



LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 22 JULY 2013**

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 22 July 2013

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

Date: 22 July 2013

Time: 1.00 pm

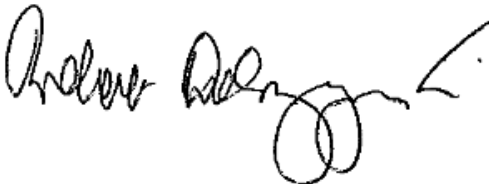
Section 65 Certificate of Qualified Advice

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.

A handwritten signature in black ink, appearing to read 'Robert Dobrzynski', with a stylized flourish at the end.

Robert Dobrzynski
General Manager

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 22 July 2013

Present: Alderman

A M van Zetten (Mayor)
J D Ball (Deputy Mayor)
A C Peck
R L McKendrick
R J Sands
R L Armitage
I S Norton
R I Soward
J G Cox
D C Gibson

In Attendance:

Mr R S Dobrzynski (General Manager)
Ms L Jackson (Acting Corporate Secretary)
Mr D Gray (Committee Clerk/Admin Officer)
Mrs L Hilkmann (Committee Clerk/Admin Officer)

Apologies: Alderman

D H McKenzie
A L Waddle

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 22 July 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	2
5	ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME	2
6	PUBLIC QUESTION TIME	3
7	ANNOUNCEMENTS BY THE MAYOR	4
7.1	Acting Mayor's Announcements	4
8	ALDERMEN'S/DELEGATES' REPORTS	6
8.1	Alderman Norton - Tram Society & Cataract Gorge	6
8.2	Alderman Armitage - RSL Band AGM & Harvest Markets	7
8.3	Alderman McKendrick - York Park & Inveresk Precinct Authority	8
8.4	Alderman Peck - Cityprom	9
8.5	Alderman Gibson - LSCP Safe Winter in Launceston Program	10
9	QUESTIONS BY ALDERMEN	11
9.1	Alderman Gibson - Repairs after NBN Rollout	11
10	COMMITTEE REPORTS	12

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 22 July 2013

10.1	Northern Youth Coordinating Committee 4 July 2013	12
10.2	Strategic Planning and Policy Committee Meeting - 15 July 2013	13
10.3	Tender Review Committee Meeting - 15 July 2013	14
11	PETITIONS	15
12	PLANNING AUTHORITY	16
12.1	266 Charles Street, Launceston - Proposed Mural	16
12.2	113-115 Cimitiere Street and 34 George Street, Launceston - two Illuminated Projecting Wall signs and one Illuminated Multi Tenancy Blade sign.	18
12.3	50 Lamont Street, Invermay - Demolition of kiosk and construction of clubrooms and covered dog training area	20
13	NOTICES OF MOTION - FOR CONSIDERATION (No Reports)	
14	DEVELOPMENT SERVICES	25
14.1	Community Grants (Round 1) 2013/2014	25
15	FACILITY MANAGEMENT & GOVERNANCE SERVICES (No Reports)	
16	QUEEN VICTORIA MUSEUM & ART GALLERY (No Reports)	
17	INFRASTRUCTURE SERVICES	27
17.1	Rocherlea Hall Lease	27
18	CORPORATE SERVICES (No Reports)	
19	GENERAL MANAGER	28
19.1	LGAT General Meeting and Annual General Meeting - Form View on Motions Submitted	28

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 22 July 2013

19.2	Closure of part of walkway adjacent to 25 South Esk Road, Trevallyn	30
20	URGENT BUSINESS	32
21	WORKSHOP REPORT(S)	32
22	INFORMATION / MATTERS REQUIRING FURTHER ACTION	33
22.1	Information / matters requiring further action	33
23	ADVICE OF FUTURE NOTICES OF MOTION	34
23.1	Alderman Sands - State of the Tamar River	34
24	REPORTS BY THE MAYOR	34
25	REPORTS BY THE GENERAL MANAGER	34
26	CLOSED COUNCIL ITEM(S)	35
26.1	Annual Remission Rates and Charges - 30 June 2013	36
26.2	Rate Debt (Rescission Motion)	37
26.3	Rate Debt	38
26.4	Leave of Absence Application - Alderman	39
27	MEETING CLOSURE	40

1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES

The Mayor opened the Meeting at 1.00pm.

Acknowledged the passing of employee Gerald Clayton and observed a minute silence.

Noted apologies from Alderman D H McKenzie and Alderman A L Waddle

2 DECLARATION OF PECUNIARY INTERESTS

Alderman J D Ball declared a pecuniary interest in Agenda Item 14.1.

Alderman R L Armitage declared a pecuniary interest in Agenda Item 12.3.

3 CONFIRMATION OF MINUTES

RECOMMENDATION:

1. That the Minutes of the meeting of the Launceston City Council held on 8 July 2013 be confirmed as a true and correct record.
2. That the Minutes of the meeting of the Launceston City Council held on 8 July 2013 in closed session be confirmed as a true and correct record.

DECISION: 22/07/2013

RESOLUTION: (1):

Moved Alderman A C Peck, seconded Alderman R I Soward.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY10:0

RESOLUTION: (2):

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

That the Recommendation be adopted.

CARRIED UNANIMOUSLY10:0

4 DEPUTATION

Nil

5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME

Meeting Date	File No.	Question	Answer	Officer Responsible
8 July 2013	6.1	Mr Paul Bullock asked: Would Council review the position of the Island outside of 110 Talbot Road, South Launceston?	The question was taken on notice. Reply by Harry Galea, Director Infrastructure Services: The matter raised, that has not been previously addressed concerns the long interruption to traffic while the kerbside contractor collects a significant number of wheelie bins at the grouped housing development. Mr Bullock indicated that delayed traffic back-up to 5 Ways and understandingly frustrates drivers. ISD are coordinating with the contractor to observe and measure the traffic effects. ISD will inform Mr Bullock and Aldermen (via the Bulletin) of the results and consequential action.	Harry Galea

Meeting Date	File No.	Question	Answer	Officer Responsible
8 July 2013	9.1	<p>Aldermen's Question: Alderman R L Armitage asked:</p> <p>Regarding the Cimitiere/Cameron Street Car park and the markets that take place there, are there any plans to put toilets in that area since there are some in City Park located within 100m from this car park? Given toilets at City Park could be used, does the Market still need to provide toilets?</p>	<p>This question was taken on notice</p> <p>Further Reply: There are no plans to construct toilets at the Cimitiere/Cameron Street car park. It is a requirement under the Building Code of Australia (BCA) that accessible toilets be provided within 50m of a public event, such as the Harvest Market. Following acceptable paths of travel the distance from the market site to the existing toilets are approximately:</p> <p>City Park Toilets = 215 metres Clarion Toilets = 170 metres Leisure living access toilet = 145 metres.</p> <p>Accordingly, it is a requirement under the BCA that accessible toilets be provided for the market. Council officers are currently liaising with the market operators to determine a mutually acceptable means of achieving compliance.</p>	Michael Stretton

6 PUBLIC QUESTION TIME

Nil

7 ANNOUNCEMENTS BY THE MAYOR

7.1 Acting Mayor's Announcements

FILE NO: SF2375

Monday 8 July

- Officiated at NBN Media Launch at Town Hall
- Officiated at NAIDOC Flag Raising Ceremony

Wednesday 10 July

- Attended Tasmanian State Government Newnham Community Forum

Thursday 11 July

- Officiated at Launceston Competitions - Dance Section

Friday 12 July

- Officiated at Design Centre's Information and Network event and launch of "*Winter in Design*" Program

Saturday 13 July

- Attended Rocherlea Football Club Indigenous Day Celebrations and football match
- Attended Family Night celebration of the 2nd Anniversary of the Independence of the Republic of South Sudan

Wednesday 17 July

- Attended Opening Performance of Fawlty Towers 2 at Princess Theatre

Thursday 18 July

- Attended Northern Police District Annual Performance Review

Friday 19 July

- Attended Boags Brewery VIP Event with Premier Lara Giddings MP; Hon Scott Bacon MP and Christopher Zhang
- Attended ABC Giving Tree Sports Night Fundraising Event

The Mayor added:

- **Sunday 21 July attended Auskick at Ravenswood along with the Deputy Mayor. Noted it was a fantastic event with over 60 children registered and acknowledged the 10 volunteers who have stepped forward to ensure this event continues in the future.**
-

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

Deputy Mayor added:

- **Attended the Rocherlea Football Club's Indigenous Day celebrations. Noted how fantastic the grounds looked and commended Council officers on their superb preparation of the grounds.**
 - **Attended the Opening night of "Faulty Towers". Noted it was a brilliant show.**
 - **Attended the Boags Brewery VIP Event hosted by the Tasmanian Hotels Association. Invited Professor Henry Du, who is in charge of the Human Interface Technology Laboratory in Launceston to attend. Noted the events' focus on Chinese Tourism.**
-

8 ALDERMEN'S/DELEGATES' REPORTS

8.1 Alderman Norton - Tram Society & Cataract Gorge

Alderman I S Norton reported:

- **Tuesday 9 July attended the Tram Society meeting at the Tram Sheds. Progressed with discussions regarding the possibility of a tram at North Bank to link two precincts from the Silos to Inveresk. A Business Plan is currently in development.**
 - **Thursday 18 July attended the Cataract Gorge Advisory Committee meeting. Discussed events hosted at Cataract Gorge particularly OH&S issues related to larger events. Applications are now being accepted for people wishing to conduct an event at the Cataract Gorge. Other issues discussed included the continuing renovations of the Volunteer Centre, issues with bus parking and the removal of pine and ash to commence in August. A report will be provided to Council.**
-

8.2 Alderman Armitage - RSL Band AGM & Harvest Markets

Alderman R L Armitage reported:

- **Thursday 18 July attended the City of Launceston RSL Band AGM. Special thanks to Council particularly Elizabeth Clark and Richard Mulvaney for their assistance.**
 - **Congratulated the Harvest Market for winning the ABC Delicious Produce Award 2013. Acknowledged the success of the Market over the past 18 months and congratulated all involved.**
-

8.3 Alderman McKendrick - York Park & Inveresk Precinct Authority

Alderman R L McKendrick reported:

- Attended the York Park and Inveresk Precinct Authority meeting.
 - Attended the School of Architecture & Building at the University of Tasmania along with the Deputy Mayor to discuss the new Bike Hub with bike users and also the Hub's designers. Discussions also included the new bike trail proposal and a new university accommodation building in the near future.
 - Publically thanked the commitment of the Liberal Federal Government for their funding which would go towards upgrades to Invermay Park.
-

8.4 Alderman Peck - Cityprom

Alderman A C Peck reported:

- **Noted Cityprom's judging day will take place on Tuesday 30 July ahead of their Awards Night on 24 August.**
 - **As discussed at the last board meeting, the Directors of Cityprom would like to thank Council for their 3 year tender and express their appreciation for all the work officers have provided.**
-

8.5 Alderman Gibson - LSCP Safe Winter in Launceston Program

Alderman D C Gibson reported:

- Launceston Safer Community Partnership has launched their Safe Winter in Launceston program. An online guide is available by following the link on the homepage of the Launceston City Council's website.
-

9 QUESTIONS BY ALDERMEN

9.1 Alderman Gibson - Repairs after NBN Rollout

Aldermen's Question: Alderman D C Gibson asked:

- **With regard to Alderman Soward's question asked at a previous meeting regarding repairs to be undertaken to pathways after the NBN rollout, what is the understanding of Council Officers at this present time with returning pavements and the like to their original state after installation?**

This question was taken on notice.

10 COMMITTEE REPORTS

10.1 Northern Youth Coordinating Committee 4 July 2013

FILE NO: SF0136

AUTHOR: Wendy Newton (Youth and Community Officer)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider a report from the Northern Youth Coordinating Committee's meeting held on 4 July 2013..

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That further to the meeting of the Northern Youth Coordinating Committee held on 4 July 2013, the Council:

- 1) Note the Committee's response to the Department of Health and Human Services Discussion Paper *A Continuum of Care to Prevent Youth Offending and Re Offending; and*
 - 2) Receive the meeting report.
-

DECISION: 22/07/2013

RESOLUTION: (1):

Moved Alderman D C Gibson, seconded Alderman J D Ball.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 10:0

10.2 Strategic Planning and Policy Committee Meeting - 15 July 2013**FILE NO:** SF4401**AUTHOR:** Daniel Gray (Committee Clerk / Administration Officer)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To receive and consider a report from the Strategic Planning and Policy Committee.

RECOMMENDATION:

That the report from the Strategic Planning and Policy Committee Meeting held on 15 July 2013 be received.

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

DECISION: 22/07/2013**RESOLUTION:** (1):**Moved Alderman J D Ball, seconded Alderman A C Peck.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 10:0**

10.3 Tender Review Committee Meeting - 15 July 2013**FILE NO:** SF0100**AUTHOR:** Raj Pakiarajah (Manager Projects)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider a report from the Tender Review Committee (a delegated authority committee).

RECOMMENDATION:

That the report from the Tender Review Committee meeting held on 15 July 2013 be received.

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

DECISION: 22/07/2013**RESOLUTION:** (1):**Moved Alderman A C Peck, seconded Alderman J G Cox.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 10:0**

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 - 12.3.

12 PLANNING AUTHORITY

12.1 266 Charles Street, Launceston - Proposed Mural

FILE NO: DA0206/2013

AUTHOR: Stalley Briton (Urban Designer)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider a proposal for a mural on a block work retaining wall at 266 Charles Street, Launceston (Animal Medical Centre).

PLANNING APPLICATION INFORMATION:

Applicant: Animal Medical Centre
Property: 266 Charles Street, Launceston
Area of site: 692m² (Lot 1)
Zone: Local Business
Existing use: Medical Centre
Classification: Signage
Date received: 30 May 2013
Deemed approval: 10 July 2013 extension granted to 22 July 2013
Representations: One petition signed by 11 people

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That Council refuse application DA0206/2013 for a mural at 266 Charles Street, Launceston on the following grounds:

1. That the artwork will have a detrimental impact on the heritage values of the local area; and
-

12.1 266 Charles Street, Launceston - Proposed Mural...(Cont'd)

2. The animated style of the artwork and its placement on the street frontage is in conflict with the conservative streetscape tones and heritage character of the surrounding development.

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 – 12.3 inclusive.

DECISION: 22/07/2013

RESOLUTION: (1):

Moved Alderman J G Cox, seconded Alderman R J Sands.

That Council approve application DA0206/2013 for a mural at 266 Charles Street, Launceston because it is considered that the artwork would enhance the area and would not be of a nature that would dominate the streetscape or detract from the setting of a heritage place or unreasonably impact on the view of the place from public viewpoints

FOR VOTE - Ald R L McKendrick, Ald R I Soward, Ald I S Norton, Ald R J Sands, Ald A C Peck, Ald J G Cox

AGAINST VOTE - Ald A M van Zetten, Ald R L Armitage, Ald J D Ball, Ald D C Gibson

ABSENT. DID NOT VOTE - Ald A L Waddle, Ald D H McKenzie

CARRIED 6:4

12.2 113-115 Cimitiere Street and 34 George Street, Launceston - two Illuminated Projecting Wall signs and one Illuminated Multi Tenancy Blade sign.**FILE NO:** DA0197/2013**AUTHOR:** Stalley Briton (Urban Designer)**DIRECTOR:** Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider a proposal for two Illuminated Projecting Wall signs and one Illuminated Multi Tenancy Blade sign at 113-115 Cimitiere Street and 34 George Street, Launceston

PLANNING APPLICATION INFORMATION:

Applicant:	Edwards & Simpson Pty Ltd
Property:	113-115 Cimitiere Street and 34 George Street, Launceston
Site area:	3255 m ²
Zone:	Urban Mixed Use
Existing use:	Business and Professional Services
Classification:	Signage
Date received:	30 May 2013
Further information request:	No
Deemed approval:	7 July 2013. An extension was granted to 22 July 2013
Representations:	None

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That Council refuse the application DA0197/2013 for two Illuminated Projecting Wall signs and one Illuminated Multi Tenancy Blade sign on the following grounds:

1. That the size of the proposed Illuminated Multi Tenancy Blade sign is unnecessarily large for the purpose of advertising the businesses; and
 2. The bulk and the illumination of the Multi Tenancy Blade sign will have a detrimental impact on the historic cultural significance of the place.
-
-

12.2 113-115 Cimitiere Street and 34 George Street, Launceston - two Illuminated Projecting Wall signs and one Illuminated Multi Tenancy Blade sign....(Cont'd)

Ald R I Soward withdrew from the meeting at 1:50 pm.
Ald R I Soward returned to the meeting at 1:51 pm.

DECISION: 22/07/2013

RESOLUTION: (1):

Moved Alderman R L McKendrick, seconded Alderman R L Armitage.

That Council approve application DA0197/2013 for two Illuminated Projecting Wall signs and one Illuminated Multi Tenancy Blade sign at 113-115 Cimitiere Street and 34 George Street, Launceston because the signs are consistent with existing signage provided for other buildings within the locality and would be in keeping with the contemporary design of the Cimitiere House building.

CARRIED UNANIMOUSLY 10:0

12.3 50 Lamont Street, Invermay - Demolition of kiosk and construction of clubrooms and covered dog training area

FILE NO: DA0221/2013

AUTHOR: Claire Fawdry (Consultant Planner)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider a development application for demolition of kiosk and construction of clubrooms and covered dog training area associated with the Tasmanian Dog Training Club Inc. at 50 Lamont Street, Invermay.

PLANNING APPLICATION INFORMATION:

Applicant: Tasmanian Dog Training Club Inc.
Property: 50 Lamont Street, Invermay
Site Area: 16.46 ha
Zoning: Recreation
Existing use: Sports and Recreation (permitted)
Classification: Construction of a building
Date Received: Validity Date - 11 June 2013
Deemed Approval: 22 July 2013
Representations: One

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That Council approves DA0221/2013 for demolition of kiosk and construction of clubrooms and covered dog training area at 50 Lamont Street, Invermay subject to the following:

1. ENDORSED PLANS

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

12.3 50 Lamont Street, Invermay - Demolition of kiosk and construction of clubrooms and covered dog training area...(Cont'd)

2. NOISE LEVELS AT BOUNDARY

Noise levels at the boundary of the site with any adjoining land must not exceed:

- (a) 50dB(A) day time; and
- (b) 40dB(A) night time.

3. HOURS OF OPERATION

The hours of operation of the clubroom are to be between 8.00 am and 10.00 pm.

4. NOISE LEVELS AND SURROUNDING SENSITIVE USES

Noise levels generated by the use and development must not exceed 5dB(A) above background noise in habitable rooms of sensitive uses on properties surrounding the development site.

5. HOURS OF CONSTRUCTION

Construction works must only 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.

6. 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.

7. EXTERNAL LIGHTING

Any external security lighting installed must be contained within the boundaries of the site.

8. RELOCATION OF SHIPPING CONTAINER

The relocated shipping container must be located to the southwest of the proposed clubrooms and setback 10 metres from the title boundary.

9. FOOD PREMISES

All Food Businesses must be registered and licensed with council. Food Premises must comply with BCA TAS Part H102 and AS 4674 "Design, Construction and Fit-out of Food Premises".

12.3 50 Lamont Street, Invermay - Demolition of kiosk and construction of clubrooms and covered dog training area...(Cont'd)

10. FLOOD WARNING RESPONSE PLAN

A site management plan is to be submitted detailing what steps are to be taken in the event that a major flood warning is announced for the Tamar or Esk Rivers system. The management plan is to include the following:

- (i) The cessation of use until the flood has passed;
- (ii) The steps to be taken to minimise damage to the development before the site is inundated (e.g. Removal of vehicles, valuable goods and records from the site, relocation of furniture and fittings to a higher level within the site; deferral of events);
- (iii) Current contact details of the proprietor or operators of the development to be included and kept current; and
- (iv) That the management plan is to be made available to staff and operators of the event

Works must not begin prior to the approval of the Flood Warning Response Plan.

11. 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, in spite of the fact that air, noise and water pollution matters may be subject to provisions of the Environmental Management & Pollution Control Act 1994 and regulations there under.

12. 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

Other Approvals

- A. *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 are required before construction commences:*
 - (a) *Building permit*
 - (b) *Plumbing permit*
-

12.3 50 Lamont Street, Invermay - Demolition of kiosk and construction of clubrooms and covered dog training area...(Cont'd)

Restrictive Covenants

- B. *The granting of this permit takes no account of any covenants applicable to the land that contradict the Launceston Planning Scheme. 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.

Access for People with a Disability

- C. *This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act. The applicant is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.*

Objections to Proposal

- D. *This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource Management and Planning Appeal Tribunal.*

Appeal Provisions

- E. *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 may be instituted by lodging a notice of appeal with the Clerk 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.

12.3 50 Lamont Street, Invermay - Demolition of kiosk and construction of clubrooms and covered dog training area...(Cont'd)

Permit Commencement

F. *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 abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing.*

Rosemary L Armitage spoke to the item.

Ald R L Armitage declared a pecuniary interest in this item and withdrew from the meeting at 1:56pm.

DECISION: 22/07/2013

RESOLUTION: (1):

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

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 9:0

Ald R L Armitage returned to the meeting at 1:59pm.

The Mayor announced that Council was no longer acting as a Planning Authority.

DIRECTORATE MINUTES ITEMS

14 DEVELOPMENT SERVICES

14.1 Community Grants (Round 1) 2013/2014

FILE NO: SF5954

AUTHOR: Angie Walsh (Grants & Sponsorship Officer)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To respond to requests for Community Grants.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That the following recipients receive the recommended grant amounts:

No	Request	Details	Score	Requested	Recommend	Page #
1	Interweave Arts Association	Remade 2013 - Wearable Art Fashion Show and Ball (July - August 2013)	98%	\$3,500	Approval \$3,500	3 - 14
2	Sudanese Community of Northern Tasmania	Community Engagement Project (November 2013 - February 2014)	87%	\$4,850	Approval \$4,850	15 - 26
3	Stompin	'MY HEART IS A HALL' (1 August 2013 - 14 March 2014)	74%	\$5,000	Approval \$3,750	27 - 40

14.1 Community Grants (Round 1) 2013/2014...(Cont'd)

That the following grant applications not be funded by Council:

No	Request	Details	Score	Requested	Recommend	Page #
4	On Stage Tasmania	"Music Is..." (July - September 2013)	45%	\$5,000	Not Supported	41 - 51
5	1 st Tamar Sea Scouts	1st Tamar Sea Scouts 50th Anniversary - Book Publication (October - November 2013)	41%	\$3,000	Not Supported	52 - 61
6	Ravenswood Neighbourhood House	'Creative Play' Program (July - September 2013)	39%	\$0	Not Supported	62 - 71

Ald J D Ball declared a pecuniary interest in this item and withdrew from the meeting at 1:59pm.

DECISION: 22/07/2013

RESOLUTION: (1):

Moved Alderman A C Peck, seconded Alderman D C Gibson.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 9:0

Ald J D Ball returned to the meeting at 2.02pm

17 INFRASTRUCTURE SERVICES**17.1 Rocherlea Hall Lease****FILE NO:** SF0376**AUTHOR:** Andrew Smith (Manager Parks & Recreation)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider a proposal from the Northern Suburbs Community Centre to lease the Rocherlea Hall.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council agree to lease the Rocherlea Hall to the Northern Suburbs Community Centre Incorporation (NSCC) for two years subject to:

- a) the other regular hirer having continued access to the hall for their normal time slots,
 - b) user fees for both regular and casual users not to exceed Council's Community Hall fees and charges unless otherwise agreed to by the hirer,
 - c) user fees for both regular and casual hirers to be paid to NSCC,
 - d) the terms of the lease to include that NSCC be responsible for paying for all power and water charges and an annual lease fee of one dollar if demanded; and
 - e) that land owner approval be given for the placement of a shipping container adjacent to the hall subject to planning.
-

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

DECISION: 22/07/2013**RESOLUTION: (1):****Moved Alderman R L McKendrick, seconded Alderman R I Soward.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 10:0**

19 GENERAL MANAGER**19.1 LGAT General Meeting and Annual General Meeting - Form View on Motions Submitted****FILE NO:** SF2217 / SF2218**AUTHOR:** Megan Brown (Acting Manager Corporate Strategy)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider and form a view on the Local Government Association of Tasmania Agenda items for the Association's Annual General Meeting and General Meeting scheduled for 24 July 2013.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

1. That, other than the motions listed in the attached tables, Council accepts that the decisions sought, in respect of the motions listed to be considered at the LGAT General Meeting and Annual General Meeting of 24 July 2013 respectively, are effectively to note the situation relevant to each topic and requests the Mayor or Council's representative to the General Meeting to vote accordingly.
 2. That in respect of the motions listed in the attached tables, Council adopts the motions as presented with Council's view to be conveyed through the Mayor or representative to the General Meeting and Annual General Meeting respectively.
-

Mr R Dobrzynski (General Manager) was in attendance to answer questions of Council in respect of Agenda Items 19.1 – 19.2 inclusive.

Each Motion within Agenda Item 19.1 was discussed individually.

19.1 LGAT General Meeting and Annual General Meeting - Form View on Motions Submitted...(Cont'd)

DECISION: 22/07/2013

RESOLUTION: (1)

Moved Alderman J D Ball, seconded Alderman D C Gibson.

That the wording for Motion 15.4 be amended.

LOST 4:6

RESOLUTION: (2):

Moved Alderman R L McKendrick, seconded Alderman R L Armitage.

That the wording for item 18.1 read:

That LGAT seek funding assistance of the State Government for a consultation to assist Local Government to resource a significant education and community campaign with the wider community regarding valuation and rating systems

CARRIED UNANIMOUSLY 10:0

RESOLUTION: (3):

Moved Alderman R I Soward, seconded Alderman J G Cox.

That the recommendation be adopted with the above exceptions (Res 1 & 2)

CARRIED UNANIMOUSLY 10:0

19.2 Closure of part of walkway adjacent to 25 South Esk Road, Trevallyn**FILE NO:** 20446 / 20447**AUTHOR:** Darryl Wright (Legal Advisor)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider available alternatives and to determine appropriate course of action following decision of the Magistrates Court and subsequent developments.

PREVIOUS COUNCIL CONSIDERATION:

On 21 September, 2009 in closed session, Council determined to close part of the walkway leading from and adjacent to South Esk Road. On 8 July, 2013, in considering this same question, Council adjourned the matter, requesting the General Manager to explore further options which may be open.

RECOMMENDATION:

1. That Council, at the cost of Council, obtain Senior Counsel's opinion as to whether the walkway in issue is a local highway within the meaning of The Local Government (Highways) Act, 1982 ("the Act"), and given the opinion the walkway is a local highway, whether any and what options apart from forced removal of the encroachment on to the walkway is open to Council.
2. On receipt of such advice, this matter be referred back to Council for the information of Council or alternatively for further decision.

Ald R I Soward withdrew from the meeting at 2:23pm.

Ald R I Soward returned to the meeting at 2:23pm.

Ald R J Sands withdrew from the meeting at 2:24pm.

Ald R J Sands returned to the meeting at 2:27pm.

19.2 Closure of part of walkway adjacent to 25 South Esk Road,
Trevallyn...(Cont'd)

DECISION: 22/07/2013

RESOLUTION: (1):

Moved Alderman R J Sands, seconded Alderman J G Cox.

That the Recommendation be adopted.

**FOR VOTE - Ald A M van Zetten, Ald R L McKendrick, Ald J D Ball, Ald R I Soward,
Ald I S Norton, Ald R J Sands, Ald A C Peck, Ald J G Cox, Ald D C Gibson**

AGAINST VOTE - Ald R L Armitage

ABSENT. DID NOT VOTE - Ald A L Waddle, Ald D H McKenzie

CARRIED 9:1

20 URGENT BUSINESS

That Council pursuant to Clause 8(6) of the Local Government (Meeting Procedures) Regulations 2005,

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 Sands - State of the Tamar River

Advice of future Notice of Motion: Alderman R J Sands that Council:

- Correspond with TasWater, DIER and Geoff Lyons Member for Bass, seek urgent funding through finance and build a tertiary treatment plant in a timeframe that will alleviate the discharge of partially treated human effluent into the Tamar River.

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, for the following reasons:

- (i) as it concerns, application by an elected member for leave of absence.
- (j) as it concerns the personal affairs of a person/company.

DECISION: 22/07/2013

RESOLUTION: (1):

Moved Alderman R J Sands, seconded Alderman J D Ball.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY AND BY AN ABSOLUTE MAJORITY 10:0

Council moved into Closed Session at 2.45pm

26.1 Annual Remission Rates and Charges - 30 June 2013**FILE NO:** SF0523**AUTHOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

That Council consider the approval of the Schedule of Rate Remissions for 2012/13.

This decision pursuant to Section 129(4) of the Local Government Act 1993 requires an absolute majority.

PREVIOUS COUNCIL CONSIDERATION:

Considered annually.

THIS ITEM WAS DEALT WITH IN CLOSED COUNCIL.

26.2 Rate Debt (Rescission Motion)**FILE NO:** SF3161 / 54210**AUTHOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider a change to the sale price previously set for a small strip of land, that is subject to sale for the recovery of a rate debt.

This decision requires an absolute majority under the provisions of clause 18 of the Local Government (Meeting Procedures) Regulations 2005.

PREVIOUS COUNCIL CONSIDERATION:

Item 25.12 - Council 14 November 2011 - *The Council resolved to exercise its power to sell the property as a rate recovery sale.*

Item 26.3 - Council 27 August 2012 - *The Council resolved to sell the property with a sale price of \$500.*

THIS ITEM WAS DEALT WITH IN CLOSED COUNCIL.

26.3 Rate Debt**FILE NO:** SF3161 / 54210**AUTHOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To determine the sale price for a small piece of land as part of the rate recovery sale process.

This decision requires an absolute majority under the provisions of clause 18 of the Local Government (Meeting Procedures) Regulations 2005.

PREVIOUS COUNCIL CONSIDERATION:

Item 25.12 - Council 14 November 2011 - *The Council resolved to exercise its power to sell the property as a rate recovery sale.*

Item 26.3 - Council 27 August 2012 - *The Council resolved to sell the property with a sale price of \$500.*

THIS ITEM WAS DEALT WITH IN CLOSED COUNCIL.

26.4 Leave of Absence Application - Alderman

FILE NO: SF4240

AUTHOR: Elizabeth Clark (Civic Affairs Co-ordinator)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To seek leave of absence from Council for an Alderman pursuant to S39 of Local Government (Meeting Procedures) Regulations 2005.

THIS ITEM WAS DEALT WITH IN CLOSED COUNCIL.

RESOLUTION: (2):

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

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

CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY 10:0

Council moved out of Closed Session at 2.51pm

27 MEETING CLOSURE

The Mayor closed the Meeting at 2.51pm
