



**LAUNCESTON CITY COUNCIL**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
MONDAY 10 NOVEMBER 2014**

# LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 10 November 2014

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Pursuant to regulation 4(2) of the *Local Government (Meeting Procedures) Regulations 2005*, the first Ordinary Meeting of the Launceston City Council was held at the Council Chambers -

Date: 10 November 2014

Time: 1.00 pm

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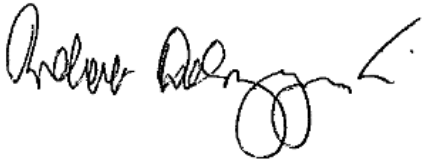
## Section 65 Certificate of Qualified Advice

### Background

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

### Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the minutes items for this meeting.



**Robert Dobrzynski**  
General Manager

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

**In Attendance:**    **Mr R S Dobrzynski (General Manager)**  
   **Ms S Gallery (Corporate Governance Officer)**  
   **Mr D Gray (Committee Clerk/Admin Officer)**

**Apologies:**    **Nil**

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

The Mayor opened the meeting at 1pm.

**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 27 October 2014 be confirmed as a true and correct record.

**DECISION: 10/11/2014**

**RESOLUTION: (1):**

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

**That Recommendation 1 be adopted.**

**CARRIED UNANIMOUSLY 12:0**

**4 DEPUTATION**

Nil

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**5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME**

Meeting Date and Item No.	Question	Answer	Officer Responsible
27 October 2014 10.2	<p>Alderman D C Gibson asked:</p> <p>Can Council provide a status report on the Charlton Street Playground and when will the matter be brought up to date?</p>	<p>Charlton Street Playground is currently listed in draft 2015/2016 Capital Works. Play Space Strategy recommendations indicate the project is in the order of \$70,000 - \$100,000. Assuming the project is ultimately funded by Council the proposed works include</p> <ul style="list-style-type: none"> <li>a) adding an adventurous moving item for older children such as a climbing net,</li> <li>b) additions to the existing playground including double swing frames (Junior &amp; Senior),</li> <li>c) path networks upgraded to link with the existing hard-court area to improve wheelchair accessibility and</li> <li>d) additional seating.</li> </ul>	Harry Galea (Director Infrastructure Service)

**6 PUBLIC QUESTION TIME**

Nil



Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items 7.1 - 7.2.

## 7 PLANNING AUTHORITY

- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; Construction of a building and associated car and bicycle parking and landscaping, pedestrian connections to adjoining public open space; construction of a structure; signage

**FILE NO:** DA0423/2014

**AUTHOR:** Leon Murray (Development Planner)

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

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### DECISION STATEMENT:

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

### PREVIOUS COUNCIL CONSIDERATION:

N/A

### RECOMMENDATION:

That the Council approves DA0423/2014 for Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility & Vehicle Parking; Construction of a Building & associated car & bicycle parking and landscaping, pedestrian connections to adjoining public open spaces; Construction of a Structure; signage at 81-95 Lindsay Street, Crown land and Taroon Street road reserve, Invermay subject to the following conditions:

### ENDORSED PLANS & DOCUMENTS

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

- a. Level 2-9 floor plan - Alternate Option, prepared by Artas Architects Drawing No. A654/A1, Project name north bank silos redevelopment, dated 12/09/2014
-

**7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**

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- b. Level 10 floor plan - Alternate Option, prepared by Artas Architects Drawing No. A655/A1, Project name North bank silos redevelopment, dated 12/09/2014
- c. North elevation plan, prepared by Artas Architects Drawing No. A670/DA1, Project name North bank silos redevelopment, dated 12/09/2014
- d. Floor section plan, prepared by Artas Architects Drawing No. A674/DA1, Project name North bank silos redevelopment, dated 12/09/2014
- e. 3D perspectives plan, Prepared by Artas Architects Drawing No. A699/DA1, Project name north bank silos redevelopment, dated 12/09/2014
- f. Pontoon office floor, elevations and 3D perspective plan, prepared by Artas Architects Drawing No. A801/P2, Project name Pontoon Office, dated 14/04/2014
- g. Northern silos redevelopment engineering project brief, prepared by AJL Consulting Pty Ltd, Report 13189 - EPB// Version 03, dated 15/09/2014
- h. Launceston silos traffic impact assessment, Prepared by GHD Pty Ltd, dated 04/09/2014
- i. North bank silo redevelopment - 'Review of floating pontoon - pleasure boat facility' report, prepared by Burbury Consulting, dated 12/08/2014

### **AMENDED PLANS REQUIRED**

Before the use or development commences, the submitted plans must be amended to show the following requirements:

- a. The relocation of the 'proposed booster pump and sprinkler control valves room' so as to be located within the area defined by the projection of a line from the 'inside' face of the levee footings (consistent with the subdivision plan approved under DA0165/2014);
  - b. The relocation of the '25,000L tank' so as to be located within the area defined by the projection of a line from the 'inside' face of the levee footings (consistent with the subdivision plan approved under DA0165/2014); and
  - c. All consequential alterations to the following plans to facilitate the requirements above.
    - i. Site plan, prepared by Artas Architects, Drawing No. A650/DA3, Project name North bank silos redevelopment, dated 10/10/2014
    - ii. Ground floor plan, prepared by Artas Architects, Drawing No. A651/DA3, Project name North bank silos redevelopment, dated 10/10/2014
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**7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**

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- iii Level 1 floor plan - alternate option, prepared by Artas Architects, Drawing No. A652/DA1, Project name North bank silos redevelopment, dated 12/09/2014
- iii. Level 1 Floor plan - alternate option, Prepared by Artas Architects, Drawing No. A653/DA, Project name North bank silos redevelopment, dated 12/09/2014
- d. The site plan must be amended to reflect the two amended pedestrian linkages from the silos development to the public open space on the eastern and western side of the silos development. The linkages must be designed to the satisfaction of the planning authority.
- e. Reconfiguration of the car parking to ensure that the motorcycle parking is contained wholly within the site and not the Lindsay Street road reserve.
- f. Replacement of the proposed kerb returns for the vehicle accesses with standard kerb laybacks
- g. Relocation of the pedestrian path along the frontage of the site to be at the back of kerb.
- h. The sewerage and reticulated water layout for the office associated with the pontoon which is fully separated from the hotel's internal drainage.

The amended plans must be drawn to scale with dimensions and four copies must be provided. When approved by the planning authority, the plans will be endorsed and will then form part of the permit and will supersede the original plans.

## **PROTECTION OF EXISTING TREES**

Existing trees identified for retention (including the native riparian melaleucas) 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 *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees.*

## **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 Council so as to prevent any erosion or siltation either on or adjacent to the land.

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- 7.1 **87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**
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## **LANDSCAPING PLAN**

### *Site*

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the planning authority. Once approved by the planning authority, it will form part of this permit. The approved landscaping of the site must be complete prior to the sealing of the final plan of survey (refer to permit DA0165/2014).

### *Street and Public Land*

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the planning authority. The landscape plan is to mark the existing peppercorn at the street frontage of the site for removal. Once approved by the planning authority, it will form part of this permit. The approved landscaping of the site must be complete prior to the sealing of the final plan of survey (refer to permit DA0165/2014).

## **STREET LANDSCAPING**

The landscaping must:

- b. Be completed within 3 months of the commencement of the use. Provide Peppercorn trees (*Schinus molle*) along the Lindsay Street nature strip with a minimum planted height of 3 metres, a minimum caliper of 50mm and at an average spacing of one per 16m of frontage.
  - c. Have each street tree provided with a means of irrigation and an anti-vandalism tie down to prevent removal.
  - d. Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each street tree.
-

**7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**

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## **AMENDED EMERGENCY MANAGEMENT PLAN**

Prior to the commencement of the use an amended emergency management plan must be submitted to and endorsed by the planning authority. The details of the plan must consider (but may not be limited to):

- a. The risks to life;
- b. The likely impact on the use or development;
- c. How the risk associated with the use or development will be managed to tolerable levels, including clear trigger points for:
  - i. Evacuation of the silos development (in conjunction with advice from the Department of Police and Emergency Management and the planning authority); and
  - ii. Removal of the pleasure boat facility ticket office and pontoon, where they would be stored during flood events, the persons responsible for their removal and who bears the cost of their removal. The flood level trigger point for removal of the pontoon and ticket office is as soon as practicable after the first low level flood warning issued by the Bureau of Meteorology (BOM) for a flood event that is likely to reach 1810 cumecs.

The plan must consider the performance of the building during an overtopping event or a breach of the levee in the vicinity. It must consider the likely characteristics of the flood in these scenarios and ensure that these have been effectively considered in the design of the building taking into account any mitigation measure proposed for the site or in the vicinity.

## **CAR PARKING CONSTRUCTION - PLEASURE BOAT FACILITY**

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. Be designed to comply with the following suite of Australian Standards AS 2890.1 Off-street car parking, AS 2890.3 Bicycle parking facilities and AS 2890.6 Off-street parking for people with disabilities;
  - b. Be properly constructed to such levels that they can be used in accordance with the plans;
  - c. Be drained to the planning authority's requirements. This includes runoff being diverted to an interceptor trap or gross pollutant trap before discharging to the river;
-

**7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**

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- d. Be line-marked or otherwise delineated to indicate each car space and access lanes;
- e. Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the planning authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas; and
- f. Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site; and
- g. Within 24 months of the hotel use commencing the car park must be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers which is capable of withstanding periodic inundation;

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

**CAR PARKING CONSTRUCTION - SILOS HOTEL**

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. Be designed to comply with the following suite of Australian Standards AS 2890.1 Off-street car parking, AS 2890.2 Off-street commercial vehicle facilities (for the nominated design vehicles), AS 2890.3 Bicycle parking facilities and AS 2890.6 Off-street parking for people with disabilities;
  - b. Be properly constructed to such levels that they can be used in accordance with the plans;
  - c. Be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers;
  - d. Be drained to the planning authority's requirements;
  - e. Be line-marked or otherwise delineated to indicate each car space and access lanes;
  - f. Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the planning authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas;
-

**7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**

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- g. Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site; and
  - h. Have a discreetly directional sign of not more than 0.3m<sup>2</sup> must be provided at the entrance to the site indicating the availability of off-street visitor parking.
- Parking areas and access lanes must be kept available for these purposes at all times.

### **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.

### **WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed traffic management plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742.

The explicit permission of Council's Roads & Hydraulics Department is required prior to undertaking works where the works:

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

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

All works that involve the opening or breaking of trafficable surfaces within the road reserve must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with Council as a "Registered Contractor".

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- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**
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## **TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

## **VEHICULAR CROSSINGS**

Before the commencement of the use, two new vehicular crossovers must be provided to service this development. An application for such work must be lodged on the approved form. All unused crossovers and driveways must be removed prior to the occupation of the development.

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

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

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- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**
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## **SECTION 71 AGREEMENT**

The owner, under Section 71 of the *Land Use Planning and Approvals Act 1993*, must enter into an agreement with the City of Launceston to the effect that:

- a. The proposed hotel as the predominant user of the recommissioned Taroona Street sewer pump station will be responsible for the day to day operation of the shared infrastructure including the pump station and pipelines connecting to the TasWater public sewer.
- b. The proposed hotel will be responsible for scheduling and all routine maintenance
- c. Council will transfer ownership of the pump station to the proposed hotel and consent to the creation of all necessary easements required for the gravity and rising mains and the pump station.
- d. Upon completion of the proposed amenities block associated with the Northbank Development which will connect to the pump station, Council will reimburse:
  - i. The annual sewer charges levied by TasWater; and
  - ii. Routine maintenance costsat a rate *proportional* to the equivalent tenements (ET) calculated by TasWater for the hotel and amenities block.
- e. Costs associated wilful or negligent damage by the Council to the shared infrastructure will be borne by the Council; and
- f. The agreement should provide for the ability for the parties to review the financial arrangements contained in the agreement from time to time or upon request, with appropriate mechanisms for dispute resolution specified.

Such agreement must be placed on the certificate of title in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*. All reasonable costs associated with the preparation and registration of the agreement must be met by the applicant.

## **NO POLLUTED RUNOFF**

No polluted or sediment laden runoff is to be discharge directly or indirectly into the Council's drains or watercourses during or after development.

## **HOURS OF OPERATION FOR PLEASURE BOAT FACILITY**

The pleasure boat facility must only operate between the hours of 6.00 am and 12.00 am.

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- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**
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## **EXHAUST SYSTEM**

The exhaust canopy must comply with AS/NZS 1668.1991. The exhaust canopy must operate to ensure that no environmental nuisance is caused as a result of noise, odours or fumes emitted from the exhaust canopy to the exterior of the building.

## **AMENITY**

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

## **EXTERIOR AND SECURITY LIGHTING**

Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.

## **NO BURNING OF WASTES**

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

## **DEMOLITION**

The developer must:

- a. Protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- b. Not undertake any burning of waste materials on site;
- c. Remove all rubbish from the site for disposal at a licensed refuse disposal site; and
- d. Dispose of any asbestos found during demolition in accordance with the Workplace Tasmania's 'Code of Practice for the Safe Removal of Asbestos.'

## **WASTE DISPOSAL BINS - COMMERCIAL**

Commercial waste disposal bins must be provided on the site. The bins provided must not occupy or obstruct access to any car parking or loading area indicated on the endorsed plan or be visible from any public road or place unless being serviced.

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## COUNCIL MINUTES

Monday 10 November 2014

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- 7.1 **87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**
- 

### **NOISE**

All compressors, air conditioning units and heating or refrigeration systems to be installed within an area which is so constructed as to prevent noise emissions affecting occupiers of other premises and to operate in accordance with the requirements of the EPA.

### **MECHANICAL PLANT**

- a. All mechanical plant and equipment (e.g. air conditioning, heat pumps or the like) above 10m high on the southern silos wall must not be visible from public viewpoints or from publicly accessible areas on the land.
- b. All mechanical plant and equipment on the ground floor must be screened from public view.

### **PYLON SIGN**

The pylon sign must not be illuminated.

### **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.

### **LEGAL TITLE**

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

### **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

#### General

*This permit was issued based on the proposal documents submitted for DA0423/2014. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).*

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**7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**

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*This permit takes effect after:*

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

*This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.*

*Restrictive Covenants*

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

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

*Access for People with a Disability*

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

*Building Permit Required*

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

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**7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)**

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Occupancy Permit Required

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

Plumbing Permit Required

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

Food Business to Register

*Prior to the commencement of operation the applicant is required to register as a food business in accordance with section 86 of the Food Act 2003. Food Premises must comply with National Construction Code TAS Part H102 and AS 4674 "Design, Construction and Fit-out of Food Premises."*

Place of Assembly to Licence

*Prior to the occupation of the premises the applicant is required to attain registration for any Place of Assembly activity in accordance with the Public Health Act 1997.*

Appeal Provisions

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

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

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

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- 7.1 87 Lindsay Street, 89-91 Lindsay Street and 95 Lindsay Street, Invermay - Visitor Accommodation, Food Services, Hotel Industry, Community Meeting & Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking, Construction of a building and (Cont'd)
- 

Permit Commencement.

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

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

Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of Agenda Items 7.1 – 7.2 inclusive.

The Deputy Mayor took the Chair at 1:09pm.

The Mayor resumed the Chair at 1:10pm.

**DECISION: 10/11/2014**

**RESOLUTION: (1):**

Moved Alderman E K Williams, seconded Alderman J Finlay.

That the Recommendation be adopted, subject to the following amendment to street landscaping:

**STREET LANDSCAPING**

The landscaping must:

- a) Be completed within 3 months of the commencement of the use. Provide street trees to the satisfaction of the Director Development Services along the Lindsay Street nature strip with a minimum planted height of 3 metres, a minimum caliper of 50mm and at an average spacing of one per 16m of frontage.
- b) Have each street tree provided with a means of irrigation and an anti-vandalism tie down to prevent removal.
- c) Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each street tree.

**CARRIED UNANIMOUSLY 12:0**

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## COUNCIL MINUTES

Monday 10 November 2014

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### 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed

**FILE NO:** DA0326/2014

**AUTHOR:** Jacqui Tyson, (Town Planner)

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

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#### **DECISION STATEMENT:**

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

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

There are no records of previous Council decisions for the subject properties.

#### **RECOMMENDATION:**

That Council refuse DA0326/2014 for Residential - single dwelling; subdivision and adhesion of title and construction of a new outbuilding on land located at 21 West Street and 14 North Street, South Launceston on the following grounds:

1. The development application does not comply with Clause 11.4.4.2 of the Launceston Interim Planning Scheme 2012 on the basis that the proposed lot for 14 North Street, South Launceston is not of sufficient size to satisfy the performance criteria.
  2. The development application does not comply with the intent of the Inner Residential zone of the Launceston Interim Planning Scheme 2012 on the basis that the proposed use and development:
    - does not provide for increased residential densities;
    - is not in character with the historically established area;
    - does not enhance the inner city residential areas; and
    - does not provide a high standard of residential amenity and streetscape contribution.
- 
-

- 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)**
- 

**Matthew Brammall spoke to this item**

**Tim Grigg spoke to this item**

**Yyan Ng spoke to this item**

**DECISION: 10/11/2014**

**RESOLUTION: (1):**

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

**That Council approve DA0326/2014 for Residential - single dwelling; subdivision and adhesion of title and construction of a new outbuilding on land located at 21 West Street and 14 North Street, South Launceston, subject to the following conditions:**

**1. ENDORSED PLANS & DOCUMENTS**

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

- a. Location Plan, Prepared by Mathinna Design Studio, Project No. 201404, Drawing No. A01, Proposed Workshop/Garage - 21 West St/14North St, Dated 9/16/2014.**
  - b. Site Plan, Prepared by Mathinna Design Studio, Project No. 201404, Drawing No. A02, Proposed Workshop/Garage - 21 West St/14North St, Dated 9/16/2014.**
  - c. Subdivision Plan, Prepared by Mathinna Design Studio, Project No. 201404, Drawing No. A04, Proposed Workshop/Garage - 21 West St/14North St, Dated 9/16/2014.**
  - d. Existing Driveway Plan, Prepared by Mathinna Design Studio, Project No. 201404, Drawing No. A07a, Proposed Workshop/Garage - 21 West St/14North St, Dated 9/25/2014.**
  - e. Ground Floor Plan, Prepared by Mathinna Design Studio, Project No. 201404, Drawing No. A08, Proposed Workshop/Garage - 21 West St/14North St, Dated 9/16/2014.**
  - f. North and South Elevation, Prepared by Mathinna Design Studio, Project No. 201404, Drawing No. A09, Proposed Workshop/Garage - 21 West St/14North St, Dated 9/16/2014.**
  - g. East and West Elevation, Prepared by Mathinna Design Studio, Project No. 201404, Drawing No. A10, Proposed Workshop/Garage - 21 West St/14North St, Dated 9/16/2014.**
-



- 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)**
- 

- h. Section AA, Prepared by Mathinna Design Studio, Project No. 201404, Drawing No. A01, Proposed Workshop/Garage - 21 West St/14North St, Dated 9/16/2014.**
- i. Full Elevation, Prepared by Mathinna Design Studio, Project No. 201404, Drawing No. A11a, Proposed Workshop/Garage - 21 West St/14North St, Dated 9/24/2014.**

**2. LEGAL TITLE**

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

**3. 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.

**4. 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 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.**
- c. Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**

**5. NO HUMAN HABITATION**

The building must not be used for human habitation.

**6. INDUSTRIAL OR COMMERCIAL USE**

The building must not be used for commercial or industrial use.

**7. EXTERNAL FINISHES**

All external materials, finishes and colours must be in accordance with the Schedule of Materials/Colours shown on the endorsed plans.

**8. HERITAGE**

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Application No. 4551, endorsed as part of this permit.

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- 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)**
- 

**9. DEMOLITION**

The Developer must:

- a. protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary.
- b. not undertake any burning of waste materials on site.
- c. remove all rubbish from the site for disposal at a licensed refuse disposal site.

Dispose of any asbestos found during demolition in accordance with the Workplace Tasmania's 'Code of Practice for the Safe Removal of Asbestos.

**10. AMENITY**

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

**11. NOISE NUISANCE**

No sound is to be emitted from any device or from any source or activity on the land so as to become a proven environmental nuisance to the occupiers of properties nearby.

**12. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

**13. 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.

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- 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)
- 

**13. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742.

The explicit permission of Council's Roads & Hydraulics Department is required prior to undertaking works where the works:

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

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

All works that involve the opening or breaking of trafficable surfaces within the road reserve must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with Council as a "Registered Contractor".

**14. SOIL AND WATER MANAGEMENT PLAN**

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

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

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

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

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- 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)
- 

## 16. CONSTRUCTION OF RETAINING WALLS

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

### Notes

#### General

*This permit was issued based on the proposal documents submitted for DA0326/2014. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).*

*This permit takes effect after:*

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

*This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.*

#### Building Permit Required

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

#### Plumbing Permit Required

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

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- 7.2 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)
- 

### Other Approvals

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

- Council Building permit
- Council Plumbing permit

### Appeal Provisions

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

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

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

### Permit Commencement.

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

**LOST 6:6**

FOR VOTE - Ald R I Soward, Ald R L McKendrick, Ald D H McKenzie, Ald J G Cox, Ald A E Dawkins, Ald E K Williams

AGAINST VOTE - Ald A M van Zetten, Ald R J Sands, Ald D C Gibson, Ald J Finlay, Ald D W Alexander, Ald S R F Wood

RESOLUTION: (2):

Moved Alderman J Finlay, seconded Alderman R J Sands.

That the original Recommendation be adopted.

FOR VOTE - Ald A M van Zetten, Ald R J Sands, Ald D C Gibson, Ald J Finlay, Ald D W Alexander, Ald S R F Wood

AGAINST VOTE - Ald R I Soward, Ald R L McKendrick, Ald D H McKenzie, Ald J G Cox, Ald A E Dawkins, Ald E K Williams

**LOST 6:6**

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

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**8 ANNOUNCEMENTS BY THE MAYOR****8.1 Mayor's Announcements**

The Mayor acknowledged Northern Tasmania's achievements at the annual Tasmanian Tourism Awards in Hobart on Thursday 6 November 2014, with congratulations to the following recipients:

- Junction Arts Festival - Tasmania's best festival and event
- Launceston Airport - specialised tourism service category
- Josef Chromy Cellar Door, Restaurant and Function Centre - Tasmania's finest tourism restaurant
- James Boag's Brewery - tourism wineries, distilleries and breweries category
- Rebecca King, Kingthing Marketing, Launceston based tourism consultant - tourism education and training category.

Launceston City Council has been announced the winner of the Keep Australia Beautiful (Tasmania) 2014 Sustainable Cities Award. The Mayor thanked all staff involved and in particular Trevor Galbraith (Projects Officer).

The Mayor attended the Launceston College Graduation Ceremony on Wednesday 5 November 2014 and commended the quality of Launceston's youth. Congratulations to Jack Soward who received the ANZAC Centenary Gallipoli trip award.

On Friday 7 November 2014, along with Alderman McKenzie, the Mayor attended the launch of the latest book from Phillip Kuruvita, titled "Launceston - a sense of place".

The Mayor acknowledged former Alderman Peck's services to Council and in particular his service to Launceston's sister city relationships and tourism.

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**9 ALDERMEN'S/DELEGATES' REPORTS****9.1 Alderman Gibson - Launceston Safer Communities Partnership Meeting**

**Alderman D C Gibson reported:**

- **Tasmanian Multicultural Council representative and newly elected Alderman to Hobart City Council, Anna Reynolds, attended the Launceston Safer Communities Partnership Meeting and provided ideas, suggestions and examples in regard to inclusion and battling racism. The Committee intends to investigate these matters further and to bring recommendations to Council as a result of Anna's presentation**
  - **The recent report from Tasmania Police regarding car burglaries was noted highlighting the statistic that 52% of the total amount of cars that are burgled are cars left unlocked. The Committee's advertising initiatives in relation to this were noted**
  - **Congratulations to Aunty Phyllis Pitchford, recipient of the Aboriginal and Torres Strait Islander Higher Education Advisory Council Award for Elders and Leaders in Higher Education.**
-

## 9.2 Alderman Finlay - Aldermen's Induction

Alderman J Finlay reported:

- Acknowledgement and thanks were given to the General Manager and staff involved in delivering the recent induction for Aldermen.
-



**9.3 Alderman McKenzie - Stan Siejka Launceston Cycling Classic, Signature Event**

**Alderman D H McKenzie reported:**

- **The upcoming Stan Siejka Launceston Cycling Classic event will be held on Sunday 7 December 2014 and the 2013 Tour de France champion, Chris Froome, will be competing in this event.**
-

**9.4 Alderman McKendrick - Franklin House Committee**

**Alderman R L McKendrick reported:**

- **The Franklin House schools program continues to be a success**
  - **Advised and promoted the Franklin House Facebook page.**
-

**10 QUESTIONS BY ALDERMEN****10.1 Alderman Soward - Improvements to Play Spaces and Parks**

**Alderman R I Soward asked:**

**Can Council provide a brief update on the play spaces and parks review? In addition, can Council provide a timeframe for when it plans to commence works on new or rejuvenated areas?**

**Robert Dobrzynski (General Manager) provided clarification and frameworks regarding the proposed place spaces at North Bank and advised that a further briefing on North Bank will be provided to Aldermen on Monday 24 November 2014.**

**Robert Dobrzynski (General Manager) advised that as a result of the review, Council is looking at creating memorable experiences at playgrounds for a range of ages and Aldermen will be given the opportunity for consultation in the design of future works as details are provided.**

**Harry Galea (Director Infrastructure Services) advised of the comprehensive strategy being undertaken as a result of the review.**

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**11 COMMITTEE REPORTS****11.1 Tender Review Committee Meeting - 20 October 2014****FILE NO:** SF0100**AUTHOR:** Raj Pakiarajah (Manager Projects)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

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

**RECOMMENDATION:**

That Council receive the report from the Tender Review Committee meeting held on 20 October 2014.

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

**DECISION:** 10/11/2014**RESOLUTION:** (1):**Moved Alderman D H McKenzie, seconded Alderman R L McKendrick.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

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**12 COUNCIL WORKSHOPS**

Nil

**13 PETITIONS**

Nil

**14 NOTICES OF MOTION - FOR CONSIDERATION**

Nil

**15 DEVELOPMENT SERVICES**

No Reports

**16 FACILITIES MANAGEMENT**

No Reports

**17 QUEEN VICTORIA MUSEUM AND ART GALLERY**No Reports

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**18 INFRASTRUCTURE SERVICES****18.1 Council Fees - Launceston Waste Centre 2014/15****FILE NO:** SF6082**AUTHOR:** Rachael Eberhardt (Acting Senior Waste Management Officer)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider disposal fees for the Launceston Waste Centre and pensioner concession entries between 1 January 2015 to 30 June 2015.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Item 17.2 - 9 December 2013

Approval of landfill and transfer station fees to achieve full cost recovery and approval of final design and construction of the resale shop and recycling centre.

SPPC Workshop - 18 November 2013

Further discussion, questions and answers on:

- sustainable waste fee review
- resale shop and recycling centre operator
- construction of resale shop and recycling centre
- peer review undertaken by Resource Recovery Australia.

SPPC Workshop - 7 October 2013

Briefing on the status of the:

- sustainable waste fee review
  - resale shop and recycling centre operator
  - construction of resale shop and recycling centre.
-

**18.1 Council Fees - Launceston Waste Centre 2014/15...(Cont'd)**

**RECOMMENDATION:**

1. That Council set the following fees under Section 205 of the Local Government Act 1993. The new fees will apply for 1 January 2015 through to ending of financial year 30 June 2015.

Details	GST Status	2014/15 GST Inclusive
<b>Launceston Waste Transfer Station</b>		
Domestic Entry - (\$10 minimum charge (0.185t)) per tonne Car/Wagon/Dual cab ute/Ute/Van/Single axle trailer/ Tandem axle trailer/small truck (up to 3.0 T GVM) Includes Regional Waste Levy of \$5.00 per tonne or part thereof. The Levy is exempt from GST. GST is included in the remainder of the waste disposal charge. (Domestic Entry - means service provided at waste transfer station for non-commercial users and where ≤ 0.75 tonnes)	Mixed	\$54.00
Refrigerators/air conditioners - (\$10 minimum charge (0.185t)) per tonne Includes Regional Waste Levy of \$5.00 per tonne or part thereof. The Levy is exempt from GST. GST is included in the remainder of the waste disposal charge.	Mixed	\$54.00
Mattress Disposal (All mattress sizes) Includes \$0.90 Regional Waste Levy. The Levy is exempt from GST. GST is included in the remainder of the waste disposal charge.	Mixed	\$10.00

2. That Council provide 6 tickets per pensioner for the period 1 January 2015 to 30 June 2015 distributed in accordance with 12-PI-014 Concessional Entry to Council's Waste Disposal Facilities Policy. Each ticket is for Domestic Entry valued at the \$10 minimum fee or the equivalent weight of 185kg (or part thereof).

**Mr H Galea (Director Infrastructure Services) was in attendance to answer questions of Council in respect of Agenda Items 18.1 – 18.2 inclusive.**

**DECISION: 10/11/2014**

**RESOLUTION: (1):**

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

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY 12:0**

**18.2 Council Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001)****FILE NO:** SF0762**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider the scheduled review of Council's Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001).

**PREVIOUS COUNCIL CONSIDERATION:**

Item 13.2 Council - 5 September 2005

**RECOMMENDATION:**

That Council's existing Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001) be reaffirmed as set out below with minor changes as underlined in the definitions.

***Contribution to Boundary Fences (Non Road Reserves) Policy:******PURPOSE:***

To define under what circumstances Council will contribute to the construction or repair of boundary fences adjoining Council property.

***SCOPE:***

All side boundaries adjoining Council owned property. Does not apply to fence boundaries adjoining a road as defined in the Boundary Fences Act 1908.

***POLICY:***

1. Council will contribute to the replacement and/or repair of common boundary fencing up to the extent of one half of the ruling rate per metre for the construction of a 3 rail 1.5 metre high timber paling fence with galvanised iron posts set in concrete.
  2. If a fence of a lesser standard is required the level of contribution will be equal to half the costs of construction.
-



**18.2 Council Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001)...(Cont'd)**

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3. If a fence of a higher standard is required the level of contribution will not exceed half the set ruling rate per metre for a 1.5 metre fence described in 1 above.
4. Council will not retrospectively pay for boundary fencing work.
5. No contribution will be made:
  - a) Where the fence bounds a road as defined in the Boundary Fences Act 1908.
  - b) Where the fence is in sound condition (as determined by an Accredited Building Practitioner) but the owner wishes to upgrade it or alter its style.
  - c) Where the negligent actions of the owner/occupier have caused unnecessary damage to the fence.
6.
  - a) Where the Council requires a fence type higher than 1.5 metres for amenity reasons Council will pay the difference between the standard set ruling rate for a 1.5 metre fence and the higher fence.
  - b) Where the land owner and Council agree that a best solution is a fence higher than 1.5 metres then the cost will be shared equally.
7. Where a fence is required as a result of any new roads being formed by Council the cost of this work shall be borne fully by Council.

***PRINCIPLES:***

The Council's Organisation Values apply to all activities.

***RELATED POLICIES & PROCEDURES:***

N/A.

***RELATED LEGISLATION:***

Boundary Fences Act 1908.

***REFERENCES:***

N/A.

***DEFINITIONS:***

Ruling rate per metre is to be calculated by the Manager Parks and Recreation every second financial year by averaging quotations from 3 contractors.

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**18.2 Council Contribution to Boundary Fences (Non Road Reserves) Policy (26-PI-001)...(Cont'd)**

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***REVIEW:***

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council approval.

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**DECISION: 10/11/2014**

**RESOLUTION: (1):**

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

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY 12:0**

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**19 CORPORATE SERVICES**

**No Reports**

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## COUNCIL MINUTES

Monday 10 November 2014

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### 20 GENERAL MANAGER

#### 20.1 Council Meeting Frequency & Commencement Times 2015

FILE NO: SF0095

AUTHOR: Leisa Hilkmann (Committee Clerk / Administration Officer)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

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#### DECISION STATEMENT:

To consider and endorse the commencement times and dates for the ordinary Council and Strategic Planning & Policy Committee meetings for the remainder of 2014 and 2015.

**Pursuant to regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2005*, this decision requires an absolute majority of Council.**

#### PREVIOUS COUNCIL CONSIDERATION:

Item 17.3 - Council - 19 November 2007

Item 17.2 - Council - 30 November 2009

Item 18.2 - Council - 13 December 2010

Item 18.1 - Council - 14 November 2011

#### RECOMMENDATION:

That Council consider and endorse the 2014 (remainder) and 2015 meeting schedule for ordinary Council and Strategic Policy and Planning Committee (SPPC) meetings, as follows:

1. ordinary Council meetings to occur on the second and fourth Monday of each calendar month (or Tuesday in the case of a public holiday), commencing at 1.00pm
  2. Strategic Planning & Policy Committee Meetings be held on the first and third Monday of each month (or Tuesday in the case of a public holiday), excluding January, commencing at 10.00am
  3. the final ordinary Council meeting for 2014 be held on 8 December 2014, recommencing on Tuesday 27 January 2015 (following the Australia Day public holiday).
- 
-

**20.1 Council Meeting Frequency & Commencement Times 2015...(Cont'd)**

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Mr J Davis (Manager Corporate Strategy) was in attendance to answer questions of Council in respect of this Agenda Item.

**DECISION: 10/11/2014**

**RESOLUTION: (1):**

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

**That the Recommendation be adopted, subject to the following amendments to the schedule:**

- **the Ordinary Council Meeting of Wednesday 20 April 2015 be amended to Monday 20 April 2015**
- **the Strategic Policy and Planning Committee Meeting of Monday 6 April 2015 be amended to Wednesday 8 April 2015**
- **the Annual General Meeting (1 December 2014) commencement time be amended to 5.30pm.**

**CARRIED UNANIMOUSLY 12:0**

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**21 URGENT BUSINESS**

Nil

**22 INFORMATION / MATTERS REQUIRING FURTHER ACTION**

Nil

**23 CLOSED COUNCIL**

No Reports

**24 MEETING CLOSURE**

The Mayor closed the meeting at 2:04pm.

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