

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

16.4. Launceston Central Marketing Inc. Annual Report 2022/2023

FILE NO: SF0016

AUTHOR: Karishma Kodavali (Economic Development Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive the Central Launceston Marketing inc (currently known as Launceston Central Marketing Inc). Annual Report 2022/2023.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 14 September 2023 - Central Launceston Marketing Inc. presented their service delivery report to Councillors

RECOMMENDATION:

That Council receives the Central Launceston Marketing Inc. Annual Report 2022/2023 (Doc Set ID - 4989188).

Councillor S Cai withdrew from the Meeting at 4:11pm
Councillor S Cai re-attended the Meeting at 4:14pm

DECISION: 14 December 2023

MOTION

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

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

17. CHIEF EXECUTIVE OFFICER NETWORK

17.1. Report on Council's 2023 Annual General Meeting

FILE NO: SF0098

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER APPROVAL: Shane Eberhardt

DECISION STATEMENT:

To report on the Council's 2023 Annual General Meeting, held in compliance with section 72B of the *Local Government Act 1993* (Tas) on Thursday, 7 December 2023 at 5.30pm in the Council Chambers, Town Hall, Launceston.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That, in respect of the Annual General Meeting held at 5.30pm on Thursday, 7 December 2023 in the Council Chambers, Town Hall, Launceston, Council notes the following motions passed at that Meeting:

- (a) that the Minutes of the Annual General Meeting of the City of Launceston Council held on 1 December 2022 be confirmed as a true and correct record.
 - (b) that Council:
 - 1. receives the City of Launceston Annual Report for the year ended 30 June 2022 and pursuant to section 72(2)(a) of the *Local Government Act 1993* (Tas) and submits one copy of the Annual Report to the Director of Local Government and one to the Director of Public Health.
 - 2. notes the Queen Victoria Museum and Art Gallery Annual Report 2022/2023 was received by the Council at its Meeting on 19 October 2023 and Launceston Flood Authority Annual Report for the period ended 30 June 2023 was received by Council at its Annual General Meeting on 7 December 2023.
-

DECISION: 14 December 2023

MOTION

Moved Councillor A G Harris, seconded Councillor A J Britton.

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

18. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

18.1 Confirmation of the Minutes

Regulation 35(6) of the *Local Government (Meeting Procedures) Regulations 2015* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

18.2 Proposed Sale of Council Land in Trevallyn Road, Trevallyn

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.

18.3 Road Safety Centre Upgrade

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

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

18.4 End of Closed Session

To be determined in Closed Council.

DECISION: 14 December 2023

MOTION

Moved Councillor A J Palmer, seconded Councillor A G Harris.

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

CARRIED BY ABSOLUTE MAJORITY 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

Council moved into Closed Session at 4.18pm
Council returned to Open Session at 4.30pm

18.4 End of Closed Session

RECOMMENDATION:

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

Agenda Item	Matter	Brief Description
18.1	<i>Closed Council Minutes</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 30 November 2023.</i>
18.2	<i>Proposed Sale of Council Land in Trevallyn Road, Trevallyn</i>	<i>Councillors endorsed the sale of land located within Trevallyn Road, Trevallyn.</i>
18.3	<i>Road Safety Centre Upgrade</i>	<i>Councillors accepted the tender submitted by Zanetto Civil, Contract Number CD.038/2023, for \$1,470,697 (exclusive of GST) for the Road Safety Centre Upgrade.</i>

DECISION: 14 December 2023

MOTION

Moved Councillor A G Harris, seconded Councillor A J Britton.

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

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

19. MEETING CLOSURE

The Mayor, Councillor M K Garwood, closed the Meeting at 4.31pm.

20. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 25 January 2024 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.