



**LAUNCESTON CITY COUNCIL**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
MONDAY 28 JULY 2014**

# LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 28 July 2014

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

Date: 28 July 2014

Time: 1.00 pm

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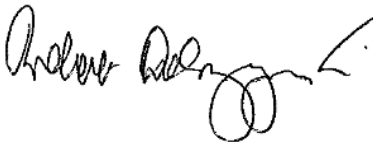
## Section 65 Certificate of Qualified Advice

### 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 minute items for this meeting.



**Robert Dobrzynski**  
General Manager

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# LAUNCESTON CITY COUNCIL

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

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

**Apologies:**                    **Alderman**            **A C Peck**  
   **R L Armitage**

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## 1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES

The Mayor opened the meeting at 1.00pm and noted apologies from Ald Peck and Ald Armitage.

A one minute silence was observed for the victims of the MH17 Malaysian Airlines flight.

## 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 14 July 2014 be confirmed as a true and correct record.

### DECISION: 28/07/2014

### RESOLUTION: (1):

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

That Recommendation 1 be adopted.

**CARRIED UNANIMOUSLY 10:0**

2. That the Minutes of the meeting of the Launceston City Council held on 14 July 2014 in closed session be confirmed as a true and correct record.

### RESOLUTION: (2):

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

That Recommendation 2 be adopted.

**CARRIED UNANIMOUSLY 10:0**

## 4 DEPUTATION

Nil

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

<b>Meeting Date &amp; Item No.</b>	<b>Question</b>	<b>Answer</b>	<b>Officer Responsible</b>
14 July 2014 Item 10.1	Ald Gibson asked: Regarding an advertisement for a Northern Conference and Events person to be appointed by Business Events Tasmania, Tourism Northern Tasmania and Launceston City Council have expressed interest in housing this position. It is understood that funding has been secured and budget allocations made. Has there been any correspondence or discussions regarding this issue thus far and is there potentially an opportunity for this position to be full time?	Response:  Business Events Tasmania has established a new position based in the north, the hours for which were determined by the level of available funding - through its own budget and with contributions from the Meander Valley Council, West Tamar Council and an increased contribution (an additional \$5,000 to \$25,000 in 2014/15) from the Launceston City Council. The CEO of Business Events Tasmania has advised that a decision on where the officer will be accommodated has not been finalised.	Michael Stretton (Director Development Services)

**6 PUBLIC QUESTION TIME**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 7.1.

## **7 PLANNING AUTHORITY**

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility**

**FILE NO:** DA0213/2014

**AUTHOR:** Claire Fawdry (Town Planner)

**DIRECTOR:** Michael Stretton (Director Development Services)

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### **DECISION STATEMENT:**

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

### **PREVIOUS COUNCIL CONSIDERATION:**

DA0036/2012 Demolition - demolish existing units (two buildings); Construction of a building - eight units; Redevelop part of building for use as a community activity centre associated with Retirement Village

### **RECOMMENDATION:**

That the Council approves DA0213/2014 for Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility at 6 Flowers Court and 1 Arundel Street, Newstead 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. Site Plan Existing prepared by Artas Architects, Drawing No. A612/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 13-06-14;
  - b. Site Plan prepared by Artas Architects, Drawing No. A601/A2, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 16-06-14;
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**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

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- c. Part Site Plan prepared by Artas Architects, Drawing No. A600/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - d. Site Demolition Plan prepared by Artas Architects, Drawing No. A613/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 16-06-14;
  - e. Ground Floor Demolition Plan prepared by Artas Architects, Drawing No. A614/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 16-06-14;
  - f. Basement Floor Plan prepared by Artas Architects, Drawing No. A602/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - g. Lower Ground Floor Plan prepared by Artas Architects, Drawing No. A603/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14 (Plan to be Amended);
  - h. Ground Floor Plan prepared by Artas Architects, Drawing No. A604/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - i. Robinson Wing Elevation 1, New Robinson & Wilkinson Wing, Robinson Elevation 2, Wilkinson Wing Elevation 1, Wilkinson Wing Elevation 2, Arundel St Wing South, Arundel St Wing North, Elevation 11 prepared by Artas Architects, Drawing No. A605/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14 (Plan to be Amended);
  - j. Arundel St / Amy Rd Wing Western Elevation prepared by Artas Architects, Drawing No. A606/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - k. Existing Sun Shade Diagrams - March 21st and Proposed Sun Shade Diagrams - March 21st prepared by Artas Architects, Drawing No. A607/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - l. Existing Sun Shade Diagrams - June 21st and Proposed Sun Shade Diagrams - June 21st prepared by Artas Architects, Drawing No. A608/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
  - m. Existing Sun Shade Diagrams - September 21st and Proposed Sun Shade Diagrams - September 21st prepared by Artas Architects, Drawing No. A609/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
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**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

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- n. Existing Sun Shade Diagrams - December 21st and Proposed Sun Shade Diagrams - December 21st prepared by Artas Architects, Drawing No. A610/A1, Project Name: Alterations & Additions to Fred French Nursing Home for Fred French, Project No. 121075, Revision No. A1, Dated 29-04-14;
- o. Planning Submission prepared by PDS, Project Name: Alterations and Additions to Existing Nursing Home and Associated Car Parking; Subdivision - Boundary Adjustment and Consolidation; Demolition of Dwelling for Fred French Nursing Home, 9-17 Amy Road and 6 Flowers Court and 1 Arundel Street, Newstead (Artas Architects);
- p. Traffic Impact Assessment prepared by GHD Pty Ltd, Project Name: Fred French Masonic Nursing Home for Artas Architects, Dated April 2014.

### **AMENDED PLANS REQUIRED**

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

- a. External louvers/screening permanently affixed to the three windows on the New Arundel St Wing North Elevation to minimise overlooking and loss of privacy into the private open space of 19 Amy Road.

### Lower Ground Floor Car Parking off Arundel Street:

- b. The supporting columns for the upper level are to be relocated to be in accordance with the requirements of Australian Standard AS2890.1 and particularly Figure 5.1 and Figure 5.2;
  - c. Minimum headroom clearance for all undercover parking shall be 2200mm as specified in Clause 5.3 of AS2890.1;
  - d. Spaces abutting a wall or obstruction greater than 150mm high are to be increased in width by 300mm, including parking spaces 40, 42 and 45;
  - e. Installation of a bollard in the shared spaced associated with the parking space for persons with a disability, parking space 12, in accordance with AS2890.6;
  - f. Widening of the parking spaces 13 and 14 located in the car park off Amy Road to be 2500mm wide as required for User Class 2 parking;
  - g. Sufficient space for the manoeuvring of the deliveries vehicles within the areas designated as loading and deliveries and turning bay for the nominated delivery vehicle, demonstrated by the provision of swept paths;
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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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- h. Reconfiguration of the bicycle parking layout to accordance with the requirements of AS2890.3; and
- i. All consequential changes required to facilitate the above requirements.

## **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.

## **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.

## **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.

## **TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2014/00421-LCC) (Attachment 2).

## **SITE LANDSCAPING**

The landscaping must be:

- a. Installed in accordance with the endorsed plan; and
- b. Completed within 3 months of the use commencing; and
- c. Maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Council.

## **FENCING**

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

- a. 1.2m within 4.5m of the frontage; and
  - b. between 1.8m and 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.
-

- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
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## **ADHESION OF TITLES**

Prior to the issuing of the Occupancy Certificate, or the commencement of the works, Volume 147605 Folio 2 and Volume 13953 Folio 23 must be consolidated into a single title under the *Local Government (Building and Miscellaneous Provisions) Act 1993*. The plan must be certified by the Council and lodged with the Land Titles Office for approval.

## **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 undertaken by, or under the supervision of a tradesman/contractor who is registered with Council as a "Registered Contractor".

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

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

The Traffic Management Plan must be prepared in accordance with the relevant Australian Standard, codes of practice and guidelines. A copy of the Traffic Management Plan must be maintained on the site while works are being undertaken and all works must be in accordance with the plan.

## **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 Council specifications and standard drawing G-01 Trench reinstatement.

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**7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**

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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, a new vehicular crossover 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 the Council's Road Assets Department.

The new crossing must be constructed to Council standards by a contractor to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (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.

### **CAR PARKING CONSTRUCTION**

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, 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 Councils 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 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(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,
  - 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.

## **EASEMENTS**

Easements are required over all Council and third party 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. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

## **SEALING PLANS OF SUBDIVISION**

The Plan of Survey specified in the Permit shall not 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.

Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

## **DISPOSAL OF GAS CYLINDERS**

Gas cylinders are to be decommissioned by a suitably qualified person in accordance with Workplace Tasmania and AS/NZC 1596:2002.

## **PROPOSED NEW/REFURBISHED KITCHEN**

The new/refurbished kitchen must comply with the Building Code of Australia TAS H102 and AS/NZS 4674 Design, construction and fit out of food premises.

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)
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## **COMPRESSORS / MOTORS / FANS**

All compressors / motors / fans associated with the refurbishment must be installed within an area which is so constructed as to prevent noise emissions affecting occupiers of other premises.

Details of any new exhaust structures or mechanical plant and equipment proposed on the exterior of the building must be submitted to and approved by the Manager Planning Services prior to erection. Separate planning approval may be required for new structures which are not shown on the endorsed plans.

## **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.

## **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.

## **Notes**

### *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.*

### *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.*

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)**
- 

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.*

General

*This permit was issued based on the proposal documents submitted for DA0213/2014. 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.*

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.*

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.*

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)
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*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.*

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**The Mayor announced that Council is acting as a Planning Authority.**

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

**Mr Graeme Bennett spoke against item 7.1.**

**Mrs Regina Bennett spoke against item 7.1.**

**Mr Garth Bennett spoke against item 7.1.**

**Mr Heath Clayton spoke to item 7.1.**

**Ms Marlene Johnston spoke to item 7.1.**

**DECISION: 28/07/2014**

**RESOLUTION: (1):**

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

**That this item lay on the table while discussions are held.**

**CARRIED 10:0**

**The Mayor announced that the Council is no longer acting as a Planning Authority.**

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## COUNCIL MINUTES

Monday 28 July 2014

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)
- 

### RESOLUTION: (2):

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

That item 7.1 no longer lay on the table and will now be considered at 2.09pm.

**CARRIED UNANIMOUSLY 10:0**

The Mayor announced that Council is acting as a Planning Authority

### RESOLUTION: (3):

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

**THE MOTION WAS PUT AND CARRIED 6:4**

FOR VOTE - Ald A M van Zetten, Ald D H McKenzie, Ald R L McKendrick, Ald J D Ball, Ald R I Soward, Ald J G Cox

AGAINST VOTE - Ald A L Waddle, Ald I S Norton, Ald R J Sands, Ald D C Gibson

ABSENT. DID NOT VOTE - Ald R L Armitage, Ald A C Peck

### RESOLUTION: (4):

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

That an extension of time of 3 minutes be granted to Alderman J D Ball.

**CARRIED UNANIMOUSLY 9:0**

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## COUNCIL MINUTES

Monday 28 July 2014

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- 7.1 6 Flowers Court, Newstead, 1 Arundel Street, Newstead and 9-17 Amy Road, Newstead - Residential - residential aged care facility - demolish dwelling; Boundary adjustment, demolition and construction of additions to existing aged care facility...(Cont'd)
- 

### RESOLUTION: (5):

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

That an extension of time of 3 minutes be granted to Alderman R I Soward.

**CARRIED UNANIMOUSLY 9:0**

Ald R I Soward withdrew from the meeting at 2:08pm.

Ald R I Soward re-attended the meeting at 2:09pm.

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

The Mayor adjourned the Meeting at 2.31pm.

The Mayor reconvened the Meeting at 2.37pm.

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## 8 ANNOUNCEMENTS BY THE MAYOR

### 8.1 Mayor's Announcements

FILE NO: SF2375

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#### **Wednesday 16 July**

Officiated at welcome function for the Australian National Parking Steering Group  
Attended Australian Ballet "*The Dancers Company*"

#### **Friday 18 July**

Attended Jackson Motor Company - Official Opening of Hobart City Dealership

#### **Saturday 19 July**

Attended NLFC Reunion and "Back to North Day"  
Attended Stan Siejka Launceston Cycling Classic Cocktail Party

#### **Sunday 20 July**

Attended Gateway Baptist Church Service of Thanksgiving

#### **Monday 21 July**

Attended State Funeral for His Excellency, The Honourable Peter Underwood AC

#### **Friday 25 July**

Attended Self Help Workplace presentation of Employer of Choice Award  
Attended Official Opening SecondBite Launceston by Premier  
Attended Launceston Players opening night performance of "*Steel Magnolias*"

#### **Saturday 26 July**

Officiated at Operation Christmas Child Launch  
Attended Encore Theatre Company performance of "*Deception*"

#### **The Mayor further added:**

- **Acknowledged Daniel Gill's fight on Sunday 27 July.**
  - **Congratulations to all the Australians who are competing in the 2014 Commonwealth Games in particular our own Amy Cure for taking home silver and bronze medals.**
  - **Wednesday 16 July - attended the Australian Ballet "*The Dancers Company*". A fantastic event and incredible performances.**
  - **Friday 18 July - attended the official opening of Jackson Motor Company's Hobart City Dealership. Congratulations to Errol Stewart.**
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## 8.1 Mayor's Announcements...(Cont'd)

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- **Monday 21 July - attended the State Funeral for The Honorable Peter Underwood AC, an amazing Governor of Tasmania.**
  - **Friday 25 July - attended Launceston Players opening night performance of "*Steel Magnolias*". A wonderful performance and encourage all to attend.**
  - **Saturday night - attended Encore Theatre Company's performance of "*Deception*". A fantastic performance and thoroughly enjoyable**
  - **Monday 28 July - attended the launch of the State of Launceston's Children 2014.**
-

**9 ALDERMEN'S/DELEGATES' REPORTS****9.1 Ald McKendrick - LGH Consumer Reference Group**

**Alderman R L McKendrick** reported:

- **As mentioned at the Council meeting on 14 July 2014, the Launceston General Hospital Consumer Reference Group is folding and a Regional Reference Group will be established. Interviews are taking place today and tomorrow with a result hopefully by Wednesday.**
  - **Noted the announcement by the Minister that the only THO is to be based in Launceston.**
-

**9.2 Ald McKenzie - Richie Porte**

**Alderman D H McKenzie** reported:

- **Also noted the announcement by the Minister that the only THO is to be based in Launceston.**
  - **Noted the ongoing efforts of Richie Porte.**
-



## 9.3 Ald Gibson - Craft Event on 19 July 2014

Alderman D C Gibson reported:

- **Congratulations to all Community Development staff, for the craft sessions event held on 19 July. It was well attended and some very positive feedback has been received.**
-

## 10 QUESTIONS BY ALDERMEN

### 10.1 Ald Ball - Migration Strategy Update

Aldermen's Question: **Alderman J D Ball** asked

**I put forth a Notice of Motion around a migration strategy 18 months ago involving promotional strategies to encourage individuals to move to Launceston. This has since morphed into a joint population strategy with Hobart City Council. Could Aldermen please receive an update as to where this strategy is at?**

**GM responded:**

**Council is seeking to take the opportunity to ensure that the final document for adoption has a persuasive influence at the state government level. With our collaboration with the State Government there is an opportunity to significantly influence the population debate in Tasmania through a policy framework established by the two larger cities in the state.**

**A final draft of the population strategy has been provided by Professor David Adams and a copy will be sent to Hobart for feedback and then for discussion at the next MoU meeting which will be held in Hobart.**

**Ald I S Norton withdrew from the meeting at 1:28pm.**

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**10.2 Ald Waddle - Medicinal Cannabis discussion at LGAT**

Aldermen's Question: **Alderman A L Waddle** asked

**Was the issue of medicinal cannabis mentioned or discussed at the recent LGAT Conference?**

**Ald Ball responded:**

**This issue was raised by Mayor Barry Jarvis in his question to the Treasurer and Minister for Planning and Local Government, Mr Gutwein. The Treasurer was keen to make the distinction between the two and focused his discussion on industrial hemp. As far as industrial hemp goes, the State Government is keen to ease up on the regulations and get the hemp industry going. Medicinal cannabis became a separate issue and not much discussion was engaged but it was noted that it is part of an Upper House review as informed by the Treasurer.**

**Ald I S Norton re-attended the meeting at 1:31pm.**

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## **10.3 Ald Waddle - Proposed Woolworths Development**

Aldermen's Question: **Alderman A L Waddle** asked

**Question regarding the proposed Woolworths development possibly on the Becks site.**

**GM responded:**

**Woolworths are aware of this site and have investigated previously but found it not suitable.**

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## 10.4 Ald Gibson - Business Events Tasmania

Aldermen's Question: **Alderman D C Gibson** asked

**Could the Mayor please contact Business Events Tasmania regarding the finalisation of offers from both Tourism Northern Tasmania and the Launceston City Council to host the recently advertised part time position?**

**Mayor responded:**

**The General Manager will follow this issue up.**

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## **10.5 Ald Soward - Clarification of the City Heart Project and CBD Re-invigoration**

Aldermen's Question: **Alderman R I Soward** asked

**Can the Launceston City Council consider a joint media statement with Cityprom and the Chamber of Commerce where some clarification can be provided about the City Heart Project and the re-invigoration of the CBD with specific regard to the types of businesses within the city?**

**GM responded:**

**Agreed it would be useful to provide a succinct statement indicating our role in the planning processes and how much of the viability of business is left to the market. It is important to reiterate that Launceston City Council remains willing and able to engage with CBD business owners, Cityprom and the Chamber.**

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**11 COMMITTEE REPORTS****11.1 Tender Review Committee Meeting - 7 July 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 the report from the Tender Review Committee meeting held on 7 July 2014 be received.

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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: 28/07/2014****RESOLUTION: (1):****Moved Alderman D H McKenzie, seconded Alderman J G Cox.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 10:0**

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## COUNCIL MINUTES

Monday 28 July 2014

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### 11.2 Municipal Emergency Management Committee Meeting - 11 July 2014

**FILE NO:** SF3177

**AUTHOR:** Rod Sweetnam (Director Facilities Management)

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

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#### **DECISION STATEMENT:**

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

#### **RECOMMENDATION:**

That the report from the Municipal Emergency Management Committee meeting held on Friday 11 July 2014 be received.

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**Mr R Sweetnam (Director Facilities Management) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 28/07/2014**

**RESOLUTION: (1):**

**Moved Alderman J G Cox, seconded Alderman J D Ball.**

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY 10:0**

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## COUNCIL MINUTES

Monday 28 July 2014

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### 12 PETITIONS

Nil

### 13 NOTICES OF MOTION - FOR CONSIDERATION

Nil

## DIRECTORATE MINUTES ITEMS

### 14 DEVELOPMENT SERVICES

Nil

### 15 FACILITY MANAGEMENT

Nil

### 16 QUEEN VICTORIA MUSEUM AND ART GALLERY

Nil

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## COUNCIL MINUTES

Monday 28 July 2014

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### 17 INFRASTRUCTURE SERVICES

#### 17.1 Lease - Tamar Yacht Club

**FILE NO:** SF0866

**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)

**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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#### **DECISION STATEMENT:**

To consider the leasing of land situated at 11 Park Street adjacent to Royal Park as marked on the attached map to the Tamar Yacht Club.

Pursuant to Section 178(3) of the *Local Government Act 1993* the lease of public land requires an absolute majority decision of Council.

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

Council Meeting Item 17.1 - 26 May 2014

#### **RECOMMENDATION:**

That Council, pursuant to the provisions of Section 177 *Local Government Act 1993*, land situated at 11 Park Street adjacent to Royal Park as shown on the attached plan Folio 49784/1, 49501/1, 159106/1 and 49745/2 be leased to the Tamar Yacht Club under the following terms:

- the term shall be five years commencing on 1 July 2014 and extended a further five years if the Tamar Yacht Club undertake a capital investment of over \$50,000 into the slip yard within the first five year period.
  - the lease amount shall be \$3,500 per annum plus GST linked to CPI
  - tenant to be responsible for:
    - equivalent Council rates
    - Government taxes (land tax)
    - energy costs (if any)
    - volumetric and connection charges for water
    - sewer charges
  - tenant shall continuously maintain:
    - public liability insurance of at least \$10 million.
-

**17.1 Lease - Tamar Yacht Club...(Cont'd)**

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Mr H Galea (Director Infrastructure Services) was in attendance to answer questions of Council in respect of Agenda Items 17.1 – 17.2 inclusive.

**DECISION: 28/07/2014**

**RESOLUTION: (1):**

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

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY 10:0**

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**17.2 Lease - Northern Tasmanian Netball Association Incorporated****FILE NO:** SF0897**AUTHOR:** Andrew Smith (Parks and Recreation Manager)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

That Council considers leasing the Tasmanian Netball Centre and Fred White Netball Centre at Hobblers Bridge (part Folio 66364/2 and 7678404) to the Northern Tasmanian Netball Association Incorporated as marked on the attached map.

Pursuant to Section 178(3) of the *Local Government Act 1993* the lease of public land requires an absolute majority decision of Council.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting Item 17.2 - 10 June 2014

**RECOMMENDATION:**

That Council, pursuant to the provisions of Section 177 *Local Government Act 1993*, agrees to lease the Tasmanian Netball Centre and the Fred White Netball Centre to the Northern Tasmanian Netball Association Incorporated for a period of ten years under the following terms:

- the term shall be five years commencing on 1 July 2014 and extended a further five years if the Northern Tasmanian Netball Association Incorporated undertake a capital investment of over \$50,000 into the court re-surfacing within the first five year period.
  - the lease rental shall be \$12,000 per annum plus GST linked to CPI
  - the fees in relation to lease rental, government taxes (land tax), council rates and building insurance are to be phased over six years and applied in the following scale:
    - Year 1 - 15% be applied
    - Year 2 - 30% be applied
    - Year 3 - 50% be applied
    - Year 4 - 65% be applied
    - Year 5 - 80% be applied
    - Year 6 - 100% be applied
  - tenant to be responsible for:
    - energy costs
    - volumetric and connection charges for water
    - sewer charges
-

## COUNCIL MINUTES

Monday 28 July 2014

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- tenant shall continuously maintain:
    - building in good and reasonable order
    - contents insurance
    - public liability insurance of at least \$10 million.
- 

### RESOLUTION: (1):

Moved Alderman J G Cox, seconded Alderman R L McKendrick.

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY 10:0**

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**18 CORPORATE SERVICES**

Nil

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## COUNCIL MINUTES

Monday 28 July 2014

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### 19 GENERAL MANAGER

#### 19.1 UTAS 125th Anniversary Advisory Committee

FILE NO: SF2211

GENERAL MANAGER: Robert Dobrzynski

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#### DECISION STATEMENT:

To consider the appointment of representatives to participate in the University Advisory Committee.

#### PREVIOUS COUNCIL CONSIDERATION:

SPPC - 21 July 2014

#### RECOMMENDATION:

That the Council nominate Alderman Danny Gibson to represent the Council on the University of Tasmania Advisory Committee for the celebration of the University's 125<sup>th</sup> Anniversary.

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

**DECISION: 28/07/2014**

**RESOLUTION: (1):**

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

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY 10:0**

The Mayor adjourned the Meeting at 1.47pm for a 5 minute break.  
The Mayor reconvened the Meeting at 1.52pm.

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**20 URGENT BUSINESS**  
Nil

**21 INFORMATION / MATTERS REQUIRING FURTHER ACTION**  
Nil



**22 CLOSED COUNCIL****22.1 Museum Governance Advisory Board Special Meeting - 14 July 2014****RECOMMENDATION:**

That Agenda Item 22.1 be considered within Closed Council pursuant to the authority contained within regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2005*, which permits the meeting to be closed to the public for business relating to the following:

15(2)(j) as it concerns the personal affairs of a person/company.

**DECISION: 28/07/2014**

**RESOLUTION: (1):**

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

**CARRIED BY ABSOLUTE MAJORITY 8:0**

**FOR VOTE - Ald A M van Zetten, Ald D H McKenzie, Ald J D Ball, Ald R I Soward, Ald J G Cox, Ald A L Waddle, Ald I S Norton, Ald D C Gibson**  
**ABSENT. DID NOT VOTE - Ald R L Armitage, Ald A C Peck, Ald R L McKendrick, Ald R J Sands**

Council moved into closed session at 2.37pm.

**23 MEETING CLOSURE**

The Mayor closed the meeting at 3.04pm.

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