



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 16 NOVEMBER 2023
1.03PM**

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

Date: 16 November 2023

Time: 1.03pm

Certificate of Qualified Advice

Background

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

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

Certification

I certify that:

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



Michael Stretton
Chief Executive Officer

AUDIO of COUNCIL MEETINGS

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

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

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

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

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

PUBLIC QUESTION TIME - AGENDA ITEM 8

Questions received in writing by 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 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
Councillor A J Britton (entered Meeting at 1.05pm)

In Attendance:

Michael Stretton (Chief Executive Officer)
Dan Ryan (General Manager Community and Place Network)
Louise Foster (General Manager Organisational Services Network)
Shane Eberhardt (General Manager Infrastructure and Assets Network)
Nathan Williams (Chief Financial Officer)
Richard Jamieson (Manager City Development) (Agenda Items 9.1 to 9.4)
Iain More (Senior Town Planner - Policy and Projects) (Agenda Item 9.1)
Duncan Payton (Town Planner) (Agenda Item 9.2 and 9.3)
Catherine Mainsbridge (Senior Town Planner - Development) (Agenda Item 9.4)
Michelle Ogulin (Manager Liveable Communities) (Agenda Item 13.1)
Luke Scott (Acting Team Leader Communications)
Kelsey Hartland (Team Leader Governance)
Anthea Rooney (Council and Committees Officer)

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor M K Garwood, opened the Meeting at 1.03pm.

2. MAYORAL ACKNOWLEDGEMENTS

Councillor A J Britton entered the Meeting at 1.05pm

The Mayor, Councillor M K Garwood congratulated the City of Launceston on their achievements in the 2023 Worksafe Awards. The Mayor presented the following awards: Garry Wellman (Team Leader Workplace Health and Safety) and Brandon Murphy with their individual awards in the following categories:

Finalist (Individual) - Garry Wellman (Team Leader Workplace Health and Safety) - Category 4 - Excellence in contributions to work health and safety - an award that recognises individuals or teams who make an exceptional difference to work health and safety.

Finalist (Individual) and Winner - Brandon Murphy (Asset Investigations Officer) - Category 5 - Excellence achieved by a health and safety representative - a category that acknowledges elected health and safety representatives (HSRs) who make a significant contributions and improvements to work health and safety within their designated work groups.

Abby Osborne (Systems, Officer, Workplace Health and Safety) accepted an award on behalf of the City of Launceston as a finalist for demonstrated commitment to continuous improvement of work health and safety outcomes through the creation and continuation of an outstanding safety culture.

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 13.1 - Community Grants 2023/2024 Round 1 (Northern Suburbs Community Centre)

Councillor A E Dawkins declared an interest in Agenda Item 13.1 - Community Grants 2023/2024 Round 1 (RSPCA Tasmania)

Councillor L M McMahon declared an interest in Agenda Item 13.1 - Community Grants 2023/2024 Round 1 (Soroptimist International of Launceston Inc.)

Councillor J J Pentridge declared an interest in Agenda Item 9.4 - DA0338/2023 - 65 Correa Drive, Relbia - General Retail and Hire/Food Services - Cellar Door, Construction of a New Building

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

DECISION: 16 November 2023

MOTION

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

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 2 November 2023 be confirmed as a true and correct record.

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

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

5.1. Council Workshop Report - 2 and 9 November 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 2 November 2023:

Rose Lane Presentation

JMC Automotive Group presented to Councillors on a proposed development at Rose Lane.

In Attendance: Mayor Councillor M K Garwood, 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: Deputy Mayor Councillor D H McKenzie

2. Workshop conducted on 9 November 2023:

Northern Suburbs Community Overview

Councillors received an overview of the Northern Suburbs highlighting infrastructure projects and positive community initiatives.

2024 Schedule of Council Meetings and Workshops

Councillors provided input into the 2024 Schedule of Council Meetings and Workshops and identified any matters for Workshopping in 2024.

Northern Suburbs Community Recreation Hub Governance

Councillors were provided with a briefing on the Northern Suburbs Community Recreation Hub governance.

Proposed Lease to FaRM Project

Councillors received an overview on the FaRM Project which will enable a social enterprise market garden to be established.

SunCable Development

Councillors were provided with a briefing on the SunCable development.

Northern Suburbs Community Centre Site Tour of Community Garden

Councillors were escorted on a site tour of the community garden at the Northern Suburbs Community Centre.

In Attendance: Mayor Councillor M K Garwood, 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: Deputy Mayor Councillor D H McKenzie

DECISION: 16 November 2023

MOTION

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

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

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

No Councillors' Leave of Absence Applications have been identified as part of this Agenda.

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. Jeremy Torr (Festival Director) - Storytelling Festival

FILE NO: SF6368

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

SUMMARY OF PRESENTATION

Jeremy thanked the City of Launceston for its financial contribution and support to assist with running the Festival. Almost 300 people attended the three day Festival and participated in Workshops and other events. The Festival for 2024 is listed for August.

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 - Josie Stott - Corin Street

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, submitted to the Council in writing on 7 November 2023 by Josie Stott, has been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Would the Council consider putting a foot path in Corin Street?

Response:

The level of residential development in Corin Street, West Launceston warrants a footpath. A footpath for Corin Street will be prioritised within the City of Launceston's future footpath upgrade program.

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 - Albert Hall Trees and 1 Little Green Street, Invermay

- 1. What is the current state of the trees that are adjacent to the Albert Hall complex that this Council wishes to kill?**

The Mayor, Councillor M K Garwood, responded by saying that the trees are currently being removed as part of the re-development of the Albert Hall.

- 2. A well maintained avenue of trees on a suitably wide street or road is lovely, however, given this Council's propensity for killing trees to suit development, how does this fit in with the greening Launceston that has been proposed by the City of Launceston?**

The Mayor, Councillor M K Garwood, responded by saying as part of some redevelopments, trees are removed. However, this year alone, the Council has replanted over 500 trees and will continue to be active in this space. Incorporating this continued approach into the Greening of Launceston Memorandum of Understanding with the Chamber of Commerce and street scape planning will ensure trees are at the forefront of proposals into the future.

- 3. Can the proposed traffic directions be changed so that it redirects the truck drivers to the actual entrance in South Street rather than through Little Green Street?**

The Mayor, Councillor M K Garwood, advised that this question will be responded to as part of discussions relating to Agenda Item 9.1 - 1 Little Green Street, Invermay as it is an active item in today's Agenda.

8.2.2. Public Questions Without Notice - Rod Graham - 1 Little Green Street, Invermay

- 1. Will this Council will explain why permission has been granted to the development to allow traffic movements in line with commercial zoning hours even though all vehicles will travel through a residential zone to reach the site?**

The Mayor, Councillor M K Garwood, advised that this question will be responded to as part of discussions relating to Agenda Item 9.1 - 1 Little Green Street, Invermay as it is an active item in today's Agenda.

- 2. If this proposed development goes ahead, could you explain the future mechanisms for dealing with issues of relating to traffic problems, noise pollution, infringement of delivery vehicle hours and will the Council assume responsibility for issues directly affecting residents related to the site or will the burden of proof be placed on the residents regarding issues?**

The Mayor, Councillor M K Garwood, advised that this question will be responded to as part of discussions relating to Agenda Item 9.1 - 1 Little Green Street, Invermay as it is an active item in today's Agenda.

8.2.3. Public Questions Without Notice - Ian Goninon - Flood Mitigation Measures

- 1. [With regard to flood mitigation measures in Invermay and associated flood insurance limitations], what, in addition to providing advanced warning that a flood is coming, is the Council doing regarding flood mitigation and has the Council applied for flood mitigation money or developed a 10-year plan to address those issues important to the City?**

The Mayor, Councillor M K Garwood, responded by saying that the City's flood intelligence system has recently received a \$400,000 upgrade as a result of funding received from the government. The City of Launceston is also receiving funding for levee upgrades and maintenance recovery monies for damages to flood affected structures. Obviously, there are additional grant applications that can be applied for.

9. PLANNING AUTHORITY

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

9.1. DA0318/2022 - 1 Little Green Street, Invermay - Storage - Construction of a Building and Associated Infrastructure with Rear Access over 10-12 South Street, Invermay

FILE NO: DA0318/2022

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

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Angela Hodge and Dale Hainsworth
Property:	1 Little Green Street and 10-12 South Street, Invermay
Zoning:	Commercial
Receipt Date:	13/07/2023
Validity Date:	04/08/2023
Further Information Request:	26/07/2023
Further Information Received:	04/08/2023
Deemed Approval (extension granted):	16/11/2023
Representations:	78

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

DA0398/2022 - Storage - Construction of storage units and associated offices - Withdrawn
DA0730/2021 - Storage - Construction of storage units and associated offices - Withdrawn

STANDARDS REQUIRING PLANNING DISCRETION:

Clause 17.4.2 Setbacks - Performance Criteria P2
Clause 17.4.6 Landscaping - Performance Criteria P1
Clause C2.6.2 Design and layout of parking areas - Performance Criteria P1
LAU-S10.7.2 Flood Impact - Performance Criteria P3

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 DA0318/2023 - Storage - Construction of a building and associated infrastructure with rear access over 10-12 South Street, at 1 Little Green Street and 10-12 South Street, Invermay, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Development Application Report, prepared by Plans to Build, dated 04/08/2023;
- b. Cover Page, prepared by Plans to Build, Drawing No. A00, 1 of 9, dated 04/08/2023;
- c. Overall Site Plan, prepared by Plans to Build, Drawing No. A01, 2 of 9, dated 04/08/2023;
- d. Part Site Plan, prepared by Plans to Build, Drawing No. A02, 3 of 9, dated 04/08/2023;
- e. Overall Floor Plans, prepared by Plans to Build, Drawing No. A03, 4 of 9, dated 04/08/2023;
- f. Typical Tenancy Plans, prepared by Plans to Build, Drawing No. A04, 5 of 9;
- g. Roof Plan, prepared by Plans to Build, Drawing No. A05, 6 of 9, dated 04/08/2023;
- h. Elevations, prepared by Plans to Build, Drawing No. A06, 7 of 9, dated 04/08/2023;
- i. Shadow Diagrams, prepared by Plans to Build, Drawing No. A07, 8 of 9, dated 04/08/2023;
- j. Perspective, prepared by Plans to Build, Drawing No. A08, 9 of 9, dated 04/08/2023; and
- k. 1 Little Green Street, Invermay - Flood Study and Emergency Management Plan, prepared by DA Consulting Engineers, Ref: 21422, dated 1/09/2023.

2. AIR EXTRACTION AND ROOFTOP INFRASTRUCTURE

All air extraction systems and rooftop infrastructure must be separated from all boundaries adjoining a residential zone by at least 10m and be suitably screened as to not be visible from any public area.

3. LEGAL TITLE

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

4. 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. External lighting (not including security lighting) may only operate between the hours of 6.00am and 11.00pm.

5. COMMERCIAL VEHICLE MOVEMENTS

Commercial vehicle movements and the unloading and loading of commercial vehicles for the use is limited to:

- a. Monday to Saturday - 7.00am and 9.00pm; and
- b. Sunday and Public Holidays - 8.00am and 9.00pm.

6. USE LIMITATION

This permit allows the use for storage, as defined within the Tasmanian Planning Scheme - October 2023. The use of the storage facilities must not include:

- a. petroleum produces and crude oil;
- b. wet salted or unprocessed hides; and
- c. chemicals

7. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/00975-LCC, dated 18/08/2023 and attached to the permit.

8. BUSINESS HOURS

The operation of the storage warehouse use must be confined to:

- a. Monday to Saturday - 7.00am and 9.00pm; and
- b. Sunday and Public Holidays - 8.00am and 9.00pm.

9. 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 - 7.00am to 6.00pm; and
 - ii. Saturday - 8.00am to 6.00pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

10. SITE LANDSCAPING

Prior to any occupancy permit being granted, a landscape plan must be submitted for approval by Manager City Development. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include the following details:

- a. major site features such as building footprints, topography, contours existing vegetation and street boundaries; and
- b. existing and proposed garden areas and plantings (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity); and
- c. any stabilisation works required as a result of tree or vegetation removal; and
- d. all proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
- e. the vegetation along the northern boundary is limited to a maximum height of 1.5m; and
- f. the type, species, and maximum height of all vegetation proposed.

Once approved, the plan will be endorsed and will form part of the permit. The landscaping must be:

- g. installed in accordance with the endorsed plan; and
- h. completed within three months of the use commencing; and
- i. maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

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

Where required as a result of Advice to the Drainage Authority provided on a TasWater Submission to Planning Authority Notice (SPAN), issued for the development, on-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of one hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development.

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

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. ACCESS

Access for the three storage tenancies are limited to the right of way over 10-12 South Street. No access is permitted for the tenancies from Little Green Street.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0318/2023. 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. No Approval for Alterations to Driveway Crossover

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

Mark Weiss spoke against the Recommendation
Veronica Gilbody spoke against the Recommendation
Rod Graham spoke against the Recommendation
Wendy Brennan spoke against the Recommendation
Dawn Rhodes spoke against the Recommendation
Susan Doke spoke against the Recommendation
Veronica Gilbody (on behalf of Peta Frost) spoke against the Recommendation
Eliza Davidson spoke to the Recommendation
Dale Hainsworth spoke for the Recommendation
Angela Hodge spoke for the Recommendation

DECISION: 16 November 2023

MOTION 1

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

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

NO VOTE WAS TAKEN AS AMENDMENT WAS PUT

DECISION: 16 November 2023

MOTION 2

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

That Deputy Mayor, Councillor D H McKenzie, be granted an additional three minutes speaking time.

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

DECISION: 16 November 2023

MOTION 3

Moved Councillor A J Palmer, seconded Councillor L M McMahon.

That Councillor T G Walker be granted an additional three minutes speaking time.

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

Councillor A J Britton withdrew from the Meeting at 2.44pm
Councillor A J Britton re-attended the Meeting at 2.45pm

Councillor A J Palmer withdrew from the Meeting at 2.45pm
Councillor A J Palmer re-attended the Meeting at 2.47pm

DECISION: 16 November 2023

MOTION 4

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

That Council suspends Standing Orders in order to discuss additional notes for the Planning Permit.

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

Standing Orders were suspended at 2.48pm

DECISION: 16 November 2023

MOTION 5

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

That Standing Orders resume.

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

Standing Orders resumed at 2.56pm

DECISION: 16 November 2023

AMENDMENT 6

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

That the Motion be amended to include the following additional notes at the conclusion of the Permit conditions:

Additional Notes:

Council notes the intention of the property owner to address the points listed below, Alteration of Address and Acoustic Fencing:

Alteration of Address

That Council notes that it is permissible under the Local Government (Highways) Act 1982 to alter the address of the subject property and the property owner is urged to initiate a process to alter the address of the site to a South Street address.

Acoustic Fencing

That Council encourages the owners of the development sites suggestion to consider the need for additional acoustic screening in consultation with the neighbouring residences at 2 Little Green Street, Invermay.

THE AMENDMENT WAS PUT AND CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

THE MOTION AS AMENDED BECOMES THE SUBSTANTIVE MOTION

DECISION: 16 November 2023

MOTION 7

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

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0318/2023 - Storage - Construction of a building and associated infrastructure with rear access over 10-12 South Street, at 1 Little Green Street and 10-12 South Street, Invermay, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Development Application Report, prepared by Plans to Build, dated 04/08/2023;
- b. Cover Page, prepared by Plans to Build, Drawing No. A00, 1 of 9, dated 04/08/2023;
- c. Overall Site Plan, prepared by Plans to Build, Drawing No. A01, 2 of 9, dated 04/08/2023;
- d. Part Site Plan, prepared by Plans to Build, Drawing No. A02, 3 of 9, dated 04/08/2023;
- e. Overall Floor Plans, prepared by Plans to Build, Drawing No. A03, 4 of 9, dated 04/08/2023;
- f. Typical Tenancy Plans, prepared by Plans to Build, Drawing No. A04, 5 of 9;
- g. Roof Plan, prepared by Plans to Build, Drawing No. A05, 6 of 9, dated 04/08/2023;
- h. Elevations, prepared by Plans to Build, Drawing No. A06, 7 of 9, dated 04/08/2023;
- i. Shadow Diagrams, prepared by Plans to Build, Drawing No. A07, 8 of 9, dated 04/08/2023;
- j. Perspective, prepared by Plans to Build, Drawing No. A08, 9 of 9, dated 04/08/2023; and
- k. 1 Little Green Street, Invermay - Flood Study and Emergency Management Plan, prepared by DA Consulting Engineers, Ref: 21422, dated 1/09/2023.

2. AIR EXTRACTION AND ROOFTOP INFRASTRUCTURE

All air extraction systems and rooftop infrastructure must be separated from all boundaries adjoining a residential zone by at least 10m and be suitably screened as to not be visible from any public area.

3. LEGAL TITLE

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

4. 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. External lighting (not including security lighting) may only operate between the hours of 6.00am and 11.00pm.

5. COMMERCIAL VEHICLE MOVEMENTS

Commercial vehicle movements and the unloading and loading of commercial vehicles for the use is limited to:

- a. Monday to Saturday - 7.00am and 9.00pm; and
- b. Sunday and Public Holidays - 8.00am and 9.00pm.

6. USE LIMITATION

This permit allows the use for storage, as defined within the Tasmanian Planning Scheme - October 2023. The use of the storage facilities must not include:

- a. petroleum produces and crude oil;
- b. wet salted or unprocessed hides; and
- c. chemicals.

7. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/00975-LCC, dated 18/08/2023 and attached to the permit.

8. BUSINESS HOURS

The operation of the storage warehouse use must be confined to:

- a. Monday to Saturday - 7.00am and 9.00pm; and
- b. Sunday and Public Holidays - 8.00am and 9.00pm.

9. 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 - 7.00am to 6.00pm; and
 - ii. Saturday - 8.00am to 6.00pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

10. SITE LANDSCAPING

Prior to any occupancy permit being granted, a landscape plan must be submitted for approval by Manager City Development. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include the following details:

- a. major site features such as building footprints, topography, contours existing vegetation and street boundaries; and
- b. existing and proposed garden areas and plantings (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity); and
- c. any stabilisation works required as a result of tree or vegetation removal; and
- d. all proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
- e. the vegetation along the northern boundary is limited to a maximum height of 1.5m; and
- f. the type, species, and maximum height of all vegetation proposed.

Once approved, the plan will be endorsed and will form part of the permit. The landscaping must be:

- g. installed in accordance with the endorsed plan; and
- h. completed within three months of the use commencing; and
- i. maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

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

Where required as a result of Advice to the Drainage Authority provided on a TasWater Submission to Planning Authority Notice (SPAN), issued for the development, on-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of one hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development.

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

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. ACCESS

Access for the three storage tenancies are limited to the right of way over 10-12 South Street. No access is permitted for the tenancies from Little Green Street.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0318/2023. 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. No Approval for Alterations to Driveway Crossover

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

Additional Notes:

Council notes the intention of the property owner to address the points listed below, Alteration of Address and Acoustic Fencing:

Alteration of Address

That Council notes that it is permissible under the Local Government (Highways) Act 1982 to alter the address of the subject property and the property owner is urged to initiate a process to alter the address of the site to a South Street address.

Acoustic Fencing

That Council encourages the owners of the development sites suggestion to consider the need for additional acoustic screening in consultation with the neighbouring residences at 2 Little Green Street, Invermay.

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

9.2. DA0277/2023 - 50 Wildor Crescent, Ravenswood - Subdivision - Subdivide 1 Lot Into 103 Lots Including Construction of a Road, Public Open Space and Drainage Reserve

FILE NO: DA0277/2023

AUTHOR: Duncan Payton (Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	6ty° Pty Ltd
Property:	50 Wildor Crescent, Ravenswood
Zoning:	General Residential
Receipt Date:	26/06/2023
Validity Date:	28/06/2023
Further Information Request:	25/07/2023
Further Information Received:	15/09/2023
Deemed Approval:	16/11/2023
Representations:	Five

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

The land was rezoned to General Residential pursuant to the Housing Land Supply (Ravenswood) Order 2023.

STANDARDS REQUIRING PLANNING DISCRETION:

8.6.11 P2 - General Residential Zone - Lot design - Frontage less than 12m
8.6.11 P4 - General Residential Zone - Lot design - Orientation of long axis
8.6.2 P1 - General Residential Zone - New road
C3.5.1 P1 - Road and Railway Asset Code - Traffic generation at a new junction
C8.6.1 P1 - Scenic Management Code - Destruction of vegetation within Scenic Protection
C13.6.1 P1 - Bushfire-Prone Areas Code - Provision of hazard management areas
C13.6.2 P1 - Bushfire-Prone Areas Code - Access

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 DA0277/2023 - Subdivision - subdivide one lot into 103 lots including construction of a road, public open space and drainage reserve at 50 Wildor Crescent, Ravenswood, 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. Concept Servicing Masterplan, prepared by 6ty Pty Ltd, project 22.264, Subdivision development at 50 Wildor Crescent, Ravenswood, revision F, page Cp02, dated 07/09/2023.
- b. Plan of Subdivision Proposal, prepared by 6ty Pty Ltd, project 22.264, Subdivision development at 50 Wildor Crescent, Ravenswood, revision D, page Cp01, dated 07/09/2023..
- c. Concept Road Design Road A, prepared by 6ty Pty Ltd, project 22.264, Subdivision development at 50 Wildor Crescent, Ravenswood, revision A, page Cp0210, dated 05/09/2023
- d. Concept Road Design Road B & C, prepared by 6ty Pty Ltd, project 22.264, Subdivision development at 50 Wildor Crescent, Ravenswood, revision A, page Cp12, dated 05/09/2023.
- e. Planning Submission, prepared by 6ty Pty Ltd, project 22.264, Proposed 100 lot subdivision - 50 Wildor Crescent, Ravenswood, dated 12/09/2023.
- f. Bushfire Hazard management Report, prepared by RMCG, 50 Wildor Crescent, Ravenswood, dated 02/05/2023.
- g. Stormwater Management Report, prepared by 6ty Pty Ltd, project 22.264, 50 Wildor Crescent, Ravenswood, dated 28/03/2023.
- h. Transport Impact Assessment, prepared by GHD, 50 Wildor Crescent, Ravenswood, dated 28/03/2023.

2. FINAL PLAN OF SURVEY

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

3. TASRAIL

Prior to the commencement of drainage works, the final stormwater design plans must be provided to TasRail for review.

4. LEGAL TITLE

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

5. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/00852-LCC, dated 22/09/2023 and attached to the permit.

6. 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 - 7.00am to 6.00pm; and
 - ii. Saturday - 8.00am to 6.00pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

7. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of 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.

9. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

10. SOIL AND WATER MANAGEMENT CONTROL PLAN

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

- a. allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. location of adjoining roads, impervious surfaces, underground services and existing drainage.
- c. location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
- d. critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. the estimated dates for the start and finish of the works.
- f. the erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. the sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. timing of the site rehabilitation or landscaping program.
- i. outline of the maintenance program for the erosion and sediment controls.

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

11. FILLING OF LAND

Site filling that exceeds a depth of 300mm must comply with the provisions of AS3798 Guidelines on earthworks for commercial and residential developments current at the time of the application. Prior to the use commencing, a Civil Engineer must certify that all the works have been carried out in accordance Australian Standard AS 3798 and the endorsed plan.

12. PROTECTION OF PIPELINES

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

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

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

13. 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.

14. SUBMISSION AND APPROVAL OF PLANS

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

- a. include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. electricity infrastructure including street lighting.
 - ii. communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. evidence of assessment by TasGas Networks re provision of reticulated gas network.
- 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.

15. 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 and the drainage reserve;
 - ii. the provision of a DN100 connection to the lowest point of each lot; and
 - iii. provision of an overland flow path for flows up to a 100 year ARI storm event.
- b. Roads - Wildor Crescent
 - i. provision of a fully constructed road 11m wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel;

- ii. provision of a 1,500mm wide footpath located on the development (ie. western side) of Wildor Crescent;
 - iii. provision of all necessary pedestrian kerb ramps, including one located mid frontage to link to the walkway through the public open space;
 - iv. provision of a single vehicular crossing for each lot with its primary frontage to Wildor Crescent; and
 - v. provision of all necessary line marking, signage and other traffic control devices.
- c. Roads - Road A
- i. provision of a fully constructed road 8.9m wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel;
 - ii. provision of a 1,500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;
 - iii. provision of a single vehicular crossing for each lot within the subdivision;
 - iv. provision of a sealed temporary turning head of a suitable size for incomplete roads;
 - v. provision of street trees in accordance with the approved street landscaping plan;
 - vi. provision of a sealed temporary turning head of a suitable size for incomplete roads; and
 - vii. provision of all necessary line marking, signage and other traffic control devices.
- d. Roads - Road B
- i. provision of a fully constructed road 8.9m wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel;
 - ii. provision of a 1,500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;
 - iii. provision of a single vehicular crossing for each lot within the subdivision;
 - iv. provision of street trees in accordance with the approved street landscaping plan;
 - v. provision of a sealed temporary turning head of a suitable size for incomplete roads; and
 - vi. provision of all necessary line marking, signage and other traffic control devices.
- e. Roads - Road C
- i. provision of a fully constructed road 8.9m wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel;
 - ii. provision of a 1,500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps and handrails where grades dictate;
 - iii. provision of street trees in accordance with the approved street landscaping plan;
 - iv. provision of a sealed temporary turning head of a suitable size for incomplete roads; and
 - v. provision of all necessary line marking, signage and other traffic control devices.

- f. Public Open Space
 - i. provision of a pedestrian path not less than 1,800mm wide located within the public open space connecting to the footpaths located in Wildor Crescent and Road A including all necessary landings and handrails;
 - ii. provision of all necessary works to restrict traffic;
 - iii. provision of a 25mm water connection;
 - iv. provision of all necessary drainage works; and
 - v. revegetation of all disturbed areas.

- g. Drainage Reserve
 - i. provision of a pedestrian path not less than 2,000mm wide located within the drainage reserve adjacent to the stormwater boundary channel within a 3m wide clear corridor to facilitate vehicle access;
 - ii. provision of all necessary works to restrict unauthorised traffic; and
 - iii. revegetation of all disturbed areas.

- h. Electricity, Communications and Other Utilities
 - i. all necessary relocation of existing services to facilitate the installation of new infrastructure to facilitate the subdivision;
 - ii. provision of a connection to an underground reticulated electricity system for each lot within the subdivision designed and installed to the approval of the Responsible Authority, except where those lots can be connected directly to an existing overhead supply;
 - iii. provision of a public street lighting scheme designed and installed to the approval of the Responsible Authority;
 - iv. provision of a connection to an underground telecommunications system for all lots designed and installed to the approval of the Responsible Authority; and
 - v. provision of connections to reticulated water and sewer networks to service all lots and installed to the approval of the Responsible Authority.

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

- i. construction requirements;
- ii. appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange the Council's Audit inspections and other responsibilities;
- iii. Construction Audit inspections; and
- iv. practical completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

16. 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.

17. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. fully constructed public road along all frontages, including the secondary frontage where a corner lot;
- b. a sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition;
- c. a stormwater connection to the public drainage system;
- d. access to underground electricity and communications infrastructure; and
- e. connections to reticulated water and sewerage networks that have been constructed to the satisfaction of TasWater.

18. 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 sewers or drains constructed or incorporated in the works.
- c. compaction and soil test results for all earthworks or pavement works.
- d. an engineer's certificate that each component of the works comply with the approved engineering plans and the Council's standards.

19. EASEMENTS

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

20. 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 required by the planning permit.
- b. the provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.

- c. the provision of engineering certification and as constructed documentation in accordance the Council's requirements.
- d. the subsequent issue of a Certificate of Practical Completion by the General Manager Infrastructure and Assets Network for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. the lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

21. 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.

22. CONVEYANCE OF PUBLIC OPEN SPACE

All public open space lots in the subdivision must be conveyed to the Council upon the issue of titles. All costs involved in this procedure must be met by the Subdivider.

23. COMPLETION OF WORKS

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

24. AS CONSTRUCTED PLANS

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

25. 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.

26. REVEGETATION OF DISTURBED AREAS

All disturbed surfaces on land resulting from the works authorised or required by this permit must be revegetated and stabilised to the satisfaction of the Council so as to prevent any erosion or siltation either on or adjacent to the land.

27. STREET LANDSCAPING PLAN

As part of the submission of engineering design plans of the civil works, a landscape plan must be prepared by a suitably qualified person and submitted to the General Manager Infrastructure and Engineering Network. Once approved, 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, unless otherwise approved by the General Manager Infrastructure and Assets.
- b. provide street trees of an approved species at an average spacing of one per 20m of frontage. Trees shall be true to form, in vigorous health and nominally have a minimum planted height of 2.5m, a minimum trunk diameter of 25mm (measured 1m above the surface) subject to nominated species (typical of a tree in a 25L bag).
- c. each tree provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal.
- d. be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.

28. 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 difference between 5% of the unimproved value of the approved lots shown on the final plan and the percentage of the land proposed as public open space. 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 DA0249/2023. 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. TasRail Standard Notes

- 1. Where a building or other development is proposed to be located at a setback distance less than 50m from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time.*
- 2. Landowners, builders/developers and prospective residents should undertake appropriate due diligence to ensure they are aware of potential exposure to train horn noise and vibration, particularly in relation to building design, material specifications and lifestyle. The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.*
- 3. Using or creating an unlicensed railway crossing or stock crossing is unsafe and strictly prohibited. Rail Safety National Law requires all private crossings to be subject to an interface agreement (licence). Where a privately owned property interfaces with a rail crossing and/or State Rail Network land please contact property@tasrail.com.au to discuss the necessary authorisations and licencing process.*
- 4. Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au*
- 5. Any excavation within 3m of the rail boundary line requires a separate TasRail Permit from property@tasrail.com.au in accordance with section 44 of the Rail Infrastructure Act 2009. A minimum of seven business days' notice is required, but earlier engagement is recommended*
- 6. Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.*

7. *No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.*
8. *As per the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.*
9. *No persons should enter rail land without formal authorisation from TasRail in the form of a TasRail Permit issued by property@tasrail.com.au*

F. Railway Nuisance

Due to proximity to the railway, noise, vibration and light reduction measures should be incorporated into the design and construction of any development used for a sensitive use, in order to reduce nuisance.

Deputy Mayor Councillor D H McKenzie withdrew from the Meeting at 3.06pm
Deputy Mayor Councillor D H McKenzie re-attended the Meeting at 3.07pm

Councillor J J Pentridge withdrew from the Meeting at 3.11pm

David Carsell spoke against the Recommendation
Owen Howard spoke against the Recommendation
Belinda Howard spoke against the Recommendation
George Walker (6tyo on behalf of the Applicant) spoke for the Recommendation

DECISION: 16 November 2023

MOTION

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

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

CARRIED 10:1

FOR VOTE: 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 L M McMahon, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

ABSTAINED FROM VOTING: Councillor T G Walker

Councillor J J Pentridge re-attended the Meeting at 3.47pm

9.3. DA0249/2023 - 116-128 Cimitiere Street, Launceston - Visitor Accommodation, Food Services, General Retail and Hire, Community Meeting and Entertainment, Hotel Industry, Signage and Vehicle Parking - Construction of a Hotel and Mixed Use Development involving partial demolition of existing buildings and new road access located at 116-128 Cimitiere Street, 136 Cimitiere Street, 132 Cimitiere Street and 130 Cimitiere Street, Launceston

FILE NO: DA0249/2023

AUTHOR: Duncan Payton (Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	GP Hotel Launceston Tas Pty Ltd - Ireneinc Planning
Property:	116-128 Cimitiere Street, 136 Cimitiere Street and 132 Cimitiere Street, Launceston
Zoning:	Urban Mixed Use
Receipt Date:	5/06/2023
Validity Date:	11/09/2023
Further Information Request:	01/07/2023
Further Information Received:	14/09/2023
Deemed Approval:	20/11/2023
Representations:	Four

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council - 14 May 2020 - Agenda Item 9.1 - DA0506/2019 - Visitor Accommodation, Food Services, General Retail and Hire, Community Meeting and Entertainment, Hotel Industry, Signage, and Vehicle Parking - Construction of a hotel and mixed use development involving partial demolition of existing buildings and new road access located at 116-128 Cimitiere Street, 136 Cimitiere Street, 132 Cimitiere Street and 130 Cimitiere Street, Launceston

That decision of Council to approve the application and grant the permit was appealed to the then Resource Management and Planning Appeal Tribunal (the Tribunal) on the grounds:

1. That the height of the building was not compatible with the streetscape and character of the surrounding area.
-

2 and 3. The site is potentially contaminated and the proposal did not satisfy the relevant provisions of the code.

With regard to ground 1, the Tribunal concluded that the proposal was compatible with the streetscape and surrounding character.

With regard to grounds 2 and 3, the Tribunal concluded that the requirements of the Potentially Contaminated Land Code were satisfied by modifying the permit conditions and directed the manner in which condition 3 of the permit was to be modified.

STANDARDS REQUIRING PLANNING DISCRETION:

- 13.4.1 P1 - Building height
- C2.5.2 P1 - Bicycle parking numbers
- C2.5.3 P1 - Motorcycle parking numbers
- C2.6.5 P1 - Pedestrian access
- C2.7.1 P1 - Parking precinct plan
- C3.5.1 P1 - Traffic generation at a vehicle crossing
- C6.6.1 P1 - Demolition
- C6.6.2 P1 - Site coverage
- C6.6.3 P1 - Height and bulk of buildings
- C6.6.4 P1 - Siting of buildings and structures
- C6.6.7 P1 - Building alterations
- C9.5.2 P1 - Sensitive use within an attenuation area
- C14.5.1 P1 - Suitability for intended use
- C14.6.1 P1 - Excavation works

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 DA0249/2023 - Visitor Accommodation, Food Services, General Retail and Hire, Community Meeting and Entertainment, Hotel Industry, Signage and Vehicle Parking - Construction of a hotel and mixed use development involving partial demolition of existing buildings and new road accesses at 116-128, 130, 132 and 136 Cimitiere 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 sheet, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, dated 18/09/2023.
- b. Contents, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, dated 28/09/2023.
- c. Location Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA0.01, dated 28/09/2023.
- d. Survey Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA0.02, dated 28/09/2023.

- e. Demolition Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA0.03, dated 28/09/2023.
- f. Site & Roof Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA1.01, dated 28/09/2023.
- g. Ground Floor Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA2.00, dated 28/09/2023.
- h. 1st Floor Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA2.01, dated 28/09/2023.
- i. 2nd Floor Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA2.02, dated 28/09/2023.
- j. 3rd Floor Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA2.03, dated 28/09/2023.
- l. 4th -6th Typical Floor Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA2.04, dated 28/09/2023.
- m. 7th-8th Typical Floor Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA2.05, dated 28/09/2023.
- n. 9th Floor Plan, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA2.06, dated 28/09/2023.
- o. Cimitiere Street Elevation, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA3.01, dated 28/09/2023.
- p. Tamar Street Elevation, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA3.02, dated 28/09/2023.
- q. William Street Elevation, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA3.03, dated 28/09/2023.
- r. South Boundary Elevation, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA3.04, dated 28/09/2023.
- s. Extended Street Elevation, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA3.05, dated 28/09/2023.
- t. Section A, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA4.01, dated 28/09/2023.
- u. Section B, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA4.02, dated 28/09/2023.
- v. Shadow Study, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA5.01, dated 28/09/2023.
- w. Plan and Elevation - Street Detail - Cimitiere Street, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA5.11, dated 28/09/2023.
- x. Plan and Elevation - Street Detail - Tamar Street, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA5.12, dated 28/09/2023.
- y. Plan and Elevation - Street Detail - William Street, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA5.13, dated 28/09/2023.
- z. Materials Palette, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA5.41, dated 28/09/2023.
- aa. External Material prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, dated 28/09/2023.
- bb. Cimitiere and Tamar Street View, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA6.01, dated 28/09/2023.
- cc. Cimitiere St View, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA6.02, dated 28/09/2023.

- dd. Heritage Hotel Plaza, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA6.03, dated 28/09/2023.
- ee. William St View, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA6.05, dated 28/09/2023.
- ff. Tamar St View, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA6.04, dated 28/09/2023.
- gg. Warehouse Hotel Plaza, prepared by Scanlan, Architectural Drawings - WTC City Park, Launceston, page DA6.06, dated 28/09/2023.
- hh. Existing Services and Demolition, prepared by Gandy and Roberts, GP Hotel, Launceston, revision B, page C010, dated 15/08/2019.
- ii. Concept Services: Site works, prepared by Gandy and Roberts, GP Hotel, Launceston, revision C, page C020, dated 15/08/2019.
- jj. Concept Access Sight Lines, prepared by Gandy and Roberts, GP Hotel, Launceston, revision C, page C030, dated 15/08/2019.
- kk. Concept Turning Templates 1/2, prepared by Gandy and Roberts, GP Hotel, Launceston, revision C, page C031, dated 15/08/2019.
- ll. Concept Turning Templates 2/2, prepared by Gandy and Roberts, GP Hotel, Launceston, revision B, page C032, dated 15/08/2019.
- mm. Concept Services: Stormwater, prepared by Gandy and Roberts, GP Hotel, Launceston, revision B, page C040, dated 15/08/2019.
- nn. Concept Services: Sewer and Water, prepared by Gandy and Roberts, GP Hotel, Launceston, revision B, page C050, dated 15/08/2019.
- oo. Planning Submission, prepared by Irenelnc, GP Hotel, Launceston, dated May 2023
- pp. Architectural Statement, prepared by Scanlan, WTC City Park, Launceston, dated 19/05/2023.
- qq. Noise Assessment, prepared by NVC, City Park Launceston Hotel, dated 28/03/2023.
- rr. Site Servicing Report, prepared by Gandy and Roberts, City Park Tower Hotel, Launceston, revision B, dated 10/12/2018.
- ss. Engineers Advice, prepared by NVC, City Park Tower, dated 12/04/2023
- tt. Environmental Wind Considerations, prepared by MEL Consultants, Launceston Hotel, dated 09/03/2023.
- uu. Preliminary Environmental Investigation, prepared by Scherzic Pty Ltd, GP Hotel Launceston, dated 07/03/2023
- vv. Traffic Impact Assessment, prepared by Midson Traffic Pty Ltd, City Park Hotel Launceston, dated May 2023.
- ww. Historic Heritage Management Strategy, prepared by Praxis Environment, City Park Launceston Hotel, dated 28/03/2023.
- xx. Heritage and Archaeological Impact Assessment, prepared by Praxis Environment, City Park Launceston Hotel, dated April 2023.
- yy. Waste Management Plan and operations Guide, prepared by LID Consulting, Commercial Hotel Development, Launceston, dated 05/05/2023.
- zz. Phase 1 Environmental Site Assessment, prepared by EM&C, 114-136 Cimitiere Street, Launceston, dated 28/03/2023.

2. 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.

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 2023/00795-LCC, dated 03/08/2023 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 - 7.00am to 6.00pm; and
 - ii. Saturday - 8.00am to 6.00pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

6. HERITAGE

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage *Council Notice of Heritage* Decision for THC Works Ref: No. 8198, dated 18 October 2023 and attached to the permit.

7. 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, including the provision of minimum height clearances;
- 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.

8. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

9. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of 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.

10. 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 Council standards. All costs associated with these contractors are to be borne by the applicant.

11. 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 the street.

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.

12. 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's 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.

13. 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.

14. OCCUPATION OF ROAD RESERVE

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the General Manager Infrastructure and Assets Network is required.

Application for the occupation of Cimitiere Street/Tamar Street/William Street must be made not less than 14 days prior to date of the scheduled occupation or works and must be accompanied by a detailed traffic management plan prepared by appropriately qualified and experienced person and must include the following details (but not limited to):

- a. the nature, dates and duration of the occupation and/or works;
- b. the contractor/s undertaking the works;
- c. the traffic management works that are employed to provide for the continued safe use of the road reserve by pedestrians and vehicles;
- d. any alternative pedestrian routes to be provided where the existing footpath(s) in Cimitiere Street/Tamar Street/William Street are unavailable for use due to the works and/or occupation; and
- e. any temporary works required to maintain the serviceability of the road or footpath.

A permission issued for any occupation and/or works may be subject to conditions specifying or limiting any of the above listed matters.

Requests for complex or long term occupations including those impacting on traffic lanes may require longer periods of assessment and should be lodged with the Council as soon as possible.

Fees for the occupation of the road reserve will be charged pursuant to the Facilities and Highways By-Law and in accordance with the Council's published Schedule of Fees and Charges

15. PROTECTION OF PIPELINES

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

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

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

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. SUBMISSION AND APPROVAL OF PLANS

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

- a. include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. electricity infrastructure including street lighting.
 - ii. communications infrastructure and evidence of compliance with the *fibre-ready* requirements of National Broadband Network.
 - iii. evidence of assessment by TasGas Networks regarding provision of reticulated gas network.

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

18. CONSTRUCTION OF WORKS

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

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

- 1. Roads
 - i. the removal of all redundant driveway crossings along the frontages of the site;
 - ii. the installation of the new crossovers and driveway aprons shown on the endorsed plans;
 - iii. the relocation of all affected services including but not limited to the street light pole in William Street; and
 - iv. the installation of all necessary linemarking, signage and other traffic control devices required by the works described above.

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; and
- d. practical completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

19. COMPLETION OF WORKS

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

20. 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.

21. 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.

22. NOTIFICATION OF INCIDENT

If an incident causing or threatening serious or material environmental harm from pollution occurs in the course of the activity (or activities) to which this Permit relates, then the person responsible for the activity (or activities) must:

- a. immediately take all practicable action to minimise any adverse environmental effects from the incident;
- b. as soon as reasonably practicable, but not later than 24 hours, after becoming aware of the incident, contact Council's Customer Service on 6323 3000; and
- c. not later than 24 hours after becoming aware of the incident, provide a report to the Council's Health and Compliance Department, outlining the nature of the incident, the circumstances in which it occurred and the action taken to deal with the incident (this report must be provided irrespective of whether the person responsible for the activity (or activities) has reasonable grounds for believing that the incident has already come to the notice of the Council's Health and Compliance Department or any officer engaged in the administration or enforcement of the *Environmental Management and Pollution Control Act 1994*).

23. 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.

24. 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.

25. SITE REMEDIATION VALIDATION

After demolition and prior to construction, excavation and/or earth works, a remediation and validation report (RVR) must be submitted to the satisfaction of the Manager Health and Compliance and must be completed or endorsed by a site contamination practitioner certified under the Environment Institute of Australia and New Zealand Inc's Certified Environmental Practitioners (Site Contamination) scheme, otherwise known as the CEnvP (Site Contamination) scheme. The RVR must include a statement that the land is suitable for the intended use.

26. CONTAMINATION

Prior to commencement of the use each of the following studies and plans must be completed and submitted to the satisfaction of the Manager, City Development for approval:

- A. In accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM) there must be developed a Conceptual Site Model (CSM) and a Sample Plan that investigates each of the following areas of risk:
 - a. in the area of old power transformers: sample points must be placed on a map with depths to eliminate risk by testing for PCB's and PAH (five samples at the surface compared to guidelines proposed).
 - b. the impacts of the foundry: the sample points must be placed on a map with depths to eliminate risk by testing for Metals, PAH and Hydrocarbons (Minimum five samples at the surface (100mm) compared to guidelines proposed).
 - c. the impacts of and the area where mechanical works or vehicles were stored the sample points must be placed on a map with depths to eliminate risk by testing for PAH, Metals and Hydrocarbons (five samples at the surface (100mm) compared to guidelines proposed).
 - d. test each of the three groundwater monitoring bores down gradient of the site, for Chlorinated Hydrocarbons, PCBs, hydrocarbons, PAH and Metals. This must be included in the sampling plan to determine offsite impacts and vapour intrusion issues that may exist outside the soil testing program. If access to the groundwater bores cannot be obtained, three vapour bores will be installed near the boundary of the Site to assess vapour impacts on the Site, the analytes required remain the same.
 - e. Vapour Assessment: As a precautionary measure the plan must include a vapour assessment of the internal building air in order to determine any vapour intrusion that may be likely.
 - f. the CSM must be continuously updated to inform decision-making in relation to remediation or additional contamination management measures.
- 3A. Prior to commencement of the use there must be, submitted for approval by the Manager City Development, a Construction Environmental Management Plan (CEMP) for the site which must address:
 1. the management of environmental risk during construction;
 2. the Supervisor to check for odour or soil discolouration;
 3. work is to stop if contamination is detected;
 4. protective clothing (disposable) dust masks (P2) be used;
 5. VOC gas meters are required to monitor exposure to VOC and explosive gasses;
 6. gloves, eye protection be used;
 7. soil to be stockpiled into 25m³ piles and sampled to determine disposal process;
 8. sediment and dust generation is to be monitored; and
 9. It must contain a statement by the author that either:
 - (a) the level of contamination does not present a risk to human health or the environment; or
 - (b) that a plan to manage contamination and associated risk to human health or the environment must be implemented and which includes:
 - (i) any further environmental site assessment that must be undertaken;
 - (ii) any further specific remediation or protection measures that must be implemented before the use commences; and

- (iii) a statement that the site is suitable for the intended use or will be so suitable upon implementation and completion of the requirements of the plan.

3B. Prior to commencement of the use there must be, submitted for approval by the Manager City Development, a Construction Containment Management Plan (CCMP) which must address:

1. specify each contaminant and its location;
2. if required, the remediation and protection measures that must be implemented in accordance with the NEPM;
3. the volumes of soil (if any) to be removed will be specified and to what depth;
4. where soil is to be removed, the disposal process that is to be implemented;
5. final ground levels and the required compaction;
6. if groundwater is to be remediated, the remediation process; and
7. a statement by the author that either:
 - (a) that the level of contamination does not present a risk to human health or the environment; or
 - (b) the further plans and steps to manage the contamination and associated risk to human health or the environment that must be implemented in order that the land will ultimately be suitable for the approved use.

27. VAPOUR ASSESSMENT

- a. A vapour assessment must be provided demonstrating that the development does not adversely impact on human health and the environment. It must include a vapour assessment of the internal building including the basement in order to determine any vapour intrusion that may occur during construction and over the life of the completed building.
- b. The vapour assessment must be completed after demolition and prior to commencement of excavation, earth works or construction.
- c. The vapour assessment must be undertaken by a suitably qualified environmental practitioner specialising in vapour intrusion.
- d. If vapour intrusion risks are identified through the assessment, the assessment report is to include recommendations to prevent the intrusion of vapours into the building structure, including the basement.
- e. A statement must be provided in the assessment report that confirms the site is suitable for the intended use or will be suitable upon implementation and completion of the recommendations of the report.
- f. The vapour intrusion recommendations included in the vapour assessment report must be implemented.
- g. This assessment report must be submitted to council to the satisfaction of the Manager Health and Compliance.

28. VAPOUR MONITORING

Monitoring for vapour intrusion must be undertaken annually by a suitably qualified environmental practitioner specialising in vapour intrusion, unless otherwise directed in writing by the Manager Health and Compliance.

- a. the Council must be notified within 24 hours if vapour intrusion occurs.
- b. annual vapour records must be kept and made available to the Council upon request.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0249/2023. 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. Food Businesses

All food businesses must be registered with the Council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part H102.0 or any subsequent versions of this document.

F. Noise Nuisance

Noise and odour nuisance is regulated under the Environmental Management and Pollution Control Act 1994. The location of any air extraction, pumping, refrigeration systems, compressors or generators must not be located in such a manner that will cause an environmental nuisance, or unreasonable loss of amenity to residential zones.

G. 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.

**Phil Gatrell (on behalf of the proponent) spoke for the Recommendation
Victoria Wilkinson spoke to the Recommendation**

DECISION: 16 November 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 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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

AGAINST VOTE: Nil

9.4. DA0338/2023 - 65 Correa Drive, Relbia - General Retail and Hire/Food Services - Cellar Door; Construction of New Building

FILE NO: DA0338/2023

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Wilkin Design and Drafting Pty Ltd
Property:	65 Correa Drive, Relbia
Zoning:	Rural Living
Receipt Date:	21/07/2023
Validity Date:	31/07/2023
Further Information Request:	03/08/2023
Further Information Received:	09/10/2023
Deemed Approval:	16/11/2023
Representations:	Three

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

DA0555/2003 - Use site for growing grapes (agriculture), construct associated wine tasting/sales area and car park (part Buffer Area 2) - approved under delegation

DA0125/2011 - Construction of a building - Workshop; Relocate Wine Tasting building (Buffer Area 2) - approved under delegation

DA0655/2011 - Subdivision - subdivide land in to two lots - approved under delegation

DA0266 /2016 - Visitor Accommodation - change of use to part of two buildings for two holiday units and Residential - single dwelling; change of use to of part of building - approved under delegation

DA0257/2019 - Residential - Construction of a dwelling, change of use from residential to visitor accommodation, removal of tree - not proceeded with

STANDARDS REQUIRING PLANNING DISCRETION:

- 11.2 - Use of General Retail and Hire and Food
- 11.3.1 - A1/P1 Hours of use
- 11.4.1 - Site coverage
- C2.6.1 - Construction of parking areas

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 DA0338/2023 General Retail and Hire/Food Services - Cellar Door, Construction of a new building at 65 Correa Drive, Relbia, 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. Locality Plan, Prepared by Wilkin Design and Drafting Pty Ltd, Drawing No. DA03, Scale: 1:1500@A3, Dated 13/08/2023.
- b. Site Plan, Prepared by Wilkin Design and Drafting Pty Ltd, Drawing No. DA04, Scale: 1:500@A3, Dated 13/08/2023.
- c. Floor Plan, Prepared by Wilkin Design and Drafting Pty Ltd, Drawing No. DA05, Scale: 1:100@A3, Dated 13/08/2023.
- d. Roof Plan, Prepared by Wilkin Design and Drafting Pty Ltd, Drawing No. DA06, Scale: 1:100@A3, Dated 13/08/2023.
- e. Elevations, Prepared by Wilkin Design and Drafting Pty Ltd, Drawing No. DA07, Scale: 1:100@A3, Dated 13/08/2023.
- f. Elevations, Prepared by Wilkin Design and Drafting Pty Ltd, Drawing No. DA08, Scale: 1:100@A3, Dated 13/08/2023.
- g. Description of use - Additional information, Prepared by Wilkin Design and Drafting Pty Ltd, Dated 9/08/2023.

2. BICYCLE PARKING

Prior to the commencement of the use, two bicycle spaces must be provided in the vicinity of the proposed building.

3. SEALING OF PARKING/ACCESS

Prior to the commencement of the use the surface of the car parking area together with the aisles and access lanes must be upgraded to a dust seal (bitumen two coat seal) from a point 75m along the western boundary from the frontage to a point one metre past and including the car park.

4. LEGAL TITLE

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

5. HOURS OF CONSTRUCTION

- 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. PROTECTION OF EXISTING TREES

Existing trees identified for retention on the subject land must be retained and must not be damaged, removed, destroyed or lopped without the written consent of the Council. Such trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with Australian Standard 4970 *Protection of Trees on Development Sites to Protect Existing Trees*.

7. 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 to the extent specified by any other condition of this permit;
- 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.

8. 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.

9. LIVE MUSIC

The playing of live music associated with the use must be limited to acoustic style background music.

10. 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.

11. 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.

12. WASTE MATERIALS

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

13. IMPACT OF STRUCTURE ON ON-SITE WASTEWATER SYSTEMS

The cellar door must not be located on or over an existing on-site wastewater system, including on the reserve land application areas, or in a location which may affect the operation of the existing on-site wastewater system or land application area.

14. HOURS OF OPERATION

Unless otherwise approved in writing by the Manager Health and Compliance, the cellar door must only operate during the following times:

- a. Monday to Friday - 8.00am to 6pm; and
- b. Saturday and Sunday and including Public Holidays - 9.00am to 5.00pm.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0338/2023. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's Planning Staff can be contacted on 6323 3000.

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the 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. Other Approvals

This permit does not imply that any other approval required under any other by-law or legislation has been granted. For any upgrade to the electricity supply connection please refer to <https://www.tasnetworks.com.au/Connections/Connections-Hub>.

F. Food Businesses

All food businesses must be registered with the Council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part H102.0 or any subsequent versions of this document.

G. On-Site Disposal of Effluent (Wastewater)

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/NZS 1547:2012 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.

H. Fixed Equipment Use

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

I. Environmental Management and Pollution Control Act 1994 - Commercial and Industrial Activities

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.

Councillor A J Britton withdrew from the Meeting at 4:12pm
Councillor A J Britton re-attended the Meeting at 4:13pm

Natalie Bristow (on behalf of Wilkin Design and Drafting Pty Ltd) spoke for the Recommendation

DECISION: 16 November 2023

MOTION

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

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

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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 McMahan, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

10. ANNOUNCEMENTS BY THE MAYOR

10.1. Mayor's Announcements

FILE NO: SF2375

Friday 3 November 2023

- Attended the CAPTIVATE - Anita Parker Exhibition, Windsor Gallery

Wednesday 8 November 2023

- Visited Grade 4 at Scotch Oakburn Junior College
- Attended update and tour of the University of Tasmania Construction Works, The Shed, Willis Street

Thursday 8 November 2023

- Attended Kings Meadows High Arts Evening, Princess Theatre

Friday 10 November 2023

- Hosted and Awarded a *Heritage Snap 2023* Award Winner
- Hosted a civic function to mark the Launceston Horticultural Society 185th Anniversary

Saturday 11 November 2023

- Opened the Lions Convention, Tramsheds
- Officiated at the Remembrance Day Service, Cenotaph
- Opened the Launceston Horticultural Society Show, Evandale
- Attended the Rob Fairs Foundation 2nd Birthday celebration, Country Club

Sunday 12 November 2023

- Officiated at the NRM North *Small Farm Living Field Day 2023*, Lilydale
 - Attended the *Lutruwita* Fitness Championships, War in the North
-

Councillor J J Pentridge withdrew from the Meeting at 4.20pm

11. COUNCILLORS' REPORTS

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

Councillor J J Pentridge re-attended the Meeting at 4.22pm

11.1.1 Deputy Mayor Councillor D H McKenzie

- **Attended the Invermay Builder Time event**

11.1.2 Councillor S Cai

- **Attended the Heritage Snap Awards presentations**

12. QUESTIONS BY COUNCILLORS

12.1. Councillors' Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

12.1.1. Councillors' Questions on Notice - Councillor D C Gibson - Sound Barrier at Glen Dhu Street

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, submitted to the Council in writing on 18 October 2023 by Councillor D C Gibson, has been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. At the Council Meeting held on 13 July 2023, Council received a petition response regarding the reinstallation of the sound barrier at Glen Dhu Street, South Launceston. The item correctly noted that as the highway was the responsibility of the State Government, the Department of State Growth had been contacted and would provide a full response; though that was unavailable at that time.

A response from the Deputy Premier forwarded to all Councillors, dated 14 July 2023, states: *The Department will continue to work closely with the City of Launceston on this matter.*

Three months on, what is the status of this item?

Response:

The Department of State Growth (DSG) has undertaken some tree plantings that will provide a screen in future years.

The Council's Officers are working in collaboration with DSG (under the greening Memorandum of Understanding) for improved greening and landscaping for entrances to the City. This will provide further opportunities for appropriate landscaping.

12.2. Councillors' Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12.2.1 Councillor L M McMahon - Volunteer Parking Permit - Horticultural Society

- 1. Is there an opportunity for the City of Launceston to issue parking permits for horticulture volunteers who work at City Park?**

Dan Ryan (General Manager Community and Place Network) indicated that this question would be Taken on Notice and a response will be provided in the Council Agenda of 30 November 2023.

Councillor S Cai withdrew from the Meeting at 4:26pm

13. COMMUNITY AND PLACE NETWORK

13.1. Community Grants 2023/2024 Round 1

FILE NO: SF7569

AUTHOR: Stephanie Berns (Grants and Sponsorship Officer)

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

DECISION STATEMENT:

To consider applications for Community Grants received in Round 1, 2023/2024.

PREVIOUS COUNCIL CONSIDERATION:

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

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

RECOMMENDATION:

That Council:

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

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Launceston Life Saving Club Inc	Inflatable Rescue Boat motor replacement for Launceston Life Saving Club	85%	\$3,714	\$3,714
The Salvation Army	Street Teams Rest and Recovery Tent	84%	\$4,518	\$4,518
LGH Historical, Visual and Performing Arts Committee	The Role and Power of Live Music in the Healing Process at the LGH	82%	\$5,000	\$5,000
Soroptimist International of Launceston Inc.^	Connection, Community, Empowerment: Pamper project for women with an intellectual disability	82%	\$1,710	\$1,710
Northern Suburbs Community Centre	Capturing Smiles	82%	\$2,335	\$2,335
RSPCA Tasmania	Safe Beds Program	79%	\$3,500	\$2,625

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Just Cats Inc.	Last Litters Program	77%	\$4,000	\$3,000
Pets In The Park Launceston	Pets Of The Homeless	75%	\$5,000	\$3,750
Engender Equality	Mentors in Violence Prevention (MVP) Workshops	72%	\$4,980	\$3,735
Mainly Music Australia Limited	Launceston Salvation Army mainly music group	72%	\$5,000	\$3,750
TOTAL			\$39,757	\$34,137
TOTAL AVAILABLE				\$35,000
BALANCE				\$863

^Councillor Lindi McMahon abstained from assessment of Connection, Community, Empowerment: Pamper project for women with an intellectual disability (Soroptimist International of Launceston Inc).

2. notes the following Community Grant (Organisations) applications will not be funded by Council as the applications received a score less than the recommended level for funding (<50%):

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Zonta Club of Launceston	Metro bus White Ribbon Community Education project	49%	\$5,000	\$0
NOSS Tasmania-Bluegum Grounds Maintenance	Bluegum Nursery	49%	\$5,000	\$0
Community Gardens Australia	Permaculture Design Course for Community Resilience in Launceston	48%	\$5,000	\$0
Families Tasmania Inc	Breathe, Nurture and Play - guided meditation and creative expression through art play	48%	\$5,000	\$0
TOTAL			\$20,000	\$0

Councillor L M McMahon withdrew from the Meeting at 4.28pm

DECISION: 16 November 2023

MOTION 1

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

That Council:

1. approves the following Organisation receives the recommended grant amount:

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Soroptimist International of Launceston Inc.	Connection, Community, Empowerment: Pamper project for women with an intellectual disability	82%	\$1,710	\$1,710
TOTAL			\$1,710	\$1,170
TOTAL AVAILABLE				\$35,000
BALANCE				\$33,290

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, 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 and Councillor A J Britton
AGAINST VOTE: Nil

Deputy Mayor, Councillor D H McKenzie, withdrew from the Meeting at 4.29pm

DECISION: 16 November 2023

MOTION 2

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

That Council:

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

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Northern Suburbs Community Centre	Capturing Smiles	82%	\$2,335	\$2,335
TOTAL			\$2,335	\$2,335
TOTAL AVAILABLE				\$30,665
BALANCE				\$28,330

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, 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 S Cai and Councillor A J Britton

AGAINST VOTE: Nil

ABSENT DUE to DECLARATION of INTEREST: Deputy Mayor Councillor D H McKenzie and Councillor L M McMahon

Deputy Mayor, Councillor D H McKenzie, re-attended the Meeting at 4.29pm

Councillor L M McMahon re-attended the Meeting at 4:29pm

Councillor A E Dawkins withdrew from the Meeting at 4.29pm

DECISION: 16 November 2023

MOTION 3

Moved Councillor A J Palmer, seconded Councillor J J Pentridge.

That Council:

1. approves the following Organisation receives the recommended grant amount:

Organisation	Project/Activity	Score	\$ Request	\$ Recom
RSPCA Tasmania	Safe Beds Program	79%	\$3,500	\$2,625
TOTAL			\$3,500	\$2,625
TOTAL AVAILABLE				\$33,290
BALANCE				\$30,665

CARRIED 10:0

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 J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton

AGAINST VOTE: Nil

ABSENT DUE to DECLARATION of INTEREST: Councillor A E Dawkins

Councillor S Cai re-attended the Meeting at 4.30pm

Councillor A E Dawkins re-attended the Meeting at 4.32pm

DECISION: 16 November 2023

MOTION 4

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

That Council:

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

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Launceston Life Saving Club Inc	Inflatable Rescue Boat Motor replacement for Launceston Life Saving Club	85%	\$3,714	\$3,714
The Salvation Army	Street Teams Rest and Recovery Tent	84%	\$4,518	\$4,518
LGH Historical, Visual and Performing Arts Committee	The Role and Power of Live Music in the Healing Process at the LGH	82%	\$5,000	\$5,000
Just Cats Inc.	Last Litters Program	77%	\$4,000	\$3,000
Pets In The Park Launceston	Pets Of The Homeless	75%	\$5,000	\$3,750
Engender Equality	Mentors in Violence Prevention (MVP) Workshops	72%	\$4,980	\$3,735
Mainly Music Australia Limited	Launceston Salvation Army Mainly Music Group	72%	\$5,000	\$3,750
TOTAL			\$32,212	\$27,467
TOTAL AVAILABLE				\$28,330
BALANCE				\$863

2. notes the following Community Grant (Organisations) applications will not be funded by Council as the applications received a score less than the recommended level for funding (<50%):

Organisation	Project/Activity	Score	\$ Request	\$ Recom
Zonta Club of Launceston	Metro Bus White Ribbon Community Education Project	49%	\$5,000	\$0
NOSS Tasmania-Bluegum Grounds Maintenance	Bluegum Nursery	49%	\$5,000	\$0
Community Gardens Australia	Permaculture Design Course for Community Resilience in Launceston	48%	\$5,000	\$0
Families Tasmania Inc	Breathe, Nurture and Play - Guided Meditation and Creative Expression Through Art Play	48%	\$5,000	\$0
TOTAL			\$20,000	\$0

CARRIED 11:0

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 J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

14. INFRASTRUCTURE AND ASSETS NETWORK

14.1. Launceston Flood Authority Report

FILE NO: SF4493

AUTHOR: Debbie Pickett (Infrastructure and Assets Network)

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

DECISION STATEMENT:

To receive the Launceston Flood Authority Quarterly Report - July to September 2023.

RELEVANT LEGISLATION:

Launceston Flood Authority Rules, April 2020

RECOMMENDATION:

That Council, in accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, receives the Launceston Flood Authority Quarterly Report, July to September 2023 (ECM Document Set ID 4981759).

DECISION: 16 November 2023

MOTION

Moved Councillor A J Britton, seconded Deputy Mayor Councillor D H McKenzie.

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

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

15. ORGANISATIONAL SERVICES NETWORK

15.1. 2023/2024 Budget - Budget Amendments

FILE NO: SF6940/SF7558

AUTHOR: Samuel Kelty (Manager Finance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

For Council to:

1. consider changes to the Council's 2023/2024 Statutory Estimates.

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

2. consider adjustments made during 1 October to 31 October 2023 by the Chief Executive Officer to the 2023/2024 Budget.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2023/2024 Statutory Estimates:
 - (a) Revenue
 - i. the net increase in revenue from external grants and contributions of \$750,860.
 - (c) Capital Works Expenditure
 - i. the net increase in expenditure from external funds of \$750,860.
 2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$13,563,701 (including capital grants of \$18,481,991) for 2023/2024.
 - (b) the capital budget being increased to \$43,320,604 for 2023/2024.
 3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2023/2024 budget for the period 1 October to 31 October 2023.
-

DECISION: 16 November 2023

MOTION

Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor A J Britton.

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

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

15.2. 2024 Councillors' Meeting Schedule

FILE NO: SF0975

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the 2024 schedule of Council Meetings and Workshops.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 9 November 2023 - 2024 Schedule of Council Meetings and Workshops

RECOMMENDATION:

That Council notes:

1. the 2024 schedule of Council Meetings and Workshops as per the table below, which has been prepared with reference to the Council Meetings (Frequency and Commencement Time) Policy:

DAY	DATE	MEETING	TIME
Council in Recess from 15 December 2023 to 17 January 2024			
JANUARY			
Thursday	18 January	Workshop	9.00am
Thursday	25 January	Council	1.00pm
FEBRUARY			
Thursday	1 February	Workshop	9.00am
Thursday	8 February	Council	1.00pm
Thursday	15 February	Workshop	9.00am
Thursday	22 February	Council	1.00pm
Thursday	29 February	Workshop	9.00am
MARCH			
Thursday	7 March	Council	1.00pm
Thursday	14 March	Workshop	9.00am
Thursday	21 March	Council	1.00pm
Thursday	28 March	Workshop	9.00am
Friday, 29 March to Tuesday, 2 April - PUBLIC HOLIDAYS - Easter			

DAY	DATE	MEETING	TIME
APRIL			
Thursday	4 April	Council	1.00pm
Thursday	11 April	Workshop	9.00am
Thursday	18 April	Council	1.00pm
25 April - PUBLIC HOLIDAY - ANZAC Day			
MAY			
Thursday	2 May	Council	1.00pm
Thursday	9 May	Workshop	9.00am
Thursday	16 May	Council	1.00pm
Thursday	23 May	Workshop	9.00am
Thursday	30 May	Council	1.00pm
JUNE			
Thursday	6 June	Workshop	9.00am
Thursday	13 June	Council	1.00pm
Thursday	20 June	Workshop	9.00am
Thursday	27 June	Council	1.00pm
JULY			
Thursday	4 July	Workshop	9.00am
Thursday	11 July	Council	1.00pm
Thursday	18 July	Workshop	9.00am
Thursday	25 July	Council	1.00pm
AUGUST			
Thursday	1 August	Workshop	9.00am
Thursday	8 August	Council	1.00pm
Thursday	15 August	Workshop	9.00am
Thursday	22 August	Council	1.00pm
Thursday	29 August	Workshop	9.00am
SEPTEMBER			
Thursday	5 September	Council	1.00pm
Thursday	12 September	Workshop	9.00am
Thursday	19 September	Council	1.00pm
Thursday	26 September	Workshop	9.00am
OCTOBER			
Thursday	3 October	Council	1.00pm
10 October - PUBLIC HOLIDAY - Launceston Show Day			
Thursday	17 October	Council	1.00pm
Thursday	24 October	Workshop	9.00am
Thursday	31 October	Council	1.00pm

DAY	DATE	MEETING	TIME
NOVEMBER			
Thursday	7 November	Workshop	9.00am
Thursday	14 November	Council	1.00pm
Thursday	21 November	Workshop	9.00am
Thursday	28 November	Council	1.00pm
DECEMBER			
Thursday	5 December	Workshop	9.00am
Thursday	5 December	Annual General Meeting	5.30pm
Thursday	12 December	Council	1.00pm
Thursday	19 December	Workshop	9.00am

2. that pre-Council Meeting Workshops will be scheduled prior to each Council Meeting in case they are required.

DECISION: 16 November 2023

MOTION

Moved Councillor D C Gibson, seconded Councillor L M McMahon.

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

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

15.3. City of Launceston Annual Plan 2023/2024 - Progress Against Annual Plan Actions for Period Ending 30 September 2023

FILE NO: SF6937

AUTHOR: Emily Lewis (Business Improvement Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the progress against Council's 2023/2024 Annual Plan Actions for the period ending 30 September 2023.

PREVIOUS COUNCIL CONSIDERATION:

Council - 29 June 2023 - Agenda Item 16.6 - City of Launceston Annual Plan 2023/2024

RECOMMENDATION:

That Council notes progress against 2023/2024 Annual Plan Actions for the period ending 30 September 2023.

Strategic Priority 1: We *connect with our Community and our Region* through meaningful engagement, cooperation and representation.

Our interactions with our community are authentic, timely, accurate and open. We want to build strong and productive relationships with our community and regional partners.

10-Year Goal: To seek out and champion positive engagement and collaboration to capitalise on the major opportunities, and address the future challenges facing our community and region.

Focus Area To advocate and collaborate to enhance regionally significant services and infrastructure for the benefit of our communities.		
Action	Network	% Complete
Develop a City of Launceston Regional Sports Facility four-year implementation program and where possible, commence addressing identified areas of need.	Infrastructure and Assets	100%
Comment The Northern Tasmania Development Corporation (NTDC) recently completed a Northern Tasmania Sports Facility Plan which was adopted by Council. This plan will inform future investment in sports facilities.		
Focus Area To develop and consistently utilise contemporary and effective community engagement processes.		

Action	Network	% Complete
Continue to engage with our community on: <ul style="list-style-type: none"> Aboriginal Partnership Plan Tomorrow Together themes Key infrastructure projects Key projects and initiatives of community impact 	Organisational Services	25%
Comment		
<p>The City of Launceston continues to engage with its community on anything that may impact on its residents/ratepayers (community) in a way that affects their lifestyle and amenity.</p> <ul style="list-style-type: none"> Aboriginal Partnership Plan (APP) - Internal work group established to work through the actions identified within the APP with a focus on actions 1 to 3 and 7 to 13. Tomorrow Together themes - A resilient City theme will be the next Tomorrow Together campaign which will launch in November 2023. Key infrastructure projects - engaged on a number of projects in the first quarter, such as the Speed Limit Review, Norwood Avenue Plane Trees. Key projects and initiatives of community impact - the City of Launceston has a number of key projects coming up that require engagement. These include - Recreation and Open Space Strategy, Community Preparedness in Emergencies and Community Emissions Reduction. 		

Strategic Priority 2: We *Facilitate Prosperity* by seeking out and responding to opportunities for growth and renewal of our regional economy. We use our influence and resources to deliver the foundations for ongoing economic development. We want Launceston to be the heart of a thriving regional economy.

10-Year Goal: To have realised opportunities that grow and sustain our economy, and foster creative and innovative people and industries.

Focus Area		
To promote tourism, and the development of a quality tourism offering for Launceston.		
Action	Network	% Complete
Partner with the State Government's International Engagement Program where there are clear benefits to the City of Launceston which are aligned with the City of Launceston's Sister City relationships.	Chief Executive Officer	0%
Comment		
There is nothing to report on this action for the first quarter.		
Focus Area		
To facilitate direct investment in the local economy to support its growth.		
Action	Network	% Complete
Implement Economic Development Strategy including Business Friendly Council and night-time economy initiatives	Organisational Services	25%

Comment		
<p>Implementation of the Economic Development Strategy has been positively progressing.</p> <ul style="list-style-type: none"> The Business Connect Workshop series is continuing with the ninth workshop currently being planned for the next quarter. Business Connect Workshops are helping to promote the City of Launceston as a business-friendly Council, with the eight workshops organised having attracted 218 attendees across all events. Business Activity Survey conducted in collaboration with Launceston Central (as at 7th August 2023) suggested - 1,177 businesses recorded (includes some 1st floor businesses), 1,053 trading, only 31 <i>empty</i>, 13 renovating and 13 for lease. This corresponds to an occupancy rate of 91%. Maintained a suite of local data sources to inform the State of the City report. 		
Focus Area		
To actively market the City and Region and pursue investment.		
Action	Network	% Complete
Finalise and progress Smart Cities Strategy.	Organisational Services	90%
Comment		
<p>The City Innovation Strategy has been finalised and received endorsement from Council. The accompanying implementation plan is making good progress and the draft is currently in its concluding stages. The implementation planning phase is expected to be complete by the end of the 2023 calendar year.</p>		
Focus Area		
To promote tourism, and the development of a quality tourism offering for Launceston.		
Action	Network	% Complete
Update Launceston Strategic Tourism Plan.	Community and Place	25%
Comment		
<p>The review of the Launceston Strategic Tourism Plan has commenced with a project plan now developed. Consultation on the draft with internal and external stakeholders will occur in early 2024.</p> <p>The plan will align with state government strategies and will aim to capitalise on existing tourism drawcards such as City of Gastronomy.</p>		
Focus Area		
To provide an environment that is supportive to business and development within the municipality.		
Action	Network	% Complete
Work with Stadiums Tasmania to finalise the transfer of UTAS Stadium and to embed key agreements with respect to content and events.	Chief Executive Officer	25%
Comment		
<p>The Council's Officers have provided all requested information to the State Government and Stadiums Tasmania in respect to UTAS Stadium and are continuing to assist in the formation of the new entity. A delegation of Councillors visited GMHBA Stadium in Geelong and met with staff from the Kardinia Park Trust in order to learn from the asset transition process which occurred between the Trust and the Geelong Council.</p>		

Focus Area To provide an environment that is supportive to business and development within the municipality.		
Action	Network	% Complete
Work with Northern Tasmania Development Corporation (NTDC) to implement the Northern Economic Development Strategy.	Chief Executive Officer	25%
Comment		
The Council's Officers participated in the regional collaboration process which was conducted by NTDC to understand the regions priority projects and initiatives. NTDC is working with its member councils in respect to reviewing and refining the implementation approach for the Northern Economic Development Strategy with a view making it more deliverable.		

Strategic Priority 3: We are a *Progressive Leader* that is accountable to our governance obligations and responsive to our community.

Our decision-making and actions are evidence-based, strategic, transparent and considered. We are ethical, fair and impartial in complying with and enforcing the law.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Area To maintain a financially sustainable organisation.		
Action	Network	% Complete
Implement recommendations of the QVMAG Futures Plan.	Chief Executive Officer	15%
Comment		
Work is continuing on the strategic framework for the QVMAG along with an updated and progressive Annual Report, which is a demonstration of the strategic and operational improvements that have occurred at QVMAG. A delegation of Councillors visited the Shepparton Art Museum (SAM) to learn from the process which saw the SAM transition from a Council management to a Company Limited by Guarantee. This visit has provided the Councillors with a contemporary model on which to base the implementation of the QVMAG Futures Plan.		
Focus Area To provide for the health, safety and welfare of the community.		
Action	Network	% Complete
Develop and implement a flood resilient community program.	Community and Place	40%
Comment		
Campaign development is in progress with intended delivery over the summer period 2023/2024. This will incorporate updated website content, community engagement activities and a targeted marketing campaign across a variety of channels.		
Focus Area To ensure decisions are made on the basis of accurate and relevant information.		

Action	Network	% Complete
Continue the level of service project.	Organisational Services	15%
Comment		
<p>This project is in a trial phase - trialing data collation approaches with identified teams across the Organisation to test workability of the methodology developed.</p> <p>Recruitment for the vacant Level of Service Officer role is expected to commence at the conclusion of the trial phase.</p>		
Focus Area		
To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.		
Action	Network	% Complete
Update the Cultural Roadmap based on findings and insights from our Organisation Cultural Inventory Survey.	Organisational Services	5%
Comment		
<p>A review of the Cultural Roadmap is progressing positively based on findings and insights of the most recent Survey.</p> <p>To date the City of Launceston has:</p> <ul style="list-style-type: none"> • Reviewed data from the Survey. • Noted themes and focus areas for discussion. • Engaged with the Chief Executive Officer, General Manager Organisational Services Network and Senior Leadership Team. • Commenced work on an updated Cultural Roadmap. 		
Focus Area		
To fairly and equitably discharge our statutory and governance obligations.		
Action	Network	% Complete
Commence a review of the Corporate Strategic Plan.	Organisational Services	10%
Comment		
<p>Having commenced in September 2023, this project is in the early stages of project development, including the consideration of resourcing requirements and formation of the project plan and control group. Works are expected to continue through the next three quarters of this financial year in line with the project timeline. It is noted that the timeline of this project runs in conjunction with the review of the Greater Launceston Plan, which will directly inform the Corporate Strategic Plan content. At the completion of this first quarter this action is progressing on track.</p>		
Focus Area		
To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.		
Action	Network	% Complete
Undertake the Corporate Application Replacement Program.	Organisational Services	30%
Comment		
The Corporate Applications Replacement Program is progressing in line with project timeframes, with an anticipated go live of Phase 1 of the project in the first half of 2024.		

Strategic Priority 4: We value our City's *Unique Identity* by celebrating our special heritage and culture and building on our competitive advantages to be a place where people choose to live, work and visit.

We facilitate our community's sense of place by enhancing local identity. We want people to be proud to say that Launceston is "my city".

10-Year Goal: To sustain and promote Launceston as a unique place to live, work, learn and play.

Focus Area To support the central business district (CBD) and commercial areas as activity places during day and night.		
Action	Network	% Complete
Develop and commence implementation of Stage 2 Launceston City Heart Project which includes the following key areas of investment: <ul style="list-style-type: none"> Greening of our City Improved public transport infrastructure Creating greater opportunities for pedestrianisation of the CBD 	Community and Place	5%
Comment The Council has contracted WSP consulting to assist in the development of Urban Design principles to support the review and planning for the implementation of Stage 2 Launceston City Heart Project. Three workshops have been held with internal and external stakeholders to inform the development of the design principles.		
Focus Area To promote and enhance Launceston's rich heritage, culture and natural environment.		
Action	Network	% Complete
Launceston Heritage List Review and Precincts - continue the review of the City of Launceston's local heritage list.	Community and Place	25%
Comment A new Heritage Officer will commence in October and will continue to progress work on the heritage list. An initial amendment has been prepared and will be submitted to Council in the second quarter of the year. Subsequent stages will follow later in the year.		
Focus Area To promote and enhance Launceston's rich heritage, culture and natural environment.		
Action	Network	% Complete
Implement the first year of the four year action plan from the Cultural Strategy.	Community and Place	30%
Comment Work has commenced on implementing a number of actions from the Cultural Strategy Action Plan. Actions include the scoping of Macquarie House as a community arts space, the redevelopment of the Albert Hall, activation of public art opportunities, and the investigation into a multi-purpose, pop-up play pod/gallery to support local artist collaboration and storytelling.		

Focus Area		
To promote and attract national and international events and support the sector to ensure a diverse annual events calendar.		
Action	Network	%Complete
Undertake a review of the City of Launceston Events Strategy.	Community and Place	20%
Comment		
A review of the Events Strategy has commenced. A project plan has been developed with consultation on the draft strategy to occur in early 2024. The new strategy will have tight alignment with the Tasmanian Government's Events Strategy 2023-2027 with a focus on core investment pillars; namely Economic, Social and Brand.		
Focus Area		
To promote and enhance Launceston's rich heritage, culture and natural environment.		
Action	Network	% Complete
Implement the Public Art Strategy.	Community and Place	10%
Comment		
The Public Art Strategy draft action plan is currently under review, with a view to prioritise and expedite high-impact, low-resource actions this year. The reviewed plan will be brought to the Cultural Advisory Committee for review in early 2024.		
Work is currently underway with a number of artists and arts organisations to undertake both minor and major art installations at the King's Meadows toilet block and the Paterson Street East car park.		
Focus Area		
To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.		
Action	Network	% Complete
Undertake a review of the City of Launceston Open Space Strategy.	Infrastructure and Assets	5%
Comment		
Consultants have been awarded to commence the Recreation and Open Space Strategy.		
Focus Area		
To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.		
Action	Network	% Complete
Develop and commence staged implementation of an improvement plan for the Princess Theatre and Earl Arts Centre upgrade.	Infrastructure and Assets	20%
Comment		
Currently underway, a tender has been awarded for architectural services for the upgrade of Princess Theatre front of house, as well as the Earl Arts Centre.		

Strategic Priority 5: We *Serve and Care* for our Community by providing equitable and efficient services that reflects needs and expectations of our community.

We are invested in our community's long term health, well-being, safety and resilience. We want to be trusted and respected by our community.

10-Year Goal: To offer access to services and spaces for all community members, and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Area		
To plan for and provide services and facilities that recognise the changing demographics and needs of our community.		
Action	Network	% Complete
Implement Council commitments from the My Place My Future Plan, and support State and Federal Governments on implementation of their actions.	Community and Place	25%
Comment		
The Community Development Officer - Northern Suburbs continues to focus on strategic collaborations, including:		
<ul style="list-style-type: none"> Supporting two primary schools based in the Northern Suburbs to attend Science Week at QVMAG. Participation in steering committee meetings for the Food and Resilience Movement (FaRM) project. The review of free Wi-Fi usage in Rocherlea and Waverley, Initiating talks to support multicultural start-ups in Launceston. Co-ordinating City of Launceston events for Seniors Week and Children's Week. 		
Focus Area		
To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.		
Action	Network	% Complete
Implement the action plan for the Access Framework.	Community and Place	30%
Comment		
Officers have commenced work on auditing the current Access Framework action plan in preparation for a review of the Access Framework 2020-2024. It is anticipated that the audit will be completed by the third quarter of the 2023/2024 financial year.		
Other actions carried out over the past quarter include:		
<ul style="list-style-type: none"> An updated accessibility widget to be displayed on the City of Launceston and Launceston Leisure and Aquatic websites. Auslan signage at Council's parks. Access maps for our community and visitors to easily identify disability parking spots, accessible buildings, spaces, and toilets. 		
Focus Area		
To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.		

Action	Network	% Complete
Continue to roll out the ABCDE Learning Sites community development program, including the conclusion of the Invermay Learning Site in December 2023.	Community and Place	80%
Comment		
The Invermay ABCDE Learning Site is on track for completion in December 2023. A final report is being developed which is scheduled for completion in February 2024, with a planned community celebration to tie in with school returning.		
Focus Area		
To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.		
Action	Network	% Complete
Develop and implement the Homelessness Action Plan through collaboration with the Homelessness Advisory Committee.	Community and Place	20%
Comment		
The draft Homelessness Action Plan will be reviewed at a Homelessness Advisory Committee (HAC) meeting in October 2023. It is anticipated that a final draft will be released for consultation in early 2024.		
Focus Area		
To plan for and provide services and facilities that recognise the changing demographics and needs of our community.		
Action	Network	% Complete
Finalise and commence implementing a master plan for Northern Tasmanian Cricket Association (NTCA) precinct and associated action plan.	Infrastructure and Assets	80%
Comment		
A draft master plan has been developed in association with member clubs, with action planning commencing in the near future. The Council will be seeking community feedback on the plan during the next quarter.		

Strategic Priority 6: We *Protect our Environment* by caring for our unique natural assets and amenity and sensitively managing future development opportunities. We strive to minimise the impact of our actions on the environment, while planning for, adapting to and managing the impact of climate change. We want to protect the special character and values of our city for future generations.

10-Year Goal: To enhance the unique natural character, values, and amenity of our City by minimising the impacts of our organisation’s and our community’s activities in the environment.

Focus Area		
To contribute to air and river quality improvements in Launceston.		
Action	Network	% Complete
Support the Tamar Estuary Management Taskforce including supporting the implementation of the 10-year vision for the <i>kanamaluka</i> /Tamar Estuary.	Chief Executive Officer	25%
Comment		
The Council's Officers continue to support the Tamar Estuary Management Taskforce (TEMT) through attendance at Taskforce meetings, input to working groups, provision of data and support for funding applications. In addition, the Council has scheduled a comprehensive educational program for new TEMT staff to accelerate their uptake of knowledge on natural features of the estuary, governance structures and processes, technical assessments, and the delivery of programs that support the implementation of the River Health Action Plan and the TEMT Vision for the <i>kanamaluka</i> /Tamar Estuary.		
Focus Area		
To contribute to air and river quality improvements in Launceston.		
Action	Network	% Complete
Support TasWater and NRM North with the implementation of the \$129.2m River Health Action Plan to improve catchment management and reduce overflows from the combined system.	Infrastructure and Assets	25%
Comment		
The new Western Rising Main Pipeline construction has commenced onsite, with a programmed completion late 2024. TasWater project activities status:		
<ul style="list-style-type: none"> • <i>Completed</i>: Esplanade/St John Street pipeline upgrade and Margaret Street Trunk Sewer Diversion • <i>Currently underway</i>: New Western Rising Main Pipeline, Margaret Street Pump Station Upgrade, Ti Tree Bend covered storage (currently in design) 		
Focus Area		
To contribute to air and river quality improvements in Launceston.		
Action	Network	% Complete
Develop a Clean Air Strategy and a supporting implementation plan.	Community and Place	60%
Comment		
A draft of the Clean Air Strategy is currently being finalised. Engagement has been held with the Environmental Protection Authority to help inform the draft, with broader engagement expected to occur in early 2024.		

Focus Area		
To reduce our and the community's impact on the natural environment.		
Action	Network	% Complete
Implement Urban Waterway Health Management Program.	Infrastructure and Assets	50%
Comment		
Program developed, progressing with implementation.		
Focus Area		
To manage the risks of climate-related events, particularly in the area of stormwater management and riverine flooding.		
Action	Network	% Complete
Review Stormwater System Management Plan.	Infrastructure and Assets	30%
Comment		
Work has commenced on background investigations to inform review; however, resource constraints have delayed further work. Unlikely to be completed this year.		
Focus Area		
To manage the risks of climate-related events, particularly in the area of stormwater management and riverine flooding.		
Action	Network	% Complete
Integrate development policy and assessment to facilitate best practice stormwater management, including consideration of water quality.	Infrastructure and Assets	50%
Comment		
Draft policy developed, working towards implementation.		
Focus Area		
To reduce our and the community's impact on the natural environment.		
Action	Network	% Complete
Implement the City of Launceston Urban Greening Action Plan.	Infrastructure and Assets	25%
Comment		
The final draft of the Implementation Plan for this action is currently being circulated to internal and external stakeholders for review and input. The Urban Greening Strategy 2023-2040 will be presented to Council for adoption before mid-November 2023, with a copy of the Implementation Plan.		
Implementation actions underway include appointment of an Urban Forester, investment in the Council's nursery infrastructure to accommodate more trees and other plants; on-ground surveys in priority areas to identify new or replacement tree needs, trial of tree cells, linear plantings on collector roads, amenity plantings in recreational spaces and purchase of alternative greening structures for areas where trees can not be planted.		
Focus Area		
To reduce our and the community's impact on the natural environment.		
Action	Network	% Complete
Continue to implement the City of Launceston Sustainability Action Plan.	Infrastructure and Assets	25%

Comment
The implementation of the Sustainability Action Plan is ongoing and milestones are being met.

Strategic Priority 7: We are a *City Planning for our Future* by ensuring our approach to strategic land-use, development and infrastructure investment is coordinated, progressive, and sustainable.

We play a leading role in balancing the enviable amenity of our municipality with the needs of future development and growth. We want to influence the delivery of the right investment for our City and Region.

10-Year Goal: To facilitate appropriate development via integrated land-use planning, infrastructure investment, and transport solutions within our municipality and region.

Focus Area		
To ensure our suite of strategic planning initiatives are coordinated and representative of our community's needs and aspirations.		
Action	Network	% Complete
City Deal Agreement: Continue to work with the Commonwealth and State Governments to successfully implement commitments and projects under the City Deal program that deliver a range of economic and social benefits to the City.	Chief Executive Officer	25%
Comment		
Work on existing Launceston City Deal commitments is continuing in collaboration with the Commonwealth and State Governments.		
The University of Tasmania's new Launceston campus reached a milestone in July with the opening of the River's Edge Building. The new building will host students and staff from Humanities, Social Sciences, Business and Economics, Law, Education and Higher Degree by Research. The opening was represented by Minister King, Premier Rockliff and Mayor Garwood.		
Councillors voted to make a Council contribution of \$5m to the Albert Hall Redevelopment in addition to the \$11m from the Federal Government, making it a \$16m renewal project.		
Focus Area		
To ensure our suite of strategic planning initiatives are coordinated and representative of our community's needs and aspirations.		
Action	Network	% Complete
Implementation Review: <ul style="list-style-type: none"> A review of each City Deal is scheduled every three years. Plan and deliver the Review from the Council's perspective. 	Chief Executive Officer	0%

Comment		
The Australian Government partner has advised that following the three year review of the Launceston City Deal, published in November 2021, there will be no further implementation reviews.		
Focus Area		
To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.		
Action	Network	% Complete
Continue work on St Leonards Residential Growth Strategy and Masterplan.	Community and Place	5%
Comment		
A temporary six month role was created to coordinate work internally on progressing the St Leonards Residential Growth Strategy and Masterplan. The temporary role has concluded and the Council is currently recruiting for two new Project Managers to support delivery of strategic projects for City of Launceston, including the St Leonards Masterplan.		
Focus Area		
To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.		
Action	Network	% Complete
Continue work on <i>South Prospect</i> Residential Growth Strategy and Masterplan and initiate planning scheme amendments to facilitate development with the South Prospect Growth Corridor.	Community and Place	85%
Comment		
Final technical assessments are being completed and initial drafts of the framework plan and narrative are underway. Finalisation of a planning scheme amendment is pending finalisation of several strategic documents and decisions of the developers, planners and the Council's Officers on zoning matters.		
Focus Area		
To ensure that our application of the land use planning system at a local and regional level is effective and efficient.		
Action	Network	% Complete
Participate in the Northern Regional Land Use Strategy Review.	Community and Place	25%
Comment		
The Council's Officers are actively participating in the review process.		
Focus Area		
To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.		
Action	Network	% Complete
Finalise Building Bulk and Massing Report (Building Heights).	Community and Place	10%
Comment		
A peer review of the current work has been undertaken and it is intended to re-commence the project in the third quarter of the year subject to resources becoming available.		

Focus Area		
To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.		
Action	Network	% Complete
Action the 2022-2025 Launceston Transport Strategy Implementation Plan.	Infrastructure and Assets	35%
Comment		
Bus Interchange - Project still at initiation stage - Ongoing City Heart Streetscape Improvements - Project still at initiation stage - Ongoing Micro-mobility Trial - Complete Transport Committee - Complete Transport Options Promotion and Education - Not Started Transport Data and Performance Management Plan - Commenced Network Operating Plan - Complete CBD Speed Limit Review - Complete Parking Implementation Plans - Complete Transport Safety Improvement Program - Commenced Pedestrian Improvement Program - Commenced Off-road Trail Network Improvement Plan - Nearing Completion School Travel Audit - Not Started End of Trip Facilities - Commenced UTAS Relocation Access Improvements - Commenced UTAS Transport Innovation Partnership - Not Started		

DECISION: 16 November 2023

MOTION

Moved Councillor A G Harris, seconded Councillor L M McMahon.

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

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

15.4. Non-Application of Public Tender Process

FILE NO: SF2577/SF6928

AUTHOR: Cameron Smith (Smart City Project Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider action in respect of the procurement of ESRI ArcGIS software.

This decision requires an absolute majority of Council.

RECOMMENDATION:

That Council:

1. notes the City of Launceston has entered into an agreement with ESRI Australia Pty Ltd, to renew the ESRI Local Government Enterprise Agreement for the provision of ESRI ArcGIS software 2022-2024.
 2. pursuant to section 27(iii) of the Local Government (General) Regulations 2015 resolves by an absolute majority that the public tender process was not applied to the procurement of ESRI ArcGIS software for the following reasons:
 - (i) the procurement relates to the continuation of an existing service which the City of Launceston has sourced from ESRI Australia Pty Ltd since 1999.
 - (ii) the ESRI ArcGIS software underpins many services delivered daily by the City of Launceston, including property, mapping, location and planning services.
 - (iii) the City of Launceston has invested significantly in the development of business processes and in the customisation of linked software including integration within the corporate applications suite.
 - (iv) the City of Launceston officers regard the ESRI ArcGIS software as fit-for-purpose and are of the view that the acquisition of alternative software will incur significant additional expenditure in the development of business processes and the customisation of linked software without commensurate improvement to efficiency and effectiveness.
 3. notes that if Recommendation 2 is resolved in the affirmative, the transaction will be reported in the City of Launceston 2023/2024 Annual Report to comply with regulation 29(2) of the Local Government (General) Regulations 2015, specifically in relation to the non-application of the public tender process for the procurement of ESRI ArcGIS software.
-

DECISION: 16 November 2023

MOTION

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

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

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

16. CHIEF EXECUTIVE OFFICER NETWORK

16.1. Audit Panel Annual Report 2023

FILE NO: SF3611

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider the 2023 Audit Panel Annual Report.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council receives the 2023 Audit Panel Annual Report (Doc Set ID No. 4980400).

DECISION: 16 November 2023

MOTION

Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor A J Britton.

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

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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 McMahan, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

16.2. Memorandum of Understanding - AFL and AFLW in Launceston

FILE NO: SF0884

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider the endorsement of a Draft Memorandum of Understanding with the State Government for AFL and AFLW in Launceston.

RELEVANT LEGISLATION:

Stadiums Tasmania Act 2022

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 28 September 2023 - Draft Memorandum of Understanding with the State Government for AFL and AFLW in Launceston.

RECOMMENDATION:

That Council endorses the Memorandum of Understanding with the State Government for AFL and AFLW in Launceston (ECM Doc Set ID 4979719).

DECISION: 16 November 2023

MOTION 1

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

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

NO VOTE WAS TAKEN AS AN AMENDMENT WAS PUT

DECISION: 16 November 2023

AMENDMENT

Moved Councillor L M McMahon, seconded Councillor A G Harris.

That Council endorses the Memorandum of Understanding with the State Government for AFL and AFLW in Launceston (ECM Doc Set ID 4979719) with the addition of the words at least before four of its matches (Clause 2.3 - page 2 of Draft Deed).

THE AMENDMENT WAS PUT AND CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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

AGAINST VOTE: Nil

THE MOTION AS AMENDED BECOMES THE SUBSTANTIVE MOTION

DECISION: 16 November 2023

MOTION 3

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

That Council endorses the Memorandum of Understanding with the State Government for AFL and AFLW in Launceston (ECM Doc Set ID 4979719) with the addition of the words *at least* before four of its matches (Clause 2.3 - page 2 of Draft Deed).

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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

AGAINST VOTE: Nil

17. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

17.1 Confirmation of the Minutes

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

17.2 Northern Tasmanian Cricket Association Masterplan

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

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

17.3 End of Closed Session

To be determined in Closed Council.

Councillor A G Harris withdrew from the Meeting at 5.07pm

DECISION: 16 November 2023

MOTION

Moved Councillor A J Palmer, seconded Councillor J J Pentridge.

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 11:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, 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

AGAINST VOTE: Nil

Council moved into Closed Session at 5.07pm

Councillor A G Harris re-attended the Meeting at 5.09pm

17.3 End of Closed Session

RECOMMENDATION:

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

Agenda Item	Matter	Brief Description
17.1	<i>Closed Council Minutes</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 5 October 2023.</i>
17.2	<i>Northern Tasmanian Cricket Association Masterplan</i>	<i>Councillors endorsed public release of the Northern Tasmanian Cricket Association Masterplan for stakeholder engagement.</i>

DECISION: 16 November 2023

MOTION

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

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

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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
AGAINST VOTE: Nil

18. MEETING CLOSURE

The Mayor, Councillor M K Garwood, closed the Meeting at 5.16pm.

19. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 30 November 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.