



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
MONDAY 14 SEPTEMBER 2015  
1.00pm**

# City of Launceston

COUNCIL MINUTES

Monday 14 September 2015

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The Ordinary Meeting of the City of Launceston Council was held at the Council Chambers:

Date: 14 September 2015

Time: 1.00pm

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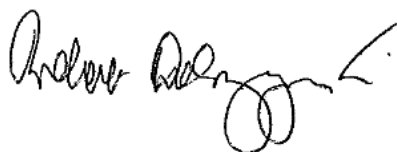
## Section 65 Certificate of Qualified Advice

### 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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# City of Launceston

COUNCIL MINUTES

Monday 14 September 2015

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

**In Attendance:**                    **Mr R S Dobrzynski (General Manager)**  
**Mr H P Galea (Director Infrastructure Services)**  
**Mrs L M Hurst (Director Development Services)**  
**Mr R K Sweetnam (Director Facilities Management)**  
**Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery)**  
**Mr M J Tidey (Director Corporate Services)**  
**Mrs L F Purchase (Governance and Planning Coordinator)**  
**Mrs A Rooney (Committee Clerk)**

**Apologies:**                    **Alderman**                    **R I Soward (Deputy Mayor)**  
**D H McKenzie**  
**K P Stojansek**

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

The Mayor, Alderman A M van Zetten, opened the Meeting at 1.00pm and noted apologies from Deputy Mayor Alderman R I Soward, Alderman D H McKenzie and Alderman K P Stojansek.

**2 DECLARATION OF INTERESTS**

*Local Government Act 1993 - Section 48*

*(A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.)*

**No declarations of interest were made at this Meeting.**

**3 CONFIRMATION OF MINUTES**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 35(1)(b)*

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 24 August 2015 be confirmed as a true and correct record.

**DECISION: 14 September 2015**

**MOTION**

**Moved Alderman S R F Wood, seconded Alderman J G Cox.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

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## **4 DEPUTATIONS**

**No Deputations were identified as part of this Meeting.**

### ***Meeting - Public Speaking Protocol Statement (as read by the General Manager)***

*Only residents, ratepayers or people on the General Manager's Electoral Roll of City of Launceston may address an item on the Minutes. Before commencing you will need to state your name and address if requested. Generally speaking time is limited to two minutes; three minutes for Community Reports. No extension of time is permitted. Comments and statements are not to be defamatory, offensive or abusive, or be designed to embarrass any person, including Aldermen or Officers. Statements are not to be repetitive of statements or points already made. Several people repeating a common position should nominate a single speaker on their behalf. The Mayor may ask a member of the gallery to cease speaking if the above procedures are not followed. When required to do so, you must speak for, or against the recommendation, not ask questions of Aldermen or Officers or attempt to enter into debate with Aldermen or Officers. Statements can only be made either directly relating to supporting the recommendation or arguing against it.*

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**5 PETITIONS**

*Local Government Act 1993 - Section 58*

**5.1 Petition - Prossers Forest Road, Ravenswood****FILE NO:** SF0097/SF1890/SF0138**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider a petition submitted by Mr Robert Petty to protect and provide a safe environment for the community by installing speed calming devices to Prossers Forest Road, Ravenswood.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council, as required under Section 58(2) of the *Local Government Act 1993*, receives the petition to protect and provide a safe environment for the community by installing speed calming devices to Prossers Forest Road, Ravenswood, tabled by the General Manager and submitted by Mr Robert Petty.

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

**DECISION: 14 September 2015****MOTION****Moved Alderman J Finlay, seconded Alderman R L McKendrick.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams

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**6 COMMUNITY REPORTS**

*(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on Minutes Items, that opportunity exists when that Minutes Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Aldermen.)*

**No Community Reports were identified as part of this Meeting.**

**7 PUBLIC QUESTION TIME**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 31*

**7.1 Public Questions On Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(1)*

*(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question On Notice (as received) and the answer will be provided in writing at the next Council Meeting.)*

**7.2 Public Questions Without Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(2)(b)*

*(Members of the public who ask Questions Without Notice at a meeting will have both the question and answer recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer can not be provided at the Meeting, the question will be treated as a Question On Notice and it will need to be written down. A response will be provided at the next Council Meeting.)*

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## 7.2.1 Mr Christopher Green - Question Time at Council Meetings

1. Mr Green asked the Mayor to outline whether Agenda Items 6, 7.1 and 7.2 are a new process or still the old process?

The Mayor advised there is a change from the old process in that the Agenda now offers community groups an opportunity to register to address the Council.

2. Mr Green asked whether question time operated in a similar manner to the West Tamar Council?

The Mayor, Alderman A M van Zetten, responded that public were able to ask questions at various times during the Agenda but was unable to comment on the format of question time at West Tamar Council Meetings.

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**7.2.2 Mr Christopher Green - C H Smith Development Site**

**Mr Green questioned the current situation of the C H Smith site development now that the appeal has been withdrawn. What is the process from here on?**

**Mrs L Hurst (Director Development Services) responded by saying that the withdrawn appeal was related to the application to demolish the Cordial Factory. She further advised that the subsequent Development Application that was approved is still current and, as with any planning permit, there is a two year timeframe during which the development can commence and she had received no further update on a start date.**

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## 7.2.3 Mr Christopher Green - Inveresk Development

Mr Green stated that the media had reported progress with regards to the Inveresk site, but indicated public consultation with regards to development the site had been limited and the public would like an opportunity to input conversation. Why has there been no public conversation about the future of Inveresk?

The Mayor, Alderman A M van Zetten, indicated that he was unaware of media reports as he had been overseas with the Tasmanian China delegation, but could confirm that there will be a process of public consultation.

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The Mayor, Alderman A M van Zetten announced that under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Minutes Item 8 - Planning Authority.

## **8 PLANNING AUTHORITY**

### **8.1 170 Distillery Track, Nunamara - Residential - single dwelling; construction of a dwelling with access over a crown road reserve**

**FILE NO:** DA0262/2014

**AUTHOR:** Julia Allen (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:**

There are records of previous Council decisions.

#### **RECOMMENDATION:**

It is recommended that in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, the application be approved subject to the following conditions:

#### **1. 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 and Bushfire Hazard Management Plan, prepared by Pitt & Sherry, drawing number LN15109 - G1, dated 27/05/2015
  - b. FloorPlan, prepared by Pitt & Sherry, drawing number LN15109 - A1, dated 27/05/2014
  - c. Shed Floor and Elevations Plan, prepared by Pitt & Sherry, drawing number LN15109 - A3, dated 27/05/2014
  - d. House Elevations Plan, prepared by Pitt & Sherry, drawing number LN15109 - A2, dated 27/05/2014
  - e. Report to Support Development Application, prepared by Pitt & Sherry, dated May 2015
-

**8.1 170 Distillery Track, Nunamara - Residential - single dwelling; construction of a dwelling with access over a crown road reserve...(Cont'd)**

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- f. Certificate of Compliance to the Bushfire-prone Area Code under Planning Directive No.5 issued under s51(2)(d) of the *Land Use Planning and Approvals Act 1993*

**2. SOIL AND WATER MANAGEMENT**

During construction soil and water is to be appropriately managed. This includes the provision of silt fencing, filter screens, or dedicated silt traps to prevent the discharge of gravel, soil, or other debris to any existing watercourse during the construction process.

**3. RESERVED ROAD ACCESS**

This permit has no force or effect until a right-of-way access is established to provide a formal access between the subject site and the public section of the Tasman Highway. All costs associated with the creation of the right-of-way including survey and valuation costs are to be borne by the Applicant.

**4. RIPARIAN VEGETATION**

No burning, works, disturbance or removal of riparian vegetation is permitted.

Construction and earth moving vehicles are to be cleaned prior to coming to the site to minimise the introduction and spread of *Phytophthora cinnamomi*.

**5. EXTERNAL FINISHES**

All external materials, finishes and colours must be non-reflective and in muted natural tones.

**6. 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

**7. BUSHFIRE SAFETY**

- a. Prior to an Building Permit being issued for the dwelling under the *Building Act 2000*, written correspondence from an accredited bushfire practitioner as defined under the *Land Use Planning and Approvals Act 1993* must be provided confirming that the private access road between Tasman Highway and the habitable building has been constructed and/or upgraded to the requirements of a Modified 4C Access Road under ARRB Unsealed Roads Manual - Guidelines to Good practice 3<sup>rd</sup> Edition as specified in the Building Code of Australia;
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**8.1 170 Distillery Track, Nunamara - Residential - single dwelling; construction of a dwelling with access over a crown road reserve...(Cont'd)**

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- b. The endorsed Bushfire Hazard Management Plan (BHMP) and Certificate under s51(2)(d) of the *Land Use Planning and Approvals Act 1993* prepared by Ian Abernethy of Pitt and Sherry must be implemented and the commitments contained within the endorsed documentation must be maintained for the life of the development. This includes the installation of water storages, private access, hazard management areas and any other requirements as specified by the endorsed documentation. The endorsed documentation must be kept on the premises at all times and made available to any prospective purchaser or tenant.

**8. SECTION 71 AGREEMENT**

Prior to a building permit being issued for the dwelling under the *Building Act 2000*, an agreement pursuant to Section 71 of the *Land Use Planning and Approvals Act 1993* must be executed, to the effect that:

- a. the land owner of 170 Distillery Track, Nunamara identified in Certificate of Title Volume 31779 Folio 4 is responsible for the maintenance and upkeep of the access road between Tasman Highway and the dwelling; and
- b. the access road between Tasman Highway and the dwelling is to be maintained to the requirements of a Modified 4C Access Road under ARRB Unsealed Roads Manual - Guidelines to Good practice 3<sup>rd</sup> Edition as specified in the Building Code of Australia.

Such agreement must be lodged and registered in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993* with all costs associated with the preparation and registration of the agreement borne by the land owner.

**9. 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.

**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.*

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**8.1 170 Distillery Track, Nunamara - Residential - single dwelling; construction of a dwelling with access over a crown road reserve...(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.*

General

*This permit was issued based on the proposal documents submitted for DA0262/2014. 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 withdrawn or determined; 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. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.*

Threatened species

*This property contains threatened species. Permits are required under the Threatened Species Protection Act 1995 for any activities that may impact those species.*

*Information can be found from:*

*The Threatened Species unit of Tourism Arts & Environment website ([www.dtae.tas.gov.au](http://www.dtae.tas.gov.au) <<http://www.dtae.tas.gov.au>>) or phone 6233 8011; and Forest Practices Authority, web ([www.fpa.tas.gov.au](http://www.fpa.tas.gov.au) <<http://www.fpa.tas.gov.au>>) or phone 6336 5300.*

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- 8.1 170 Distillery Track, Nunamara - Residential - single dwelling; construction of a dwelling with access over a crown road reserve...(Cont'd)**
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Permit Effect

*Pursuant to Section 53(6) of the Land Use Planning and Approvals Act 1993, this planning permit does not take effect until such time as the agreement required by condition 8 has been executed.*

On-Site Disposal of Effluent

*This permit does not give permission for the installation of an on-site waste water system on this site. The applicant will need to submit a design report (including site and soil evaluation in accordance with AS/NZS 1547:2012) as well as a Special Plumbing Application (for the on-site wastewater system) with the Building Application. Before occupation of the dwelling, the required system must be commissioned.*

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**Mrs L Hurst (Director Development Services) and Ms J Allen (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Rod Johnstone spoke for the item.**

**DECISION: 14 September 2015**

**MOTION**

**Moved Alderman R L McKendrick, seconded Alderman J Finlay.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

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**8.2 Amendment 10 to the Launceston Interim Planning Scheme 2015 - to insert a qualification into Table 11.2 of the Inner Residential zone to allow the Business and Professional Services use class as a discretionary use on land identified as 40 Ann Street, Launceston, Certificate of Title Volume 131354 Folio 1**

**FILE NO:** SF636, Property ID 29949

**AUTHOR:** George Walker (Town Planner)

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

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**DECISION STATEMENT:**

To determine whether to initiate an amendment to the Launceston Interim Planning Scheme 2015 under Section 33P of the *Land Use Planning and Approvals Act 1993* which proposes to insert a qualification into Table 11.2 of the Inner Residential zone to allow the Business and Professional Services use class as a discretionary use on land identified as 40 Ann Street, Launceston, certificate of title volume 131354 folio 1.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That the Council:

1. Pursuant to section 33(3) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 10 to the Launceston Interim Planning Scheme 2015 to insert a qualification into Table 11.2 of the Inner Residential zone to allow the Business and Professional Services use class as a discretionary use on land identified as 40 Ann Street, Launceston, certificate of title volume 131354 folio 1.
  2. Directs Council officers to prepare draft Amendment 10 of the Launceston Interim Planning Scheme 2015.
  3. In accordance with section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under section 35(1) of the Act, for the purposes of Amendment 10 to the Launceston Interim Planning Scheme 2015.
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**8.2 Amendment 10 to the Launceston Interim Planning Scheme 2015 - to insert a qualification into Table 11.2 of the Inner Residential zone to allow the Business and Professional Services use class as a discretionary use on land identified as 40 Ann Street, Launceston, Certificate of Title Volume 131354 Folio 1 (Cont'd)**

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4. In accordance with section 38(a) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.

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**Mrs L Hurst (Director Development Services) and Mr G Walker (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

Heidi Goess spoke for the item.

**DECISION: 14 September 2015**

**MOTION**

**Moved Alderman J Finlay, seconded Alderman D C Gibson.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

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**8.3 14-16 Georges Square, East Launceston - Residential - single dwelling; construction and use of a dwelling and garage****FILE NO:** DA0315/2015**AUTHOR:** Claire Fawdry (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:**

D110/98	Extensions to dwelling in a scenic protection area
S93/88	Subdivision - 2 lots & balance
DA0038/2007	Construction of a building - extend dwelling (Scenic Protection) (adjoins heritage listed building)
DA0120/2009	Construction of a fence greater than 1.8m (retrospective application for part of works)
DA0403/2014	Boundary adjustment between two lots
DA0607/2014	Residential - single dwelling; construction and use of a new dwelling and garage
DA0607/2014.A01	Minor amendment to planning permit to extend the second floor balcony and room in the northern direction plus an awning added; extends the eaves gutter along the southern boundary instead of parapets; installs smaller opaque windows instead of the large windows originally proposed on the southern elevation; alters the exterior cladding of the garage so that it matches the front fence and increases the height of the glass balustrade facing Scott Street (garage terrace) by 700mm.

**RECOMMENDATION:**

It is recommended that, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted from the Council, for DA0315/2015 Residential - single dwelling; construction and use of a dwelling and garage at 14-16 St Georges Square, East Launceston subject to the following conditions:

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**8.3 14-16 Georges Square, East Launceston - Residential - single dwelling; construction and use of a dwelling and garage...(Cont'd)**

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**1. ENDORSED PLANS**

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

- a. Site Plan prepared by Prime Design, Project/Drawing No. PD14258 01, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015 **(To Be Amended)**;
  - b. Site Plan Aerial View prepared by Prime Design, Project/Drawing No. PD14258 02, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015 **(To Be Amended)**;
  - c. Ground Floor Plan prepared by Prime Design, Project/Drawing No. PD14258 03, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015;
  - d. First Floor Plan prepared by Prime Design, Project/Drawing No. PD14258 04, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015;
  - e. Door and Window Schedules prepared by Prime Design, Project/Drawing No. PD14258 05, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015;
  - f. Elevations prepared by Prime Design, Project/Drawing No. PD14258 06, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015 **(To Be Amended)**;
  - g. Elevations prepared by Prime Design, Project/Drawing No. PD14258 07, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015 **(To Be Amended)**;
  - h. Garage Floor & Roof Plan prepared by Prime Design, Project/Drawing No. PD14258 08, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015 **(To Be Amended)**;
  - i. Perspectives prepared by Prime Design, Project/Drawing No. PD14258 09, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015 **(To Be Amended)**;
  - j. Perspectives prepared by Prime Design, Project/Drawing No. PD14258 10, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015 **(To Be Amended)**;
  - k. Roof Plan prepared by Prime Design, Project/Drawing No. PD14258 11, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015;
  - l. Street Section prepared by Prime Design, Project/Drawing No. PD14258 12, Rev. 05, Project Name: Proposed New Residence 5 Scott Street East Launceston, Dated 29/06/2015 **(To Be Amended)**;
-

**8.3 14-16 Georges Square, East Launceston - Residential - single dwelling; construction and use of a dwelling and garage...(Cont'd)**

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**2. AMENDED PLANS REQUIRED**

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Council to replace plans annotated "To Be Amended" 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. That the western wall of the garage is setback from the western side boundary by 1.459m (when measured from the frontage of the lot) and 0.768m (at the south western corner of the garage); and
- b. The solid privacy screen is to be 1.5m high and shifted to the east by a horizontal distance of 1.3m. As a consequence, the height of the western wall of the garage is to be reduced to no higher than 2.8m when measured from natural ground level at the frontage of the lot; and
- c. The 1.5m high privacy screen is to be erected at a minimum setback of 2.759m from the western side boundary (when measured from the frontage of the lot) and 2.068m (at the south western corner of the garage); and
- d. Access to the portion of the garage roof to the west of the privacy screen is prohibited and must be physically blocked.

**3. PEDESTRIAN GATE**

To ensure pedestrian safety and access, a pedestrian gate is to be installed off Scott Street to provide access to the dwelling.

**4. 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.

**5. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2015/01026-LCC) (attached).

**6. 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

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**8.3 14-16 Georges Square, East Launceston - Residential - single dwelling; construction and use of a dwelling and garage...(Cont'd)**

---

**7. 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.

**8. 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".

**9. VEHICULAR CROSSINGS**

Before the commencement of the use, a new vehicular crossover shall 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 Roads and Hydraulics Department.

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**8.3 14-16 Georges Square, East Launceston - Residential - single dwelling; construction and use of a dwelling and garage...(Cont'd)**

---

The new crossing must be constructed in accordance with Council standards and the approved plans, by a contractor registered 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 TasNetworks etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

**10. 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.

**11. 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.

**12. 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.

**13. NO BURNING OF WASTE**

No burning of any waste materials generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (e.g. Launceston Waste Centre).

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**8.3 14-16 Georges Square, East Launceston - Residential - single dwelling; construction and use of a dwelling and garage...(Cont'd)**

---

**14. 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;
- d) dispose of any asbestos found during demolition in accordance with the Worksafe Tasmania 'How to Safely Remove Asbestos' Code of Practice 2012 or any subsequent versions of the document

**Notes****1 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.*

**2. 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.*

**3 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.*

**4. General**

*This permit was issued based on the proposal documents submitted for DA0315/2015. 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.
-

## 8.3 14-16 Georges Square, East Launceston - Residential - single dwelling; construction and use of a dwelling and garage...(Cont'd)

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*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. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.*

### 5. 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.*

### 6. 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>>*

### 7. 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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**Mrs L Hurst (Director Development Services) and Ms C Fawdry (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Barry Street spoke against the item.**

**Maureen Street spoke against the item.**

**Glenda King spoke for the item.**

**John Ewing spoke for the item.**

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**DECISION:** 14 September 2015

**MOTION**

Moved Alderman J Finlay, seconded Alderman D W Alexander.

That the Motion, as per the Recommendation to Council, be adopted.

**CARRIED 8:1**

**FOR VOTE:** Mayor Alderman A M van Zetten, Alderman R L McKendrick,  
Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W  
Alexander, Alderman S R F Wood and Alderman E K Williams  
**AGAINST VOTE:** Alderman R J Sands

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**8.4 337 Gundagai Road, Bangor - Extractive Industry - quarrying activity; expansion to existing quarrying activity from 50,000m<sup>3</sup> to 200,000m<sup>3</sup> (existing level 2 activity)**

**FILE NO:** DA0074/2015

**AUTHOR:** Julia Allen (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:**

- D299/98 - planning permit issued on the 27th January 1999 for a quarry.
- DA0523/2009 - planning permit issued for an increase in the maximum production limit to 50 000m<sup>3</sup>. Planning permit issued 18 March 2011.

**RECOMMENDATION:**

It is recommended that, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993*, Section 25 of the *Environmental Management and Pollution Control Act 1994* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0074/2015 for Extractive Industry - quarrying activity; expansion to existing quarrying activity from 50, 000m<sup>3</sup> to 200, 000m<sup>3</sup> (existing level 2 activity) at 337 Gundagai Road, Bangor subject to the following conditions.

**1. 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. Gundagai Quarry Development Proposal and Environmental Management Plan (DPEMP) 2010, prepared by Van Diemen Consulting, and attached to this permit and marked '*Attachment A*' and
- b. Gundagai Quarry DPEMP Supplement attached to this permit and marked '*Attachment B*'

**2. NO ACCESS ONTO GUNDAGAI ROAD**

There is to be no access to or from the site for the purposes of or connection with an extractive activity, directly from Gundagai Road.

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- 8.4 **337 Gundagai Road, Bangor - Extractive Industry - quarrying activity; expansion to existing quarrying activity from 50,000m<sup>3</sup> to 200,000m<sup>3</sup> (existing level 2 activity)...(Cont'd)**
- 

**3. ENVIRONMENTAL PROTECTION AGENCY REQUIREMENTS**

Notwithstanding any other condition in this permit, the use and development must be carried out in accordance with Appendix 3 the Environmental Protection Agency decision dated 11 August 2015 (EPA reference 238499) and marked as '*Attachment C*'.

**4. ACCESSIBLE CAR PARKING**

At least one (1) car parking space must be designed and constructed to be compliant with AS 2890.6 Off-street parking for people with disabilities. This space must be available if required, but does not have to be dedicated solely for use by a person with a disability.

**5. UNSEALED PARKING/ACCESS**

Areas set aside for the parking of vehicles together with the aisles and access lanes must be designed to meet AS2980. It must be constructed, drained and adequately maintained in a condition suitable for use by two wheel drive vehicles to the satisfaction of the Planning Authority.

**6. 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.

**7. TOILET AMENITIES**

Within 3 months of the permit date of issue, toilet amenities for the 4 full time and 2 casual staff members must be provided. The amenities can be either portaloos which must be emptied and cleaned on a regular basis or if more permanent toilets are proposed the applicant must submit a design report (including site and soil evaluation in accordance with AS/NZS 1547:2012) as well as a Special Plumbing Application (for the on-site wastewater system) with the Building Application. The toilet amenities must be setback at least 30 metres from any title boundary.

**8. PART 5 (SECTION 71) AGREEMENTS**

The owner, under Section 71 of the Land Use Planning and Approvals Act 1993, shall enter into an agreement with the Launceston City Council regarding the ongoing maintenance of public roads serving the quarry.

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**8.4 337 Gundagai Road, Bangor - Extractive Industry - quarrying activity; expansion to existing quarrying activity from 50,000m<sup>3</sup> to 200,000m<sup>3</sup> (existing level 2 activity)...(Cont'd)**

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The agreement must require the owner to pay to Council prior to the 30 June each year a contribution towards the cyclic resealing of the route shown on the plan annexed hereto and marked 'A' between the quarry access off Tunnel Road and Golconda Road. The length of the route is 6.66 km and has a trafficable pavement of 6 metres being comprised of two 3 metre wide lanes.

The contribution shall be \$8,000 per annum, indexed annually by the CPI (Transportation Index) based on a 50% share of the total cost of resealing the route every 15 years.

Such agreement shall be drafted in a form to the satisfaction of the Director of Infrastructure Services and 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.

## Notes

### 1. General

*This permit was issued based on the proposal documents submitted for DA0074/2015. 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. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.*

### 2. Other Approvals

*This permit does not imply that any other approval required under any other by-law or legislation has been granted.*

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- 8.4 337 Gundagai Road, Bangor - Extractive Industry - quarrying activity; expansion to existing quarrying activity from 50,000m<sup>3</sup> to 200,000m<sup>3</sup> (existing level 2 activity)...(Cont'd)**
- 

**3. 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>>*

**4. 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.*

**5. Signage**

*Separate approval may be required for any signage proposed on the site.*

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**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services) and Mr H Galea (Director Infrastructure Services) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Ross Hart, on behalf of his client, spoke against the item.**

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- 8.4 337 Gundagai Road, Bangor - Extractive Industry - quarrying activity; expansion to existing quarrying activity from 50,000m<sup>3</sup> to 200,000m<sup>3</sup> (existing level 2 activity)...(Cont'd)
- 

**DECISION:** 14 September 2015

**MOTION**

Moved Alderman J Finlay, seconded Alderman D W Alexander.

That the Motion, as per the Recommendation to Council, be adopted.

**CARRIED 9:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams

The Mayor, Alderman A M van Zetten, announced that Council no longer acts as a Planning Authority.

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## 9 ANNOUNCEMENTS BY THE MAYOR

### 9.1 Mayor's Announcements

FILE NO: SF2375

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#### Tuesday 25 August 2015

- Attended the RACT Board of Management Luncheon
- Attended the 2015 Hydro Tasmania Cocktail Party

#### Wednesday 26 August 2015

- Attended the Scotch Oakburn Opening Night Performance of Grease

#### Thursday 27 August 2015

- Officially welcomed the Tasmania Visitor Information Networks 2015 Conference
- Attended the Tasmania Visitor Information Networks 2015 Conference Official Dinner

#### Wednesday 2 September

- Officially opened the Opening Night Performance of Legally Blonde

#### Thursday 3 September - Sunday 14 September

- Attend Political Delegate Trip to China
-

**Alderman R J Sands withdrew from the meeting at 1.53pm**

**Alderman R J Sands re-attended the meeting at 1.56pm**

## **10 ALDERMEN'S REPORTS**

*(This item provides an opportunity for Aldermen to briefly report on the activities that have been undertaken in their capacity as a representative of the Council. It is not necessary to list social functions that have been attended.)*

### **10.1 Alderman D C Gibson**

- **Mentioned that the QVMAG received over 5,000 visitors during Science Week**
- **Congratulated QVMAG for successfully obtaining a \$291,000 grant from the Tasmanian Community Fund to explore unique stories of Aboriginal people**
- **Congratulated organisers for the success and variety of events during the Junction Arts Festival**
- **Launceston Safer Communities Partnership will be trialling a Street Beat program in conjunction with the Salvation Army over the grand final weekend to promote community safety**

### **10.2 Alderman J Finlay**

- **Attended the Cataract Gorge Advisory Committee Meeting which discussed the white paper**
- **Mentioned the upcoming Heritage Committee Meeting to be held in Launceston**
- **Attended the 2015 University Dinner, in celebration of the 125 anniversary of the University of Tasmania, which provided an opportunity to meet scholarship winners and noted that the Albert Hall was a showpiece during the dinner**

### **10.3 Alderman D W Alexander**

- **Attended the 2015 University Dinner, in celebration of the 125 anniversary of the University of Tasmania, which provided an opportunity to meet scholarship winners**
  - **Attended launch of Invermay Park redevelopment and acknowledged the contribution of all those involved with the project**
  - **Attended Legally Blonde and acknowledged local performers**
  - **Acknowledged work of the UTAS Reference group**
-

**10.4 Alderman S R F Wood**

- **Attended the Youth Advisory Group (YAG) Meeting where the successful candidate for the CityHeart project was announced as Joey Crawford**

**10.5 Alderman R L McKendrick**

- **Mentioned the Tasmanian Heritage Council Meeting being held in Launceston with lunch at Franklin House and organised visits to other Launceston sites including Chalmers Church as part of the event**
-

**11 QUESTIONS BY ALDERMEN**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 30*

*(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)*

**11.1 Questions on Notice - Aldermen R I Soward and J Finlay - 24 August 2015**

**FILE NO:** SF2375

**AUTHOR:** Anthea Rooney (Committee Clerk)

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

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**DECISION STATEMENT:**

To consider Questions on Notice raised by Alderman R I Soward and Alderman J Finlay in accordance with the requirements of Section 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

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1. Questions on Notice raised by Alderman R I Soward at the Council Meeting of 24 August 2015.

Alderman R I Soward asked:

- (a) Why have the bollards been erected in Brisbane Street near the footpath opposite Brisbane St Newsagency?

**Response:** Mr H Galea (Director Infrastructure Services)

The bollards have been erected by the proprietors of the 'Cider House', a business near the Princess Theatre, in accordance with an approved application for on-street dining. The bollards are infrastructure specified in the construction guidelines.

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**11.1 Questions on Notice - Aldermen R I Soward and J Finlay - 24 August 2015...(Cont'd)**

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(b) What options are available to Launceston residents with regards to grey water storage?

**Response:** Mrs L Hurst (Director Development Services)

Property owners may re-use grey water onsite if they obtain a special plumbing permit. Accredited systems or authorised products are the only systems and products permitted to be installed. Typically these systems are only viable in unserviced areas on bigger blocks that can deal with the irrigation of water.

Any plumbing application would require a site and soil evaluation to ensure the property could cope with the volume of grey water that would be collected for irrigation and to determine the type and size of the system to be installed.

There are three different ways grey water can be used, subject to special plumbing permit approval:

1. For irrigating gardens, but must be used immediately (not stored),
2. For irrigation and stored for use but not treated (must be used within 24hrs), and
3. For irrigation and toilet flushing and stored for longer than 24hrs (must be treated in an appropriate on-site treatment system).

2. Alderman J Finlay asked:

Was there a DA required for the removal of the jetty at Windermere?

**Response:** Mrs L Hurst (Director Development Services)

Planning Officers have reviewed the map of the location of the Windermere Jetty and the applicable sections of the Launceston Interim Planning Scheme 2015. The jetty was located on land leased from the Crown and there was a permit from Parks and Wildlife to operate it. Marine and Safety Tasmania (MAST) provided support and Parks and Wildlife issued a permit for the removal of the structure. The removal of the structure was based on technical reports indicating the serious deterioration of the structure and possible imminent collapse. Some months ago advice was sought from planning and the interpretation was that no permit was necessary. However, upon a further review of the Planning Scheme it appears that a discretionary application to demolish the jetty should have been made and assessed against the relevant provisions of the Scheme. A retrospective application will therefore be required.

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**11.2 Questions Without Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 29*

*(Questions Without Notice, and any answers to those questions, are not required to be recorded in the Minutes of the Meeting.)*



**12 COMMITTEE REPORTS****12.1 Northern Youth Coordinating Committee Report - 2 July 2015****FILE NO:** SF0136**AUTHOR:** Tamara Clark (Youth Development Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Northern Youth Coordinating Committee's regular meeting held on 2 July 2015.

**RECOMMENDATION:**

That Council receives the report from the Northern Youth Coordinating Committee (NYCC) meeting held on 2 July 2015.

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**Mrs L Hurst (Director Development Services) and Ms T Clark (Youth Development Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION:** 14 September 2015**MOTION**

**Moved Alderman D C Gibson, seconded Alderman E K Williams.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

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**12.2 Pedestrian and Bike Committee Meeting - 25 August 2015****FILE NO:** SF0618**AUTHOR:** Julie Tyres (Administration Officer - Roads & Hydraulics)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To receive a report and consider a recommendation from the Pedestrian and Bike Committee.

**RECOMMENDATION:**

That Council, in respect to a report from the Pedestrian and Bike Committee meeting held on 25 August 2015, resolves to write to the Premier to urge the State Government to establish a special infrastructure fund for bicycle infrastructure to replace deleted Trails and Bikeways funding.

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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:** 14 September 2015**MOTION****Moved Alderman R L McKendrick, seconded Alderman J G Cox.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams

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## **13 COUNCIL WORKSHOPS**

Council Workshops conducted on 17 August 2015 were:

- Planning Scheme Amendments
- Contract for Sale of Land

Council Workshops conducted on 7 September 2015 were:

- Kerbside Organics and Launceston Waste Centre Composting Facility
  - Launceston Waste Centre - Waste Concession Review
-

**14 NOTICES OF MOTION**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 16(5)*

**14.1 Notice of Motion - Alderman S R F Wood - Events Funding**

**FILE NO:** SF5547/SF6274

**AUTHOR:** Anthea Rooney (Committee Clerk)

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

**DECISION STATEMENT:**

To consider additional event sponsorship. Note that this decision requires an absolute majority of Council.

**PREVIOUS COUNCIL CONSIDERATION:**

13 July 2015 - Item 15.1 - Event Sponsorship - Round 1 2015/2016

24 August 2015 - Item 15.1 - Event Sponsorship - Round 2 2015/2016

**RECOMMENDATION:**

That Council determine to provide additional funding in light of the high calibre and number of applications for events funding received.

Had the threshold for funding been lower, the recommended funding amounts would have been allocated to the following events receiving the high score of 65% and greater.

	Round	Score	Request	Recommendation	
Chilli Skyfire	2	69%	\$10,000	75% of \$10,000	\$7,500
Festival of Voices	2	67%	\$20,000	75% of \$20,000	\$15,000
Fusion Advent Pagent	1	65%	\$5,000	75% of \$5,000	\$3,750
				Total	\$26,250

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

**Mr R Dobrzynski (General Manager) indicated that under Section 65(2) of the *Local Government Act 1993* the motion be withdrawn. The item would be returned to the next Council Meeting with amended Officer comments.**

**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS****15.1 Environmental Services Department - Appointment as Authorised Officer****FILE NO:** SF0113**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To appoint a new employee within the Environmental Services Department as an Authorised Officer for the purpose of various legislation and Council by-laws.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council appoints the following employees referred to in column one of the schedule, as Authorised Officers, to conduct the function and powers of various Legislation listed in column two of the schedule and subject to conditions (if any) referred to in column three of the schedule.

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**15.1 Environmental Services Department - Appointment as Authorised Officer...(Cont'd)**

Authorised Officer	Powers / Functions	Conditions (if any)
Deborah Fortuin - Manager Environmental Services	<p>Local Government Act 1993</p> <ul style="list-style-type: none"> <li>• S20A Power of Entry</li> <li>• S237 Authentication of certain documents</li> <li>• S200 Abatement Notices</li> <li>• S240 Appearance in Court</li> </ul> <p>Environmental Management and Pollution Control Act 1994</p> <ul style="list-style-type: none"> <li>• S21 Council Officer</li> </ul> <p>Public Health Act 1997</p> <ul style="list-style-type: none"> <li>• S11 Appointment as an Environmental Health Officer</li> </ul> <p>Food Act 2003</p> <ul style="list-style-type: none"> <li>• S101 Appointment as Authorised Officer</li> </ul> <p>Dog Control Act 2000</p> <ul style="list-style-type: none"> <li>• S82 - Appointment as Authorised Officer</li> </ul> <p>Appointment as an authorised officer under Council By-Laws.</p>	<p>Notes:  <sup>1</sup> A matter may be referred to Council for decision where an Officer is of the opinion that the decision should be made by the Council.</p>

**Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

**15.1 Environmental Services Department - Appointment as Authorised Officer...(Cont'd)**

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**DECISION: 14 September 2015****MOTION****Moved Alderman R L McKendrick, seconded Alderman J G Cox.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0****FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

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**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**

No Items were identified as part of this Meeting.

**17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS**

No Items were identified as part of this Meeting.

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## 18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

### 18.1 Petition - 21 Clyde Street, Invermay

**FILE NO:** SF1291/0608

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

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#### **DECISION STATEMENT:**

To inform the Council on the actions undertaken on a petition seeking to introduce a two-hour non-residential parking limit and two speed humps in Clyde Street Invermay.

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

Item 13.1 Council Meeting Monday 24 August 2015

The Council received a petition from Mr Steve Walter, Mr Brian Fisher and Mrs Kelly Fisher seeking to introduce non-residential parking and traffic controls along Clyde Street.

#### **RECOMMENDATION:**

That Council, in accordance with Section 60 (2) (b) of the *Local Government Act 1993*, confirms the action taken by the Infrastructure Services Directorate in reply to the petition received from Mr Steve Walter, Mr Brian Fisher and Mrs Kelly Fisher to introduce a two-hour non-residential parking limit and two speed humps in Clyde Street, Invermay.

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

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**DECISION:** 14 September 2015

**MOTION**

Moved Alderman J Finlay, seconded Alderman S R F Wood.

That the Motion, as per the Recommendation to Council, be adopted.

**CARRIED 9:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams

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**18.2 Proposed Street Name - Barnards Way****FILE NO:** SF0621; DA0468/2013**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider a new street name within the Inveresk site.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting 19 June 1995 - Item 9 - Glebe Bypass Road Naming

Decision: The name Barnard Drive being submitted to the nomenclature board for approval and to adjacent municipal areas to ensure no conflict with existing street names.

Council Meeting 17 July 1995 - Item 17

Decision 2: Council suggest to the Better Cities committee that an appropriate road or street in the Better Cities site be named after Lance Barnard.

**RECOMMENDATION:**

That pursuant to the provisions of the *Local Government (Highways) Act 1982* and *Survey Co-ordination Act 1944*, the Council resolves to approve the name Barnards Way for the new public street off Invermay Road that is made a public road by virtue of the sealed plan SP169278.

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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: 14 September 2015****MOTION**

**Moved Alderman J Finlay, seconded Alderman R L McKendrick.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

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**18.3 Heritage Forest - Pedal Buggy Proposal****FILE NO:** SF0830**AUTHOR:** Andrew Smith (Parks and Recreation Manager)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider a proposal to operate pedal buggies in Heritage Forest.

**PREVIOUS COUNCIL CONSIDERATION:**

SPPC Meeting 7 September 2015 - Item 4.1

**RECOMMENDATION:**

That Council agrees to issue a licence permit for five (5) years to Dry Slopes Pty Ltd for operating up to a maximum of 12 pedal buggies on approved tracks in Heritage Forest subject to the licensee:

- a) maintaining \$20 million in public liability insurance;
- b) complying with all relevant safety standards;
- c) payment of an annual licence fee determined as Year 1 - \$200; Year 2 - \$300; Year 3 - \$400; Year 4 - \$500 and Year 5 - \$500;
- d) providing adequate supervision to ensure the safe operation of the equipment;
- e) obtaining planning approval for the placement of a shipping container; and
- f) paying for the installation of any changes to path signage, bridges, bollards or other structures required for the operations.

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

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**18.3 Heritage Forest - Pedal Buggy Proposal...(Cont'd)**

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**DECISION: 14 September 2015****MOTION****Moved Alderman J Finlay, seconded Alderman J G Cox.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0****FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

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**18.4 84 Gibson Street - Exchange of Easements****FILE NO:** 110360/DA0497/2013**AUTHOR:** Robert Holmes (Property Coordinator)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider a request to exchange interests in land.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

In respect to a request made by RV Pty Ltd to exchange a right of way and service easement associated with Mt Pleasant Detention Basin, and in accordance with section 177 of the *Local Government Act* 1993, Council resolves to an exchange of interests in land as follows:

- A Right of Way and Services Easement variable width as shown the plan marked Attachment A (ECM # 3567606) having an area of 754m<sup>2</sup> in favour of Council is to be created by subdivision process as per the plans approved under DA0497/2013 and
- A Right of Way and Services Easement 4 metres wide as shown on the plan marked Attachment B (ECM # 3567607) having an area of 622m<sup>2</sup> is to be released to R V Pty Ltd by way of an Instrument under Section 108 of the Land Titles Act 1980.

Consideration for the exchange of interests is that RV Pty Ltd is to pay Council the sum of \$850 (plus GST if applicable) and to reimburse Councils expenses in obtaining valuation advice being the sum of \$400 plus GST. RV Pty Ltd is to meet the cost of registration of the dealing.

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

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**18.4 84 Gibson Street - Exchange of Easements...(Cont'd)**

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**DECISION: 14 September 2015****MOTION****Moved Alderman R L McKendrick, seconded Alderman J G Cox.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0****FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

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**18.5 351 Golconda Road - Part Acquisition****FILE NO:** SF1491/26594**AUTHOR:** Robert Holmes (Property Coordinator)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider a request to reach agreement in regard to compensation.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Item 18.1 - 23 March 2015

Council resolved to compulsorily acquire land for road widening purposes.

**RECOMMENDATION:**

In respect of the decision to compulsorily acquire 4889m<sup>2</sup> of land from the owners of 351 Golconda Road for road widening purposes, the Council resolves to increase the offer of compensation to \$8555.75 plus legal survey and transfer expenses for an acquisition by agreement in accordance with Section 9 of the *Land Acquisition Act 1993*.

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

**Alderman D W Alexander withdrew from the meeting at 2.17pm**

**DECISION: 14 September 2015**

**MOTION**

**Moved Alderman R L McKendrick, seconded Alderman J Finlay.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

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**19 CORPORATE SERVICES DIRECTORATE ITEMS**

**No Items were identified as part of this Meeting.**

**20 GENERAL MANAGER'S DIRECTORATE ITEMS**

**No Items were identified as part of this Meeting.**

**21 URGENT BUSINESS**

*Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Minutes.*

**No Urgent Items were identified as part of this Meeting.**

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**22 CLOSED COUNCIL**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)*

**Alderman D W Alexander re-attended the meeting at 2.18pm**

**22.1 Confirmation of the Minutes**

The *Local Government (Meeting Procedures) Regulations 2015 - Regulation 34(6)* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

**22.2 Leave of Absence - Aldermen**

That Minutes Item 22.2 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)9h) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

15(2)( h) applications by councillors for a leave of absence

**DECISION: 14 September 2015****MOTION**

**Moved Alderman R L McKendrick, seconded Alderman J Finlay.**

**That Council move into Closed Session to consider Items 22.1 - Confirmation of the Minutes and 22.2 - Leave of Absence - Aldermen.**

**CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman E K Williams**

**The Council moved to Closed Session at 2.19pm**

**The Council returned to Open Session at 2.22pm**

**23 MEETING CLOSURE**

**The Mayor, Alderman A M van Zetten, closed the Meeting at 2.22pm**

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