



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 20 APRIL 2023  
1.00PM**

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

Date: 20 April 2023

Time: 1.00pm

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### 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](http://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 close of business 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](mailto: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 (Mayor)**  
**Councillor M K Garwood (Deputy Mayor)**  
**Councillor D H McKenzie**  
**Councillor A E Dawkins**  
**Councillor T G Walker**  
**Councillor Dr G Razay**  
**Councillor J J Pentridge**  
**Councillor A J Palmer**  
**Councillor L M McMahon**  
**Councillor S Cai**  
**Councillor A J Britton**

***In Attendance:***

**Michael Stretton (Chief Executive Officer)**  
**Dan Ryan (General Manager Community and Place Network)**  
**Roxanne Chugg (Acting General Manager Organisational Services Network)**  
**Shane Eberhardt (General Manager Infrastructure and Assets Network)**  
**Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)**  
**Richard Jamieson (Manager City Development) (Agenda Items 9.1, 9.2 and 9.3)**  
**Dilep Karna (Graduate Town Planner) (Agenda Items 9.2 and 9.3)**  
**Catherine Mainsbridge (Senior Town Planner) (Agenda Item 9.1)**  
**Nathan Williams (Manager Finance) (Agenda Item 13.1)**  
**Duncan Campbell (Acting Manager Governance) (Agenda Items 13.2 and 13.3)**  
**Michelle Grey (Lease and Licencing Officer) (Agenda Item 13.2)**  
**Simon Tennant (Team Leader Communications)**  
**Kelsey Hartland (Team Leader Governance)**  
**Anthea Rooney (Council and Committees Officer)**

***Apologies:***

**Councillor A G Harris**

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

The Mayor, Councillor D C Gibson, opened the Meeting at 1.00pm and noted an apology from Councillor A G Harris.

The Mayor provided an Acknowledgement of Country.

**2. MAYORAL ACKNOWLEDGEMENTS**

There were no Mayoral Acknowledgements as part of these Minutes

**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 D H McKenzie declared an interest in Agenda Item 13.2 - Lease - King Billy Park**

**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 6 April 2023 be confirmed as a true and correct record.

**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor D H McKenzie, seconded Councillor A J Palmer.**

**That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 6 April 2023 be confirmed as a true and correct record.**

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**

**AGAINST VOTE: Nil**

**5. COUNCIL WORKSHOPS**

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

**5.1. Council Workshop Report - 6 and 13 April 2023**

**FILE NO:** SF4401

**AUTHOR:** Kelsey Hartland (Team Leader Governance)

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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

1. pre-Council Workshop conducted on 6 April 2023:

**Scholarships and Bursary Policy**

*Councillors discussed the proposed Scholarships and Bursary Policy.*

**Delegations**

*Councillors were provided with an overview of delegations at the City of Launceston.*

*In Attendance:* Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton.

2. Workshop conducted on 13 April 2023:

**Draft Regional Sports Facility Plan**

*Ross Planning presented an overview of the draft Sports Facility Plan, current trends and facility provision, and provided a list of key recommendations for the City of Launceston and Northern Local Government Areas.*

**Strategic Asset Management Plan**

*Councillors received an overview of a revised Strategic Asset Management Plan (SAMP).*

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**Queen Victoria Museum and Art Gallery Futures Plan Overview**

*The General Manager Creative Arts and Cultural Services provided a high-level overview of the QVMAG Futures Plan.*

**City of Launceston Submission - Discussion Paper - Addressing Councillor Misconduct**

*Councillors were asked to read the Discussion Paper - Addressing Councillor Misconduct and consider which option/s for reform are preferred, ahead of a City of Launceston submission being prepared by the Council's Officers.*

*In Attendance:* Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton.

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**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor A E Dawkins, seconded Councillor A J Britton.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**

**AGAINST VOTE: Nil**

**6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS**

**No Councillors' Leave of Absence Applications were identified as part of these Minutes**

**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 - Scott Rigby (President) - Northern Tasmanian Football Association**

**FILE NO:** SF6368

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**SUMMARY OF PRESENTATION**

**Scott provided Council with details of the Northern Tasmanian Football Association (NTFA) - its activities, its finances and the 20 Clubs involved in the Association. Scott also provided details of the Association's impact within the community, the commitment of its volunteers and the programs undertaken within the community.**

**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 - Rafael Molina (Tamar Bicycle Users Group) - Cycling Infrastructure - 6 April 2023 and 12 April 2023**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Team Leader Governance)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 6 April 2023 and 12 April 2023 by Rafael Molina (Tamar Bicycle Users Group), have been answered by Shane Eberhardt (General Manager Infrastructure and Asset Network).

**Questions:**

1. What type of cycling infrastructure is the city of Launceston considering to build or improve in order to make the city of Launceston more attractive for cycling as a transport option?
2. Does Council have a cycling plan ie. a plan to promote and facilitate the uptake of bike riding and cycling as a means of transportation and recreation and/or a plan to guide the City's investments in bike riding and cycling infrastructure?

If yes, can Council provide details of such a plan?

If no, would Council consider developing such a plan?

**Response:**

*The City of Launceston adopted its Transport Strategy in 2021, which details our planning and strategy around cycling infrastructure.*

*A copy of this is available on the Council's website.*

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**8.1.2. Public Questions on Notice - The Hon. Rosemary Armitage MLC - Launceston Bypass Feasibility Study - 6 April 2023**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Team Leader Governance)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 6 April 2023 by The Honourable Rosemary Armitage MLC has/have been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

**Questions:**

1. [With regard to the Eastern bypass and work that Council and the Department of State Growth to progress a study into freight handling facilities] .... Do we have a timeframe for the further study?

**Response:**

*The City of Launceston is a stakeholder in the project, however the project is being led by the Department of State Growth (DSG). From checking the DSG website there is currently no information publicised on the project timeframe, however, we will seek advice from DSG to confirm.*

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**8.1.3. Public Questions on Notice - Samuel Butler - Hobart Road and Blaydon Street Intersection - 12 April 2023**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Team Leader Governance)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 12 April 2023 by Samuel Butler, have been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

**Questions:**

1. When will the turning lane arrows be replaced at the Hobart Street [Road] and Blaydon Street intersection?

**Response:**

*The remaining turning lane arrows will be replaced along with other line marking works set to occur at the intersection of Hobart Road and Riseley Street.*

*These works need to be coordinated with associated works to the traffic signals at the intersection, and Council are working with the Department of State Growth and our line marking contractors to complete these works as soon as possible. The present climate of the civil construction industry has made it difficult for Council to secure a line marking contractor to undertake these works within our normal timelines, however, we are intending to have the works complete within the next three weeks.*

*Whilst Council agrees that the situation is not ideal, it is not considered to be unsafe. The lane is intended to operate as a dedicated right turn lane and will be remarked as such, however, if a driver proceeds straight ahead from this lane in the interim, they must merge with the adjacent traffic as would occur at many other signalised intersection with multiple approach lanes.*

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**8.1.4. Public Questions on Notice - Ray Norman - Queen Victoria Museum and Art Gallery Governance - 12 April 2023**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Team Leader Governance)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 12 April 2023 by Ray Norman have been answered by Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network).

**Questions:**

1. ...who/what in fact is the governance body that the QVMAG's management is accountable to...?

**Response:**

*The Local Government Act 1993 (Tas), Division 2 - Queen Victoria Museum and Art Gallery, provides for the endowment and management of QVMAG. QVMAG operates and is managed as a distinct organisational Network within the City of Launceston and in accordance with the requisite characteristics defined by the Federal government on what constitutes an endorsed public institution.*

2. ... who approves, monitors and oversights the QVMAG's Strategic Plan...?

**Response:**

*The General Manager Creative Arts and Cultural Services, in association with the Chief Executive Officer and the Executive Leadership Team of the City of Launceston, monitors the progress against the Strategic Plan.*

*The Strategic Plan is developed and endorsed by Council, endorse the Annual Plan and receive regular updates on progress against the Annual Plan and Strategic Plan.*

3. ...who approves QVMAG accession and deaccessions...?

**Response:**

*In accordance with the requisite characteristics defined by the Federal government on what constitutes an endorsed public institution the Collection activities of QVMAG are managed by the institution by a team of professionals qualified in the various standards, legislative requirements, policies, procedures and ethical practices attributable to material cultural collections.*

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**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 - Princess Theatre, Birchalls and Circular Economy**

- 1. The May 2022 Council Agenda mentions an improvement plan for the Princess Theatre and the Earl Arts Centre. At that time this project was 2% complete. What is the state of progress now?**

The Mayor, Councillor D C Gibson, noted that this question would be Taken on Notice and a response provided in the Council Agenda of 4 May 2023. Shane Eberhardt (General Manager Infrastructure and Assets Network) provided a brief timeline of the development noting that it is a \$15m, five to seven year project and will occur in stages.

- 2. The same Agenda mentions the redevelopment of the former Birchalls Building as being 25% complete. What is the current percentage of completion?**

The Mayor, Councillor D C Gibson, noted that this question would be Taken on Notice and a response provided in the Council Agenda of 4 May 2023.

- 3. The April 2023 Agenda describes procedures for demolition contractors on site, removal of rubbish, asbestos, etc., but no mention is made of the large quantities of reusable material. Given our circular economy movement and the Council's own attempts at recycling, will Council insert a clause in the procedure - B. Demolition, between clauses B and C that suitable material be channeled to a recycle area or depot?**

The Mayor, Councillor D C Gibson, noted that this question would be Taken on Notice and a response provided in the Council Agenda of 4 May 2023.

**8.2.2. Public Questions Without Notice 1 - The Hon. Rosemary Armitage MLC - 118-122 Brisbane Street, Launceston, Graffiti and Road Safety Centre, South Launceston**

- 1. The date/dates at which Council purchased properties at 118-122 Brisbane Street Launceston and 124 Brisbane Street, Launceston; the purchase price of these properties?; the current status of these properties, ie. empty, leased or proposed to be leased?; if empty, what is proposed for these premises? and any other properties purchased/owned by the City of Launceston with the exception of Council/business work sites, ie. Remount Road, Town Hall, etc.?**

The Council acquired the former Birchalls and Katies buildings in June 2020 for \$8.4 million.

The Council advertised an Expressions of Interest process for the redevelopment of the building shortly afterwards. The Council received 11 applications from developers interested in developing the site. After a detailed assessment of various proposals submitted through the Expressions of Interest process, a preferred candidate has been shortlisted and the Council is currently assessing the draft development proposal. This is expected to be finalised and considered by Council in the next few weeks. This building is currently vacant.

Other than the former Birchalls and Katies buildings, the Council has not purchased any sites and/or buildings in recent times. This said, however, the Council owns many buildings and it is not practical to provide the requested details for each of these at this time. If there are specific buildings for which these details are sought, then the Council would be more than happy to oblige.

- 2. What is the Council's current policy with relation to graffiti and does the Council intend to bring back a graffiti task force to assist local businesses as previously operated or what action is being taken by the Council to discourage tagging and graffiti?**

The City of Launceston has a zero-tolerance approach to graffiti and works with Tasmania Police, the local community and relevant agencies to support and generate activities that draw on social and environmental approaches to prevent, reduce and remove graffiti.

Graffiti in the City is monitored by the Council's Cleansing Crews, who perform various functions within the CBD on a daily basis. Any offensive graffiti is removed as soon as practicable from the Council's-owned facilities, however, the Council does not have the legal authority to remove tagging or graffiti from public or privately-owned buildings.

Across Launceston, there are some legalised graffiti walls in defined spaces, such as at the Royal Park Skate Park. There are also legalised murals and other forms of street art on many privately-owned buildings which add to the uniqueness of the Launceston streetscape.

The Council's advice to property owners impacted by graffiti is:

- remove or paint over the graffiti quickly as research shows that removal within 24-48 hours deters further graffiti vandalism.
- graffiti has a high cost to the community with social, health, legal and economic implications and in areas of high graffiti activity, it can also impact on perceptions of safety and public amenity.
- preventing graffiti requires everyone in the community to be active and take ownership of the problem.

The Council has resources regarding graffiti specifically for residents and businesses on its website

[<https://www.launceston.tas.gov.au/Community/Graffiti>]. At this stage it is not intended to investigate the establishment of a graffiti task force, rather continue engaging with the community safety partnership.

The Mayor, Councillor D C Gibson, also noted that community members can report occurrences of graffiti through the Customer Service or Snap, Send and Solve.

3. What is the current situation with regard to the Road Safety Centre at 45-67 Lawrence Vale Road, South Launceston which I note is currently closed and not taking bookings?

The Council has now reached the penultimate phase in the redevelopment of the incredibly popular Road Safety Centre - the design of the interior fit-out of the facility. This will occur by the end of this month. Once that design work is complete, it is expected advertising will occur via public tender by early June for the construction of the play space and most likely the completion of civil works of the car park. The aim is still to have the facility open to the public by early next year.

**9. PLANNING AUTHORITY**

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. DA0610/2022 - 12 Olive Street, Newstead - Visitor Accommodation - Construction of Alterations to an Existing Outbuilding for Use as Short Term Accommodation (Retrospective) and Construction of a Carport**

**FILE NO:** DA0610/2022

**AUTHOR:** Catherine Mainsbridge (Senior Town Planner Development)

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Plans To Build
Property:	12 Olive Street, Newstead
Zoning:	General Residential
Receipt Date:	10/10/2022
Validity Date:	8/02/2023
Further Information Request:	21/10/2022
Further Information Received:	08/02/2023
Deemed Approval:	20/04/2023
Representations:	Four

**RELEVANT LEGISLATION:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme Launceston

**STANDARDS REQUIRING PLANNING DISCRETION:**

8.3.2 P1 - Visitor Accommodation  
8.5.1 P1 - Non dwelling development

## **RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme Launceston, a permit be granted pursuant to a delegation from Council, for DA0610/2022 Visitor Accommodation - Construction of alterations to an existing outbuilding for use as short term accommodation (retrospective) and construction of a carport at 12 Olive Street, Newstead, subject to the following conditions:

### **1. ENDORSED PLANS**

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

- a. Site Plan, prepared by Plans to Build, Project No: 2118, Drawing No: A01, Dated 8/02/2023.
- b. Demolition Plan, prepared by Plans to Build, Project No: 2118, Drawing No: A03, Dated 8/02/2023.
- c. Ground Floor Plan, prepared by Plans to Build, Project No: 2118, Drawing No: A04, Dated 8/02/2023.
- d. Elevation, prepared by Plans to Build, Project No: 2118, Drawing No: A06, Dated 8/02/2023.
- e. Ground Floor Plan (visitor accommodation), prepared by Plans to Build, Project No: 2118, Drawing No: A07, Dated 8/02/2023.
- f. Elevations (visitor accommodation), prepared by Plans to Build, Project No: 2118, Drawing No: A08, Dated 8/02/2023.

### **2. 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.

The front space is to have signage installed to clearly mark the allocated car parking space for the Visitor Accommodation use and must be positioned and line marked to allow clear access to the other two spaces within the driveway.

### **3. LEGAL TITLE**

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

### **4. 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

## **5. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with the repair of damage to Council 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 Council 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.

## **6. 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 General Manager - Infrastructure & Assets Network 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.

## **7. 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 Council's stormwater mains.

## **8. 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.

## **9. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements 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.

## 10. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

## 11. 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.

## 12. 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 (e.g. Launceston Waste Centre), reclaimed or recycled.

## 13. 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.

## Notes

### A. General

*This permit was issued based on the proposal documents submitted for DA0610/2022. 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 Tasmanian Civil & 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 (2) 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 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 & 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 & Administrative Tribunal (TASCAT) website [www.tascat.tas.gov.au](http://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 Council's Notice to Waive Right of Appeal is attached.*

**E. Fixed Equipment Use**

*Use of fixed equipment (eg. heat pumps, water pumps, swimming pool pumps) is subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or any subsequent versions of this regulation.*

**F. No Approval for alterations to Driveway Crossover**

*No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.*

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**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor D H McKenzie, seconded Councillor S Cai.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**  
**AGAINST VOTE: Nil**

**9.2. DA0053/2023 - 315-317 St Leonards Road, St Leonards - Business and Professional Services - Construction and Use of a New Building for a Funeral Parlour**

**FILE NO:** DA0053/2023

**AUTHOR:** Dileep Karna (Graduate Town Planner)

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	6ty Pty Ltd
Property:	315 St Leonards Road, St Leonards
Zoning:	General Residential
Receipt Date:	6/02/2023
Validity Date:	8/02/2023
Further Information Request:	14/02/2023
Further Information Received:	08/03/2023
Deemed Approval (extension granted):	21/04/2023
Representations:	Three

**RELEVANT LEGISLATION:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston

**STANDARDS REQUIRING PLANNING DISCRETION:**

7.4 Change of use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place  
8.5.1 Non-dwelling development  
C2.5.1 Car parking numbers  
C2.6.5 Pedestrian access  
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

**RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0053/2023 - Business and Professional Services - Construction and use of a new building for a funeral parlour at 315-317 St Leonards Road, St Leonards, subject to the following conditions:

## 1. ENDORSED PLANS AND DOCUMENTS

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

- a. Planning Report, Prepared by 6ty, Page No 1-39, Dated 24/02/2023
- b. Cover Page, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 40, Dated 21/10/2022
- c. Site Plan 1:1000, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 41, Dated 21/10/2022
- d. Site Plan 1:500, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 42, Dated 21/10/2022
- e. Site Plan 1:200, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 43, Dated 21/10/2022
- f. Ground Plan, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 44, Dated 21/10/2022
- g. External Services, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 45, Dated 21/10/2022
- h. Elevations, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 46, Dated 21/10/2022
- i. Elevations, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 47, Dated 21/10/2022
- j. Elevations, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 48, Dated 21/10/2022
- k. Elevations, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 49, Dated 21/10/2022
- l. Perspectives, Prepared by Design To Live, Drawing No. STL315, Revision No. R2, Page No 50, Dated 21/10/2022
- m. Statement of Historical Archaeological Potential, Heritage & Archaeological Impact Assessment & Consideration of Adaptive Reuse, Prepared by Praxis environment, Page No. 51-79 Dated December 2022.
- n. Concise Conservation Management Plan, Prepared by Anglican Diocese of Tasmania, Page No 80-92.

## 2. ARCHAEOLOGICAL MITIGATION

Development must be carried out in line with the 'Archaeological Mitigation Strategy' set out on pages 16 to 17 of the '*Statement of Archaeological Potential, Heritage and Archaeological Impact Assessment & Consideration of Adaptive Reuse*' prepared by Praxis Environment and Endorsed as part of this Permit.

## 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. EXTERIOR AND SECURITY LIGHTING

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

## **5. DELIVERY HOURS**

Deliveries to and from the site by heavy vehicles must only occur between:

- a. 7am and 7pm Monday to Friday
- b. 9am and 12pm Saturday

## **6. HOURS OF CONSTRUCTION**

Construction works must only be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or Public Holidays.

## **7. EXTERNAL FINISHES AND GROUND SURFACES**

The colour scheme for the proposed funeral parlour building is to be generally consistent with that shown in the artist impressions included in the Endorsed Plans, or otherwise be of a subtle colour scheme of neutral muted tones to blend with the existing church building and the surrounding landscape.

The proposed concrete ground surfaces are to be of an exposed aggregate finish to fit the character and significance of the site.

## **8. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/00186-LCC, dated 07/03/2023 and attached to the permit.

## **9. BUSINESS HOURS**

The operation of the proposed development must be confined to:

- a. 8:00am and 6:00pm Monday to Friday
- b. 8:00am and 6:00pm Saturdays, Sunday and Public Holidays

## **10. HERITAGE**

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Application No. 8097, dated 4 April 2023 and attached to the permit.

## **11. 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.

## **12. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with the repair of damage to Council 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 Council 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.

## **13. 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 General Manager - Infrastructure & Assets Network 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.

## **14. 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.

## **15. SOIL AND WATER MANAGEMENT PLAN**

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

## **16. FACILITIES AND HIGHWAYS BY-LAW**

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). No such items are to be placed within the road reserve without approval.

## 17. 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 DA0053/2023. 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 Tasmanian Civil & 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 (2) 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 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 & 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 & Administrative Tribunal (TASCAT) website [www.tascat.tas.gov.au](http://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 Council's Notice to Waive Right of Appeal is attached.*

- E. No Approval for alterations to Driveway Crossover  
*No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.*
- 

**Phil Lethborg spoke for the Recommendation**

**Councillor J J Pentridge withdrew from the Meeting at 1:30pm**  
**Councillor J J Pentridge re-attended the Meeting at 1:31pm**

**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor D H McKenzie, seconded Deputy Mayor Councillor M K Garwood.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**  
**AGAINST VOTE: Nil**



**9.3. DA0695/2022 - 167-171 Invermay Road, Invermay - Bulky Goods Sales - Demolition of Existing Buildings and Construction of a Building for Use as a Showroom with Two Tenancies and Associated Car Park and Signage including Illuminated Signs**

**FILE NO:** DA0695/2022

**AUTHOR:** Dileep Karna (Graduate Town Planner)

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	JMG Engineers & Planners
Property:	167-171 Invermay Road, Invermay
Zoning:	Local Business
Receipt Date:	17/11/2022
Validity Date:	8/03/2023
Further Information Request:	02/12/2022
Further Information Received:	08/03/2023
Deemed Approval (extension granted):	21/04/2023
Representations:	thREE

**RELEVANT LEGISLATION:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston

**STANDARDS REQUIRING PLANNING DISCRETION:**

14.3.3 Retail impact  
14.4.2 Setbacks  
14.4.3 Design  
14.4.4 Fencing  
C1.6.1 Design and siting of signs  
C1.6.2 Illuminated signs  
C2.5.1 Car parking numbers  
C2.5.3 Motorcycle parking numbers  
C2.6.2 Design and layout of parking areas  
C2.6.6 Loading bays  
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction  
C14.6.1 Excavation works, excluding land subject to the Macquarie Point Development Corporation Act 2012  
LAU-S10.7.2 Flood impact

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## RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme Launceston, a permit be granted for DA0695/2022 - Bulky Goods Sales - Demolition of existing buildings and construction of a building for use as a showroom with two tenancies and associated car park and signage including illuminated signs at 167-171 Invermay Road, Invermay, subject to the following conditions:

### 1. ENDORSED PLANS & DOCUMENTS

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

- a. Planning Report, Prepared by JMG Engineers & Planners, Page No 1 - 42, Dated November 2022.
- b. Cover Page & Location, Prepared by Jaws Architects, Drawing No. 22003\_DA-01, Revision No. 09, Page No 43, Dated 2/02/2023.
- c. Site Plan, Prepared by Jaws Architects, Drawing No. 22003\_DA-11, Revision No. 09, Page No 44, Dated 2/02/2023. (Amended plans required)
- d. Proposed Ground Floor Plan, Prepared by Jaws Architects, Drawing No. 22003\_DA-12, Revision No. 09, Page No 45, Dated 2/02/2023. (Amended plans required)
- e. Proposed Mezzanine Floor Plan, Prepared by Jaws Architects, Drawing No. 22003\_DA-13, Revision No. 09, Page No 46, Dated 2/02/2023.
- f. Roof Plan, Prepared by Jaws Architects, Drawing No. 22003\_DA-14, Revision No. 09, Page No 47, Dated 2/02/2023.
- g. Indicative Interior Fit-Out, Prepared by Jaws Architects, Drawing No. 22003\_DA-15, Revision No. 09, Page No 48, Dated 2/02/2023.
- h. Proposed External Elevations 1 of 2, Prepared by Jaws Architects, Drawing No. 22003\_DA-21, Revision No. 09, Page No 49, Dated 2/02/2023.
- i. Proposed External Elevations 2 of 2, Prepared by Jaws Architects, Drawing No. 22003\_DA-22, Revision No. 09, Page No 50, Dated 2/02/2023.
- j. Proposed section, Prepared by Jaws Architects, Drawing No. 22003\_DA-31, Revision No. 09, Page No 51, Dated 2/02/2023.
- k. Signage, Prepared by Jaws Architects, Drawing No. 22003\_DA-41, Revision No. 09, Page No 52, Dated 2/02/2023.
- l. Concept Services Plan, Prepared by JMG Engineers & Planners, Drawing no. P01, Revision No. P4, Page No 53, Dated 3/02/2023
- m. Environmental Site Assessment, Prepared by es&d environmental service & design, Project No. 8177, Page No 54-148 , Dated 20/12/2022
- n. Traffic Impact Assessment, Prepared by pitt&sherry, Revision No. 2, Page No 149-200, Dated 31/01/2023 (Page 199 - amended plans required)
- o. Flood Assessment, Prepared by pitt&sherry, Revision No. 00, Page No 201- 239, Dated 26/10/2022
- p. Flood Emergency Management Plan, Prepared by pitt&sherry, Page No 240-253, Dated 26/10/2022

### 2. LEGAL TITLE

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

### **3. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/01916-LCC, dated 14/12/2022 and attached to the permit.

### **4. BUSINESS HOURS**

The operation of the use must be confined to:

- a. 8:00am and 6:00pm Monday to Friday
- b. 9:00am and 5:00pm Saturdays
- c. 10:00am and 5:00pm Sunday and Public Holidays

### **5. SIGNAGE CONTENT**

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

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

### **6. SIGN MAINTENANCE**

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

### **7. SIGN ILLUMINATION**

The illuminated signs permitted by this permit must be static and have a maximum luminance level of 1200 nits (4111 lumens), and must only be illuminated during the operating hours of the business. Flashing or intermittent lighting must not be used in the signs permitted by this permit.

### **8. AMENDED PLANS REQUIRED**

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

- a. Swept path for a medium rigid vehicle turning onsite to ensure vehicles enter and exit the site in a forward gear, where the path is permitted to encroach in designated parking areas noting deliveries/collections using such vehicles are not permitted to occur between 7:00am and 7:00pm,
- b. All necessary changes to the car parking layout, including the potential relocation of the accessible parking space and associated shared space and modifications to the nominated staff parking along the northern boundary to facilitate the above.

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

### **9. VEHICLES ACCESSING SITE - POST DEVELOPMENT**

Vehicles greater in size than a small rigid vehicle (SRV) are only permitted to enter the site after 7:00pm and before 7:00am. Where these vehicles cannot enter and exit the site in a forward gear, must employ appropriate traffic management when manoeuvring into and out of the road.

## **10. 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.

## **11. ON-SITE DETENTION (TASWATER ADVICE TO DRAINAGE AUTHORITY)**

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of 1 hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development

Prior to the commencement of works, the plans and calculations must be submitted to the General Manager, Infrastructure and Assets Network for approval. On completion, an as *constructed* plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

## **12. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with the repair of damage to Council 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 Council 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.

## **13. 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 General Manager Infrastructure and Assets Network 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.

#### **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 eServices web portal or on the approved hard copy form.

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a 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.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

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, linemarking and/or signage) these works must be undertaken by Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

#### **16. SOIL AND WATER MANAGEMENT PLAN**

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

### **17. OCCUPATION OF ROAD RESERVE (COMPLEX)**

Any works in the road reserve, or requiring the occupation of the road reserve, must be undertaken by, or under the supervision of an appropriately qualified tradesman/contractor.

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the General Manager, Infrastructure & Assets Network is required. Application for the occupation of Invermay Road must be made 14 days prior to date of the scheduled occupation or works and detailing (but not limited to):

- a. The nature, dates and duration of the occupation and/or works,
- b. The contractor/s undertaking the works,
- c. The traffic management works that are employed to provide for the continued safe use of the road reserve by pedestrians and vehicles,
- d. Any alternative pedestrian routes to be provided where the existing footpath in Invermay Road is unavailable for use due to the works and/or occupation,
- e. Any temporary works required to maintain the serviceability of the road or footpath.

A permission issued for any occupation and/or works may be subject to conditions specifying or limiting any of the above listed matters.

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

### **18. FACILITIES AND HIGHWAYS BY-LAW**

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). No such items are to be placed within the road reserve without approval.

### **19. SOILS TO BE REMOVED FROM SITE**

As per the recommendations of the Environmental Site Assessment prepared by ES&D (dated December 2022), all excavated soil intended to be removed from the site must be stockpiled in piles not greater than 25 cubic metres and tested by a suitably qualified environmental consultant to classify the soil for disposal prior to removal of the soil from site. If soil does not meet Level 1 (fill material) classification, it may only be removed from the site once written approval for disposal has been granted by EPA Tasmania. Soil can otherwise be reused on the site.

### **20. EXTERIOR AND SECURITY LIGHTING**

Exterior lighting and security lighting is to comply with the Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting* or any subsequent versions.

In addition, external lighting must:

- (a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and
- (b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.

## **21. 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 (e.g. Launceston Waste Centre), reclaimed or recycled.

## **22. 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.

## **23. POTENTIAL SITE CONTAMINATION - NEW INFORMATION**

Any new information which comes to light during demolition or construction works that has the potential to alter previous conclusions about site contamination must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery. Works on site must immediately cease until the new information has been assessed. Works can only recommence:

- a. once the site has been assessed by a site contamination practitioner certified under the Environment Institute of Australia and New Zealand Inc.'s Certified Environmental Practitioners (Site Contamination) scheme; and
- b. in accordance with any additional recommended control measures as specified by the site contamination practitioner.

## **24. CONTROL OF DUST EMISSIONS**

- a. beyond the boundary of the land during development and use.
- b. Prior to the use commencing the site must be fully sealed, other than approved landscaping.
- c. The person responsible must maintain the site seal in good condition over the life of the operation.

## **25. HOURS OF CONSTRUCTION**

- a. Unless otherwise approved in writing by the Manager Health and Compliance construction activities must only be carried out between the hours of:
  - i. Monday to Friday - 7am to 6pm; and
  - ii. Saturday - 8am to 6pm.
- b. Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

## **Notes**

### **A. General**

*This permit was issued based on the proposal documents submitted for DA0695/2022. 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 Tasmanian Civil & 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 (2) 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 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 & 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 & Administrative Tribunal (TASCAT) website [www.tascat.tas.gov.au](http://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 Council's Notice to Waive Right of Appeal is attached.*

**E. Signage**

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

**F. Demolition**

*Planning approval is granted for demolition of the existing buildings so indicated on the endorsed plan. However, Building Approval for the demolition is required before demolition can proceed.*

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**Mat Clark (on behalf of JMG Engineers and Planners) spoke for the Recommendation**

**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor D H McKenzie, seconded Councillor A E Dawkins.**

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

**CARRIED 10:1**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**

**AGAINST VOTE: Councillor T G Walker**

**The Mayor, Councillor D C Gibson, advised that Council no longer acts as a Planning Authority**

## 10. ANNOUNCEMENTS BY THE MAYOR

### 10.1. Mayor's Announcements

FILE NO: SF2375

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#### **Saturday 8 April 2023**

- Opened the Easter Croquet Tournament at St Leonards (represented by Councillor A Britton)
- Opened the Childrens Easter Festival at Riverbend Park (represented by Deputy Mayor, Councillor M K Garwood)
- Attended the Ladbrokes Easter Cup Race Meeting (represented by Deputy Mayor, Councillor M K Garwood)

#### **Wednesday 12 April 2023**

- Attended Museum Governance Advisory Board meeting

#### **Friday 14 April 2023**

- Attended Meet and Greet barbeque at the Tasmanian Aboriginal Centre

#### **Sunday 16 April 2023**

- Officiated at the Brixhibition Event at the Launceston Conference Centre, Glen Dhu

#### **Wednesday 19 April 2023**

- Attended the Tamar Valley Leaders Lunch
  - Attended Away by Launceston Players at Earl Arts Centre
- 

**The Mayor, Councillor D C Gibson, noted that Councillor A E Dawkins attended Brixhibition on Sunday, 16 April 2023**

**Councillor S Cai withdrew from the Meeting at 1:52pm**

**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).*

**11.1. Councillor D H McKenzie**

- **Attended Brixhibition on Sunday, 16 April 2023 and commended the organisers for the event noting the number of community members in attendance**

**11.2. Deputy Mayor, Councillor M K Garwood**

- **Attended the Families and Children's Exhibition at Riverbend Park**

**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).*

**12.1.1. Councillors' Questions on Notice - Councillor A G Harris - Bicycle Parking and Storage for Football Games at University of Tasmania Stadium - 6 April 2023**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Team Leader Governance)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 6 April 2023 by Councillor A G Harris has been answered by Dan Ryan (General Manager Community and Place Network).

**Questions:**

1. [With regard to bicycle parking at University of Tasmania Stadium]....Is it possible to see where there is bicycle parking at UTAS Stadium and be advised whether, in fact, the Precinct has any bike storage facilities?

**Response:**

*Currently there is no dedicated bicycle parking or storage at UTAS Stadium, however there are multiple community use bicycle racks positioned at various locations around the UTAS site within the Inveresk precinct.*

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**12.1.2. Councillors' Questions on Notice - Councillor S Cai - Community Bake Days - 6 April 2023**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Team Leader Governance)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 6 April 2023 by Councillor S Cai, has been answered by Dan Ryan (General Manager Community and Place Network).

**Questions:**

1. At Legacy Park in Hobart the council operates two wood-fired ovens and every second Sunday they host free community bake days. I was wondering whether Launceston City Council has ever considered anything like this?

**Response:**

*We have requested some information from City of Hobart in regard to how these events are delivered and will provide further advice once this becomes available.*

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**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).*

**Councillor S Cai re-attended the Meeting at 1.56pm**

**12.2.2 Councillor D H McKenzie - Flexibility of Payment Options**

- 1. What are the options available to the community with regards to flexibility of payment options?**

**The Mayor, Councillor D H McKenzie, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 4 May 2023.**

### 13. ORGANISATIONAL SERVICES NETWORK

#### 13.1. 2022/2023 Budget - Budget Amendments

**FILE NO:** SF7463/SF6939

**AUTHOR:** Nathan Williams (Manager Finance)

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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#### **DECISION STATEMENT:**

For Council to:

1. consider changes to the Council's 2022/2023 Statutory Estimates.

*A decision for Recommendation 1. requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).*

2. consider adjustments made during 1 March to 31 March 2023 by the Chief Executive Officer to the 2022/2023 Budget.

#### **RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

#### **RECOMMENDATION:**

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2022/2023 Statutory Estimates:
    - (a) Revenue
      - i. the net increase in revenue from external grants and contributions of \$25,000.
    - (b) Expenses
      - i. the net decrease in operations expenditure of \$15,122.
    - (c) Capital Works Expenditure
      - i. the net increase in expenditure from external funds of \$25,000.
      - ii. the increase in the Council's funded expenditure of \$15,122.
  2. notes that amendments from Recommendation 1. result in:
    - (a) the operating surplus/deficit being amended to \$15,103,798 (including capital grants of \$23,757,793) for 2022/2023.
    - (b) the capital budget being increased to \$37,424,897 for 2022/2023.
  3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2022/2023 budget for the period 1 March to 31 March 2023.
-

**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor A J Britton, seconded Councillor L M McMahon.**

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

**CARRIED BY ABSOLUTE MAJORITY 11:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**  
**AGAINST VOTE: Nil**



### 13.2. Lease - King Billy Park

**FILE NO:** SF2721

**AUTHOR:** Michelle Grey (Lease and Licensing Officer)

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

#### DECISION STATEMENT:

To consider leasing an area of land at 7 Ti-Tree Crescent and 12 King Billy Crescent Rocherlea, known as King Billy Park (PID 1594496), to the Northern Suburbs Community Centre Incorporated.

*This decision requires an absolute majority of Council.*

#### RELEVANT LEGISLATION:

*Local Government Act 1993 (Tas)*

#### RECOMMENDATION:

That Council by absolute majority, pursuant to section 179 of the *Local Government Act 1993 (Tas)*:

1. agrees to lease public land situated at 7 Ti-Tree Crescent and 12 King Billy Crescent Rocherlea, known as King Billy Park (PID 1594496), to the Northern Suburbs Community Centre Incorporated:



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
  - the term shall be five years commencing 1 February 2023.
  - the commencing rent shall be \$309.40 per annum based on 182 fee units.
  - tenant to pay all outgoing costs such as:
    - energy costs;
    - volumetric usage and service charges for water;
    - fire service checks;
    - security monitoring fees; and
    - all other service fees and charges associated with maintenance of the building.
  - tenant shall continuously maintain:
    - contents insurance
    - public liability insurance of at least \$20 million.
  - the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.
3. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the lease.
4. notes, for the avoidance of doubt, 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).

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**Councillor D H McKenzie withdrew from the Meeting at 2:13pm**

**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor T G Walker, seconded Councillor S Cai.**

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

**CARRIED BY ABSOLUTE MAJORITY 10:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**

**AGAINST VOTE: Nil**

**ABSENT DUE to DECLARATION of INTEREST: Councillor D H McKenzie**

**Councillor D H McKenzie re-attended the Meeting at 2:15pm**

**13.3. Representation at the Australian Local Government Association's 2023 National General Assembly Conference**

**FILE NO:** SF0121/SF0325

**AUTHOR:** Liz Lynch (Administration Officer Councillor Rooms)

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

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**DECISION STATEMENT:**

To consider the attendance of Mayor Danny Gibson and Councillor Alan Harris at the Australian Local Government Association 2023 National General Assembly Conference and Regional Forum in Canberra on 13 - 15 June 2023.

**RECOMMENDATION:**

That Council approves the attendance of the Mayor, Councillor D C Gibson and Councillor A G Harris to the Australian Local Government 2023 National General Assembly Conference and Regional Forum in Canberra on 13 - 15 June 2023.

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**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor A E Dawkins, seconded Councillor T G Walker.**

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

**CARRIED 11:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

**AGAINST VOTE:** Nil

### 13.4. Intention to Close Part of South Esk Road

**FILE NO:** SF2002

**AUTHOR:** Duncan Campbell (Acting Manager Governance)

**ACTING GENERAL MANAGER APPROVAL:** Leanne Purchase (Organisational Services Network)

#### DECISION STATEMENT:

To consider the permanent closure of part the highway adjacent to 23A-25 South Esk Road, Trevallyn.

#### RELEVANT LEGISLATION:

*Local Government (Highways) Act 1982*

#### PREVIOUS COUNCIL CONSIDERATION:

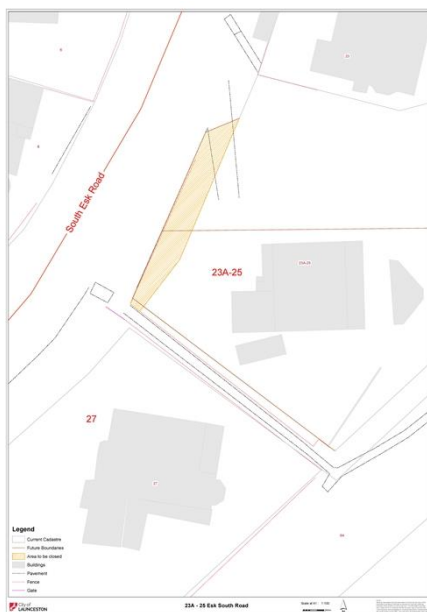
Council - 23 August 2004 - Sale of Land - 25 South Esk Road, Trevallyn

Workshop - 2 March 2023 - 25 South Esk Road, Trevallyn

#### RECOMMENDATION:

That Council

1. pursuant to section 14(1) of the *Local Government (Highways) Act 1982*, forms the opinion that part of the local highway in South Esk Road, Trevallyn, as indicated in in yellow on the plan below and more accurately identified at Attachment 2, should be closed because of lack of use.



2. requests the Chief Executive Officer to ensure that notification is provided as required by section 14 of the *Local Government (Highways) Act 1982*, and subject to any formal objections being received and referred to the Magistrates Court (Administrative Appeals Division), permanently close the part of South Esk Road referred to at Recommendation 1.
  3. notes, for the avoidance of doubt, that the term 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).
- 

**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor D H McKenzie, seconded Deputy Mayor Councillor M K Garwood.**

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

**CARRIED 8:3**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor Dr G Razay, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton**  
**AGAINST VOTE: Councillor T G Walker, Councillor J J Pentridge and Councillor S Cai**

**14. CHIEF EXECUTIVE OFFICER NETWORK**

**14.1. Northern Tasmania Cricket Association Precinct Charter**

**FILE NO:** SF7448

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**DECISION STATEMENT:**

This report is for the Council to consider its endorsement of the NTCA Multi-sports Precinct Facilities Management Group Charter.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 29 April 2021 - Northern Tasmanian Cricket Association Governance

Workshop - 16 March 2023 - Northern Tasmania Cricket Association Precinct Governance

**RECOMMENDATION:**

It is recommended that Council endorses the Northern Tasmania Cricket Association (NTCA) Multi-sports Precinct Facilities Management Group Charter (ECM Doc Set ID 4876353).

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**The Mayor, Councillor D C Gibson, handed the Chair to the Deputy Mayor, Councillor M K Garwood at 2.32pm**

**The Mayor, Councillor D C Gibson, resumed the Chair at 2.33pm**

**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor A J Britton, seconded Councillor A J Palmer.**

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

**CARRIED 10:1**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**

**AGAINST VOTE: Nil**

**ABSTAINED FROM VOTING: Councillor D H McKenzie**

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**15. CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

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

**15.1 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.

**15.2 Lease - St Leonards Cottage - 240A St Leonards Road, St Leonards**

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:

- (f) proposals for the council to acquire land or an interest in land or for the disposal of land.
- (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

**15.3 Proposed Sale of Council Land in and Adjacent to South Esk Road, Trevallyn**

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:

- (f) proposals for the council to acquire land or an interest in land or for the disposal of land.

**DECISION: 20 April 2023**

**MOTION**

**Moved Councillor T G Walker, seconded Councillor A J Britton.**

**That Council moves into Closed Session.**

**CARRIED BY ABSOLUTE MAJORITY 11:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**

**AGAINST VOTE: Nil**

Council moved into Closed Session at 2.34pm  
Council returned to Open Session at 2.57pm

#### 15.4 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:

Agenda Item	Matter	Brief Description
15.1	<i>Closed Council Minutes - 23 March 2023</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 23 March 2023.</i>
15.2	<i>Lease - St Leonards Cottage - 240A St Leonards Road, St Leonards</i>	<i>Item Withdrawn at the Meeting in order to investigate additional rental options.</i>
15.3	<i>Proposed Sale of Council Land in and Adjacent to South Esk Road, Trevallyn</i>	<i>Councillors endorsed the Recommendation to dispose of land in South Esk Road and part of the laneway between 23A-25 and 27 South Esk Road, Trevallyn.</i>

**DECISION:** 20 April 2023

#### MOTION

Moved Councillor S Cai, seconded Councillor A J Britton.

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

**CARRIED 11:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

**AGAINST VOTE:** Nil



**16. MEETING CLOSURE**

The Mayor, Councillor D C Gibson, closed the Meeting at 2.57pm.

**17. NEXT COUNCIL MEETING DATE**

The next Ordinary Meeting of Council will be held at 1.00pm on 4 May 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.