



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 9 MARCH 2023
1.00PM**

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

Date: 9 March 2023

Time: 1.00pm

Certificate of Qualified Advice

Background

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

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

Certification

I certify that:

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



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:

Councillor D C Gibson (Mayor)
Councillor M K Garwood (Deputy Mayor)
Councillor D H McKenzie
Councillor A E Dawkins (retired from Meeting at 3.25pm)
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

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)
Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)
Richard Jamieson (Manager City Development) (Agenda Items 10.1-10.6)
Duncan Payton (Town Planner) (Agenda Item 10.1)
Iain More (Senior Town Planner Policy and Projects) (Agenda Items 10.2-10.6)
Nathan Williams (Manager Finance)
Simon Tennant (Team Leader Communications)
Duncan Campbell (Team Leader Legal Services)
Anthea Rooney (Council and Committees Officer)

Apologies:

Councillor A G Harris

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor D C Gibson, opened the Meeting at 1.00pm and noted an apology from Councillor A G Harris.

The Mayor provided an Acknowledgement of Country.

2. MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements for this Meeting

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).

Councillor A J Britton declared an interest in Agenda Item 16.1 - Ten Days on the Island - Remission of Fees and Charges

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 23 February 2023 be confirmed as a true and correct record.

DECISION: 9 March 2023

MOTION

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

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 23 February 2023 be confirmed as a true and correct record.

CARRIED 11:0

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

5. COUNCIL WORKSHOPS

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

5.1. Council Workshop Report - 23 February and 2 March 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 23 February 2023:

Princess Theatre

Councillors toured the Princess Theatre and received an update from Theatre North.

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

Apologies: Councillor A J Britton

Absent: Councillor T G Walker

2. Workshop conducted on 2 March 2023:

Northern Tasmania Development Corporation

Councillors discussed proposed governance changes for the organization.

Budget and Annual Plan Discussion

Councillors received a briefing on the preparation of the 2023/2024 Budget, Annual Plan and Fees and Charges.

Aboriginal Partnership Plan

Councillors received a summary presentation of the feedback collected and discussed the recommended changes to the Plan.

Short Stay Accommodation in Launceston

Councillors received a briefing on the draft report and discussed its findings.

25 South Esk Drive, Trevallyn

Councillors received a briefing on matters relating to 25 South Esk Road, Trevallyn.

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

DECISION: 9 March 2023

MOTION

Moved Councillor A E Dawkins, seconded Councillor D H McKenzie.

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

CARRIED 11:0

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

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

Councillors' Leave of Absence Applications will be considered in Closed Council at Agenda Items 20.2, 20.3 and 20.4 - Councillors' Leave of Absence.

7. COMMUNITY REPORTS

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

7.1. Amanda Parer - Parer Studio

FILE NO: SF6368

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

SUMMARY OF PRESENTATION

Amanda provided information to Council on how living in Launceston has accelerated her artistic career internationally. Amanda advised that she has a support team that assists with display and exhibition arrangements of her art works on the international scene. Living in Launceston has provided Amanda the opportunity to expand her connectivity and exposure internationally.

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 Question on Notice - Ray Norman - Delegated Authorities - 1 March 2023

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 1 March 2023 by Ray Norman, has been answered by Michael Stretton (Chief Executive Officer).

Questions:

1. Given that it is a prudent, judicious and sound administrative practice and despite the Mayor deeming that it would be too difficult to do, will Council - that is the 12 elected representatives on Council - now move with some urgency to remove All Delegated Authorities from the Council's Register of Delegated Authorities and over time assign the Delegated Authorities to the appropriate people who currently have the appropriate qualifications and skill sets to hold the delegated authority assigned to them when and if the need arises?

Response:

At this point in time there is no intention to alter the current practice of assigning or administering Delegated Authorities within the Council. Councillors, should they wish to have the practice altered or reviewed, have the opportunity to raise any concerns in a variety of discussion forums whilst undertaking their role as an elected member.

The response provided in the Council Agenda of 15 December 2022 provides clear details of the functioning of the Council's Delegations Register. It has been reproduced for reference.

... Delegations enhance efficiency at the City of Launceston by devolving the execution of administrative matters and functions to appropriate levels within the organisation. The City of Launceston's Delegations Register is publicly available via www.launceston.tas.gov.au. The Delegations Register clearly indicates the functions and powers that have been delegated by a decision of Council. Decisions of Council are frequently sought in relation to the review of delegations, or to respond to changes in legislation.

8.1.2. Public Question on Notice - Ray Norman - Intellectual Property Concerns

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 1 March 2023 by Ray Norman, has been answered by Dan Ryan (General Manager Community and Place Network).

Questions:

1. Given that, in regard to the ownerships of intellectual property, the Council has been found to be poorly informed, in regard to intellectual property (IP) rights, the moral rights of authors, the payment of appropriate fees to cultural producers and copyright law generally, will Council now ensure that all appropriate staff and all Councillors are adequately briefed in regard to IP rights, the moral right of authors, current conventions in the field and the appropriate sources of advice and especially so given that the Council has been seen to be wanting in the past and at the expense of ratepayers and there being a current instance?

Response:

A response to a previous Question on Notice from Mr Norman regarding the Council's understanding of copyright appeared in the Council Agenda of 21 April 2022. The response detailed the Council's approach to its obligations under the Copyright Act 1968.

The Council has conducted a number of workshops and seminars for its staff regarding the issues of copyright in the workplace. Access to professional development opportunities for Councillors' around such topics are provided as required.

8.1.3. Public Questions on Notice - Ray Norman - Housing Crisis

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, submitted in writing to the Council on 1 March 2023 by Ray Norman, has been answered by Dan Ryan (General Manager Community and Place Network).

Questions:

1. Given the State Government's somewhat concerning disinclination to act, against audible community concern and distress, the increasing numbers of people in the municipality dealing with housing stress and the reported large number of vacant residential properties in the municipality and properties that are reportedly deliberately left vacant for long periods of time in order to win a some financial cum taxation advantage, against this background, will the Council maintain a register of currently vacant residential properties that the Council ensures has their access to power and water removed and that are required to display a metre square sign at the front of the property denoting that it is a registered vacant residential property.

Response:

The Council has no plans to initiate or maintain a register of currently vacant residential properties within the Municipality, nor is it within Council's remit to apply for or request disconnection of services such as power and water with regard to privately owned properties. The Council does not intend to request that property owners display any signage that denotes that a property is vacant and considers that such notification would contribute to vandalism and other related issues.

8.2. Public Questions Without Notice

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

8.2.1. Public Questions Without Notice - Kirsten Ritchie - Homelessness Issues - 9 March 2023

[With regard to the provision of safe places for homeless within the community]

- 1. What is the answer to this situation that keeps reoccurring week after week?**
- 2. Where do I tell people to go, that is a safe space (for single parents and children and those in desperate need of help) where their belongings will not be destroyed or stolen?**
- 3. Can the City of Launceston help us, or know someone that can?**

The Mayor, Councillor D C Gibson, thanked Kirsten for her questions and acknowledged the work that she and her volunteers undertake in that space. The Mayor acknowledged and understood the need and challenges and appreciated that groups such as Stike It Out are doing all they can to help members in the community who find themselves at risk or experiencing homelessness. The Mayor also acknowledged the work that the Council and Strike It Out have undertaken pertaining to lockers in the community and the work undertaken so far in trying to find a location for pods. It was noted that Councillors have heard the questions and the Mayor committed to discussing the issues raised at next week's Workshop whereby a more wholesome response can be provided at the Meeting of 23 March 2023.

9. DEPUTATIONS

9.1. Deputation - Inspector Nathan Johnston - Tasmania Police

FILE NO: SF0097

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

SUMMARY OF PRESENTATION

Inspector Nathan Johnston, Tasmania Police, provided Council with information regarding public order, crime, road policing and safety trends within the Launceston Division.

10. PLANNING AUTHORITY

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

10.1. DA0744/2023 - 10 St Georges Square, Launceston - Residential - Demolition of Existing Dwelling and Construction of a New Dwelling

FILE NO: DA0744/2022

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:	Cumulus Studio
Property:	10 St Georges Square, East Launceston
Zoning:	General Residential
Receipt Date:	15/12/2022
Validity Date:	19/12/2022
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	24/03/2023
Representations:	Six

RELEVANT LEGISLATION:

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

8.4.2 P3 Setbacks and building envelopes for all dwellings
C2.6.2 P1 Design and layout 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 DA0744/2022 - Residential - Demolition of existing dwelling and construction of a new dwelling at 10 St Georges Square, East Launceston, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover Page, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK01, dated 13/12/2022 (to be amended).
- b. Proposed Site Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK02, dated 13/12/2022 (to be amended).
- c. Demolition Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK03, dated 13/12/2022 (to be amended).
- d. Ground Floor Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK04, dated 13/12/2022 (to be amended).
- e. Upper Floor Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK05, dated 13/12/2022 (to be amended).
- f. Elevations, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK06, dated 13/12/2022 (to be amended).
- g. Elevations, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK07, dated 13/12/2022 (to be amended).
- h. Sections, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK08, dated 13/12/2022 (to be amended).
- i. Sections, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK09, dated 13/12/2022 (to be amended).
- j. Axonometric Views, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK10, dated 13/12/2022 (to be amended).
- k. Winter Shadows Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK11, dated 13/12/2022 (to be amended).
- .l. Winter Shadows Axo, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK12, dated 13/12/2022 (to be amended).
- m. Summer Shadows Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK13, dated 13/12/2022 (to be amended).
- o. Summer Shadows Axo, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK14, dated 13/12/2022 (to be amended).
- p. Equinox Shadows Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK15, dated 13/12/2022 (to be amended).

- q. Equinox Shadows Axo, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK16, dated 13/12/2022 (to be amended).

2. AMENDED PLANS REQUIRED

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

- a. a reduction in the southern roof profile to comply with the acceptable solution;
- b. a reduction in the northern roof profile to reduce protrusions beyond the prescribed building envelope; and
- c. must be substantially in accordance with Version 3 of plans SK01 - SK33, dated 27/02/2023 forming Attachment 1 to this permit.

3. LEGAL TITLE

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

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am to 6pm

Saturday - 8am to 5pm

No works on Sunday or Public Holidays

5. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/02091-LCC, dated 05/01/2023 and attached to the permit.

6. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

8. 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. FACILITIES AND HIGHWAYS BY-LAW

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

10. 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.

11. 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.

12. NO BURNING OF WASTE

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0646/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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D. Permit Commencement

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E. Fixed Equipment Use

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

F. No Approval for alterations to Driveway Crossover

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

Councillor J J Pentridge withdrew from the Meeting at 1:27pm

Paul Blest spoke against the Recommendation

Elizabeth Gatenby spoke against the Recommendation

Tanis Wilson spoke against the Recommendation

Glenda King spoke against the Recommendation

DECISION: 9 March 2023

MOTION

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

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

NO VOTE WAS TAKEN AS AN AMENDMENT WAS PUT

DECISION: 9 March 2023

AMDENDED MOTION

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

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 DA0744/2022 - Residential - Demolition of existing dwelling and construction of a new dwelling at 10 St Georges Square, East Launceston, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover Page, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK01, dated 13/12/2022 (to be amended).
- b. Proposed Site Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK02, dated 13/12/2022 (to be amended).
- c. Demolition Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK03, dated 13/12/2022 (to be amended).
- d. Ground Floor Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK04, dated 13/12/2022 (to be amended).
- e. Upper Floor Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK05, dated 13/12/2022 (to be amended).
- f. Elevations, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK06, dated 13/12/2022 (to be amended).
- g. Elevations, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK07, dated 13/12/2022 (to be amended).
- h. Sections, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK08, dated 13/12/2022 (to be amended).
- i. Sections, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK09, dated 13/12/2022 (to be amended).
- j. Axonometric Views, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK10, dated 13/12/2022 (to be amended).
- k. Winter Shadows Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK11, dated 13/12/2022 (to be amended).

- l. Winter Shadows Axo, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK12, dated 13/12/2022 (to be amended).**
- m. Summer Shadows Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK13, dated 13/12/2022 (to be amended).**
- o. Summer Shadows Axo, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK14, dated 13/12/2022 (to be amended).**
- p. Equinox Shadows Plan, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK15, dated 13/12/2022 (to be amended).**
- q. Equinox Shadows Axo, prepared by Cumulus, project no. J21048, Construction of a single dwelling at 10 St Georges Square, East Launceston, revision 01, page SK16, dated 13/12/2022 (to be amended).**

2. AMENDED PLANS REQUIRED

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

- a. a reduction in the southern roof profile to comply with the acceptable solution;**
- b. a reduction in the northern roof profile to reduce protrusions beyond the prescribed building envelope; and**
- c. must be substantially in accordance with Version 3 of plans SK01 - SK33, dated 27/02/2023 forming Attachment 1 to this permit.**

3. LEGAL TITLE

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

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am to 6pm

Saturday - 8am to 5pm

No works on Sunday or Public Holidays

5. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/02091-LCC, dated 05/01/2023 and attached to the permit.

6. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

8. 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. FACILITIES AND HIGHWAYS BY-LAW

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

10. 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.

11. 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.

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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.

Notes

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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.

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D. Permit Commencement

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E. Fixed Equipment Use

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

F. No Approval for alterations to Driveway Crossover

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

G. Impact Upon Adjoining Properties

In recognising the impact upon the amenity of the adjoining residences, through overlooking of private open space, Council strongly urges the applicant to consider options such as the provision of suitable screening to reduce this impact.

CARRIED 10:0

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

AGAINST VOTE: Nil

DECISION: 9 March 2023

SUBSTANTIVE MOTION

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

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 DA0744/2022 - Residential - Demolition of existing dwelling and construction of a new dwelling at 10 St Georges Square, East Launceston, subject to the following conditions:

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D. Permit Commencement

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F. No Approval for alterations to Driveway Crossover

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

G. Impact Upon Adjoining Properties

In recognising the impact upon the amenity of the adjoining residences, through overlooking of private open space, Council strongly urges the applicant to consider options such as the provision of suitable screening to reduce this impact.

**NO VOTE WAS TAKEN AS THE ITEM WAS LAID ON THE TABLE UNTIL THE
COUNCIL MEETING OF 23 MARCH 2023**

DECISION: 9 March 2023

MOTION

Moved Councillor A J Britton, seconded Councillor T G Walker.

That the motion Lay on the Table until the Council Meeting of 23 March 2023 to allow time to engage in discussions with the applicant.

CARRIED 9:1

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

10.2. PSA-LLP0002 and DA0439/2022 - 9 Rose Lane, South Launceston - Section 40K Report

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

FILE NO: PSA-LLP0002 and DA0439/2022

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

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

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

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council - 15 December 2022 - Agenda Item 9.3 - PSA-LLP0002 - Rezoning of land at 9 Rose Lane, South Launceston (CT159336/1, CT247578/2 and CT200709/1) from General Residential and Open Space to Community Purpose and DA0439/2022 to consolidate three titles into one

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

RECOMMENDATION:

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to Draft Amendment PSA-LLP0002 and DA0439/2022;
2. amends Permit DA0439/2022:
 - a. Condition 1 be revised as follows:

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. Location Plan, prepared by Artas Architects, Drawing No. A001-Sk07, dated 19/10/2022.
- b. Site Plan, prepared by Artas Architects, Drawing No. A002-Sk05, dated 12/09/2022.
- c. Elevations, prepared by Artas Architects, Drawing No. A003-DA01, dated 05/07/2022.
- d. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A730-Sk01.
- e. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A731-Sk01.
- f. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A732-Sk01.
- g. Supporting Planning Report, prepared by ERA Planning and Environment, Version 3, dated 4 November 2022.
- h. Traffic Impact Assessment, prepared by GHD, Version 5, dated 21 October 2022.
- i. Landslide Risk Assessment, prepared by Scherzic, Ref: 7390B, dated 6 July 2022.
- j. Environmental Site Assessment, prepared by ES&D, Ref: 7928, Version 4, dated November 2022.
- k. Concept Servicing and Stormwater Report, prepared by AD Design + Consulting, dated 16/09/2022.
- l. Water and Sewer General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-10-01, Revision B, dated 09/12/22
- m. Stormwater General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-01-01, Revision B, dated 09/12/22.

b. Amend the permit description as follows:

DA0439/2022 - Subdivision - Consolidate three titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston.

3. recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP0002 and DA0439/2022 be approved with the recommended changes.

DECISION: 9 March 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor A E Dawkins.

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

CARRIED 10:0

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

AGAINST VOTE: Nil

10.3. Amendment PSA-LLP0004 - Substantial Modifications Amendment - Relbia - Rezoning Land from Agricultural to Rural

FILE NO: PSA-LLP0004

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

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant: Not Applicable
Properties: Part of 299 Relbia Road, Relbia folio of the Register 122876/1,
288 Relbia Road, Relbia folio of the Register 129968/2 and
332 Relbia Road, Relbia
Received: Not Applicable
Advertised: 19/11/2022 - 16/12/2022
Representations: One

PREVIOUS CONSIDERATION:

Under section 35KB(1) of the *Land Use Planning and Approvals Act 1993*, the Tasmanian Planning Commission directed the Launceston Planning Authority to prepare Draft Amendments under Part 3B of the *Land Use Planning and Approvals Act 1993*, of the Launceston Provisions Schedule (LPS).

RECOMMENDATION:

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to Draft Amendment PSA-LLP0004; and
 2. recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP0004 be approved as advertised.
-

DECISION: 9 March 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor A E Dawkins.

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

CARRIED 10:0

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

AGAINST VOTE: Nil

10.4. Amendment PSA-LLP0005 - Substantial Modifications Amendment - East Tamar Highway - Rezoning Land from Agriculture to Rural and Application of the Priority Vegetation Overlay

FILE NO: PSA-LLP0005

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

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant: Not Applicable
Properties: East Tamar Highway, and Swan Drive, Mount Direction
Received: Not Applicable
Advertised: 25/01/2023 - 22/02/2023
Representations: Nil

PREVIOUS CONSIDERATION:

Under section 35KB(1) of the *Land Use Planning and Approvals Act 1993*, the Tasmanian Planning Commission directed the Launceston Planning Authority to prepare Draft Amendments under Part 3B of the *Land Use Planning and Approvals Act 1993*, of the Launceston Provisions Schedule (LPS).

RECOMMENDATION:

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to Draft Amendment PSA-LLP0005; and
 2. recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP0005 be approved as advertised.
-

DECISION: 9 March 2023

MOTION

Moved Councillor A E Dawkins, seconded Councillor D H McKenzie.

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

CARRIED 10:0

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

AGAINST VOTE: Nil

10.5. Amendment PSA-LLP0006 - Substantial Modifications Amendment - Local Heritage Precinct Datasheet - Revised Local Heritage Precinct Datasheet

FILE NO: PSA-LLP0006

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

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant: Not Applicable
Properties: N/A
Received: N/A
Advertised: 19/11/2022 - 16/12/2022
Representations: Nil

PREVIOUS CONSIDERATION:

Under section 35KB(1) of the *Land Use Planning and Approvals Act 1993*, the Tasmanian Planning Commission directed the Launceston Planning Authority to prepare Draft Amendments under Part 3B of the *Land Use Planning and Approvals Act 1993*, of the Launceston Provisions Schedule (LPS).

RECOMMENDATION:

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993* considers the merit of each of the representations received to Draft Amendment PSA-LLP0006; and
 2. recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP0006 be approved as advertised.
-

Councillor J J Pentridge re-attended the Meeting at 2:43pm

DECISION: 9 March 2023

MOTION

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

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

CARRIED 11:0

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

10.6. DA0757/2022 - 30 Oxford Street, East Launceston - Residential - Construction of Alterations and Additions to a Dwelling

FILE NO: DA0757/2022

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:	Design To Live Pty Ltd
Property:	30 Oxford Street, East Launceston
Zoning:	General Residential
Receipt Date:	20/12/2022
Validity Date:	3/01/2023
Further Information Request:	04/01/2023
Further Information Received:	17/01/2023
Deemed Approval:	9/03/2023
Representations:	Four

RELEVANT LEGISLATION:

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

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 DA0757/2022 Residential - Construction of alterations and additions to a dwelling at 30 Oxford Street, East Launceston, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover Page, Prepared by Design to Live, Job No OXFR30, Drawing No. 1/22, R1, Dated 17/01/2023.
 - b. Site Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 2/22, R1, Scale 1:200, Dated 17/01/2023.
 - c. Existing Ground Floor Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 3/22, R1, Scale 1:100, Dated 17/01/2023.
 - d. Proposed Basement Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 4/22, R1, Scale 1:100, Dated 17/01/2023.
-

- e. Proposed Ground Floor Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 5/22, R1, Scale 1:100, Dated 17/01/2023.
- f. Proposed First Floor Plan, Prepared by Design to Live, Job No OXFR30, Drawing No. 6/22, R1, Scale 1:100, Dated 17/01/2023.
- g. Northern Elevation, Prepared by Design to Live, Job No OXFR30, Drawing No. 9/22, R1, Scale 1:100, Dated 17/01/2023.
- h. Southern Elevation, Prepared by Design to Live, Job No OXFR30, Drawing No. 10/22, R1, Scale 1:100, Dated 17/01/2023.
- i. Eastern Elevation, Prepared by Design to Live, Job No OXFR30, Drawing No. 11/22, R1, Scale 1:100, Dated 17/01/2023.
- j. Western Elevation, Prepared by Design to Live, Job No OXFR30, Drawing No. 12/22, R1, Scale 1:100, Dated 17/01/2023.

2. AMENDED PLANS REQUIRED

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

The amended plans must show a reduced overall height of 300mm.

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

3. LEGAL TITLE

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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/00007-LCC, dated 09/01/2023 and attached to the permit.

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

6. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

8. 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.

9. 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 e-Services 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.

10. SOIL AND WATER MANAGEMENT PLAN

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

11. AMENITY

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

12. NO BURNING OF WASTE

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

13. DEMOLITION

The developer must:

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0757/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

E. 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.

F. No Approval for Alterations to Driveway Crossover

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

G. Facilities and Highways By-Law (No. 1 of 2021)

Prior to the placement of any skip bin, security fencing, hoarding, shipping container, site office or amenity within a local highway, a permit must be issued pursuant to the Facilities and Highways By-Law (No. 1 of 2021). No such items are to be placed within the road reserve without approval.

Failure to comply with the Facilities and Highways By-Law (No. 1 of 2021) or any permit issued pursuant to the by-law may result in enforcement action including the issuing of infringement notices and penalties in accordance with Schedule 1 of the By-Law.

Susie Somann-Crawford spoke against the Recommendation
Lyndon Stubbs spoke for the Recommendation

DECISION: 9 March 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor S Cai.

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

CARRIED 11:0

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

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

**Council adjourned for a break at 2.59pm
Council resumed following the break at 3.10pm**

11. ANNOUNCEMENTS BY THE MAYOR

11.1. Mayor's Announcements

FILE NO: SF2375

Thursday 23 February 2023

- Attended the Northern Tasmania Tourism, Business and Local Government Leaders' breakfast

Friday 24 February 2023

- Participated in the GMC Workshop, Campbell Town

Saturday 25 February 2023

- Welcomed delegates to the Tasmanian State RSL Women's Auxiliary 74th Conference, RSL Launceston

Sunday 26 February 2023

- Met with His Excellency Michel Goffin, Belgian Ambassador to Australia and Hon Consul Paul de Moor

Monday 27 February 2023

- Attended the Migrant Resource Centre North temporary premises in Broadland Drive

Tuesday 28 February 2023

- Met with President and Vice-President of Lilydale Progress Association in Lilydale
- Attended Communities for Children *kanamaluka* Council Meeting

Thursday 2 March 2023

- Hosted a Civic Function to mark the 90th Anniversary of St Andrews Caledonian Pipe Band

Friday 3 March 2023

- Attended the launch of the Brand Tasmania Little Tasmanian project at the Launceston Library
- Officiated at the launch of the Anniversary Book and Exhibition *FaceTime* to mark 85 years of St Giles
- Attended the opening of the McGrath Launceston new premises

Sunday 5 March 2023

- Officiated at Soggy Bottom Boat Regatta (represented by Deputy Mayor, Councillor M J Garwood)
- Presented trophies at the Henley Regatta (represented by Councillor J J Pentridge)

Tuesday 7 March 2023

- Met with Former Mayor of Ikeda, Mr Kaoru Kurata

Wednesday 8 March 2023

- Officiated at event to celebrate International Women's Day
-

Councillor J J Pentridge re-attended the Meeting at 3.12pm

Councillor T G Walker re-attended the Meeting at 3.12pm

12. COUNCILLORS' REPORTS

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

12.1 Councillor D H McKenzie

- **Attended the season launch of Launceston City Football Club at Bucky Motors**

12.2 Deputy Mayor, Councillor M K Garwood

- **Attended the 2023 Soggy Bottom Regatta at Cataract Gorge**
- **Acknowledge participants in the Relay for Life**

13. QUESTIONS BY COUNCILLORS

13.1. Councillors' Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

13.1.1. Councillors' Questions on Notice - Councillor S Cai - Queen Victoria Museum and Art Gallery Volunteer Guides - 23 February 2023

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, asked at the Council Meeting on 23 February 2023 by Councillor S Cai, has been answered by Shane Fitzgerald (General Manager Creative Arts and Cultural Strategy).

Questions:

1. I have been asked when the Council is going to recommence the community engagement via volunteer guides at the Queen Victoria Museum and Art Gallery?

Response:

Since the adoption and endorsement of the QVMAG Futures Plan in June 2022 the institution has appointed an Advisor Special Projects and Strategy who has been working closely with the QVMAG team in the development and subsequent delivery of the many sub-strategies and frameworks identified as part of the Organisational Strategic Development Program (pp145-146 Futures Plan). An important part of these strategies is the identification and implementation of holistic invigilation frameworks and supporting Volunteer Programs which includes how QVMAG will activate a gallery guide program that engages community volunteers and QVMAG Museum Attendants. These frameworks will be integrated as part of the Accessibility and Audience Development strategies, respectively. The development and implementation of these core umbrella strategies will provide a considered and holistic approach towards invigilation and are expected to be concluded in the latter part of 2023. Successful adoption of the strategies will allow QVMAG a platform through which to identify, develop and implement an invigilation program which not only meets best practice in contemporaneous outcomes but further allows for genuine and active participation from community members and staff alike. It is envisaged that the implementation of the QVMAG Invigilation Program will be piloted in 2024.

13.1.2. Councillors' Questions on Notice - Councillor A G Harris - St Leonards Residential Strategy - 23 February 2023

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, asked at the Council Meeting on 23 February 2023 by Councillor A G Harris, has been answered by Dan Ryan (General Manager Community and Place Network).

Questions:

1. I have been asked by residents of the St Leonards area about the St Leonards Residential Strategy which is listed to occur this financial year - 2022/2023, will it happen this year or is it likely to be deferred and will there be an opportunity for residents to have input into public consultation regarding relevant planning strategies?

Response:

The Council has limited resources and it has been necessary to focus available resources on the progression of the urban growth area south of Prospect to enable the timely development of up to 2,000 residential lots. While work has commenced on the St Leonards Residential Growth Strategy, it has not been able to be substantially progressed. The Council is currently reviewing opportunities to fast-track this project. Community consultation will be undertaken at the appropriate stage once this work is able to be advanced.

13.2. Councillors' Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

14. COMMITTEE REPORTS

14.1. Cultural Advisory Committee Meeting - 1 February 2023

FILE NO: SF7357

AUTHOR: Mengda Liu (Cultural Development Officer)

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

DECISION STATEMENT:

To receive a report from the Cultural Advisory Committee Meeting held on 1 February 2023.

RECOMMENDATION:

That Council receives the report from the Cultural Advisory Committee Meeting held on 1 February 2023.

DECISION: 9 March 2023

MOTION

Moved Councillor T G Walker, seconded Councillor A J Britton.

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

CARRIED 11:0

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

14.2. Tender Review Committee Meeting - 23 February 2023

FILE NO: SF0100/CD.053/2022

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Tender Review Committee.

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept the tender submitted by AusSpan - Total Bridge Management for the 2022-2025 Bridge Condition Assessment, Contract No. CD053/2022 at a cost of \$197,183.97 (exclusive of GST).

DECISION: 9 March 2023

MOTION

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

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

CARRIED 11:0

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

14.3. Audit Panel Meeting - 21 February 2023

FILE NO: SF3611

AUTHOR: Paul Gimpl (Chief Financial Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Audit Panel Meeting held on 21 February 2023.

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held on 21 February 2023.

DECISION: 9 March 2023

MOTION

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

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

CARRIED 11:0

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

15. COMMUNITY AND PLACE NETWORK

15.1. Public Art Strategy 2023-2031

FILE NO: SF3547

AUTHOR: Mengda Liu (Cultural Development Officer)

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

DECISION STATEMENT:

To endorse the Public Art Strategy 2023-2031 and note the intention to develop an implementation framework with actions aligned to the strategy objectives.

PREVIOUS COUNCIL CONSIDERATION:

Council - 21 September 2022 - Agenda Item 14.1 - Draft Public Art Strategy

Workshop - 31 March 2022 - Public Art Strategy Presentation

Workshop - 18 August 2022 - Draft Public Art Strategy

Workshop - 16 February 2023 - Public Art Strategy Final Draft

RECOMMENDATION:

That Council:

1. endorses the *Public Art Strategy 2023-2031* (Doc Set ID No 4856943); and
 2. notes the intention to develop an implementation framework with actions aligned to the *Public Art Strategy 2023-2031* objectives once the strategy is endorsed.
-

Councillor A E Dawkins retired from the Meeting at 3.25pm

DECISION: 9 March 2023

MOTION

Moved Deputy Mayor Councillor M K Garwood, seconded Councillor T G Walker.

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

CARRIED 10:0

FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, 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. Heritage Advisory Committee - Appointment of Community Representatives

FILE NO: SF2965

AUTHOR: Marcus Grantham (Team Leader Place Making)

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

DECISION STATEMENT:

To appoint community representatives to the Heritage Advisory Committee.

RECOMMENDATION:

That Council endorses:

1. the appointment of Bruce Crerar, Dr John Forge and Rocelyn Ives as Community Representative members of the Heritage Advisory Committee.
 2. the re-appointment of Lez Penzes to this role for a third term.
-

DECISION: 9 March 2023

MOTION

Moved Councillor S Cai, seconded Councillor T G Walker.

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

CARRIED 10:0

FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, 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. CREATIVE ARTS AND CULTURAL SERVICES NETWORK

16.1. Ten Days on the Island - Remission of Fees and Charges

FILE NO: SF2968

AUTHOR: Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the Remission of Fees and Charges under section 207 of *the Local Government Act 1993* for the Ten Days on the Island Festival.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council, pursuant to section 207 of the *Local Government Act 1993* (Tas), approves the remission of any venue hire fees for the Ten Days on the Island Festival for the 2022/2023 financial year.

Councillor A J Palmer withdrew from the Meeting at 3.38pm

DECISION: 9 March 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor J J Pentridge.

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

CARRIED 9:0

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

ABSENT DUE to DECLARATION OF INTEREST: Councillor A J Palmer

Councillor A J Palmer re-attended the Meeting at 3.39pm

17. INFRASTRUCTURE AND ASSETS NETWORK

17.1. Cataract Gorge Reserve Advisory Committee - Appointment of Community Representatives

FILE NO: SF0839

AUTHOR: Kathryn Pugh (Manager Infrastructure and Engineering)

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

DECISION STATEMENT:

To consider the appointment of four community representatives to the Cataract Gorge Reserve Advisory Committee.

RECOMMENDATION:

That Council appoints Anna Povey, Tracey Mallett, Denise Delphin and Cherrilyn Parker as community representative members for the Cataract Gorge Reserve Advisory Committee.

DECISION: 9 March 2023

MOTION

Moved Councillor T G Walker, seconded Councillor S Cai.

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

CARRIED 10:0

FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, 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. ORGANISATIONAL SERVICES NETWORK

18.1. Financial Report to Council 31 December 2022

FILE NO: SF3611

AUTHOR: Nathan Williams (Manager Finance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the Council's financial performance for the period ended 31 December 2022.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 21 February 2023 - Agenda Item 9.1 - Capital Report

Audit Panel - 21 February 2023 - Agenda Item 9.3 - Financial Statements Analysis and Commentary

RECOMMENDATION:

That Council adopts the operational and capital financial reports for the period ended 31 December 2022, noting the operational report discloses an underlying deficit of \$4.870m as compared to the budgeted underlying deficit of \$5.822m, comprising of a \$2.654m favourable revenue variance and a \$1.702m unfavourable expenditure variance.

DECISION: 9 March 2023

MOTION

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

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

CARRIED 10:0

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

19. CHIEF EXECUTIVE OFFICER NETWORK

19.1. Draft Aboriginal Partnership Plan

FILE NO: SF1780

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider the endorsement of the draft Aboriginal Partnership Plan.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 26 May 2022 - Draft Aboriginal Partnership Plan - Community Engagement Strategy

Council - 20 October 2022 - Agenda Item 16.1 - Draft Aboriginal Partnership Plan

Workshop - 2 March 2023 - Draft Aboriginal Partnership Plan

RECOMMENDATION:

That Council endorses the Draft Aboriginal Partnership Plan (ECM Doc Set ID No 4798133).

The Mayor, Councillor D C Gibson handed the Chair to the Deputy Mayor, Councillor M K Garwood, at 4.02pm

The Mayor, Councillor D C Gibson, resumed the Chair at 4.06pm

DECISION: 9 March 2023

MOTION

Moved Councillor T G Walker, seconded Councillor J J Pentridge.

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

CARRIED 10:0

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

20. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

20.1 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.

20.2 Councillor's Leave of Absence

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:
(h) applications by councillors for a leave of absence.

20.3 Councillor's Leave of Absence

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:
(h) applications by councillors for a leave of absence.

20.4 Councillor's Leave of Absence

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:
(h) applications by councillors for a leave of absence.

20.5 End of Closed Session

To be determined in Closed Council.

DECISION: 9 March 2023

MOTION

Moved Deputy Mayor Councillor M K Garwood, seconded Councillor A J Britton.

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 10:0

FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, 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 4.06pm
Council returned to Open Session at 4.07pm

20.5 End of Closed Session

RECOMMENDATION:

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

Agenda Item	Matter	Brief Description
20.1	<i>Closed Council Minutes - 23 February 2023</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 23 February 2023.</i>
20.2	<i>Councillor's Leave of Absence</i>	<i>Councillors endorsed a personal leave of absence.</i>
20.3	<i>Councillor's Leave of Absence</i>	<i>Councillors endorsed a personal leave of absence.</i>
20.4	<i>Councillor's Leave of Absence</i>	<i>Councillors endorsed a personal leave of absence.</i>

DECISION: 9 March 2023

MOTION

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

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

CARRIED 10:0

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

21. MEETING CLOSURE

The Mayor, Councillor D C Gibson, closed the Meeting at 4.08pm.

22. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 23 March 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.