



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
MONDAY 22 JUNE 2015**

# City of Launceston

COUNCIL MINUTES

Monday 22 June 2015

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

Date: 22 June 2015

Time: 1.00 pm

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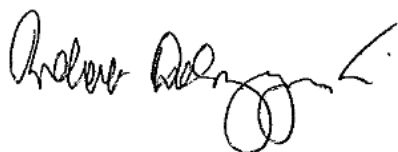
## Section 65 Certificate of Qualified Advice

### Background

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

### Declaration

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



**Robert Dobrzynski**  
General Manager

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# City of Launceston

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

**In Attendance:**                    **Mr R S Dobrzynski (General Manager)**  
**Mr J Davis (Manager Corporate Strategy)**  
**Ms L Doolan (Committee Clerk)**

**Apologies:**                    **Alderman**            **J G Cox**

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

The Mayor Alderman A M van Zetten opened the meeting at 1.00pm.

**2 DECLARATION OF PECUNIARY INTERESTS**

Alderman D W Alexander declared a pecuniary interest in Agenda Item 15.1 - Business Events Tasmania Funding Request.

**3 CONFIRMATION OF MINUTES****RECOMMENDATION:**

That the Minutes of the meeting of the City of Launceston Council held on 9 June 2015 be confirmed as a true and correct record.

**DECISION:** 22 June 2015

**MOTION**

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

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

**CARRIED ALL**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams

**4 DEPUTATION**

Nil

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

No Public Questions outstanding.

No Aldermen's Questions outstanding.

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**6 PUBLIC QUESTION TIME**

**6.1 Brian Finch - Tasmanian Economic Regulator (LAFIT)**

On 23<sup>rd</sup> Dec 2013, Tas Fitness Pty Ltd lodged a complaint with the Tasmanian Economic Regulator against the Launceston City Council alleging that the Council was contravening the National Competitive Neutrality Principles. In the Economic Regulator findings, dated March 21, 2014, they found that the complaint was justified and that LAFIT had contravened the national competition policy. This was shown in the Economic Regulators report page 22 5.1. I request that the Council provide, as recommended by the Economic Regulator, that the council be directed to....QUOTE..."review its actual income and expenses for LAFIT in 12 months' time to ensure that the pricing for each class of membership reflects the full actual cost of supplying the LAFIT facilities as a STANDALONE BUSINESS"...END OF QUOTE (*question transcribed as provided*).

Mr R Dobrzynski (General Manager) took the question on notice.

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## 6.2 Brian Finch - National Competition Policy (LAFIT)

When the complaint to the Economic Regulator that the Launceston City Council had contravened the National Competition Policy, because...QUOTE..."Its low pricing at \$21 is not reflective of full cost attribution because the relevant wet area levy has not been fully costed"...End of QUOTE...has the council complied with the Economic Regulators request to review LAFIT's pricing for its premium pool and gym membership to ensure that it is consistent with the FULL COST ATTRIBUTION principles? *(question transcribed as provided)*

Mr R Dobrzynski (General Manager) took the question on notice.

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## 6.3 Brian Finch - LAFIT

Prior to the establishment of LAFIT, Aldermen were told that the gym at the Aquatic Centre would ease the losses being made by that facility and that there was an unmet need in the community for this service, even though there were an estimated 36 fitness industry businesses providing services in the Launceston area, believed to be the highest per head per capita in Australia.

Are Aldermen aware that many rate paying fitness businesses in private enterprise, have closed or are struggling in the face of trying, but not being able to, match the services or the prices that LAFIT charges which means that they can't compete with the ratepayer-funded LAFIT and it is attracting their membership away from them?

I request that council provide evidence that the Aquatic Centre is in a better financial position now compared to before the start of LAFIT. *(question transcribed as provided)*

Mr R Dobrzynski (General Manager) took the question on notice and also stated that he believed Council had complied with all the requirements of the Economic Regulator and that the Minister is satisfied with the response the Council has provided.

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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 Agenda Items 7.1 and 7.2.

## **7 PLANNING AUTHORITY**

**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land**

**FILE NO:** DA0573/2014

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

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

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### **DECISION STATEMENT:**

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

### **PREVIOUS COUNCIL CONSIDERATION:**

- |             |  |
|-------------|--|
| DA0474/2002 | Advertising signs - signs painted on Canal Street facade (Heritage Listed Building) (Approved 13/12/2002)  |
| DA0573/2004 | Use and development including 149 residential apartments, 87 room hotel, exhibition space, retail outlets, gymnasium and pool, carpark, sky bridge and ancillary works (Approved 4/05/2005)  |
| DA0467/2010 | Change of use of part of premises to Place of Assembly - church (Approved 6/10/2010)   |
| DA0343/2011 | Development and use of a new commercial and retail centre (Approved 19/09/2011)  |
| DA0383/2014 | Bulky Goods - showroom; Food Services - restaurant; Ancillary - facilities; demolition of the "cordial factory" (Refused by THC 1/10/2014 and Council 13/10/2014, subject to current appeal adjourned until DA0573/2014 is determined) |
-

**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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**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 for DA0573/2014 Bulky Goods Sales, Food Services, Educational and Occasional Care (child care centre) and Vehicle Parking - change of use; construction of a building; subdivision and development on Council land at 16-24 Charles Street and 9 Canal Street, Launceston in accordance with the endorsed plans and 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. Cover page (stage 1), Prepared by Design Vibe, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Undated.
  - b. Locality plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision B, Dated 19/05/15.
  - c. Site plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision D, Dated 19/05/15.
  - d. Staging, extent of existing & locality plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.03, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision D, Dated 19/05/15.
  - e. Lower basement floor plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.04, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision T, Dated 19/05/15.
  - f. Ground floor plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.05, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision P, Dated 19/05/15.
  - g. Level one floor plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.06, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision M, Dated 19/05/15.
  - h. Roof plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.07, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision H, Dated 19/05/15.
  - i. Elevation sheet 1 (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision J, Dated 19/05/15.
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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- j. Elevation sheet 2 (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision J, Dated 19/05/15.
  - k. Elevation sheet 3 (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.03, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision F, Dated 19/05/15.
  - l. Sections (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-3.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision D, Dated 19/05/15.
  - m. Cover page (stage 2), Prepared by Design Vibe, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Undated.
  - n. Locality plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision B, Dated 19/05/15.
  - o. Site plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision D, Dated 19/05/15.
  - p. Staging, extent of existing & locality plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.03, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision D, Dated 19/05/15.
  - q. Lower basement floor plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.04, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision T, Dated 19/05/15.
  - r. Ground floor plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.05, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision P, Dated 19/05/15.
  - s. Level one floor plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.06, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision M, Dated 19/05/15.
  - t. Roof plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.07, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision H, Dated 19/05/15.
  - u. Elevation sheet 1 (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision J, Dated 19/05/15.
  - v. Elevation sheet 2 (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision J, Dated 19/05/15.
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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- w. Elevation sheet 3 (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.03, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision F, Dated 19/05/15.
- x. Sections (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-3.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision D, Dated 19/05/15.
- y. Site plan - Proposed subdivision and title consolidation, Prepared by 6ty<sup>o</sup>, Project no. 14.353, Drawing no. P01, Revision A, Undated.
- z. Traffic Engineering Assessment, Prepared by Cardno Grogan Richards, Job Number CG107883, Mixed use development - Charles Street, Launceston, Dated 20 July 2011.
- aa. Environmental Site Assessment, Prepared by Coffey Environments, CH Smith site, 16-24 Charles Street, Launceston, Dated 26 June 2007.
- bb. Heritage Impact Statement, Prepared by Ireneinc Planning with attachment by Paul Davies Pty Ltd, CH Smith site Launceston, Dated 2 December 2014.

## **2. LEGAL TITLE**

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

## **3. LAPSING OF PERMIT**

This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

## **4. USE OF PARKING AREAS**

Areas set aside for the parking and movement of vehicles as shown on the endorsed plans must be made available for such use and must not be used for any other purpose.

## **5. FACILITIES FOR CYCLISTS**

Tenancy 1.04 must include at least one (1) shower and change room facility for the use of employees.

## **6. LOADING AND UNLOADING**

Loading and unloading of delivery goods and merchandise and the like must be carried out within the boundaries of the subject land.

## **7. NO STORAGE OUTSIDE BUILDING**

All refuse, goods and packaging materials must be stored and/or screened so that they are not visible from public roads. No external storage is permitted.

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- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**
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## **8. WASTE MANAGEMENT PLAN**

Prior to the commencement of works on the site the developer shall prepare a waste management plan for the site outlining provisions made for the collection and disposal of garbage and recyclables from retail, restaurant and commercial uses on the site. This plan must show:

- a) The methods of storage of garbage and collection including locations of bins
- b) Measures taken to minimise the amenity impacts of storage and disposal of garbage

## **9. DELIVERY HOURS**

Deliveries to and from the site by heavy vehicles (including trade waste collection) must only occur between:

- a. 6am and 10pm, 7 days

## **10. 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, without the prior written approval of Council.

## **11. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No.2015/00293-LCC) (attached).

## **12. HERITAGE**

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Application No. 4689, endorsed as part of this permit.

## **13. SITE LANDSCAPING PLAN**

Prior to the commencement of works, a landscape plan must be submitted for approval by Manager Planning Services. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include the following details:

- a. Major site features such as building footprints, topography, contours existing vegetation and street boundaries; and
  - b. Existing and proposed garden areas, plantings and green walls (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity); and
  - c. Any stabilisation works required as a result of tree or vegetation removal; and
  - d. All proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
-



**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- e. Suitable irrigation or a fixed sprinkler system for the watering of all lawns and landscaped areas; and
- f. Landscaping the Wellington Street frontage so that over time it will significantly screen views of the lower level of the development from Wellington and Cimitiere Street.

Once approved by Manager Planning Services, the plan will be endorsed and will form part of the permit. 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.

The developer must meet the costs of all landscaping works, shown on the endorsed plans as being outside of the land owned by the developer. Prior to commencement of any landscaping or works on land outside of the ownership of the developer all necessary agreements must be in place with the Council for final design, ongoing management and maintenance of these areas.

#### **14. SIGNAGE CONTENT**

Content of the approved signs may be updated or changed without separate approval of Council, subject to:

- a. The structure, location and size of the signage not changing.
- b. The content of the signage relating to the site.
- c. Compliance with the requirements of the planning scheme.

#### **15. NO SIGN ILLUMINATION**

The signs must not be floodlit or otherwise illuminated without separate approval from Council.

#### **16. SIGN MAINTENANCE**

The signs must be constructed and maintained in good condition to the satisfaction of the Council.

#### **17. PAINTED WALL SIGN NOT APPROVED**

The Painted Wall Sign for five tenancies proposed to the southern wall of the Fry Residence (formerly 24 Charles Street) is not approved as part of this application.

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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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It is recommended that this signage be replaced with a single tenancy sign (for this building) of a reduced scale and a vertical orientation so as to fit between the proposed glass atrium and the Charles Street frontage. The design and content of this sign would require separate approval from Council.

**18. COVENANTS ON SUBDIVISIONS**

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- a. Such covenants or controls are expressly authorised by the terms of this permit; or
- b. Such covenants or similar controls are expressly authorised by the consent in writing of the Council.
- c. Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

**19. ROAD CLOSURE PURSUANT TO DIVISION 2 LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 - PART CANAL STREET**

That part of Canal Street serving only the subject land and comprising the Crown Land to be purchased by the Developer shall be closed pursuant to Division 2 of the Local Government (Highways) Act 1982. The developer is liable for all costs (including out-of-pocket, processing fees and any legal representation should the matter reach the magistrates court) associated with the permanent closure and acquisition of that part of Canal Street serving only the subject land including the placement of all necessary public notices advising the public of the Council's intention to close the described portion road. The road closure and acquisition procedure shall be finalised prior to the issue of a Certificate of Occupancy for any tenancy on the site.

**20. TRUCK REVERSING BAY VICINITY OF 'CORDIAL FACTORY'**

Prior to the commencement of the use of the site, where such use relies upon access to the loading dock areas, the area shown on the endorsed plans as 'Truck Reversing Bay' shall be free from obstructions, including but not limited to, the existing metal struts supporting the western façade of the 'Cordial Factory'.

The applicant must seek all necessary approvals to undertake works pertaining to the removal of the metal struts and their replacement with other supporting structures or for structural works to the building itself.

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- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**
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## **21. 'CORDIAL FACTORY' - PRESERVATION OF ACCESS**

That portion of proposed Lot 1 identified as lot 1a on the 6ty<sup>0</sup> plan 'Site Plan proposed subdivision and title consolidation' shall be subject to a 'no build' restriction preventing the construction of buildings or structures higher than 3.0m AHD (nominal height of structure above existing ground level 1.2m).

Lot 1 shall be burdened with a right of way or other right or easement registered on title for the benefit of Lot 2 to maintain vehicular access to the western entrance of the 'Cordial Factory' for the purpose of deliveries and maintenance activities. The right of way or easement shall be of sufficient dimension so as to permit use by an 8.8 metre long service vehicle. The extent of the easement should, at a minimum, be in accordance with the notation on the endorsed plan (*Site plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision D, Dated 19/05/15*).

## **22. DRIVEWAY CONSTRUCTION**

Before the use commences, areas set aside for parking and loading/unloading 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 buildings or landscape areas;
- g) Have exterior lights that are installed in such positions as to effectively illuminate all pathways, alcoves and car parking areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site,

Parking and loading/unloading areas and access lanes must be kept available for these purposes at all times unless otherwise stipulated within the terms of the approval.

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- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**
- 

### **23. AMENDED PLANS REQUIRED**

Prior to the commencement of any work and/or use, amended plans must be submitted to show:

- a. The existing Cimitiere Street footpath level in relation to the proposed Cimitiere Street elevation and the path within the private property and all necessary retaining structures and barriers between the two to prevent falls,
- b. The shared space associated with parking space 05 is to be widened to be 2400mm in accordance with AS2890.6, including the relocation of the bollard and the additional line marking,
- c. The fire hose reel located immediately inside the pedestrian access to the car park from Canal Street is to be relocated to be clear of the shared space described above,
- d. The proposed wheel rack for bicycle parking is to be replaced with no less than a Class 3 parking facility, (ie a rail, hoop or other fixture to which a bicycle can be secured by its frame and both wheels) or a series of Class 3 facilities to provide secure bicycle parking,

Once approved by the Manager Planning Services, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans.

### **24. 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.

### **25. 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.
-

**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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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".

**26. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

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

**27. 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.

**28. OCCUPATION OF ROAD RESERVE (COMPLEX)**

Any works in the road reserve, 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".

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the Director Infrastructure Services is required. Application for the occupation of Cimitiere Street, Charles Street and/or Canal Street must be made 14 days prior to date of the scheduled occupation or works and detailing (but not limited to):

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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- a. The nature, dates and duration of the occupation and/or works,
- b. The contractors name and registration number,
- c. The traffic management works that are must employed to provide for the continued safe use of the road reserve by pedestrians and vehicles,
- d. Any alternative pedestrian routes to be provided where the existing footpath in Cimitiere Street, Charles Street and/or Canal Street is unavailable for use due to the delivery of materials such as the precast concrete panels
- e. Any temporary works required to maintain the serviceability of `the road or footpath.

A permit issued for any occupation and/or works may be subject to conditions specifying or limiting:

- a. The nature, dates and duration of the occupation and/or works;
- b. The traffic management works that must be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles, Any alternative pedestrian routes to be provided where the existing footpath in Cimitiere Street, Charles Street and/or Canal Street is unavailable for use due to the delivery of materials such as the precast concrete panels
- c. Any temporary works required to maintain the serviceability of the road or footpath,
- d. All remedial works required to repair any damage to the road reserve resulting from the occupation and/or works.

Inspections must be arranged for prior to the commencement of the occupation and at the completion of the works.

**29. OCCUPATION OF ROAD RESERVE (METERED PARKING BAYS)**

Prior to the commencement of the occupation the applicant must make application to Council's Director Infrastructure Services for the occupation of the metered parking spaces located along the western side of Charles Street. The applicant must pay the prescribed daily fee for each occupied metered space for the duration of the occupation, except where the Council's Manager Parking permits a variation.

**30. SUBMISSION AND APPROVAL OF PLANS**

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
    - i. Electricity infrastructure including alterations to street lighting.
    - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
-

**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
  - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
  - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

**31. CONSTRUCTION OF WORKS**

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Cimitiere Street
    - i. Provision of a fully constructed 3.5 metre wide turning lane 25 metre long with a 20 metre long approach taper, complete with KC type kerb and channel, into the site,
    - ii. Provision of all necessary line marking, signage and other traffic control devices required by the above.
  - b. Canal Street
    - i. Removal of all redundant vehicular crossings and reinstatement of the kerb and footpath to match the adjacent construction,
    - ii. Reconfiguration of the stormwater drainage within Canal Street to ensure that public drainage is separated from drainage which is internal to the development site.
  - c. Charles Street
    - i. Removal of the redundant vehicular crossing located adjacent the intersection with Cimitiere Street and reinstatement of the kerb and footpath to match the adjacent construction,
    - ii. Removal of the redundant vehicular crossing located in the middle of the existing blue stone kerbing and reinstatement of the kerb and footpath to match the adjacent blue stone kerb construction,
-

**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- iii. Removal of the redundant vehicular crossing located in the northern end of the existing blue stone kerbing and reinstatement of the kerb and footpath to match the adjacent blue stone kerb construction,
- v. all necessary line marking, signage and other traffic control devices.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- a. Construction requirements,
- b. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- c. Construction Audit inspections,
- d. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

### **32. CONSTRUCTION DOCUMENTATION**

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure Services Directorate.
- b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

### **33. SEALING PLANS OF SUBDIVISION**

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

- a. The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council requirements.
- b. The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

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

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- 7.1 **16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**
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### **34. 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.

### **35. EXTERIOR AND SECURITY LIGHTING PLANNING**

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting".

### **36. 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).

### **37. 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

### **38. FOOD BUSINESS TO REGISTER**

Prior to the commencement of operation the applicant is required to register as a food business in accordance with section 86 of the *Food Act 2003*.

### **39. PLACE OF ASSEMBLY TO LICENCE**

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

### **40. SCREENING OF PLANT AND ROOFTOP STRUCTURES**

Plant and equipment proposed for the roof of the buildings must be screened from public views in a manner to complement the appearance of the building and to mitigate its visual impact.

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- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)
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#### **41. NOISE**

The use must not cause unreasonable noise or interference to adjoining sensitive uses. Precautions must be taken to avoid nuisance to neighbouring residential areas, particularly from warning sirens, intruder alarms, public address systems, heavy-duty compressors, reversing beepers and the like.

#### **42. ENVIRONMENTAL SITE ASSESSMENT**

All recommendations of the report *Environmental Site Assessment of CH Smith site, 16-24 Charles Street, Prepared by Coffey Environments, Dated 26 June 2007* must be implemented during construction and completed before the first use of the site.

#### **Notes**

1. General

*This permit was issued based on the proposal documents submitted for DA0573/2014. 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. 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. Access for People with a Disability

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

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- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)
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3. Other Approvals

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

- *Council Building permit*
- *Council Plumbing permit*
- *Registration of food businesses*
- *Occupancy Permit*

4. 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>>*

5. Possible fuel tanks

*This site is listed as a potentially contaminated site (possible fuel tanks onsite).*

*The developer should:*

- a) *Take all practical measures to identify the location of any fuel tanks on site; and*
  - b) *Ensure the integrity of any located fuel tanks is protected during demolition work.*
- 

**Mrs L Hurst (Director Development Services), Mr Richard Jamieson (Manager Planning Services) and Ms Jacqui Tyson (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

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**DECISION: 22 June 2015****MOTION 1**

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

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

**DECISION: 22 June 2015****MOTION 2**

Moved Alderman J Finlay, seconded Alderman D C Gibson.

That the item lay on the table while officers consider whether the amendment can be accommodated with the Development Application.

**CARRIED 7:4**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman D C Gibson, Alderman D H McKenzie, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins and Alderman E K Williams

**AGAINST VOTE:** Mayor Alderman A M van Zetten, Alderman R L McKendrick, Alderman S R F Wood and Alderman R J Sands

**DECISION: 22 June 2015****MOTION 3**

Moved Alderman D H McKenzie, seconded Alderman J Finlay.

That the item be bought back to the table.

**CARRIED ALL**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams

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**AMENDMENT**

With the addition of:

**43. SEQUENCE OF HERITAGE WORKS**

The works required by Tasmanian Heritage Council notice of decision for Application No. 4689 must be completed to the satisfaction of the Council and Heritage Tasmania prior to retail operations commencing on the site.

**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 for DA0573/2014 Bulky Goods Sales, Food Services, Educational and Occasional Care (child care centre) and Vehicle Parking - change of use; construction of a building; subdivision and development on Council land at 16-24 Charles Street and 9 Canal Street, Launceston in accordance with the endorsed plans and 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. Cover page (stage 1), Prepared by Design Vibe, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Undated.
  - b. Locality plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision B, Dated 19/05/15.
  - c. Site plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision D, Dated 19/05/15.
  - d. Staging, extent of existing & locality plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.03, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision D, Dated 19/05/15.
  - e. Lower basement floor plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.04, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision T, Dated 19/05/15.
  - f. Ground floor plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.05, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision P, Dated 19/05/15.
  - g. Level one floor plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.06, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision M, Dated 19/05/15.
  - h. Roof plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.07, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision H, Dated 19/05/15.
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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- i. Elevation sheet 1 (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision J, Dated 19/05/15.
  - j. Elevation sheet 2 (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision J, Dated 19/05/15.
  - k. Elevation sheet 3 (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.03, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision F, Dated 19/05/15.
  - l. Sections (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-3.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision D, Dated 19/05/15.
  - m. Cover page (stage 2), Prepared by Design Vibe, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Undated.
  - n. Locality plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision B, Dated 19/05/15.
  - o. Site plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision D, Dated 19/05/15.
  - p. Staging, extent of existing & locality plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.03, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision D, Dated 19/05/15.
  - q. Lower basement floor plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.04, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision T, Dated 19/05/15.
  - r. Ground floor plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.05, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision P, Dated 19/05/15.
  - s. Level one floor plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.06, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision M, Dated 19/05/15.
  - t. Roof plan (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.07, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision H, Dated 19/05/15.
  - u. Elevation sheet 1 (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision J, Dated 19/05/15.
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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- v. Elevation sheet 2 (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision J, Dated 19/05/15.
- w. Elevation sheet 3 (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-2.03, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision F, Dated 19/05/15.
- x. Sections (stage 2), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-3.01, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 2, Revision D, Dated 19/05/15.
- y. Site plan - Proposed subdivision and title consolidation, Prepared by 6ty<sup>o</sup>, Project no. 14.353, Drawing no. P01, Revision A, Undated.
- z. Traffic Engineering Assessment, Prepared by Cardno Grogan Richards, Job Number CG107883, Mixed use development - Charles Street, Launceston, Dated 20 July 2011.
- aa. Environmental Site Assessment, Prepared by Coffey Environments, CH Smith site, 16-24 Charles Street, Launceston, Dated 26 June 2007.
- bb. Heritage Impact Statement, Prepared by Ireneinc Planning with attachment by Paul Davies Pty Ltd, CH Smith site Launceston, Dated 2 December 2014.

## **2. LEGAL TITLE**

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

## **3. LAPSING OF PERMIT**

This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

## **4. USE OF PARKING AREAS**

Areas set aside for the parking and movement of vehicles as shown on the endorsed plans must be made available for such use and must not be used for any other purpose.

## **5. FACILITIES FOR CYCLISTS**

Tenancy 1.04 must include at least one (1) shower and change room facility for the use of employees.

## **6. LOADING AND UNLOADING**

Loading and unloading of delivery goods and merchandise and the like must be carried out within the boundaries of the subject land.

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- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**
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**7. NO STORAGE OUTSIDE BUILDING**

All refuse, goods and packaging materials must be stored and/or screened so that they are not visible from public roads. No external storage is permitted.

**8. WASTE MANAGEMENT PLAN**

Prior to the commencement of works on the site the developer shall prepare a waste management plan for the site outlining provisions made for the collection and disposal of garbage and recyclables from retail, restaurant and commercial uses on the site. This plan must show:

- a) The methods of storage of garbage and collection including locations of bins
- b) Measures taken to minimise the amenity impacts of storage and disposal of garbage

**9. DELIVERY HOURS**

Deliveries to and from the site by heavy vehicles (including trade waste collection) must only occur between:

- a. 6am and 10pm, 7 days

**10. 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, without the prior written approval of Council.

**11. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No.2015/00293-LCC) (attached).

**12. HERITAGE**

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Application No. 4689, endorsed as part of this permit.

**13. SITE LANDSCAPING PLAN**

Prior to the commencement of works, a landscape plan must be submitted for approval by Manager Planning Services. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include the following details:

- a. Major site features such as building footprints, topography, contours existing vegetation and street boundaries; and
  - b. Existing and proposed garden areas, plantings and green walls (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity); and
-



**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- c. Any stabilisation works required as a result of tree or vegetation removal; and
- d. All proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
- e. Suitable irrigation or a fixed sprinkler system for the watering of all lawns and landscaped areas; and
- f. Landscaping the Wellington Street frontage so that over time it will significantly screen views of the lower level of the development from Wellington and Cimitiere Street.

Once approved by Manager Planning Services, the plan will be endorsed and will form part of the permit. 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.

The developer must meet the costs of all landscaping works, shown on the endorsed plans as being outside of the land owned by the developer. Prior to commencement of any landscaping or works on land outside of the ownership of the developer all necessary agreements must be in place with the Council for final design, ongoing management and maintenance of these areas.

#### **14. SIGNAGE CONTENT**

Content of the approved signs may be updated or changed without separate approval of Council, subject to:

- a. The structure, location and size of the signage not changing.
- b. The content of the signage relating to the site.
- c. Compliance with the requirements of the planning scheme.

#### **15. NO SIGN ILLUMINATION**

The signs must not be floodlit or otherwise illuminated without separate approval from Council.

#### **16. SIGN MAINTENANCE**

The signs must be constructed and maintained in good condition to the satisfaction of the Council.

#### **17. PAINTED WALL SIGN NOT APPROVED**

The Painted Wall Sign for five tenancies proposed to the southern wall of the Fry Residence (formerly 24 Charles Street) is not approved as part of this application.

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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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It is recommended that this signage be replaced with a single tenancy sign (for this building) of a reduced scale and a vertical orientation so as to fit between the proposed glass atrium and the Charles Street frontage. The design and content of this sign would require separate approval from Council.

**18. COVENANTS ON SUBDIVISIONS**

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- a. Such covenants or controls are expressly authorised by the terms of this permit; or
- b. Such covenants or similar controls are expressly authorised by the consent in writing of the Council.
- c. Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

**19. ROAD CLOSURE PURSUANT TO DIVISION 2 LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 - PART CANAL STREET**

That part of Canal Street serving only the subject land and comprising the Crown Land to be purchased by the Developer shall be closed pursuant to Division 2 of the Local Government (Highways) Act 1982. The developer is liable for all costs (including out-of-pocket, processing fees and any legal representation should the matter reach the magistrates court) associated with the permanent closure and acquisition of that part of Canal Street serving only the subject land including the placement of all necessary public notices advising the public of the Council's intention to close the described portion road. The road closure and acquisition procedure shall be finalised prior to the issue of a Certificate of Occupancy for any tenancy on the site.

**20. TRUCK REVERSING BAY VICINITY OF 'CORDIAL FACTORY'**

Prior to the commencement of the use of the site, where such use relies upon access to the loading dock areas, the area shown on the endorsed plans as 'Truck Reversing Bay' shall be free from obstructions, including but not limited to, the existing metal struts supporting the western façade of the 'Cordial Factory'.

The applicant must seek all necessary approvals to undertake works pertaining to the removal of the metal struts and their replacement with other supporting structures or for structural works to the building itself.

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- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**
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## **21. 'CORDIAL FACTORY' - PRESERVATION OF ACCESS**

That portion of proposed Lot 1 identified as lot 1a on the 6ty<sup>0</sup> plan 'Site Plan proposed subdivision and title consolidation' shall be subject to a 'no build' restriction preventing the construction of buildings or structures higher than 3.0m AHD (nominal height of structure above existing ground level 1.2m).

Lot 1 shall be burdened with a right of way or other right or easement registered on title for the benefit of Lot 2 to maintain vehicular access to the western entrance of the 'Cordial Factory' for the purpose of deliveries and maintenance activities. The right of way or easement shall be of sufficient dimension so as to permit use by an 8.8 metre long service vehicle. The extent of the easement should, at a minimum, be in accordance with the notation on the endorsed plan (*Site plan (stage 1), Prepared by Design Vibe, Job no. 10038, Sheet no. DA-1.02, Proposed CH Smith commercial development - Cnr. Charles and Cimitiere Street, Launceston Stage 1, Revision D, Dated 19/05/15*).

## **22. DRIVEWAY CONSTRUCTION**

Before the use commences, areas set aside for parking and loading/unloading 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 buildings or landscape areas;
- g) Have exterior lights that are installed in such positions as to effectively illuminate all pathways, alcoves and car parking areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site,

Parking and loading/unloading areas and access lanes must be kept available for these purposes at all times unless otherwise stipulated within the terms of the approval.

## **23. AMENDED PLANS REQUIRED**

Prior to the commencement of any work and/or use, amended plans must be submitted to show:

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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- a. The existing Cimitiere Street footpath level in relation to the proposed Cimitiere Street elevation and the path within the private property and all necessary retaining structures and barriers between the two to prevent falls,
- b. The shared space associated with parking space 05 is to be widened to be 2400mm in accordance with AS2890.6, including the relocation of the bollard and the additional line marking,
- c. The fire hose reel located immediately inside the pedestrian access to the car park from Canal Street is to be relocated to be clear of the shared space described above,
- d. The proposed wheel rack for bicycle parking is to be replaced with no less than a Class 3 parking facility, (ie a rail, hoop or other fixture to which a bicycle can be secured by its frame and both wheels) or a series of Class 3 facilities to provide secure bicycle parking,

Once approved by the Manager Planning Services, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans.

**24. 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.

**25. 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.

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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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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".

**26. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

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

**27. 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.

**28. OCCUPATION OF ROAD RESERVE (COMPLEX)**

Any works in the road reserve, 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".

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the Director Infrastructure Services is required. Application for the occupation of Cimitiere Street, Charles Street and/or Canal Street must be made 14 days prior to date of the scheduled occupation or works and detailing (but not limited to):

- a. The nature, dates and duration of the occupation and/or works,
  - b. The contractors name and registration number,
  - c. The traffic management works that are must employed to provide for the continued safe use of the road reserve by pedestrians and vehicles,
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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- d. Any alternative pedestrian routes to be provided where the existing footpath in Cimitiere Street, Charles Street and/or Canal Street is unavailable for use due to the delivery of materials such as the precast concrete panels
- e. Any temporary works required to maintain the serviceability of the road or footpath.

A permit issued for any occupation and/or works may be subject to conditions specifying or limiting:

- a. The nature, dates and duration of the occupation and/or works;
- b. The traffic management works that must be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles, Any alternative pedestrian routes to be provided where the existing footpath in Cimitiere Street, Charles Street and/or Canal Street is unavailable for use due to the delivery of materials such as the precast concrete panels
- c. Any temporary works required to maintain the serviceability of the road or footpath,
- d. All remedial works required to repair any damage to the road reserve resulting from the occupation and/or works.

Inspections must be arranged for prior to the commencement of the occupation and at the completion of the works.

**29. OCCUPATION OF ROAD RESERVE (METERED PARKING BAYS)**

Prior to the commencement of the occupation the applicant must make application to Council's Director Infrastructure Services for the occupation of the metered parking spaces located along the western side of Charles Street. The applicant must pay the prescribed daily fee for each occupied metered space for the duration of the occupation, except where the Council's Manager Parking permits a variation.

**30. SUBMISSION AND APPROVAL OF PLANS**

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
    - i. Electricity infrastructure including alterations to street lighting.
    - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
    - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
  - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
  - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

### **31. CONSTRUCTION OF WORKS**

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Cimitiere Street
    - i. Provision of a fully constructed 3.5 metre wide turning lane 25 metre long with a 20 metre long approach taper, complete with KC type kerb and channel, into the site,
    - ii. Provision of all necessary line marking, signage and other traffic control devices required by the above.
  - b. Canal Street
    - i. Removal of all redundant vehicular crossings and reinstatement of the kerb and footpath to match the adjacent construction,
    - ii. Reconfiguration of the stormwater drainage within Canal Street to ensure that public drainage is separated from drainage which is internal to the development site.
  - c. Charles Street
    - i. Removal of the redundant vehicular crossing located adjacent the intersection with Cimitiere Street and reinstatement of the kerb and footpath to match the adjacent construction,
    - ii. Removal of the redundant vehicular crossing located in the middle of the existing blue stone kerbing and reinstatement of the kerb and footpath to match the adjacent blue stone kerb construction,
    - iii. Removal of the redundant vehicular crossing located in the northern end of the existing blue stone kerbing and reinstatement of the kerb and footpath to match the adjacent blue stone kerb construction,
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**7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**

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- v. all necessary line marking, signage and other traffic control devices.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- a. Construction requirements,
- b. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- c. Construction Audit inspections,
- d. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

### **32. CONSTRUCTION DOCUMENTATION**

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure Services Directorate.
- b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

### **33. SEALING PLANS OF SUBDIVISION**

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

- a. The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council requirements.
- b. The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

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

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- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**
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### **34. 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.

### **35. EXTERIOR AND SECURITY LIGHTING PLANNING**

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting".

### **36. 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).

### **37. 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

### **38. FOOD BUSINESS TO REGISTER**

Prior to the commencement of operation the applicant is required to register as a food business in accordance with section 86 of the *Food Act 2003*.

### **39. PLACE OF ASSEMBLY TO LICENCE**

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

### **40. SCREENING OF PLANT AND ROOFTOP STRUCTURES**

Plant and equipment proposed for the roof of the buildings must be screened from public views in a manner to complement the appearance of the building and to mitigate its visual impact.

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- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)
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#### **41. NOISE**

The use must not cause unreasonable noise or interference to adjoining sensitive uses. Precautions must be taken to avoid nuisance to neighbouring residential areas, particularly from warning sirens, intruder alarms, public address systems, heavy-duty compressors, reversing beepers and the like.

#### **42. ENVIRONMENTAL SITE ASSESSMENT**

All recommendations of the report *Environmental Site Assessment of CH Smith site, 16-24 Charles Street, Prepared by Coffey Environments, Dated 26 June 2007* must be implemented during construction and completed before the first use of the site.

#### **43. SEQUENCE OF HERITAGE WORKS**

The works required by Tasmanian Heritage Council notice of decision for Application No. 4689 must be completed to the satisfaction of the Council and Heritage Tasmania prior to retail operations commencing on the site.

#### **Notes**

##### **1. General**

*This permit was issued based on the proposal documents submitted for DA0573/2014. 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. 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.*

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- 7.1 **16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)**
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2. Access for People with a Disability

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

3. Other Approvals

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

- *Council Building permit*
- *Council Plumbing permit*
- *Registration of food businesses*
- *Occupancy Permit*

4. 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>>*

5. Possible fuel tanks

*This site is listed as a potentially contaminated site (possible fuel tanks onsite).*

*The developer should:*

- a) *Take all practical measures to identify the location of any fuel tanks on site; and*
  - b) *Ensure the integrity of any located fuel tanks is protected during demolition work.*
-

- 7.1 16-24 Charles Street, Launceston, 9 Canal Street, Launceston - Bulky Goods Sales - food services, educational and occasional care and vehicle parking - change of use; construction of a building; subdivision; development on Council land...(Cont'd)
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**DECISION: 22 June 2015**

**MOTION 4**

Moved Alderman J Finlay, seconded Alderman A E Dawkins

That the Amendment becomes the Motion.

**CARRIED 7:4**

**FOR VOTE:** Alderman D C Gibson, Alderman J Finlay, Alderman E K Williams, Alderman A E Dawkins, Alderman D W Alexander, Alderman S R F Wood and Alderman D H McKenzie

**AGAINST VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick and Alderman R J Sands

**THE AMENDMENT BECOMES THE SUBSTANTIVE MOTION.**

The Mayor Alderman A M van Zetten handed the Chair to the Deputy Mayor Alderman R I Soward at 2.44pm.

The Mayor Alderman A M van Zetten resumed the Chair at 2.45pm.

**DECISION: 22 June 2015**

**MOTION 5**

That the Motion be adopted.

**CARRIED ALL**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman E K Williams, Alderman D H McKenzie, Alderman R L McKendrick, Alderman S R F Wood and Alderman R J Sands

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**7.2 7 Argyle Street, West Launceston - Residential single dwelling; construction and use of a dwelling****FILE NO:** DA0109/2015**AUTHOR:** Catherine Mainsbridge (Senior 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:**

N/A

**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 2012, a permit be granted for Residential - single dwelling; construction of a new dwelling at 7 Argyle St, West Launceston 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. Proposed dwelling - Site plan; Prepared by Engineering Plus, Drawing No. 21314 - A01, Rev B, Dated 29.04.15 (Plan to be amended to show increase in south eastern boundary setback).
  - b. Proposed dwelling - Floor plan; Prepared by Engineering Plus, Drawing No. 21314 - A02, Rev B, Dated 29.04.15.
  - c. Proposed dwelling - Elevations; Prepared by Engineering Plus, Drawing No. 21314 - A03, Rev B, Dated 29.04.15, (Elevation to be amended to show screen to deck).
  - d. Proposed dwelling - Elevations; Prepared by Engineering Plus, Drawing No. 21314 - A04, Rev B, Dated 29.04.15.
  - e. Proposed dwelling - Perspective views; Prepared by Engineering Plus, Drawing No. 21314 - A05, Rev B, Dated 29.04.15 (Elevations to be amended to show screen to deck).
  - f. Proposed dwelling - Shadow diagrams; Prepared by Engineering Plus, Drawing No. 21314 - A03, Rev B, Dated 29.04.15 (To be amended to show screen to deck and increase in south eastern boundary setback).
-

**7.2 7 Argyle Street, West Launceston - Residential single dwelling; construction and use of a dwelling...(Cont'd)**

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**2. AMENDED PLANS REQUIRED**

Prior to the issuing of a Building Permit, amended plans must be submitted to the satisfaction of the Council to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, the amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. A decrease in the width of the dwelling by 500m to allow an increase in the south eastern side setback to 1.5m. There is to be no reduction in the north eastern side setback.
- b. A 1.7m high screen, as noted in the following conditions, along the north western side of the deck.

**3 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.

**4. NON REFLECTIVE EXTERIOR FINISH**

All external cladding and roofing of the buildings must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

**5. 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

**6. SCREEN PLANTING**

A continuous screen of low plants or shrubs, with a height of between 1m - 2m, must be planted along the western front boundary, for the full depth of the garage, between the street and garage, to minimise the impact on the streetscape.

**7. PRIVACY SCREEN**

A 1.7m high privacy screen must be erected along north western side of the deck with a uniform transparency of 25% to ensure reasonable privacy for the adjoining property.

**8. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

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**7.2 7 Argyle Street, West Launceston - Residential single dwelling; construction and use of a dwelling...(Cont'd)**

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**9. 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".

**10. 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.

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.

**11. 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.

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**7.2 7 Argyle Street, West Launceston - Residential single dwelling; construction and use of a dwelling...(Cont'd)**

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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.

**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).

**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.*

**Plumbing Permit Required**

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

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**7.2 7 Argyle Street, West Launceston - Residential single dwelling; construction and use of a dwelling...(Cont'd)**

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General

*This permit was issued based on the proposal documents submitted for DA0109/2015. 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.*

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.*

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 Leanne Hurst (Director Development Services), Mr Richard Jamieson (Manager Planning Services) and Ms Catherine Mainsbridge (Senior Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Penny Jacobs spoke against the item.**

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**7.2 7 Argyle Street, West Launceston - Residential single dwelling; construction and use of a dwelling...(Cont'd)**

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**DECISION: 22 June 2015**

**MOTION**

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

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

**CARRIED 9:2**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman D H McKenzie, Alderman D C Gibson, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

**AGAINST VOTE: Alderman R J Sands and Alderman J Finlay**

**The Mayor Alderman A M van Zetten announced that the Council is no longer acting as a Planning Authority.**

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**8 ANNOUNCEMENTS BY THE MAYOR****8.1 Mayor's Announcements****FILE NO: SF2375**

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**Thursday 11 June 2015**

- Attended TasNetworks Bell Bay Aluminium Business Excellence Awards 2015

**Saturday 13 June 2015**

- Attended Northonian Back To North Day

**Sunday 14 June - Wednesday 17 June 2015**

- Officially started B&E Launceston Ten Running Festival
- Attended Boer War Commemorative Day
- Attended National General Assembly of Local Government (Canberra)

**Friday 19 June 2015**

- Attended TCCI Breakfast with Frank Costa AO
- Attended Bhutanese Celebration of Settlement in Tasmania
- Attended National Joblink and MRC Photo Album Handover event
- Attended Farewell Function for Chairman of the Launceston Airport Board, Chris Woodruff

**Saturday 20 June 2015**

- Attended Emily's Voice and Babymum Fundraising Dinner
- **Congratulated Alderman R I Soward on the win of the Scotch Oakburn College versus Hutchins football match**
- **Attended the Rostrum Voice of Youth 2015 final**

**Sunday 21 June 2015**

- **Attended a multicultural soccer match organised through the recent White Ribbon function**
-

**9 ALDERMEN'S/DELEGATES' REPORTS****9.1 Alderman A E Dawkins**

- **Tendered resignation from Council as of 22 June 2015 to concentrate on new role as the State Government's newly elected member for Bass.**

**9.2 Alderman J Finlay**

- **Attended the Cataract Gorge Advisory Committee meeting.**

**9.3 Alderman S R F Wood**

- **Attended the June CityProm Board meeting**
- **Attended Department of State Growth function**
- **Attended Tasmanian Chamber of Commerce and Industry breakfast with Frank Costa as speaker**
- **Attended the launch of Equipify.**

**9.4 Alderman D H McKenzie**

- **Attended Tasmanian Chamber of Commerce and Industry breakfast with Frank Costa as speaker**
- **Attended the Bike and Pedestrian Committee meeting and notified Aldermen that the Rail Trail briefing was received**
- **Attended YPIPA (York Park and Inveresk Precinct Authority) meeting.**

**9.5 Alderman D C Gibson**

- **Advised Alderman regarding the upcoming University of Tasmania's (UTAS) forum on learning to be held on 29 July 2015**
- **Advised of the UTAS Welcome Home week running from 29 August - 5 September 2015**
- **Advised of the Art High Exhibition, Grades 7-10, opening on the 24 June 2015.**

**9.6 Alderman D W Alexander**

- **Announced appointment as City Heart Chair**
  - **Attended the Economic Development State Growth function**
  - **Attended Tasmanian Chamber of Commerce and Industry breakfast with Frank Costa as speaker**
  - **Attended YPIPA (York Park and Inveresk Precinct Authority) meeting.**
-

**9.7 Alderman R I Soward**

- **Attended the Heritage Forest Advisory Committee meeting.**

**9.8 Alderman E K Williams**

- **Congratulated participants in the 2015 final of Rostrum Voice of Youth**
  - **Attended Winter Solstice Walk at Lilydale and congratulated organisers and volunteers.**
-

**10 QUESTIONS BY ALDERMEN****10.1 Questions on Notice - Alderman R J Sands - 9 June 2015****FILE NO:** SF2375**AUTHOR:** Alderman R J Sands**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider Questions on Notice raised by Alderman R J Sands in accordance with the requirements of Section 30 of the *Local Government (Meeting Procedures) Regulations 2005*.

**QUESTIONS AND RESPONSE:**

Questions from Alderman R J Sands (recorded exactly as received) and responses from Mayor Alderman A M van Zetten:

Questions by Ald R.J.Sands to the Mayor Ald Van Zetten for the meeting 9.6.15. clarification of answers from the 25.5.15

1. I would like you to clarify your answer to question 5, your response was "sent in error", my question was "what was the purpose of sending me an email" You failed to actually answer the question.

2&3 deleted

4. Your answer to question 29 "disappointed at being wrongly accused"

My question to you is quite simply this " How do you interpret my questions as being accusatorial, when they are simply basic questions of enquiry not accusations?

5. Your answer to question 37 "Did you hope to embarrass me in front of members of staff?

Your answer NO.

My question therefore is this "what did you hope to achieve then?

An additional question is this:

Can you explain to me please, if you had nothing to do with the email how did you have knowledge that it was planned to present it to me at the SPPC meeting? Your initial response and answer makes no sense at all?

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**10.1 Questions on Notice - Alderman R J Sands - 9 June 2015...(Cont'd)**

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Questions relating to the report from Andrew Cameron.

6. In relation to your response to my question on the 23.3.15

"Why wasn't it done why didn't you intervene as mayor of the city when this came to be"  
Your answer "I followed the procedure of the council through the committee Ald Sands.

7. MY question to you Mayor is this "Can you please explain to me the "procedure of the council through the committee"

8. Can you explain to me where in any council protocol there is a section that endorses keeping a report from an independent consultant in your office for 14 months?

9. Why did you keep this report from us for 14 months?

10. Do you understand that you denied this young woman a speedy resolution to a serious allegation by keeping this report concealed?

11. The only committee member at the time who wanted the report released at a meeting on the 28.10.13 was Deputy Mayor Ball? Is that correct?

12. Yourself. Ald Peck. Ald Waddle and Ald Cox Voted not to release the report why did you vote that way and what was your reasoning?

15. Do you agree that to suppress the report and not release it was the wrong decision with the benefit of hindsight?

16. Are you comfortable with having been involved in the suppression of this report for such a long time, after it was sent to you?

17 Do you understand and realise that if Miss Tourancheau had not sent all alderman the email we would not be aware of your actions and those of the committee?

18. I have been in contact with Phillip Hoysted the Director of local government and he also expressed concern as to why the report was not released? Do you have any comment as to why he would be concerned.?

19. I have also been in contact with the Minister asking for a review of this matter do you have any comment?

20. Do you really understand as the Mayor of this city what you were instrumental in doing, in company with others?

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**10.1 Questions on Notice - Alderman R J Sands - 9 June 2015...(Cont'd)**

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21. If a formal public enquiry is sought and initiated, would you be comfortable with that process to actually find out what actually transpired from the date of the report being received and the note in the report on 28.10.13 asking "Mayor how can we prevent this report from being released?"

Ald Sands 9.6.15

**RESPONSE:**

Response to questions by Alderman R J Sands to Mayor Albert van Zetten for the meeting 9.6.15 (questions seeking purported clarification of answers from the 25.5.15)

I decline to answer any and all of the questions posed by Alderman R J Sands numbered 1 - 21 dated 9 June 2015.

My reasons for declining to answer the questions on notice are as follows:-

1. There is no mandated obligation upon me under the Local Government (Meeting Procedures) Regulations 2005 to answer a question put on notice in accordance with regulation 30, merely that if I do intend to answer a question on notice I shall do so in writing.
2. The questions posed are infected by statements which are wrongfully and inappropriately:
  - Argumentative;
  - Contain adverse imputations; and
  - Draw adverse inferences concerning my conduct.
3. The questions are of a repetitive nature and in an interrogation style sequence which I regard as oppressive, intimidating and which in my view constitute harassment given that I have attempted to answer a previous set of 37 questions from Alderman Sands from the meeting 25 May 2015.
4. Having regard to their content and interrogative nature, I have received advice that the conduct of Alderman Sands imposing these questions of me on notice constitutes a breach of the standard of conduct required of Alderman (Standard of Conduct 7) in the City of Launceston Code of Conduct for Aldermen.

For all of the above reasons I decline and refuse to answer any further questions from Alderman Sands in relation to this matter.

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**10.1 Questions on Notice - Alderman R J Sands - 9 June 2015...(Cont'd)**

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Albert van Zetten  
**MAYOR**

15 June 2015

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

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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 Agenda Item 7.1.**

**Council returned to discussions regarding Agenda Item 7.1.**

**The Mayor Alderman A M van Zetten announced that the Council is no longer acting as a Planning Authority.**

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**11 COMMITTEE REPORTS****11.1 Audit Panel Meeting - 28 May 2015****FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Audit Panel following the meeting on 28 May 2015.

**RECOMMENDATION:**

That the report from the Audit Panel meeting held on 28 May 2015 be received.

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**Mr Michael Tidey (Director Corporate Services) and Mr Paul Gimpl (Manager Finance) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 22 June 2015****MOTION**

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

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**12 COUNCIL WORKSHOPS****12.1 Council Workshops - 15 June 2015****FILE NO:** SF4401**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the Council Workshops conducted on 15 June 2015.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council notes the Council Workshops held on 15 June 2015.

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

**DECISION: 22 June 2015****MOTION**

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

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

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**13 PETITIONS**

Nil

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**14 NOTICES OF MOTION - FOR CONSIDERATION****14.1 Notice of Motion - Alderman E K Williams - Changes to Federal Arts Funding****FILE NO:** SF5547**AUTHOR:** Alderman E K Williams**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider a Notice of Motion from Alderman E K Williams regarding changes to Federal Arts funding.

**RECOMMENDATION:**

**Part 1:** That the City of Launceston make urgent approaches to both the Federal Government and the State Government respectfully seeking assurances that recent federal funding changes to arts initiatives will not adversely impact upon or disadvantage key local arts groups from convening viable arts activities and events within the City and region.

**Part 2:** That the City of Launceston seeks to see the potential impact of federal arts funding changes is raised at the State Annual LGAT Conference.

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

**DECISION:** 22 June 2015**MOTION****Moved Alderman E K Williams, seconded Alderman J Finlay.****That the Motion, as per the recommendation to Council, be adopted.****CARRIED ALL**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams

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**Council adjourned the Meeting at 3.08pm.**

**Council reconvened the Meeting at 3.14pm.**

**DIRECTORATE MINUTES ITEMS****15 DEVELOPMENT SERVICES****15.1 Business Events Tasmania Funding Increase Request****FILE NO:** SF2532**AUTHOR:** Wendy Newton (Manager Community, Tourism and Events)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider additional funding of \$5,000 to Business Events Tasmania from \$25,000 to \$30,000 for 2015/16.

**PREVIOUS COUNCIL CONSIDERATION:**

Strategic Policy and Planning Committee meeting presentation on 18 May 2015.

**RECOMMENDATION:**

That Council does not approve additional funding of \$5,000 to Business Events Tasmania and retains the current funding level of \$25,000 in the 2015/16 Budget.

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

**Alderman D W Alexander left the meeting at 3.14pm due to declaration of a pecuniary interest in Agenda Item 15.1.**

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**15.1 Business Events Tasmania Funding Increase Request...(Cont'd)**

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**DECISION: 22 June 2015****MOTION****Moved Alderman D C Gibson, seconded Alderman R I Soward.****That the Motion, as per the recommendation to Council, be adopted.****CARRIED 7:3****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D C Gibson, Alderman J Finlay, Alderman A E Dawkins and Alderman E K Williams****AGAINST VOTE: Alderman R L McKendrick, Alderman D H McKenzie and Alderman S R F Wood****DID NOT VOTE DUE to DECALARATION of PECUNIARY INTEREST: Alderman D W Alexander****Alderman D W Alexander returned to the meeting at 3.22pm.**

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**16 FACILITIES MANAGEMENT**

No Reports

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**17 QUEEN VICTORIA MUSEUM AND ART GALLERY****17.1 QVMAG Positions and Awards Policy (22-Plx-002)****FILE NO:** SF1005**AUTHOR:** Martin George (Collections and Research Manager)**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

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**DECISION STATEMENT:**

To consider the QVMAG Research Committee Policy (22-Plx-002).

**PREVIOUS COUNCIL CONSIDERATION:**

Council approved the previous version of this policy on 24 September 2007.

**RECOMMENDATION:**

That Council approve QVMAG Research Committee Policy (22-Plx-002).

**PURPOSE:**

To allow the City of Launceston to recognise the significant role:

- That members of our community can make to the objectives of the Queen Victoria Museum and Art Gallery (QVMAG) through their own research projects.
- That members of the QVMAG staff have made to the Museum over an extended period.

**SCOPE:**

The policy applies to the operation of the QVMAG.

**POLICY:**

The City of Launceston is appreciative of the significant role that members of the community can make to the objectives of the Museum through their own research projects and/or specific professional expertise that is not regarded as forming part of a normal QVMAG position.

The City of Launceston recognises the contribution of such researchers by appointing them to the position of Honorary Associate. The conditions of appointment to this position and the level of support provided by the QVMAG are to be determined on an individual basis by the Director. The appointment will be reviewed on a yearly basis, and in any case the appointment will be discontinued in the event that an individual becomes no longer associated with the QVMAG.

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**17.1 QVMAG Positions and Awards Policy (22-Plx-002)...(Cont'd)**

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The City of Launceston is appreciative of the significant role that members of the QVMAG's staff have made to the QVMAG over an extended period.

The City of Launceston recognises the contribution of such former Museum staff members by appointing them also to the abovementioned position of Honorary Associate.

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**Mr Andrew Johnson (Acting Director Queen Victoria Museum and Art Gallery) and Mr Martin George (Collections and Research Manager) were in attendance to answer questions of Council in respect of Agenda Items 17.1 - 17.7 inclusive.**

**MOTION 1**

**Moved Alderman R L McKendrick, seconded Alderman D W Alexander.**

**That Agenda Items 17.1 to 17.7 be adopted inclusively.**

**Alderman R J Sands left meeting at 3.25pm.**

**Alderman R J Sands returned to the meeting at 3.28pm.**

**AMENDMENT**

**That Agenda Items 17.1 and 17.3 to 17.7 be considered in the one motion with Agenda Item 17.2 removed.**

**DECISION: 22 June 2015**

**MOTION 2**

**Moved Alderman J Finlay, seconded Alderman D H McKenzie.**

**That the Amendment becomes the Motion.**

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**THE AMENDMENT BECOMES THE SUBSTANTIVE MOTION.**

**DECISION: 22 June 2015**

**MOTION: 3**

**That the Recommendations contained in Agenda Items 17.1 and 17.3 to 17.7 be adopted.**

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**17.2 QVMAG Collection Policy (07-Plx-xxx)****FILE NO:** SF5784**AUTHOR:** Martin George (Collections and Research Manager)**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

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**DECISION STATEMENT:**

To consider the QVMAG Collection Policy, comprising the revised Acquisitions and Deaccessioning policies in one document.

**PREVIOUS COUNCIL CONSIDERATION:**

Council previously adopted two policies: Museum Acquisitions Policy (07-PI-002) on 22 October 2007 and Museum Deaccessioning Policy (07-PI-003) on 24 September 2007.

**RECOMMENDATION:**

That Council make redundant the following two policies:

- a) the Museum Acquisition Policy (07-PI-002)
- b) the Deaccessioning Policy (07-PI-003)

That Council approve the QVMAG Collection Policy (07-Plx-xxx) as follows:

**Introduction**

Museums and art galleries have a very distinctive role in collecting, preserving, researching and communicating to the wide community, students and scholars original evidence of our natural and cultural heritage.

The origins of the collections of the Queen Victoria Museum and Art Gallery (QVMAG) date back to the middle of the nineteenth century. Since that time, they have developed as an important component of Tasmania's and Australia's natural and cultural heritage.

**Principles**

1. The QVMAG makes acquisitions consistent with its mission, which is:

*To be a leader in the intellectual and creative development of Launceston and the State by increasing our enjoyment and understanding of our natural and cultural heritage.*

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**17.2 QVMAG Collection Policy (07-Plx-xxx)...(Cont'd)**

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2. The QVMAG's collections are made for the following purposes:
    - (a) To be an archival record of
      - (i) the artistic heritage of the people of Tasmania
      - (ii) the material culture of the peoples who now and previously inhabited Tasmania and adjacent lands
      - (iii) the living and past faunas and floras of Tasmania and adjacent lands and seas
      - (iv) the minerals and rocks that make up Tasmania
    - (b) To be a source of material for researching the fields of the Arts, History and Science.
    - (c) To be a source of materials and ideas for educational programs, particularly exhibitions.
  3. The City of Launceston, as owner of the QVMAG, will adopt and publish a written statement of its acquisition policy in respect of works of art and museum specimens. Acquisition outside the stated policy shall only be made in exceptional circumstances.
  4. The City of Launceston supports the principles of the UNESCO Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of Cultural Property, 1970, acceded to by Australia in 1990.
  5. The City of Launceston will not acquire, whether by purchase, gift, bequest or exchange any work of art or object unless the responsible officer is satisfied that the QVMAG can acquire a valid title to the specimen in question, and that, in particular, it has not been acquired in, or exported from, its country of origin (and/or any intermediate country in which it may have been legally owned) in violation of that country's laws or in contravention of cultural material protocols.
  6. So far as biological and geological material is concerned, the City of Launceston will not acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation law or treaty of Australia or any other country, except with the express consent of an appropriate outside authority.
  7. If appropriate and feasible, the same tests as are outlined in paragraphs 5 and 6 above will be applied in determining whether to accept loans for exhibitions or other purposes.
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**17.2 QVMAG Collection Policy (07-Plx-xxx)...(Cont'd)**

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8. The City of Launceston recognises the need for cooperation and consultation between museums and art galleries with similar or overlapping interests and collecting policies, and will seek to consult with such institutions both on specific acquisitions where a conflict of interest is thought possible, and, more generally, on defining areas of specialisation.

**Acquisitions****1.0 Introduction**

- 1.1 The QVMAG has a special responsibility to preserve and exhibit material evidence of the natural and cultural history of Tasmania. The QVMAG Collection Policy recognises this as its primary responsibility, and recognises that in some collections there will be a northern Tasmanian emphasis. However, in some areas a better understanding of Tasmania's natural and cultural heritage will be provided by the acquisition of material from beyond the State. For this reason as well as for historic reasons, the QVMAG already has significant collections of material from beyond Tasmania. Such areas are closely defined in this Collection Policy.
- 1.2 In developing its collections, the QVMAG will:
- reflect the cultural, scientific and natural diversity of Tasmania
  - reflect the histories and experiences of Tasmanian culture within a national and international framework
  - seek to research, document and maintain the collections to the highest standards resources permit
  - aim to make the collections accessible through physical and electronic means.
- 1.3 All objects considered for acquisition will be first documented through the QVMAG's acquisition proposal process, which is separate from this policy. This process sets out the procedure through which the QVMAG acquires objects for every collection area.

In particular, the suitability of all proposed objects will be assessed against any stated selection criteria for each collection area. In acquiring objects for its collections, the QVMAG shall consider items for which it can adequately care and store and which are not beyond recognisably achievable conservation requirements.

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**17.2 QVMAG Collection Policy (07-Plx-xxx)...(Cont'd)**

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- 1.4 The QVMAG recognises the need to describe the significance of the objects in its collection using a consistent and widely accepted methodology. As part of the acquisition process, each object entering the collection of the QVMAG will be considered in terms of its historic, aesthetic, scientific and social values to determine how its meaning is understood by people and by communities. To achieve this, the QVMAG will follow the principles and guidelines set out in *Significance 2.0: a guide to assessing the significance of collections*, by Roslyn Russell and Kylie Winkworth, available on the internet at:  
<http://www.environment.gov.au/heritage/publications/significance2-0/>.

**2.0 Collections**

The QVMAG's collections are managed in four broad collecting areas:

- Science
- Art
- History
- Library

**2.1 Science**

Science collections within the QVMAG cover five distinct areas, each with its own collection goals and spheres of specialisation. These are:

**(a) Zoology**

Comprehensive collections of Tasmanian vertebrate and invertebrate fauna, including introduced species, with specialist research collections from the remainder of Australia and beyond in molluscs, spiders and mammalian ectoparasites.

**(b) Botany**

Comprehensive collections of Tasmanian plants, including significant historical holdings.

**(c) Geology**

Mineral and rock collections from throughout Tasmania with important comparative material from interstate and overseas.

**(d) Palaeontology**

A significant collection of fossils from Tasmania and important vertebrate fossil material from elsewhere in and beyond Australia.

**(e) Astronomy**

This collection includes meteorite and tektite material (which form part of the Geology collections), and Tasmanian professional and amateur instrumentation.

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**17.2 QVMAG Collection Policy (07-Plx-xxx)...(Cont'd)**

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**Collection of Natural Science Specimens**

Subject to nature conservation interests, the QVMAG will continue to collect all kinds of evidence of Tasmanian geology, flora and fauna for display, study, reference and educational purposes. It is expected that the primary source of such material will be controlled and properly documented field collecting by Government Agencies, QVMAG staff and research associates. However, acquisition (by purchase if necessary) of important private or historic collections of Tasmanian natural science material of all kinds (including records) is of great importance.

Individual specimens or collections of material from elsewhere in Australia will be acquired for education, exhibitions and research where they enable a better understanding of Tasmania's natural history.

**2.2 Art**

The Art collection has five principal components, each of which has its own distinct collection policy. These components are:

**(a) Colonial Art**

This collection documents the artistic and cultural heritage of Tasmania, and Colonial Australia, from pre-European settlement until the end of the 19<sup>th</sup> century. This collection includes paintings, works on paper, sculpture and frames relating to this period

**(b) Modern Australian Art**

This collection documents the history of Australia's postcolonial art of the 20<sup>th</sup> Century including paintings, photography, works on paper, sculpture and multi-media. Particular emphasis will be placed on the achievements of Tasmanian artists and contextualising these works through the collection of significant national artists.

**(c) Contemporary Art**

This collection documents the work of Australia's contemporary art and culture including paintings, works on paper, photography, sculpture, multi-media and screen-based art. Particular emphasis will be placed on the achievements of Tasmanian artists and contextualising these works through the collection of significant national artists.

The QVMAG has a small but significant collection of International paintings, sculpture and works on paper. This collection will be maintained and developed where appropriate.

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**17.2 QVMAG Collection Policy (07-Plx-xxx)...(Cont'd)**

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***(d) Decorative Arts***

Within the Decorative Arts collection there are three sub-sections, each of which has a distinct collection policy. These components are:

***Australian Decorative Arts***

This collection documents the material cultural heritage of Australia with an emphasis on ceramics, furniture, woodwork, textiles and costumes with significant aesthetic value. The collection focuses primarily on objects designed and made in Australia, and in particular Tasmania and Tasmanian practitioners.

***Contemporary Decorative Arts***

This collection aims to document and promote understanding of the evolution of contemporary decorative arts in Australia since 1945 in all media. Particular emphasis will be placed on the achievements of Tasmanian practitioners.

***International Decorative Arts***

This collection documents the aesthetic development and evolution of British, European and Asian decorative arts through ceramics, textiles and costumes. Specific consideration will be given to the work of international practitioners where their work has influenced the development of Tasmanian and/or national craft and design. Consideration will be given to historic artworks that complement the QVMAG collection.

***(e) Frames***

Frames are collected either in their own right or in association with the item inside the frame. Frames are primarily collected for their association with other collection objects and for the aesthetic and cultural relationship with collection items.

**2.3 History*****(a) Tasmanian Heritage***

This collection documents the material cultural and scientific heritage of the Tasmanian community with particular reference to threatened ways of life and the northern region of the State.

***(b) Comparative Cultural Collection***

This collection consists of cultural material from communities and societies from beyond Tasmania and provides a resource for the QVMAG's education and exhibition programs.

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**17.2 QVMAG Collection Policy (07-Plx-xxx)...(Cont'd)**

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***(c) Community History***

The Community History collections document the cultural heritage of the Tasmanian community and reflect the island's diverse and changing ways of life with particular reference to the northern region of the State. Of note are four specific collections:

***(i) Photographs***

This collection is a comprehensive visual record of Tasmania from the 1840s and includes all photographic formats from daguerreotypes onwards. A small component of film and video supports the visual record.

***(ii) Manuscripts***

This collection has two principal components: manuscripts collected as single items, and collections of textual records created or acquired by an individual, family or organization.

***(iii) Tasmanian Ephemera***

This is a comprehensive collection of Tasmanian ephemera.

***(d) Oral History***

This unique collection consists of recorded interviews that document the achievements of Tasmanians in the 20th century, and beyond. It also includes a small component of recorded music.

**2.4 Library*****(a) Architectural and Engineering Drawings Collection***

This collection documents the built and engineering heritage of Tasmania through drawings and specifications.

***(b) Rare Book Collection***

This collection includes books with specific historical or cultural value, of aesthetic importance, or with a significant provenance.

***(c) Special Collections***

These collections have an association with a prominent individual or organisation. The publications contained within are not necessarily considered to be rare.

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**17.2 QVMAG Collection Policy (07-Plx-xxx)...(Cont'd)**

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**Deaccessioning****1. Introduction**

While the City of Launceston acknowledges the need for responsible deaccessioning, it is strongly of the opinion that deaccessioning is a management tool of last resort, bearing in mind The City of Launceston's responsibility to past and future donors to hold the QVMAG collections in trust for the community.

The QVMAG is able to deaccession material from its collections under the Local Government Act 1993. QVMAG also insists on responsible acquisition and when acquiring items, the long-term resource implications (staff, accommodation, conservation and research) will be considered. As one of the major functions of a museum is to preserve its collections in perpetuity, there is a strong presumption against the disposal of items from QVMAG's permanent collections.

**2. Deaccessioning Criteria**

An item may be deaccessioned from a collection for one or more of the following reasons:

- the item does not fall within the guidelines of the QVMAG Collection Policy;
- the item duplicates material already held in the collections;
- the item is in such poor condition that it would be impossible to repair or conserve (e.g. insect infestation or other degenerative causes);
- the cost of conservation or restoration and/or storage would be prohibitive;
- the item is the property of an indigenous or other community group and should be returned as part of a national or international convention on the restitution of cultural material;
- the item is subject to legislation that prevents the QVMAG obtaining title to the object;
- lack of documentation about the item;
- the item is unsafe (e.g. contains hazardous chemicals);
- the item or part of it is to be used for scientific research.

**3. Disposal**

Disposal is the method by which deaccessioned material is removed from the collection. The preferred methods of disposal beyond the institution would be by gift or exchange to another public institution (except for items which are damaged or dangerous).

The appropriate methods of disposal are:

- **internal transfer** – the transfer of items to a hands on/ education/ demonstration collection, parts to be used in the restoration of other collection items;
  - **gift** – to another museum or returned to the donor;
  - **sale** – to the public by auction or tender;
-

**17.2 QVMAG Collection Policy (07-Plx-xxx)...(Cont'd)**

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- **exchange** – to another public museum in exchange for a more suitable item for the collection;
- **destruction** – when the item is extensively damaged or is not considered worthy of treatment.

**4. Deaccessioning Procedures****4.1 General**

Any Curator or Collection Manager may submit a deaccessioning proposal relating to any collection for which he is responsible.

Where an item was purchased with grant assistance it is often a condition of such grants that the funding body is advised that the item is being considered for deaccessioning.

If not sold at auction, each item to be deaccessioned shall be valued by appropriate valuers.

Where appropriate, for items acquired within the previous 10 years QVMAG will, as a matter of courtesy, attempt to seek permission from the donor for the item to be deaccessioned.

All money received from the sale of deaccessioned items shall be used solely for the development of QVMAG's collections.

Agreement from another museum, gallery or public collection to accept deaccessioned material as a gift shall be received in writing.

The same principles do not apply to natural history specimens as to other museum objects. Specimen transfer is often used within natural history museums. However, the use of "voucher" specimens – specimens which may be the subject of destructive analysis for research purposes - will need to be dealt with under this policy.

**4.2 Procedures for the implementation of deaccessioning**

(a) The Curator/Collection Manager shall confirm that the QVMAG owns the object, has legal title and what if any conditions are attached to the object (e.g. some items purchased with Australia Council funding requires that the funding body be contacted should the item be considered for deaccessioning).

The Curator/Collection Manager then submits a Deaccessioning Proposal form to the Collections Committee, comprising the Director and all QVMAG managers.

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**17.2 QVMAG Collection Policy (07-Plx-xxx)...(Cont'd)**

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(b) If approved by the Collections Committee and the object has a value greater than \$1000 or has considerable cultural, scientific, heritage or historical value the proposal is referred to the Museum Governance Advisory Board and Council for their consideration. If Council approves of the deaccession of such an item, there will firstly be a cooling-off period of six months from the date on which the proposal to deaccession such an item is approved by Council. Following this, the Curator/Collection Manager arranges for the disposal of the object.

(c) If approved by the Collections Committee and the object has a value of less than or equal to \$1000 or does not have considerable cultural, scientific, heritage or historical value, the matter is referred to the Museum Governance Advisory Board, following which the Curator/Collection Manager arranges for the disposal of the item.

(d) Council will be informed of every object deaccessioned, whether or not (a) or (b) above applies.

The Curator/Collection Manager amends all documentation relating to the deaccessioned item including stating the reason for deaccessioning.

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**Mr Andrew Johnson (Acting Director Queen Victoria Museum and Art Gallery) and Mr Martin George (Collections and Research Manager) were in attendance to answer questions of Council in respect of Agenda Items 17.1 - 17.7 inclusive.**

**DECISION: 22 June 2015**

**MOTION**

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

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

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**17.3 QVMAG Sponsorship Policy (07-Plx-12)****FILE NO:** SF5784**AUTHOR:** Martin George (Collections and Research Manager)**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

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**DECISION STATEMENT:**

To consider the QVMAG Sponsorship Policy (07-Plx-12).

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council approve the QVMAG Sponsorship Policy (07-Plx-12).

**PURPOSE:**

In 2012 the City of Launceston adopted a strategic plan for the Queen Victoria Museum and Art Gallery (QVMAG) for the five-year period 2012–2017, which contained the following strategic direction:

*...to create opportunities through its collections and programs for enhancing, understanding, enjoyment and engagement with the visual arts, history and science of the local community and wider public.*

Because of limited and shrinking government funding, the QVMAG is required to seek outside sources of funding for many of its activities.

**SCOPE:**

The Policy applies to external sponsorships sought by or offered to the QVMAG.

**POLICY:**

Sponsorship is part of an overall financial strategy for the QVMAG and cannot be entered into on an ad hoc basis.

Sponsorship activities must always serve the aims of the QVMAG and, where possible, enhance the quality of the QVMAG services.

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## **17.3 QVMAG Sponsorship Policy (07-Plx-12)...(Cont'd)**

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All sponsorship must be approached through the Director in order to ensure that the long-term aims of the QVMAG are satisfied and are not compromised. Badly handled sponsorship can damage the reputation of the QVMAG and make it extremely difficult to obtain other sponsorship.

The Director should also be involved in the initial stages of planning for exhibitions, projects, etc., in order to ensure that potential sponsorship opportunities are not missed.

All sponsorship agreements must be in writing, signed by the Director or the Marketing & Communications Coordinator.

Final approval of any sponsorship contract rests with the Director.

Many of the smaller sponsorships into which QVMAG enters are designed with a long-term aim to develop into major sponsorships. Sponsorship is much more easily obtained when a successful relationship has already been established. Sponsorship not only provides cash and kind but also encourages the business community to feel ownership of the QVMAG and its activities.

Any sponsorship associated with the QVMAG will reflect positively on the QVMAG and its reputation and must therefore respect the integrity of the QVMAG and its collections. Sponsorship of a QVMAG activity implies QVMAG support of the sponsor to the public. It is therefore necessary that sponsorship is restricted to organisations which do not compromise the QVMAG in any way.

The QVMAG reserves the right to refuse to accept sponsorship from any organisation.

Sponsorships may be defined at a number of levels:

- Naming rights sponsor
- Sole sponsor
- Principal/major sponsor
- Associate sponsor (several at the same level)
- Minor sponsor (one of a number of small amounts)

The dollar value of each of these levels depends on the nature of the activity but is generally to be consistent as a percentage of budget.

All sponsors will be acknowledged; however, their names and logos must be less prominent than those of the QVMAG in all related promotional material.

The proposal must provide value for money for both the sponsor and the QVMAG.

Sponsorship should not be sought for activities that cannot happen without it.

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**17.3 QVMAG Sponsorship Policy (07-Plx-12)...(Cont'd)**

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Costs relating to servicing sponsorship, e.g. provision of graphics, hospitality, and organisation of special functions, must be included in any budget that requires sponsorship.

The standards, goals and integrity of the QVMAG must not be compromised by any sponsorship relationship.

The sponsor's objectives will be specific, tangible and measurable.

**Commercial Support and Sponsorship**

A museum using commercial support and sponsorship for its collections and activities must ensure that the standards, goals and integrity of the museum are not compromised by such a relationship. While commercial sponsors of a museum collection and its activities should be acknowledged, their names and logos should be less prominent than those of the museum in all related promotional material should.

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**Mr Andrew Johnson (Acting Director Queen Victoria Museum and Art Gallery) and Mr Martin George (Collections and Research Manager) were in attendance to answer questions of Council in respect of Agenda Items 17.1 - 17.7 inclusive.**

**DECISION: 22 June 2015**

**That the Recommendations contained in Agenda Items 17.1 and 17.3 to 17.7 be adopted.**

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**17.4 QVMAG Research Committee Policy (07-Plx-006)****FILE NO:** SF4901**AUTHOR:** Martin George (Collections and Research Manager)**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

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**DECISION STATEMENT:**

To consider the QVMAG Research Committee Policy (07-Plx-006).

**PREVIOUS COUNCIL CONSIDERATION:**

Council approved the previous version of this policy on 24 September 2007.

**RECOMMENDATION:**

That Council approve QVMAG Research Committee Policy (07-Plx-006).

**PURPOSE:**

To set out the role, structure and processes of the Museum Research Committee of the Queen Victoria Museum and Art Gallery (QVMAG).

**SCOPE:**

Applies to the assessment of gifts to the QVMAG for research to determine their status under the Income Tax Assessment Act 1997.

**POLICY:**

To state the role of the committee under section 24 of the Local Government Act known as the Museum Research Committee. The Committee meet the requirements of an approved Research Institute for the purposes of divisions 30 and 355 of the Income Tax Assessment Act 1997.

The role of the Committee is to assess proposed gifts under the Income Tax Assessment Act 1997 to the Museum for the purposes of scientific research in the field of natural or applied sciences.

The Committee will operate whilst the QVMAG maintains its status as an approved research institute.

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**17.4 QVMAG Research Committee Policy (07-Plx-006)...(Cont'd)**

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The structure of the Committee will be:

- At least five members with the Director of the QVMAG as Chair.
- At least three members (a majority) who are suitably qualified for assessing the relevant area of research.
- Committee members will be selected by the Director of the Museum and approved by the relevant Approving Authority.
- The Committee will meet on an as needs basis with at least five members present.
- Committee meetings will be minuted with a written record of the reasons for the decisions made.
- The Chairman will liaise with the Finance Manager to ensure that appropriate financial records are maintained.

The responsibility of the Committee will be:

- To assess proposals fairly and in a timely manner;
  - To comply with legislative requirements;
  - To control the application of the money for research;
- To refuse proposals where the purpose of the research is outside the scope of QVMAG activities.
- 

**Mr Andrew Johnson (Acting Director Queen Victoria Museum and Art Gallery) and Mr Martin George (Collections and Research Manager) were in attendance to answer questions of Council in respect of Agenda Items 17.1 - 17.7 inclusive.**

**DECISION: 22 June 2015**

**That the Recommendations contained in Agenda Items 17.1 and 17.3 to 17.7 be adopted.**

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**17.5 Friends of the Museum Policy (07-Plx-004)****FILE NO:** SF1008**AUTHOR:** Martin George (Collections and Research Manager)**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

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**DECISION STATEMENT:**

To consider the QVMAG Friends of the Museum Policy (07-Plx-004).

**PREVIOUS COUNCIL CONSIDERATION:**

Council approved the previous version of this policy on 24 September 2007.

**RECOMMENDATION:**

That Council approve the QVMAG Friends of the Museum Policy (07-Plx-004).

**PURPOSE:**

To state the relevance of the *Friends of the Queen Victoria Museum and Art Gallery* to the operation of the Queen Victoria Museum and Art Gallery (QVMAG) and the privileges offered to this group, in acknowledgement of their support.

**SCOPE:**

The policy applies to the operation of the QVMAG.

**POLICY:**

The City of Launceston greatly values the support given to the QVMAG by the Friends of the Queen Victoria Museum and Art Gallery since its establishment in 1984. This group exists to increase the level of community participation in the QVMAG's programs, provide volunteers for a wide range of QVMAG projects and fund a number of important initiatives and acquisitions.

QVMAG appoints a staff member to act as liaison between the Friends and the QVMAG.

The City of Launceston recognises the contribution the members of the Friends make to the QVMAG by providing the following benefits to members of the Friends:

- Free admission to the Planetarium
  - Discounts of up to 10% on the purchase of certain items more than ten dollars in value from the QVMAG shops
-

**17.5 Friends of the Museum Policy (07-Plx-004)...(Cont'd)**

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- Discounts on selected QVMAG activities and events where an admission charge is made
  - Free access to Friends' Lounge
- 

**Mr Andrew Johnson (Acting Director Queen Victoria Museum and Art Gallery) and Mr Martin George (Collections and Research Manager) were in attendance to answer questions of Council in respect of Agenda Items 17.1 - 17.7 inclusive.**

**DECISION: 22 June 2015**

**That the Recommendations contained in Agenda Items 17.1 and 17.3 to 17.7 be adopted.**

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**17.6 QVMAG Firearms Policy (07-Plx-007)****FILE NO:** SF4114**AUTHOR:** Martin George (Collections and Research Manager)**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

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**DECISION STATEMENT:**

To consider the QVMAG Firearms Policy (07-Plx-007).

**PREVIOUS COUNCIL CONSIDERATION:**

Council approved the previous version of this policy on 24 September 2007.

**RECOMMENDATION:**

That Council approve the QVMAG Firearms Policy (07-Plx-007).

**PURPOSE:**

To enable the Queen Victoria Museum and Art Gallery (QVMAG) to manage the firearms held in the History Collection in accordance with the QVMAG's Collection Policy and the legal responsibilities imposed by the *Firearms Act 1996*.

**SCOPE:**

Applies to the QVMAG and its employees.

**POLICY:****Introduction:**

The QVMAG holds within its History collection a number of firearms for the purpose of research, preservation, interpretation and display. QVMAG management has a responsibility to ensure that the storage, handling and display of these items satisfies any legislative requirements and appropriate risk management principles.

**Legislative Requirements**

In accordance with the *Firearms Act 1996* the QVMAG will:-

- Ensure that the Director of the QVMAG or his or her delegate holds a current Firearms Museum Licence appropriate to the categories of firearms held in the QVMAG collection.
  - Store firearms according to the prescribed conditions.
-

**17.6 QVMAG Firearms Policy (07-Plx-007)...(Cont'd)**

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- Provide the Commissioner of Police with a current listing of all firearms held by the QVMAG and ensure that the currency of the list is maintained as additional firearms are acquired.
- Notify the Police when items are moved between QVMAG sites or if changes are made to security arrangements.

**Operational Requirements**

In order to ensure compliance with the legislative requirements the QVMAG will:-

- Ensure that access to the Arms Store is restricted to the Director of the QVMAG and QVMAG collection management staff authorised in writing by the Director.
  - Reserve the right to refuse an individual access to weapons held in its care.
  - Recognise the obligations to comply with the conditions imposed by the *Firearms Act 1996*.
- 

**Mr Andrew Johnson (Acting Director Queen Victoria Museum and Art Gallery) and Mr Martin George (Collections and Research Manager) were in attendance to answer questions of Council in respect of Agenda Items 17.1 - 17.7 inclusive.**

**DECISION: 22 June 2015**

**That the Recommendations contained in Agenda Items 17.1 and 17.3 to 17.7 be adopted.**

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**17.7 QVMAG Human Remains Policy (07-Plx-005)****FILE NO:** SF5784**AUTHOR:** Martin George (Collections and Research Manager)**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

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**DECISION STATEMENT:**

To consider the revised QVMAG Human Remains Policy (07-Plx-005).

**PREVIOUS COUNCIL CONSIDERATION:**

Council approved the previous version of this policy on 24 September 2007.

**RECOMMENDATION:**

That Council approve the QVMAG Human Remains Policy (07-Plx005).

***PURPOSE:***

To state the City of Launceston's commitment to the sensitive and culturally appropriate management of Human Remains in the collections of the Queen Victoria Museum and Art Gallery (QVMAG).

***SCOPE:***

The policy applies to all human remains of Aboriginal and Torres Strait Islander people irrespective of age. The policy will also be used as the basis for managing human remains of all other peoples irrespective of race.

***POLICY:*****Preamble**

The QVMAG should not hold any items which are not of scientific or cultural importance.

The utmost sensitivity must be observed in dealing with human remains.

**General**

1.1 No conditions will be placed unilaterally by the QVMAG on the return of human remains.

**Acquisition**

1.2 The QVMAG will not seek to acquire human remains.

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**17.7 QVMAG Human Remains Policy (07-Plx-005)...(Cont'd)**

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**Return**

- 1.3 The ancestral remains of Aboriginal and Torres Strait Islander people will be dealt with in accordance with the wishes of the deceased or their relatives or their community Elders.
- 1.4 Aboriginal and Torres Strait Islander people from the community from which the person came must be involved in determining the future disposition of remains which are returned by the QVMAG.
- 1.5 All requests for the return of Aboriginal and Torres Strait Islander remains will be promptly and sensitively dealt with by the QVMAG.

**Custodianship**

- 1.6 The Museum, acting in the role of custodian, may retain or hold human remains on behalf of the relevant community if requested to do so by them and shall abide by any reasonable conditions sought by the community.

**Storage, access and display**

- 1.7 Human remains, if retained by the Museum, will be properly stored in an area separate from other parts of the collection and treated with respect at all times.
- 1.8 Access to human remains held by the Museum will be carefully controlled in accordance with the wishes of the relevant cultural groups.
- 1.9 Human remains will not be displayed to the public, except in special circumstances where parts of remains are an integral part of other items such as human teeth incorporated in an item of personal attire, the display of which is agreed to by the relevant community, their descendants or those authorised by them.

**Scientific and cultural significance**

- 1.10 The QVMAG recognises the potential value that human remains may have to the scientific advance of knowledge. However, any research undertaken on ancestral remains must have the free and informed consent of traditional custodians and comply with appropriate ethical research guidelines.

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**Mr Andrew Johnson (Acting Director Queen Victoria Museum and Art Gallery) and Mr Martin George (Collections and Research Manager) were in attendance to answer questions of Council in respect of Agenda Items 17.1 - 17.7 inclusive.**

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**17.7 QVMAG Human Remains Policy (07-Plx-005)...(Cont'd)**

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**DECISION: 22 June 2015**

That the Recommendations contained in Agenda Items 17.1 and 17.3 to 17.7 be adopted.

**CARRIED ALL**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams

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**18 INFRASTRUCTURE SERVICES**

**18.1 Charitable Organisations - Concessional Entry to Council's Waste Disposal Facilities**

**FILE NO:** SF0628

**AUTHOR:** Regan East (Waste Management Officer)

**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

**DECISION STATEMENT:**

To consider the value of concessions to approved charitable organisations for waste disposal to the Launceston Waste Centre for the 2015/16 financial year.

**PREVIOUS COUNCIL CONSIDERATION:**

Item 17.2 - Council meeting 23 June 2014  
To determine the value of concessions for 2014/2015

**RECOMMENDATION:**

That Council, in respect of clause 4(e) of the '*Concessional Entry to Council's Waste Disposal Facilities*' policy (12-PI-014), approves the organisations and concessional entry values for the financial year 2015/16, as shown in Table 1.

**Table 1: Recommended concessional entry values 2015/16**

<b>Organisation Name</b>	<b>2015/16 recommendation</b>
Cancer Council of Tasmania	\$25
Connections Op Shop Inc.	\$350
Door of Hope Christian Church	\$800
Fusion Home Support	\$500
Launceston Benevolent Society Inc.	\$400
Launceston City Mission	\$18,000
Launceston Legacy Inc.	\$75
Lions Club of Kings Meadows	\$100
New Horizons Club Inc.	\$75
Northern Occupational Support Service - Bluegum	\$2,000
PCYC	\$150
RSPCA Tasmania (Launceston Branch)	\$1,100
Salvos Store	\$2,800

**18.1 Charitable Organisations - Concessional Entry to Council's Waste Disposal Facilities...(Cont'd)**

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<b>Organisation Name</b>	<b>2015/16 recommendation</b>
Self Help Workplace	\$4,000
St Michaels Association	\$500
St Vincent de Paul Society	\$4,000
Veterans Support Group	\$500
Zions Hill Community Care Inc	\$250
<b>TOTAL</b>	<b>\$35,625</b>

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Mr H Galea (Director Infrastructure Services) was in attendance to answer questions of Council in respect of Agenda Items 18.1 - 18.4 inclusive.

The Mayor Alderman A M van Zetten withdrew from the meeting at 4.00pm.

Deputy Mayor Alderman R I Soward assumed the Chair at 4.00pm.

**DECISION:** 22 June 2015

**MOTION**

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

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

**CARRIED ALL**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams

**ABSENT DURING VOTING:** Mayor Alderman A M van Zetten

The Mayor Alderman A M van Zetten resumed the Chair meeting at 4.05pm

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**18.2 Lease - Rocherlea Hall****FILE NO:** SF0376**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider a proposal from the Northern Suburbs Community Centre to re-lease the Rocherlea Hall situated at 23-41 Archer Street (Folio 48922/2). This decision requires an absolute majority of Council.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Item 17.1 - 22 July 2013  
This item approved a two year lease.

**RECOMMENDATION:**

That Council, in respect to a proposal received seeking the leasing of public land situated at 23-41 Archer Street Rocherlea, known as the Rocherlea Hall ([Attachment 2](#)) to the Northern Suburbs Community Centre (NSCC) for five years subject to the following terms:

- the term shall be five (5) years commencing on 7 October 2015,
- the lease amount shall be \$1 per annum if demanded,
- tenant to be responsible for:
  - energy costs
  - volumetric and connection charges for water
- tenant shall continuously maintain:
  - building in good and reasonable order
  - the cleaning of and provision of supplies for the toilets and kitchen
  - public liability insurance of at least \$10 million
- other regular hirer/s having continued access to the hall for their normal time slots,
- user fees for both regular and casual users not to exceed Council's Community Hall, fees and charges unless otherwise agreed to by the hirer,
- user fees for both regular and casual hirers to be paid to NSCC, and
- land owner approval for the placement of two shipping containers for storage subject to the lessee obtaining planning approval.

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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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**18.2 Lease - Rocherlea Hall...(Cont'd)**

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**DECISION: 22 June 2015****MOTION****Moved Alderman R L McKendrick, seconded Alderman R I Soward.****That the Motion, as per the recommendation to Council, be adopted.****CARRIED ALL****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**18.3 Lease - Launceston Bowls and Community Club****FILE NO:** 80940 / 57350**AUTHOR:** Andrew Smith (Manager Parks and Recreation)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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**DECISION STATEMENT:**

To approve leasing an area of land at 78 Paterson Street, Launceston (Title Ref 138978 Folio 10) for a period of 14 years (5 + 5 + 4 years) to the Launceston Bowls & Community Club. This decision requires an absolute majority of Council.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Item 17.2 - 24 February 2014

Approved a 14 year lease following the construction of a synthetic green, and that the leased area will exclude the public road but include the actual occupied area including the Club's car park.

SPPC Item 4.4 - 3 February 2014

Discussion of revised request and officer opinion.

SPPC Item 4.4 - 7 October 2013

Presentation by Launceston Bowls Club on request for long-term lease.

SPPC Item 4.5 - 5 August 2013

Background report on request by Launceston Bowls Club for long-term lease.

**RECOMMENDATION:**

That Council in respect to an area of land at 78 Paterson Street, Launceston (Title Ref 138979 Folio 10) for the purposes of a community bowls club resolves to lease this area in accordance with S178 *Local Government Act* 1993 to the Launceston Bowls & Community Club subject to the following terms:

- the term shall be 14 years (5 + 5 + 4 years) commencing on 1 July 2015
  - the lease amount shall be \$1 per annum if demanded
  - the tenant to obtain a planning permit under Section 80 of Local Government (Building and Miscellaneous Provisions) Act 1993 is required for any lease over 10 years
  - tenant to be responsible for:
    - equivalent Council rates
    - Government taxes
-



**18.3 Lease - Launceston Bowls and Community Club...(Cont'd)**

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- energy costs
  - volumetric and connection charges for water
  - sewer charges
  - tenant shall continuously maintain:
    - building in good and reasonable order
    - property insurance equal to the value of the building
    - public liability insurance of at least \$10 million
- 

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

**DECISION: 22 June 2015**

**MOTION**

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

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

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**18.4 Lease - Kings Meadows Bowls Club****FILE NO:** 85490/86310**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider leasing an area of land situated at 1-33 Nunamina Avenue known as Nunamina Park as marked on the attached plan to the Kings Meadows Bowls Club.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**RECOMMENDATION:**

That Council, in respect to a proposal received seeking the leasing of public land situated at 1-33 Nunamina Avenue (PID 2966626) adjacent to Nunamina Park to the Kings Meadows Bowls Club for five years with one five year option, resolves to:

1. advertise the proposed lease of land on the public land register for a 21 day period in accordance with Section 178 (4) Local Government Act 1993; and
  2. consider any public submissions received and further determine lease terms and conditions if appropriate at a future Council meeting and if necessary seek planning approval to allow the issue of a lease to comply with the *Local Government (Building and Miscellaneous Provisions) Act 1993*.
- 

**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 Lease - Kings Meadows Bowls Club...(Cont'd)**

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**DECISION: 22 June 2015****MOTION****Moved Alderman R L McKendrick, seconded Alderman D H McKenzie.****That the Motion, as per the recommendation to Council, be adopted.****CARRIED ALL****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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## COUNCIL MINUTES

Monday 22 June 2015

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### 19 CORPORATE SERVICES

#### 19.1 Budget 2015/16 - Statutory Estimates

**FILE NO:** SF6183

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider the adoption of the Council's Statutory Estimates for the financial year ending 30 June 2016.

This decision, pursuant to Section 82(3)(a) of the *Local Government Act 1993*, must be adopted by absolute majority.

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

Considered annually.

#### **RECOMMENDATION:**

1. That Council pursuant to Section 82 of the *Local Government Act 1993* adopts the Proposed Statutory Estimates for the full financial year ending 30 June 2016. The Proposed Statutory Estimates are set out in full in Attachment 1.
  2. That Council pursuant to Section 82(2) of the *Local Government Act 1993* adopts:
    - a) Estimated revenue \$105.29m
    - b) Estimated expenditure
      - Operating \$ 99.04m
      - Capital \$ 24.65m
    - c) Estimated borrowing
      - Loans \$ -
      - Scheduled Repayments \$ 2.13m
    - d) Estimated capital works
      - Council funded \$ 18.46m
      - Grant funded \$ 6.19m
- 

**Mr M Tidey (Director Corporate Services) was in attendance to answer questions of Council in respect of Agenda Items 19.1 - 19.5 inclusive.**

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**19.1 Budget 2015/16 - Statutory Estimates...(Cont'd)**

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**DECISION: 22 June 2015****MOTION****Moved Alderman J Finlay, seconded Alderman D H McKenzie.****The Mayor Alderman A M van Zetten handed the Chair to Deputy Mayor Alderman R I Soward at 4.18pm.****The Mayor Alderman A M van Zetten resumed the Chair at 4.20pm.****That the Motion, as per the recommendation to Council, be adopted.****CARRIED 10:1****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams****ABSTAINED FROM VOTING: Alderman R J Sands**

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**19.2 Budget 2015/16 - Rating Framework****FILE NO:** SF6183 / SF0521**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the adoption of the Council's Rating Framework for the financial year ending 30 June 2016.

This decision, pursuant to Part 9 of the *Local Government Act 1993*, must be adopted by absolute majority.

**PREVIOUS COUNCIL CONSIDERATION:**

Considered annually.

**RECOMMENDATION:**

That Council pursuant to Part 9 of the *Local Government Act 1993* adopts the following Rating Framework for the financial year ending 30 June 2016.

**Rating Resolution****1. General Rate:**

- 1.1 Pursuant to Sections 90 and 91 of the *Local Government Act 1993*, the Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the municipal area of Launceston for the period commencing 1 July, 2015 and ending 30 June, 2016, which consists of two components as follows:
    - (a) A rate of **8.0770** cents in the dollar on the assessed annual value of the land; and
    - (b) A fixed charge of **\$147.00**.
  - 1.2 That pursuant to Section 107(1)(c) of the *Local Government Act 1993*, by reason of the location of any land which is within the following parts of the municipal area, namely:
    - (a) That portion of the City of Launceston as is bounded by Wellington, Cameron, George and York Streets;
    - (b) Those properties having a frontage on the Eastern side of George Street from numbers 37 to 115 (both inclusive);
-

**19.2 Budget 2015/16 - Rating Framework...(Cont'd)**

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- (c) Those properties having a frontage on the Southern side of York Street from numbers 45 to 123 (both inclusive);
- (d) Those properties having a frontage on the Northern side of Cameron Street from numbers 44 to 70 (both inclusive) and on the Southern side of that Street from numbers 41 to 93 (both inclusive);
- (e) Those properties having a frontage on the Eastern side of St John Street from numbers 119 to 153 (both inclusive) and on the Western side of that Street from numbers 116 to 128 (both inclusive);
- (f) Those properties having a frontage on the Eastern side of Charles Street from numbers 179 to 205 (both inclusive) and on the Western side of that Street from numbers 126 to 156 (both inclusive); and
- (g) Those properties having a frontage on the Northern side of Brisbane Street from numbers 36 to 60 (both inclusive) and those having a frontage on the Southern side of that Street from numbers 43 to 65 (both inclusive),

the Council declares, by absolute majority, that component (a) of the general rate in clause 1.1 is varied in respect of such land by increasing it by **1.5400** cents in the dollar of assessed annual value to **9.6170** cents in the dollar of assessed annual value of the land.

- 1.3 Pursuant to Section 129(4) of the Act, the Council, by absolute majority, grants a remission to the class of ratepayers liable to pay the general rate as varied in accordance with clause 1.2 by reducing the general rate payable by **1.5400** cents in the dollar of the assessed annual value to **8.0770** cents in the dollar of assessed annual value of the land where the land in respect of which the general rate is payable;

- (a) Is used for private residential purposes.

- 1.4 Pursuant to section 88A of the Act, the Council, by absolute majority sets the following maximum percentage increase in component (a) of the general rate in clause 1.1 of 200% and then declares by absolute majority that the maximum percentage is varied under Section 107 of the Act according to the use or predominate use of land, by decreasing the maximum percentage to **20%** for all land which is used or is predominately used for residential purposes.

**2. Service Charges – Onsite Disposal System Services:**

Pursuant to Section 94 of the *Local Government Act 1993*, the Council makes a service charge for the period commencing 1 July, 2015 and ending on 30 June, 2016, as follows:

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**19.2 Budget 2015/16 - Rating Framework...(Cont'd)**

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- (a) For the supply by the Council of a service which comprises the management, maintenance, monitoring and auditing of each onsite waste water management system within the meaning of the *Building Act 2000*;
- (b) Which is installed on rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which the Council does not supply this service):
- (c) Of:
  - (i) **\$600.00** for a system designed to cater for up to 10 people;
  - (ii) **\$620.00** for a system designed to cater for 11 to 15 people; and
  - (iii) **\$660.00** for a system designed to cater for 16 or more people.

**3. Service Charges – Waste Management Service:**

Pursuant to Section 94, of the *Local Government Act 1993*, the Council makes the following service charges on all rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which the Council does not supply any of the following services) for the period commencing 1 July, 2015 and ending on 30 June, 2016, namely:

3.1 Service charges for waste management in respect of all land to which the Council supplies different waste management services comprising:

- (i) The supply of mobile garbage bins;
- (ii) The supply of a recycling service;
- (iii) The collection of garbage bags purchased by owners or occupiers of land from the Council;

as follows:

- (a)
  - (i) **\$111.00** for an 85 litre mobile garbage bin and 1 recycle bin;
  - (ii) **\$141.00** for a 140 litre mobile garbage bin and 1 recycle bin;
  - (iii) **\$233.00** for a 240 litre mobile garbage bin and 1 recycle bin; and
- (b) **\$2.40** per bag for the collection of prepaid garbage bags purchased by owners or occupiers from the Council for collection within the area that this service is supplied to.

3.2 Pursuant to Section 94(3) of the *Local Government Act 1993*, and by absolute majority, the Council varies each of the charges at clause 3.1(a) within different parts of the municipal area for land used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreational facilities and/or quarrying and mining purposes as follows:

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## 19.2 Budget 2015/16 - Rating Framework...(Cont'd)

- (i) **\$111.00** for an 85 litre mobile garbage bin;
- (ii) **\$141.00** for a 140 litre mobile garbage bin;
- (iii) **\$233.00** for a 240 litre mobile garbage bin.

### 3.3 In respect of the service charges for waste management:

- (a) If any land to which the waste management service is supplied is the subject of separate rights of occupation which are separately valued in the valuation list prepared under the *Valuation of Land Act 2001*, then the charge applies to each such separate occupation;
- (b) Pursuant to Section 94(3) of the *Local Government Act 1993* and by absolute majority, the Council declares that the service charge varies within different parts of the municipal area by reference to the use or predominant use of land as follows:
  - (i) For all land used for residential purposes where there is more than 1 separate right of occupation which is separately valued in the valuation list prepared under the *Valuation of Land Act 2001* and where the rate payer has elected by notice in writing delivered to the General Manager on or before the 1st day of July 2015 not to have a waste management service, then the service charge is varied to **Nil**;
  - (ii) For all land which is used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities and where the rate payer in respect of that land elects by notice in writing delivered to the General Manager on or before the 1st day of July 2015 not to have a waste management service, then the service charge is varied to **Nil**;

## 4. Service Rates - Fire Service:

4.1 Pursuant to Section 93A of the *Local Government Act 1993* the Council makes the following service rates in respect of the fire service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the municipal area for the period commencing 1 July, 2015 and ending on 30 June, 2016, as follows:

<b>District</b>	<b>Cents in the dollar of Assessed Annual Value</b>
Launceston Permanent Brigade Rating District	<b>1.3186</b>
Lilydale Volunteer Brigade Rating District	<b>0.3750</b>
General Land	<b>0.3145</b>

4.2 Pursuant to Section 93(3) of the *Local Government Act 1993*, the Council sets a minimum amount payable in respect of this service rate of **\$38.00**.

**19.2 Budget 2015/16 - Rating Framework...(Cont'd)**

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**5. Separate Land:**

5.1 Except where it is expressly provided to the contrary, for the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

**6. Adjusted Values:**

6.1 For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Sections 89 and 89A of the *Local Government Act 1993*.

**7. Instalment Payment:**

7.1 Pursuant to Section 124 of the *Local Government Act 1993*, the Council:

- (a) Decides that all rates are payable by all rate payers by four instalments which must be of approximately equal amounts.
- (b) Determines that the dates by which instalments are to be paid shall be as follows:
  - (i) The first instalment on or before 31 August, 2015;
  - (ii) The second instalment on or before 30 November, 2015;
  - (iii) The third instalment on or before 31 January, 2016; and
  - (iv) The fourth instalment on or before 30 April, 2016.
- (c) If a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

**8. Penalty and Interest:**

8.1 Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due then:

- (a) There is payable a penalty of **3.0%** of the unpaid rate or instalment; and
  - (b) There is payable a daily interest charge of **0.02054795%** (**7.5%** per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.
-

**19.2 Budget 2015/16 - Rating Framework...(Cont'd)**

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**9. Words and Expressions:**

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

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

**DECISION: 22 June 2015**

**MOTION**

**Moved Alderman J Finlay, seconded Alderman R I Soward.**

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

**CARRIED 10:1**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

**ABSTAINED FROM VOTING: Alderman R J Sands**

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**19.3 Quarterly Financial Report to Council - 31 March 2015**

**FILE NO:** SF6082

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the Council's financial performance for the quarter ended 31 March 2015.

**PREVIOUS COUNCIL CONSIDERATION:**

Audit Panel 28 May 2015 - *The financial review for the quarter ended 31 March 2015 was noted.*

**RECOMMENDATION:**

That the Council adopt the financial report for the quarter ended 31 March 2015 which discloses:

	<b>2014/15 Actual \$'000</b>	<b>2014/15 Budget \$'000</b>
<b>Operating Summary</b>		
Revenue	72,416	70,196
Less Expenses	68,017	71,409
Operating Surplus/(Deficit)	<u>4,399</u>	<u>(1,213)</u>
Add Capital Grants	<u>1,420</u>	<u>1,358</u>
Comprehensive Result Surplus/(Deficit)	<u><u>5,819</u></u>	<u><u>145</u></u>
<b>Financial Position</b>		
Equity	<u>1,472,622</u>	<u>1,448,756</u>
Assets		
Current	63,912	64,867
Non-Current	<u>1,439,095</u>	<u>1,418,956</u>
	<u>1,503,007</u>	<u>1,483,823</u>
Liabilities		
Current	15,879	12,885
Non-current	<u>14,506</u>	<u>22,182</u>
	<u>30,385</u>	<u>35,067</u>
	<u><u>1,472,622</u></u>	<u><u>1,448,756</u></u>

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**19.3 Quarterly Financial Report to Council - 31 March 2015...(Cont'd)**

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

**DECISION: 22 June 2015**

**MOTION**

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

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

**CARRIED 10:1**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams

**ABSTAINED FROM VOTING:** Alderman R J Sands

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**19.4 Budget Amendments 2014/15 (28 May 2015)****FILE NO:** SF6082/3611**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider changes to the Council's 2014/15 Statutory Estimates that result in:

- a) The operating surplus (including \$9.973m in capital grants) being amended to \$9.763m; and
- b) the capital budget being increased to \$26.177m

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

**PREVIOUS COUNCIL CONSIDERATION:**

Audit Panel 28 May 2015 Item 9.1. It was resolved that items go to Council for a decision.

**RECOMMENDATION:**

1. That the Council approve the reallocation of funding relating to transfers from Capital to Operations in the amount of \$61,497.
2. That the Council approve the reallocation of funding relating to transfers from Operations to Capital in the amount of \$296,300.
3. That the Council approve the adjustment of the 2014/15 budget to reflect the net result of external funds not granted in the amount of \$250,000.
4. That the Council approve the use from current or accumulated funds to fund Seaport substructure strengthening capital works in the amount of \$250,000.

5. That the Council adopts the revised:

	<b>\$m</b>
a) Underlying Operating Budget Deficit	(0.210)
b) Operating Budget Surplus	9.763
c) Capital Budget	26.177

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**19.4 Budget Amendments 2014/15 (28 May 2015)...(Cont'd)**

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Mr M Tidey (Director Corporate Services) and Mr P Gimpl were in attendance to answer questions of Council in respect of this Agenda Item.

**DECISION: 22 June 2015**

**MOTION**

Moved Alderman R L McKendrick, seconded Alderman J Finlay.

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

**CARRIED 10:1**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams

**ABSTAINED FROM VOTING:** Alderman R J Sands

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**19.5 TasWater Owners Representative Nomination****FILE NO:** SF5153**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the nomination of an Alderman as the TasWater Deputy Owners Representative for a three year term.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting 24 November 2014 - Item 19.2 Council Appointments to Internal and External Committees, Alderman A M van Zetten (Mayor) was nominated as the TasWater Owners Representative.

**RECOMMENDATION:**

That Council nominate an Alderman as the TasWater Deputy Owners Representative for the term 1 August 2015 until 31 July 2018.

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

**DECISION:** 22 June 2015**MOTION**

**That Council nominate Alderman R I Soward as the TasWater Deputy Owners Representative for the term 1 August 2015 until 31 July 2018.**

**Moved Alderman R L McKendrick, seconded Alderman D W Alexander.**

**That the Motion be adopted.**

**CARRIED ALL**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman D H McKenzie, Alderman R J Sands, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams

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## COUNCIL MINUTES

Monday 22 June 2015

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### 20 GENERAL MANAGER

#### 20.1 UTAS and Inveresk Campus Design

**FILE NO:** SF2385

**AUTHOR:** Robert Dobrzynski (General Manager)

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

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#### **DECISION STATEMENT:**

To determine three Aldermen representatives on the UTAS Inveresk Campus Design Liaison Group.

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

N/A

#### **RECOMMENDATION:**

That Aldermen nominate three Aldermen representatives on the UTAS Inveresk Campus Design Liaison Group.

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

**DECISION: 22 June 2015**

#### **MOTION**

**That Aldermen nominate The Mayor Alderman A M van Zetten, Aldermen D H McKenzie, Alderman J Finlay and Alderman D W Alexander as representatives on the UTAS Campus Design Liaison Group.**

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

**That the Motion be adopted.**

**CARRIED ALL**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams**

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**21 URGENT BUSINESS**

Pursuant to regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2005*

Nil

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22 INFORMATION / MATTERS REQUIRING FURTHER ACTION

INFORMATION / MATTERS REQUIRING FURTHER ACTION				
<i>As at: 22 June 2015</i>				
Meeting Item No	Outstanding Items	Action Requested	Director	Officer Comment
13/04/12 14.1	Duck Reach Redevelopment	Recommendation 3: On finalization of the business case analysis outlined in the report, and identification of potential third party development opportunities, Council review the redevelopment options for the Duck Reach site based on a future report	Rod Sweetnam	<p>The project was workshopped in October 2014. Officers are awaiting confirmation from Hydro Tasmania they will release scoping information to respondents of an expression of interest process to be advertised by Council - due December 2015</p> <p>Hydro Tasmania have now provided confirmation of the process for EOI participants to access their project scoping and feasibility documentation relating to the redevelopment potential of the Duck Reach site. This information will be incorporated into Council's Expression of Interest documentation in preparation for advertising in June 2015.</p>

<b>Meeting Item No</b>	<b>Outstanding Items</b>	<b>Action Requested</b>	<b>Director</b>	<b>Officer Comment</b>
27/04/15 14.2	Notice of Motion - Alderman D H McKenzie - Appointment of a Queen Victoria Museum and Art Gallery (QVMAG) Committee	That Council appoints a Committee to review the strategic direction of the QVMAG with the express view of reporting back to Council with recommendations on its future direction	Richard Mulvaney	The Committee will present its report after 30 June 2015
11/05/2015 14.1	Notice of Motion - Deputy Mayor Alderman R I Soward - Introduction of a Trial Community Reports Category at Council Meetings	Include a Community Reports Category in Council Meetings	Michael Tidey	Processes and attendance criteria to be determined. Target date is 22 June 2015
25/05/2015 14.2	Notice of Motion - Alderman D W Alexander - Implementation of the Placespeak Community Consultation Platform for the Launceston City Council	Investigate the Placespeak community consultation platform for use within the City of Launceston	General Manager	Investigation of Placespeak, along with other community consultation platforms, will be undertaken towards the end of the year.
22/06/2015 14.1	Notice of Motion - Alderman E K Williams - Changes to Federal Arts Funding	The City of Launceston approach both the State and Federal Governments regarding the impact of federal funding changes	General Manager	Convey concern over funding changes with regards to City of Launceston activities

**23 CLOSED COUNCIL****23.1 Leave of Absence Application - Alderman****RECOMMENDATION:**

That Agenda Item 23.1 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)(i) as it concerns, application by an elected member for leave of absence.

**DECISION:** 22 June 2015

**MOTION**

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

That the Motion be adopted.

**CARRIED ALL**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman A E Dawkins, Alderman S R F Wood and Alderman E K Williams

Council moved into closed session at 4.45pm.

The Mayor Alderman A M van Zetten handed the Chair to the Deputy Mayor 4.45pm.

The Deputy Mayor Alderman R I Soward assumed the Chair at 4.45pm.

**24 MEETING CLOSURE**

The Deputy Mayor Alderman R I Soward closed the meeting at 4.49pm.

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