

COUNCIL MEETING MONDAY 23 SEPTEMBER 2013

COUNCIL MINUTES

Monday 23 September 2013

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

Date: 23 September 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.

Rod Sweetnam

Acting General Manager

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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 D H McKenzie J G Cox D C Gibson

In Attendance: Mr R Sweetnam (Acting General Manager)

Ms L Foster (Acting Manager Corporate Strategy)

Mr D Gray (Committee Clerk/Admin Officer)

Apologies: Alderman R I Soward

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1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES

The Mayor opened the meeting at 1.00pm and noted the apology of Alderman Soward.

2 DECLARATION OF PECUNIARY INTERESTS

Nil

3 CONFIRMATION OF MINUTES

RECOMMENDATION:

- 1. That the Minutes of the meeting of the Launceston City Council held on 9 September 2013 be confirmed as a true and correct record.
- 2. That the Minutes of the meeting of the Launceston City Council held on 9 September 2013 in closed session be confirmed as a true and correct record.

DECISION: 23/09/2013

RESOLUTION: (1):

Moved Alderman D C Gibson, seconded Alderman J G Cox.

That Recommendation 1 be adopted.

ABSENT. DID NOT VOTE - Ald R I Soward

CARRIED UNANIMOUSLY 11:0

RESOLUTION: (2):

Moved Alderman D C Gibson, seconded Alderman D H McKenzie.

That Recommendation 2 be adopted.

ABSENT. DID NOT VOTE - Ald R I Soward

CARRIED UNANIMOUSLY 11:0

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4 **DEPUTATION**

Nil

5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME

Meeting Date	File No.	Question	Answer	Officer Responsibl e
9 September 2013	9.1	Alderman Peck asked: When will the traffic lights at the corner of Amy and Penquite Road going to be operational?	Response: The lights will be operational by the fourth week of October 2013. Delay has been due to the wet winter as the road sealing works could not be performed.	Harry Galea

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6 PUBLIC QUESTION TIME

6.1 Mr Christopher Green - Thank you to Council Staff

Public Question:

Asked if the Mayor could pass on a thank you to the Parks and Recreation staff for the work and planning undertaken at Duck Reach. Approaching the 10 year anniversary of street lighting in Launceston.

The Mayor also acknowledged the effort of Council staff and advised the thank you would be passed on.

7 ANNOUNCEMENTS BY THE MAYOR

7.1 Mayor's Announcements

FILE NO: SF2375

Tuesday 10 September

 Attended UTAS Academy Volunteer Club Information Night & Certificate Presentation at Tas College of Arts

Wednesday 11 December

 Attended Tasmanian Development Board & Department of Economic Development, Tourism & the Arts Event (Northern Regional Office)

Friday 13 September

• Attended Spring in Design Launch at Design Centre

Saturday 14 September

Attended NTFA Grand Final - Rocherlea v Bridgenorth

Tuesday 17 September

- Officially started event for Deputy Mayor of Flinders Island, Cr David Williams -200km Run from Launceston to Hobart to raise funds for the Cure Cancer Foundation
- Officiated at closing ceremony for Special Olympics White Ribbon Event at Elphin Sports Centre

Wednesday 18 September

- Attended LGAT General Meeting in Devonport
- Attended Launceston College performance of Dance Fever: Iconic

Thursday 19 September

- Attended Pitt & Sherry 50th Year Celebration
- Attended Scotch Oakburn Middle School performance of "One, Two, Three, Home"

Friday 20 September

• Attended AFL Official Function - Hawthorn v Geelong

Saturday 21 September

- Attended North Launceston Bowls & Community Club Open Day
- Attended AFL Tas RACT Insurance State League Grand Final function at Aurora
- Attended Football Federation Tas Northern Awards

7.1	Mayor's Announcements(Cont'd)

The Mayor further added:

- Tuesday 10 September along with Deputy Mayor attended Ravenswood Community Action Group.
- Tuesday 17 September officiated at the closing ceremony of the Special Olympics. Noted the Deputy Mayor opened the event.
- Attended the Launceston College Performance of "Dance Fever"
- Thursday 19 September attended the Pitt and Sherry 50th year celebration. Congratulated Pitt and Sherry on their milestone and success.
- Attended Scotch Oakland middle school performance of "One, Two, Three, Home".

- 8 ALDERMEN'S/DELEGATES' REPORTS
- 8.1 Alderman Peck Cityprom programs

Alderman A C Peck reported:

Noted Cityprom are working on the upcoming Christmas season.

13 - 26 October Cityprom are launching of the Super city Explorer program.

Noted program of activities in the City for children during school holidays.

8.2 Alderman Ball - Community Events

Alderman J D Ball reported:

Wednesday 18 September welcomed people to the child friendly city forum at Town Hall. Advised all that another forum will be held in in November.

Attended the Tasmanian Design Alliance Function.

Attended AGM of Northern Suburbs Community Centre - 30 year celebration, noted the achievements of a significant amount with minimal budget.

Friday 20 September attended the Ravenswood Neighbourhood House AGM.

9 QUESTIONS BY ALDERMEN

9.1 Alderman Sands - LGAT 2014 Conference

Aldermen's Question: Alderman R J Sands asked:

Regarding the LGAT Conference in 2014, has Council written or received a response from LGAT as to where the conference will be held? Queried which venues have been identified by Council's Events Officer.

This question was taken on Notice.

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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:

That receives a report from the Northern Youth Coordinating Committee's meeting held on 5 September 2013.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That the report from the Northern Youth Coordinating Committee's meeting held on 5 September 2013 be received.

DECISION: 26/09/2013

RESOLUTION: (1):

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

That the Recommendation be adopted.

ABSENT, DID NOT VOTE - Ald R I Soward

CARRIED UNANIMOUSLY 11:0

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10.2 Tender Review Committee Meeting - 2 September 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 2 September 2013 be received.

DECISION: 26/09/2013

RESOLUTION: (1):

Moved Alderman A C Peck, seconded Alderman D H McKenzie.

That the Recommendation be adopted.

ABSENT. DID NOT VOTE - Ald R I Soward

CARRIED UNANIMOUSLY 11:0

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11 PETITIONS

Nil

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

12 PLANNING AUTHORITY

12.1 243 Poplar Parade (formerly known as 163 Poplar Parade), Youngtown - Subdivide Land into 40 Residential Lots including Road and Open Space (Staged)

FILE NO: DA0225/2013

AUTHOR: Julia Allen (Town Planner)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider an application to subdivide land into 40 residential lots including road and open space (staged) at 243 Poplar Parade, Youngtown.

PREVIOUS COUNCIL CONSIDERATION:

Council Item 12.3 - 25 March 2013 - Dispensation Application to partly rezone land to Low Density Residential. Council conditionally approved proposal.

Council Item Item 12.5 - 10 December 2012 - Dispensation Application to partly rezone land to Low Density Residential. Considered representations received during public notification period. Council maintained support for the proposal.

RECOMMENDATION:

That Council approves DA0225/2013 to subdivide land into 40 residential lots including road and open space (staged) at 243 Poplar Parade, Youngtown subject to the following conditions:

1. ENDORSED PLANS

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

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12.1 243 Poplar Parade (formerly known as 163 Poplar Parade), Youngtown - Subdivide Land into 40 Residential Lots including Road and Open Space (Staged)...(Cont'd)

2. 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.

3. BUSHFIRE SAFETY MANAGEMENT

The subdivision must be carried out in accordance with the Bushfire Hazard Assessment Report dated May 2013 by Pitt & Sherry and plan 2010-151, dated 02/08/2013.

4. REVEGETATION OF DISTURBED AREAS

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

5. PROTECTION OF EXISTING TREES

Existing trees on the subject land and identified for retention on the enclosed plan(s) must be retained and must not be damaged, removed, destroyed or lopped without the written consent of the Planning Authority. Such trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with in accordance with Australian Standards 4970 -2009 Protection of Trees on Development Sites to Protect Existing Trees.

6. LANDSCAPING PLAN

Before the Final Plan of Survey is sealed, a landscape plan must be prepared by a qualified Landscape Architect or other competent person and submitted to the Planning Authority. The plan must show:

- Details hard and soft landscaping consistent with the construction of works condition for the road reserve and public open space areas;
- b) Likely timing of works;

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12.1 243 Poplar Parade (formerly known as 163 Poplar Parade), Youngtown - Subdivide Land into 40 Residential Lots including Road and Open Space (Staged)...(Cont'd)

The approved landscaping of the site must:

- i) Be completed prior to the commencement of the use or within 3 months of the sealing of the plan of subdivision in the case of new streets.
- ii) Have each shade tree provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti vandalism tie down to prevent removal.
- iii) Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.

Once approved by the Planning Authority it will be endorsed and will form part of this permit.

7. WEED MANAGEMENT PLAN

Before the Final Plan is sealed, a weed management plan is to be prepared and submitted to the Planning Authority. The plan must show:

- a) location and details of weed infestation onsite;
- b) method of removal and ongoing maintenance to prevent spread and regeneration.

Once endorsed by the Planning Authority it will be endorsed and will form part of this permit.

8. 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 commencing any works the applicant must prepare a detailed Traffic Management Plan specifying the following:

- 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,
- 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.

12.1 243 Poplar Parade (formerly known as 163 Poplar Parade), Youngtown - Subdivide Land into 40 Residential Lots including Road and Open Space (Staged)...(Cont'd)

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.

9. PROTECTION OF PIPELINES

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

- a) No part of the building or structure may be located within the easement (including footings and eaves).
- b) Footings must be no closer than 500 mm from the outer edge of the pipe,
- c) Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe.
- d) There must be a minimum clear space between buildings or substantial structures of at least 3 metres in width to allow maintenance along the line of the pipe.
- e) Cover over pipelines is not to be reduced to under 600 mm.
- f) Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Director Infrastructure Services pursuant to Section 39 of the *Drains Act 1954.*

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12.1 243 Poplar Parade (formerly known as 163 Poplar Parade), Youngtown - Subdivide Land into 40 Residential Lots including Road and Open Space (Staged)...(Cont'd)

10. SUBMISSION AND APPROVAL OF PLANS

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 infrastructure works required by the permit or shown in the endorsed plans and specifications including;
 - i. Electricity infrastructure including street lighting,
 - ii. Communications infrastructure and evidence of compliance with the fibre ready requirements of the National Broadband Network,
 - iii. Evidence of assessment by TasGas Networks regarding the provision of a reticulated gas network.
- b) be prepared strictly in accordance with the Council's applicable at the date of approval 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.

11. SOIL AND WATER MANAGEMENT WORKS

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.

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12. WORKS NEAR WATERCOURSE

Road and private tracks constructed within 50m of the watercourse must comply with the requirements of the *Wetlands and Waterways Works Manual*, particularly the guidelines for siting and designing of stream crossings.

13. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a) Advise Council 21 days before access is required onsite so that notices pursuant to the *Drains Act 1954* can be issued to the landowner, then
- b) Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and.
- c) Ensure that <u>client provides a signed statement</u> advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act* 1993 will be followed.

14. FILLING OF LAND

Site filling that exceeds a depth of 300 mm must comply with the provisions of AS3798 Guidelines on earthworks for commercial and residential developments current at the time of the application.

No fill required to provide support to the road reserve (either within the road reserve or within the residential lots) shall be placed without the approval of the said material by the Director Infrastructure Services. Certification of the compliance with the material specifications and the compaction requirements shall be provided to Council prior to the commencement of any road pavement construction.

Fill placed within private property for the purposes of achieving levels conducive to the development of the land does not require the material to be approved by the Director Infrastructure Services.

Prior to the use commencing, a Civil Engineer must certify that all the works have been carried out in accordance AS 3798 and the endorsed plan.

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15. CONSTRUCTION OF WORKS

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. Works must include:

a) Stormwater

- Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
- ii The provision of a DN 100 connection to the lowest point of each lot,
- iii Provision of an overland flow path for flows up to a 100 year ARI storm event.

b) Road 1

- Provision of a fully constructed 8.9 metre wide road, measured face of kerb to face of kerb, for the full length of all the property frontages, complete with KC type kerb and channel and vehicular crossings for each lot having primary frontage to the road,
- ii Provision of a temporary gravel turning head at the end of the cul de sac with a diameter of 18.0 metres measured face of kerb to face of kerb
- ii Provision of 1500 mm wide footpath on one side and all necessary pedestrian kerb ramps at intersections
- iii Provision of all necessary signage, line marking and other traffic control devices.

c) Road 2

- Provision of a fully constructed 8.9 metre wide road, measured face of kerb to face of kerb, for the full length of all the property frontages, complete with KC type kerb and channel and vehicular crossings for each lot having primary frontage to the road,
- ii Provision of a turning head at the end of the cul de sac with a diameter of 18.0 metres measured face of kerb to face of kerb
- ii Provision of 1500 mm wide footpath on one side and all necessary pedestrian kerb ramps at intersections
- iii Provision of all necessary signage, line marking and other traffic control devices.

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d) Road 3

- i Provision of a fully constructed 8.9 metre wide road, measured face of kerb to face of kerb, for the full length of all the property frontages, complete with KC type kerb and channel and vehicular crossings for each lot having primary frontage to the road,
- ii Provision of a turning head at the end of the cul de sac with a diameter of 18.0 metres measured face of kerb to face of kerb
- ii Provision of 1500 mm wide footpath on one side and all necessary pedestrian kerb ramps at intersections
- iii Provision of all necessary signage, line marking and other traffic control devices.

e) Public Open Space

All public open space lots must be landscaped and provided with the following works:

- i. Bollards set no more than 1.5 metres apart or other barriers to prevent unauthorised vehicular traffic with provision for service vehicle access,
- ii. Connecting footpaths where shown are to be 1.5 metres wide constructed of compacted fine McGrath gravel not less than 100 mm deep and provided with timber edge restraints where located through mown grass. Edge restraint is not required where path located through bushland areas,
- Where pathways connect to existing footpaths within road reserves, the new pathway shall be sealed to match the footpath material for a distance of 5 metres to prevent gravel being deposited on the footpath, nature strip or road pavement, and
- iv All necessary drainage.
- v. Provide shade trees on one side of the road of an approved species with a minimum planted height of 2.5 metres, a minimum bole diameter of 25mm (measured 1 metre above the surface) and at an average spacing of one per 20 metres of frontage.
- vi. Creek reinstated to prevent ongoing erosion.
- vii. All other areas grassed and established.
- viii. Provide a creek crossing to Youngtown Regional Reserve for a pedestrian link between the public open space areas. The creek crossing is to have sufficient capacity so that it does not restrict flows up to a 100 ARI event.

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12.1 243 Poplar Parade (formerly known as 163 Poplar Parade), Youngtown - Subdivide Land into 40 Residential Lots including Road and Open Space (Staged)...(Cont'd)

f) Electricity, Communications & Other Utilities

- i An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Planning Authority,
- ii An underground telecommunications system must be provided to service all lots and installed to the approval of the Planning Authority,
- iii Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
- iv Provision of reticulated gas network to service all lots and installed to the approval of the Planning Authority.

All construction works must be undertaken in accordance with the Council document: *Subdivision Guidelines*. 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.

16. EASEMENTS

- Easements are required over all non Council services located in private property; and
- b) Easements are required over all Council services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required in line with the LCC document 'How close can I build to a Council Service?' where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres or where the easement is required for an overland flow path.

A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

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12.1 243 Poplar Parade (formerly known as 163 Poplar Parade), Youngtown - Subdivide Land into 40 Residential Lots including Road and Open Space (Staged)...(Cont'd)

17. COVENANTS ON SUBDIVISIONS

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit either by transfer, by inclusion of such covenants in a Schedule of Easements or by registration of any instrument creating such covenants with the Recorder of Titles unless:

- a) Such covenants or controls are expressly authorised by the terms of this permit; or
- b) Such covenants or similar controls are expressly authorised by the consent in writing of the Council.

18. WORKS REQUIRED FOR EACH LOT IN A STAGE

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

- a) Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b) A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c) A stormwater connection to the public drainage system,
- d) Access to underground electricity and communications infrastructure, and
- e) Where applicable, reticulated gas infrastructure.

19. SEALING PLANS OF SUBDIVISION

No Plan of Survey as in specified in the Permit shall be sealed until the following matters have been completed to the satisfaction of the Director Infrastructure Services:

- a) The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council requirements.
- b) The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services.
- c) The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- d) Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

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12.1 243 Poplar Parade (formerly known as 163 Poplar Parade), Youngtown - Subdivide Land into 40 Residential Lots including Road and Open Space (Staged)...(Cont'd)

20. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the Director Infrastructure Services, of the Certificate under Section 10 (7) of the *Local Government* (Highways) *Act 1962*. All costs involved in this procedure must be met by the Subdivider.

21. CONVEYANCE OF PUBLIC OPEN SPACE

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

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. Other Approvals

This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals will be required:

a) TasWater Certificate of consent BLW DA No. 13-157.

B. No Burning Off

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

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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 Corporation serves notice of the decision on the applicant.

D. Objections to Proposal

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.

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 abandoned 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.

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12.1 243 Poplar Parade (formerly known as 163 Poplar Parade), Youngtown - Subdivide Land into 40 Residential Lots including Road and Open Space (Staged)...(Cont'd)

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

Ald J D Ball withdrew from the meeting at 1:12PM.

lan Abernathy on behalf of Miranda Truffrie spoke to this item.

Mr M Stretton (Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 23/09/2013

RESOLUTION: (1):

Moved Alderman D H McKenzie, seconded Alderman A C Peck.

That the Recommendation be adopted.

ABSENT. DID NOT VOTE - Ald J D Ball, Ald R I Soward

CARRIED UNANIMOUSLY 10:0

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

Monday 23 September 2013

13 NOTICES OF MOTION - FOR CONSIDERATION

13.1 Notice of Motion - Mayor Alderman van Zetten - Council's Events Strategy 2012-2015

FILE NO: SF5547 / SF0984

AUTHOR: Mayor Alderman van Zetten

DIRECTOR: Rod Sweetnam (Acting General Manager)

DECISION STATEMENT:

To consider a Notice of Motion from Mayor Alderman van Zetten regarding Council's Events Strategy 2012-2015.

PREVIOUS COUNCIL CONSIDERATION:

N/A

NOTICE OF MOTION:

As the Council's Events Strategy 2012-2015 and Event Sponsorship Policy seeks to support, and provide incentive for, community events held in the Launceston City Municipal Area that contribute to a diverse, vibrant and strategically balanced City events program and which result in positive social, economic, environmental and city image outcomes for the Launceston community. It is recommended that the General Manager be requested to conduct a workshop with Aldermen to review the Event Sponsorship Policy to ensure that the event sponsorship assessment criteria is appropriately delivering the stated outcomes.

Alderman Waddle took the Chair.

DECISION: 23/09/2013

RESOLUTION: (1):

Moved Alderman A M van Zetten, seconded Alderman R L McKendrick.

That the Notice of Motion be adopted.

ABSENT. DID NOT VOTE - Ald J D Ball, Ald R I Soward

CARRIED UNANIMOUSLY 10:0

The Mayor resumed the Chair.

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DIRECTORATE MINUTES ITEMS

14 DEVELOPMENT SERVICES

14.1 Community Grants (Round 2) 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	Self Help	Brand Development	90%	\$5,000	Approval	3 - 18
	Workshop Inc.	and Promotion			\$5,000	
		(October 2014 -				
		June 2014)				
2	Ravenswood	'Creative You' Arts	86%	\$3,850	Approval	19 - 29
	Neighbourhood	Project (February			\$3,850	
	House Inc.	2014 - April 2014)				
3	Able Australia	'Incred'Able ARTS	83%	\$2,000	Approval	
		AND TALENTS			\$2,000	30 - 40
		Project (October				
		2013 - February				
		2014)				

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14.1 Community Grants (Round 2) 2013/2014...(Cont'd)

No	Request	Details	Score	Requested	Recommend	Page #
4	The Society of Women Writers of Tasmania	"The Launceston, Tasmania Literary Award" (1 Feb 2014 - 13 June, 2014)	75%	\$5,000	Approval \$3,750	41 - 51
5	RSPCA	Subsidised cat desexing and microchipping scheme for pension and health-care card holders (January 2014 - May 2014)	69%	\$5,000	Approval \$3,750	52 - 62

DECISION: 23/09/2013

RESOLUTION: (1):

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

That the Notice of Motion be adopted.

ABSENT. DID NOT VOTE - Ald J D Ball, Ald R I Soward

CARRIED UNANIMOUSLY 10:0

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14.2 Tour of Tasmania - Launceston Stage

FILE NO: SF5892

AUTHOR: Angie Walsh (Grants & Sponsorship Officer)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To approve the Launceston Stage of the Tour of Tasmania.

PREVIOUS COUNCIL CONSIDERATION:

Council Item 14.2 - 29 April 2013 - To respond to a request from Australian Cycling Federation Inc., (Cycling Australia) for 3 year event incentive funding. Decision: That the item be deferred to the next Strategic Planning and Policy Committee meeting.

SPPC Item 4.2 - 20 May 2013 - To consider a request from Australian Cycling Federation Inc., (Cycling Australia) for 3 year event incentive funding.

Council Item 14.1 - 11 June 2013 - To respond to a request from Australian Cycling Federation Inc., (Cycling Australia) for 3 year event incentive funding. Decision: That subject to approval by the Council of an endorsed route, Council provide event incentive funding for the Tour of Tasmania 'Launceston Stage' to be held in Launceston in October 2013.

Council Item 14.2 - 9 September 2013- To approve the course for the Tour of Tasmania (Launceston stage) as proposed by Australian Cycling Federation Inc. - report deferred to next Council meeting.

SPPC Item 4.2 - 16 September 2013 - To consider the course for the Tour of Tasmania (Launceston Stage) as proposed by Australian Cycling Federation Inc.

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14.2 Tour of Tasmania - Launceston Stage...(Cont'd)

RECOMMENDATION:

That Council approve the course (attached) for the Tour of Tasmania (Launceston Stage) as proposed by Australian Cycling Federation Inc., (Cycling Australia) as follows:

Direction	Detail		
	START - Inveresk Precinct, Invermay Rd		
LEFT	Tamar St		
RIGHT	William St		
LEFT	St John St		
LEFT	Paterson St		
RIGHT	George St		
LEFT	Brisbane St		
LEFT	Tamar St		
LEFT	Lindsay St		
RIGHT	Goderich St		
	Goderich St becomes East Tamar Hwy		
Continue	(A8)		
RIGHT	George Town Rd		
LEFT	Lilydale Rd (B81)		
Pass	Russells Plains Rd		
	RACE START		
Continue	Lilydale Rd (B81) becomes Golconda Rd (B81)		
LEFT	Second River Rd		
RIGHT	Bangor Rd		
RIGHT	Pipers River Rd (B83)		
LEFT	Old Bangor Tram Rd		
LEFT	Dalrymple Rd		
RIGHT	East Tamar Hwy (A8)		
LEFT	Batman Hwy (B73)		
LEFT	Deviot Rd		
Continue	Gravelly Beach Rd		
LEFT	West Tamar Hwy (A7)		
LEFT	Rosevears Rd		
RIGHT	Graythorne Rd		
RIGHT	West Tamar Hwy (A7)		
LEFT	Waldhorn Dv		
LEFT	Alpine Cres		

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14.2 Tour of Tasmania - Launceston Stage...(Cont'd)

DECISION: 23/092013

RESOLUTION: (1):

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

That the Recommendation be adopted.

ABSENT. DID NOT VOTE - Ald J D Ball, Ald R I Soward

CARRIED UNANIMOUSLY 10:0

14.3 Environmental Services Department - Appointment as Authorised Officers

FILE NO: SF0113

AUTHOR: Louise Foster (Manager Environmental Services)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To appoint new employees within the Environmental Services Department as Authorised Officers for the purposes of various legislation and Council by-laws.

RECOMMENDATION:

That Council appoints the following employees referred to in column one of the schedule, as Authorised Officers, to conduct the function and powers of various Legislation listed in column two of the schedule.

Authorised Officer	Powers / Functions	
Louise Foster - Manager Environmental Services	 S20A Power of Entry S185 To act on non-compliance with a notice served under the Division regarding fencing of land S200 Abatement Notices - to determine if a nuisance exists and to issue abatement notices where necessary ¹ S201 to act to abate a nuisance S237 Authentication of certain documents S240 Appearance in Court 	
	Local Government (Building and Miscellaneous Provisions) Act 1993 • S247 To remove advertising hoardings erected or maintained in contravention of the Act	
	Traffic Act 1925 • S43 removal of things obstructing public streets	
	Monetary Penalties Enforcement Act 2005 • S17 To approve or refuse to approve an application under s.17 of the Act for withdrawal of an infringement notice and/or for a variation of payment conditions of an infringement notice and to notify the alleged offender of that approval or	

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refusal

Environmental Management and Pollution Control Act 1994:

S21 Council Officer

Public Health Act 1997:

- S77 to grant or refuse an application for a Place of Assembly licence and to notify the applicant accordingly
- S78 to issue a Place of Assembly Licence following grant of application
- S81 to grant or refuse an application for renewal of Place of Assembly licence and notify applicant accordingly
- S82 to vary a Place of Assembly licence and notify the holder accordingly
- S83 to cancel a Place of Assembly Licence and notify the holder accordingly
- S84 to cause the doors of a Place of Assembly to be closed or to evacuate a Place of Assembly
- S87 to make a closure in accordance with S87 of the Act

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14.3 Environmental Services Department - Appointment as Authorised Officers...(Cont'd)

Powers / Functions Authorised Officer S88 to serve copies of a closure order on the owner and occupier of premises and to affix a copy to the premises • S89 to revoke a closure order on the application of any person S92 to serve a rectification notice and cause necessary work to be carried out in the event of a failure to comply with such a notice S97 to grant or refuse to grant an application for registration of premises for a public health risk activity and to notify the applicant accordingly S98 to issue a certificate of registration of premises in relation to a public health risk activity S101 to grant or refuse an application for renewal of registration of premises for a public health risk activity and to notify the applicant accordingly S102 to vary the registration of premises in relation to a public health risk activity and to notify the holder of the certificate of registration accordingly S103 to cancel the registration of premises for a public health risk activity and to notify the holder of the certificate of registration accordingly S106 to grant or refuse an application for a licence to carry out a public health risk activity and to notify the applicant accordingly S107 to issue a licence to carry out a public health risk activity S110 to grant or refuse an application to renew a licence to carry out a public health risk activity and to notify the applicant accordingly S111 to vary a licence to carry out a public health risk activity and to notify the holder accordingly S112 to cancel a licence to carry out a public health risk activity and notify the holder accordingly S115 to grant or refuse an application for registration of a regulated system and notify the applicant accordingly S116 to issue a certificate of registration of a regulated system following grant of an application for such registration

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14.3 Environmental Services Department - Appointment as Authorised Officers...(Cont'd)

Authorised Officer	Powers / Functions
Authorised Officer	 S119 to serve a notice requiring compliance with a specified direction or relevant guidelines relating to a regulated system and that the system be not operated until such compliance has occurred S121 to grant or refuse an application to renew the registration of a regulated system and notify the applicant accordingly S122 to vary the registration of a regulated system and notify the holder of the certificate of registration accordingly S123 to cancel the registration of a regulated system and notify the holder of the certificate of registration accordingly S129 to make Orders relating to the supply of water if satisfied that the quality of water is, or is likely to become, a threat to public health, give warnings and information to the public about the safe use of the water and do anything necessary and practicable to render the water safe S135 to grant or refuse an application for registration as a user or supplier of water from a
	registration as a user or supplier of water from a private water source and notify the applicant accordingly
	 S136 to issue a certificate of registration following grant of an application for registration as a user or supplier of water from a private water source S136B to vary the registration of a person as a user or supplier of water from a private water source and notify the holder of the certificate of registration accordingly

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14.3 Environmental Services Department - Appointment as Authorised Officers...(Cont'd)

Powers / Functions Authorised Officer S136C to cancel the registration of a person as a user or supplier of water from a private water source and notify the holder of the certificate of registration accordingly S190 to sell, destroy or otherwise dispose of a thing forfeited to Council under s189 and to grant or refuse an application by a person who owned the thing immediately prior to forfeiture to buy it for an amount equal to its estimated market vale • S191 to grant or refuse an application by owner for the return of anything seized under the Act Food Act 2003: • S87 to grant or refuse an application for registration of a food business, to issue a certificate of registration where an application is granted and to notify an applicant accordingly where an application is refused S89 grant or refuse an application for renewal of registration of a food business, to issue a further certificate of registration where an application is granted and to notify an applicant accordingly where an application is refused • S91 to vary the conditions of, or suspend or cancel the registration of a food business • S118 to serve an infringement notice on a person if of the opinion that the person has committed a prescribed offence Dog Control Act 2000: • S82 – Appointment as Authorised Officer Appointment as an authorised officer under Council By-laws

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14.3 Environmental Services Department - Appointment as Authorised Officers...(Cont'd)

Powers / Functions Authorised Officer Clare Harding Local Government Act 1993: Environmental Health Officer S20A Power of Entry S237 Authentication of certain documents S200 Abatement Notices¹ • S240 Appearance in Court Environmental Management and Pollution Control Act 1994: S21 Council Officer Public Health Act 1997: • S11 Appointment as an Environmental health Officer Food Act 2003: S101 Appointment as Authorised Officer. Dog Control Act 2000: • S82 – Appointment as Authorised Officer Appointment as an authorised officer under Council By-laws Jarrod Burn Environmental Management and Pollution Control Act 1994: S21 Council Officer

Notes:

¹ A matter may be referred to Council for decision where an Officer is of the opinion that the decision should be made by the Council.

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14.3 Environmental Services Department - Appointment as Authorised Officers...(Cont'd)

DECISION: 23/09/2013

RESOLUTION: (1):

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

That the Recommendation be adopted.

ABSENT. DID NOT VOTE - Ald J D Ball, Ald R I Soward

CARRIED UNANIMOUSLY 10:0

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17 INFRASTRUCTURE SERVICES

17.1 Traffic Safety & Vulnerable Road User Schemes

FILE NO: SF5106 SF5909 SF1556 SF2145 SF1138 SF1588 SF1542 SF2107 SF1906

SF1408

AUTHOR: Nigel Coates (Engineering Officer, Traffic)

DIRECTOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To determine projects in Council's Traffic Safety Program and DIER's Vulnerable Road User Program.

PREVIOUS COUNCIL CONSIDERATION:

Item 17.1 Council 26 August 2013 Approval of Black Spot Schemes 2014/15

RECOMMENDATION:

- 1. That Council approves the following schemes as projects in Council's 2013/14 Traffic Safety Program:
 - (i) Bathurst Street, Howick Street to Brisbane Street 50kph speed limit
 - (ii) Wellington Street, Paterson Street to Howick Street 50kph speed limit
 - (iii) Invermay Road, Forster Street to McKenzie Street edge line marking
 - (iv) Henry Street/Vermont Road/Ravenswood Road median turn lane and islands
- 2. That Council supports the following schemes as projects in DIER's 2013/14 Vulnerable Road User Program:
 - (i) John Lees Drive pedestrian and bike path
- 3. That Council does not support the following schemes as projects in DIER's 2013/14 Vulnerable Road User Program:
 - (i) Hobart Road, Kings Meadows part time 40 kph speed limit
 - (ii) Invermay Road, Mowbray part time 40 kph speed limit
- 4. That Council supports, in consultation with DIER, a review of speed limits within the Launceston urban area with the aim to improve clarity and understanding and maximise road safety.

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17.1 Traffic Safety & Vulnerable Road User Schemes...(Cont'd)

DECISION: 23/09/2013

RESOLUTION: (1):

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

That the Recommendation be adopted

Amendment -

RESOLUTION: (2):

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

That (iii) in point 1 of the Recommendation be removed.

ABSENT. DID NOT VOTE - Ald J D Ball, Ald R I Soward

CARRIED UNANIMOUSLY 10:0

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17.1 Traffic Safety & Vulnerable Road User Schemes...(Cont'd)

RESOLUTION: (3):

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

- 1. That Council approves the following schemes as projects in Council's 2013/14 Traffic Safety Program:
 - (i) Bathurst Street, Howick Street to Brisbane Street 50kph speed limit
 - (ii) Wellington Street, Paterson Street to Howick Street 50kph speed limit
 - (iii) Henry Street/Vermont Road/Ravenswood Road median turn lane and islands
- 2. That Council supports the following schemes as projects in DIER's 2013/14 Vulnerable Road User Program:
 - (i) John Lees Drive pedestrian and bike path
- 3. That Council does not support the following schemes as projects in DIER's 2013/14 Vulnerable Road User Program:
 - (i) Hobart Road, Kings Meadows part time 40 kph speed limit
 - (ii) Invermay Road, Mowbray part time 40 kph speed limit
- 4. That Council supports, in consultation with DIER, a review of speed limits within the Launceston urban area with the aim to improve clarity and understanding and maximise road safety.

ABSENT. DID NOT VOTE - Ald J D Ball, Ald R I Soward

AMENDED MOTION PUT AND CARRIED UNANIMOUSLY 10:0

Monday 23 September 2013

17.2 Draft North Bank Masterplan

FILE NO: SF3068

AUTHOR: Matthew Skirving (Manager Architectural Services

DIRECTOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To receive the Draft North Bank Masterplan and determine its suitability for release to commence public consultation.

PREVIOUS COUNCIL CONSIDERATION:

SPPC Agenda Item, 19 November 2012 Draft North Bank Masterplan update.

SPPC Workshop Presentation 13 May 2013 Draft North Bank Masterplan update.

SPPC Workshop Presentation, 2 September 2013. Draft North Bank Masterplan presentation.

RECOMMENDATION:

That Council endorse the Draft North Bank Masterplan (ECM document #3008210), and accompanying Vision & Directions Report, to be released for public consultation for a four week period.

DECISION: 23/09/2013

RESOLUTION: (1):

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

That Council receive the Draft North Bank Masterplan (ECM document #3008210), and accompanying Vision & Directions Report, to be released for public consultation for a six week period.

CARRIED UNANIMOUSLY 10:0

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18 CORPORATE SERVICES

18.1 2012/13 Budget Amendments

FILE NO: SF5724

AUTHOR: Paul Gimpl (Manager Finance)

DIRECTOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To approve budget amendments relating to various expenditure, capital and revenue estimates and thereby amending the Operations budget to a \$6.642m deficit and the Capital budget to \$17.754m for 2012/13.

This decision requires an absolute majority vote of Council in accordance with Section 82(4) of the Local Government Act 1993.

PREVIOUS COUNCIL CONSIDERATION:

Item 9.6 - Audit Committee - 12 September 2013 - It was resolved that the report go to Council for a decision

RECOMMENDATION:

That the Council, pursuant to Sections 82(2) and (4) of the Local Government Act 1993, approve the budget transfers as follows.

1. To reallocate funding from Capital to Operations for 2012/13 in the amount of \$2,098,240 for required accounting treatment.

a)	Roads and Footpaths	
	Bangor Road (Segment 120 - 1570)	22,000
	Bill Grove (Vermont - Clare)	30,681
	Hobart Road (Carr-Nunamina)	26,000
	Hobart Road (Napoleon St - Poplar Pde)	55,000
	Hobart Road Footpath Works	14,000
	Lawrence Vale Road Stage 2	4,500
	Lewis Street (St Leonards-Norfolk)	16,500
	Luck Street Roadworks	16,800
	Penquite Road (Amy Road - Quarantine Road) - Roadworks	159,000
	Penquite Road (Amy Road - Hoblers Bridge) - Roadworks	139,000
	Penquite Road (Dapple - Norwood)	30,000
	Pipers Brook Bridge 601	5,600

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18.1 2012/13 Budget Amendments...(Cont'd)

78,000 Pipers Brook Road Relbia Road Bridge 36,500 Rural Reseal Program 3,300 Station Road (Golconda - 410) 14,926 Urban Footpath Program 74,000 Urban Reseal Program 46,000 Wildor Crescent (Vermont - Henry) 8,000 Windermere Road 105,879 b) Parks and Recreation Cataract Gorge Basin BBQ Shelter 13,410 Civic Square Lighting 6,716 **Directional Signage** 19,914 Heritage Forest Development 23,700 Trails Directional Signage 10,187 West Tamar Trail 9,726

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18.1 2012/13 Budget Amendments...(Cont'd)

West Tamar Trail Bridge 2006 c) Drains and Stormwater	4,180
Gully Pit Connections Stage 1	10,000
Manhole Lid Replacement Program	40,000
Musselboro/Sawpit Rural Open Drains	72,000
Town Point Piling Remedial Work	203,000
Water Quality Improvement Program	68,000
d) Buildings and Facilities	,
Car Park Sustainable Lighting	2,825
Carr Villa Cemetery Extension	32,188
Carr Villa Bushland Perimeter Fence	14,175
Depot Upgrades	169,130
Furniture and Equipment	2,539
Macquarie House Toilet	6,480
Office Alterations	40,000
QVM Building Works	51,432
QVM Collection Review	39,420
QVM Royal Park Rehang	197,814
Royal Park Basement	99,834
Town Hall Electrical Upgrade	8,030
e) Other	
IMMS3 Software	5,130
IT Corporate Software	7,985
IT Infrastructure Additions	9,225
Parking Mobile Devices	3,077
Planning Scheme Review 2013	36,022
Tourism Strategic Plan Airport Equipment	6,415
	2,098,240

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18.1 2012/13 Budget Amendments...(Cont'd)

2. To reallocate funding from Operations to Capital for 2012/13 in the amount of \$158,800 for required accounting treatment.

Aquatic Centre Energy Efficiency to Solar Panels Town Hall	47,800
Road Asset Rural Operations	96,000
Road Asset Rural Operations (no ops tran)	15,000
	158,800

3. To adjust the 2012/13 budget to reflect the net result of external funding changes in the amount of \$1,551,470 in both the Capital and Operations budgets.

Basin Road West Launceston Primary	50,000
Brisbane Court Land	52,600
Old Launceston Seaport Boardwalk	1,000,000
Tunnel Road Contractor Contribution	438,870
Trails Directional Signage	10,000
	1,551,470

DECISION: 23/09/2013

RESOLUTION: (1):

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

That the Recommendation be adopted.

CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY 10:0

Monday 23 September 2013

20 URGENT BUSINESS

Nil

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- 21 WORKSHOP REPORT(S)
- 22 INFORMATION / MATTERS REQUIRING FURTHER ACTION
- 22.1 Information / matters requiring further action

FILE NO: SF3168

AUTHOR: Leisa Hilkmann (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.

Monday 23 September 2013

23 ADVICE OF FUTURE NOTICES OF MOTION

Nil

24 REPORTS BY THE MAYOR

Nil

25 REPORTS BY THE GENERAL MANAGER

Nil

26 CLOSED COUNCIL ITEM(S)

Nil

27 MEETING CLOSURE

The Mayor closed the meeting at 1:45pm.