



LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 11 NOVEMBER 2013**

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 11 November 2013

Notice is hereby given that the Ordinary Meeting of the Launceston City Council will be held at the Council Chambers -

Date: 11 November 2013

Time: 1.00 pm

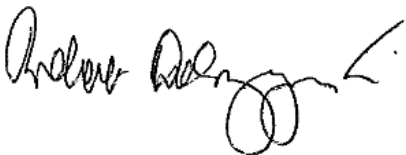
Section 65 Certificate of Qualified Advice

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

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 11 November 2013

Present: **Alderman** **A M van Zetten (Mayor)**
 J D Ball (Deputy Mayor)
 A L Waddle
 A C Peck
 R L McKendrick
 R J Sands
 R L Armitage
 I S Norton
 R I Soward
 D H McKenzie
 J G Cox
 D C Gibson

In Attendance: **Mr R S Dobrzynski (General Manager)**
 Mr J Davis (Manager Corporate Strategy)
 Mr D Gray (Committee Clerk/Admin Officer)

Apologies: **Alderman** **Nil.**

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 11 November 2013

ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES	1
2	DECLARATION OF PECUNIARY INTERESTS	1
3	CONFIRMATION OF MINUTES	1
4	DEPUTATION	1
5	ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME	2
6	PUBLIC QUESTION TIME	3
7	ANNOUNCEMENTS BY THE MAYOR	4
7.1	Mayor's Announcements	4
8	ALDERMEN'S/DELEGATES' REPORTS	6
8.1	Alderman McKenzie - TasWater General Meeting	6
8.2	Alderman Peck - Cityprom	7
8.3	Alderman Norton - Launceston College	8
8.4	Alderman Soward - Launceston College	9
8.5	Alderman Waddle - Time Capsule	10
8.6	Alderman McKendrick - Franklin House	11
8.7	Alderman Gibson - Launceston Safer Community Partnership	12
9	QUESTIONS BY ALDERMEN	13
10	COMMITTEE REPORTS	14
10.1	QVMAG Museum Governance Advisory Meeting 16 October 2013	14

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 11 November 2013

Item No	Item	Page No
10.2	Pedestrian & Bike Committee Meeting 22 October 2013	15
10.3	Municipal Emergency Management Committee Meeting - 25 October 2013	16
11	PETITIONS	17
12	PLANNING AUTHORITY	18
12.1	Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)	18
12.2	Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D5/2013) - 269 Hobart Road, Youngtown	30
12.3	Construction and use of two multiple dwellings - 13 Jillian Street, Kings Meadows	32
12.4	Construction and use of two multiple dwellings - 15 Jillian Street, Kings Meadows	40
15	FACILITY MANAGEMENT AND GOVERNANCE SERVICES	47
15.1	Launceston Aquatic - Health and Fitness Fees and Charges Agenda Item	47
17	INFRASTRUCTURE SERVICES	50
17.1	Play Space Strategy	50
17.2	Adoption of Northern Integrated Transport Plan	51
17.3	Cataract Gorge - 'Tangent' Cantilevered Look-Out	52
20	URGENT BUSINESS	53
21	WORKSHOP REPORT(S)	53

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 11 November 2013

Item No	Item	Page No
22	INFORMATION / MATTERS REQUIRING FURTHER ACTION	54
22.1	Information / matters requiring further action	54
23	ADVICE OF FUTURE NOTICES OF MOTION	55
23.1	Alderman Ball - Insurance for Street parties	55
23.2	Alderman Soward - Public liability	55
24	REPORTS BY THE MAYOR	56
25	REPORTS BY THE GENERAL MANAGER	56
26	CLOSED COUNCIL ITEM(S)	56
26.1	Report from General Manager's Contract and Performance Review Committee	57
27	MEETING CLOSURE	58

1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES

The Mayor opened the meeting at 1pm.

2 DECLARATION OF PECUNIARY INTERESTS

Alderman van Zetten declared an interest in items 12.3 and 12.4.

3 CONFIRMATION OF MINUTES

RECOMMENDATION:

1. That the Minutes of the meeting of the Launceston City Council held on 28 October 2013 be confirmed as a true and correct record.
2. That the Minutes of the meeting of the Launceston City Council held on 28 October 2013 in closed session be confirmed as a true and correct record.

DECISION: 11/11/2013

RESOLUTION: (1):

Moved Alderman A C Peck, seconded Alderman J G Cox.

That Recommendation 1 be adopted.

CARRIED UNANIMOUSLY 12:0

RESOLUTION: (2):

Moved Alderman D C Gibson, seconded Alderman R I Soward.

That Recommendation 2 be adopted.

CARRIED UNANIMOUSLY 12:0

4 DEPUTATION

Nil

5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
28 October 2013 9.1		<p>Aldermen's Question: Alderman Ball asked:</p> <p>Can an update be provided regarding the sourcing of insurance to cover street parties?</p> <p>This question was taken on notice.</p>	<p>Response provided at meeting - this question was taken on notice</p> <p>Further reply -</p> <p>Contact has been made with Council's insurer Marsh Pty Ltd who have advised that our casual hirers policy may be able to be extended to include street parties if Council wants to take ownership and control of these events with a hands on approach or alternatively each individual applicant can arrange cover direct through local community insurance which is the MAV following link: http://www.localcommunityinsurance.com.au/coverage_pl.aspx (street parties are listed under Single Events cover).</p>	

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
			<p>Council does not currently have the resources to take a hands on approach to these types of events and therefore the letter approach of the individual arranging cover directly through MAV is preferable.</p> <p>We have previously answered this through the aldermen's briefing.</p>	Michael Tidey

6 PUBLIC QUESTION TIME

Nil

7 ANNOUNCEMENTS BY THE MAYOR

7.1 Mayor's Announcements

FILE NO: SF2375

Tuesday 29 October

- Attended Cityprom AGM
- Attended Metro Tas Board Dinner

Wednesday 30 October

- Attended Clifford Craig Official announcement of 9 new medical research projects approved for funding in 2014

Friday 1 November

- Attended Launceston Tornadoes Launch of Lake Maintenance Community Clinics
- Attended Official Opening of David Keeling - A Dreamer's Keepsake at QVMAG
- Attended Welcome event for Australasian Firefighters Championships

Saturday 2 November

- Officiated at Opening Ceremony for Australasian Firefighters Championships

Wednesday 6 November

- Attended Aussie 15's Association Launch
- Presented Award at Launceston College Graduation & Awards Ceremony

Thursday 7 November

- Officiated at Opening of Time Capsule at Heritage Forest
- Attended Summerdale Primary Centenary Official Opening & Launch of the Wall of Fame
- Officiated at Owen Hughes Book Launch - The Beauty of Northern Tasmania
- Attended BOFA Opening Night & Film

Friday 8 November

- Officiated at Local Government Engineers & Works Managers Annual Conference
 - Attended Tasmania Action Day BOFA Film Festival
 - Officiated at Reception to mark the 40th anniversary of St Cecilia School of Music
 - Attended Opening Night Performance of Encore Theatre Company production of Annie The Musical
-

7.1 Mayor's Announcements...(Cont'd)

Saturday 9 November

- Attended St Cecilia School of Music 40th Celebration Grand Concert

Sunday 10 November

- Attended Defence Chaplaincy Church Service for Defence Sunday

Monday 11 November

- Officiated at private citizenship ceremony
- Officiated at Remembrance Day Ceremony

The Mayor further added:

- **Friday 1 November - Saturday 2 - opening ceremony Australasian Firefighters championships**
- **Wednesday 6 November - Aussie 15's Association Launch - congratulated Tim Coyle**
- **Thursday 7 November - Involved with BOFA Opening Night and Film**
- **Attended opening night performance of Annie The Musical**

The General Manager reported on the recent award presented to the Visitor Information Centre.

8 ALDERMEN'S/DELEGATES' REPORTS

8.1 Alderman McKenzie - TasWater General Meeting

Alderman D H McKenzie reported:

- Provided clarification on the headworks charges.
-

8.2 Alderman Peck - Cityprom

Alderman A C Peck reported:

- Advised of the newly added decorations in the CBD. Noted they are designed and made locally.
 - Announce new Cityprom Board members
-

8.3 Alderman Norton - Launceston College

Alderman I S Norton reported:

- Noted the Launceston College Graduation. Noted the high level of achievement by students and congratulated Principal Keith Wenn
-

8.4 Alderman Soward - Launceston College

Alderman R I Soward reported:

- Advised that Launceston College achieved a TCE average of 73%
-

8.5 Alderman Waddle - Time Capsule

Alderman A L Waddle reported:

- Thanked the Mayor for opening the time capsule at Heritage Forest

8.6 Alderman McKendrick - Franklin House

Alderman R L McKendrick reported:

- **Attended the Franklin House Committee Meeting and reported on the school children program and Mr Chris Tassel of National Trust's departure.**
-

8.7 Alderman Gibson - Launceston Safer Community Partnership

Alderman D C Gibson reported:

- **Attended the Launceston Safer Community Partnership meeting. Noted work on upcoming summer safety message. Noted Rotary Youth driver awareness program.**
-

9 QUESTIONS BY ALDERMEN

Nil

COUNCIL MINUTES

Monday 11 November 2013

10 COMMITTEE REPORTS

10.1 QVMAG Museum Governance Advisory Meeting 16 October 2013

FILE NO: SF2244

AUTHOR: Leila Wagner (Personal Assistant)

DIRECTOR: Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

DECISION STATEMENT:

To receive and consider a report from the QVMAG Museum Governance Advisory Board.

RECOMMENDATION:

That the report from the QVMAG Museum Governance Advisory Board meeting held on 16 October 2013 be received.

Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 11/11/2013

RESOLUTION: (1):

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

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

10.2 Pedestrian & Bike Committee Meeting 22 October 2013**FILE NO:** SF0618**AUTHOR:** Julie Tyres (Administration Officer - Road Assets)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider reports from the Pedestrian & Bike Committee.

RECOMMENDATION:

That the report from the Pedestrian & Bike Committee Meeting held on 22 October 2013 be received.

Mr H Galea (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 11/11/2013**RESOLUTION:** (1):**Moved Alderman J D Ball, seconded Alderman D H McKenzie.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

10.3 Municipal Emergency Management Committee Meeting - 25 October 2013**FILE NO:** SF3177**AUTHOR:** Rod Sweetnam (Director Facilities Management)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To receive and consider a report from the Municipal Emergency Management Committee.

RECOMMENDATION:

That the report from the Municipal Emergency Management Committee meeting held on Friday, 25 October 2013 be received.

Mr M Skirving (Acting Director Facilities Management) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 11/11/2013**RESOLUTION: (1):****Moved Alderman J G Cox, seconded Alderman D H McKenzie.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

11 PETITIONS

Nil

Under the provisions of the Land Use Planning and Approvals Act 1993, Council acts as a Planning Authority in regard to items 12.1 - 12.4

12 PLANNING AUTHORITY

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)

FILE NO: SF5990

AUTHOR: Julia Allen (Town Planner)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider the merits of representations received during the public consultation period for dispensation application (LAU D2/2013) and to determine whether the proposed dispensation requires modification in light of the representations received.

PREVIOUS COUNCIL CONSIDERATION:

Item 12.2 Monday, 28 October 2013 - Item deferred.

Item 12.1 Monday, 26 August 2013 Council resolved to support the proposal subject to retaining the Scenic Management area overlay.

RECOMMENDATION:

That the Council:

- 1) pursuant to *Section 30Q* of the *Land Use Planning and Approvals Act 1993*, the Council has considered the representations received in respect to the application for dispensation from a Local Provisions of the Launceston Interim Planning Scheme (LAU D2/2013) at 123 Westbury Road, South Launceston and provide the following statement to the Tasmanian Planning Commission as to the merit of each representation and any recommended modifications; and
-

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

- 2) notes that the application only relates to a dispensation from a local provision of the Launceston Interim Planning Scheme 2012 and does not include any future development application which may be lodged with Council for the site. Pending the outcome of this application for dispensation, a future development application for the site would be considered by the Council on its own merits against the provisions of the Launceston Interim Planning Scheme 2012, as modified by the dispensation. It is the Council's opinion that the site has a number of constraints that would need to be carefully addressed in a future development application including its high scenic amenity, access and traffic difficulties requiring new infrastructure and biodiversity value.

Representation	Issues Raised
Bill Campbell-Smith	<ol style="list-style-type: none"> 1. Overlays should remain because property is an iconic backdrop to city. 2. Property was gifted to Council but then sold with restrictions. Restrictions should remain. 3. Low density zone should remain because better fits with overlay requirements, and traffic and access issues.
	Discussion of Merit
	<ol style="list-style-type: none"> 1. Partially agree. See comments in part 3 of the report. 2. Council was presented with the offer to be gifted the land as a public park in 2004 however Council declined to accept the offer. Council has not applied any special restrictions. 3. Disagree. See comments in part 3 of the report.
	Recommended Alterations
	<ol style="list-style-type: none"> 1. No change. Retain Scenic Management overlay. 2. No change. 3. No change.

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

Representation	Issues Raised
Nigel and Linda Donachie	<ol style="list-style-type: none"> 1. Need for dispensation. 2. Issues with information in Traffic Report. Why leave Traffic Flow analysis until subdivision stage? 3. How will current users be affected by and who will pay for infrastructure upgrades, especially to the traffic network? 4. How will heavy vehicles be managed especially during construction and how will additional traffic arising from development of the land be managed? 5. How will safety of pedestrians and cyclists past the 'grand entrance' be accommodated, particularly during construction? 6. This site has historically been zoned Low Density Residential with Scenic Protection provisions applying. What has significantly changed? 7. If the Scenic Management and Biodiversity overlays are removed from the property, will they also be removed from adjacent properties that have similar attributes thereby giving those owners the same flexibility? 8. Concerns with the Landscape and Visual Assessment report including its downplaying of the visual impact of future subdivision, and the visual impact of clear felling of the site. 9. Concerns with the report supporting removal of Priority Habitat given there was a limited site assessment, uncertainty whether nocturnal site assessment was conducted to view presence of fauna, that site assessments were done outside of known flowering times for some threatened flora preventing identification or whether those species are present or not, errors in information records presented in report, and that raptor nests were not recorded in report when raptors do nest onsite. The Arborists Report does not include assessment of trees from protected section. 10. Incompatibility of the lot density under the General Residential zone with Scenic Management objectives. 11. Traffic Study - peak hour snapshots do not truly represent the concentrated traffic along Westbury and Normanstone Roads. Concerns that solution don't adequately deal with traffic banking up on Normanstone Road. The study doesn't consider the traffic issues around the Wellington Street and Westbury Road intersection. 12. How will traffic be managed during the construction phase? 13. Concerns with Council giving an opinion on the proposal prior to public consultation.

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

	<p>Discussion of Merit</p> <ol style="list-style-type: none"> 1. The ability to apply for a dispensation is available under the Land Use Planning Approvals Act and is available to anyone whilst the scheme is an interim planning scheme. 2. The development stage is when the full specific details of what's proposed and the extent of the proposal's implications will be considered. At this stage, it's sufficient to know that there are appropriate traffic engineering solution/s available to enable a development to proceed at a density that the zone allows for. 3. Typically infrastructure upgrades and works required to service a new development are required to be paid for by the developer. This will be a matter for a future development application on the site. 4. Full analysis of this issue is appropriate for consideration at the subdivision stage. A construction traffic management plan will be required then. 5. See above comment. 6. The site was zoned Low Density Residential with a Scenic Protection overlay under the Launceston Planning Scheme 1996. This has been translated into the current interim planning scheme. The applicant has analysed the site and believes there is sufficient evidence to support changing the provisions that apply to the land. 7. Ideally this should be the case if the attributes are the same however, insufficient evidence has been submitted for adjacent properties and adjacent properties have not been included in this application. 8. It is recommended that the Scenic Management overlay be retained on the subject land to enable consideration of the design in the context of its visual impact as well as during subdivision and construction and to also to have future development blend in appropriately with surrounding existing development. 9. There is sufficient evidence submitted to indicate the nature values are sufficiently poor that the Biodiversity Code need not apply. This doesn't affect the requirements of other legislation such the provisions of the Nature Conservation Act and the Threatened Species Protection Act where a permit is usually required to remove priority habitat.
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12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

	<p>10. The minimum lot size provided in the zone indicates the density appropriate to the zone in an ideal scenario. Where there are constraints, such as scenic values, lot sizes may have to be increased to address those issues. Also in terms of scenic considerations, lot size is only one aspect to consider, the shape, road location, development pattern and so on all affect the scenic outcome of the development. Where the General Residential zone applies, it becomes more important that where there are special values that require consideration that those relevant overlays do apply to ensure their consideration since the zone objectives and zone development standards do not provide scope to consider them.</p> <p>11. Based on traffic surveys over a longer period the figures quoted do represent peak traffic flow, although there are similarly high flows at other times during the day. The figures are appropriate for this submission but a fuller count will be required at subdivision stage. The traffic signals will help to improve traffic flow in Normanstone Road and balance this with Westbury Road.</p> <p>12. Full analysis of this issue is appropriate for consideration at subdivision stage. A construction traffic management plan will be required then.</p> <p>13. This is the statutory process as outlined in Section 30P of the Land Use Planning and Approvals Act.</p>
	<p>Recommended Alterations</p>
	<p>1. No change. 2. No change. 3. No change. 4. No change. 5. No change. 6. No change. 7. No change. 8. No change. Retain scenic management overlay. 9. No change. 10. No change. 11. No change. 12. No change. 13. No change.</p>

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

Representation	Issues Raised
Tanya Geddes	<ol style="list-style-type: none"> 1. Affected residents should have had access to these plans prior to the 9 September 2013 since the process appears to have commenced in December 2012. 2. Prior to purchase of home in February 2012, I was advised there would be no change to land at the rear of my property, yet we have this application. 3. Impact on the resale value of my property. 4. My property has covenant about a fence that was removed and would be replaced. That fence has not been replaced. 5. How the removal of the right hand turn into Normanstone Road affect road users and congestion. 6. Degradation of amenity from increased traffic, stormwater and noise from the increase in residential density proposed. 7. Concerned about snakes coming into my property with the loss of habitat. 8. Concerns about the process of assessment, why is the public only being notified now?
	<p>Discussion of Merit</p> <ol style="list-style-type: none"> 1. Council has followed the statutory process as outlined in Section 30P of the Land Use Planning and Approvals Act 1993. 2. That advice was correct at the time. The current application seeks to vary the land use which may or may not be successful. 3. Not a planning matter. 4. Not a matter for this application. Fencing covenants are a civil matter. 5. There appears to be a misunderstanding, the proposal is to remove the right turn out of Normanstone Road, not in. As the representation is from Caroline Street this restriction will have no impact. 6. Full analysis of this issue is appropriate for consideration at the subdivision stage. There is no evidence that, if correctly managed, any changes to the current stormwater situation will result in any loss of amenity to the neighbouring residents. A stormwater detention structure will be required as a result of the increase in impervious surfaces arising from a subsequent development however the capacity will be a function of the increase in impervious area and is not known at this time as there is no application for subdivision (although several potential layouts have been mooted).

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

	<p>7. This is not a planning issue. 8. This is the statutory process as outlined in Section 30P of the Land Use Planning and Approvals Act.</p>
	<p>Recommended Alterations</p> <p>1. No change. 2. No change. 3. No change. 4. No change. 5. No change. 6. No change. 7. No change. 8. No change.</p>
<p>Representation</p>	<p>Issues Raised</p>
<p>GHD</p>	<p>1. Scenic Management Code - requires a discretionary application for the removal of all vegetation irrespective of the species or condition. The site contains mostly exotic vegetation in poor condition. 2. Scenic Management Code - All development and subdivision is discretionary unless in accordance with the Western Hillside Precinct Provisions. Those provisions have no specific assessment criteria leading to uncertainty for applicants. 3. Scenic Management Code - report submitted does assess the site within the areas context and concludes that the landscape sensitivity is medium to negligible. Vegetation is characterised by urban landscaping and street planting, which can occur over time by itself and does not need the overlay to achieve that.</p> <p>Discussion of Merit</p> <p>1. Agreed, the Scenic Management Code in its current incarnation is too broad scale with its application. An amended Scenic Management Code to refine its application is being prepared and will be considered as part of the Launceston Interim Scheme hearing process. This issue will be dealt with over time and in itself is not a sufficient argument to warrant its removal from the site. 2. Agreed, that the Scenic Management Code requires specific assessment criteria for each precinct. This issue is being considered and an amended code is prepared and will be considered as part of the Launceston Interim Scheme hearing process. This issue will be dealt with over time and in itself is not a sufficient argument to warrant its removal from the site. 4. The report does not adequately consider alternative planning solutions or the implications for removal of the scenic management area. See further comments in this report in part 3.</p>

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

	<p>Recommended Alterations</p> <ol style="list-style-type: none"> 5. No change. This issue is being considered as part of the Interim Planning Scheme hearing process. 6. No change. This issue is being considered as part of the Interim Planning Scheme hearing process. 7. No change. Retain Scenic Management Code.
Representation	Issues Raised
BD & LB Harper	<ol style="list-style-type: none"> 1. Ongoing loss of trees in the area 2. Stormwater issues existing in the area will be exacerbated by further development. 3. Traffic generation from denser development will exacerbate congestion around Eureka Street and traffic reporting has not adequately considered the stagnation of traffic in Normanstone Road.
	<p>Discussion of Merit</p> <ol style="list-style-type: none"> 1. Acknowledge tree decline is a problem in this area as well as other areas in Launceston. Retention of Scenic Management overlay and better enforcement would help address this issue. 2. Eureka Street is located at the top of the catchment and following the recent flooding while there were several reports of damage in this area they were categorised as overland flow. From the representation it appears that the complaint is actually referring to a problem with the neighbour and not a network failure. This should be referred to the Plumbing Department for review and action if warranted. 3. The density of development is not known at this point and the traffic management solution will be determined once this is established (through a future development application for subdivision). The proposed traffic signals will help to improve traffic flow in Normanstone Road and balance this with Westbury Road.
	<p>Recommended Alterations</p> <ol style="list-style-type: none"> 1. No change. 2. No change. 3. No change.

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

Representation	Issues Raised
Pitt & Sherry	<ol style="list-style-type: none"> 1. There is inadequate justification for the removal of the Priority Habitat overlay since threatened communities do exist. 2. The Low Density Residential zone is a better fit for the site since there are existing infrastructure and environmental constraints. 3. The Scenic Management Code is not prohibitive towards development instead it guides development to be appropriate for its context. Its removal would set a dangerous precedent for other hillside residential areas. 4. Concerned about the traffic impacts from increased density. Concerned about the disruptive impact on residents being denied the ability to turn right from Normanstone Road onto Westbury Road. 5. The proposal doesn't adequately address the Northern Regional Strategy Strategic Direction 6 & 8 which identifies that planning should be resilient to planning pressures of population growth and that the retention of threatened vegetation communities and high scenic values be protected. 6. Points a) and c) of Section 3.9 of the Objectives of the Launceston Interim Scheme concerning biodiversity and scenic values are not adequately addressed by the proposal.
	<p>Discussion of Merit</p> <ol style="list-style-type: none"> 1. What is left is small, fragmented and would be difficult to maintain into the future. Removal can be covered by the provisions of the Nature Conservation Act and the Threatened Species Protection Act need to be followed by the landowners/developers and a permit is usually required to remove priority habitat. 2. Disagree, see part 3 of this report. 3. Agree. Retain Scenic Management code. 4. The removal of the right turn from Normanstone Road into Westbury Road will inconvenience the residents of 99-105 Normantone Road who are unable to turn right onto Normanstone Road. It may be possible for those properties that have a boundary with the development site to negotiate an alternative access. Otherwise residents will be able to use the new subdivision road to turn. 5. See part 3 of the report. 6. See part 3 of the report.

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

	<p>Recommended Alterations</p> <ol style="list-style-type: none"> 1. No change. 2. No change. 3. No change. Retain Scenic Management Code. 4. No change. 5. No change. 6. No change.
<p>Representation</p>	<p>Issues Raised</p>
<p>PDS</p>	<ol style="list-style-type: none"> 1. Traffic concerns - lack of consideration of a range of alternative options including potential for accesses other than Westbury Road. Lack of detail about access and junction design and lot access. 2. Traffic Impact - no traffic assessment against E4.0 has been provided. 3. Stormwater infrastructure - Eureka Street already experiences stormwater problems particularly during heavy rainfall. Concerned this proposal will exacerbate that issue. 4. Priority Habitat - reporting has not adequately surveyed the site to determine extent of presence of threatened flora. Priority habitat should not be removed until the full values of the vegetation and its habitat for fauna are investigated and analysed. 5. Scenic Management code - concerned removal will prevent adequate consideration of vegetation removal, earthworks and built form in this hillside location. 6. The Low Density Residential zone is a better fit since the site has infrastructure and environmental constraints.
	<p>Discussion of Merit</p> <ol style="list-style-type: none"> 1. Other options have been considered but have been regarded as impractical. The lot has sole frontage to Westbury Road which limits the ability to provide alternative access points. 2. The code does not apply as there is no application for subdivision. 3. Recent heavy rainfall have resulted in several CRMs being received from Eureka Street and were categorised as overland flow issues rather than system failures. 4. Issues noted however what is left is small, fragmented and would be difficult to maintain into the future. Removal of the Priority Habitat overlay does not affect the application of the provisions of the Nature Conservation Act and the Threatened Species Protection Act where a permit is usually required to remove priority habitat.

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

	<p>5. Agree. Support retention of Scenic Management Code. 6. Consider constraints no sufficient enough to warrant retention of the zone. See part 3 of the report for further details.</p>
	<p>Recommended Alterations</p> <p>1. No change. 2. No change. 3. No change. 4. No change. 5. No change. Retain Scenic Management Code. 6. No change.</p>
Representation	Issues Raised
Michael Watkins	<p>1. Junction changes proposed are not clear as to the impacts of traffic entering/existing Caroline Street. 2. Want to be notified of building envelopes on development lots 3. What stormwater impact will there be to existing properties in Caroline Street. The documentation talks about Eureka Street properties but not Caroline Street. 4. Would like to see 2.1m colourbond fencing on the common boundary.</p>
	Discussion of Merit
	<p>1. The proposed access necessitates a right turn lane into the subdivision and the traffic signals at Normanstone Road which will also assist Caroline Street residents. 2. This is best considered in an application for subdivision. All subdivisions require a public notification period where adjoining owners are notified by mail. 3. Each lot applied for in a subdivision will need to be provided with a stormwater connection to the lowest part of the lot discharging to a suitably sized pipeline which will be taken over as a public asset once completed. The ultimate location of the main will be determined by the layout of the subdivision however it is reasonable to assume that such a pipeline would be located along the rear of the Caroline Street properties and Eureka Street properties. 4. Boundary fencing is not a matter for this application.</p>
	Recommended Alterations
	<p>1. No change. 2. No change. 3. No change. 4. No change.</p>

12.1 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D2/2013) - 123 Westbury Road, South Launceston (Mt Pleasant)...(Cont'd)

Representation	Issues Raised
Don Wing	<ol style="list-style-type: none"> 1. Minimum lot size would be better to be 800 or 900m² for this area. 2. Traffic and safety concerns regarding the junction to Westbury Road. Concerned about the effects of traffic lights, and narrowing west bound lane on traffic congestion. Suggest an access via Caroline Street should be considered.
	Discussion of Merit
	<ol style="list-style-type: none"> 1. The zone sets the minimum lot size, anything above that is permissible in the zone. 800-900m² is possible within the General Residential zone without a discretion being invoked. This lot range is more consistent with some adjacent existing residential areas bordering the site. 2. Other options have been considered but have been regarded as impractical. 1. The lot has sole frontage to Westbury Road which limits the ability to provide alternative access points.
	Recommended Alterations
	<ol style="list-style-type: none"> 1. No change. 2. No change.

The Mayor announced that Council was acting as a Planning Authority.

Mr M Stretton (Director Development Services) was in attendance to answer questions of Council in respect of Agenda Items 12.1 – 12.4 inclusive.

Mr Ian Abernathy - spoke against this item

DECISION: 11/11/2013

RESOLUTION: (1):

Moved Alderman D H McKenzie, seconded Alderman J D Ball.

That the item be deferred

CARRIED UNANIMOUSLY 12:0

COUNCIL MINUTES

Monday 11 November 2013

12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D5/2013) - 269 Hobart Road, Youngtown

FILE NO: SF6083, 11247

AUTHOR: George Walker (Town Planner)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider and provide a statement to the Tasmanian Planning Commission on an application for dispensation from a local provision of the Launceston Interim Planning Scheme 2012 under Section 30P of the *Land Use Planning and Approvals Act 1993* to set aside the whole provisions of the Inner Residential zone as they relate to 269 Hobart Road, certificate of title volume 26116 folio 8, and apply provisions of the Commercial zone.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That the Council, pursuant to Section 30P of the *Land Use Planning and Approvals Act 1993*:

1. Support setting aside the whole of the Inner Residential zone as they relate to 269 Hobart Road, certificate of title volume 26116 folio 8, and apply provisions of the Commercial zone;
2. Pursuant to Section 30P(5) of the *Land Use Planning and Approvals Act 1993*, provide the following statement in respect of the application to the Tasmanian Planning Commission:

"It is the opinion of the Planning Authority that the application for dispensation (LAUD5/2013) to set aside the whole provisions of the Inner Residential zone as they relate to 269 Hobart Road, certificate of title volume 26116 folio 8, and apply the provisions of the Commercial zone be supported by the Tasmanian Planning Commission."; and

COUNCIL MINUTES

Monday 11 November 2013

12.2 Application for Dispensation from a Local Provision of the Launceston Interim Planning Scheme 2012 (LAU D5/2013) - 269 Hobart Road, Youngtown...(Cont'd)

3. That the application for dispensation be advertised pursuant to Section 30Q(4) of the *Land Use Planning and Approvals Act 1993*.

DECISION: 11/11/2013

RESOLUTION: (1):

Moved Alderman R L McKendrick, seconded Alderman J D Ball.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

12.3 Construction and use of two multiple dwellings - 13 Jillian Street, Kings Meadows**FILE NO:** DA0373/2013**AUTHOR:** Catherin Mainsbridge (Senior Town Planner)**DIRECTOR:** Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider a development application for development and use of two multiple dwellings at 13 Jillian Street, Kings Meadows.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That the Council approves DA0373/2013 for the development and use of two multiple dwellings at 13 Jillian Street, Kings Meadows subject to the following conditions:

1. ENDORSED PLANS

The use and development must be carried out as shown on the endorsed plans and described in the endorsed documents to the satisfaction of the Planning Authority.

2. AMENDED PLAN REQUIRED

Before the building permit is issued, amended must be submitted and approved by the planning authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must show:

- a) Amended driveway layout to provide for a shared 6.5 metre wide crossover (excluding 1.0 metre transition wings).
- b) All necessary changes to facilitate a) above.

3. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except for the construction of the approved access-way from Jillian Street.

12.3 Construction and use of two multiple dwellings - 13 Jillian Street, Kings Meadows...(Cont'd)

4. HOURS OF CONSTRUCTION

Construction works may be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or public holidays.

5. 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

6. REMOVAL OF CONSTRUCTION WASTE

No burning of any waste materials generated by action on this approval is to be undertaken on-site. Any such waste materials are to be removed to a licensed refuse disposal facility (eg Launceston Waste Centre).

7. CONSTRUCTION OF RETAINING WALLS

All retaining walls located within 1.5 metres of the property boundaries must be designed and certified by a suitably qualified person. The design must have regard to the installation of fencing atop the retaining wall and other imposed loading in addition to site conditions on adjoining properties.

8. TAS WATER

The development is expected to comply with Tas Water Certificate of Consent Number TWDA13-229-N, which is attached to this permit.

9. NON REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building(s) must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

12.3 Construction and use of two multiple dwellings - 13 Jillian Street, Kings Meadows...(Cont'd)

10. SITE LANDSCAPING PLAN

The landscaping must be installed in accordance with the endorsed plan and;

- a) Be provided with convenient taps or a fixed sprinkler system installed for the purpose of watering all lawns and landscaped areas. Redirection of down pipes, on site storage of overland flows and the like are encouraged. Grey water reuse can be used subject to compliance.
- b) Be installed within 3 months from the completion of the building works, or where subdivision by strata is proposed, the landscaping must be completed before the strata plan is sealed.
- c) Be maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Council.

11. MULTIPLE DWELLINGS - FENCING

All side and rear boundaries, behind the building line, must be provided with a new, solid (ie no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed to a height of at least 1.8m when measured from the highest finished level on either side of the common boundaries at the developers cost.

12. WASTE DISPOSAL BINS - DOMESTIC

The area indicated on the plans must be set aside for the purpose of a waste disposal/collection bin and must provide:

- a) Individual and common bin storage areas must be screen fenced so as not to be visible from any public road or thoroughfare.
- b) Located in a convenient position that allows ease of access from the dwelling and moving the bin to the internal road on collection days.
- c) The waste bin area must be provided prior to the commencement of the use permitted by this permit, maintained and used to the satisfaction of the Council and must not be used for any other purpose.

13. MULTIPLE DWELLINGS - SERVICE FACILITIES

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a) Mail receptacles appropriately numbered for each dwelling unit; and
 - b) Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Planning Authority.
-

12.3 Construction and use of two multiple dwellings - 13 Jillian Street, Kings Meadows...(Cont'd)

14. PRIVACY SCREENS

Where privacy screens are used, the screens must be:

- a) Have a maximum of 25 per cent openings; and
- b) Permanent, fixed and durable.

15. 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.

16. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be undertaken by, or under the supervision of a tradesman/contractor who is registered with Council as a "Registered Contractor".

Prior to the commencement of works, the applicant must prepare a detailed Traffic Management Plan specifying the following:

- a) The nature and the duration of the occupation and may include the placement of skips, building materials or scaffolding in the road reserve and time restrictions for the works;
- b) The traffic management works that are to be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles;
- c) Any temporary works required to maintain the serviceability of the road or footpath;
- d) Any remedial works required to repair damage to the road reserve resulting from the occupation.

The Traffic Management Plan must be prepared in accordance with the relevant Australian Standard, codes of practice and guidelines. A copy of the Traffic Management Plan must be maintained on the site while works are being undertaken and all works must be in accordance with the plan. The Traffic Management Plan must be submitted to the Infrastructure Services Directorate for approval two weeks prior to the scheduled commencement of the works. No works may commence until the Traffic Management Plan has been approved.

12.3 Construction and use of two multiple dwellings - 13 Jillian Street, Kings Meadows...(Cont'd)

17. VEHICULAR CROSSINGS

Before the commencement of the use, a new vehicular crossover must be provided to service this development. The design of the vehicular crossing must take into account the location of the access (i.e. abutting the speed hump located in Ashleigh Avenue) and further requires the relocation of the existing power pole. An application for such work must be lodged on the approved form.

No work must be undertaken to construct the new vehicular crossing or to remove the existing driveway outside the property boundary without the prior approval of the works by the Council's Road Assets Department.

The new crossing must be constructed to Council standards by a contractor to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (e.g. TasWater, Telstra, Aurora etc). The construction of the new crossover and driveway, and removal of the unused crossover and driveway will be at the applicant's expense.

18. CAR PARKING CONSTRUCTION

Before the use commences the driveways 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 Council's requirements.

19. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites.

No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant.

The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

12.3 Construction and use of two multiple dwellings - 13 Jillian Street, Kings Meadows...(Cont'd)

20. SUBMISSION AND APPROVAL OF PLANS - STORMWATER CONNECTION

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

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

21. CONSTRUCTION OF WORKS - STORMWATER CONNECTION

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services

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

The necessary work is for provision of a DN 100 Stormwater connection to the lowest point of the lot.

All construction works must be undertaken in accordance with the Council's Subdivision Guidelines and Standard Drawings. These Guidelines specify:

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

22. PUBLIC, COMMUNAL AND PRIVATE AREAS

Prior to the sealing of the strata plan, a plan must be submitted to Council in accordance with the site plan identifying public, communal and private areas.

12.3 Construction and use of two multiple dwellings - 13 Jillian Street, Kings Meadows...(Cont'd)

23. LAPSING OF PERMIT

This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

Notes**A. Restrictive Covenants**

Council does not enforce restrictive covenants that contradict the Launceston Interim Planning Scheme 2012. However, 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.

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:

- (a) Building permit*
- (b) Plumbing permit*
- (c) Occupancy permit*

C. Appeal Provisions

Attention is directed to Sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:

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

A planning appeal shall be instituted within 14 days of the date the Planning Authority serves notice of the decision on the applicant.

D. Nuisance

During operation of this use, the best practicable means shall be taken to prevent nuisance or annoyance to any person not associated with the use. Air, noise and water pollution matters may be subject to provisions of the Environmental Management & Pollution Control Act 1994 and Regulations there under.

12.3 Construction and use of two multiple dwellings - 13 Jillian Street, Kings Meadows...(Cont'd)

E. Permit Commencement

This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined. If an applicant is the only person with a right of appeal pursuant to section 53(1b) 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.

F. 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.

Ald A M van Zetten declared a pecuniary interest in this item and withdrew from the meeting at 1:48pm.

Alderman Ball took the Chair at 1:48pm.

Mr John Doherty - spoke to this item.

DECISION: 11/11/2013

RESOLUTION: (1):

Moved Alderman A C Peck, seconded Alderman R L McKendrick.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 11:0

12.4 Construction and use of two multiple dwellings - 15 Jillian Street, Kings Meadows**FILE NO:** DA0374/2013**AUTHOR:** Catherine Mainsbridge (Senior Town Planner)**DIRECTOR:** Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider a development application for development and use of two multiple dwellings at 15 Jillian Street, Kings Meadows.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That the Council approves DA0374/2013 for the development and use of two multiple dwellings at 15 Jillian Street, Kings Meadows subject to the following conditions:

1. ENDORSED PLANS

The use and development must be carried out as shown on the endorsed plans and described in the endorsed documents to the satisfaction of the Planning Authority.

2. AMENDED PLANS REQUIRED

Before the building permit is issued, amended must be submitted and approved by the planning authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must show:

- a) A widened shared driveway and aprons are to be provided to ensure that the vehicles can reverse out of the site without impacting on the tandem space for the adjoining unit.
 - b) All necessary changes to facilitate a) above
-

12.4 Construction and use of two multiple dwellings - 15 Jillian Street, Kings Meadows...(Cont'd)

3. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except for the construction of the approved access-way from Jillian Street.

4. HOURS OF CONSTRUCTION

Construction works may be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or public holidays.

5. 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

6. REMOVAL OF CONSTRUCTION WASTE

No burning of any waste materials generated by action on this approval is to be undertaken on-site. Any such waste materials are to be removed to a licensed refuse disposal facility (eg Remount Road Refuse Disposal Centre).

7. CONSTRUCTION OF RETAINING WALLS

All retaining walls located within 1.5 metres of the property boundaries must be designed and certified by a suitably qualified person. The design must have regard to the installation of fencing atop the retaining wall and other imposed loading in addition to site conditions on adjoining properties.

8. TAS WATER

The development is expected to comply with Tas Water Certificate of Consent Number TWDA13-228-N, which is attached to this permit.

12.4 Construction and use of two multiple dwellings - 15 Jillian Street, Kings Meadows...(Cont'd)

9. SITE LANDSCAPING PLAN

The landscaping must be installed in accordance with the endorsed plan and;

- a) Be provided with convenient taps or a fixed sprinkler system installed for the purpose of watering all lawns and landscaped areas. Redirection of down pipes, on site storage of overland flows and the like are encouraged. Grey water reuse can be used subject to compliance.
- b) Be installed within 3 months from the completion of the building works, or where subdivision by strata is proposed, the landscaping must be completed before the strata plan is sealed.
- c) Be maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Planning Authority.

10. MULTIPLE DWELLINGS - FENCING

All side and rear boundaries, behind the building line, must be provided with a new, solid (ie no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed to a height of at least 1.8m when measured from the highest finished level on either side of the common boundaries at the developers cost.

11. WASTE DISPOSAL BINS - DOMESTIC

The area indicated on the plans must be set aside for the purpose of a waste disposal/collection bin and must provide:

- a) Individual and common bin storage areas must be screen fenced so as not to be visible from any public road or thoroughfare.
- b) Located in a convenient position that allows ease of access from the dwelling and moving the bin to the internal road on collection days.
- c) The waste bin area must be provided prior to the commencement of the use permitted by this permit, maintained and used to the satisfaction of the Council and must not be used for any other purpose.

13. MULTIPLE DWELLINGS - SERVICE FACILITIES

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a) Mail receptacles appropriately numbered for each dwelling unit; and
 - b) Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Planning Authority.
-

12.4 Construction and use of two multiple dwellings - 15 Jillian Street, Kings Meadows...(Cont'd)

14. PRIVACY SCREENS

Where privacy screens are used, the screens must be:

- (a) A maximum of 25 per cent openings or solid translucent panels; and
- (b) Permanent, fixed and durable.

15. BUSHFIRE HAZARD MANGEMENT PLAN

The approved bushfire hazard management plan, dated 12 September 2013, prepared and certified by Marraway Tasmania Pty Ltd must be implemented and maintained. This includes the installation of water storages, driveways, hazard management areas, and any other requirements as specified by the plan. The plan must be kept on the premises at all times and made available to any prospective purchaser or tenant.

16. 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.

17. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be undertaken by, or under the supervision of a tradesman/contractor who is registered with Council as a "Registered Contractor".

Prior to the commencement of works, the applicant must prepare a detailed Traffic Management Plan specifying the following:

- a) The nature and the duration of the occupation and may include the placement of skips, building materials or scaffolding in the road reserve and time restrictions for the works;
- b) The traffic management works that are to be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles;
- c) Any temporary works required to maintain the serviceability of the road or footpath;
- d) Any remedial works required to repair damage to the road reserve resulting from the occupation.

The Traffic Management Plan must be prepared in accordance with the relevant Australian Standard, codes of practice and guidelines.

12.4 Construction and use of two multiple dwellings - 15 Jillian Street, Kings Meadows...(Cont'd)

A copy of the Traffic Management Plan must be maintained on the site while works are being undertaken and all works must be in accordance with the plan. The Traffic Management Plan must be submitted to the Infrastructure Services Directorate for approval two weeks prior to the scheduled commencement of the works. No works may commence until the Traffic Management Plan has been approved.

18. VEHICULAR CROSSINGS

Before the commencement of the use, a new vehicular crossover must be provided to service this development. The design of the vehicular crossing must take into account the location of the access (i.e. abutting the speed hump located in Ashleigh Avenue) and further requires the relocation of the existing power pole. An application for such work must be lodged on the approved form.

No work must be undertaken to construct the new vehicular crossing or to remove the existing driveway outside the property boundary without the prior approval of the works by the Council's Road Assets Department.

The new crossing must be constructed to Council standards by a contractor to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (e.g. TasWater, Telstra, Aurora etc). The construction of the new crossover and driveway, and removal of the unused crossover and driveway will be at the applicant's expense.

19. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites.

No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant.

The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

12.4 Construction and use of two multiple dwellings - 15 Jillian Street, Kings Meadows...(Cont'd)

20. CAR PARKING CONSTRUCTION

Before the use commences the driveways 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 Councils requirements.

21. PUBLIC, COMMUNAL AND PRIVATE AREAS

Prior to the sealing of the strata plan, a plan must be submitted to Council in accordance with the site plan identifying public, communal and private areas.

22. LAPSING OF PERMIT

This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

Notes

A. Restrictive Covenants

Council does not enforce restrictive covenants that contradict the Launceston Interim Planning Scheme 2012. However, 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.

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:

- (a) *Building permit*
- (b) *Plumbing permit*
- (c) *Occupancy permit*

C. Appeal Provisions

Attention is directed to Sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:

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

A planning appeal shall be instituted within 14 days of the date the Planning Authority serves notice of the decision on the applicant.

12.4 Construction and use of two multiple dwellings - 15 Jillian Street, Kings Meadows...(Cont'd)

D. Nuisance

During operation of this use, the best practicable means shall be taken to prevent nuisance or annoyance to any person not associated with the use. Air, noise and water pollution matters may be subject to provisions of the Environmental Management & Pollution Control Act 1994 and Regulations there under.

E. Permit Commencement

This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined. If an applicant is the only person with a right of appeal pursuant to section 53(1b) 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.

F. 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.

DECISION: 11/11/2013**RESOLUTION: (1):****Moved Alderman A C Peck, seconded Alderman R L McKendrick.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 11:0****Ald A M van Zetten has returned from temporary absence at 1:55pm.****The Mayor resumed the Chair.**

DIRECTORATE MINUTES ITEMS**15 FACILITY MANAGEMENT AND GOVERNANCE SERVICES****15.1 Launceston Aquatic - Health and Fitness Fees and Charges Agenda Item****FILE NO:** SF5674 / SF5963**AUTHOR:** Melissa Carlton, Centre Manager – Launceston Aquatic**DIRECTOR:** Rod Sweetnam (Director Facilities Management)

DECISION STATEMENT:

To consider the 2013/2014 and 2014/2015 proposed 'Health and Fitness' fees and charges for Launceston Aquatic. Recommendation (3) requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:SPPC 21st October 2013.

4.2 Launceston Aquatic - Health and Fitness Fees and Charges.

SPPC 5th November 2013.Workshop - Launceston Aquatic - Health and Fitness Fees and Charges.

15.1 Launceston Aquatic - Health and Fitness Fees and Charges Agenda Item...(Cont'd)

RECOMMENDATION (1):

Council adopts the fees and charges for Launceston Aquatic Health and Fitness programs for the remainder of 2013/2014 and the 2014/ 2015 financial years as set out below effective from the opening of the Health and Fitness Centre.

2013/14/15

Category	Details	GST Status	Proposed GST Inclusive
Launceston Aquatic	Casual Entry		
Launceston Aquatic	Complete Health and Fitness	Taxable	\$25.00
Launceston Aquatic	Group Fitness (per person, per class)	Taxable	\$15.00
Launceston Aquatic	Visit Passes		
Launceston Aquatic	Complete Health and Fitness 10 Pack	Taxable	\$225.00
Launceston Aquatic	Simply Health and Fitness 10 Pack	Taxable	\$180.00
Launceston Aquatic	Group Exercise 10 Pack	Taxable	\$135.00
Launceston Aquatic	Memberships (*Fortnightly fee by Direct Debit)		
Launceston Aquatic	Induction Fee	Taxable	\$99.00
Launceston Aquatic	Concession Induction Fee	Taxable	\$49.00
Launceston Aquatic	Complete Health and Fitness *	Taxable	\$42.00
Launceston Aquatic	Complete Health and Fitness - Off peak *	Taxable	\$25.00
Launceston Aquatic	Simply Health and Fitness *	Taxable	\$36.00
Launceston Aquatic	Simply Health and Fitness - Off peak *	Taxable	\$22.00
Launceston Aquatic	Commonwealth Issued Concession Card	Taxable	25% discount
Launceston Aquatic	State Issued Seniors Card	Taxable	25% discount
Launceston Aquatic	Corporate	Taxable	10% discount
Launceston Aquatic	Special Corporate	Taxable	20% discount
Launceston Aquatic	Reciprocal Rights		
Launceston Aquatic	10 Aqua Fitness Pack	Taxable	25% Discount
Launceston Aquatic	Off Peak 3 Month Premium Membership	Taxable	40% Discount
Launceston Aquatic	Partner - Aqua Fit Class	Taxable	50% Revenue Share

RECOMMENDATION (2):

Council authorises the General Manager to approve promotional or new program, service or product fees for Launceston Aquatic.

15.1 Launceston Aquatic - Health and Fitness Fees and Charges Agenda Item...(Cont'd)

RECOMMENDATION (3):

Council approves capital funding for outright purchase of gym equipment to the value of \$266,500 to be sourced from the 2012/13 result and amends the 2013/2014 budget in accordance with Section 82 (5) of the Local Government Act.

Mr Rod Ascui - spoke against this item.

Mr M Skriving (Acting Director Facilities Management) and Ms M Carlton (Manager Launceston Aquatic Centre) was in attendance to answer questions of Council in respect of this Agenda Item

DECISION: 11/11/2013

RESOLUTION: (1):

Moved Alderman R J Sands, seconded Alderman D H McKenzie.

That the Recommendations be adopted.

FOR VOTE - Ald A M van Zetten, Ald D H McKenzie, Ald A L Waddle, Ald R L McKendrick, Ald I S Norton, Ald J G Cox, Ald R J Sands, Ald A C Peck, Ald D C Gibson

AGAINST VOTE - Ald R L Armitage, Ald J D Ball, Ald R I Soward

CARRIED 9:3

COUNCIL MINUTES

Monday 11 November 2013

17 INFRASTRUCTURE SERVICES

17.1 Play Space Strategy

FILE NO: SF0854

AUTHOR: Aaron Mullins (Recreation Planning Officer)

DIRECTOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider the draft Play Space Strategy.

PREVIOUS COUNCIL CONSIDERATION:

SPPC Item 4.2 - 5 November 2013

Workshop with the consultants on the draft Play Space Strategy

RECOMMENDATION:

That Council approve the release of the Draft 2013 Play Space Strategy (ECM Document No's 3016555 and 3016559 - enclosed as attachment 2 and 3) for a 4 week public consultation period.

Mr H Galea (Director Infrastructure Services) was in attendance to answer questions of Council in respect of Agenda Items 17.1 – 17.3 inclusive.

DECISION: 11/11/2013

RESOLUTION: (1):

Moved Alderman J D Ball, seconded Alderman D H McKenzie.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

17.2 Adoption of Northern Integrated Transport Plan**FILE NO:** SF3039 SF0593 SF2376 SF2366**AUTHOR:** Shane Eberhardt (Manager Infrastructure Assets)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

Endorse the Northern Integrated Transport Plan prepared as a joint initiative by the State Government, NTD and Member Councils.

PREVIOUS COUNCIL CONSIDERATION:

SPPC Workshop - 19 August 2013

Review of Northern Integrated Transport Plan

SPPC Item 4.3 - 1 July 2013

Council Consultation - Draft Northern Integrated Transport Plan

Council Item 17.7 - 10 December 2012

Launceston Traffic Study - Completion of Issues Report

Council Annual General Meeting Item 6.2.1 - 5 December 2011

Confirmation that DIER and Council jointly undertake Launceston Traffic Study.

RECOMMENDATION:

That Council endorse the Northern Integrated Transport Plan (ECM Document No. 3034626 - enclosed as attachment 2).

DECISION: 11/11/2013**RESOLUTION: (1):****Moved Alderman J G Cox, seconded Alderman R J Sands.****That the Recommendation be adopted.****ABSTAINED. DID NOT VOTE - Ald J D Ball****CARRIED 11:1**

17.3 Cataract Gorge - 'Tangent' Cantilevered Look-Out**FILE NO:** SF0838**AUTHOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To determine the merits and location for installation of a cantilevered look-out at the Cataract Gorge.

PREVIOUS COUNCIL CONSIDERATION:

Item 4.3 - SPPC 5 November 2013

To discuss a concept to install a cantilevered look-out at the Cataract Gorge.

RECOMMENDATION:

That Council, in respect to the installation of a 'Tangent' cantilevered look-out at the Cataract Gorge

- endorses the concept on the basis that it builds on the visitor experience and offers an alternative recreation focus for users of the reserve
- resolves to lodge a planning application for the 'Tangent' to be located on the existing lookout along the Duck Reach track approximately 900m from the Gorge suspension bridge as shown on the plan tabled at the meeting and
- acknowledges that the cost of the structure is to be funded by the State Government.

DECISION: 11/11/2013**RESOLUTION: (1):**

Moved Alderman R L McKendrick, seconded Alderman R J Sands.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

20 URGENT BUSINESS

Nil

21 WORKSHOP REPORT(S)

Nil

22 INFORMATION / MATTERS REQUIRING FURTHER ACTION**22.1 Information / matters requiring further action****FILE NO:** SF3168**AUTHOR:** Daniel Gray (Committee Clerk / Administration Officer)

This report outlines requests for information by Aldermen when a report or agenda item will be put before Council or a memorandum circulated to Aldermen.

It will be updated each Agenda, with items removed when a report has been given.

The report was noted.

- 23 ADVICE OF FUTURE NOTICES OF MOTION**
 - 23.1 Alderman Ball - Insurance for Street parties**
 - 23.2 Alderman Soward - Public liability**
-

COUNCIL MINUTES

Monday 11 November 2013

24 REPORTS BY THE MAYOR

Nil

25 REPORTS BY THE GENERAL MANAGER

Nil

26 CLOSED COUNCIL ITEM(S)

RECOMMENDATION:

That pursuant to the provisions of Regulation 15(2) of the Local Government (Meeting Procedures) Regulations 2005, Council move into Closed Session to discuss those items nominated as Closed Session items

RESOLUTION: (1):

Moved Alderman R L McKendrick, seconded Alderman R J Sands.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

26.1 Report from General Manager's Contract and Performance Review Committee**FILE NO:** SF5695/POS0136**AUTHOR:** Mayor Albert van Zetten (Chair of General Manager's Contract and Performance Review Committee)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider a report from the General Manager's Contract and Performance Review Committee.

PREVIOUS COUNCIL CONSIDERATION:N/A

THIS ITEM WAS DEALT WITH IN CLOSED COUNCIL

RECOMMENDATION:

That Council move out of Closed Session and endorse those decisions taken while in Closed Session.

DECISION: 11/11/2013

RESOLUTION: (1):

Moved Alderman R L McKendrick, seconded Alderman A C Peck.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

27 MEETING CLOSURE

The Mayor closed the meeting at 3pm.
