



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
MONDAY 28 NOVEMBER 2016  
1.00pm**

# City of Launceston

COUNCIL MINUTES

Monday 28 November 2016

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

Date: 28 November 2016

Time: 1.00pm

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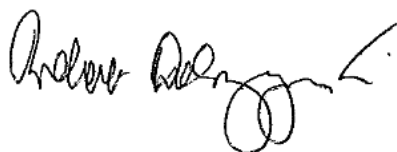
## Section 65 Certificate of Qualified Advice

### Background

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

### Declaration

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



**Robert Dobrzynski**  
General Manager

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# City of Launceston

COUNCIL MINUTES

Monday 28 November 2016

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

**In Attendance:**                    **Mr R S Dobrzynski (General Manager)**  
**Mr H P Galea (Director Infrastructure Services)**  
**Mrs L M Hurst (Director Development Services)**  
**Mr R K Sweetnam (Director Facilities Management)**  
**Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery)**  
**Mr M J Tidey (Director Corporate Services)**  
**Mr J A Davis (Manager Corporate Strategy)**  
**Mrs A Rooney (Committee Clerk)**

**Apologies:**                    **Alderman**            **E K Williams**

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# City of Launceston

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

The Mayor, Alderman A M van Zetten, opened the Meeting at 1.00pm and noted an apology from Alderman E K Williams.

**2 DECLARATIONS OF INTEREST**

*Local Government Act 1993 - Section 48*

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

**Alderman D H McKenzie declared an interest in Agenda Item 15.2 - Event Sponsorship - Signature Events 2017/2018**

**Alderman J Finlay declared an interest in Agenda Item - 20.3 - Code of Conduct Panel Determination Report - *Local Government Act 1993* (Section 28ZJ)**

**3 CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 14 November 2016 be confirmed as a true and correct record.

**DECISION: 28 November 2016**

**MOTION**

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

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

**CARRIED 11:0**

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

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**4 DEPUTATIONS**

**No Deputations have been identified as part of these Minutes**

**5 PETITIONS**

*Local Government Act 1993 - Sections 57 and 58*

**No Petitions have been identified as part of this Minutes**

**6 COMMUNITY REPORTS**

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

**6.1 Interweave Arts Association - Ms Karen Revie and Ms Kim Schneiders**

**Ms Revie and Ms Schneiders presented to Council and outlined the role of Interweave Arts Association within the Launceston community. Additional details of current projects Revive, Mechanoptera, Streets Alive: the Precinct and REMADE 2016, the Sustainable and Wearable Art Show, which was supported by the City of Launceston Events program were also highlighted.**

**7 PUBLIC QUESTION TIME**

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

**7.1 Public Questions on Notice**

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

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

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**7.2 Public Questions without Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(2)(b) (Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)*

**7.2.1 CH Smith Site Development - Mr Basil Fitch**

- 1. If the CH Smith proposal is adopted, how is the \$9M loan going to be repaid within five years?**
- 2. Where is the public given a chance to provide input into various projects like this?**
- 3. With the Council preparing to borrow \$9M, is the Council underselling this car park?**

**The Mayor, Alderman A M van Zetten, responded by saying that these questions would be taken on notice.**

**The Mayor, Alderman A M van Zetten, also noted that additional Questions on Notice, submitted in writing by Mr Basil Fitch on 28 November 2016 and responses to those questions, will be included in the Council Agenda for 12 December 2016.**

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The Mayor, Alderman A M van Zetten, 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 Minutes Item 8 - Planning Authority.

## **8 PLANNING AUTHORITY**

### **8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings**

**FILE NO:** DA0425/2016

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

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

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#### **DECISION STATEMENT:**

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

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

D26/89 - use for the purpose of flats - Not acted on.

D119/89 - redesign of D26/89 - use for the purpose of flats - Not acted on.

S195/88 - subdivision 3 lots plus adhesion - Not acted on.

S20/96 - 2 lot subdivision and boundary adjustment - Not acted on.

#### **RECOMMENDATION:**

That, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted from Council, for Residential - single dwelling; subdivision of land into four lots plus section of road; demolition of an existing building; construction of four single dwellings at 82-90 Balfour Street, Launceston subject to the following conditions:

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

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

- a. Proposed subdivision; Prepared by Woolcott Surveys, Job no. 2016-60. Drawing No. 2016-60\_PROP\_PLAN\_270516, Scale:1:200@A3, Dated 27/05/2016.
  - b. Existing site plan, Prepared by Prime Design, Project/Drawing PD160016-02, Rev 05, Scale: 1:200@A3, Dated 14/09/2016.
  - c. Proposed site plan, Prepared by Prime Design, Project/Drawing PD160016-03, Rev 05, Scale: 1:200@A3, Dated 14/09/2016.
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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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- d. Perspectives, Prepared by Prime Design, Project/Drawing PD160016-04, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.
  - e. Street Elevation (North and South), Prepared by Prime Design, Project/Drawing PD160016-06, Rev 05, Scale: 1:200@A3, Dated 14/09/2016. Amended Plans Required.
  - f. Dwelling 1 - Ground floor plan, Prepared by Prime Design, Project/Drawing PD16007-01, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.
  - g. Dwelling 1 - First floor plan, Prepared by Prime Design, Project/Drawing PD16007-02, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.
  - h. Dwelling 1 - Second floor plan, Prepared by Prime Design, Project/Drawing PD16007-03, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.
  - i. Dwelling 1 - Elevations, Prepared by Prime Design, Project/Drawing PD16007-05, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.
  - j. Dwelling 1 - Elevations, Prepared by Prime Design, Project/Drawing PD16007-06, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.
  - k. Dwelling 1 - Roof plan, Prepared by Prime Design, Project/Drawing PD16007-07, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.
  - l. Dwelling 2 - Ground floor plan, Prepared by Prime Design, Project/Drawing PD16019-01, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.
  - m. Dwelling 2 - First floor plan, Prepared by Prime Design, Project/Drawing PD16019-02, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.
  - n. Dwelling 2 - Second floor plan, Prepared by Prime Design, Project/Drawing PD16019-03, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.
  - o. Dwelling 2 - Roof plan, Prepared by Prime Design, Project/Drawing PD16019-04, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.
  - p. Dwelling 2 - Elevations, Prepared by Prime Design, Project/Drawing PD16019-06, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.
  - q. Dwelling 2 - Elevations,, Prepared by Prime Design, Project/Drawing PD16019-07, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.
  - r. Dwellings 3 and 4 - Ground floor plan, Prepared by Prime Design, Project/Drawing PD16016-01, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.
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  - u. Dwellings 3 and 4 - Roof plan, Prepared by Prime Design, Project/Drawing PD16016-04, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.
  - v. Dwellings 3 and 4 - Elevations, Prepared by Prime Design, Project/Drawing PD16016-05, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.
  - w. Dwellings 3 and 4 - Elevations, Prepared by Prime Design, Project/Drawing PD16016-06, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.
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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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**2. AMENDED PLANS REQUIRED**

Prior to the issue of building approval for the proposed dwellings, amended plans must be submitted to the satisfaction of the Manager Planning Services to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Manager Planning Services and will then form part of the Permit. The amended plans must show:

- a. External treatment of brickwork walls:
  - (i) The brickwork walls to Balfour Street must be of facebrick or have an applied finish that allows the texture of the bricks and brick courses to be revealed.
  - (ii) Use of materials/structural elements to reduce to visual height of dwellings 2, 3 and 4, particularly the depth between the window head of the upper level windows and the top of the parapet wall.
  - (iii) The proportions and details of windows and their surrounds are to be modified to be consistent with windows in surrounding buildings of a similar scale including a setback within the wall (at least a brick width) and window sills. The fenestration of dwellings 3 and 4 must be redesigned for the glazing panels to be interspersed by the use of solid panels.
- b. The bricks and bluestone being removed from the existing building are to be salvaged and used in either fences or walls on the Balfour or Ethel Street elevations.
- c. The ceiling height of the upper floors is to be lowered to 2.4m.
- d. Obscure glazing or similar must be applied to the two windows of the upper floor of dwelling 4 of the eastern elevation with a sill height less than 1.7m. Alternately, the sill height must be increased to 1.7m.
- e. The kitchen window of dwelling 4 must either have the sill height lifted to 1.7m or be obscured.
- f. The fencing to Balfour Street must be constructed one of the following:
  - (i) Hardwood timber with a high quality clear or painted finish (to match that proposed for Lot 1).
  - (ii) Brickwork of a colour and style selected to tie in with surrounding development, which may include bricks recycled from the brick wall fronting Balfour Street which is proposed to be demolished to make way for this development.
  - (iii) High quality steel pickets between steel posts, compatible with surrounding traditional iron or steel fencing.

**3. STAGING**

Prior to the commencement of works, a staging plan must be submitted to and approved by Manager Planning Services. Once approved, the Staging Plan will form part of this approval. The staging plan must address how the site will be managed for active workings and rehabilitation of previous stages.

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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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**4. 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.

**5. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2016/01403-LCC2016/01403-LCC) (attached).

**6. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

**7. FENCING**

Fencing and gate construction to the King St frontage is limited to

- a. Solid fencing to a maximum height of 1.2m above natural ground level; and;
- b. any further height to 1.8m must be 50% transparent.

**8. COVENANTS ON SUBDIVISIONS**

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

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

**9. PAYMENT IN LIEU OF PUBLIC OPEN SPACE**

Prior to the sealing of the Final Plan, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved lots as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the subdivider's expense.

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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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**10. CONSTRUCTION MANAGEMENT PLAN & TRAFFIC MANAGEMENT PLANS**

The applicant must prepare a detailed construction management plan for the works. The plan must incorporate a description of the construction method, the estimated time frames for each stage of the works, a description of required traffic management works to be employed and the identification and proposed liaison with affected property owners. The construction management plan is to be submitted for approval of the Manager Planning Services Prior to commencing any works on site.

Where it is necessary for works to occur within the road reserve, or for occupation of the road reserve, of Balfour Street, King Street and/or Ethel Street which impact upon vehicle access, the express written permission of the Director Infrastructure Services is required. Application for the works/occupation must be made 14 days prior to date of the scheduled works or occupation and detailing (but not limited to):

- a. The nature, starting date and duration of the works and/or occupation,
- b. The name and contact details of the contractor,
- c. The traffic management works that are must employed to provide for the continued safe use of the road reserve by pedestrians and vehicles,
- d. Any alternative pedestrian routes to be provided where the existing footpaths are unavailable for use due to the delivery of materials,
- e. Any temporary works required to maintain the serviceability of the road or footpath.

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

- i. The nature, dates and duration of the occupation and/or works;
- ii. Any temporary works required to maintain the serviceability of the road or footpath,
- iii. All remedial works required to repair any damage to the road reserve resulting from the occupation and/or works.

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

All works in the road reserve (eg service installation), or requiring the occupation of the road reserve (eg delivery of goods and materials to site), must be undertaken in accordance with a traffic management plan prepared in accordance with AS1742.3.

**11. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is to undertake all necessary steps to prevent damage to Council assets, including roads, footpaths and vegetation including the Silver birch tree located along the Balfour Street frontage.

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## **8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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

### **12. 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 Technical Services 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.

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

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

### **14. VEHICULAR CROSSINGS**

No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of Technical Services.

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

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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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All redundant crossovers and driveways must be removed prior to the occupation of the development.

All new works must be constructed to Council standards by a contractor authorised to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra, and TasNetworks etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

**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. RETICULATED SERVICES**

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

**17. SUBMISSION AND APPROVAL OF PLANS**

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

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
    - i. Electricity infrastructure including street lighting.
    - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
    - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
  - b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
  - c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
-

**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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- d. be accompanied by:
  - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
  - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

**18. SEALING PLANS OF SUBDIVISION**

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

- a. The satisfactory completion of all public and private infrastructure works to provide reticulated services and vehicle access to each of the lots created, including the provision of engineering certification and as constructed documentation in accordance the Council requirements.
- b. The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services for any public works to be vested in the Launceston City Council.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period for any such works.

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

**19. CONVEYANCE OF ROADS**

All roads in the Subdivision must be conveyed to the Council upon the issue by the Director Infrastructure Services, of the Certificate under Section 10 (7) of the *Local Government (Highways) Act 1962*. All costs involved in this procedure must be met by the Subdivider.

**20. 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.

**21. REMEDIATION PLAN**

Development of the dwellings must not proceed until the site has been investigated and remediated as required, in accordance with the Remediation plan prepared by Tasman Geotechnics 30.9.2016 and endorsed by Environmental Service & Design. An Environmental Site Assessment prepared by a site contamination practitioner must be submitted to council prior to any building works proceeding.

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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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**22. NO BURNING OF WASTE**

No burning of any waste materials generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (eg. Launceston Waste Centre).

**23. DEMOLITION**

The Developer must:

- (a) protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- (b) not undertake any burning of waste materials on site;
- (c) remove all rubbish from the site for disposal at a licensed refuse disposal site;
- (d) dispose of any asbestos found during demolition in accordance with the Worksafe Tasmania *'How to Safely Remove Asbestos' Code of Practice 2012* or any subsequent versions of the document

**24. SWIMMING POOLS IN CLOSE PROXIMITY TO NEIGHBOURING PROPERTIES**

- (a) All electrical equipment, including pumps and filters installed in association with the swimming pool must be housed so as not to create a noise nuisance to neighbouring properties;
- (b) If an air conditioner (heat pump) is installed in association with the swimming pool it must operate in compliance with the *Environmental Management & Pollution Control (Miscellaneous Noise) Regulations 2014*, in particular, *Section 13 Noise emitted from air conditioners*; and
- (c) Pool treatment chemicals must be stored in a location that will ensure that they are kept dry.

**25. 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.

*Notes*

**A. Building Permit Required**

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

**B. Occupancy Permit Required**

*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2000. Section 93. A copy of this planning permit should be given to your Building Surveyor.*

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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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**C. Plumbing Permit Required**

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

**D. General**

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

*This permit takes effect after:*

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

*This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.*

**E. Restrictive Covenants**

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

*If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.*

**F. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.*

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

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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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

**G. Permit Commencement.**

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

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**Mrs L Hurst (Director Development Services), Mr R Jamieson (Manager Planning) and Mrs C Mainsbridge (Senior Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Frank Geskus spoke for the item**

**Mr Colin Smith Spoke for the item**

**DECISION: 28 November 2016**

**MOTION**

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

**That, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted from Council, for Residential - single dwelling; subdivision of land into four lots plus section of road; demolition of an existing building; construction of four single dwellings at 82-90 Balfour Street, Launceston subject to the following conditions:**

**1. ENDORSED PLANS & DOCUMENTS**

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

- a. Proposed subdivision; Prepared by Woolcott Surveys, Job no. 2016-60. Drawing No. 2016-60\_PROP\_PLAN\_270516, Scale:1:200@A3, Dated 27/05/2016.**
  - b. Existing site plan, Prepared by Prime Design, Project/Drawing PD160016-02, Rev 05, Scale: 1:200@A3, Dated 14/09/2016.**
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- 8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**
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- c. Proposed site plan, Prepared by Prime Design, Project/Drawing PD160016-03, Rev 05, Scale: 1:200@A3, Dated 14/09/2016.**
  - d. Perspectives, Prepared by Prime Design, Project/Drawing PD160016-04, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.**
  - e. Street Elevation (North and South), Prepared by Prime Design, Project/Drawing PD160016-06, Rev 05, Scale: 1:200@A3, Dated 14/09/2016. Amended Plans Required.**
  - f. Dwelling 1 - Ground floor plan, Prepared by Prime Design, Project/Drawing PD16007-01, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - g. Dwelling 1 - First floor plan, Prepared by Prime Design, Project/Drawing PD16007-02, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - h. Dwelling 1 - Second floor plan, Prepared by Prime Design, Project/Drawing PD16007-03, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - i. Dwelling 1 - Elevations, Prepared by Prime Design, Project/Drawing PD16007-05, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.**
  - j. Dwelling 1 - Elevations, Prepared by Prime Design, Project/Drawing PD16007-06, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.**
  - k. Dwelling 1 - Roof plan, Prepared by Prime Design, Project/Drawing PD16007-07, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - i. Dwelling 2 - Ground floor plan, Prepared by Prime Design, Project/Drawing PD16019-01, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - m Dwelling 2 - First floor plan, Prepared by Prime Design, Project/Drawing PD16019-02, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - n. Dwelling 2 - Second floor plan, Prepared by Prime Design, Project/Drawing PD16019-03, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - o Dwelling 2 - Roof plan, Prepared by Prime Design, Project/Drawing PD16019-04, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - p. Dwelling 2 - Elevations, Prepared by Prime Design, Project/Drawing PD16019-06, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.**
  - q. Dwelling 2 - Elevations,, Prepared by Prime Design, Project/Drawing PD16019-07, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.**
  - r. Dwellings 3 and 4 - Ground floor plan, Prepared by Prime Design, Project/Drawing PD16016-01, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - s. Dwellings 3 and 4 - First floor plan, Prepared by Prime Design, Project/Drawing PD16016-02, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - t. Dwellings 3 and 4 - Second floor plan, Prepared by Prime Design, Project/Drawing PD16016-03, Rev 05, Scale: 1:100@A3, Dated 14/09/2016.**
  - u. Dwellings 3 and 4 - Roof plan, Prepared by Prime Design, Project/Drawing PD16016-04, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.**
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- 8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**
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- v. Dwellings 3 and 4 - Elevations, Prepared by Prime Design, Project/Drawing PD16016-05, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.**
- w. Dwellings 3 and 4 - Elevations, Prepared by Prime Design, Project/Drawing PD16016-06, Rev 05, Scale: 1:100@A3, Dated 14/09/2016. Amended Plans Required.**

## **2. AMENDED PLANS REQUIRED**

**Prior to the issue of building approval for the proposed dwellings, amended plans must be submitted to the satisfaction of the Manager Planning Services to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Manager Planning Services and will then form part of the Permit. The amended plans must show:**

- a. External treatment of brickwork walls:**
    - (i) The brickwork walls to Balfour Street must be of facebrick or have an applied finish that allows the texture of the bricks and brick courses to be revealed.**
    - (ii) Use of materials/structural elements to reduce to visual height of dwellings 2, 3 and 4, particularly the depth between the window head of the upper level windows and the top of the parapet wall.**
    - (iii) The proportions and details of windows and their surrounds are to be modified to be consistent with windows in surrounding buildings of a similar scale including a setback within the wall (at least a brick width) and window sills. The fenestration of dwellings 3 and 4 must be redesigned for the glazing panels to be interspersed by the use of solid panels.**
  - b The bricks and bluestone being removed from the existing building are to be salvaged and used in either fences or walls on the Balfour or Ethel Street elevations.**
  - c. Obscure glazing or similar must be applied to the two windows of the upper floor of dwelling 4 of the eastern elevation with a sill height less than 1.7m. Alternately, the sill height must be increased to 1.7m.**
  - d. The kitchen window of dwelling 4 must either have the sill height lifted to 1.7m or be obscured.**
  - e. The fencing to Balfour Street must be constructed one of the following:**
    - (i) Hardwood timber with a high quality clear or painted finish (to match that proposed for Lot 1).**
    - (ii) Brickwork of a colour and style selected to tie in with surrounding development, which may include bricks recycled from the brick wall fronting Balfour Street which is proposed to be demolished to make way for this development.**
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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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- (iii) High quality steel pickets between steel posts, compatible with surrounding traditional iron or steel fencing.

**3. STAGING**

Prior to the commencement of works, a staging plan must be submitted to and approved by Manager Planning Services. Once approved, the Staging Plan will form part of this approval. The staging plan must address how the site will be managed for active workings and rehabilitation of previous stages.

**4. 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.

**5. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2016/01403-LCC2016/01403-LCC) (attached).

**6. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

**7. FENCING**

Fencing and gate construction to the King St frontage is limited to

- a. Solid fencing to a maximum height of 1.2m above natural ground level; and;
- b. any further height to 1.8m must be 50% transparent.

**8. COVENANTS ON SUBDIVISIONS**

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

- a. Such covenants or controls are expressly authorised by the terms of this permit; or
  - b. Such covenants or similar controls are expressly authorised by the consent in writing of the Council.
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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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- c. Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

**9. PAYMENT IN LIEU OF PUBLIC OPEN SPACE**

Prior to the sealing of the Final Plan, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved lots as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the subdivider's expense.

**10. CONSTRUCTION MANAGEMENT PLAN & TRAFFIC MANAGEMENT PLANS**

The applicant must prepare a detailed construction management plan for the works. The plan must incorporate a description of the construction method, the estimated time frames for each stage of the works, a description of required traffic management works to be employed and the identification and proposed liaison with affected property owners. The construction management plan is to be submitted for approval of the Manager Planning Services Prior to commencing any works on site.

Where it is necessary for works to occur within the road reserve, or for occupation of the road reserve, of Balfour Street, King Street and/or Ethel Street which impact upon vehicle access, the express written permission of the Director Infrastructure Services is required. Application for the works/occupation must be made 14 days prior to date of the scheduled works or occupation and detailing (but not limited to):

- a. The nature, starting date and duration of the works and/or occupation,
- b. The name and contact details of the contractor,
- c. The traffic management works that are must employed to provide for the continued safe use of the road reserve by pedestrians and vehicles,
- d. Any alternative pedestrian routes to be provided where the existing footpaths are unavailable for use due to the delivery of materials,
- e. Any temporary works required to maintain the serviceability of the road or footpath.

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

- i. The nature, dates and duration of the occupation and/or works;
- ii. Any temporary works required to maintain the serviceability of the road or footpath,
- iii. All remedial works required to repair any damage to the road reserve resulting from the occupation and/or works.

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

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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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All works in the road reserve (eg service installation), or requiring the occupation of the road reserve (eg delivery of goods and materials to site), must be undertaken in accordance with a traffic management plan prepared in accordance with AS1742.3.

**11. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is to undertake all necessary steps to prevent damage to Council assets, including roads, footpaths and vegetation including the Silver birch tree located along the Balfour Street frontage.

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

**12. 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 Technical Services 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.

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

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

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- 8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**
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#### **14. VEHICULAR CROSSINGS**

No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of Technical Services.

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

All redundant crossovers and driveways must be removed prior to the occupation of the development.

All new works must be constructed to Council standards by a contractor authorised to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra, and TasNetworks etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

#### **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. RETICULATED SERVICES**

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

#### **17. SUBMISSION AND APPROVAL OF PLANS**

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

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**8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)**

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- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
  - i. Electricity infrastructure including street lighting.
  - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
  - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
  - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
  - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

**18. SEALING PLANS OF SUBDIVISION**

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

- a. The satisfactory completion of all public and private infrastructure works to provide reticulated services and vehicle access to each of the lots created, including the provision of engineering certification and as constructed documentation in accordance the Council requirements.
- b. The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services for any public works to be vested in the Launceston City Council.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period for any such works.

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

**19. CONVEYANCE OF ROADS**

All roads in the Subdivision must be conveyed to the Council upon the issue by the Director Infrastructure Services, of the Certificate under Section 10 (7) of the *Local Government (Highways) Act 1962*. All costs involved in this procedure must be met by the Subdivider.

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- 8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)
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## 20. 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.

## 21. REMEDIATION PLAN

Development of the dwellings must not proceed until the site has been investigated and remediated as required, in accordance with the Remediation plan prepared by Tasman Geotechnics 30.9.2016 and endorsed by Environmental Service & Design. An Environmental Site Assessment prepared by a site contamination practitioner must be submitted to council prior to any building works proceeding.

## 22. NO BURNING OF WASTE

No burning of any waste materials generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (eg. Launceston Waste Centre).

## 23. DEMOLITION

The Developer must:

- (a) protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- (b) not undertake any burning of waste materials on site;
- (c) remove all rubbish from the site for disposal at a licensed refuse disposal site;
- (d) dispose of any asbestos found during demolition in accordance with the *Worksafe Tasmania 'How to Safely Remove Asbestos' Code of Practice 2012* or any subsequent versions of the document

## 24. SWIMMING POOLS IN CLOSE PROXIMITY TO NEIGHBOURING PROPERTIES

- (a) All electrical equipment, including pumps and filters installed in association with the swimming pool must be housed so as not to create a noise nuisance to neighbouring properties;
  - (b) If an air conditioner (heat pump) is installed in association with the swimming pool it must operate in compliance with the *Environmental Management & Pollution Control (Miscellaneous Noise) Regulations 2014*, in particular, *Section 13 Noise emitted from air conditioners*; and
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- 8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)
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## 25. 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.

### Notes

#### A. Building Permit Required

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

#### B. Occupancy Permit Required

*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2000. Section 93. A copy of this planning permit should be given to your Building Surveyor.*

#### C. Plumbing Permit Required

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

#### D. General

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

*This permit takes effect after:*

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

*This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.*

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- 8.1 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision Of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings ...(Cont'd)
- 

**E. Restrictive Covenants**

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

*If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.*

**F. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.*

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

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

**G. 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.*

**CARRIED 11:0**

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

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

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**DECISION:** 28 November 2016

**MOTION**

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

That Council move to discuss Agenda Items 20.4 - Festivale; 20.2 - CH Smith Development Site and 20.3 - Code of Conduct Panel Determination Report - *Local Government Act 1993 (Section 28ZJ)*.

**CARRIED 11:0**

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

Alderman R J Sands withdrew from the Meeting at 2.37pm.

Alderman R J Sands re-attended the Meeting at 2.40pm.

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**20.4 Festivale****FILE NO:** SF4335**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider an increase of funding for the Launceston Festivale Committee.

**RECOMMENDATION:**

That:

1. Council advises the Chairman of the Launceston Festivale Committee, the City of Launceston commits to the retrospective doubling of its financial commitment to Festivale for the 2017 year from \$20,000 to \$40,000.
  2. Such funding support shall be in addition to the operational support provided to the Festivale Committee totalling \$7,500 per annum and the non-application of Park Hire fees.
  3. Following the conclusion of the 2017 Festivale event, the Council undertakes to work with the Festivale Committee in order to agree a strategic and policy value proposition for the conduct of future Festivale events which delivers on clearly defined outcomes established as higher priorities for the Council as a prerequisite consideration by the Council to increase the funding support for the Festivale Committee.
  4. The Chairman of the Launceston Festivale Committee be advised increased funding support indicated for the 2017 event and subsequent Festivale events is predicated on agreement between the City Council and Festivale Committee on key deliverables as policy and strategic outcomes by the Committee and the event.
- 

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

**Ms L Clark spoke for the item**

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**20.4 Festivale ...(Cont'd)**

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**DECISION: 28 November 2016****MOTION****Moved Alderman R L McKendrick, seconded Alderman D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman K P Stojansek**

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**20.2 CH Smith Site Development****FILE NO:** SF2379**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To determine a proposal seeking a \$9m interest free advance for a period of five years to fund the construction of 300 public car parks on the CH Smith site, subject to certain guarantees.

**RECOMMENDATION:**

- 1(a) That Council enters into legally binding arrangements with Northern Outlet Developments Pty Ltd for the following:
    - i. The construction of a 200 car space public car parking facility to be managed and owned by the City of Launceston on the CH Smith site.
    - ii. The construction of a further 100 car space public car parking facility to be managed and owned by the City of Launceston on the CH Smith site.
  - (b) Such legally binding arrangements shall be conditional upon the Council receiving \$9m as an interest free loan from the State Government repayable at the conclusion of a five year period.
  - (c) The legally binding arrangements are subject to Northern Outlet Developments Pty Ltd providing the guarantees indicated within 3. below.
  2. That the Council provides a submission to the Tasmanian Treasury Department seeking approval for the provision of a \$9m interest free loan repayable at the conclusion of a five year period for funding of the projects indicated in 1(a) (i) and (ii) above.
  3. That as a pre-requisite to the Council executing any contracts, agreements or formulation of intentions that are legally enforceable relating to 1. and 2. above, the Council shall secure from Northern Outlet Developments Pty Ltd the following legally enforceable guarantees:
    - i. That a 240 car space car parking facility for public use and to be owned and managed by the City of Launceston is constructed on the CH Smith site within a period of 12 months from a Development Approval being granted, or such further period agreed by the Council.
-

**20.2 CH Smith Site Development ...(Cont'd)**

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- ii. That further a 60 car space car parking facility for public use and to be owned and managed by the City of Launceston is constructed on the CH Smith site by 30 June 2018.
  - iii. That a schedule of works and timelines for the redevelopment of the CH Smith buildings and site in a timely manner and restoration of the heritage values of the buildings and site as approved by Heritage Tasmania be agreed with the Council.
- 

**Mr R Dobrzynski (General Manager), Mr M Tidey (Manager Corporate Services) and Mr P Gimpl (Manager Finance) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Alderman R J Sands withdrew from the Meeting at 1.33pm.**

**Alderman R J Sands re-attended the Meeting at 1.36pm.**

**Mr B Fitch spoke against the item**

**DECISION: 28 November 2016**

**MOTION**

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

**That, pursuant to the *Local Government Act 1993*, Regulation 15(2)(c)(ii): commercial information of a confidential nature that, if disclosed, is likely to confer a commercial advantage on a competitor of the council, the Council move into Closed Session.**

**CARRIED 11:0**

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

**The Council moved into Closed Session at 1.37pm.**

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**20.2 CH Smith Site Development ...(Cont'd)**

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**DECISION: 28 November 2016**

**MOTION**

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

**That Council move back to Open Session.**

**CARRIED 11:0**

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

**The Council returned to Open Session at 2.07pm.**

**Council took a break prior to Open Session resuming at 2.09pm.**

**Alderman K P Stojansek withdrew from the Meeting at 2.22pm.**

**Alderman K P Stojansek re-attended the Meeting at 2.23pm.**

**The Mayor, Alderman A M van Zetten, handed the Chair to Deputy Mayor Alderman R I Soward at 2.27pm.**

**Deputy Mayor, Alderman R I Soward, assumed the Chair at 2.27pm.**

**Mayor, Alderman A M van Zetten, resumed the Chair at 2.28pm.**

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**20.2 CH Smith Site Development ...(Cont'd)**

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**DECISION: 28 November 2016****MOTION****Moved Alderman R L McKendrick, seconded Alderman R I Soward.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood and Alderman K P Stojansek****The Mayor, Alderman A M van Zetten, withdrew from the Meeting and handed the Chair to Deputy Mayor Alderman R I Soward at 2.30pm.****Deputy Mayor, Alderman R I Soward, assumed the Chair at 2.30pm.**

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**20.3 Code of Conduct Panel Determination Report - *Local Government Act 1993* (Section 28ZJ)****FILE NO:** SF0839**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To note the Code of Conduct Panel Determination Report made on 27 October 2016 in relation to a complaint made against Alderman Janie Finlay.

**RECOMMENDATION:**

That:

1. Pursuant to section 20ZK(4) of the *Local Government Act 1993*, Council receives the Code of Conduct Panel Determination Report made on 27 October 2016 in relation to a complaint made against Alderman Janie Finlay.
2. Council notes the following determination made by the Code of Conduct Panel:

*In accordance with section 28ZI of the Act, The Panel determines that the complaint is dismissed.*

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

**Mr B Fitch spoke to the item**

**Due to a declaration of interest in Agenda Item Code of Conduct Panel Determination Report - *Local Government Act 1993* (Section 28ZJ), Alderman J Finlay withdrew from the Meeting at 2.30pm.**

**Alderman S R F Woods withdrew from the Meeting at 2.31pm.**

**Alderman S R F Woods re-attended the Meeting at 2.33pm.**

**Alderman D W Alexander withdrew from the Meeting at 2.31pm.**

**Alderman J Finlay re-attended the Meeting at 2.33pm.**

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**20.3 Code of Conduct Panel Determination Report - *Local Government Act 1993*  
(Section 28ZJ) ...(Cont'd)**

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**DECISION: 28 November 2016**

**MOTION**

Moved Alderman D H McKenzie, seconded Alderman J G Cox.

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

**CARRIED 8:0**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick,  
Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C  
Gibson, Alderman S R F Wood and Alderman K P Stojansek

**ABSENT DUE to DECLARATION of INTEREST:** Alderman J Finlay

**ABSENT at TIME of VOTING:** Mayor Alderman A M van Zetten and Alderman D W  
Alexander

**DECISION: 28 November 2016**

**MOTION**

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

That Council move to discuss Agenda Item 18.1 - Polish Memorial in Kings Park.

**CARRIED 8:0**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick,  
Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C  
Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek

**ABSENT at TIME of VOTING:** Mayor Alderman A M van Zetten and Alderman D W  
Alexander

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**18.1 Polish Memorial in Kings Park****FILE NO:** SF0859**AUTHOR:** Barry Pickett (Natural Environment Manager)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

That Council, in its capacity as land owner, considers a request from the Polish Pioneers Foundation to install a Memorial at Kings Park to commemorate the contribution of the Polish Community in Tasmania.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 10 October 2016 - Council deferred consideration of providing 'owners' support on proposed commemorative structure

SPPC - 19 September 2016 - Agenda Item 4.2 - Report to consider details of Memorial

SPPC - 4 July 2016 - Agenda Item 4.1 - Polish Pioneers Deputation presenting proposal

**RECOMMENDATION:**

That Council provides consent to the Polish Pioneers Foundation to lodge a Development Application to install a Memorial at Kings Park subject to the following conditions:

- (a) Application to include the vertical column lighting on the basis that the operation of the lights is approved by the General Manager generally on special occasions and/or events related to the Polish community.
  - (b) In accordance with the 'Kings Park Commemorative Precinct' Policy (26-PI-016), that the ongoing maintenance responsibilities shall be:
    - Council responsibility - Condition 9 (weeds, soft infrastructure, power costs, graffiti removal);
    - Proponent responsibility - Condition 9 (damage, vandalism, wear and tear).
- 

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

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**18.1 Polish Memorial In Kings Park ...(Cont'd)**

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**DECISION: 28 November 2016****MOTION****Moved Alderman D H McKenzie, seconded Alderman R L McKendrick.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0****FOR VOTE: Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek  
ABSENT at TIME of VOTING: Mayor Alderman A M van Zetten and Alderman D W Alexander**

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

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**Tuesday 15 November 2016**

- Attended the Launceston Chamber of Commerce Networking Function for Walker Designs at Chalmers Church

**Thursday 17 November 2016**

- Attended the Corner Stone Youth Services Tasmanian Youth Services Coalition and MoU Signing and Launch at LINC, Civic Square

**Friday 18 November 2016**

- Attended the Heart Foundation Morning Tea in the Town Hall Reception Room
- Attended the launch of Ten Days on the Island Festival at the John Heart Conservatory in City Park
- Officiated at Christmas in the City in the Brisbane Street Mall

**Saturday 19 November 2016**

- Officiated at the 'Kid I Am' event at the Launceston Silverdome
- Judged motor cycles following the Awareness Ride at the Rocherlea Football Club
- Participated in the charity cricket match at the NTCA Grounds for the McGrath Foundation
- Attended the Vietnam Veterans Annual Christmas Dinner at the Launceston RSL

**Sunday 20 November 2016**

- Participated in Sally's Ride Tamar Valley Cycle Challenge 2016

**Wednesday 23 November 2016**

- Attended Theatre North's 2017 Season launch at the Princess Theatre
-

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

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**Thursday 24 November 2016**

- Presented at the Launceston Historical Society Prize Presentations 2016 at the Town Hall Reception Room
- Attended the TasRail Networking Event at Cafeone0six in Launceston
- Attended the Launceston Catholic Schools 14<sup>th</sup> Annual Concert and Awards Evening at St Patrick's College

**Friday 25 November 2016**

- Attended the White Ribbon 'Brunch in the Bays' at the Tasmanian Fire Service in Paterson Street
- Attended the Aldermen's and EMC Christmas event at Pierre's

**Saturday 26 November 2016**

- Judged the Christmas Parade in the City
- Attended the Tramway Museum 21<sup>st</sup> Anniversary Lunch at the Tramway Museum
- Attended the Launceston City Band 140<sup>th</sup> Anniversary Concert at the City Baptist Church
- Attended the Black with a Touch of Gold St Michaels 50<sup>th</sup> Anniversary Gala Ball at Silks Restaurant

**Sunday 27 November 2016**

- Attended the Stan Siejka Cycling Classis VIP Function and lunch in the viewing marquee outside City Park
  - **On behalf of the Mayor, Alderman A M van Zetten, Deputy Mayor, Alderman R I Soward, highlighted a Certificate of Thanks received from the Vietnam Veterans Association.**
-

**10 ALDERMEN'S REPORTS**

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

**10.1 Alderman D C Gibson**

- **Attended the Friends of Queen Victoria Museum and Art Gallery end of year event which launched the new publication - QV**
- **Attended the official launch of 2017 Theatre North subscription season**

**10.2 Alderman R L McKendrick**

- **Attended Franklin House Committee Meeting and highlighted the upcoming Carols and Cake function to be held on 11 December 2016**

**10.3 Alderman D H McKenzie**

- **Noted that Greg Leong has stepped down as Artistic Director of Theatre North and Mandy Shepherd has been appointed as General Manager**
- **Attended the Stan Seijka Cycling Classic and commended Council Officers for the work undertaken to ensure a successful event**

**10.4 Alderman S R F Wood**

- **Attended the Kid-I-Am event at the Silverdome**
- **Attended Stan Seijka Cycling Classic**

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

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

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

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**11.1.1 Aldermen's Questions on Notice - Council Meeting - 14 November 2016****FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**QUESTION and RESPONSE:**

Alderman J G Cox asked the following question:

Has Council ever considered a memorial to be included in the plans for the Gorge redevelopment that recognises those who have lost their lives at the Cataract Gorge First Basin?

***Response:***

*(Mr H Galea - Director Infrastructure Services)*

It is considered that a public memorial is not appropriate in this recreational setting unless the Council can quantify and identify all those who drowned at the Cataract Gorge First Basin and the adjacent sections of the South Esk River. To identify all persons would be problematic given, that, if we miss or add an individual, this could result in offending family and friends. It is considered more appropriate for a family/friends to seek a modest plaque (whether set independently or as part of furniture) to be erected as a memorial to their loved one. This would be undertaken on a case by case basis.

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

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**11.2 Questions without Notice**

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

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

**No Aldermen's Questions without Notice were identified as part of these Minutes**

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**12 COMMITTEE REPORTS****12.1 Pedestrian and Bike Committee Meeting - 18 October 2016****FILE NO:** SF0618**AUTHOR:** Julie Tyres (Administration Officer - Technical Services)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Meeting of the Pedestrian and Bike Committee held on 18 October 2016.

**RECOMMENDATION:**

That Council receives the report from the Pedestrian and Bike Committee Meeting held on 18 October 2016.

---

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

**DECISION: 28 November 2016****MOTION**

**Moved Alderman D H McKenzie, seconded Alderman K P Stojansek.**

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

**CARRIED 9:0**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek  
**ABSENT at TIME of VOTING:** Mayor Alderman A M van Zetten and Alderman D W Alexander

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**12.2 Municipal Emergency Management Committee Meeting - 1 November 2016****FILE NO:** SF3177**DIRECTOR:** Rod Sweetnam (Director Facilities Management)

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**DECISION STATEMENT:**

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

**RECOMMENDATION:**

That Council receives the report from the Municipal Emergency Management Committee Meeting held on Tuesday, 1 November 2016.

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**Mr R Sweetnam (Director Facilities Management) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 28 November 2016****MOTION**

**Moved Alderman J G Cox, seconded Alderman J Finlay.**

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

**CARRIED 9:0**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek  
**ABSENT at TIME of VOTING:** Mayor Alderman A M van Zetten and Alderman D W Alexander

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**12.3 Northern Youth Coordinating Committee Meeting - 3 November 2016****FILE NO:** SF0136**AUTHOR:** Claudia Garwood (Youth Development Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Northern Youth Coordinating Committee's regular meeting held on 3 November 2016.

**RECOMMENDATION:**

That Council receive the report from the Northern Youth Coordinating Committee Meeting held on 3 November 2016.

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**Mrs L Hurst (Director Development Services) and Ms C Garwood (Youth Development Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 28 November 2016****MOTION****Moved Alderman D C Gibson, seconded Alderman D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 9:0**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek  
**ABSENT at TIME of VOTING:** Mayor Alderman A M van Zetten and Alderman D W Alexander

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**12.4 Audit Panel Meeting - 10 November 2016****FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Audit Panel following the Meeting on 10 November 2016.

**RECOMMENDATION:**

That Council receives the report from the Audit Panel Meeting held on 10 November 2016.

---

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

**DECISION: 28 November 2016****MOTION**

**Moved Alderman D H McKenzie, seconded Alderman J G Cox.**

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

**CARRIED 9:0**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek  
**ABSENT at TIME of VOTING:** Mayor Alderman A M van Zetten and Alderman D W Alexander

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**12.5 Heritage Advisory Committee Meeting - 17 November 2016****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Urban Design and Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To receive and consider a report from the from the Heritage Advisory Committee meeting held on 17 November 2016.

**RECOMMENDATION:**

That Council receives the report from the Heritage Advisory Committee Meeting held on 17 November 2016.

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

**DECISION: 28 November 2016****MOTION**

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

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

**CARRIED 9:0**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek  
**ABSENT at TIME of VOTING:** Mayor Alderman A M van Zetten and Alderman D W Alexander

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## 13 COUNCIL WORKSHOPS

Council Workshops conducted on 21 November 2016 were:

- C H Smith Site Development
- Festivale
- Launceston City Heart Project - St John Street Bus Locations
- Committee Representation Details

## 14 NOTICES OF MOTION

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

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

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**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS****15.1 Event Sponsorship Policy****FILE NO:** SF0984**AUTHOR:** Eve Gibbons (Grants and Sponsorship Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider the revised Event Sponsorship Policy (05-PI-012)

Due to significant changes to this policy the changes have not been underlined.

**PREVIOUS COUNCIL CONSIDERATION:**

SPPC - 21 November 2016 - Agenda Item 4.2 - Event Sponsorship Policy  
Council - 29 April 2013 - Agenda Item 14.1 - Event Sponsorship Policy (05-PI-012)  
Council - 12 December 2011 - Agenda Item 13.2 - Event Sponsorship Policy (05-PI-012)

**RECOMMENDATION:**

That Council approves the Events Sponsorship Policy (05-PI-012) as set out below.

***PURPOSE:***

The purpose of the Event Sponsorship Policy is to provide a framework to support events that will deliver community, social, cultural, tourism and economic benefits to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

***SCOPE:***

Applies to applications seeking funding assistance for events held within the Launceston Municipality or that demonstrate substantial benefit to Launceston and the region.

***POLICY:******Funding Overview***

*Applications for event sponsorship for the following categories will be assessed under this policy against the relevant assessment criteria.*

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## **15.1 Event Sponsorship Policy ...(Cont'd)**

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### General Event Sponsorship Program

#### *Small Events - up to \$5,000*

*Funding will be provided to small community events held in the Launceston Municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They may also commemorate or celebrate a significant occasion. Small community events will support a diverse major events calendar and will contribute to making Launceston a desirable place to live, work and invest.*

*The City of Launceston will pre-commit a three year funding allocation commencing 2017/2018 to fund a maximum of four events that celebrate or commemorate a specific tradition in an annual calendar. Annual reporting on event outcomes, budget, and the next year's plan is required prior to release of funds for the following year's event.*

*Links to Event Strategy - Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)*

#### *Major Events - \$5,001 - \$20,000*

*Funding will be provided to major events held in the Launceston Municipality, where local, intrastate, interstate and international attendees are the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.*

*Funding will be available under two levels.*

#### Level 1 - up to \$12,500

*Would typically be an event held in the Launceston Municipality attracting audiences from local and intrastate areas.*

#### Level 2 - up to \$20,000

*Would typically be an event held in the Launceston Municipality attracting larger audiences, from local, intrastate, interstate and/or international areas.*

*Council will allocate an annual amount in the budget specifically for General Event Sponsorship, separate from and in addition to the other event sponsorship programs.*

*Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)*

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## **15.1 Event Sponsorship Policy ...(Cont'd)**

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### Signature Event Sponsorship Program

*Funding will be provided to support established major annual events that deliver a uniquely memorable experience in the Launceston Municipality. Events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They will also deliver significant tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest. They will operate under multi-year strategic and marketing plans and epitomise best practice in event delivery.*

*The City of Launceston on a tri-annual basis will identify established major annual events that will be eligible for three years of continuous funding support. Events must deliver a unique experience to Launceston, have received a minimum of three years continuous funding support as a City of Launceston Signature Event or Level 2 Major Event recipient and the event continues to deliver Event Strategy outcomes.*

*Council will pre-commit a three year funding allocation commencing 2017/2018 specifically for Signature Events. Annual reporting on event outcomes, budget, and the next year's business and marketing plans are required prior to release of funds for the following year's event.*

*Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)*

### New Year's Eve Event Sponsorship Program

*The New Year's Event Sponsorship Program provides support to the primary New Year's Eve event to be held in the Launceston municipality. The event will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. As a major community event, it may also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.*

*The City of Launceston on a triannual basis will commit to three years of continuous funding to the primary New Year's Eve event, commencing 2017/2018. Annual reporting on event outcomes, budget, and the next year's business and marketing plans are required prior to release of funds for the following year's event.*

*Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)*

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## 15.1 Event Sponsorship Policy ...(Cont'd)

### Start-up Event Sponsorship Program

*Funding is provided to encourage new annual events held in the Launceston Municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and fostering pride and positivity in our city. They will have a vision to develop and grow into a major event delivering tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.*

*Council will allocate an annual amount in the budget specifically for Start-up Event Sponsorship, separate from and in addition to the other event sponsorship programs.*

*Links to Event Strategy - Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)*

### Special Event Sponsorship Program

*A 'Special Event' is defined as an irregular or one-off event that has the ability to attract significant attendees from local, state and interstate attendees. These events will deliver an inclusive experience, encouraging community participation, creativity, and fostering pride and positivity in our city. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.*

*Council will allocate an annual amount in the budget specifically for Special Event Sponsorship, separate from and in addition to the other event sponsorship programs.*

*Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)*

### **Funding Rounds**

#### General Event Sponsorship and Start up Event Sponsorship

*There will be two funding rounds per financial year and the timeframe for applications to be considered is as follows:*

<b>Round</b>	<b>Applications Open</b>	<b>Applications Close</b>	<b>Applications Assessed</b>	<b>Council Decision</b>
Round 1 (events 1 August - 31 December)	1 February	15 March	April	May
Round 2 (events 1 January - 31 July)	1 May	15 June	July	September

## 15.1 Event Sponsorship Policy ...(Cont'd)

*For General Event Sponsorship, round one covers a five month period and will be allocated 40% of the annual budget; this allocation will be pre-committed by Council. Round two covers a seven month period and will be allocated 60% of the annual budget. Any City of Launceston budgeted funds remaining from the first funding round will be allocated to the remaining funding round, within the same financial year.*

### Signature Event Sponsorship Program

*The City of Launceston on a tri-annual basis will identify established major annual events that will be eligible for three years of funding support. Event organisers will be required to submit an application to support their funding request, up to an amount to be determined by a decision of Council. Applications will open on a triannual basis and the timeframe for funding applications to be considered is as follows:*

<b>Round</b>	<b>Applications Open</b>	<b>Applications Close</b>	<b>Applications Assessed</b>	<b>Council Decision</b>
	1 February	15 March	April	May

*For Signature Event Sponsorship, the Council decision will incorporate a pre-commitment of funds by Council.*

### New Year's Eve Event Sponsorship Program

*The City of Launceston on a tri-annual basis will open an expression of interest process and the timeline will be as follows:*

<b>Round</b>	<b>Applications Open</b>	<b>Applications Close</b>	<b>Applications Assessed</b>	<b>Council Decision</b>
	1 February	15 March	April	May

*For New Year's Eve Event Sponsorship, the Council decision will incorporate a pre-commitment of funds by Council*

### Special Event Sponsorship

*Expressions of interests can be made for Special Event funding and will be ongoing until the budget allocation has been exhausted within that given financial year.*

*Expressions of interest for Special Event funding will generally be considered by Council within six weeks of receipt of a formal application.*

### **Funding Assessment**

*Assessment of all eligible applications will be made by the City of Launceston Event Sponsorship Assessment Panel and will operate under a Council endorsed Terms of Reference.*

**15.1 Event Sponsorship Policy ...(Cont'd)**

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*Funding decisions will be made by the Council, following recommendations made by the Panel. Funding endorsement will be subject to the budget available.*

**Funding Agreement**

*Successful applicants will be required to sign a funding agreement which will detail the conditions and reporting requirements specific to the funding level.*

*The City of Launceston reserves the right to reconsider any funding decision if any variation is made to an event after funding is endorsed.*

**Funding Limitations**

*No funding will be granted to an event that has started or completed prior to the application being assessed.*

*An event under this Policy will only be eligible to receive funding from one City of Launceston Event Sponsorship program per financial year. The event will also be ineligible to receive funding support from any other City of Launceston funding program (eg. Community Grant).*

**PRINCIPLES:**

*Council's Organisational Values apply to all activities.*

**RELATED POLICIES & PROCEDURES:**

Event Sponsorship Guidelines 05-Rfx-015

Event Sponsorship Assessment Panel Terms of Reference 05-Plx-018

Individual Grants Policy 05-PI-011

Community Grants (Organisations) Policy 05-PI-010

Approval of Holding Civic Events (receptions/functions) Policy 05-PL-006

Mayoral Communications Flow Chart 17-HLPr-002

Mayoral Community Assistance Fund Policy 05-PI-001

**RELATED LEGISLATION:**

N/A

**REFERENCES:**

N/A

**DEFINITIONS:**

N/A

**REVIEW:**

This policy will be reviewed in line with the City of Launceston Events Strategy or more frequently if dictated by operational demands and with Council's approval.

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**15.1 Event Sponsorship Policy ...(Cont'd)**

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Mrs L Hurst (Director Development Services), Ms W Newton (Manager Community, Tourism and Events) and Mrs E Gibbons (Grants and Sponsorship Officer) were in attendance to answer questions of Council in respect of this Agenda Item.

**DECISION: 28 November 2016**

**MOTION**

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

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

**CARRIED 9:0**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek  
**ABSENT at TIME of VOTING:** Mayor Alderman A M van Zetten and Alderman D W Alexander

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**15.2 Event Sponsorship - Signature Events 2017/2018****FILE NO:** SF5791**AUTHOR:** Eve Gibbons (Grants and Sponsorship Officer)**ACTING DIRECTOR:** Wendy Newton (Manager Community, Tourism and Events)

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**DECISION STATEMENT:**

To consider events as eligible to apply for funding support via the Signature Event Sponsorship Program commencing 2017/2018.

**PREVIOUS COUNCIL CONSIDERATION:**

SPPC - 21 November 2016 - Agenda Item 4.3 - Event Sponsorship - Signature Events 2017/2018

Council - 24 January 2016 - Agenda Item 15.2 - Signature Events and Signature Celebration Events Sponsorship

Council - 11 May 2015 - Agenda Item 15.2 - Signature Event Sponsorship

Workshop - 8 April 2015 - Signature Events Sponsorship Program

Council - 29 April 2013 - Agenda Item 14.1 - Event Sponsorship Policy

Council - 9 July 2012 - Agenda Item 14.1 - Signature Events Sponsorship

**RECOMMENDATION:**

That Council approves the following established major annual events as eligible for three years of funding support via the Signature Events Sponsorship Program commencing in the 2017/2018 financial year:

1. Festivale
2. Junction Arts Festival
3. The Stan Siejka Launceston Cycling Classic
4. Symphony Under the Stars
5. Launceston Ten
6. Launceston Tennis International
7. Launceston Cup
8. Tasmanian Open DanceSport Championships
9. Tasmanian Breath of Fresh Air Film Festival

Subject to the assessment of funding submissions to determine that the criteria for the Signature Events Sponsorship Program has been satisfied.

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**Mrs L Hurst (Director Development Services), Ms W Newton (Manager Community, Tourism and Events) and Mrs E Gibbons (Grants and Sponsorship Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

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**15.2 Event Sponsorship - Signature Events 2017/2018 ...(Cont'd)**

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Due to a declaration of interest in Agenda Item 15.2 - Event Sponsorship - Signature Events 2017/2018, Alderman D H McKenzie withdrew from the Meeting at 2.57pm.

**DECISION:** 28 November 2016

**MOTION**

Moved Alderman D C Gibson, seconded Alderman R L McKendrick.

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

**CARRIED 8:0**

**FOR VOTE:** Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek

**ABSENT at TIME of VOTING:** Mayor Alderman A M van Zetten and Alderman D W Alexander

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

Alderman D H McKenzie re-attended the Meeting at 3.01pm.

---

## **15.3 Event Sponsorship Assessment Panel Terms of Reference**

**FILE NO:** SF0984

**AUTHOR:** Eve Gibbons

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

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### **DECISION STATEMENT:**

To consider the Event Sponsorship Assessment Panel Terms of Reference (05-Plx-018).

### **PREVIOUS COUNCIL CONSIDERATION:**

SPPC - 21 November 2016 - Agenda Item 4.4 - Event Sponsorship - Signature Events 2017/2018

### **RECOMMENDATION:**

That Council approve the Event Sponsorship Assessment Panel Terms of Reference (05-Plx-018) as set out below.

### ***Event Sponsorship Assessment Panel Terms of Reference***

The Event Sponsorship Assessment Panel is a Special Committee of Council as defined under section 24 of the *Local Government Act (Tas)*.

### ***PURPOSE:***

The primary purpose of the City of Launceston (CoL) Event Sponsorship Assessment Panel is to review and assess sponsorship applications in accordance with the Event Sponsorship Policy and Guidelines.

The Assessment Panel recommendations will allow for informed decision making by Council when approving funding allocation for events.

### ***ROLE:***

The role of the Event Sponsorship Assessment Panel is to:

- To consider review and assess event sponsorship applications against the relevant Event Sponsorship Program assessment criteria
  - Provide recommendations to Council on events to be approved for funding.
-

## **15.3 Event Sponsorship Assessment Panel Terms of Reference ...(Cont'd)**

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### ***MEMBERSHIP:***

The Event Sponsorship Assessment Panel will consist of representatives from the City of Launceston (Alderman and Officers) and external stakeholders for the following positions:

- City of Launceston Alderman, to Chair the Panel and will be nominated and endorsed by the Council
- A representative of Tourism Northern Tasmania
- A representative of Events Tasmania
- A representative of Cityprom
- A cultural representative
- A sports representative
- A community representative

The cultural, sports and community representatives will be appointed by a decision of Council.

Council officers will provide advice to the Assessment Panel.

### ***MEETING ARRANGEMENTS:***

The Panel will meet twice a year, normally May/July, which will coincide with the event sponsorship rounds and other times as necessary. A minimum of three weeks' notice will be provided to panel members of meeting date and time. All event sponsorship applications will be assessed in the first instance via an online assessment process. Panel meetings will provide an opportunity for discussion and review of assessments and to confirm recommendations to Council. The length of each meeting will be determined on number of applications received.

### ***MEETING QUORUM:***

An absolute majority is considered a quorum for meetings of the Event Sponsorship Assessment Panel.

### ***HOW THE PANEL WILL OPERATE:***

- The Grants and Sponsorship Officer will coordinate the Event Sponsorship assessment process;
  - The Panel will assess all Event Sponsorship applications through an online assessment process prior to a Panel meeting;
  - Panel members will independently review and assess each sponsorship application in accordance with the relevant Event Sponsorship Program assessment criteria;
  - Once applications have been pre-scored, the Panel will meet to finalise assessment scoring which will determine the applicant's eligibility for funding, and form the Panel's recommendation to Council; and
  - All final decisions on Event Sponsorship funding will be made by Council and are subject to the available budget available for that round.
-



**15.3 Event Sponsorship Assessment Panel Terms of Reference ...(Cont'd)**

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***CODE OF CONDUCT:***

All Panel members must adhere to the Code of Conduct for Committees. Aldermen and Council Officers must also adhere to their own relevant Code of Conduct.

***CONFLICT OF INTEREST:***

If a Panel member has a declared interest in an event they must declare prior to assessment of the application. A declared interest will result in the inability to assess that specific application. The Panel member must withdraw from the meeting during the discussions of the application, finalisation of scoring and subsequent recommendation to Council.

The declaration of interest will be noted in the report outlining the panel's recommendation to Council.

***RESOURCES:***

The Grants and Sponsorship Officer will coordinate the assessment process; ensuring panel members have all the necessary support to undertake the assessment process.

***HONORARIUMS:***

Council will not pay any honorariums or expenses to any member on the panel.

***REVIEW:***

The Terms of Reference including membership will be reviewed in conjunction with the review of the City of Launceston Event Sponsorship Policy.

---

**Mrs L Hurst (Director Development Services), Ms W Newton (Manager Community, Tourism and Events) and Mrs E Gibbons (Grants and Sponsorship Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Deputy Mayor, Alderman R I Soward, handed the Chair to Alderman R L McKendrick at 3.05pm.**

**Deputy Mayor, Alderman R I Soward, resumed the Chair at 3.06pm.**

**Council adjourned for a break at 3.06pm.**

**Council resumed following the break at 3.16pm.**

**The Mayor, Alderman A M van Zetten, assumed the Chair at 3.16pm.**

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## 15.3 Event Sponsorship Assessment Panel Terms of Reference ...(Cont'd)

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Alderman R J Sands withdrew from the Meeting at 3.19pm.

Alderman R J Sands re-attended the Meeting at 3.20pm.

**DECISION:** 28 November 2016

### **MOTION**

Moved Alderman D C Gibson, seconded Alderman R L McKendrick.

That Council approves the Event Sponsorship Assessment Panel Terms of Reference (05-Plx-018) as set out below:

#### ***Event Sponsorship Assessment Panel Terms of Reference***

The Event Sponsorship Assessment Panel is a Special Committee of Council as defined under section 24 of the *Local Government Act (Tas)*.

#### ***PURPOSE:***

The primary purpose of the City of Launceston (CoL) Event Sponsorship Assessment Panel is to review and assess sponsorship applications in accordance with the Event Sponsorship Policy and Guidelines.

The Assessment Panel recommendations will allow for informed decision making by Council when approving funding allocation for events.

#### ***ROLE:***

The role of the Event Sponsorship Assessment Panel is to:

- To consider review and assess event sponsorship applications against the relevant Event Sponsorship Program assessment criteria
  - Provide recommendations to Council on events to be approved for funding
-

**15.3 Event Sponsorship Assessment Panel Terms of Reference ...(Cont'd)**

---

***MEMBERSHIP:***

The Assessment Panel will consist of three representatives from the City of Launceston (Aldermen) and external stakeholders for the following positions:

- City of Launceston Alderman, to Chair the Panel, and two additional Aldermen who will be nominated and endorsed by the Council
- A representative of Tourism Northern Tasmania
- A representative of Events Tasmania
- A representative of Cityprom

City of Launceston Officers will provide advice to the Assessment Panel.

***MEETING ARRANGEMENTS:***

The Panel will meet twice a year, normally May/July, which will coincide with the event sponsorship rounds and other times as necessary. A minimum of three weeks' notice will be provided to panel members of meeting date and time. All event sponsorship applications will be assessed in the first instance via an online assessment process. Panel meetings will provide an opportunity for discussion and review of assessments and to confirm recommendations to Council. The length of each meeting will be determined on number of applications received.

***MEETING QUORUM:***

An absolute majority is considered a quorum for meetings of the Event Sponsorship Assessment Panel.

***HOW THE PANEL WILL OPERATE:***

- The Grants and Sponsorship Officer will coordinate the Event Sponsorship assessment process;
- The Panel will assess all Event Sponsorship applications through an online assessment process prior to a Panel meeting;
- Panel members will independently review and assess each sponsorship application in accordance with the relevant Event Sponsorship Program assessment criteria;
- Once applications have been pre-scored, the Panel will meet to finalise assessment scoring which will determine the applicant's eligibility for funding, and form the Panel's recommendation to Council; and
- All final decisions on Event Sponsorship funding will be made by Council and are subject to the available budget available for that round.

***CODE OF CONDUCT:***

All Panel members must adhere to the Code of Conduct for Committees. Aldermen and Council Officers must also adhere to their own relevant Code of Conduct.

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## 15.3 Event Sponsorship Assessment Panel Terms of Reference ...(Cont'd)

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### ***CONFLICT OF INTEREST:***

If a Panel member has a declared interest in an event they must declare prior to assessment of the application. A declared interest will result in the inability to assess that specific application. The Panel member must withdraw from the meeting during the discussions of the application, finalisation of scoring and subsequent recommendation to Council.

The declaration of interest will be noted in the report outlining the panel's recommendation to Council.

### ***RESOURCES:***

The Grants and Sponsorship Officer will coordinate the assessment process; ensuring panel members have all the necessary support to undertake the assessment process.

### ***HONORARIUMS:***

Council will not pay any honorariums or expenses to any member on the panel.

### ***REVIEW:***

The Terms of Reference including membership will be reviewed in conjunction with the review of the City of Launceston Event Sponsorship Policy.

**CARRIED 10:0**

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

**ABSENT at TIME of VOTING:** Alderman D W Alexander

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**15.4 Greater Launceston Area Urban Salinity Strategy****FILE NO:** SF3935**AUTHOR:** Andrew Newton (Planning Compliance Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider receiving the final report of the Greater Launceston Urban Salinity Strategy 2016 (the Strategy) from the Launceston Salinity Action Group.

**PREVIOUS COUNCIL CONSIDERATION:**

SPPC - 21 November 2016 - Agenda Item 4.8  
Council - 15 June 2010 - Agenda Item 11.2

**RECOMMENDATION:**

That Council adopts the Greater Launceston Area Urban Salinity Strategy 2016 (ECM Number 3912846).

---

**Mrs L Hurst (Director Development Services) and Mr A Newton (Planning Compliance Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 28 November 2016****MOTION**

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

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

**CARRIED 10:0**

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

**ABSENT at TIME of VOTING:** Alderman D W Alexander

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**15.5 Heritage Advisory Committee - Terms of Reference****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Urban Design and Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider the revised Terms of Reference for the Heritage Advisory Committee.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 24 October 2011 - Agenda Item 13.2

**RECOMMENDATION:**

That Council adopts the Heritage Advisory Committee's Terms of Reference (18-Plx-021) as listed below:

**Heritage Advisory Committee - Terms of Reference (18-Plx-021)**

The Launceston Heritage Advisory Committee is a Special Committee of Council as defined under section 24 of the *Local Government Act (TAS)*.

**PURPOSE:**

The primary purpose of the Launceston Heritage Advisory Committee is to provide advice to the Council on heritage matters and to promote the value of heritage places within the Municipality.

**ROLE:**

The role of the Heritage Advisory Committee is to:

- Provide advice and recommendations on the development of Council policy relating to heritage matters;
  - Provide advice on and participate in the overview of heritage studies undertaken by Council;
  - Provide advice and recommendations on applications made by Council for heritage funding;
  - Consult with stakeholders to determine community aspirations relating to heritage places and objects;
  - Promote Council's objectives and the principles of reuse of heritage assets in the City;
  - Promote community participation in and awareness of heritage activities; and
-

**15.5 Heritage Advisory Committee - Terms of Reference ...(Cont'd)**

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- Consider and provide advice to Council on development proposals involving and/or impacting on heritage values on properties either heritage registered or covered by heritage precinct or overlay.

***MEMBERSHIP:***

The Heritage Advisory Committee will consist of the following members:

- Up to two Aldermen (one to be the liaison officer to the Council)
- A representative from Heritage Tasmania
- A representative from the National Trust of Australia (Tasmania)
- A representative from the UTAS School of Architecture and Design
- A representative from the Real Estate Institute of Tasmania
- A representative from the Launceston Historical Society
- Community Representation with relevant experience to promote the ideals of the Committee to be nominated by the Committee and approved by Council
- The Chairperson and Deputy Chairperson are to be elected by the Committee at the beginning of each new Council cycle.

Supporting the Committee will be the City of Launceston's Urban Design and Heritage Planner. Relevant officers of the City of Launceston will attend meetings as necessary.

All community positions are for a two year period with every second election coinciding with the anniversary of Council elections (November).

Vacancies will be filled in accordance with the Community Appointments to Advisory Committees Policy (14-Plx-029).

***MEETING ARRANGEMENTS:***

The Heritage Advisory Committee will generally meet six times per year (and at other times as required).

***CODE OF CONDUCT:***

All Committee members must adhere to the Council's Code of Conduct for Committees. Aldermen and Council Officers must also adhere to their own relevant Code of Conduct.

***RESOURCES***

The City of Launceston will provide an administrative support officer to organise meetings, take minutes and distribute follow up actions.

***REVIEW***

These Terms of Reference will be reviewed no more than five years after the date of approval (version) or more frequently, if dictated by operational demands and with the Council's approval.

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**15.5 Heritage Advisory Committee - Terms of Reference ...(Cont'd)**

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Mrs L Hurst (Director Development Services) and Ms F Ranson (Urban Design and Heritage Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

**DECISION: 28 November 2016**

**MOTION**

Moved Alderman J Finlay, seconded Alderman D H McKenzie.

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

**CARRIED 10:0**

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

**ABSENT at TIME of VOTING:** Alderman D W Alexander

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**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**

No Items were identified as part of these Minutes

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

No Items were identified as part of these Minutes

**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS****18.1 Polish Memorial in Kings Park**

A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 20.3 - Code of Conduct Panel Determination Report - *Local Government Act 1993 (Tas)* (Section 28ZJ) on Page 34 of these Minutes.

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## 19 CORPORATE SERVICES DIRECTORATE ITEMS

### 19.1 Quarterly Financial Report to Council - 30 September 2016

**FILE NO:** SF6329

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

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

#### DECISION STATEMENT:

To consider the Council's financial performance for the quarter ended 30 September 2016.

#### PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 10 November 2016 - Agenda Item 9.4 - *The financial review for the quarter ended 30 September 2016 was noted*

#### RECOMMENDATION:

That Council adopts the financial report for the quarter ended 30 September 2016 which discloses:

	<b>Actual</b>	<b>Budget</b>	<b>Variance</b>
	<b><u>\$'000</u></b>	<b><u>\$'000</u></b>	<b><u>Fav/(Unfav)</u></b>
			<b><u>\$'000</u></b>
<b>Revenue</b>			
Rates	15,899	15,875	24
Fees	5,498	5,758	(260)
Capital Grants and Contributions	1,192	1,177	15
Financial Assistance Grants	1,022	1,037	(15)
Revenue Operations Grants	950	858	92
Interest (Revenue)	555	518	37
Distributions	474	465	9
Other Revenues	833	541	292
<b>Total Revenue</b>	<b>26,423</b>	<b>26,229</b>	<b>194</b>
<b>Expenses</b>			
Labour	8,743	8,960	217
Materials and Services	8,573	9,034	461
Bad Debts Provision	21	21	0
Interest Expense (Loans)	0	0	0

19.1 Quarterly Financial Report to Council - 30 September 2016 ...(Cont'd)

Provision for Rehabilitation	75	75	0
Depreciation	5,102	4,945	(157)
Asset Disposal Losses	2	0	(2)
Levies	1,786	1,786	0
Remissions and Abatements	817	791	(26)
Other			0
<b>Total Expenses</b>	<b>25,119</b>	<b>25,612</b>	<b>493</b>
<b>Surplus / (Deficit)</b>	<b>1,304</b>	<b>617</b>	<b>687</b>
<b>Remove</b>			
Capital Grants and Contributions	(1,192)	(1,177)	(15)
Capital Interest	(26)	-	(26)
<b>Underlying Result</b>			
<b>Surplus/(Deficit)</b>	<b>86</b>	<b>(560)</b>	<b>646</b>

Note: The budgeted deficit of \$560,000 is year to date (30 September 2016). The full year estimate is an underlying surplus of \$1.458m as indicated in the Budget Amendment Agenda Item.

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

**DECISION: 28 November 2016**

**MOTION**

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

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

**CARRIED 10:0**

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

**ABSENT at TIME of VOTING:** Alderman D W Alexander

**19.2 Budget Amendments 2016/2017 - 30 September 2016****FILE NO:** SF3611/SF6329**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

---

**DECISION STATEMENT:**

To consider changes to the Council's 2016/2017 Statutory Estimates.

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

**PREVIOUS COUNCIL CONSIDERATION:**

Audit Panel - 10 November 2016 - Agenda Item 9.1 - *it was resolved that the item go to Council for a decision*

**RECOMMENDATION:**

That:

1. pursuant to Section 82(4) of the *Local Government Act 1993*, Council approves the following amendments to the Statutory Estimates:
    - (a) Revenue
      - (i) the increase in revenue from external grants of \$230,000.
    - (b) Operating Expenditure
      - (i) the increase in expenditure from transfers from Capital of \$43,000.
    - (c) Capital Works Expenditure
      - (i) the decrease in expenditure from transfer to Operations of \$43,000; and
      - (ii) the net increase in expenditure from external funding of \$230,000.
  2. Council notes the amendments from point 1 result in:
    - (a) the operating surplus (including \$16.266m in Capital grants) being amended to \$17.724m; and
    - (b) the capital budget being increased to \$34.645m.
- 

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

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**19.2 Budget Amendments 2016/2017 - 30 September 2016 ...(Cont'd)**

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**DECISION: 28 November 2016**

**MOTION**

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

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

**CARRIED 10:0**

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

**ABSENT at TIME of VOTING: Alderman D W Alexander**

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**19.3 Rates and Charges Structure - 2018 Financial Year****FILE NO:** SF0556**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To determine the Rates and Charges Structure for residential properties that will apply for the financial year ending 30 June 2018 and subsequent years.

*There are a number of rating provisions in the Local Government Act 1993 that form part of the annual rating resolution decision that require an absolute majority. The outcome of this item will be reflected in a future rating resolution and so if a decision were to be made contrary to the recommendation it should be made by absolute majority so as to avoid the possibility of future disagreement.*

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 23 November 2015 - Agenda Item 14.1 - Notice of Motion - Alderman R J Sands - Flexible Rating Structure

Council - 8 February 2016 - Agenda Item 14.1 - Notice of Motion - Alderman R J Sands - Flexible Rating Structure

**RECOMMENDATION:**

That Council:

1. in accordance with section 86A (General principles in relation to making or varying rates) and section 90 (General rate) of the *Local Government Act 1993*, continues the existing policy of determining and applying general rates for residential properties based on the value of the property; and
2. not utilise the provisions of Division 6A (Average area rates) of the *Local Government Act 1993*, for the determination of general rates for residential properties, due to the regressive nature of this method and the resultant adverse impact on those ratepayers with the least capacity to pay.

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

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## 19.3 Rates And Charges Structure - 2018 Financial Year ...(Cont'd)

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**DECISION:** 28 November 2016

### **MOTION**

Moved Alderman R J Sands, seconded Alderman R L McKendrick.

That this matter be deferred.

**CARRIED 8:2**

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

**AGAINST VOTE:** Mayor Alderman A M van Zetten and Alderman K P Stojansek

**ABSENT at TIME of VOTING:** Alderman D W Alexander

**DECISION:** 28 November 2016

### **MOTION**

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

That Agenda Items 19.4 - Delegation from Council to General Manager - Roads and Jetties Act 1935 (Tas) and 19.5 - Delegation from Council to General Manager - *Food Act 2003 (Tas), Public Health Act 1997 (Tas), Weed Management Act 1999 (Tas)*, as per the Recommendations to Council, be considered together as one motion.

**CARRIED 10:0**

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

**ABSENT at TIME of VOTING:** Alderman D W Alexander

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**19.3 Rates and Charges Structure - 2018 Financial Year ...(Cont'd)**

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**DECISION: 28 November 2016****MOTION****Moved Alderman J G Cox, seconded Alderman R L McKendrick.****That Agenda Items 19.4 - Delegation from Council to General Manager - Roads and Jetties Act 1935 (Tas) and 19.5 - Delegation from Council to General Manager - Food Act 2003 (Tas), Public Health Act 1997 (Tas), Weed Management Act 1999 (Tas), as per the Recommendations to Council, be adopted.****CARRIED 10:0****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood and Alderman K P Stojansek****ABSENT at TIME of VOTING: Alderman D W Alexander**

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**19.4 Delegation from Council to General Manager - *Roads and Jetties Act 1935 (Tas)*****FILE NO:** SF6203/SF0113**AUTHOR:** Leanne Purchase (Governance and Planning Coordinator)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the delegation from Council to the General Manager of all Council's functions and powers under the *Roads and Jetties Act 1935 (Tas)*.

**RECOMMENDATION:**

That Council:

1. Pursuant to section 22 of the *Local Government Act 1993 (Tas)*, determines to delegate to the holder of the position of General Manager, all Council's powers and functions under the *Roads and Jetties Act 1935 (Tas)*.
  2. As provided for by section 64(b) of the *Local Government Act 1993 (Tas)*, authorises the holder of the position of General Manager to delegate the powers and functions described at 1. to an employee or employees of the Council.
  3. Notes that the delegation at 1. will be effected by an instrument of delegation from Council to General Manager that will be executed by the Mayor to comply with the requirement of section 22(1) of the *Local Government Act 1993 (Tas)* that the delegation is in writing.
  4. Notes that, on execution of the instrument of delegation, the Council's delegations register will be updated to reflect the delegation described in the instrument.
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**Mr M Tidey (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

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**19.4 Delegation from Council to General Manager - *Roads and Jetties Act 1935 (Tas) ... (Cont'd)***

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**DECISION: 28 November 2016**

**MOTION**

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

**That Agenda Items 19.4 - Delegation from Council to General Manager - *Roads and Jetties Act 1935 (Tas)* and 19.5 - Delegation from Council to General Manager - *Food Act 2003 (Tas), Public Health Act 1997 (Tas), Weed Management Act 1999 (Tas)*, as per the Recommendations to Council, be adopted.**

**CARRIED 10:0**

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

**ABSENT at TIME of VOTING: Alderman D W Alexander**

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**19.5 Delegation from Council to General Manager - *Food Act 2003 (Tas)*, *Public Health Act 1997 (Tas)*, *Weed Management Act 1999 (Tas)*****FILE NO:** SF0113/SF2424/SF2526/SF6203**AUTHOR:** Leanne Purchase (Governance and Planning Coordinator)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider delegation from Council to the General Manager of Council's functions and powers under the *Food Act 2003 (Tas)*, *Public Health Act 1997 (Tas)*, and the *Weed Management Act 1999 (Tas)*.

**RECOMMENDATION:**

That Council:

1. Pursuant to section 22 of the *Local Government Act 1993 (Tas)*, determines to delegate to the holder of the position of General Manager, all of Council's powers and functions under the:
    - a. *Food Act 2003 (Tas)*
    - b. *Public Health Act 1997 (Tas)* - with the exception of section 185(1) Council fees
    - c. *Weed Management Act 1999 (Tas)*
  2. As provided for by section 64(b) of the *Local Government Act 1993 (Tas)*, authorises the holder of the position of General Manager to delegate the powers and functions described at 1. to an employee or employees of the Council.
  3. Notes that the delegations at 1. will be effected by instruments of delegation from Council to General Manager, that will be executed by the Mayor to comply with the requirement of section 22(1) of the *Local Government Act 1993 (Tas)* that delegations are in writing.
  4. Notes that, on execution of the instruments of delegation, the Council's delegations register will be updated to reflect the delegation described in the instruments.
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**Mr M Tidey (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

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19.5 Delegation from Council to General Manager - *Food Act 2003 (Tas), Public Health Act 1997 (Tas), Weed Management Act 1999 (Tas) ...*(Cont'd)

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**DECISION:** 28 November 2016

**MOTION**

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

That Agenda Items 19.4 - Delegation from Council to General Manager - Roads and Jetties Act 1935 (Tas) and 19.5 - Delegation from Council to General Manager - *Food Act 2003 (Tas), Public Health Act 1997 (Tas), Weed Management Act 1999 (Tas)*, as per the Recommendations to Council, be adopted.

**CARRIED 10:0**

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

**ABSENT at TIME of VOTING:** Alderman D W Alexander

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**20 GENERAL MANAGER'S DIRECTORATE ITEMS****20.1 Appointment of an Additional Delegate to the University of Tasmania Northern Campus Engagement and Advisory Group****FILE NO:** SF2385**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider the appointment of Alderman Hugh McKenzie to the University of Tasmania Northern Campus Engagement and Advisory Group.

**PREVIOUS COUNCIL CONSIDERATION:**

SPPC - 5 September 2016 - Agenda Item 4.2 - UTAS Relocation - Northern Campus Engagement and Advisory Group

**RECOMMENDATION:**

That Council appoints Alderman Hugh McKenzie as an additional Council delegate to the University of Tasmania Northern Campus Engagement and Advisory Group.

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

**DECISION:** 28 November 2016**MOTION**

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

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

**CARRIED 10:0**

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

**ABSENT at TIME of VOTING:** Alderman D W Alexander

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**20.2 CH Smith Site Development**

A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 20.4 - Festivale on Page 28 of these Minutes.

**20.3 Code of Conduct Panel Determination Report - *Local Government Act 1993 (Tas)* (Section 28ZJ)**

A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 20.2 - CH Smith Site Development on Page 32 of these Minutes.

**20.4 Festivale**

A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 8.1 - 82-90 Balfour Street, Launceston - Residential - Single Dwelling; Subdivision of Land Into Four Lots Plus Section of Road; Demolition of an Existing Building; Construction of Four Single Dwellings on Page 26 of these Minutes.

**21 URGENT BUSINESS**

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

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

**22 CLOSED COUNCIL**

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

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

**23 MEETING CLOSURE**

The Mayor, Alderman A M van Zetten, closed the Meeting at 3.33pm.

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