



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
MONDAY 16 OCTOBER 2017  
1.00pm**

# City of Launceston

COUNCIL MINUTES

Monday 16 October 2017

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The Ordinary Meeting of the City of Launceston Council was held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 16 October 2017

Time: 1.00pm

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## Section 65 Certificate of Qualified Advice

### Background

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

### Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the Minutes Items for this Meeting.



**Michael Stretton**  
General Manager



### ORDER OF BUSINESS

<b>Item No</b>	<b>Item</b>	<b>Page No</b>
1	<b>OPENING OF MEETING - ATTENDANCE AND APOLOGIES</b>	1
2	<b>DECLARATIONS OF INTEREST</b>	1
3	<b>CONFIRMATION OF MINUTES</b>	2
4	<b>DEPUTATIONS</b>	2
	<b>No Deputations were identified as part of these Minutes</b>	
5	<b>PETITIONS</b>	2
	<b>No Petitions were identified as part of these Minutes</b>	
6	<b>COMMUNITY REPORTS</b>	3
	<b>No Community Reports were registered with Council as part of these Minutes</b>	
7	<b>PUBLIC QUESTION TIME</b>	3
7.1	<b>Public Questions on Notice</b>	3
7.1.1	<b>Public Questions on Notice - Mr Basil Fitch - 2 October 2017</b>	4
7.1.2	<b>Public Questions on Notice - Mr Gus Green - 2 October 2017</b>	7
7.1.3	<b>Public Questions on Notice - Mr Ray Norman - 2 October 2017</b>	8
7.2	<b>Public Questions without Notice</b>	13
7.2.1	<b>Mrs Ruth Hall- Rezoning for Gorge Hotel</b>	14
7.2.2	<b>Mr Basil Fitch - Launceston Show</b>	15
7.2.3	<b>Trish Haeusler - Plastic Pollution Issues in Launceston</b>	16

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# City of Launceston

## COUNCIL MINUTES

Monday 16 October 2017

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Item No	Item	Page No
8	PLANNING AUTHORITY	17
8.1	University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs	17
8.2	25 Quills Road, Lalla - Resource Development - Intensive Animal Husbandry; Construction of an Outbuilding (Chicken Shed for Egg Production) and Vegetation Removal	22
9	ANNOUNCEMENTS BY THE MAYOR	28
9.1	Mayor's Announcements	28
10	ALDERMEN'S REPORTS	30
11	QUESTIONS BY ALDERMEN	31
11.1	Questions on Notice	31
	No Aldermen's Questions on Notice were identified as part of these Minutes	
11.2	Questions without Notice	31
11.2.1	Alderman J Finlay - City Heart and CBD Parking Strategy	31
12	COMMITTEE REPORTS	32
12.1	Northern Youth Coordinating Committee Meeting - 7 September 2017	32
13	COUNCIL WORKSHOPS	33
14	NOTICES OF MOTION	33
	No Notices of Motion were identified as part of these Minutes	
15	DEVELOPMENT SERVICES DIRECTORATE ITEMS	33
	No Items were identified as part of these Minutes	

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<b>Item No</b>	<b>Item</b>	<b>Page No</b>
<b>16</b>	<b>FACILITIES MANAGEMENT DIRECTORATE ITEMS</b>	<b>33</b>
	<b>No Items were identified as part of these Minutes</b>	
<b>17</b>	<b>QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS</b>	<b>33</b>
	<b>No Items were identified as part of these Minutes</b>	
<b>18</b>	<b>INFRASTRUCTURE SERVICES DIRECTORATE ITEMS</b>	<b>33</b>
	<b>No Items were identified as part of these Minutes</b>	
<b>19</b>	<b>MAJOR PROJECTS DIRECTORATE ITEMS</b>	<b>34</b>
<b>19.1</b>	<b>Brisbane Street Mall Design</b>	<b>34</b>
<b>20</b>	<b>CORPORATE SERVICES DIRECTORATE ITEMS</b>	<b>36</b>
	<b>No Items were identified as part of these Minutes</b>	
<b>21</b>	<b>GENERAL MANAGER'S DIRECTORATE ITEMS</b>	<b>36</b>
	<b>No Items were identified as part of these Minutes</b>	
<b>22</b>	<b>URGENT BUSINESS</b>	<b>36</b>
	<b>No Urgent Items were identified as part of these Minutes</b>	
<b>23</b>	<b>CLOSED COUNCIL</b>	<b>36</b>
	<b>No Closed Items were identified as part of these Minutes</b>	
<b>24</b>	<b>MEETING CLOSURE</b>	<b>36</b>

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

The Mayor, Alderman A M van Zetten, opened the Meeting at 1.00pm and called for a minute's silence in recognition of Launceston's Sister City Napa, California which is experiencing disastrous bushfires resulting in loss of life and devastation to industry and community.

The Mayor presented a gift to the City of Launceston from Sister City of Ikeda, Japan as a result of the recent visit.

The Mayor introduced Mr Michael Stretton (General Manager) to Council and welcomed him to his tenure at the City of Launceston.

The Mayor also welcomed Mr Bruce MacIsaac (Director Facilities Management) to the City of Launceston.

The Mayor acknowledged the retirement of Mr Michael Tidey (Director Corporate Services) after 32 years of service with the City of Launceston and wished him well.

## **2 DECLARATIONS OF INTEREST**

*Local Government Act 1993 - Section 48*

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

**No Declarations of Interest were identified as part of these Minutes**

**3 CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 2 October 2017 be confirmed as a true and correct record.

**DECISION: 16 October 2017****MOTION**

**Moved Alderman S R F Wood, seconded Alderman D H McKenzie.**

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

**CARRIED 12:0**

**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 J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

**4 DEPUTATIONS**

**No Deputations were identified as part of these Minutes**

**5 PETITIONS**

*Local Government Act 1993 - Sections 57 and 58*

**No Petitions were identified as part of these Minutes**



**6 COMMUNITY REPORTS**

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

**No Community Reports were registered with Council as part of these Minutes**

**7 PUBLIC QUESTION TIME**

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

**7.1 Public Questions on Notice**

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

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

**7.1.1 Public Questions on Notice - Mr Basil Fitch - 2 October 2017****FILE NO:** SF6381**GENERAL MANAGER:** Michael Tidey (Acting General Manager)

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**QUESTIONS and RESPONSES:**

The following questions were provided in writing by Mr Basil Fitch at the Council Meeting of 2 October 2017. Mr Michael Tidey (Acting General Manager) has provided responses (*italics*).

**Question 1:**

Item 21.2 UTAS Asset Exchange - will this item be discussed in Closed Council - Yes/No?

**Response:**

*No.*

**Question 2:**

If yes, does this mean 46,000 ratepayers are disadvantaged from asking questions or making comment?

**Response:**

*No response is required to this question.*

**Question 3:**

21.2 - Could you please supply name, address of valuer used on this project?

**Response:**

*This question was asked and answered at the Council Meeting of 2 October 2017. The response provided was: The Acting General Manager, Mr Michael Tidey, responded that the firm providing the valuation was Opteon and valuations are not provided in Open Council as commercial-in-confidence information is included in those reports. Mr Tidey also added that the Open Agenda Item includes the amounts provided by the valuer for consideration, but what is provided in Closed Council is the full report and how the actual valuations are reached.*

*Opteon have an office in George Street, Launceston.*

**Question 4:**

And full report from valuer.

**Response:**

*The reports are not provided in the Open Agenda in compliance with the Local Government Act 1993 for the reasons stated in the Open Agenda (see response provided at the Council Meeting of 2 October 2017 - Question 3 above).*

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## 7.1.1 Public Questions on Notice - Mr Basil Fitch - 2 October 2017 ...(Cont'd)

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**Question 5:**

21.2 - Land to be transferred Site 2 Station Building - does this mean Station Building will be demolished?

**Response:**

*There has not been a development application lodged for the site. The University's Master Plan shows a concept design that does not include the Station Building.*

**Question 6:**

Similar for train?

**Response:**

*Assume the question is meant to refer to the tram. The University has indicated they would like to see a continued presence of the tram on the site.*

**Question 7:**

How many car parks are involved in Site 3 and Site 5?

**Response:**

*The overall parking strategy is yet to be finalised. The interim advice is that there will be more parking spaces on the precinct and at Willis Street than currently exist.*

**Question 8:**

How many car parks will be left for patrons attending museum - tramsheds - other facilities?

**Response:**

*See previous response.*

**Question 9:**

Are you aware the present car parking spaces were full on Wed, Sept 12.15pm?

**Response:**

*Council is aware the car park is full on occasions.*

**Question 10:**

If as discussed use of current parking space will be used for other purposes where will patrons park?

**Response:**

*See previous response to Question 7.*

**Question 11:**

Has Council seen or discussed 2012 traffic review?

**Response:**

*The review was considered at Council Meetings on 10 December 2012 and 25 May 2015.*

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**7.1.1 Public Questions on Notice - Mr Basil Fitch - 2 October 2017 ...(Cont'd)**

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**Question 12:**

What impact UTAS buildings will have on sewerage and stormwater flooding, etc?

**Response:**

*The premise of the question is that Council should not plan for or manage development of the City. Any infrastructure needs created by having more people in the City will be planned over the coming years. The overall economic benefit will more than offset any renewal and enhancement that maybe required in the long term.*

**Question 13:**

Traffic congestion over Charles St Tamar St bridges.

**Response:**

*Work has commenced on the Traffic Impact Assessment. This work is being undertaken in consultation with the State Government.*

**Question 14:**

Another treatment plant Ti-Tree Bend.

**Response:**

*This is not a question. Planning is underway in regard to the management and treatment of waste water across the Greater Launceston area.*

**Question 15:**

Would it not be better to have a full report on all the negatives and actual real master plan and public discussions before any further decisions are made over this very serious complex issue.

**Response:**

*The premise of this question is not correct. All parties are committed to an outcome that benefits the City and this includes how best to deal with any 'negatives' that are identified.*

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**7.1.2 Public Questions on Notice - Mr Gus Green - 2 October 2017****FILE NO:** SF6381**GENERAL MANAGER:** Michael Tidey (Acting General Manager)

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**QUESTION and RESPONSE:**

The following question was asked by Mr Gus Green at the Council Meeting of 2 October 2017 and a response has been provided by Mr Shane Eberhardt (Director Infrastructure Services) (*italics*).

**Question:**

How does Council intend to deal with the issues of pedestrian safety and electric bicycles in the City?

**Response:**

*Electric assisted bicycles are considered bicycles and in Tasmania bikes are permitted on the footpath (Road Rules 2009 (250)). The Tasmanian Road Rules 2009 (250) states:*

- (2) *The rider of a bicycle riding on a footpath or shared path must -*
- (a) *keep to the left of the footpath or shared path unless it is impracticable to do so;*
  - and*
  - (b) *give way to any pedestrian on the footpath or shared path.*

*The Road Rules 2009 is regulation of the State Government.*

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## 7.1.3 Public Questions on Notice - Mr Ray Norman - 2 October 2017

**FILE NO:** SF6381

**GENERAL MANAGER:** Michael Tidey (Acting General Manager)

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### **QUESTIONS and RESPONSES:**

The following questions were submitted in writing by Mr Ray Norman on 2 October 2017 and responses have been provided by the Acting General Manager Michael Tidey (*italics*).

**Question 1:**

Have you as aldermen in your roles as community representatives and the **'default trustees'** tested the advice that has apparently been provided to you by the General Manager under the provisions of **Section 65** of the Local Govt Act?

**Response:**

*A trust is a particular type of legal entity. Section 19(1) of the Local Government Act 1993 (the Act) states:*

*"A council is a body corporate ..."*

*The advice by the former General Manager is due to this significant legal distinction. Mr Norman appears to not appreciate this by inferring the role of a trustee is the same as an 'elected person' under the Act.*

*Aldermen receive advice and attend training commencing with the induction process following their election on their role and provisions of the Act.*

**Question 2:**

Have you as aldermen in your **'trusteeship'** roles sought independent advice in regard to these roles given all that is at risk and at stake?

**Response:**

*Aldermen have a role as an elected person, independent advice has been made available during the training and induction processes. Further advice is provided consistent with the requirements of section 65 of the Act when specific matters are being considered.*

**Question 3:**

Have you as Aldermen in your **'trusteeship'** roles been given direct access to the advice the General Manager apparently relies upon under **SECTIONS 65 & 62** of the Local Govt. Act?

**Response:**

*A response is provided under Questions 1 and 2.*

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**7.1.3 Public Questions on Notice - Mr Ray Norman - 2 October 2017 ...(Cont'd)**

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**Question 4:**

Have you as aldermen considered cultural tourism's impact upon and the importance to the Tamar region, and Launceston specifically, and in an ongoing way, to the economic, social and cultural wellbeing of your constituencies?

**Response:**

*Yes. The General Manager presented a landmark report to Open Council on 24 April 2017 entitled Towards a Cultural Strategy for Launceston that contained numerous recommendations and set out the framework for the work that is currently being undertaken.*

**Question 5:**

If you have either individually or collectively done so, what form has it taken and how has it manifested itself in the **'policy settings'** you as aldermen have put in place and/or championed?

**Response:**

*A nationally recognised expert was engaged and presented a report to Aldermen.*

*A dedicated unit has been set up (as a result of the Council report of 24 April 2017) within the organisation to work with this expert to develop the policies and strategies. Regular reports to Aldermen will occur through this process.*

*At the same time the Council has engaged with other organisations, such as MONA, to deliver tangible outcomes.*

**Question 6:**

Indeed, how often, when and in what context have you as **aldermen and default trustees** made determinations that have been acted upon, and are there to be acted upon, in accord with Council's purpose - namely, to provide for the health, safety and welfare of the community; to represent the interests of the community; to provide for the peace, order and good government of the municipal area?

**Response:**

*The Aldermen made decisions as elected representatives at every Council meeting consistent with section 20 (referred to in the question) of the Act.*

**Question 7:**

Have you as aldermen been involved in developing the brief for the consultant/s(?) and if so to what extent and at what point?

**Response:**

*The Aldermen have been involved in setting the policy framework through ongoing discussions with the General Manager and the consideration of the Council report referred to previously. See response to Question 5.*

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**7.1.3 Public Questions on Notice - Mr Ray Norman - 2 October 2017 ...(Cont'd)**

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**Question 8:**

Has there been a '**unit**' of some kind established and if so what is its specific purpose and objectives and what personnel have been employed from within the budget?

**Response:**

*A unit has been created (as a result of the Council report referred to previously) with a senior officer appointed to work with relevant expert advice and the Council to prepare a strategy and plan to deliver cultural and economic outcomes.*

**Question 9:**

Moreover, what are the duty statements for personnel thus far engaged?

**Response:**

*The objectives of the unit have been set out in the response to Question 8.*

**Question 10:**

Have you as aldermen either provided or endorsed a project budget for this initiative?

**Response:**

*The Aldermen have supported the formation of the unit and the objectives.*

*Aldermen set the overall statutory estimates under section 82 of the Act. Aldermen have been advised that funding will be made available to support the delivery of the objectives.*

**Question 11:**

When and how is it intended that there will be community consultation given that it is Launceston's '**communities cultures**' that are the subject of any research involved and them who will be funding the process?

**Response:**

*Extensive consultation occurred as part of the initial work. Engagement with relevant parties will continue as the work progresses. Funding will be managed through the Council's budgetary processes.*

**Question 12:**

When did the process commence and when is it due to be completed?

**Response:**

*The process commenced in May 2016 with the engagement of the external expert. The process is expected to continue over an extended period with work moving from one task to the next.*

*The delivery of the cultural strategy and resulting recommendations will frame how "the process" continues.*



**7.1.3 Public Questions on Notice - Mr Ray Norman - 2 October 2017 ...(Cont'd)**

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**Question 13:**

If any of the information relative to the questions above are confidential, why would that be?

**Response:**

*There are many reasons why information is confidential which will not be listed here as they would seem obvious*

*What can be said is:*

- (a) Information is often confidential at a point in time; ideas discussed and views developed at a subsequent stage in a process the information becomes public.*
- (b) The democratic process we operate under involves electing people to make decisions on behalf of the community. Informing and engaging with the community is an important part of this process. This process does not mean information which for sound reason is viewed as confidential should not be treated accordingly.*

**Question 14:**

Have you as aldermen initiated any kind of reporting protocols to enable you to effectively review the QVMAG as a component of the Council's operation given the value/s of, and the nature of, its collections and the significance of the QVMAG's recurrent expenditures?

**Response:**

*The separation of policy and operational roles that appropriately exist under the Act for good governance of Councils frames the reporting processes that apply to all directorates of the Council.*

*Significant policies, such as those relative to the collection, are determined by the Council. Detailed budget information is provided to Aldermen as part of the annual process. Queen Victoria Museum and Art Gallery also produces an annual report which is publically available, presented at the Council's Annual General Meeting and provided to the State Government.*

**Question 15:**

Are you as aldermen completely satisfied that QVMAG operation is fulfilling its **strategic purpose** and has be ...

**Response:**

*I understand Aldermen are satisfied regarding the basis of continual improvement and a rigorous process is now in place to fulfil its strategic purpose.*

**7.1.3 Public Questions on Notice - Mr Ray Norman - 2 October 2017 ...(Cont'd)**

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**Question 16:**

Are you as aldermen completely satisfied that the QVMAG's metrics reflect the appropriate outcomes for such an institution in a 21st C context given the levels of public investment in it over an extended period?

**Response:**

*Improving operation performance is an objective for the Museum as it is for all Council activities.*

**Question 17:**

Are you as Aldermen completely satisfied that QVMAG operation is adequately resourced to succeed as a vital cultural institution with '**social license**' to deliver the social, cultural and '**trickle down**' fiscal dividends it has the potential to do?

**Response:**

*The Council provides a very significant financial resource from the City of Launceston ratepayers to the ongoing operation of the Queen Victoria Museum and Art Gallery. Improving on the 'value for money' aspect is an objective for the Museum as it is for all Council activities.*

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**7.2 Public Questions without Notice**

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

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

**7.2.1 Mrs Ruth Hall - Rezoning for Gorge Hotel**

- 1. Why are we as residents, at this early stage, not being given consideration and support regarding rezoning issues with regards to our residential status in this area?**

**The Mayor, Alderman A M van Zetten, responded by saying that a Development Application will be submitted to Council and undergo a process of public consultation.**

**Mr Michael Stretton, General Manager, added that the process is governed by relevant legislation which dictates a formal community engagement process which will provide an opportunity for submissions regarding the proposed development.**

**7.2.2 Mr Basil Fitch - Launceston Show****1. Why does the Show Society have to vacate its current site?**

**The Mayor, Alderman A M van Zetten, indicated that the Council has not asked the Show Society to vacate its current site. It was also noted that the Show Society has approached the Council over a number of years seeking financial assistance to continue its operation at the site. A possible move has been discussed and the Show Society has been cognisant of such a move depending on the financial viability of the Launceston Show.**

**2. Will this Council be providing any assistance - financial or otherwise - to a Show Society move?**

**The Mayor, Alderman A M van Zetten, noted that this would be discussed once the Show Society makes a decision on its future.**

## 7.2.3 Trish Haeusler - Plastic Pollution Issues in Launceston

1. What is the Council planning to do with regards to the removal of plastics, in particular single use plastics, such as straws, plastic bags, coffee cups, etc. in the area?

The Mayor, Alderman A M van Zetten, indicated that this matter will be discussed by Aldermen in the near future via Workshops and a recommendation will be submitted to Council for discussion.

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

## **8 PLANNING AUTHORITY**

### **8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs**

**FILE NO:** DA0574/2016

**AUTHOR:** Fiona Ranson (Urban Designer and Heritage 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:**

Council - 24 November 2014 - Agenda Item 7.1 - 2 Invermay Road, Invermay - Residential - communal residence; construction of a building for student housing and associated vehicular access, parking, landscaping and associated works

#### **RECOMMENDATION:**

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 DA0574/2016 - Residential - communal residence; installation of four signs, two internally illuminated' at University Accommodation - 6 Barnards Way, Invermay, subject to the following conditions:

##### **1. ENDORSED PLANS & DOCUMENTS**

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

- a. Location Plan (Site Plan), Morrison Breytenbach Architects, Drawing No. 1404 SN-0, UTas Inveresk Apartments, Page No. 1, 13/10/2016.
  - b. Signage 1, Morrison Breytenbach Architects, Drawing No. 1404 SN-1, UTas Inveresk Apartments, Page No. 2, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition.
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## **8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ... (Cont'd)**

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- c. Signage 2, Morrison Breytenbach Architects, Drawing No. 1404 SN-2, UTas Inveresk Apartments, Page No. 3, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition
- d. Signage 3, Morrison Breytenbach Architects, Drawing No. 1404 SN-3, UTas Inveresk Apartments, Page No. 4, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition
- e. Signage 4, Morrison Breytenbach Architects, Drawing No. 1404 SN-4, UTas Inveresk Apartments, Page No. 5, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition
- f. Signage 5, Morrison Breytenbach Architects, Drawing No. 1404 SN-5, UTas Inveresk Apartments, Page No. 6, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition

## **2. AMENDED PLANS REQUIRED**

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

The amended plans must show:

- (a) The removal of the reference to illumination of the flames on Sign 1 and Sign 3 (drawing numbers 1404 SN-1 and 1404 SN-3 to be amended).
- (b) The graphic shown as black on the plans provided for signs 1 and 3, must be reduced to a mid-grey tone.
- (c) Details of all signs proposed, including height, width, depth, location in relation to edges of building, and specified materials and (all signage drawings to be amended).

## **3. ILLUMINATION OF SIGN 1 AND SIGN 3 NOT APPROVED**

The internal illumination of the red 'flame' elements proposed as part of signs 1 and 3 is not approved as part of this permit, and this must be reflected on amended plans as described within the Amended Plans Required condition.

## **4. REDUCTION IN BOLDNESS OF SIGN 1 AND SIGN 3 REQUIRED**

The black outline elements proposed as part of signs 1 and 3 is not approved as part of this permit. This graphic shown as black on the plans provided for signs 1 and 3 must be reduced to a mid-grey tone, to the satisfaction of the Manager of Planning Services, and this must be reflected on amended plans as described within the Amended Plans Required condition.

## **5. LEGAL TITLE**

All development and use associated with the proposal must be confined to the legal title of the subject land.

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**8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ... (Cont'd)**

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**6. HOURS OF CONSTRUCTION**

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

7.00am and 6.00pm Monday to Friday

8.00am and 5.00pm Saturday, and

No works on Sunday or Public Holidays.

**7. HERITAGE**

The Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Works Reference Number 5204, is endorsed and forms part of this permit.

**8. SIGNAGE CONTENT**

Content of the sign must not be updated or changed without separate approval of Council.

**9. SIGN MAINTENANCE**

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

**10. AMENITY - COMMERCIAL/INDUSTRIAL USE**

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

**Notes**

**A. General**

*This permit was issued based on the proposal documents submitted for DA0574/2016.*

*You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.*

*This permit takes effect after:*

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined; or*
- c. Any other required approvals under this or any other Act are granted.*

*This permit is valid for two 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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**8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ... (Cont'd)**

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**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. 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>>*

**D. Permit Commencement.**

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

**E. Signs as Part of Larger Signage Scheme**

*The signs approved by this Permit are considered to be a part of the signage scheme for the UTAS campus at Inveresk and therefore may be reassessed as part of any masterplan or holistic signage scheme when future stages of development on the Inveresk site are proposed.*

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**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services) and Ms F Ranson (Urban Designer and Heritage Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Basil Fitch spoke against the item  
Dr Jillian Koshin spoke against the item  
Mr James McKee spoke for the item**

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- 8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ... (Cont'd)**
- 

**DECISION: 16 October 2017**

**MOTION**

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

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

**CARRIED 11:1**

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

**AGAINST VOTE: Alderman R L McKendrick**

## **8.2 25 Quills Road, Lalla - Resource Development - Intensive Animal Husbandry; Construction of an Outbuilding (Chicken Shed for Egg Production) and Vegetation Removal**

**FILE NO:** DA0322/2017

**AUTHOR:** Duncan Payton (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:**

DA0471/2014 approved the development and use of a similar shed for egg production, on a separate title of the broader property known as 25 Quills Road, some 200m north of Lalla Road and 900m south-east of the current site.

### **RECOMMENDATION:**

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 DA0322/2017 Resource Development - intensive animal husbandry; construction of an outbuilding (chicken shed for egg production) and vegetation removal at 25 Quills Road, Lalla (CT224689/1), 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. Planning submission by Metier Planning & Development, 25 Quills Road Resource Development (Intensive Animal Husbandry);
  - b. Noise and Odour Assessment by Pitt & Sherry, Olsen's Eggs 25 Quills Road, Lalla, dated 13 June 2017 Rev.00;
  - c. Cover Page by MV Consulting Pty Ltd, Proposed shed for C Olsen at No. 25 Quills Road, Lalla, 7267, Page 1 Rev. 2, dated 6/6/17;
  - d. Site Plan by MV Consulting Pty Ltd, Drawing No. OLSO617-2/2, Proposed shed for C Olsen at No. 25 Quills Road, Lalla, 7267, Page 2 Rev. 2, dated 6/6/17; **AMENDED PLAN REQUIRED**
  - e. Free Range Layers by Agrotop, 1 x Layer House (60 + 3) x 16 x 2.8, proposal No. 50416-1, dated 20 April 2017;
  - f. Letter by Metier Planning & Development, dated 19 July 2017; and
  - g. Letter by Metier Planning & Development, dated 27 July 2017.
-

## **8.2 25 Quills Road, Lalla - Resource Development - Intensive Animal Husbandry; Construction of an Outbuilding (Chicken Shed for Egg Production) and Vegetation Removal ...(Cont'd)**

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### **2. AMENDED PLANS REQUIRED**

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

- a. Site Plan with the external silo removed; and
- b. Site Plan incorporating landscape plan.

### **3. SITE LANDSCAPING PLAN**

Prior to the commencement of works, a landscape plan must be submitted for approval by the 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 and existing vegetation;
- b. The location, number and species of trees to be planted (only native trees suitable for the area shall be used);
- c. Any stabilisation works required as a result of tree or vegetation removal;
- d. Screen planting at the south east corner of the development plus infill planting where appropriate; and
- e. Protection from browsing animals.

Once approved the plan will be endorsed and will form part of the permit. The landscaping must be:

- f. Installed in accordance with the endorsed plan;
- g. Completed prior to the use commencing; and
- h. Maintained as part of the development and use. It must not be removed, destroyed or lopped without the written consent of the Council.

### **4. DISPOSAL OF MANURE ON THE SITE**

- a. Manure spreading is not permitted within 25m from a waterway.
  - b. Manure shall be spread at a distance greater than 25m if the slope is up to 10 degrees.
  - c. Manure shall be spread a distance greater than 50m from a waterway if the slope is between 10 and 15 degrees.
  - d. Manure is not permitted to be spread at a slope greater than 15 degrees.
  - e. Manure shall not be spread in windy weather where wind gust exceed 18km/h.
  - f. The operator must keep a register detailing the spreading of manure including: date; location; quantity spread; moisture content levels of the manure and weather conditions at time of spreading. This register must be maintained by the operator and made available to council on request.
-

**8.2 25 Quills Road, Lalla - Resource Development - Intensive Animal Husbandry; Construction of an Outbuilding (Chicken Shed for Egg Production) and Vegetation Removal ...(Cont'd)**

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- g. The operator must notify Council of the intention to spread manure a minimum of 48 hours prior to spreading.

**5. DISPOSAL OF DEAD BIRDS**

- a. (i) Dead birds must be collected daily and stored in sealed containers prior to removal off site; or  
(ii) If composted on site, composting of dead birds is to be managed in accordance with the Guidelines for the Australian Egg Industry 2008.
- b. Culled birds shall be stored in sealed containers prior to removal from site.

**6. SOIL SAMPLING**

Where manure is applied annually (ie. two or more consecutive years) the soil must be sampled and tested annually in accordance with Table 4 of the Guidelines for the Australian Egg Industry. All soil monitoring and assessment is to be undertaken by suitably qualified/trained personnel. Within one month after the undertaking of each annual soil monitoring program, the findings of the monitoring shall be submitted to Council's Manager Environmental Services after which time the requirements for future soil monitoring will be reviewed.

**7. CAR PARKING**

Prior to the commencement of the use, areas set aside for parking vehicles and access lanes must be constructed as shown on the endorsed plans.

**8. 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.

**9. NON REFLECTIVE EXTERIOR FINISH**

All external cladding and roofing of the building(s) must be of a non-reflective nature and must be finished in muted colours to the satisfaction of the Council. The south east wall shall be painted green, similar to the colour of the roof.

**10. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

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**8.2 25 Quills Road, Lalla - Resource Development - Intensive Animal Husbandry; Construction of an Outbuilding (Chicken Shed for Egg Production) and Vegetation Removal ...(Cont'd)**

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**11. AMENITY - COMMERCIAL/INDUSTRIAL USE**

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

**12 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 (eg. Launceston Waste Centre).

**13. NOISE- COMMERCIAL/INDUSTRIAL**

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 roof exhaust fans and feed distribution machinery.

**Notes**

**A. Building Permit Required**

*Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. 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.*

**B. General**

*This permit was issued based on the proposal documents submitted for DA0322/2017. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).*

*This permit takes effect after:*

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

**8.2 25 Quills Road, Lalla - Resource Development - Intensive Animal Husbandry; Construction of an Outbuilding (Chicken Shed for Egg Production) and Vegetation Removal ...(Cont'd)**

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*This permit is valid for two 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.*

**C. 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.*

**D. Appeal Provisions**

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

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

**E. Permit Commencement**

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**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning Services), Ms C Harding (Environmental Health Officer) and Mr D Payton (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Ms Claire Gregg spoke for the item**

**Mr Chris Olsen spoke for the item**

**Mrs Rhonnie Pammenter spoke against the item**

**Ms Alison Carter spoke against the item**

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- 8.2 25 Quills Road, Lalla - Resource Development - Intensive Animal Husbandry; Construction of an Outbuilding (Chicken Shed for Egg Production) and Vegetation Removal ...(Cont'd)**
- 

**Mr Bob Pammenter spoke against the item  
Ms Lyndy Piner spoke against the item  
Mr Carl Bell spoke against the item**

**DECISION: 16 October 2017**

**MOTION**

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

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

**CARRIED 7:5**

**FOR VOTE: Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman D H McKenzie, Alderman J G Cox, Alderman J Finlay, Alderman D W Alexander and Alderman S R F Wood**

**AGAINST VOTE: Mayor Alderman A M van Zetten, Alderman R J Sands, Alderman D C Gibson, Alderman E K Williams and Alderman K P Stojansek**

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

**The Council adjourned for a break at 2.03pm.**

**Council resumed following a break at 2.07pm.**

**9 ANNOUNCEMENTS BY THE MAYOR****9.1 Mayor's Announcements****FILE NO:** SF2375

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**Tuesday 3 October 2017**

Mayor departed for Ikeda Japan for a Sister City visit with fellow Aldermen McKendrick, Sands and Wood, Elizabeth Clark and Zara Dawtrey.

Deputy Mayor Alderman Rob Soward appointed as Acting Mayor until Sunday 15 October 2017

**Saturday 7 October 2017**

- Attended the Community Housing Ltd Scholarship Awards at UTAS Stadium
- Officiated at the Festival of Dance Closing Ceremony at the Princess Theatre

**Tuesday 10 October 2017**

- Officiated at the Launceston Competitions AGM in Stewart Street East Launceston

**Wednesday 11 October 2017**

- Attended the Launceston Chamber of Commerce AGM in Paterson Street Launceston

**Thursday 12 October 2017**

- Attended the Official Party for the 2017 Royal Launceston Show People's Day
- Attended the 2017 Royal Launceston Show Cocktail Party at UTAS Stadium

**Friday 13 October 2017**

- Attended the 80 year celebration of GHD at the Penny Royal Wine Bar

**In addition, the Deputy Mayor, Alderman R I Soward noted that:**

- **He did not attend the 80 year celebration of GHD at the Penny Royal Wine Bar**
  - **He attended an announcement regarding Mona Foma activities to be conducted in Launceston**
-

**9.1 Mayor's Announcements ...(Cont'd)**

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**The Mayor, Alderman A M van Zetten, announced that Big Bash tickets have been released for sale and encouraged the community to support the event being held at UTAS Stadium**

**Alderman R J Sands withdrew from the Meeting at 2.07pm**

**Alderman R J Sands re-attended the Meeting at 2.10pm**

## **10 ALDERMEN'S REPORTS**

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

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

- **Commented on the announcement securing Mona Foma events in January 2018 which will utilise Launceston's facilities**
- **Noted that over 10,000 guests visited the Queen Victoria Museum and Art Gallery in September. The new web-site was also mentioned**
- **Highlighted the Minds Do Matter exhibition in conjunction with Mental Health month in October**

### **10.2 Alderman J Finlay**

- **Participated in the Motor Neuron Disease fund-raising activity**

**11 QUESTIONS BY ALDERMEN****11.1 Questions on Notice**

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

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

**No Aldermen's Questions on Notice were identified as part of these Minutes**

**11.2 Questions without Notice**

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

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

**11.2.1 Alderman J Finlay - City Heart and CBD Parking Strategy**

- 1. Can Aldermen be provided with an update regarding timing for consideration of finance or some other sort of technology to remove the need for coins from CBD car parking meters and what other developments might be expected in that area?**

**The Mayor, Alderman A M van Zetten, indicated that the question would be Taken on Notice and a response provided in the next Agenda.**

**Mr A Frost (Manager Parking and Carr Villa) also noted that the Parking Department has a project listed for the 2108 - 2019 Capital Expenditure program to address this issue.**

**12 COMMITTEE REPORTS****12.1 Northern Youth Coordinating Committee Meeting - 7 September 2017****FILE NO:** SF0136**AUTHOR:** Claudia Garwood (Youth Development Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Northern Youth Coordinating Committee's regular Meeting held on 7 September 2017.

**RECOMMENDATION:**

That Council receives the report from the Northern Youth Coordinating Committee Meeting held on 7 September 2017.

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

**DECISION: 16 October 2017****MOTION**

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

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

**CARRIED 12:0**

**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 J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

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**13 COUNCIL WORKSHOPS**

Council Workshops were not conducted since the last Council Meeting held on 2 October 2017.

**14 NOTICES OF MOTION**

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

**No Notices of Motion were identified as part of these Minutes**

**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**

**No Items were identified as part of these Minutes**

**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**

**No Items were identified as part of these Minutes**

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

**No Items were identified as part of these Minutes**

**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS**

**No Items were identified as part of these Minutes**

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**19 MAJOR PROJECTS DIRECTORATE ITEMS****19.1 Brisbane Street Mall Design****FILE NO:** SF0594**AUTHOR:** Damien Fitzgerald (Project Manager - Design and Investigation)**DIRECTOR:** Dale Sinfield (Director Major Projects)

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**DECISION STATEMENT:**

To consider endorsement of the design for the Brisbane Street Mall and to seek approval to proceed to detailed design and tender.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 14 December 2015 - Agenda Item 15.1 Launceston City Heart Masterplan Stage 1 (Public Realm - Major Public Spaces)

Workshop - 25 September 2017 - Brisbane Street Mall - Presentation of Consultation Summary and Revised concept design

**RECOMMENDATION:**

That Council endorses the design as per Attachment 1 for the Brisbane Street Mall as part of the Launceston City Heart Project (ECM Document Number 4184617).

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**Mr D Sinfield (Director Major Projects) was in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Neil Grose spoke for the item  
Mr Steve Henty spoke for the item**



**19.1 Brisbane Street Mall Design ...(Cont'd)**

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**DECISION: 16 October 2017****MOTION****Moved Alderman R I Soward, seconded Alderman D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 12:0****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 J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**20 CORPORATE SERVICES DIRECTORATE ITEMS**

**No Items were identified as part of these Minutes**

**21 GENERAL MANAGER'S DIRECTORATE ITEMS**

**No Items were identified as part of these Minutes**

**22 URGENT BUSINESS**

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

**No Urgent Items were identified as part of these Minutes**

**23 CLOSED COUNCIL**

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

**No Closed Items were identified as part of these Minutes**

**24 MEETING CLOSURE**

**The Mayor, Alderman A M van Zetten, closed the meeting at 2.32pm.**