



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
MONDAY 11 APRIL 2016  
1.00pm**

# City of Launceston

COUNCIL MINUTES

Monday 11 April 2016

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The Ordinary Meeting of the City of Launceston Council was held at the Council Chambers:

Date: 11 April 2016

Time: 1.00pm

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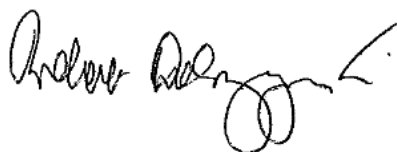
## Section 65 Certificate of Qualified Advice

### Background

Section 65 of the *Local Government Act 1993* requires the General Manager to certify that any advice, information or recommendation given to Council is provided by a person with appropriate qualifications or experience.

### Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the Minutes Items for this Meeting.



**Robert Dobrzynski**  
General Manager

# City of Launceston

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**Present:**                    **Alderman**            **A M van Zetten (Mayor)**  
**R I Soward (Deputy Mayor)**  
**R L McKendrick**  
**R J Sands**  
**D H McKenzie**  
**J G Cox**  
**D C Gibson**  
**D W Alexander**  
**S R F Wood**  
**E K Williams**  
**K P Stojansek**

**In Attendance:**                    **Mr R S Dobrzynski (General Manager)**  
**Mr S Eberhardt (Acting Director Infrastructure Services)**  
**Mrs L M Hurst (Director Development Services)**  
**Mr R K Sweetnam (Director Facilities Management)**  
**Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery)**  
**Mr M J Tidey (Director Corporate Services)**  
**Mrs L F Purchase (Governance and Planning Coordinator)**  
**Miss T West (Committee Clerk)**

**Apologies:**                    **Alderman**            **J Finlay**

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

The Mayor, Alderman A M van Zetten, opened the Meeting at 1.00pm and noted an apology from Alderman J Finlay.

## **2 DECLARATIONS OF INTEREST**

*Local Government Act 1993 - Section 48*

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

**Alderman J G Cox declared an interest in Agenda Item 8.5 - 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings.**

**Alderman K P Stojansek declared an interest in Agenda Item 22.2 - 34-40 Howick Street, South Launceston.**

## **3 CONFIRMATION OF MINUTES**

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

### **RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 30 March 2016 be confirmed as a true and correct record.

**DECISION: 11 April 2016**

### **MOTION**

**Moved Alderman J G Cox, seconded Alderman D H McKenzie.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

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## 4 DEPUTATIONS

**No Deputations were identified as part of these Minutes**

**5 PETITIONS**

*Local Government Act 1993 - Sections 57 and 58*

**5.1 Tabling of Petition Requesting a Public Meeting About the Transfer of Land to the University of Tasmania (UTAS)**

**FILE NO:** SF0097

**AUTHOR:** Leanne Purchase (Governance and Planning Coordinator)

**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To table a petition presented to the Mayor, Alderman A M van Zetten, on 30 March 2016.

**RECOMMENDATION:**

That Council tables the petition in accordance with Section 58 of the *Local Government Act 1993 (Tas)*.

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

**DECISION: 11 April 2016**

**MOTION**

**Moved Alderman R L McKendrick, seconded Alderman S R F Wood.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

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**6 COMMUNITY REPORTS**

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

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

**7 PUBLIC QUESTION TIME**

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

**7.1 Public Questions on Notice**

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

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

**7.1.1 Public Questions on Notice - Mr Basil Fitch - Council Meeting - 30 March 2016****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**QUESTIONS and RESPONSES:**

The following questions were submitted to Council on 30 March 2016 by Mr Basil Fitch and have been answered by Mr Robert Dobrzynski (General Manger).

**Questions (typed as received):**

1. What progress has been made in regard to the sale of public land (*the car park*) at the Penny Royal Complex?

**Response:**

Public land is defined under the *Local Government Act 1993 (Tas)*. This parcel of land is not public land. At its Meeting of 14 December 2015, Council provided land to the Penny Royal development.

2. If a sale price has been agreed upon between the City Manager and the JAC Group, what is it?

**Response:**

Commercial in confidence but above the valuation figure provided by a licensed valuer.

3. UTas has purchased the Theatre Royal Hotel in Hobart for \$1.7million, how does this reflect upon the UTas CoL MoU?

**Response:**

Council is not aware of the circumstances in Hobart, so it is not appropriate to comment.

4. Given the General Manager asserts that stormwater and sewerage infrastructure at Invermay is owned by Tas Water, how is it that the CoL is reportedly liable for \$6.9million for infrastructure costs relative this issue - *estimated at \$745 per rateable property*?
-

**7.1.1 Public Questions on Notice - Mr Basil Fitch - Council Meeting - 30 March 2016...(Cont'd)**

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**Response:**

This figure is incorrect and is speculation.

5. What progress has been made towards resolving Launceston's sewerage and stormwater infrastructure costs?

**Response:**

This is an Arbitration process governed by *Urban Drainage Act 2013 (Tas)*.

6. What research has been undertaken, or advice sought under SECTION 65, to ensure that Launceston's sewerage and stormwater is discharged to the environment (*the Tamar?*) to a tertiary treatment standard?

**Response:**

This matter has been referred to TasWater as the asset owner of the combined system.

7. What options has Council/Flood Authority considered and/or investigated to acquire a '*state of the art*' dredge to manage the Tamar Estuary silt issues?

**Response:**

This matter has been referred to the Launceston Flood Authority as the responsible agency.

8. What action is Council/Flood Authority taking to desist with the demonstrably failed 'silt raking' process - *in that it exasperates the river's contamination levels?*

**Response:**

Research evidence does not support the comments made. This matter has been referred to the Launceston Flood Authority as the responsible agency.

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**7.2 Public Questions without Notice**

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

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

**No Questions without Notice were identified as part of these Minutes**

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Item 8 - Planning Authority.

## 8 PLANNING AUTHORITY

### 8.1 Launceston Interim Planning Scheme 2015 - Amendment 29 and DA0080/2016 - Business and Professional Services - Change of Use to Office - 8 Broadland Drive, Launceston

**FILE NO:** SF6458/DA0080/2016

**AUTHOR:** Richard Jamieson (Manager Planning Services)

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

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#### DECISION STATEMENT:

To consider a combined planning scheme amendment and planning application to rezone 8 Broadland Drive, Launceston to Commercial and change of use to Business and Professional Services (office).

#### RECOMMENDATION:

##### Note:

Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the **former provisions** remain in force until a Local Planning Schedule comes into effect for the municipal area.

1. That Council, pursuant to former Section 33(3) of the *Land Use Planning and Approvals Act 1993*, (the Act) initiates Amendment 29 to rezone 8 Broadland Drive Launceston from Light Industrial to Commercial, as described in Appendix 2. (ECM Document Number 3731514).
  2. That Council authorises officers to prepare draft Amendment 29.
  3. That Council, in accordance with Section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under Section 35(1) of the Act.
  4. That Council, pursuant to former Section 38(a) of the *Land Use Planning and Approvals Act 1993*, determines the period of public exhibition to be 28 days.
-

**8.1 Launceston Interim Planning Scheme 2015 - Amendment 29 and DA0080/2016 - Business and Professional Services - Change of Use to Office - 8 Broadland Drive, Launceston...(Cont'd)**

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5. That Council, pursuant to former Section 43A of the *Land Use Planning and Approvals Act 1993*, approves DA0080/2016 for Business and Professional Services - change of use to office at 8 Broadland Drive, Launceston subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

The use must be carried out in accordance with the endorsed plans unless modified by a condition of the Permit:

a. Site plan, Drawn by CBM Sustainable Design Rev.1, 8<sup>th</sup> December 2015

**2. DISABLED PARKING**

Despite condition 1, and within 3 months of occupation of the building one disabled car space is required to be provided onsite. This space must comply with the relevant Australian Standard.

**3. CAR PARKING**

The areas set aside for parking vehicles and access lanes must be maintained for this purpose and kept free of obstruction as shown on the endorsed plans.

**4. STORAGE AND SCREENING**

Screen fencing must be erected around all storage areas with a minimum height of 1.8m. Goods must not be stored or stacked above the height of the fence.

**5. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2016/00296-LCC).

**6. SITE LANDSCAPING**

The landscaping must be maintained to the satisfaction of the Manager Planning Services.

**Notes**

A. General

*This permit was issued based on the proposal documents submitted DA0080/2016. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.*

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**8.1 Launceston Interim Planning Scheme 2015 - Amendment 29 and DA0080/2016 - Business and Professional Services - Change of Use to Office - 8 Broadland Drive, Launceston...(Cont'd)**

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*This permit takes effect after:*

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

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

**B. Other Approvals**

*This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:*

- *Council Building permit*
- *Council Plumbing permit*
- *Occupancy Permit*

**C. Permit Commencement.**

*The permit does not commence until the amendment and application are approved by the Tasmanian Planning Commission pursuant to Section 43A of the Land Use Planning and Approvals Act 1993.*

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**Mrs L Hurst (Director Development Services) and Mr R Jamieson (Manager Planning Services) were in attendance to answer questions of Council in respect of this Agenda Item.**

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- 8.1 Launceston Interim Planning Scheme 2015 - Amendment 29 and DA0080/2016 - Business and Professional Services - Change of Use to Office - 8 Broadland Drive, Launceston...(Cont'd)**
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**DECISION: 11 April 2016**

**MOTION**

**Moved Alderman R L McKendrick, seconded Alderman D H McKenzie.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**8.2 Launceston Interim Planning Scheme 2015 - Amendment 25 - Rezone Title Volume 114633 Folio 101 to Open Space****FILE NO:** SF6391**AUTHOR:** Julia Allen (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

These amendments seek to correct an anomaly to improve the function of the Launceston Interim Planning Scheme 2015 (the interim scheme).

**RECOMMENDATION:****Note:**

Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the **former provisions** remain in force until a Local Planning Schedule comes into effect for the municipal area.

1. That Council, pursuant to former Section 34(1) of the *Land Use Planning and Approvals Act 1993*, (the Act) initiates Amendment 20 to the Launceston Interim Planning Scheme 2015, as described in Appendix 2. (ECM Document Number 3684122).
  2. That Officers prepare draft Amendment 25.
  3. That Council, in accordance with Section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under former Section 35(1) of the Act.
  4. That Council, request the Tasmanian Planning Commission to exercise their power to dispense with certain requirements in accordance with former Section 37 of the *Land Use Planning and Approvals Act 1993* to approve Amendment 25.
  5. Where the Tasmanian Planning Commission do not exercise their powers in accordance with former Section 37 of the *Land Use Planning and Approvals Act 1993*, that Council, in accordance with former Section 38(a) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.
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**8.2 Launceston Interim Planning Scheme 2015 - Amendment 25 - Rezone Title Volume 114633 Folio 101 to Open Space...(Cont'd)**

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**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services) and Ms J Tyson (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 11 April 2016**

**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman R L McKendrick.**

**That Agenda Items 8.2 - 8.4, as per the Recommendations to Council, be adopted.**

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**8.3 Launceston Interim Planning Scheme 2015 amendment 14 - realign zone boundary 23 Killafaddy Road and 66 - 92 St Leonards Road, St Leonards****FILE NO:** SF6391**AUTHOR:** Julia Allen (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider an amendment to the Launceston Interim Planning Scheme (interim scheme) to correct a translation error to land at 23 Killafaddy Road and 66-92 St Leonards Road, St Leonards.

**RECOMMENDATION:****Note:**

Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the **former provisions** remain in force until a Local Planning Schedule comes into effect for the municipal area.

1. That Council, pursuant to former Section 34(1) of the *Land Use Planning and Approvals Act 1993*, (the Act) initiates Amendment 14 to the Launceston Interim Planning Scheme 2015, as described in Appendix 2. (ECM Document Number 3732507).
  2. That Officers prepare draft Amendment 14.
  3. That Council, in accordance with Section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under former Section 35(1) of the Act.
  4. That Council, request the Tasmanian Planning Commission to exercise their power to dispense with certain requirements in accordance with former Section 37 of the *Land Use Planning and Approvals Act 1993* to approve Amendment 14.
  5. Where the Tasmanian Planning Commission do not exercise their powers in accordance with former Section 37 of the *Land Use Planning and Approvals Act 1993*, that Council, in accordance with former Section 38(a) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.
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- 8.3 Launceston Interim Planning Scheme 2015 amendment 14 - realign zone boundary 23 Killafaddy Road and 66 - 92 St Leonards Road, St Leonards...(Cont'd)**
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**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services) and Ms J Tyson (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 11 April 2016**

**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman R L McKendrick.**

**That Agenda Items 8.2 - 8.4, as per the Recommendations to Council, be adopted.**

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

## COUNCIL MINUTES

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### 8.4 Amendments 12, 19 and 21 - Rezone to Utilities zone - 35B Castlemain Road, Ravenswood, 366 Russells Plains Road, Rocherlea and 40635 Tasman Highway, St Leonards

**FILE NO:** SF6391

**AUTHOR:** Julia Allen (Town Planner)

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

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#### **DECISION STATEMENT:**

To consider and decide whether to initiate the following amendments to the Launceston Interim Planning Scheme 2015:

- Amendment 12 - 35B Castlemain Road, Ravenswood rezone to Utilities.
- Amendment 19 - 366 Russells Plains Road, Rocherlea - rezone to Utilities zone.
- Amendment 21 - 40635 Tasman Highway, St Leonards - rezone to Utilities zone.

#### **RECOMMENDATION:**

##### **Note:**

Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the **former provisions** remain in force until a Local Planning Schedule comes into effect for the municipal area.

1. That Council, pursuant to former Section 34(1) of the *Land Use Planning and Approvals Act 1993* (the Act) initiates Amendments 12, 19 and 21 to the Launceston Interim Planning Scheme 2015 to enable rezoning and text amendments, as described in Appendix 2. (ECM Document Number 3659348).
  2. That Officers prepare draft Amendments 12, 19 and 21.
  3. That Council, in accordance with Section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under former Section 35(1) of the Act.
  4. That Council, request the Tasmanian Planning Commission to exercise their power to dispense with certain requirements in accordance with former Section 37 of the *Land Use Planning and Approvals Act 1993* to approve Amendments 12, 19 and 21.
  5. Where the Tasmanian Planning Commission do not exercise their powers in accordance with former Section 37 of the *Land Use Planning and Approvals Act 1993*, that Council, in accordance with former Section 38(a) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.
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- 8.4 Amendments 12, 19 and 21 - Rezone to Utilities zone - 35B Castlemain Road, Ravenswood, 366 Russells Plains Road, Rocherlea and 40635 Tasman Highway, St Leonards...(Cont'd)**
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**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services) and Ms J Tyson (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 11 April 2016**

**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman R L McKendrick.**

**That Agenda Items 8.2 - 8.4, as per the Recommendations to Council, be adopted.**

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**



**8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings****FILE NO:** DA0072/2016**AUTHOR:** Jacqui Tyson (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

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

**RECOMMENDATION:**

That in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0072/2016 Residential - multiple dwellings; construction and use of two dwellings at 5 Legges Crescent, Prospect subject to the following conditions:

**1. ENDORSED PLANS**

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

- a. Site plan, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 03 of 29, Dated 26 February 2016.
  - b. Planning compliance, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 04 of 29, Dated 26 February 2016.
  - c. Unit 1 floor plan, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 07 of 29, Dated 26 February 2016.
  - d. Unit 1 North and East elevations, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 08 of 29, Dated 26 February 2016.
  - e. Unit 1 South and West elevations, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 09 of 29, Dated 26 February 2016.
  - f. Unit 2 floor plan, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 17 of 29, Dated 26 February 2016.
  - g. Unit 2 North and East elevations, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 18 of 29, Dated 26 February 2016.
-

**8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)**

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h. Unit 1 South and West elevations, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 19 of 29, Dated 26 February 2016.

**2. LEGAL TITLE**

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

**3. HOURS OF CONSTRUCTION**

Construction works must only be carried out between the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 5.00pm Saturday and no works on Sunday or Public Holidays.

**4. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2016/00218-LCC) (attached).

**5. SITE LANDSCAPING**

The landscaping must be:

- a. Installed in accordance with the endorsed plan; and
- b. Completed prior to the issue of the strata title; and
- c. Maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Council.

**6. FENCING**

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (i.e. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of at least:

- a. 1.2m within 4.5m of the frontage; and
- b. 1.8m elsewhere when measured from the highest finished level on either side of the common boundaries.

**7. DRIVEWAY 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 a fully sealed, debris free surface of concrete, asphalt or square edged pavers,
  - c) Be drained to the existing internal drainage system for the property,
  - d) Be line-marked or otherwise delineated to indicate each car space and access lanes,
-

**8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)**

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

**8. DAMAGE TO COUNCIL INFRASTRUCTURE**

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

**9. VEHICULAR CROSSINGS - WIDENING OF EXISTING CROSSING**

No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of the Council's Roads and Hydraulics Department. An application for such work must be lodged electronically via the Council's eServices web portal or on the approved hard copy form.

The existing transition wing of the kerb layback is to be removed and the layback width increased to 4500mm and a new wing installed. The existing driveway apron can be retained provided that the new section apron is dowelled into the existing slab to prevent differential settlement.

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

**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. NO BURNING OF WASTE**

No burning of any waste materials generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (e.g. Launceston Waste Centre).

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**8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)**

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**Notes****A. Building Permit Required**

*Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

**B. Occupancy Permit Required**

*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2000, Section 93. A copy of this planning permit should be given to your Building Surveyor.*

**C. Plumbing Permit Required**

*Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

**D. General**

*This permit was issued based on the proposal documents submitted for DA0072/2016. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.*

*This permit takes effect after:*

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

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

**E. Restrictive Covenants**

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

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**8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)**

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

**F. Appeal Provisions**

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

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

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

**G. Strata Title Approval**

*The proposal may be Strata titled. If this is to be staged the Strata plan must be accompanied by a Disclosure Statement for a Staged Development Scheme.*

**H. Street addresses for Multiple Dwellings**

*Residential addressing is undertaken in accordance with Australian Standard AS4819. The development has been assessed according to the standard and the following addresses allocated:*

<i>Dwelling No</i>	<i>Street Address</i>
<i>Proposed Unit 1</i>	<i>1/5 Legges Crescent</i>
<i>Proposed Unit 2</i>	<i>2/5 Legges Crescent</i>

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

**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services) and Ms J Tyson (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Due to a declaration of interest in Agenda Item 8.5 - 5 Legges Crescent, Prospect - Residential - multiple dwelling; construction and use of two dwellings, Alderman J G Cox withdrew from the meeting at 1.04pm.**

**Mr Phillip Allison spoke against the item.**

**Mr Benjamin Kromkamp spoke against the item.**

**8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)**

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**DECISION: 11 April 2016**

**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman S R F Wood.**

**That in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0072/2016 Residential - multiple dwellings; construction and use of two dwellings at 5 Legges Crescent, Prospect subject to the following conditions:**

**1. ENDORSED PLANS**

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

- a. Unit 1 floor plan, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 07 of 29, Dated 26 February 2016.**
- b. Unit 1 North and East elevations, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 08 of 29, Dated 26 February 2016.**
- c. Unit 1 South and West elevations, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 09 of 29, Dated 26 February 2016.**
- d. Unit 2 floor plan, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 17 of 29, Dated 26 February 2016.**
- e. Unit 2 North and East elevations, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 18 of 29, Dated 26 February 2016.**
- f. Unit 2 South and West elevations, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 19 of 29, Dated 26 February 2016.**

**2. AMENDED PLANS REQUIRED**

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

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**8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)**

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The plans to be amended are:

- a. Site plan, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 03 of 29, Dated 26 February 2016.
- b. Planning compliance, Prepared by Urban Design Solutions, Drawing No. 6106, Proposed unit development - 5 Legges Crescent, Prospect, Sheet 04 of 29, Dated 26 February 2016.

The amended plans must show:

- a. One (1) visitor parking space located between Unit 1 and Unit 2.

**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. HOURS OF CONSTRUCTION**

Construction works must only be carried out between the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 5.00pm Saturday and no works on Sunday or Public Holidays.

**5. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2016/00218-LCC) (attached).

**6. SITE LANDSCAPING**

The landscaping must be:

- a. Installed in accordance with the endorsed plan; and
- b. Completed prior to the issue of the strata title; and
- c. Maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Council.

**7. FENCING**

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (i.e. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of at least:

- a. 1.2m within 4.5m of the frontage; and
  - b. 1.8m elsewhere when measured from the highest finished level on either side of the common boundaries.
-

- 8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)**
- 

**8. DRIVEWAY 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 a fully sealed, debris free surface of concrete, asphalt or square edged pavers,**
- c) Be drained to the existing internal drainage system for the 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.**

**9. DAMAGE TO COUNCIL INFRASTRUCTURE**

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

**10. VEHICULAR CROSSINGS - WIDENING OF EXISTING CROSSING**

**No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of the Council's Roads and Hydraulics Department. An application for such work must be lodged electronically via the Council's eServices web portal or on the approved hard copy form.**

**The existing transition wing of the kerb layback is to be removed and the layback width increased to 4500mm and a new wing installed. The existing driveway apron can be retained provided that the new section apron is dowelled into the existing slab to prevent differential settlement.**

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

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- 8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)
- 

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 generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (e.g. Launceston Waste Centre).

Notes

A. **Building Permit Required**

*Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

B. **Occupancy Permit Required**

*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2000, Section 93. A copy of this planning permit should be given to your Building Surveyor.*

C. **Plumbing Permit Required**

*Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

D. **General**

*This permit was issued based on the proposal documents submitted for DA0072/2016. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.*

---

**8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)**

---

*This permit takes effect after:*

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

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

**E. Restrictive Covenants**

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

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

**F. Appeal Provisions**

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

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

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

**G. Strata Title Approval**

*The proposal may be Strata titled. If this is to be staged the Strata plan must be accompanied by a Disclosure Statement for a Staged Development Scheme.*

---

8.5 5 Legges Crescent, Prospect - Residential - multiple dwellings; construction and use of two dwellings...(Cont'd)

H. **Street addresses for Multiple Dwellings**  
*Residential addressing is undertaken in accordance with Australian Standard AS4819. The development has been assessed according to the standard and the following addresses allocated:*

<b><i>Dwelling No</i></b>	<b><i>Street Address</i></b>
<b><i>Proposed Unit 1</i></b>	<b><i>1/5 Legges Crescent</i></b>
<b><i>Proposed Unit 2</i></b>	<b><i>2/5 Legges Crescent</i></b>

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

**CARRIED 9:1**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman D H McKenzie, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

**AGAINST VOTE:** Alderman R J Sands

**ABSENT DUE to DECLARATION of INTEREST:** Alderman J G Cox

Alderman J G Cox re-attended the Meeting at 1.22pm

The Mayor, Alderman A M van Zetten, announced that Council no longer acts as a Planning Authority.

**DECISION:** 11 April 2016

**MOTION**

**Moved Alderman R I Soward, seconded Alderman R L McKendrick.**

**That Council move to discuss Agenda Item 18.1 - Quarantine Road Highway Closure (Verge Section Adjacent to 241-247 Hobart Road).**

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**Council moved to Agenda Item 18.1 - Quarantine Road Highway Closure (Verge Section Adjacent to 241-247 Hobart Road).**

## 9 ANNOUNCEMENTS BY THE MAYOR

### 9.1 Mayor's Announcements

FILE NO: SF2375

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#### Wednesday 30 March 2016

- Attended the Top of the Tamar mid-week Yacht Race

#### Thursday 31 March 2016

- Attended the launch of the 2016 B & E Tasmanian Running Festival at B & E Personal Banking in Brisbane Street
- Attended the North Launceston Bowls Club Lady President's Afternoon Tea to celebrate Ladies Friendship Day at the North Launceston Bowls Club

#### Friday 1 April 2016

- Attended the Trevallyn Bowls Club Presentation Night Dinner at the Trevallyn Bowls Club

#### Saturday 2 April 2016

- Officiated at the 2016 Relay for Life at St Leonards Sports Oval
- Attended the Northern Tasmanian Junior Soccer Association's Season Opening at the Churchill Park Function Rooms
- Attended the Mowbray Cricket Club Annual Dinner and Trophy Presentation Night at Aurora Stadium

#### Monday 4 April 2016

- Officiated at The Theatre North "Name a Seat" at the Grand Reveal at the Princess Theatre

#### Tuesday 5 April 2016

- Officiated at the Heritage Forest Community Garden Opening at Heritage Forest

#### Thursday 7 April 2016

- Officiated at the 2016 Senior's Morning Tea at the Town Hall
  - Attended the Opening of the first stage of the Peter Underwood Peace Garden at Kings Park
-

**9.1 Mayor's Announcements...(Cont'd)**

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**Friday 8 April 2016**

- Presented at the Tasmanian Community Fund Board Presentation at the Launceston Silverdome
- Attended the Cricket North End of Season Presentation Dinner at the Tailrace Centre

**10 ALDERMEN'S REPORTS**

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

**10.1 Alderman R I Soward**

- **Attended the Heritage Forest Community Garden Opening**
- **Deputising for the Mayor, attended the Life Without Barriers fair at Rocherlea**

**10.2 Alderman D H McKenzie**

- **Attended the Heritage Forest Community Garden Opening**
- **Attended the opening of the Peter Underwood Peace Garden**

**10.3 Alderman D C Gibson**

- **Acknowledged the outstanding work on the Princess Theatre renovations**
- **Noted a panel session facilitated by the University of Tasmania 'Shaking up Communities, lessons learnt from Christchurch's earthquake disaster' is being held at Inveresk on 21 April 2016 at 6.00pm**

**10.4 Alderman R L McKendrick**

- **Attended the Seniors morning tea and expressed thanks to everyone involved**
- **Noted the success of the gala event for girls AFL football at the South Launceston Football grounds**
- **Noted that the Trams at Inveresk will be expanded to loop behind the museum and the School of Architecture however, the price of the sleepers, which have to be made, is a considerable and unexpected expense for the society**

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

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

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

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

**11.2 Questions without Notice**

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

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

**11.2.1 Alderman D C Gibson - Events Sponsorship Policy**

**When can Aldermen expect to see the first version of the Events Sponsorship Policy?**

**Mr R Dobrzynski (General Manager) advised that the question will be Taken on Notice and a response will be provided via the Aldermen's Bulletin and in the next Agenda.**

**Alderman R I Soward withdrew from the Meeting at 1.44pm.**

**Alderman R I Soward re-attended the Meeting at 1.45pm.**



**12 COMMITTEE REPORTS****12.1 Tender Review Committee - 29 February and 21 March 2016****FILE NO:** SF0100**AUTHOR:** Raj Pakiarajah (Projects Manager)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To receive and consider reports from the Tender Review Committee (a delegated authority Committee).

**RECOMMENDATION:**

That Council receives the reports from the Tender Review Committee Meetings held on 29 February and 21 March 2016.

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**Mr S Eberhardt (Acting Director Infrastructure Services) and Mr R Sweetnam (Director Facilities Management) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 11 April 2016****MOTION****Moved Alderman R L McKendrick, seconded Alderman J G Cox.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

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**13 COUNCIL WORKSHOPS**

Council Workshops conducted on 4 April 2016 were:

- Amalgamation Discussions
- Innovation Initiatives
- Swim Lane Hire at Leisure & Aquatic Centre
- Andrew Nikolic Presentation
- Northern Tasmania Development Plan
- Rate Modelling

**14 NOTICES OF MOTION**

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

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

**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS****15.1 City Centre Smokefree Zones****FILE NO:** SF3221**AUTHOR:** Debbie Fortuin (Manager Environmental Services)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider the proposed expansion of the smokefree zones in the Launceston Central Business District (CBD).

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 20 September 2010 - Agenda Item 12.6 - Council considered a Notice of Motion in relation to the State's proposed new smoking bans.

Council - 13 December 2010 - Agenda Item 12.5 - Considered a Notice of Motion that Council "determines as a matter of principle, to declare smokefree areas in the following locations of the Launceston municipal area:

- Brisbane Street Mall.
- Quadrant Mall.
- Two bus interchange areas in St John Street.
- Requests the General Manager to provide a report, at the earliest opportunity, on the means by which the Council should proceed to implement its position and the manner in which such a declaration would be administered, with the report to investigate the use of the provisions of the *Public Health Act 1997*, as recently used by Hobart City Council to ban smoking within locations in the City of Hobart.
- Agrees to implement these smoking restrictions commencing at the earliest opportunity.

Council - 31 January 2011 - Agenda Item 3.1 - A further report was presented to Council. The decision was that Council proceed with implementing the ban on smoking in the Brisbane Street Mall, Quadrant Street Mall and two bus interchanges as outlined.

**RECOMMENDATION:**

That the Proposed extension of the ban on smoking in the Launceston CBD as illustrated in Attachment 1 - ECM reference 3735352 - be submitted for public consultation.

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**15.1 City Centre Smokefree Zones...(Cont'd)**

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

**DECISION: 11 April 2016**

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**

No Items were identified as part of these Minutes

**17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS**

No Items were identified as part of these Minutes

**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS****18.1 Quarantine Road Highway Closure (Verge Section Adjacent to 241-247 Hobart Road)****FILE NO:** SF1895, 62560, DA0463/2015**AUTHOR:** Robert Holmes (Property Coordinator)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To determine Council's view in relation to the proposal to close part of Quarantine Road.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting - Agenda Item 18.1 - 18 February 2016

The Council authorised to proceed with closure of a portion of Quarantine Road.

**RECOMMENDATION:**

1. In response to advertising of the proposal to close part (100m<sup>2</sup>) of Quarantine Road adjacent to the south western boundary of 241-247 Hobart Road, pursuant to Section 14 of the *Local Government (Highways) Act 1982*, Council:
    - acknowledges receipt of two representations.
    - authorises the General Manager to refer the objection by an interested person to the Magistrates Court (Administrative Appeals Division) for determination.
  2. The highway closure applicant is to pay Council's legal and any other Council out-of-pocket expenses arising from the referral to the Magistrates Court (Administrative Appeals Division).
- 

**Mr S Eberhardt (Acting Director Infrastructure Services), Mrs L Hurst (Director Development Services) and Mr R Jamieson (Manager Planning Services) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr J Dickenson spoke against the item.**

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**18.1 Quarantine Road Highway Closure (Verge Section Adjacent to 241-247 Hobart Road)...(Cont'd)**

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**DECISION: 11 April 2016****MOTION****Moved Alderman R L McKendrick, seconded Alderman D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek****After considering Agenda Item 18.1 - Quarantine Road Highway Closure (Verge Section Adjacent to 241-247 Hobart Road), Council resumed the published order of business at Agenda Item 9.1 - Mayor's Announcements.**

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## 19 CORPORATE SERVICES DIRECTORATE ITEMS

### 19.1 Call for Submission of Motions - Local Government Association of Tasmania

**FILE NO:** SF2217

**AUTHOR:** John Davis (Manager Corporate Strategy)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider any motions for submission to the Local Government Association of Tasmania (LGAT) General Meeting to be held on 20 July 2016.

#### **PREVIOUS COUNCIL CONSIDERATION:**

4 April 2016 - Strategic Planning and Policy Committee Meeting - Item 4.2

#### **RECOMMENDATION:**

That Council:

- (i) determines the motions to be submitted to the Local Government Association of Tasmania General Meeting to be held on 20 July 2016; or
  - (ii) in the alternative, determines no action is to be taken on this matter.
- 

**Mr M Tidey (Director Corporate Services) and Mr J Davis (Manager Corporate Strategy) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 11 April 2016**

#### **MOTION**

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

**That Council determines no action is to be taken on this matter.**

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

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**19.2 Call for Submission of Motions - 2016 National General Assembly of Local Government****FILE NO:** SF0325/SF2217**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider submitting any motions to the 2016 National General Assembly of Local Government to be held between 19 and 22 June 2016.

**PREVIOUS COUNCIL CONSIDERATION:**

SPPC Meeting 4 April 2016 - Item 4.1.

**RECOMMENDATION:**

That Council:

- (i) determines the motions to be submitted to the 2016 National General Assembly of Local Government to be held between 19 and 22 June 2016; or
  - (ii) in the alternative, determines no action is to be taken on this matter.
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**Mr M Tidey (Director Corporate Services) and Mr J Davis (Manager Corporate Strategy) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION:** 11 April 2016**MOTION**

**Moved Alderman R I Soward, seconded Alderman R L McKendrick.**

**That Council determines no action is to be taken on this matter.**

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

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**19.3 Progress Against 2015/2016 Annual Corporate Plan Actions as at 31 March 2016****FILE NO:** SF6177/SF5652**AUTHOR:** Leisa Hilkmann (Corporate Planning Administration Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To receive the report on progress against Council's 2015/2016 Annual Corporate Plan Actions for the period ending 31 March 2016.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting - Agenda Item 19.1 - 8 February 2016 - *Progress against 2015/2016 Annual Plan Actions - as at 31 December 2015.*

**RECOMMENDATION:**

That Council:

1. Accepts the report on progress against 2015/2016 Annual Corporate Plan Actions for the period ending 31 March 2016; and
2. Endorses the deferment of the following 2015/2016 Annual Corporate Plan Actions:
  - (i) *Public Open Space (POS) Strategy - Review the 2007 Public Open Space Strategy to encompass POS recommendations from the Greater Launceston Plan and establish a new and up to date vision for Launceston's Public Open Space.*

**MEASURES OF SUCCESS**

- *POS Strategy planned for completion by 30 December 2015*
- *Public Open Space Strategy adopted by Council by the third quarter 2015/2016*

- (ii) *Review signage and wayfinding with a view to bringing this to an appropriate national/international standard, integrated with the City Heart Project*

**MEASURES OF SUCCESS**

- *New promotional signage methods trialled*
  - *Improved wayfinding signage installed*
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**19.3 Progress Against 2015/2016 Annual Corporate Plan Actions as at 31 March 2016...(Cont'd)**

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**Mr M Tidey (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 11 April 2016**

**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman R L McKendrick.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**20 GENERAL MANAGER'S DIRECTORATE ITEMS**

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

**21 URGENT BUSINESS**

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

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

**22 CLOSED COUNCIL**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)*

**22.1 Confirmation of the Minutes**

The *Local Government (Meeting Procedures) Regulations 2015 - Regulation 34(6)* 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 council or council committee and signed by the chairperson of the closed meeting.

**22.2 34-40 Howick Street, South Launceston**

That Minutes Item 22.2 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(i) of the *Local Government (Meeting Procedures) 2015*, which permits the meeting to be closed to the public for business relating to the following:

- 15(2)(i) matters relating to actual or possible litigation taken, or to be taken by or involving the council or an employee of the council.

**DECISION:** 11 April 2016

**MOTION**

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

**That Council move into Closed Session to consider Agenda Items 22.1 - Confirmation of the Minutes and 22.2 - 34-40 Howick Street, South Launceston.**

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**Council moved to Closed Session at 2.00pm.**

**Council returned to Open Session at 2.56pm.**

**23 MEETING CLOSURE**

**The Deputy Mayor, Alderman R I Soward, closed the Meeting at 2.56pm.**