



City of
LAUNCESTON

COUNCIL MINUTES

COUNCIL MEETING
THURSDAY 14 JULY 2022
1.00pm

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

Date: 14 July 2022

Time: 1.00pm

Certificate of Qualified Advice

Background

To comply with section 65 of the *Local Government Act 1993* (Tas):

1. A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
2. A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless -
 - (a) the general manager certifies, in writing -
 - (i) that such advice was obtained; and
 - (ii) the general manager took the advice into account in providing general advice to the council or council committee; and
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

Certification

I certify that:

- (i) the advice of a qualified person has been sought where required;
- (ii) this advice was taken into account in providing general advice to the council or council committee; and
- (iii) a copy of the advice, or a written transcript or summary of advice provided orally, is included with the agenda item.



**Michael Stretton
Chief Executive Officer**

AUDIO of COUNCIL MEETINGS

An audio recording of this Council Meeting, except for any part held in Closed Session, will be made in accordance with our Council Meetings - Audio Recording Policy - 14-Plx-008.

This Council Meeting was streamed live to and can be accessed at:
www.launceston.tas.gov.au/Council/Meetings/Listen .

The following information was provided to members of the public in respect of attendance at the Council Meeting.

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

At the Council Meeting, please take care to follow signage and the directions of Council Officers to ensure that physical distancing and other COVID-19 safe behaviour is observed.

PUBLIC QUESTION TIME - AGENDA ITEM 8

Questions received in writing by Wednesday of the week prior to the Council Meeting are treated as Questions on Notice. Your question and an answer will be published in the Agenda of the Council Meeting. Questions may be submitted to the Chief Executive Officer at contactus@launceston.tas.gov.au, PO Box 396, Launceston TAS 7250, or Town Hall, St John Street, Launceston.

If attending the Council Meeting in person, you may ask up to three questions during Public Question Time. If accepted, your questions will be either answered at the Meeting, or Taken on Notice and answered at a later Council Meeting.

PUBLIC COMMENT ON AGENDA ITEMS

When attending the Council Meeting, you will be asked if you wish to comment on an item in the Agenda. Prior to debate on that Agenda Item, you will be invited by the Chair to move to the public microphone at the doors to the Council Chambers and state your name and address.

Please note the following important information:

- Each item on the Agenda includes a Recommendation prepared by a Council Officer.
- You may speak for up to two minutes, either for or against the Recommendation.
- You may not ask questions or enter into debate with Councillors or Council Officers.
- Your statement is not to be defamatory, inappropriate or abusive, or be intended to embarrass any person, including Councillors or Council Officers.
- The Chair may direct you to stop speaking if you do not follow these rules, or if your statement repeats points that have already been made.
- Audio from our Council Meetings is streamed live via YouTube.

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

At the City of Launceston, the positions of General Manager Community and Place, General Manager Organisational Services, General Manager Infrastructure and Assets and General Manager Creative Arts and Cultural Services do not assume the functions and powers of the term *general manager* in a legislative sense: any legislative functions and powers to be delegated to these roles will be made by Council or the Chief Executive Officer. At the City of Launceston, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*. For the avoidance of doubt, *Chief Executive Officer* means *General Manager* for the purposes of the *Local Government Act 1993 (Tas)* and all other legislation administered by or concerning Council.

Present:

Councillor D C Gibson (Acting Mayor)
Councillor R I Soward
Councillor D H McKenzie
Councillor A E Dawkins
Councillor N D Daking
Councillor P S Spencer
Councillor A G Harris
Councillor T G Walker
Councillor K M Preece

In Attendance:

Michael Stretton (Chief Executive Officer)
Dan Ryan (General Manager Community and Place Network)
Paul Gimpl (Acting General Manager Organisational Services Network and Chief Financial Officer)
Kathryn Pugh (Acting General Manager Infrastructure and Assets Network)
Richard Jamieson (Manager City Development) (Agenda Items 9.1 and 9.2)
Philippa Glover (Team Leader Planning Assessments) (Agenda Items 9.1 and 9.2)
Michael Attared (Team Leader Sustainability) (Agenda Item 15.1)
Iain More (Town Planner) (Agenda Item 9.1)
Kelsey Hartland (Acting Manager Governance)
Anthea Rooney (Council and Committees Officer)

Apologies:

Councillor A M van Zetten (Mayor)
Councillor J G Cox
Councillor K P Stojansek

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Acting Mayor, Councillor D C Gibson, provided an Acknowledgement of Country and opened the Meeting at 1.00pm noting apologies from Councillor A M van Zetten (Mayor), Councillor J G Cox and Councillor K P Stojansek.

2. MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements for this Meeting

3. DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - section 48

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

Councillor N D Daking declared an interest in Agenda Item 15.2 - End of Trip Facilities Project - Town Hall Annexe

4. 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 30 June 2022 be confirmed as a true and correct record.

DECISION: 14 July 2022

MOTION

Moved Councillor A G Harris, seconded Councillor P S Spencer.

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 30 June 2022 be confirmed as a true and correct record.

CARRIED 9:0

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece
AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)

5.1 Council Workshop Report - 7 July 2022

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)

RECOMMENDATION:

That, pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, Council notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshops conducted on 7 July 2022:

Launceston Airport Update

Councillors received a presentation from the Chief Executive Officer of the Launceston Airport.

Theatre North Annual Presentation

Theatre North presented an overview of the previous year's activities aligned to the City of Launceston cash subsidy.

Kings Meadows ABCDE Learning Site Final Report

Councillors were provided with an overview of the final Kings Meadows ABCDE Learning Site report.

End of Term Report

Councillors discussed a range of options to be included in the End of Term Report.

Myrtle Park Camping and Recreation Ground - Season Update

Councillors were provided with an update on the Myrtle Park Camping and Recreation Ground.

Proposed Four Year Delivery Plan - 2019/2020 - 2024/2025 - (2022 Edition)

Councillors provided feedback on the Four Year Delivery Plan prior to Council endorsement.

Northern Tasmania Waste Management Group

Councillors discussed new governance arrangements for the Northern Tasmania Waste Management Group.

DECISION: 14 July 2022

MOTION

Moved Councillor R I Soward, seconded Councillor A E Dawkins.

That, pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, Council notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshops conducted on 7 July 2022:

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Northern Tasmania Waste Management Group

Councillors discussed new governance arrangements for the Northern Tasmania Waste Management Group.

CARRIED 9:0

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece
AGAINST VOTE: Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)

Councillors' Leave of Absence Applications will be considered in Closed Council at Agenda Items 16.2 and 16.3 - Councillors' Leave of Absence.

7. 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 Agenda Items; that opportunity exists when that Agenda Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Councillors).

7.1 Community Report - Roy Skabo (Member) - Australian Plant Society (Tasmania) Northern Group - Reserves Conservation Committee

Roy provided Council with information aimed at increasing awareness of the work which the *Australia Plant Society (Tasmania)* is proposing in regard to the promotion of, and potential future expansion, of the Council's bushland reserves. This awareness will be raised by offering guided tours during peak flowering season, collecting seeds in these reserves and propagating them for use in those reserves along with assisting with plant surveys and monitoring the health of reserves.

7.2 Community Report - Jackie Anafandis - Launceston Ukelele Jamboree

Jackie provided Council with information relating to being able to access the small events grant funding through the City of Launceston which has given her the stability and confidence to be able to develop a working model for a ukulele themed festival that can expand in scope each year and attract more interstate performers and attendees. The 2022 event will be the third annual jamboree and will provide a whole weekend of community fun in the heart of the Launceston CBD.

8. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

8.1.1 Public Questions on Notice - Ray Norman - 27 June and 3 July 2022

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following question, submitted to the Council in writing on 27 June 2022 by Ray Norman, has been answered by Michael Stretton (Chief Executive Officer).

Questions:

1. Will the Council please advise its constituency on the correct and appropriate protocols that need to be adhered to, and observed, in order that Questions on Notice addressed to all Councillors are actually answered by, and deliberated upon by all Councillors in open Council around the table, and on the record, in accord with 21C due process, administrative transparency and democratic accountability?

Response:

The question seeks clarity on the 'appropriate protocols that need to be adhered to, and observed, in order that Questions on Notice addressed to all Councillors are actually answered by, and deliberated upon by all Councillors in open Council around the table'.

Questions on Notice at an Ordinary Council Meeting must be handled in accordance with the Local Government (Meeting Procedures) Regulations 2015 (The Regulations) and the Council's Public Question Time Policy.

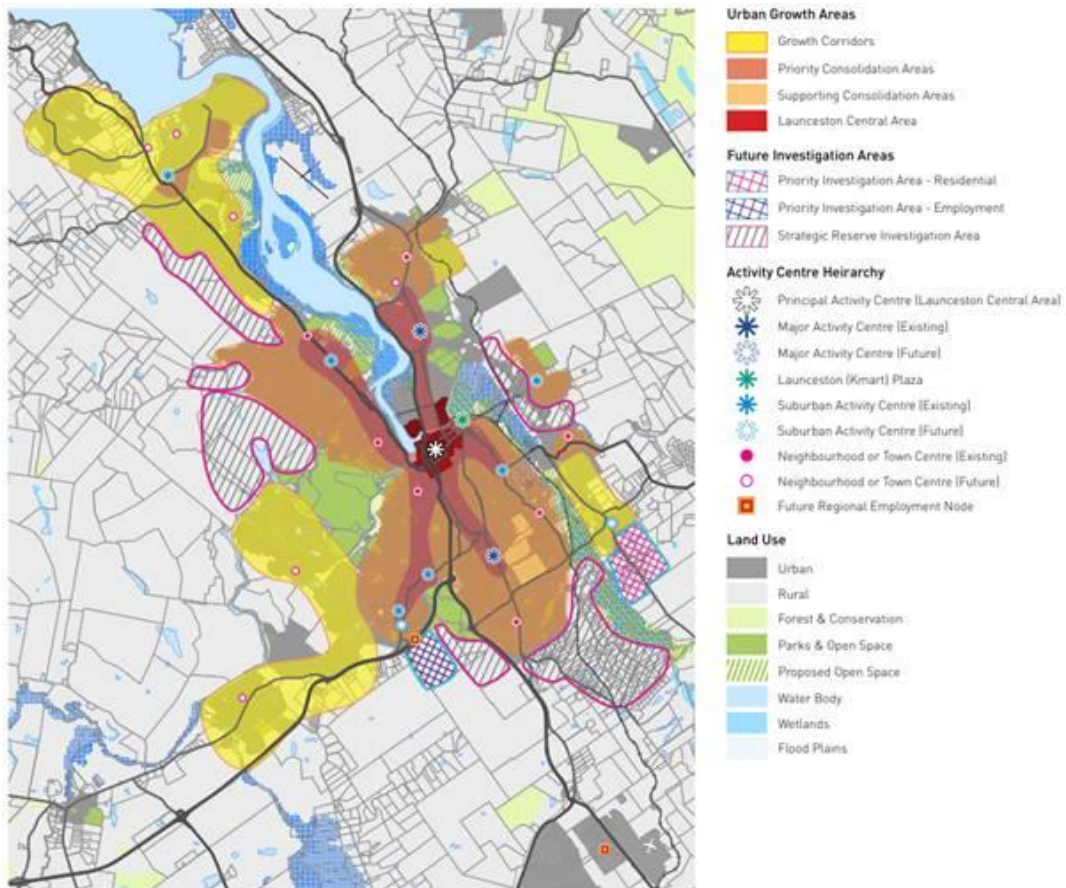
The Regulations require that a question by any member of the public and an answer to that question are not to be debated at an Ordinary Council Meeting. Accordingly, public question time is not an appropriate mechanism for the Councillors to consider and/or debate any particular matter.

The most appropriate mechanism for having a matter placed on the Agenda of an Ordinary Council Meeting for debate and a Council decision is through a Notice of Motion from a Councillor. Of course, a Councillor must be willing to submit a Notice of Motion and, therefore, it is necessary for any member of the public to liaise with the Councillors to elicit their support for a particular matter to be progressed in this manner.

Against the background of Tasmania's housing crisis and Launceston trades people, business people and Councillors from adjoining jurisdictions speculating upon a housing development comprising something in the order of 2,000 housing sites and with the City of Launceston assisting the developers by designing road works, etc., will the Council please confirm:

2. whether or not such a *development site* exists at all?
3. whether or not the site, or any part of it, falls within the boundaries of the City of Launceston municipality?

The City of Launceston's future residential growth areas are guided by the Northern Tasmanian Regional Land Use Strategy. (Refer: Northern Tasmania Regional Land Use Strategy (planningreform.tas.gov.au). The current major focus areas are the Future Investigation Areas south of Prospect, the expansion of St Leonards and in-fill development (refer map provided). All of these areas are within the City of Launceston Municipal Area.



Northern Tasmanian Regional Land Use Strategy, 2021 p. 16.

[as per the Public Question Time Policy, the balance of Mr Norman's questions regarding the Tasmanian Housing Crisis and the QVMAG Futures Plan have been treated as correspondence and will be answered as per the Customer Service Charter].

8.1.2 Public Questions on Notice - Ron Baines - 4 July 2022

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted in writing to the Council on 4 July 2022 by Ron Baines, have been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network, Dan Ryan (General Manager Community and Place Network) and Louise Foster (General Manager Organisational Services Network).

Questions:

1. Is the City of Launceston currently contracting any business to remove asbestos from any buildings in the City and if so, did the contract go to tender and are all the buildings owned by Launceston Council?

Response:

The Council is a member of the Project Control Group for the delivery of the Northern Community Recreation Hub development at 316-320 Invermay Road, Mowbray. As part of this responsibility the Council is currently managing a contract (along with the State Government) to remove a large amount of asbestos from the building on the site. The building is owned by the State Government.

The project was not publicly tendered as it was identified that the risk to the Health and Safety to persons was significant and it was determined that the asbestos needed to be removed in the most timely manner possible. There are few accredited asbestos removal contractors within the State and several were engaged to attend site, review the Site Survey and Assessment Report and provide a quotation and estimate program of works. Of the providers who were approached, only one was available to complete the work in a timely manner.

2. Since it now winter and a homeless person has already died on the City's streets, will Council review its decision not to allow homeless people to shelter in the vacant Birchalls building owned by the Council?

Response:

A process is currently being undertaken to identify any suitable buildings owned by the Council which could be made available to provide space for emergency housing. However, this process cannot include the former Birchalls building as it is currently not compliant for occupation in accordance with the National Construction Code.

3. Could the Council please explain how the Freedom of Information laws apply to questions put to the Council in any context?

Response:

The Right to Information Act 2009 is the relevant legislation. Under this legislation the Council can release particular information in response to a question as an active, routine or assessed disclosure. The method of disclosure is generally dependent on the question and the information contained within the scope of the question in relation to the legislation. Information published in the Council Agenda in response to a question is considered an active disclosure within the scope of the legislation.

8.2 Public Questions Without Notice

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

8.2.1 Public Questions Without Notice - Ron Baines

- 1. How much of the \$9m borrowed by the Council for the C H Smith project does the Council still owe?**

Paul Gimpl (Acting General Manager Organisational Services and Chief Financial Officer) responded by saying that the entire loan was repaid in February 2022.

- 2. Has the income from this project covered the annual payment required?**

Paul Gimpl (Acting General Manager Organisational Services and Chief Financial Officer) responded by saying that there was no annual payment due as the money for C H Smith project was borrowed as an interest free loan and reimbursed by the State Government, therefore, no interest was due to be paid.

- 3. Has the Council managed to make a decision regarding the removal of the remaining thylacine statues [in the Brisbane Street Mall] and using them elsewhere in Launceston in order to follow its duty of care to the citizens of Launceston?**

Dan Ryan (General Manager Community and Place Network) indicated that the Place Making Team is currently working through a plan to finalise arrangements for the statues and a report will be presented to Council in the near future.

8.2.2 Public Questions Without Notice - Susan Rafferty

- 1. With regard to the MTM Building on Invermay Road, Mowbray and as asbestos removal from the site is currently underway, what tender process was undertaken to remove the asbestos from the site and if there was no tender process, why not?**

Michael Stretton (Chief Executive Officer) indicated that the response to this question is provided in Agenda Item 8.1.2 - Public Questions on Notice in today's Agenda.

- 2. What costs have been incurred and what costs are anticipated in total?**

Michael Stretton (Chief Executive Officer) responded by saying that tender amount was for \$681,000. To date 50% has been paid to the operators and the balance is due to be paid at the end of the month.

- 3. As a Northern Suburbs resident and ratepayer, I wish to know how the asbestos waste was contained when transported following removal and whether the Mowbray Heights Primary School were notified that hazardous waste was being removed in the direct vicinity of the school?**

The Acting Mayor, Councillor D C Gibson, prefaced the response from Michael Stretton (Chief Executive Officer) by saying that the contractors were engaged as specialist asbestos removers. Michael Stretton restated that the operators are qualified and accredited to undertake the required work. The project manager did engage with all the neighbours around the site prior to any removal commencing.

9. PLANNING AUTHORITY

The Acting Mayor, Councillor D C Gibson, announced that under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 9 - Planning Authority.

9.1 DA0294/2022 - 120A Invermay Road, Invermay - Business and Professional Services - Change of Use to Consulting Rooms (Entrepreneurship Facilitators)

FILE NO: DA0294/2022

AUTHOR: Iain More (Town Planner)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Futures Isle Pty Ltd
Property:	120A Invermay Road, Invermay
Zoning:	Commercial
Receipt Date:	26/05/2022
Validity Date:	23/05/2022
Further Information Request:	01/06/2022
Further Information Received:	06/06/2022
Deemed Approval (extension granted):	14/07/2022
Representations:	Four

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Launceston Interim Planning Scheme 2015

STANDARDS REQUIRING PLANNING DISCRETION:

23.3.3 Retail impact
E6.5.1 Car parking numbers

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0294/2022 - Business and professional services - Change of use to consulting rooms (Entrepreneurship Facilitators) at 120A Invermay Road, Invermay, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

The use must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Manager City Development unless modified by a condition of the Permit:

- a. Application documents, prepared by the applicant and lodged as part of the application.

2. LEGAL TITLE

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

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/00860-LCC, 09/06/2022 and attached to the Permit.

4. BUSINESS HOURS

The operation of the use must be confined to:

- a. 7am and 10:30pm Monday to Sunday for administrative tasks;
- b. 7am to 10.30pm for workshops; and
- c. Workshops extending beyond 5pm are limited to two per week.

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

6. SIGNAGE CONTENT

Prior to its placement the contents and design of the signage must be provided to the Council and approved by the Manager City Development.

Once installed, the content of the sign may be updated or changed without separate approval of the Council, subject to:

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

7. NO SIGN ILLUMINATION

The sign(s) must not be floodlit or otherwise internally illuminated.

8. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to the Council's infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to the Council's infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

9. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of Infrastructure and Engineering is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

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.

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 DA294/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The 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 Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) is withdrawn 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.*

The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.

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 enquiries as to whether the proposed development is affected, 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 Tasmanian Civil and Administrative Tribunal (TASCAT).

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 Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.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 the Council's Notice to Waive Right of Appeal is attached.

Talitha Devadass spoke for the Recommendation
Emilee Freeman spoke for the Recommendation

DECISION: 14 July 2022

MOTION

Moved Councillor D H McKenzie, seconded Councillor P S Spencer.

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0294/2022 - Business and professional services - Change of use to consulting rooms (Entrepreneurship Facilitators) at 120A Invermay Road, Invermay, subject to the following conditions:

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The use must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Manager City Development unless modified by a condition of the Permit:

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- c. compliance with the requirements of the planning scheme.

7. NO SIGN ILLUMINATION

The sign(s) must not be floodlit or otherwise internally illuminated.

8. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to the Council's infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to the Council's infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

9. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of Infrastructure and Engineering is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

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.

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 DA294/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The 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 Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) is withdrawn 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.*

The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.

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 enquiries as to whether the proposed development is affected, 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 Tasmanian Civil and Administrative Tribunal (TASCAT).

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 Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.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 the Council's Notice to Waive Right of Appeal is attached.

CARRIED 9:0

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece
AGAINST VOTE: Nil

9.2 DA0263/2022 - 1 Morshead Street, Punchbowl - Residential - Construction of an Additional Dwelling

FILE NO: DA0263/2022

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Cataract Designs
Property:	1 Morshead Street, Punchbowl
Zoning:	General Residential
Receipt Date:	12/05/2022
Validity Date:	6/06/2022
Further Information Request:	24/05/2022
Further Information Received:	25/05/2022
Deemed Approval:	18/07/2022
Representations:	Three

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Launceston Interim Planning Scheme 2015

STANDARDS REQUIRING PLANNING DISCRETION:

10.4.13 Location of car parking
10.4.4 Sunlight to private open space of multiple dwellings
E4.6.4 Sight distance at accesses, junctions and level crossings
E6.5.1 Car parking numbers

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0263/2022 - Residential - construction of an additional dwelling at 1 Morshead Street, Punchbowl, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover Page, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK000, dated 11/05/2022.
- b. Site Demolition Plan, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK001, dated 11/05/2022.
- c. Site Plan, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA2, page SK002, dated 24/05/2022.
- d. Site Civil Plan, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK003, dated 11/05/2022.
- e. POS & Car Parking Plan, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK004, dated 11/05/2022.
- f. Private Open Space Sunlight, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK005, dated 11/05/2022.
- g. Shadow Diagram, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK006, dated 11/05/2022 - AMENDED PLAN REQUIRED.
- h. Proposed Floor Plan, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK100, dated 11/05/2022.
- i. Elevations, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK200, dated 11/05/2022 - AMENDED PLAN REQUIRED.
- j. Elevations, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK201, dated 11/05/2022 - AMENDED PLAN REQUIRED.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any works, amended plans must be submitted to the satisfaction of the Manager City Development 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 the roof of the proposed dwelling modified to comply with the acceptable solution A3 at clause 10.4.2 of the planning scheme.

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the planning officer.

3. LEGAL TITLE

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

4. HOURS OF CONSTRUCTION

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

7am to 6pm - Monday to Friday

8am to 5pm - Saturday

No works on Sunday or Public Holidays

5. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/00756-LCC dated 25/05/2022 and attached to the Permit.

6. SITE LANDSCAPING

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. completed prior to the use commencing; and
- c. maintained not removed, destroyed or lopped without the written consent of the Council.

7. FENCING

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

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

8. 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 6m³ 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.

9. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

- a. be properly constructed to such levels that they can be used in accordance with the plans;
- b. be surfaced with an impervious all weather seal;
- c. Be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. be line-marked or otherwise delineated to indicate each car space and access lanes.

Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

10. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to the Council's infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to the Council's infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws 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. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of Infrastructure and Engineering is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

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.

12. SINGLE STORMWATER CONNECTIONS

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains.

13. APPLICATION TO ALTER A STORMWATER SERVICE

An application must be made using the Council's eServices web portal, or on the approved form, and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with Council standards. All costs associated with these contractors are to be borne by the applicant.

14. 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 and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. 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.

15. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)

No works to install, remove or modify a vehicular crossing, are to be undertaken without the issue of a Vehicular Crossing Permit for the works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

An application for such work must be lodged electronically via the Council's eServices web portal or on the approved hard copy form.

All new works must be constructed to the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc.). All redundant crossovers and driveways must be removed prior to the occupation of the development.

The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense. Where the driveway crossing works result in changes to existing parking restrictions (bay markings, line-marking and/or signage) these works must be undertaken by the Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

16. STANDARD WIDTH CROSSOVER ONLY

This development is only permitted a standard width crossover, being 3m wide at the property boundary. The maximum width of 3m at the boundary will apply to any new crossing. The maximum width of the crossover at the kerb is 5.6m and shall include a transition wing 1m in length either side of the crossing in accordance LGAT-IPWEA Tasmanian Standard Drawings TSD-R09 Urban Roads driveways.

17. STRATA LOT NUMBERS AND ADDRESSES FOR DWELLINGS

The following number and addressing is to be assigned to the development consistent with the residential addressing standard: Australian Standard AS4819:

Dwelling No	Strata Lot No.	Street Address
1	Existing	1/1 Morshead Street
2	Proposed	2/1 Morshead Street

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

18. 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.

19. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (eg. Launceston Waste Centre), reclaimed or recycled.

20. DEMOLITION

The developer must:

- a. protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b. not undertake any burning of waste materials or removed vegetation;
- c. remove all rubbish from the site for disposal at a licensed waste disposal site;

- d. dispose of any asbestos found during demolition in accordance with the Safe Work Australia *How to Safely Remove Asbestos: Code of Practice, July 2020*, or any subsequent versions of the document.

21. PROTECTION OF STREET TREES

Existing street 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*. The protection works are to be installed prior to the commencement of any other works on the site and are to remain in place until the completion of all other works.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0263/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The 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 Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) is withdrawn 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.*

The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.

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 enquiries as to whether the proposed development is affected, 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.

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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 *Tasmanian Civil and Administrative Tribunal (TASCAT)* website www.tascat.tas.gov.au <http://www.tascat.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 the Council's Notice to Waive Right of Appeal is attached.

E. Heat Pump Use

Use of the heat pump will be subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or as amended.

DECISION: 14 July 2022

MOTION

Moved Councillor A G Harris, seconded Councillor P S Spencer.

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0263/2022 - Residential - construction of an additional dwelling at 1 Morshead Street, Punchbowl, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

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- h. Proposed Floor Plan, prepared by Cataract Designs, project no. 21020, unit development at 1 Morshead Street, Punchbowl, revision no. DA1, page SK100, dated 11/05/2022.
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authority (eg. TasWater, Telstra and TasNetworks, etc.). All redundant crossovers and driveways must be removed prior to the occupation of the development.

The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense. Where the driveway crossing works result in changes to existing parking restrictions (bay markings, line-marking and/or signage) these works must be undertaken by the Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

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19. NO BURNING OF WASTE

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20. DEMOLITION

The developer must:

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- b. not undertake any burning of waste materials or removed vegetation;
- c. remove all rubbish from the site for disposal at a licensed waste disposal site;

- d. dispose of any asbestos found during demolition in accordance with the Safe Work Australia *How to Safely Remove Asbestos: Code of Practice, July 2020*, or any subsequent versions of the document.

21. PROTECTION OF STREET TREES

Existing street 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*. The protection works are to be installed prior to the commencement of any other works on the site and are to remain in place until the completion of all other works.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0263/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

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- b. *Any appeal to the Tasmanian Civil and Administrative Appeal Tribunal (TASCAT) is withdrawn or determined; or*
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The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the Council.

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 enquiries as to whether the proposed development is affected, 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 Tasmanian Civil and Administrative Tribunal (TASCAT).

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 Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <http://www.tascat.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 the Council's Notice to Waive Right of Appeal is attached.

E. Heat Pump Use

Use of the heat pump will be subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or as amended.

CARRIED 9:0

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece
AGAINST VOTE: Nil

The Acting Mayor, Councillor D C Gibson, announced that Council no longer sits as a Planning Authority.

10. ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Mayor Albert van Zetten

Sunday 3 July 2022

- Attended the *New Horizons Tas 2022 Champions* graduation at UTAS Stadium Function Centre
- Welcomed delegates to the *MERGA* conference

Acting Mayor Danny Gibson

Monday 4 July 2022

- Officiated at the NAIDOC Week Flag Raising Ceremony

Wednesday 6 July 2022

- Participated in the Northern Tasmania Development Corporation's *Sports Facility Plan Options* Workshop
- Attended the Memorial Service for Christopher Milne
- Attended the *ActivAcre* launch

Thursday 7 July 2022

- Attended the Chamber of Commerce's evening event with the Premier
- Attended the Festival of Voices' *The Tasmanian Songbook*

Friday 8 July 2022

- Met with Hon Jeremy Rockliff MP, Premier of Tasmania

Monday 11 July 2022

- Officiated at the *Celebrating Volunteers* event at the Tramsheds

Tuesday 12 July 2022

- Officiated at the second *Celebrating Volunteers* event at the Tramsheds
- Attended the Festival of Voices' *The Australian Voices in Concert*

Wednesday 13 July 2022

- Participated in the Northern Tasmania Development Corporation's Strategic Planning Workshop
-

The Acting Mayor, Councillor D C Gibson, also noted attending the unveiling of the Urban Realm at the University of Tasmania Inveresk site on Thursday, 14 July 2022

11. COUNCILLORS' REPORTS

(This item provides an opportunity for Councillors 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).

12. QUESTIONS BY COUNCILLORS

12.1 Councillors' 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 Chief Executive Officer of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be provided in writing).

No Councillors' Questions on Notice were identified as part of these Minutes

12.2 Councillors' 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).

No Councillors' Questions Without Notice were identified as part of these Minutes

13. NOTICES OF MOTION

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

**13.1 Notice of Motion - Amendment of the Local Government Act 1993 (Tas) -
Councillor K P Preece**

FILE NO: SF5547

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider a Notice of Motion submitted by Councillor K P Preece regarding an Amendment to the *Local Government Act 1993 (Tas)*.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council writes to the Local Government Division (Tasmania) requesting that the Tasmanian State Government:

1. reviews the eligibility criteria, for the potential candidates to nominate for and/or hold the office of Local Government Councillor in Tasmania, to include the following:
 - (a) requirement for a mandatory police check;
 - (b) requirement to provide criminal history; and
 - (c) requirement for current Working With Vulnerable People registration.
2. reviews and strengthens the Code of Conduct taking into account the prescriptive mandatory codes that provide minimum standards to regulate the conduct of Tasmanian Councils and consumers.
3. reviews the Code of Conduct process to ensure fairness and equity for all Code of Conduct participants and reduce ethics and compliance risks.
4. provides clear penalty guidelines to include the ability to suspend and stand down a Councillor in circumstances that align with breaches of the *Local Government Act 1993 (Tas)* and the Code of Conduct.

5. develops a Model Member Code of Conduct that is strongly aligned with the public trust placed in us, as Councillors, on all occasions and that each Councillor will:
 - (a) act with integrity and honesty;
 - (b) act lawfully;
 - (c) treat all persons with civility; and
 - (d) lead by example and act in a way that secures public confidence in the office of Councillor.

 6. completes a full review of and finalises the process prior to local government elections 2022.
-

Acting Mayor, Councillor D C Gibson, handed the Chair to Councillor R I Soward at 2.00pm

Acting Mayor, Councillor D C Gibson, resumed the Chair at 2.03pm

DECISION: 14 July 2022

MOTION

Moved Councillor K M Preece, seconded Councillor A E Dawkins.

That Council writes to the Local Government Division (Tasmania) requesting that the Tasmanian State Government:

1. **reviews the eligibility criteria, for the potential candidates to nominate for and/or hold the office of Local Government Councillor in Tasmania, to include the following:**
 - (a) **requirement for a mandatory police check;**
 - (b) **requirement to provide criminal history; and**
 - (c) **requirement for current Working With Vulnerable People registration.**

2. **reviews and strengthens the Code of Conduct taking into account the prescriptive mandatory codes that provide minimum standards to regulate the conduct of Tasmanian Councils and consumers.**

3. **reviews the Code of Conduct process to ensure fairness and equity for all Code of Conduct participants and reduce ethics and compliance risks.**

4. **provides clear penalty guidelines to include the ability to suspend and stand down a Councillor in circumstances that align with breaches of the *Local Government Act 1993 (Tas)* and the Code of Conduct.**

5. develops a Model Member Code of Conduct that is strongly aligned with the public trust placed in us, as Councillors, on all occasions and that each Councillor will:
 - (a) act with integrity and honesty;
 - (b) act lawfully;
 - (c) treat all persons with civility; and
 - (d) lead by example and act in a way that secures public confidence in the office of Councillor.

6. completes a full review of and finalises the process prior to local government elections 2022.

CARRIED 9:0

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece
AGAINST VOTE: Nil

14. COMMITTEE REPORTS

14.1 Heritage Advisory Committee Meeting - 23 June 2022

FILE NO: SF2965

AUTHOR: Maria Lasso (Acting Place and Heritage Officer)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To receive a report from the Heritage Advisory Committee Meeting held on 23 June 2022.

RECOMMENDATION:

That Council receives the report from the Heritage Advisory Committee Meeting held on 23 June 2022.

Councillor A G Harris withdrew from the Meeting at 2:04pm

Councillor A G Harris re-attended the Meeting at 2:05pm

DECISION: 14 July 2022

MOTION

Moved Councillor D H McKenzie, seconded Councillor T G Walker.

That Council receives the report from the Heritage Advisory Committee Meeting held on 23 June 2022.

CARRIED 9:0

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece
AGAINST VOTE: Nil

15. INFRASTRUCTURE AND ASSETS NETWORK

15.1 Concessional Entry to Council's Waste Disposal Facilities

FILE NO: SF0628

AUTHOR: Jess Nesbit (Waste & Environment Officer)

ACTING GENERAL MANAGER APPROVAL: Kathryn Pugh (Infrastructure and Assets Network)

DECISION STATEMENT:

To determine the value of concessions to approved charitable organisations for waste disposal to the Launceston Waste Centre for the 2022/2023 financial year.

PREVIOUS COUNCIL CONSIDERATION:

Council - 17 June 2021 - Agenda 18.1 - Concessional Entry to Council's Waste Disposal Facilities 2021/2022

RECOMMENDATION:

That Council, in respect of clause 4(e) of the *Concessional Entry to Council's Waste Disposal Facilities* Policy (12-Plx-014), approves the organisations and concessional entry values, subject to the submission of valid waste management plans and/or meetings with the Council's Waste Management Team, for the financial year 2022/2023, as shown below:

Organisation Name	2022/2023 Recommendation \$
Connections Op Shop Inc.	340.39
Door of Hope Christian Church	299.28
Launceston Benevolent Society Inc.	301.60
Launceston City Mission	13,637.58
Lions Club of Kings Meadows	88.58
New Horizons Club Inc.	150.00
Northern Occupational Support Service - Bluegum	787.12
Police Citizens and Youth Club	103.27
Salvos Store	688.00
Self Help Workplace	5,881.55
St Michaels Association	507.42
Veterans Support Group	393.74
Shekinah House Inc.	59.58

Organisation Name	2022/2023 Recommendation \$
Student Works	150.00
Veterans and Community Wood Centre Inc. - The Shed	165.66
Just Cats	41.93
Dogs home of Tasmania	150.00
Starting Point Neighbourhood House	74.07
Worldview Centre for Intercultural Studies	65.46
Community Housing Limited	9,242.48
Community Care Tasmania	495.74
Punchbowl Community Garden	43.33
Zion Hill Church	150.00
Karinya Young Women's Service	526.10
Launceston VFC Services Inc.	127.05
Life Without Barriers	150.00
Citizen Advocacy Launceston	150.00
Litter Free Launnie	150.00
John Calvin School	0.00
Launceston Bowls and Community Centre	150.00
Windermere Church Forever Inc.	40.00
St Andrews Presbyterian Church	0.00
Teen Challenge Tasmania Inc.	400.00
Launceston Players Society Inc.	400.00
TOTAL	\$35,909.94

DECISION: 14 July 2022

MOTION

Moved Councillor R I Soward, seconded Councillor P S Spencer.

That Council, in respect of clause 4(e) of the *Concessional Entry to Council's Waste Disposal Facilities Policy (12-Plx-014)*, approves the organisations and concessional entry values, subject to the submission of valid waste management plans and/or meetings with the Council's Waste Management Team, for the financial year 2022/2023, as shown below:

Organisation Name	2022/2023 Recommendation \$
Connections Op Shop Inc.	340.39
Door of Hope Christian Church	299.28
Launceston Benevolent Society Inc.	301.60
Launceston City Mission	13,637.58
Lions Club of Kings Meadows	88.58
New Horizons Club Inc.	150.00
Northern Occupational Support Service - Bluegum	787.12
Police Citizens and Youth Club	103.27
Salvos Store	688.00
Self Help Workplace	5,881.55
St Michaels Association	507.42
Veterans Support Group	393.74
Shekinah House Inc.	59.58
Student Works	150.00
Veterans and Community Wood Centre Inc. - The Shed	165.66
Just Cats	41.93
Dogs home of Tasmania	150.00
Starting Point Neighbourhood House	74.07
Worldview Centre for Intercultural Studies	65.46
Community Housing Limited	9,242.48
Community Care Tasmania	495.74
Punchbowl Community Garden	43.33
Zion Hill Church	150.00
Karinya Young Women's Service	526.10
Launceston VFC Services Inc.	127.05
Life Without Barriers	150.00
Citizen Advocacy Launceston	150.00
Litter Free Launnie	150.00
John Calvin School	0.00
Launceston Bowls and Community Centre	150.00
Windermere Church Forever Inc.	40.00
St Andrews Presbyterian Church	0.00
Teen Challenge Tasmania Inc.	400.00
Launceston Players Society Inc.	400.00
TOTAL	\$35,909.94

CARRIED 9:0

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece
AGAINST VOTE: Nil

15.2 End of Trip Facilities Project - Town Hall Annexe

FILE NO: CD046/2020

AUTHOR: Kevin Hutt (Building Projects Advisor)

ACTING GENERAL MANAGER APPROVAL: Kathryn Pugh (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider the direct appointment of a contractor for the Town Hall Annexe End of Trip Facilities Project. This would be on the basis that the City of Launceston did not receive any returned project tenders in December 2021 under Contract Number CD.046/2020 due to the busy market conditions of the construction industry.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Local Government (General) Regulations 2015

RECOMMENDATION:

That Council:

1. pursuant to section 27(i)(iii) of the *Local Government (General) Regulations 2015* resolves by absolute majority to enter into a contract with Tas City Building Pty Ltd to, construct End of Trip Facilities at Town Hall outside the tender process required under section 333A of the *Local Government Act 1993 (Tas)*, for the reason that a satisfactory result would not be achieved because of the unavailability of competitive or reliable tenderers.
 2. requests and authorises the Chief Executive Officer to negotiate terms and conditions and award the contract to Tas City Building Pty Ltd.
-

Councillor N D Daking withdrew from the Meeting at 2:13pm

Councillor R I Soward withdrew from the Meeting at 2:14pm
Councillor R I Soward re-attended the Meeting at 2:15pm

DECISION: 14 July 2022

MOTION

Moved Councillor D H McKenzie, seconded Councillor A G Harris.

That Council:

1. pursuant to section 27(i)(iii) of the *Local Government (General) Regulations 2015* resolves by absolute majority to enter into a contract with Tas City Building Pty Ltd to, construct End of Trip Facilities at Town Hall outside the tender process required under section 333A of the *Local Government Act 1993 (Tas)*, for the reason that a satisfactory result would not be achieved because of the unavailability of competitive or reliable tenderers.
2. requests and authorises the Chief Executive Officer to negotiate terms and conditions and award the contract to Tas City Building Pty Ltd.

LOST 6:2

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor D H McKenzie, Councillor A E Dawkins, Councillor R I Soward, Councillor A G Harris and Councillor K M Preece

ABSENT DUE to DECLARATION of INTEREST: Councillor N D Daking

ABSTAINED FROM VOTING: Councillor P S Spencer and Councillor T G Walker

Councillor N D Daking re-attended the Meeting at 2.36pm

16 CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

That Council moves into Closed Session to consider the following matters:

16.1 Confirmation of the Minutes

Regulation 35(6) of the *Local Government (Meeting Procedures) Regulations 2015* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

16.2 Councillor's Leave of Absence

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

(h) applications by councillors for a leave of absence.

16.3 Councillor's Leave of Absence

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

(h) applications by councillors for a leave of absence.

DECISION: 14 July 2022

MOTION

Moved Councillor R I Soward, seconded Councillor A G Harris.

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 9:0

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece
AGAINST VOTE: Nil

Council moved into Closed Session at 2.36pm
Council returned to Open Session at 2.39pm

16.4 End of Closed Session

RECOMMENDATION:

That, pursuant to Regulation 34(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, resolves to report in Open Session that it has considered the following matters in Closed Session.

Minutes Item	Matter	Brief Description
21.1	<i>Closed Council Minutes - 30 June 2022</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 30 June 2022.</i>
21.2	<i>Councillor's Leave of Absence</i>	<i>Councillors endorsed a personal leave of absence request.</i>
21.3	<i>Councillor's Leave of Absence</i>	<i>Councillors endorsed a personal leave of absence request.</i>

DECISION: 14 July 2022

MOTION

Moved Councillor R I Soward, seconded Councillor A G Harris.

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

CARRIED 9:0

FOR VOTE: Acting Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece

AGAINST VOTE: Nil

17. MEETING CLOSURE

The Acting Mayor, Councillor D C Gibson, closed the Meeting at 2.40pm.

18. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 28 July 2022 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.