



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
TUESDAY 27 JANUARY 2015**

City of Launceston

COUNCIL MINUTES

Tuesday 27 January 2015

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

Date: 27 January 2015

Time: 1.00 pm

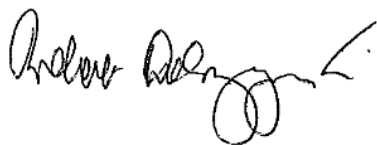
Section 65 Certificate of Qualified Advice

Background

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

Declaration

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



Robert Dobrzynski
General Manager

City of Launceston

COUNCIL MINUTES

Tuesday 27 January 2015

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

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

Apologies: **Alderman** **Nil**

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1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES

The Mayor opened the meeting at 1.00pm.

Acknowledgement of Country - Aunty Gloria Templar

The Mayor read:

In the spirit of reconciliation, we the citizens of Launceston recognise that Launceston is situated on country of which the Tasmanian Aboriginal people have been owners for over 35,000 years and on which they have performed age-old ceremonies of celebration, initiation and renewal. We acknowledge the Aboriginal community of today, their living culture, and unique role in the life of this region, and offer our deep appreciation of their on-going contribution to the community.

2 DECLARATION OF PECUNIARY INTERESTS

Alderman D H McKenzie declared a pecuniary interest in Agenda Item 7.4.

Alderman R I Soward declared a pecuniary interest in Agenda Item 7.4.

3 CONFIRMATION OF MINUTES**RECOMMENDATION:**

1. That the Minutes of the Ordinary Meeting of the Launceston City Council held on 8 December 2014 be confirmed as a true and correct record.

DECISION: 27/01/2015**RESOLUTION: (1):**

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

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

2. That the Minutes of the Special Meeting of the Launceston City Council held on 15 December 2014 be confirmed as a true and correct record.

DECISION: 27/01/2015

RESOLUTION: (1):

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

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

3. That the Minutes of the Special Meeting of the Launceston City Council held on 15 December 2014 in closed session be confirmed as a true and correct record.

DECISION: 27/01/2015

RESOLUTION: (1):

Moved Alderman D H McKenzie, seconded Alderman D W Alexander.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

4 DEPUTATION

Nil

5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME

Nil

6 PUBLIC QUESTION TIME

Nil

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items 7.1 - 7.4.

7 PLANNING AUTHORITY

7.1 Dispensation 8 to the Launceston Interim Planning Scheme 2012 to rezone five (5) residential titles - 76 Hobart Road, 74 Hobart Road, 1 Machen Street and 3-5 Machen Street - from the Inner Residential Zone to the Commercial Zone

and

Development Application for Bulky Goods Sales - motor vehicle sales, change of use, demolition of the dwelling at 76 Hobart Road, construction of a building for use as offices and vehicle display; Signage - internally illuminated pole sign at 78-82 Hobart Road concerning the properties known as 78-82 Hobart Road and 76 Hobart Road, Kings Meadows

FILE NO: SF6243, DA0496/2014

AUTHOR: Claire Fawdry (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission on a dispensation application (draft amendment) to the Launceston Interim Planning Scheme 2012.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting 24 November 2014 - Item 7.2 - Decision - Resolved to exhibit the application for Dispensation 8 to the Launceston Interim Planning Scheme 2014 and approve DA0496/2014 for Bulky Goods Sales - motor vehicle sales, change of use, demolition of the dwelling at 76 Hobart Road, construction of a building for use as offices and vehicle display; Signage - internally illuminated pole sign at 78-82 Hobart Road concerning the properties known as 78-82 Hobart Road and 76 Hobart Road, Kings Meadows.

RECOMMENDATION:

1. That Council under Section 39 of the Land Use Planning and Approvals Act 1993, provide a report to the Tasmanian Planning Commission noting that no representations were received during the exhibition period and recommending that:

- a) Dispensation 8 (draft amendment) be approved as exhibited; and
-

7.1 Dispensation 8 to the Launceston Interim Planning Scheme 2012 to rezone five (5) residential titles - 76 Hobart Road, 74 Hobart Road, 1 Machen Street and 3-5 Machen Street - from the Inner Residential Zone to the Commercial Zone...(Cont'd)

b) Permit DA0496/2014 be approved subject to conditions as exhibited.

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

Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of Agenda Items 7.1 – 7.4 inclusive.

DECISION: 27/01/2015

RESOLUTION: (1):

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

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

7.2 80 Lindsay Street, Invermay - Manufacturing and processing - subdivision; subdivide land into two lots and balance

FILE NO: DA0538/2014

AUTHOR: Ashley Brook (Consultant Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider and determine a development application in accordance with the Section 57 of the *Land Use Planning and Approvals Act 1993*.

PREVIOUS COUNCIL CONSIDERATION:

DA0490/2014

A subdivision permit issued under delegation on 14/11/2014 which approved the consolidation of 80 Lindsay Street (CT 167770/2) with an adjoining Crown-land parcel to the north, and the subdivision of the consolidated land into two (2) lots including Lot 1 (2.43 ha) and a Balance (6.913 ha). The current application DA0538/2014 effectively seeks approval to further subdivide the approved Lot 1 into two (2) lots.

DA0452/2014

A permit issued to Boral Construction Materials Group Limited on 8/12/2014 allowing it to re-establish its operations on the land within Lot 1 proposed by the current application DA0538/2014.

RECOMMENDATION:

That Council approve the application DA0538/2014 for Manufacturing and processing – subdivision; subdivide land into two lots and balance involving land at 80 Lindsay Street (CT 167770/2) and an adjoining Crown-land parcel to the north subject to the following conditions:

PERMIT CONDITIONS

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Layout, Prepared by Prepared by Johnstone McGee & Gandy, Project No. J142350CL, Drawing No. C01, Dated 10/11/2014.
-

7.2 80 Lindsay Street, Invermay - Manufacturing and processing - subdivision; subdivide land into two lots and balance...(Cont'd)

- b. Drainage & Water Layout, Prepared by Prepared by Johnstone McGee & Gandy, Project No. J142350CL, Drawing No. C02, Dated 10/11/2014.
- c. B-Double Turning Paths, Prepared by Prepared by Johnstone McGee & Gandy, Project No. J142350CL, Drawing No. C03, Dated 10/11/2014.

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. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (2014/01269-LCC, Dated 27/11/2014).

INFRASTRUCTURE CONDITIONS**5. 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.

6. SUBMISSION AND APPROVAL OF PLANS

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

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting.
-

7.2 80 Lindsay Street, Invermay - Manufacturing and processing - subdivision; subdivide land into two lots and balance...(Cont'd)

- 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.
- 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.

7. 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.

8. RETICULATED SERVICES

Prior to the commencement of the use, reticulated water, sewerage and electricity must be available to each lot shown on the endorsed plans.

9. 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.

7.2 80 Lindsay Street, Invermay - Manufacturing and processing - subdivision; subdivide land into two lots and balance...(Cont'd)

10. 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".

11. 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.

12. CONSTRUCTION OF WORKS

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

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

- a. Stormwater
 - i. All necessary alterations required to the existing grassed swale drain to maintain its functionality including the provision of culverts where driveway location cross the swale.
 - ii. Provision of an overland flow path for flows up to a 100 year ARI storm event.
 - b. Roads
-

7.2 80 Lindsay Street, Invermay - Manufacturing and processing - subdivision; subdivide land into two lots and balance...(Cont'd)

- i. Provision kerb and channel and a 1500mm wide footpath along the frontage of Lot 1 and 2 at the edge of the existing pavement constructed on a suitable base, (Note: the design for the entire frontage is required however only the frontage for Lots 1 and 2 is required to be constructed as part of this subdivision)
 - ii. Provision of all necessary pedestrian kerb ramps to connect with existing footpaths,
 - iii. Provision of a single vehicular crossing for each designed for industrial use, unless an approved plan exists for development of the lot at the time of the submission of the engineering design plans, in which case the design shall accommodate the layout approved.
- c. Electricity, Communications & Other Utilities
- i. An underground reticulated electricity system must be provided to service both lots and installed to the approval of the Responsible Authority,
 - ii. An underground telecommunications system must be provided to service both lots and installed to the approval of the Responsible Authority,
 - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
 - iv. Provision of reticulated gas network to service both lots and installed to the approval of the Responsible Authority.

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.

13. 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.

7.2 80 Lindsay Street, Invermay - Manufacturing and processing - subdivision; subdivide land into two lots and balance...(Cont'd)

Notes**A. General**

This permit was issued based on the proposal documents submitted for (DA0538/2014). You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).

This permit takes effect after:

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

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

B. 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.

C. 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*
- Occupancy Permit*

D. 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.

7.2 80 Lindsay Street, Invermay - Manufacturing and processing - subdivision; subdivide land into two lots and balance...(Cont'd)

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>>

E. 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.

Perry Ruffels spoke against this item.

DECISION: 27/01/2015

RESOLUTION: (1):

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

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

7.3 40 Hill Street, West Launceston - Residential - multiple dwellings; construction of two and use of three multiple dwellings; construction of a deck and carport to an existing dwelling; construction of a new parking deck; associated earthworks

FILE NO: DA0540/2014

AUTHOR: George Walker (Development Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

There are no records of previous Council decisions available.

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 DA0540/2014 Residential - multiple dwellings; construction of two and use of three multiple dwellings; construction of a deck and carport to an existing dwelling; construction of a new parking deck; associated earthworks on land located at 40 Hill Street, West 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 to the satisfaction of the Council unless modified by a condition of the Permit:

- a) Cover Page Project No. 000386 Drawing No. A0-001 dated 13 November 2014 prepared by S. Group;
 - b) Site Plan Project No. 000386 Drawing No. A1-001 (Revision B) dated 13 November 2014 prepared by S. Group;
 - c) Existing Dwelling Plan Project No. 000386 Drawing No. A2-001 (Revision B) dated 24 November 2014 prepared by S. Group;
 - d) TH1 Floor Plan Project No. 000386 Drawing No. A2-002 (Revision B) dated 24 November 2014 prepared by S. Group;
 - e) TH2 Floor Plan Project No. 000386 Drawing No. A2-003 (Revision B) dated 24 November 2014 prepared by S. Group;
 - f) Existing Dwelling Elevations No. 000386 Drawing No. A3-001 (Revisions B) dated 24 November 2014 prepared by S. Group;
-

7.3 40 Hill Street, West Launceston - Residential - multiple dwellings; construction of two and use of three multiple dwellings; construction of a deck and carport to an existing dwelling; construction of a new parking deck; associated earthworks...(Cont'd)

- g) Existing Dwelling Elevations Project No. 000386 Drawing No. A3-002 (Revision B) dated 24 November 2014 prepared by S. Group;
- h) Elevations Project No. 000386 Drawing No. A3-003 (Revision B) dated 24 November 2014 prepared by S. Group;
- i) Elevations Project No. 000386 Drawing No. A3-005 dated 24 November 2014 prepared by S. Group;

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 property boundary to the the shoulder of Hill 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. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater TWDA 2014/01283-LCC (attached).

5. SITE LANDSCAPING PLAN

Prior to the commencement of the works, a landscape plan must be submitted to the satisfaction of Council's Manager Planning Services. The plan must be drawn to scale and must include the following details:

- a) Major identifying site features such as building footprints, topography, contours existing vegetation and street boundaries;
- b) Show all proposed garden areas and plantings which can include a mixture of local native species that occur within the area as well as exotic species;
- c) Show all proposed garden beds, fences, retaining walls, lawn, sealed surfaces and pathways;
- d) The 'green buffer' identified in Drawing No. A1-001 is to be planted with an evergreen species that has the capacity to grow to a minimum height of 2m in height and be planted at a density that provides sufficient screening above the fence line.

Once approved by the Council, the plan will be endorsed and will form part of the permit. The landscaping must be installed in accordance with the endorsed plan and;

7.3 40 Hill Street, West Launceston - Residential - multiple dwellings; construction of two and use of three multiple dwellings; construction of a deck and carport to an existing dwelling; construction of a new parking deck; associated earthworks...(Cont'd)

- a) Be provided with convenient taps or a fixed sprinkler system installed for the purpose of watering all lawns and landscaped areas. Redirection of down pipes, on site storage of overland flows and the like are encouraged. Grey water reuse can be used subject to compliance;
- b) Be installed within 3 months from the completion of the building works;
- c) Be maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Council.

6. FENCING

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

- a. 1.2m within 4.5m of the frontage if solid; or
- b. 1.8m within 4.5m of the frontage provided that the fence has openings above 1.2m which provide a uniform transparency not less than 30% (excluding uprights or posts); and
- c. 1.8m elsewhere when measured from the highest finished level on either side of the common boundaries.

7. MULTIPLE DWELLINGS - SERVICE FACILITIES

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. Each multiple dwelling must be provided with a minimum 6m exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
- c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.

8. CAR PARKING CONSTRUCTION

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

- a. Be designed to comply with the Australian Standards AS 2890.1.
 - b. Be properly constructed to such levels that they can be used in accordance with the plans,
-

7.3 40 Hill Street, West Launceston - Residential - multiple dwellings; construction of two and use of three multiple dwellings; construction of a deck and carport to an existing dwelling; construction of a new parking deck; associated earthworks...(Cont'd)

- c. Be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers,
- d. Be drained to Council's requirements including the provision of a grated drain inside the property boundary to collect the surface water prior to discharge from the property,
- e. Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the Planning Authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas;
- f. Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site,

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

9. AMENDED PLANS REQUIRED

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

- a. Drawing No. A4-001 is to be amended to detailing swept paths for vehicles parked under carport at front of existing dwelling and for tandem parking spaces at the front of the proposed dwellings;
- b. Drawing No. A4-001 is to be amended to detail the provision of a single car parking space in front of the garage for TH1;
- c. Drawing No. A4-001 is to be amended to detail the provision of a single car parking space in front of the garage for TH2;
- d. Drawing No. A4-001 is to be amended to detail localised widening of the driveway apron to be 5.1 metres wide where the bluestone retaining wall is greater than 150mm above the trafficable surface of the driveway; and
- e. Drawing No. A3-004 is to be amended to reducing the easve located on the south-eastern elevation of TH2 to 0.6m in width

The amended plans must be drawn to scale with appropriate dimensions. When approved by the Manager Planning Services the plans will be endorsed and will then form part of the permit and shall supersede the original endorsed plans.

- 7.3 40 Hill Street, West Launceston - Residential - multiple dwellings; construction of two and use of three multiple dwellings; construction of a deck and carport to an existing dwelling; construction of a new parking deck; associated earthworks...(Cont'd)**
-

10. 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.

11 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".

12. APPLICATION TO ALTER A STORMWATER SERVICE

To have an existing service connection physically removed/relocated/alterred, or to have a new connection installed, application on the approved form and accompanied by the prescribed fee must be lodged with the Council. The applicant is required to engage a Contractor registered with Council to undertake such works and where necessary a plumbing contractor to undertake the works for the disconnection. All costs associated with these contractors are to be borne by the applicant.

13. 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.

- 7.3 40 Hill Street, West Launceston - Residential - multiple dwellings; construction of two and use of three multiple dwellings; construction of a deck and carport to an existing dwelling; construction of a new parking deck; associated earthworks...(Cont'd)**
-

14. 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 shall be undertaken to construct the new vehicular crossing or to remove or alter the existing bluestone retaining wall outside the property boundary without the prior approval of the works by the Council's Roads and Hydraulics Department.

The new crossing must be a minimum of 5.1 metres wide (excluding the transition wings) where the retaining wall supporting the nature strip is greater than 150mm above the finished trafficable surface of the driveway. All work must be carried out to Council standards by a contractor approved 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 will be at the applicant's expense.

Council may approve a temporary crossing for the duration of the construction period with the final crossing to be completed prior to the occupation of the dwellings.

15. 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.

16. 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.

- 7.3 40 Hill Street, West Launceston - Residential - multiple dwellings; construction of two and use of three multiple dwellings; construction of a deck and carport to an existing dwelling; construction of a new parking deck; associated earthworks...(Cont'd)**
-

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.

General

This permit was issued based on the proposal documents submitted for DA0540/2014. 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 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.*

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

Restrictive Covenants

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

- 7.3 40 Hill Street, West Launceston - Residential - multiple dwellings; construction of two and use of three multiple dwellings; construction of a deck and carport to an existing dwelling; construction of a new parking deck; associated earthworks...(Cont'd)**
-

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.

Street addresses for Multiple Dwellings

Residential addressing is undertaken in accordance with Australian Standard AS4819. The development has been assessed according to the standard and the following addresses allocated:

<i>Dwelling No</i>	<i>Street Address</i>
<i>Existing</i>	<i>1/40 Hill Street WEST LAUNCESTON</i>
<i>TH1</i>	<i>2/40 Hill Street WEST LAUNCESTON</i>
<i>TH2</i>	<i>3/40 Hill Street WEST LAUNCESTON</i>

The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.

Agenda Item 7.3 was withdrawn prior to the meeting. This item will be deferred to Council Meeting 23 February 2015.

COUNCIL MINUTES

Tuesday 27 January 2015

- 7.4 85-107 Penquite Road, Newstead - Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages**

FILE NO: DA0554/2014

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

- DA0361/2014 Educational and Occasional Care - school; construction of a storeroom
- DA0277/2014 Educational and Occasional Care: Senior School - Extensions to a building and installation of an elevated walkway
- DA0281/2013 Construction of a storage shed
- DA0029/2013 Construction of an extension to the existing classroom
- DA0486/2007 Construct new Middle School
- DA0716/2006 Demolition of part of administration and library building
- DA0363/2006 Construction of a building - Health & Physical Education Centre, Construction of a Structure - underpass Playing Fields and associated works
- DA0244/2006 Construction of a building (extension to school building)
- DA0394/2005 Relay sewer, construct retaining wall, remove vegetation, reform access (Scenic Protection Area)
- DA0450/2004 Construct a shed
- DA0454/2002 Construct additions to school
- DA0281/2002 Extensions to existing building (Performing Arts Centre)(vary height provisions)

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 DA0554/2014 Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages at 85-107 Penquite Road, Kings Meadows in accordance with the endorsed plans and subject to the following conditions.

7.4 85-107 Penquite Road, Newstead - Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages...(Cont'd)

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. Scotch Oakburn College, Polymaths Centre, Northern Precinct, Existing Site and Car Parking Planning, Project no., 13012, Prepared by Birrelli Architects, Drawing No. SD-01, Scale 1:500 @ A1 Print.
- b. Scotch Oakburn College, Polymaths Centre, Northern Precinct, Proposed Site and Car Parking Planning, Project no., 13012, Prepared by Birrelli Architects, Drawing No. SD-02, Scale 1:500 @ A1 Print.
- c. Scotch Oakburn College, Polymaths Centre, Northern Precinct, New Lower Ground Floor Plan, Project no., 13012, Prepared by Birrelli Architects, Drawing No. SD-03, Scale 1:200 @ A1 Print.
- d. Scotch Oakburn College, Polymaths Centre, Northern Precinct, New Ground Floor Plan, Project no., 13012, Prepared by Birrelli Architects, Drawing No. SD-04, Scale 1:200 @ A1 Print.
- e. Scotch Oakburn College, Polymaths Centre, Northern Precinct, New Level 1 Floor Plan, Project no., 13012, Prepared by Birrelli Architects, Drawing No. SD-05, Scale 1:200 @ A1 Print.
- f. Scotch Oakburn College, Polymaths Centre, Northern Precinct, Existing Survey, Project no., 13012, Prepared by Birrelli Architects, Drawing No. SD-06, Scale 1:200 @ A1 Print.
- g. Scotch Oakburn College, Polymaths Centre, Northern Precinct, Elevations, Project no., 13012, Prepared by Birrelli Architects, Drawing No. SD-07, Scale 1:200 @ A1 Print
- h. Geotechnical Investigation, Scotch Oakburn College, Penquite Road, Newstead, Prepared for Pitt and Sherry, Date: 5 September 2014, Document Reference: TG14066/4 - 01 Report, Prepared by Tasman Geotechnics Pty Ltd.
- i. Bushfire Attack Level (BAL) Assessment & Bushfire Hazard Management Plan (BHMP), for 85 Penquite Road, Newstead, Prepared for Scotch Oakburn College, Date 24 August, 2014, Document Reference MBR/2014/032, Prepared by Maraway Tasmania Pty Ltd.

2. LANDSLIP

The development must be carried out in accordance with the recommendations in the document entitled Geotechnical Investigation for Scotch Oakburn College, Penquite Road, Newstead, Prepared for Pitt and Sherry, Date: 5 September 2014, Document Reference: TG14066/4 - 01 Report, Prepared by Tasman Geotechnics Pty Ltd.

3. NO CONSTRUCTION VEHICLE USE OF RIVERDALE GROVE ACCESS

The access off Riverdale Grove must not be used by any vehicles associated with the works proposed within this permit.

- 7.4 85-107 Penquite Road, Newstead - Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages...(Cont'd)**
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4. USE OF AND ACCESS TO PARKING AREAS

Areas set aside for the parking and movement of vehicles as shown on the endorsed plans must be made available for the use of staff and must accord with the covenant on title regarding the access to this portion of the site off Riverdale Grove where the access strip, marked ABCD on title SP 117665 must not be used for any purpose other than as an entrance and exit for staff vehicles during school term days between the hours of 8am and 5.30pm.

5. AMENITY

The use and 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.

6. 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.

7. 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.

8. EXTERIOR AND SECURITY LIGHTING

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

9. 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.

10. 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.

11. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater TWDA No2914/01300-LCC.

- 7.4 85-107 Penquite Road, Newstead - Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages...(Cont'd)**
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12. DEMOLITION

The Developer must:

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

Dispose of any asbestos found during demolition in accordance with the Workplace Tasmania's 'Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (2005)]'.

13. PROTECTION OF EXISTING TREES

Existing trees on adjoining properties must not be damaged during the works. Such trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees.

14. FENCING

Prior to the commencement of the development the fence shared with 33 Riverdale Grove must be upgraded to be a maximum height of 2.1m when measured from the highest finished level on either side of the common boundaries and be a solid (i.e. no gaps) fence to provide full privacy between adjoining neighbours. The fence must be constructed at the developer's cost.

15. BUSHFIRE SAFETY

Prior to commencement of the use, a certificate of compliance by an accredited person, must be submitted confirming all measures required under the approved bushfire management plan (*Bushfire Attack Level (BAL) Assessment & Bushfire Hazard Management Plan (BHMP)*, for 85 Penquite Road, Newstead, Prepared for Scotch Oakburn College, Date 24 August, 2014, Document Reference MBR/2014/032, Prepared by Maraway Tasmania Pty Ltd.) are completed.

The management plan must be adhered to with this and a copy of the evacuation management plan suitably displayed for the life of the use.

16. PARKING CONSTRUCTION

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

- a. Be designed to comply with the following suite of Australian Standards AS 2890.1 Off-street car parking, AS 2890.3 Bicycle parking facilities and AS 2890.6 Off-street parking for people with disabilities.
-

7.4 85-107 Penquite Road, Newstead - Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages...(Cont'd)

- b. Be properly constructed to such levels that they can be used in accordance with the plans,
- c. Be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers,
- d. Be drained to Councils requirements,
- e. Be line-marked or otherwise delineated to indicate each car space and access lanes,
- f. Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the Planning Authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas. This includes a concrete kerb along the northern side boundary of the carpark;
- g. Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site,
- h. One of the 29 spaces being redeveloped as part of this application must be for people with disabilities and must be designed and constructed in accordance with AS 2890.6 Off-street parking for people with disabilities.

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

17. 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.

18. 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.

- 7.4 85-107 Penquite Road, Newstead - Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages...(Cont'd)**
-

19. VESSELS CONTAINING CONTROLLED WASTES, DANGEROUS GOODS ETC.

Vessels containing hydrocarbons, controlled wastes and dangerous goods must, as far as practicable, be located in areas that comply with the following requirements:

- a) An impervious floor and spill collection bund must be provided;
- b) The floor and spill collection bund must be constructed of materials that are chemically resistant to any goods stored within the bunds;
- c) The spill collection bund must be designed to contain at least 110 percent of the volume of the largest storage vessel, and at least 25% of the total volume of the vessels stored within the bund, whichever is the greater volume; and
- d) If a valve is provided within the bund wall for the recovery of spillages or discharge of uncontaminated stormwater, this valve must be capable of being isolated so that it can only be operated by authorised personnel.

20. AIR VENTING SYSTEMS

The design and construction of the air venting systems for the laboratories must comply with the relevant regulatory requirements and standards to ensure that any emissions do not cause an environmental nuisance to nearby residents.

21. USE OF THE SITE INCLUDING THE AUDITORIUM

The use of the proposed buildings, including the auditorium, is limited to between 6am and 10pm.

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.

- 7.4 85-107 Penquite Road, Newstead - Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages...(Cont'd)**
-

General

This permit was issued based on the proposal documents submitted for DA0554/2014. 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 request to Council.

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.

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>>

7.4 85-107 Penquite Road, Newstead - Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages...(Cont'd)

Alderman D H McKenzie declared a pecuniary interest in Agenda Item 7.4 and withdrew from the meeting at 1.25pm.

Alderman R I Soward declared a pecuniary interest in Agenda Item 7.4 and withdrew from the meeting at 1.25pm.

David Preece spoke against this item.

Richard Price spoke to this item.

Jack Birrell spoke to this item.

DECISION: 27/01/2015

RESOLUTION: (1):

Moved Alderman J Finlay, seconded Alderman D C Gibson.

That item 7.4 lay on the table (1.44pm).

CARRIED 7:3

FOR VOTE - Ald A van Zetten, Ald R Sands, Ald D Gibson, Ald J Cox, Ald J Finlay, Ald A Dawkins, Ald E Williams

AGAINST VOTE - Ald R McKendrick, Ald D Alexander, Ald S Wood

ABSENT. DID NOT VOTE - Ald R Soward, Ald D McKenzie

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

The Mayor adjourned the meeting at 1.44pm for a 5 minute break.

The Mayor reconvened the Meeting at 1.50pm.

Ald McKenzie re-attended the meeting at 1.50pm.

Ald Soward re-attended the meeting at 1.50pm.

7.4 85-107 Penquite Road, Newstead - Education and Occasional Care - secondary school; demolition and redevelopment of parts of the existing building along the northern side boundary and reorganisation of car parking in two stages...(Cont'd)

Council returned to consider Item 7.4 at 2.28pm.

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

Alderman D H McKenzie declared a pecuniary interest in Agenda Item 7.4 and withdrew from the meeting at 2.28pm.

Alderman R I Soward declared a pecuniary interest in Agenda Item 7.4 and withdrew from the meeting at 2.28pm.

RESOLUTION: (2):

Moved Alderman R L McKendrick, seconded Alderman J Finlay.

That the Recommendation be adopted with the following addition:

Insert after Condition 16 subclause h) a new subclause i) as follows:

i). The car parking layout must be modified to include provision for a specimen tree (with a minimum mature height of 6m) to be located to partially screen views of the new building from 33 Riverdale Grove. The tree species and location must be submitted to and approved by the Council prior to construction commencing.

CARRIED 10:0

FOR VOTE - Ald A van Zetten, Ald R Sands, Ald R McKendrick, Ald D Gibson, Ald J Cox, Ald J Finlay, Ald A Dawkins, Ald D Alexander, Ald S Wood Ald E Williams

ABSENT. DID NOT VOTE - Ald R Soward, Ald D McKenzie

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

Ald McKenzie re-attended the meeting at 2.34pm.

Ald Soward re-attended the meeting at 2.34pm.

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

Tuesday 16 December 2014

- Attended Mowbray Heights Primary School End of Year Leavers' Assembly
- Attended Brooks High School Grade 7-9 End of Year Assembly
- Attended Business Events Tas Christmas Function

Wednesday 17 December 2014

- Attended Official Opening of Launceston Conference Centre
- Attended 2014 Work Placement Program Certificate Presentation
- Attended Tourism Northern Tasmania Awards

Tuesday 23 December 2014

- Attended Venarchie Contracting Christmas Function

Saturday 27 December 2014

- Officially started Launceston to Hobart Yacht Race

Wednesday 31 December 2014

- Attended New Year on Royal

Thursday 1 January 2015

- Attended Basin Concert

Friday 2 January 2015

- Officially welcomed athletes at opening ceremony of the Orienteering IOF World Cup Oceania Championships

Saturday 3 January 2015

- Presented trophies for the Orienteering IOF World Cup Oceania Championships
-

8.1 Mayor's Announcements...(Cont'd)

Monday 5 January 2015

- Attended Betfair Tasmanian Summer Racing Carnival Launch

Saturday 10 January 2015

- Attended 125th Anniversary of the University of Tasmania Launch

Thursday 15 January 2015

- Officiated at Department of State Growth function

Friday 16 January 2015

- Attended Good Neighbour Council Annual BBQ

Monday 26 January 2015

- Officiated at Australia Day Awards and Citizenship Ceremony

The Mayor further added:

- **Congratulations to Richie Port for taking 2nd place in the Tour Down Under.**
-

9 ALDERMEN'S/DELEGATES' REPORTS**9.1 Ald Gibson - City of Launceston Bursary**

Alderman D C Gibson reported:

- **The City of Launceston supports a number of public school students with funding for Grades 11 and 12 and their first year at University. Five new candidates will be interviewed on Friday 30 January 2015.**

9.2 Ald Gibson - UTAS 125th Anniversary

Alderman D C Gibson reported:

- **A variety of events have been planned for throughout the year in particular two exhibits in partnership with the Queen Victoria Museum and Art Gallery.**

9.3 Ald Gibson - ArtRage 2014 Collection

Alderman D C Gibson reported:

- **Saturday 20 December 2014 - attended the opening of ArtRage 2014 Collection at the QVMAG.**

9.4 Ald Dawkins - Celebrating Community Diversity

Alderman A E Dawkins reported:

- **Saturday 17 January 2015 - attended the Chalk Rainbow in Civic Square to celebrate diversity in our community**
 - **Thank you to all Aldermen who attended the workshop conducted by the City of Fremantle Mayor Dr Brad Pettitt.**
-

9.5 Ald McKendrick - Northern Region Community Advisory Council

Alderman R L McKendrick reported:

- **Attended the first meeting of the Northern Region Community Advisory Council for 2015.**

9.6 Ald McKendrick - Public Health Forum & Chilli Sky Fire

Alderman R L McKendrick reported:

- **Friday 23 January - attended a public forum presented by the Minister for Health Michael Ferguson MP, at the Grand Chancellor Hotel in Launceston**
- **Sunday 25 January - attended Chilli Sky Fire.**

9.7 Ald Soward - Heritage Forest Committee & Australia Day Ceremony

Alderman R I Soward reported:

- **Attended the first meeting of the Heritage Forest Committee**
 - **Monday 26 January - attended the Australia Day Ceremony at Albert Hall.**
-

10 QUESTIONS BY ALDERMEN**10.1 Ald Finlay - Reporting processes**

Aldermen's Question: **Alderman J Finlay** asked:

What is the process for Council to receive and review the minutes from advisory boards and special committees?

A response was provided by Mr R Dobrzynski (General Manager).

10.2 Ald Soward - Black Spot Mobile Areas

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

Regarding a previous Notice of Motion on working with telecommunications companies on improving mobile phone coverage, can Aldermen please receive an update on previous consideration by Council and communication with telecommunication companies on mobile phone reception in black spot areas particularly those with a high fire risk on the periphery of our city boundaries?

Can detail also be provided on the latest advice received from the companies regarding the issues and the previous Notice of Motion?

A response was provided by Mr R Dobrzynski (General Manager).

10.3 Ald Soward - Mowing/Slashing in the Nunamara Area

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

Is it the responsibility of the City of Launceston to mow/slash the roadsides in the Nunamara area? If not whose responsibility is it? If so when is the program of works scheduled and at what frequency does it occur?

A response was provided by Mr H Galea (Director Infrastructure Services).

10.4 Ald McKenzie - QVMAG Structure Review

Aldermen's Question: **Alderman D H McKenzie** asked:

Regarding the review of the QVMAG structure, when are we likely to see the outcomes of this review?

A response was provided by Mr R Dobrzynski (General Manager).

10.5 Ald Finlay - Information from Advisory Groups

Aldermen's Question: **Alderman J Finlay** asked:

Further to Alderman McKenzie's question shouldn't Aldermen receive unfiltered information from advisory groups?

A response was provided by Mr R Dobrzynski (General Manager).

10.6 Ald Finlay - Council Support for Local Businesses

Aldermen's Question: **Alderman J Finlay** asked:

Is there any support Council can provide to local business regarding delays in the transition and roll out times of the NBN?

A response was provided by Mr R Dobrzynski (General Manager).

10.7 Ald Alexander - Use of Mobile Towers

Aldermen's Question: **Alderman D W Alexander** asked:

Is it possible for mobile towers to be used outside of fire periods even if funding is not available? Do we need to consult with the Australian Minister for Communications and the telecommunication providers regarding continual black spots?

A response was provided by Mr R Dobrzynski (General Manager).

10.8 Ald Gibson - Mobile Food Vendors

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

Why is it falling to Council to remove rubbish created by mobile food vendors particularly along High Street?

A response was provided by Mr H Galea (Director Infrastructure Services).

Council returned to consider Item 7.4 at 2.28pm.

11 COMMITTEE REPORTS**11.1 QVMAG Museum Governance Advisory Board Committee Meeting 26 November 2014****FILE NO:** SF2244**AUTHOR:** Leila Wagner (Personal Assistant)**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

DECISION STATEMENT:

To receive and consider a report from the QVMAG Museum Governance Advisory Board.

RECOMMENDATION:

That Council receive the report from the QVMAG Museum Governance Advisory Board meeting held on 26 November 2014.

Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 27/01/2015**RESOLUTION: (1):****Moved Alderman R L McKendrick, seconded Alderman D W Alexander.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

11.2 Municipal Emergency Management Committee Meeting - 4 December 2014**FILE NO:** SF3177**AUTHOR:** Rod Sweetnam (Director Facilities Management)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

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

RECOMMENDATION:

That the report from the Municipal Emergency Management Committee meeting held on Thursday 4 December 2014 be received.

Mr M Skirving (Acting Director Facilities Management) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 27/01/2015**RESOLUTION:** (1):**Moved Alderman R L McKendrick, seconded Alderman J G Cox.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

11.3 Launceston Heritage Advisory Committee - Appointment of Community Representatives**FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Urban Design & Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To appoint community representatives to the Launceston Heritage Advisory Committee.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That Council appoint Dr Anne Neale and Mrs Margot Smart as community representative members of the Launceston Heritage Advisory Committee.

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

DECISION: 27/01/2015**RESOLUTION:** (1):**Moved Alderman J Finlay, seconded Alderman D H McKenzie.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

11.4 Audit Panel 15 January 2015**FILE NO:** SF3611**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To receive a report from the Audit Panel.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:That Council receive the report from the Audit Panel from the meeting held on 15 January 2015.

DECISION: 27/01/2015**RESOLUTION: (1):****Moved Alderman R L McKendrick, seconded Alderman J Finlay.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

12 COUNCIL WORKSHOPS

The following Council Workshops were held on 15 December 2014:

- City Heart Engagement Report
- City Heart Project - Traffic Management.

13 PETITIONS

Nil

14 NOTICES OF MOTION - FOR CONSIDERATION

Nil

DIRECTORATE MINUTES ITEMS**15 DEVELOPMENT SERVICES****15.1 C H Smith Building, 16-24 Charles Street Launceston - Remission of Development Application fees****FILE NO:** DA0573/2014**DIRECTOR:** Leanne Hurst, Director Development Services

DECISION STATEMENT:

To consider a request for remission of Development Application fees.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting 28 April 2014 - Item 18.1 - Council Fees 2014/15 Financial Year.

RECOMMENDATION:

That Council agree to refund 66% of the Planning Application fee for DA0573/2014, for subdivision and staging of development at 16-24 Charles Street and 9 Canal Street (C H Smith site).

Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of Agenda Items 15.1 - 15.2 inclusive.

DECISION: 27/01/2015**RESOLUTION: (1):****Moved Alderman J Finlay, seconded Alderman R I Soward.****That the Recommendation be adopted.**

15.1 C H Smith Building, 16-24 Charles Street Launceston - Remission of Development Application fees...(Cont'd)

RESOLUTION: (2):

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

That the original Recommendation be amended to read:

That Council agree to Planning Application fee for DA0573/2014 of up to a maximum of \$10,000 contingent on costs incurred by the Council for subdivision and staging of development at 16-24 Charles Street and 9 Canal Street (C H Smith site).

Lost 3:9

FOR VOTE - Ald R McKendrick, Ald R Sands, Ald D McKenzie

AGAINST VOTE - Ald A van Zetten, Ald R Soward, Ald D Gibson, Ald J Cox, Ald J Finlay, Ald A Dawkins, Ald E Williams Ald D Alexander, Ald S Wood

RESOLUTION: (1):

THE SUBSTANTIVE MOTION WAS PUT AND CARRIED 12:0

15.2 Tasmanian Building Regulatory Framework Review - Response**FILE NO:** SF0789, SF2611, SF5768**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider a response to the Tasmanian Building Regulatory Framework Review Discussion Paper.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting 8 September 2014 - item 14.4 - review of the Tasmanian Building Regulatory Framework.

RECOMMENDATION:

That Council -

1. Endorse the completed Response Paper (ECM doc 386651); and
 2. Authorise the General Manager to prepare and submit a detailed response to the Tasmanian Building Regulatory Framework Review Position Paper.
-

DECISION: 27/01/2015**RESOLUTION: (1):****Moved Alderman D H McKenzie, seconded Alderman R I Soward.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

16 FACILITIES MANAGEMENT
Nil

17 QUEEN VICTORIA MUSEUM AND ART GALLERY
Nil

18 INFRASTRUCTURE SERVICES**18.1 Natural Surface Water Run-Off Policy****FILE NO:** SF3607; SF3036**AUTHOR:** Phil Bonney (Senior Engineer - Hydraulics)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider the adoption of the revised Natural Surface Water Run-off Policy (28-PI-004).

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting 30 March 2009 - Item 15.4

RECOMMENDATION:

That Council approve the following amendments to the revised Natural Surface Water Run-off Policy (28-PI-004).

Natural Surface Water Run-Off Policy***PURPOSE:***

To define the City of Launceston's role regarding natural surface water run-off from large open areas in order to facilitate the provision of accurate information to individuals and groups of community members seeking to resolve natural drainage problems.

SCOPE:

Applies to all properties within the Launceston municipality.

POLICY:

The Council will not resolve natural surface water drainage problems unless:

- there is a drain that forms part of a City of Launceston maintained road that concentrates stormwater onto a neighbouring property.
- we discharge stormwater into a common drain that contributes to the run-off.

PRINCIPLES:

The following principles should be used to assess our role regarding natural surface water run-off from large open areas:

18.1 Natural Surface Water Run-Off Policy...(Cont'd)

- The Council is responsible for maintenance of a drain that is vested in it, over which it has an easement or one that it has constructed and taken over.
- Natural surface water run-off must not be concentrated onto adjoining properties except where stormwater is purposely directed onto private property by us in order to facilitate the effective drainage of roads.
- Where stormwater is purposely directed onto private property by us in order to facilitate the effective drainage of roads, the drain within the property shall be maintained by us only as far as the nearest natural water course or natural depression that is capable of accepting the volume required without creating a “nuisance” - this may necessitate erosion prevention measures or the introduction of stormwater dispersal solutions in order to mimic the natural drainage path that existed prior to the road’s existence and as far as possible reduce the flow to an approximation of the pre-concentrated velocity.
- Stormwater collected by our road table drains which flows onto an adjoining property is concentrated water.
- In most cases each property owner needs to take individual responsibility for natural run-off, or ground water that affects their property.
- Issues between individuals in regard to concentration of run-off in private property may need resolution through civil action.
- The Council may, in cases concerning private concentration of run-off, provide property owners with advice in the resolution of private drainage issues.
- Where specific and identifiable individuals would benefit from drainage works that are not part of the water course for which we are responsible, then we may elect to provide a solution and prepare a benefited area scheme to recover the cost.
- The Council will not become involved in temporary solutions or “without prejudice” actions to assist in maintenance of drainage problems.
- Where developments have contravened building or plumbing codes administered by us, we will be involved in arranging for corrective action by the offending parties.

RELATED POLICIES & PROCEDURES:

28-PI-005 - Stormwater Connections Construction and Maintenance Policy

RELATED LEGISLATION:

Local Government (Highways) Act 1982, Section 34
Urban Drainage Act 2013

18.1 Natural Surface Water Run-Off Policy...(Cont'd)

DEFINITIONS:

Stormwater is water run-off as a direct consequence of rainfall, whether surface flow or within stormwater drains, including contaminants collected by the water during its passage.

Concentrated surface water run-off is stormwater that has had its flow increased in volume, increased in velocity or redirected by artificial means.

Natural surface water run-off is stormwater that has not been concentrated by the construction of impervious areas that have increased the rainfall run-off response time or flow and/or stormwater that forms a watercourse which would have occurred naturally and has not been artificially redirected.

Nuisance is a right of action given to an adjoining landowner or occupier if, as a result of drainage works, land is flooded, eroded or undermined.

REVIEW:

This policy will be reviewed no more than 5 years after the date of approval.

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

DECISION: 27/01/2015

RESOLUTION: (1):

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

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

18.2 Proposed Street Name - Aram Place**FILE NO:** SF0621; DA0146/2009**AUTHOR:** Sonia Smith (Engineering Officer - Development)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider the name for a new street in Newstead.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting 10 June 2014 - Item 17.5
COUNCIL MINUTES

RECOMMENDATION:

That Council rename the street Emerald Drive at Newstead to Aram Place to avoid potential confusion with Emerald Place in Ravenswood.

DECISION: 27/01/2015**RESOLUTION: (1):****Moved Alderman R L McKendrick, seconded Alderman R I Soward.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

19 CORPORATE SERVICES
Nil

20 GENERAL MANAGER
Nil

21 URGENT BUSINESS
Nil

22 INFORMATION / MATTERS REQUIRING FURTHER ACTION
Nil

23 CLOSED COUNCIL**23.1 Local Government Association of Tasmania - 2014 By-election****RECOMMENDATION:**

That Agenda Item 23.1 be considered within closed session 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:

23.1 Local Government Association of Tasmania - 2014 By-election

(j) as it contains the personal affairs of a person/company

DECISION: 27/01/2015**RESOLUTION: (1):**

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

That the Recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY 12:0

Council moved into Closed Session at 2.56pm.

24 MEETING CLOSURE

The Mayor closed the meeting at 2.58pm.
