



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 11 JULY 2024  
1.00PM**

---

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

Date: 11 July 2024

Time: 1:00 pm

---

### Certificate of Qualified Advice

#### Background

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

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

#### Certification

I certify that:

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



**Sam Johnson**  
Chief Executive Officer

### AUDIO of COUNCIL MEETINGS

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

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

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

### PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

### PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

## LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

***Present:***

Mayor Councillor M K Garwood  
Deputy Mayor Councillor D H McKenzie  
Councillor D C Gibson  
Councillor A E Dawkins  
Councillor A G Harris  
Councillor T G Walker  
Councillor J J Pentridge  
Councillor A J Palmer  
Councillor L M McMahon  
Councillor S Cai  
Councillor A J Britton

***In Attendance:***

Sam Johnson OAM (Chief Executive Officer)  
Chelsea van Riet (General Manager Community and Place Network)  
Leanne Purchase (Acting General Manager Organisational Services Network)  
Michael Newby (Acting General Manager Infrastructure and Assets Network)  
Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)  
Nathan Williams (Chief Financial Officer)  
Claire Fawdry (Principal Town Planner) (Items 9.1, 9.2 and 9.3)  
Dileep Karna (Town Planner) (Item 9.1)  
Iain More (Senior Town Planner - Policy and Projects) (Item 9.3 and 9.4)  
Jess Horton (Place and Heritage Officer) (Item 9.4)  
Sharin Imlach (Lease Officer) (Item 16.1)  
Trevor Clarke (Team Leader Recreation and Parks) (Item 16.1)  
Michelle Grey (Properties and Legal Officer) (Item 16.2)  
Zara Dawtrey (Senior Communications Officer)  
Kelsey Hartland (Team Leader Governance)  
Lorraine Wyatt (Council and Committees Officer)

***Apologies:***

Councillor A J Palmer  
Councillor Prof G Razay

---

**ORDER OF BUSINESS**

<b>1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES.....</b>	<b>9</b>
<b>2. MAYORAL ACKNOWLEDGEMENTS .....</b>	<b>9</b>
<b>3. DECLARATIONS OF INTEREST .....</b>	<b>9</b>
<b>4. CONFIRMATION OF MINUTES.....</b>	<b>9</b>
<b>5. COUNCIL WORKSHOPS .....</b>	<b>10</b>
<b>5.1. Council Workshops Report 27 June 2024 and 4 July 2024.....</b>	<b>10</b>
<b>6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS .....</b>	<b>13</b>
<b>7. COMMUNITY REPORTS .....</b>	<b>13</b>
<b>8. PUBLIC QUESTION TIME .....</b>	<b>13</b>
<b>8.1. Public Questions on Notice.....</b>	<b>13</b>
<b>8.1.1. Public Questions on Notice - Ray Norman - Homelessness,                 Environmental Sustainability, Queen Victoria Museum and Art                 Gallery (QVMAG) - 21 June 2024 .....</b>	<b>13</b>
<b>8.1.2. Public Questions on Notice - Robin Smith - Graffiti Removal in                 Brisbane Street Mall and Free Tiger Bus Service - 3 July 2024.....</b>	<b>16</b>
<b>8.2. Public Questions Without Notice.....</b>	<b>19</b>
<b>8.2.1. Public Questions Without Notice - Rodney Jesson - Strata: Awning                 Protrusion into Quadrant Mall - 11 July 2024.....</b>	<b>19</b>
<b>8.2.2. Public Questions Without Notice - Robin Smith - Protesters in the                 Mall, One Way Streets, Moving of Bus Stops - 11 July 2024 .....</b>	<b>20</b>
<b>9. PLANNING AUTHORITY .....</b>	<b>21</b>
<b>9.1. DA0117/2024-169 St Leonards Road, St Leonards-Subdivision-Subdivide             land into 53 residential lots. balance lots, construction associated             infrastructure-roads, public open space, services. works within road             reserves of Pinsley Drive, St Leonards Road.....</b>	<b>21</b>
<b>9.2. PSA-LLP0020 - 181, 183, 185, 187, 189, 191, 193 Westbury Road and 60             Oakden Road, Prospect from the Low Density Residential Zone to the             General Residential Zone .....</b>	<b>45</b>

---

9.3.	PSA-LLP0019 - 325 Watery Plains Road, White Hills - Planning Scheme Amendment - Rezone from Agriculture Zone to Rural Zone.....	47
9.4.	PSA-LLP0012 - Planning Scheme Amendment - New Properties onto the Local Heritage List and New Datasheets .....	55
10.	ANNOUNCEMENTS BY THE MAYOR.....	59
10.1.	Mayor's Announcements.....	59
11.	COUNCILLORS' REPORTS .....	60
12.	QUESTIONS BY COUNCILLORS .....	60
12.1.	Councillors' Questions on Notice.....	61
12.1.1.	Councillors' Questions on Notice - Councillor D H McKenzie - Coronation Park Play Equipment - 27 June 2024 .....	61
12.1.2.	Councillors' Questions on Notice - Councillor D C Gibson - Grants and Sponsorship Funds - 27 June 2024 .....	63
12.2.	Councillors' Questions Without Notice.....	64
13.	NOTICES OF MOTION .....	64
14.	COMMITTEE REPORTS.....	64
14.1.	Audit Panel Meeting - 21 May 2024.....	64
15.	CREATIVE ARTS AND CULTURAL SERVICES NETWORK.....	66
15.1.	QVMAG Strategic Plan 2023-2028.....	66
16.	ORGANISATIONAL SERVICES NETWORK .....	67
16.1.	Lease - Lebrina Equestrian Club Inc. ....	67
16.2.	Disposal of Interest in Land - 16-30 Waverley Road, Waverley .....	71
17.	LATE ITEMS .....	75
18.	MEETING CLOSURE.....	76
19.	NEXT COUNCIL MEETING DATE.....	76

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

The Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm and noted an apologies from Councillor A J Palmer and Councillor Prof G Razay.

**2. MAYORAL ACKNOWLEDGEMENTS**

The Mayor, Councillor M K Garwood, congratulated City of Launceston on winning the Regional Growth category of the 2024 National Awards for Local Government for Launceston's Public Wi-Fi Network. The Mayor presented Cameron Smith (Smart City Project Officer) with the award for his involvement in the project.

**3. DECLARATIONS OF INTEREST**

*Local Government Act 1993 (Tas) - section 48*

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

**Councillor J J Pentridge declared an interest in Agenda Item 9.1 - DA0117/2024-169 St Leonards Road, St Leonards-Subdivision-Subdivide land into 53 residential lots, balance lots, construction associated infrastructure-roads, public open space, services, works within road reserves of Pinsley Drive, St Leonards Road.**

**Councillor S Cai declared an interest in Agenda Item 9.1 - DA0117/2024-169 St Leonards Road, St Leonards-Subdivision-Subdivide land into 53 residential lots, balance lots, construction associated infrastructure-roads, public open space, services, works within road reserves of Pinsley Drive, St Leonards Road.**



**4. CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 27 June 2024 be confirmed as a true and correct record.

**DECISION: 11 July 2024**

**MOTION**

**Moved Councillor L M McMahon, seconded Councillor A G Harris.**

**That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 27 June 2024 be confirmed as a true and correct record.**

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

**5. COUNCIL WORKSHOPS**

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

**5.1. Council Workshops Report 27 June 2024 and 4 July 2024**

**FILE NO:** SF4401

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**APPROVER:** Louise Foster (General Manager Organisational Services Network)

---

**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RELEVANT LEGISLATION:**

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

**RECOMMENDATION:**

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

1. pre-Council Workshop conducted on 27 June 2024:

**Flood Mitigation Notice of Motion - Project Scope Update**

*Following the Notice of Motion submitted by Councillor A J Britton on 7 March 2024 to establish a comprehensive Flood Mitigation Strategy for Launceston, Councillors were updated on progress with the Project Scope for the delivery of the Strategy.*

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

2. Workshop conducted on 4 July 2024:

**Child and Youth Safe Organisation**

*Councillors were provided with an update on the City of Launceston's approach to being a child and youth safe organisation.*

**City of Launceston Regional Priority Projects**

*Councillors discussed the projects and initiatives to be included in the City of Launceston submission.*

---

**Launceston Central - CPI Request**

*Councillors considered a request received, to apply a CPI related increase to the Launceston Central Operational Agreement for the financial year 2024/2025.*

**Gorge Restaurant and Cafe Lease and Albert Hall**

*Councillors provided feedback regarding a process for the future leasing of the Gorge Restaurant and Cafe, and the Albert Hall Cafe.*

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

---

**DECISION: 11 July 2024**

**MOTION**

Moved Councillor A E Dawkins, seconded Councillor A G Harris.

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

1. pre-Council Workshop conducted on 27 June 2024:

**Flood Mitigation Notice of Motion - Project Scope Update**

*Following the Notice of Motion submitted by Councillor A J Britton on 7 March 2024 to establish a comprehensive Flood Mitigation Strategy for Launceston, Councillors were updated on progress with the Project Scope for the delivery of the Strategy.*

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

2. Workshop conducted on 4 July 2024:

**Child and Youth Safe Organisation**

*Councillors were provided with an update on the City of Launceston's approach to being a child and youth safe organisation.*

**City of Launceston Regional Priority Projects**

*Councillors discussed the projects and initiatives to be included in the City of Launceston submission.*

**Launceston Central - CPI Request**

***Councillors considered a request received, to apply a CPI related increase to the Launceston Central Operational Agreement for the financial year 2024/2025.***

**Gorge Restaurant and Cafe Lease and Albert Hall**

***Councillors provided feedback regarding a process for the future leasing of the Gorge Restaurant and Cafe, and the Albert Hall Cafe.***

***In Attendance:*** Deputy Mayor Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

***Apologies:*** Mayor Councillor M K Garwood, Councillor D C Gibson and Councillor A J Palmer

**CARRIED 10:0**

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

**AGAINST VOTE:** Nil

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

**No Councillors' Leave of Absence Applications have been identified as part of this Agenda.**

**7. COMMUNITY REPORTS**

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

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

**8. PUBLIC QUESTION TIME**

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

**8.1. Public Questions on Notice**

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

**8.1.1. Public Questions on Notice - Ray Norman - Homelessness, Environmental Sustainability, Queen Victoria Museum and Art Gallery (QVMAG) - 21 June 2024**

**FILE NO:** SF6381 / SF7000 / SF2244 / SF4729

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**APPROVER:** Sam Johnson (Chief Executive Officer)

---

**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 21 June 2024 by Ray Norman, have been answered by Chelsea van Riet (General Manager Community and Place Network), Michael Newby (Chief Infrastructure Officer) and Shane Fitzgerald (General Manager Creative Arts and Culture Network).

**Questions as received:**

1. Given the backgrounding here and Council's demonstrated ongoing commitment to status quoism will Council now consider any of the following:
  1. Cease considering constituent's "*housing stress*" as an issue that belongs to the suffers or some other authority; and
  2. Cease advocating that people's "*housing stress*" as an issue that falls within the bailiwick of State and Federal governance; and
  3. Cease considering constituent's "*housing stress*" as being to do with '*homelessness*' and fiscal stress exclusively; and
  4. Begin to consider the right to a safe and secure '*homeplace*' as a fundamental human right in the context of cultural landscaping, civic planning and placemaking; and
  5. Consider establishing an independent standalone Launceston Housing Authority that is funded collaboratively by Council, State Govt, Federal Govt. the corporate sector, charities, and donors, and
  6. Consider establishing a Community Housing Forum designed to bring appropriate experts together to canvass reassessing appropriate construction technologies and sustainable 21<sup>st</sup> C placemaking; and
  7. Consider establishing a Cooperative Community Housing Office designed to broker increased cooperative housing in the city's building stock and existing dwellings; and
  8. Consider establishing Communal Housing Zones where those participating in facilitating Communal Housing receive a financial benefit from their participation; and

9. Move proactively in insuring that all officers and staff deliver UPR (*Unconditional Positive Regard*) to all community members in order to encourage reciprocal behaviour and especially so relative to addressing the city's 'housing crisis'?

**Response:**

*The City of Launceston's Annual Plan for 2024/25 includes the scoping of a housing strategy. This will outline Council's position on matters related to housing in the municipality and provide insight into the current situation as well as the challenges we must overcome to achieve housing supply that is aligned with community needs.*

*Issues related to housing are multi-faceted and require the cooperation across sectors as well as between all three levels of government. As part of the work to prepare a housing strategy, relevant stakeholders will be engaged, and we have already initiated discussions with the development sector as well as the community housing sector.*

*As part of this process, we look forward to understanding community perceptions of housing and their knowledge of the anticipated population growth over the coming decades.*

2. Will Council consider abandoning its stance that the elected representatives, and their executive management staff, hold all the required wisdom and expertise relative to sustainable cultural landscaping and placemaking, and abandon the exclusive use of punitive measures when dealing with errant citizens and offer meaningful rewards towards encouraging citizens to act more responsibly in their lives and their participation in sustainable place making.

**Response:**

*The Council makes decisions in accordance with its adopted strategic direction, which is reflective of appropriate public consultation processes. Council decisions are supported by advice provided by appropriately qualified professionals, and community input.*

3. Will Council NOW take immediate steps to ensure the appointment of a qualified Commissioner to:
  1. Enact the advice to Council in 2022; and
  2. Accordingly ensure that public monies, donations, and sponsorships are used for their intended purpose; and
  3. Accordingly protect the priceless QVMAG collections; and
  4. Ensure that researchers – *academic and citizen researchers* – have appropriate access to the QVMAG collections and be formally engaged with the institution; and
  5. That cultural producers can engage proactively with the institution at multiple levels.

**Response:**

*Council have adopted a Futures Plan for QVMAG, which has undergone a process of appropriate engagement. The Futures Plan has been formally adopted by Council, and forms the basis of actions and direction for the Council to move forward in supporting QVMAG.*

---

**ATTACHMENTS:**

1. Public Question on Notice - Ray Norman - 21 June 2024 [8.1.1.1 - 3 pages]



**8.1.2. Public Questions on Notice - Robin Smith - Graffiti Removal in Brisbane Street Mall and Free Tiger Bus Service - 3 July 2024**

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**APPROVER:** Sam Johnson (Chief Executive Officer)

---

**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 3 July 2024 by Robin Smith, has been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network), Nathan Williams (Chief Financial Officer), and David Mullenger (Manager Health and Compliance).

**Questions as received:**

1. Would council kindly consider removing the graffiti vandalism (tagging) from the front of Birchalls building (Brisbane Street Mall) and liaise with other agencies to advocate for the removal of the graffiti tags from post boxes (Australia Post); telephone boxes (Telstra); electrical cabinets containing council's electrical distribution board (TasNetworks) in and around the Brisbane Street Mall?

**Response:**

*A customer request has been raised.*

2. Tiger Bus - Launceston City Council free transport service.
  - i. When did the 'Tiger Bus' last carry the gold and black Tasmanian tiger livery, name branding, council branding and visual graphics saying it was 'free'?

**Response:**

*In consultation with Metro, the branding was removed in April 2023 as it was not deemed to be in a condition suitable for continued use.*

- ii. Are you in a position to provide passenger loading statistics for users of the service for:
  - (a) commuter parking for all-day parking permit holders
  - (b) others (visitor/explorer/tourists)?

**Response:**

*Currently there are 15 all-day parking permit holders registered with the City of Launceston. The averages of each service route (excluding the primary commuter services) for the year to date (January 2024 to June 2024) are as follows:*

*City Explorer - 25.28 Average Daily Boardings*

*River Explorer - 29.5 Average Daily Boardings*

*Cataract Gorge - 19.23 Average Daily Boardings*

*Data does not distinguish individual passenger categories i.e. visitor/explorer/tourists, rather, informed assumptions are based on, the service route (destination), and time of day. Year to date data demonstrates that the average daily boarding's on the morning commuter shuttle service is 16.9, and an average of 7.4 boardings for the evening commuter shuttle service.*

Do the statistics identify the counting of a returning daily commuter passenger or tourist passenger reboarding to commence a subsequent (multiple) leg of the 'loop'?

**Response:**

*No, the statistics collected do not count the different types of user grouper or individuals, however Council is considering options to evaluate tourists (interstate or international) and intrastate/local resident users of the services to determine the appropriate level of service required.*

- iii. What is the current cost levied by Metro Tasmania to council for the running of the service?

**Response:**

*Council's approved budget for 2024/2025 contains \$285,000 payable to Metro Tasmania for this service.*

- iv. At full operating 'summer' service, does the bus stop at Inveresk carpark 29 times a day but only 3 at the Gorge Reserve?

**Response:**

*Timetables are regularly reviewed and can be changed based on demand, ensuring an appropriate service level is provided across the tourism sectors, the park and ride service, and the inner city commuter.*

- v. Council website carries the following information:-  
The Tiger Bus is a free transport service throughout the central city district, running 7 days a week\*.  
*\*The FREE Tiger Bus operates 7 days a week between December to April. Operating Mon–Sun until 30 April 2024.*

Then for the full timetable, the site directs users via a link to the Metro Tasmania's site which states:-

*Services operate every business day and selected weekends and public holidays.  
\*Tiger Bus operates on Saturdays and Sundays in Dec, Jan, Feb, Mar and Apr*

Thus, only by the conflating information from these two sites together and with the process of elimination, do I take it from all that is written, the service is currently running five days per week, being Monday to Friday up until Sunday, December 1st, 2024?

**Response:**

*The Tiger Bus operates five days a week, for 7 months of the year. Council will undertake a review of the information on our website in consultation with Metro to ensure consistency in the information being provided about the Free Tiger Bus service.*

---

**ATTACHMENTS:**

1. Public Question on Notice - Robin Smith - Graffiti Removal in Brisbane Street Mall - 3 July 2024 [8.1.2.1 - 1 page]
2. Public Questions on Notice - Robin Smith - Free Tiger Bus Service - 3 July 2024 [8.1.2.2 - 2 pages]

**8.2. Public Questions Without Notice**

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

**8.2.1. Public Questions Without Notice - Rodney Jesson - Strata: Awning  
Protrusion into Quadrant Mall - 11 July 2024**

- 1. I am a small business owner who recently moved into the Quadrant Mall (also known as Bookmakers Lane). The final part of my project requires a strata as there is an awning that overhangs into the Quadrant which is a public road, and this needs to be permitted by Council before the strata can be granted. An application was lodged in March and correspondence from Council indicated this matter would be presented to Council today, however inspection of the Agenda indicates it is still outstanding. Why has the matter not been brought to Council today?**

**The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Agenda of 25 July 2024.**

**8.2.2. Public Questions Without Notice - Robin Smith - Protesters in the Mall, One Way Streets, Moving of Bus Stops - 11 July 2024**

- 1. I am looking at bringing a Motion to Council to have the activities of boycotting, protesting, divesting of business and sanctioning in the city, not a permitted use for permits for activities that take place in the Brisbane Street Mall and Civic Square. If that were a motion, how would you vote on it?**

**The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Agenda of 25 July 2024.**

- 2. My understanding of the Public Spaces Public Life Report 2011 (also referred to as the Gehl Report) is, that the city is a place for people, a place for enjoying walking, shopping and living. There is a current proposal for a number of street changes that turn some one-way streets into two-way streets and some two-way streets into one-way streets. These traffic proposals are at odds with the Gehl Report. Do I read that correctly in that document?**

**The Mayor, Councillor M K Garwood, advised that Council has received many presentations with different configurations for what City Heart could look like street-scaping and place making, since 2011. Further conversation is occurring within this space, including with the new Chief Executive Officer who is also able to bring a fresh set of eyes to this project.**

- 3. The proposal to move the bus stops from on street to a terminal or intervchange, was opposed by Metro and I wanted to be clear that it was actually Metro, who for 10 years, have suggested their preference is to keep bus stops on the street because it is closer to business. It is for a whole multitude of reasons particularly given the life that Metro has experienced with the bus interchanges built in Glenorchy and Rosny with social behaviour issues, so I just wanted to be clear that Metro have publicly stated that they are opposed as a bus operator to an interchange verses having then scattered about in the city.**

**The Mayor, Councillor M K Garwood, thanked Mr Smith for his comment.**

---

**9. PLANNING AUTHORITY**

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 9 - Planning Authority.

**9.1. DA0117/2024-169 St Leonards Road, St Leonards-Subdivision-Subdivide land into 53 residential lots, balance lots, construction associated infrastructure-roads, public open space, services, works within road reserves of Pinsley Drive, St Leonards Road**

**FILE NO:** DA0117/2024

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

**APPROVER:** Chelsea van Riet (General Manager Community and Place Network)

---

**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Jac Multi Asset Pty Ltd
Property:	169 St Leonards Road St Leonards
Zoning:	General Residential, Rural
Receipt Date:	19/03/2024
Validity Date:	3/06/2024
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	15/07/2024
Representations:	5

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

DA0704/2022 - 169 St Leonards Road, St Leonards - Subdivision - Subdivide one lot into three lots - approved under delegated authority.

**STANDARDS REQUIRING PLANNING DISCRETION:**

8.6.1 General Residential Zone - Lot design  
8.6.2 General Residential Zone - Roads  
20.5.1 Rural Zone - Lot design

- C7.6.1 Natural Assets Code - Buildings and works within a waterway and coastal protection area or a future coastal refugia area
- C7.6.2 Natural Assets Code - Clearance within a priority vegetation area
- C7.7.1 Natural Assets Code - Subdivision within a waterway and coastal protection area or a future refugia area
- C7.7.2 Natural Assets Code - Subdivision within a priority vegetation area
- LAU-S12.8.1 Development Potential Specific Area Plan - Co-ordination of subdivision

## RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0117/2024 - Subdivision - Subdivide land into 53 residential lots and balance lots, construction of associated infrastructure including roads, public open space, services and works within the road reserves of Pinsley Drive and St Leonards Road at 169 St Leonards Road, St Leonards 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 Manager City Development unless modified by a condition of the Permit:

- a. Planning Report, Prepared by Metier Planning & Development, Page No 1 - 34.
- b. Site Plan, Prepared by 6ty, Drawing No. Cp04, Revision No. H, Page No 35, Dated 01/05/2024
- c. Site Plan, Prepared by 6ty, Drawing No. Cp20, Revision No. B, Page No 36, Dated 26/04/2024
- d. Cross Sections, Prepared by 6ty, Drawing No. Cp82, Revision No. A, Page No 37, Dated 26/04/2024
- e. Transport Impact Assessment, Prepared by Ration, Reference No. 21296T, Revision No. F02, Page No 38 - 83, Dated 06/05/2024
- f. Natural Values Report, Prepared by Livingston Natural Resource Services, Page No 84 - 120, Dated 08/05/2024.
- g. Bushfire Hazard Management Report, Prepared by Livingston Natural Resource Services, Page No 121 - 156, Dated 29/04/2024

### 2. DEPARTMENT OF STATE GROWTH

Basic engineering drawings showing the extent of works, including all pavement marking and sign details along with written confirmation of Council agreement for the restriction of parking and, relevant bus operators for any bus stop adjustments to facilitate the works, must be provided to the Department of State Growth for review and acceptance as part of a works permit application per the details noted below.

NOTE: A valid works permit is required for all works undertaken in the State Road (St Leonards Road) reservation. Details of the permit process and application forms can be found at:

[www.transport.tas.gov.au/road\\_permits/permits\\_and\\_bookings/general\\_works\\_pathways\\_stock\\_underpass](http://www.transport.tas.gov.au/road_permits/permits_and_bookings/general_works_pathways_stock_underpass)

Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

### **3. BUSHFIRE PRONE AREAS**

Hazard Management areas for lots 24 - 41 are located on land external to the proposed subdivision and the submitted Bushfire Hazard Management report has accompanied by a written consent from the owners of land CT 185856/1 and CT 185856/2 to be entered into an agreement under section of 71 of the Act to manage the affected land in accordance with the bushfire hazard management plan.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the Land Use Planning and Approvals Act 1993. All cost associated with preparing and registering the Agreement must be borne by the applicant.

Once executed the Part 5 agreement must be complied with, including the lodgment of all new development applications that are affected by the agreement.

Any advertising material pertaining to lots affected by the Part 5 agreement must disclose that a Part 5 agreement is on the title and the requirements of the agreement.

### **4. 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.

### **5. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00338-LCC, dated 02/05/2024 and attached to the permit.

### **6. HOURS OF CONSTRUCTION**

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

### **7. DAMAGE TO COUNCIL INFRASTRUCTURE**

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



## **8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

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

The explicit permission of General Manager - Infrastructure & Assets Network is required prior to undertaking works where the works:

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

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

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

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

## **10. ROAD CROSSINGS FOR SERVICE CONNECTIONS**

Where it is required by a service provider (i.e. TasWater, Telstra, Aurora, etc) to upgrade, relocate or remove the existing connection or install a new connection, the developer must apply to Council's Manager Infrastructure and Engineering for approval to install the connection across Pinsley Drive.

The approved installation method is direction drilling/boring. Open trench installation will not be permitted except in EXCEPTIONAL circumstances and requires the written consent of the Council's General Manager Infrastructure and Assets Network who will specify the required construction and reinstatement works.

No work must commence for the installation, alteration or removal of the connection until such time as the service crossing approval has been obtained.

## **11. SOIL AND WATER MANAGEMENT CONTROL PLAN**

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.

- c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
- d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the General Manager, Infrastructure & Assets Network. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

## **12. FILLING OF LAND**

Site filling that exceeds a depth of 300 mm must comply with the provisions of AS3798 Guidelines on earthworks for commercial and residential developments current at the time of the application. Prior to the sealing of a final plan of subdivision, a Civil Engineer must certify that all the works have been carried out in accordance Australian Standard AS 3798 and the endorsed plan.

## **13. PERMIT TO UNDERTAKE WORKS IN STATE ROAD**

St Leonards Road is a State Road and is under the jurisdiction of the Department of State Growth (DSG). A works permit pursuant to Section 16 of the *Roads and Jetties Act 1935* must be obtained to undertake works within the state road reservation. No works on or affecting the State Road must commence until the required permit has been issued by DSG. A copy of the DSG permit must be submitted to the Council's General Manager, Infrastructure & Assets Network prior to the commencement of the works.

## **14. PROTECTION OF PIPELINES**

The existing underground Council pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5 metres from the outer edge of the pipe,
- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. There must be a minimum clear space between buildings or substantial structures of at least 3 metres in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to Section 13 of the *Urban Drainage Act 2013*.

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

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

## **16. RETICULATED SERVICES**

Prior to the sealing of a final plan of subdivision, 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 General Manager, Infrastructure & Assets Network 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.
- 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. CONSTRUCTION OF WORKS**

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager, Infrastructure & Assets Network.

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

### **a. Stormwater Network**

- i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve, including the incorporation of water sensitive urban design elements,
  - ii. The provision of a DN 100 connection to the lowest point of each lot,
  - iii. Provision of an overland flow path for flows up to a 100 year ARI storm event,
  - iv. Provision of a sealed access way/shared path with a minimum of 3 metres width, located parallel to the water course outside of the proposed area of impact from
-

the 1% AEP event and the extent of the backwater affect shown on the 6ty<sup>o</sup> plan 22.187 Cp04 Rev H.

**b. Roads - St Leonards Road**

- i. Provision of all works required to facilitate the installation of the Department of State Growth approved works,
- ii. Provision of all necessary modifications to the existing footpath and pedestrian kerb ramps,
- iii. Provision of all necessary line marking, signage and other traffic control devices.

**c. Roads - Pinsley Drive**

- i. Provision of a standard T intersection with Proposed Road 1,
- ii. Provision of indented parking bays behind the existing kerb line of sufficient dimension to provide for six car parking spaces,
- iii. Provision of all necessary modifications and relocation of the existing footpath and driveway crossings within Pinsley Drive to facilitate the above construction including the installation of all necessary pedestrian kerb ramps,
- iv. Provision of all necessary line marking, signage and other traffic control devices required for the new road junction and parking restrictions.

**d. Roads - Road 1**

- i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a 1500mm wide footpath located on the western and northern side of the road and all necessary pedestrian kerb ramps,
- iii. Provision of a single vehicular crossing for each lot within the subdivision with its primary frontage to Road 1 with the exception of Lots 32 and 33 which are to be provided with a single constructed and sealed access from the back of kerb to the end of the access strip, complete with all necessary drainage,
- iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- v. Provision of all necessary line marking, signage and other traffic control devices,
- vi. Provision of street trees at a rate of 1 tree per lot in accordance with the approved landscaping plan

**e. Roads - Road 2**

- i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
- iii. Provision of a single vehicular crossing for each lot within the subdivision with its primary frontage to Road 2,
- iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- v. Provision of all necessary line marking, signage and other traffic control devices,
- vi. Provision of street trees at a rate of 1 tree per lot in accordance with the approved landscaping plan.

**f. Roads - Lot 1002**

- i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
- iii. Provision of all necessary line marking, signage and other traffic control devices,
- iv. Provision of street trees at a rate of 1 tree per lot in accordance with the approved landscaping plan.

**g. Public Open Space & Walkway to St Leonards Road**

- i. Provision of a vehicle crossing and driveway apron from Road 1 including works to restrict unauthorised vehicle access such as lockable bollards and/or boom gates,
- ii. Provision of a 25mm water connection, and means of irrigation consistent with the approved landscape plan
- iii. Provision of all necessary drainage.
- iv. Provision of 3.0m wide sealed shared path from the St Leonards Road footpath connected to the access way/shared pathway,
- v. The lot is to be landscaped/vegetated and weed-free.

**h. Reserve (Lot 1001)**

- i. The water course is to be rehabilitated to maintain and improve the aquatic and terrestrial habitat, ecosystem services and amenity values,
- ii. The lot is to be landscaped/vegetated with local native species and weed-free.

**i. Electricity, Communications & Other Utilities**

- i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,
- ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
- iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
- iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- Construction requirements,
- Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- Construction Audit inspections,
- Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

## 19. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

## 20. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

## 21. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure & Assets Network.
- b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

## 22. EASEMENTS

Easements are required over all Council and third party services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required in line with the LCC document '*How close can I build to a Council Service?*' where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

### **23. SEALING PLANS OF SUBDIVISION**

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the General Manager, Infrastructure & Assets Network:

- a. The satisfactory completion of all public infrastructure works required by the planning permit.
- b. The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.
- c. The provision of engineering certification and as constructed documentation in accordance the Council requirements.
- d. The subsequent issue of a Certificate of Practical Completion by the General Manager, Infrastructure & Assets Network for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

### **24. CONVEYANCE OF ROADS**

All roads in the Subdivision must be conveyed to the Council upon the issue by the General Manager, Infrastructure & Assets Network, 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.

### **25. CONVEYANCE OF PUBLIC OPEN SPACE**

All public open space lots in the Subdivision must be conveyed to the Council upon the issue of titles. All costs involved in this procedure must be met by the Subdivider.

### **26. COMPLETION OF WORKS**

All works must be carried out to Council standards and to the satisfaction of the General Manager, Infrastructure & Assets Network and under the direct supervision of a civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

### **27. AS CONSTRUCTED PLANS**

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure & Assets Network.

### **28. NO BURNING OF WASTE**

Burning of vegetation and vegetative waste is not permitted on-site, unless a burn management plan has been prepared and undertaken by a suitability qualified person. A copy of this plan must be submitted to council's Manager Health and Compliance prior to the burn occurring. All other wastes are not permitted to be burnt and must be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

## **29. PROTECTION OF PUBLIC OPEN SPACE**

The Public Open Space is to be protected from damage during the construction works by ensuring that:

- a. Prior to commencing any work on the subject site the owner must erect fencing on the boundary between the Public Open Space and the subject site.
- b. No building material, stockpiles, skip bins or machinery are to be stored on the Public Open Space.
- d. No excavation or fill works within the subject site are permitted to extend into, impact upon the stability of, or reduce the ability of Council to maintain, the Public Open Space.
- e. No access to the subject site is permitted via the Public Open Space without express written consent from the General Manager, Infrastructure and Assets Network.
- f. Where permission is granted to access subject site via the Public Open Space, any and all damage caused to the Public Open Space is to be remediated within the timeframe specified in the written consent to access.

## **30. REVEGETATION OF DISTURBED AREAS**

All disturbed surfaces on land resulting from the buildings and works authorised or required by this permit must be revegetated and stabilised to the satisfaction of the Council so as to prevent any erosion or siltation either on or adjacent to the land.

## **31. STREET LANDSCAPING PLAN**

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the Council. Once approved by Council, it will form part of this permit. The approved landscaping of the site must:

- a. Be completed prior to the sealing of the Final plan of Survey.
- b. Provide street trees at a rate of 1 tree per lot and of an approved species with a minimum planted height of 2.5m, a minimum trunk diameter of 25mm (measured 1m above the surface) and at an average spacing of one per 20m of frontage.
- c. Have each shade tree provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti vandalism tie down to prevent removal.
- d. Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.

## **32. STAGED LANDSCAPING ON LARGE ESTATES PARKS**

- a. Prior to the commencement of works, a Landscaping Implementation Schedule must be submitted to the satisfaction of the Council. The schedule must indicate landscaping and site restoration works to be undertaken and these must be linked to the stages of subdivision.
- b. Prior to the sealing of the Final plan of subdivision by the Council for any stage, the landscape works linked to that stage by the Landscaping Implementation Schedule must be completed or suitable alternative arrangements to the satisfaction of the Council.

## **33. LAND SET ASIDE FOR PUBLIC OPEN SPACE**

When the Final Plan is submitted for sealing, Lot 1004 must be shown as a single lot and dedicated as Public Open Space. Once created, this lot must be transferred to Council at no cost to Council.



## Notes

### A. General

*This permit was issued based on the proposal documents submitted for DA0117/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.*

*This permit takes effect after:*

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

*The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.*

### B. Restrictive Covenants

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

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

### C. Appeal Provisions

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil & Administrative Tribunal (TASCAT).*

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

*For more information see the Tasmanian Civil & Administrative Tribunal (TASCAT) website [www.tascat.tas.gov.au](http://www.tascat.tas.gov.au) <<http://www.tascat.tas.gov.au>>*

### D. Permit Commencement.

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

---

Claire Fawdry (Principal Town Planner) and Dileep Karna (Town Planner) were in attendance to answer questions in respect of this item.

Abbie Turner spoke against the Recommendation.  
Claire Gregg (JAC Group) spoke for the Recommendation.

Due to a declaration of interest Councillor S Cai withdrew from the Meeting at 1:15 pm

Due to a declaration of interest Councillor J J Pentridge withdrew from the Meeting at 1:15 pm

Councillor A E Dawkins withdrew from the Meeting at 1:20 pm  
Councillor A E Dawkins re-attended the Meeting at 1:21 pm

**DECISION:** 11 July 2024

## **MOTION**

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

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0117/2024 - Subdivision - Subdivide land into 53 residential lots and balance lots, construction of associated infrastructure including roads, public open space, services and works within the road reserves of Pinsley Drive and St Leonards Road at 169 St Leonards Road, St Leonards 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 Manager City Development unless modified by a condition of the Permit:

- a. Planning Report, Prepared by Metier Planning & Development, Page No 1 - 34.
- b. Site Plan, Prepared by 6ty, Drawing No. Cp04, Revision No. H, Page No 35, Dated 01/05/2024
- c. Site Plan, Prepared by 6ty, Drawing No. Cp20, Revision No. B, Page No 36, Dated 26/04/2024
- d. Cross Sections, Prepared by 6ty, Drawing No. Cp82, Revision No. A, Page No 37, Dated 26/04/2024
- e. Transport Impact Assessment, Prepared by Ration, Reference No. 21296T, Revision No. F02, Page No 38 - 83, Dated 06/05/2024
- f. Natural Values Report, Prepared by Livingston Natural Resource Services, Page No 84 - 120, Dated 08/05/2024.
- g. Bushfire Hazard Management Report, Prepared by Livingston Natural Resource Services, Page No 121 - 156, Dated 29/04/2024

## **2. DEPARTMENT OF STATE GROWTH**

Basic engineering drawings showing the extent of works, including all pavement marking and sign details along with written confirmation of Council agreement for the restriction of parking and, relevant bus operators for any bus stop adjustments to facilitate the works, must be provided to the Department of State Growth for review and acceptance as part of a works permit application per the details noted below.

**NOTE:** A valid works permit is required for all works undertaken in the State Road (St Leonards Road) reservation. Details of the permit process and application forms can be found at:

[www.transport.tas.gov.au/road\\_permits/permits\\_and\\_bookings/general\\_works\\_pathways, stock underpass](http://www.transport.tas.gov.au/road_permits/permits_and_bookings/general_works_pathways_stock_underpass)

Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

## **3. BUSHFIRE PRONE AREAS**

Hazard Management areas for lots 24 - 41 are located on land external to the proposed subdivision and the submitted Bushfire Hazard Management report has accompanied by a written consent from the owners of land CT 185856/1 and CT 185856/2 to be entered into an agreement under section of 71 of the Act to manage the affected land in accordance with the bushfire hazard management plan.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the Land Use Planning and Approvals Act 1993. All cost associated with preparing and registering the Agreement must be borne by the applicant.

Once executed the Part 5 agreement must be complied with, including the lodgment of all new development applications that are affected by the agreement.

Any advertising material pertaining to lots affected by the Part 5 agreement must disclose that a Part 5 agreement is on the title and the requirements of the agreement.

## **4. 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.

## **5. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00338-LCC, dated 02/05/2024 and attached to the permit.

**6. HOURS OF CONSTRUCTION**

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

**7. DAMAGE TO COUNCIL INFRASTRUCTURE**

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

**8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

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

The explicit permission of General Manager - Infrastructure & Assets Network is required prior to undertaking works where the works:

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

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

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

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

#### **10. ROAD CROSSINGS FOR SERVICE CONNECTIONS**

Where it is required by a service provider (i.e. TasWater, Telstra, Aurora, etc) to upgrade, relocate or remove the existing connection or install a new connection, the developer must apply to Council's Manager Infrastructure and Engineering for approval to install the connection across Pinsley Drive.

The approved installation method is direction drilling/boring. Open trench installation will not be permitted except in EXCEPTIONAL circumstances and requires the written consent of the Council's General Manager Infrastructure and Assets Network who will specify the required construction and reinstatement works.

No work must commence for the installation, alteration or removal of the connection until such time as the service crossing approval has been obtained.

#### **11. SOIL AND WATER MANAGEMENT CONTROL PLAN**

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
- c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
- d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the General Manager, Infrastructure & Assets Network. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

#### **12. FILLING OF LAND**

Site filling that exceeds a depth of 300 mm must comply with the provisions of AS3798 Guidelines on earthworks for commercial and residential developments current at the time of the application. Prior to the sealing of a final plan of subdivision, a Civil Engineer must certify that all the works have been carried out in accordance Australian Standard AS 3798 and the endorsed plan.

### **13. PERMIT TO UNDERTAKE WORKS IN STATE ROAD**

St Leonards Road is a State Road and is under the jurisdiction of the Department of State Growth (DSG). A works permit pursuant to Section 16 of the *Roads and Jetties Act 1935* must be obtained to undertake works within the state road reservation. No works on or affecting the State Road must commence until the required permit has been issued by DSG. A copy of the DSG permit must be submitted to the Council's General Manager, Infrastructure & Assets Network prior to the commencement of the works.

### **14. PROTECTION OF PIPELINES**

The existing underground Council pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5 metres from the outer edge of the pipe,
- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. There must be a minimum clear space between buildings or substantial structures of at least 3 metres in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to Section 13 of the *Urban Drainage Act 2013*.

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

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

### **16. RETICULATED SERVICES**

Prior to the sealing of a final plan of subdivision, 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 General Manager, Infrastructure & Assets Network 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.
- 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. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager, Infrastructure & Assets Network.

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

- a. Stormwater Network
  - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve, including the incorporation of water sensitive urban design elements,
  - ii. The provision of a DN 100 connection to the lowest point of each lot,
  - iii. Provision of an overland flow path for flows up to a 100 year ARI storm event,
  - iv. Provision of a sealed access way/shared path with a minimum of 3 metres width, located parallel to the water course outside of the proposed area of impact from the 1% AEP event and the extent of the backwater affect shown on the 6ty<sup>o</sup> plan 22.187 Cp04 Rev H.
- b. Roads - St Leonards Road
  - i. Provision of all works required to facilitate the installation of the Department of State Growth approved works,
  - ii. Provision of all necessary modifications to the existing footpath and pedestrian kerb ramps,
  - iii. Provision of all necessary line marking, signage and other traffic control devices.
- c. Roads - Pinsley Drive
  - i. Provision of a standard T intersection with Proposed Road 1,
  - ii. Provision of indented parking bays behind the existing kerb line of sufficient dimension to provide for six car parking spaces,
  - iii. Provision of all necessary modifications and relocation of the existing footpath and driveway crossings within Pinsley Drive to facilitate the above

construction including the installation of all necessary pedestrian kerb ramps,

- iv. Provision of all necessary line marking, signage and other traffic control devices required for the new road junction and parking restrictions.

**d. Roads - Road 1**

- i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a 1500mm wide footpath located on the western and northern side of the road and all necessary pedestrian kerb ramps,
- iii. Provision of a single vehicular crossing for each lot within the subdivision with its primary frontage to Road 1 with the exception of Lots 32 and 33 which are to be provided with a single constructed and sealed access from the back of kerb to the end of the access strip, complete with all necessary drainage,
- iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- v. Provision of all necessary line marking, signage and other traffic control devices,
- vi. Provision of street trees at a rate of 1 tree per lot in accordance with the approved landscaping plan

**e. Roads - Road 2**

- i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
- iii. Provision of a single vehicular crossing for each lot within the subdivision with its primary frontage to Road 2,
- iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- v. Provision of all necessary line marking, signage and other traffic control devices,
- vi. Provision of street trees at a rate of 1 tree per lot in accordance with the approved landscaping plan.

**f. Roads - Lot 1002**

- i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
- iii. Provision of all necessary line marking, signage and other traffic control devices,
- iv. Provision of street trees at a rate of 1 tree per lot in accordance with the approved landscaping plan.



- 
- g. Public Open Space & Walkway to St Leonards Road**
- i. Provision of a vehicle crossing and driveway apron from Road 1 including works to restrict unauthorised vehicle access such as lockable bollards and/or boom gates,**
  - ii. Provision of a 25mm water connection, and means of irrigation consistent with the approved landscape plan**
  - iii. Provision of all necessary drainage.**
  - iv. Provision of 3.0m wide sealed shared path from the St Leonards Road footpath connected to the access way/shared pathway,**
  - v. The lot is to be landscaped/vegetated and weed-free.**
- h. Reserve (Lot 1001)**
- i. The water course is to be rehabilitated to maintain and improve the aquatic and terrestrial habitat, ecosystem services and amenity values,**
  - ii. The lot is to be landscaped/vegetated with local native species and weed-free.**
- i. Electricity, Communications & Other Utilities**
- i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,**
  - ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,**
  - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.**
  - iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.**

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- Construction requirements,
- Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- Construction Audit inspections,
- Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

#### **19. ACCESS OVER ADJACENT LAND**

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then**
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,**

- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

## 20. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

## 21. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure & Assets Network.
- b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

## 22. EASEMENTS

Easements are required over all Council and third party services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required in line with the LCC document '*How close can I build to a Council Service?*' where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

## 23. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the General Manager, Infrastructure & Assets Network:

- a. The satisfactory completion of all public infrastructure works required by the planning permit.
- b. The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications

infrastructure and TasWater infrastructure, from the responsible service provider.

- c. The provision of engineering certification and as constructed documentation in accordance the Council requirements.
- d. The subsequent issue of a Certificate of Practical Completion by the General Manager, Infrastructure & Assets Network for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

#### **24. CONVEYANCE OF ROADS**

All roads in the Subdivision must be conveyed to the Council upon the issue by the General Manager, Infrastructure & Assets Network, 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.

#### **25. CONVEYANCE OF PUBLIC OPEN SPACE**

All public open space lots in the Subdivision must be conveyed to the Council upon the issue of titles. All costs involved in this procedure must be met by the Subdivider.

#### **26. COMPLETION OF WORKS**

All works must be carried out to Council standards and to the satisfaction of the General Manager, Infrastructure & Assets Network and under the direct supervision of a civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

#### **27. AS CONSTRUCTED PLANS**

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure & Assets Network.

#### **28. NO BURNING OF WASTE**

Burning of vegetation and vegetative waste is not permitted on-site, unless a burn management plan has been prepared and undertaken by a suitability qualified person. A copy of this plan must be submitted to council's Manager Health and Compliance prior to the burn occurring. All other wastes are not permitted to be burnt and must be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

#### **29. PROTECTION OF PUBLIC OPEN SPACE**

The Public Open Space is to be protected from damage during the construction works by ensuring that:

- a. Prior to commencing any work on the subject site the owner must erect fencing on the boundary between the Public Open Space and the subject site.

- b. No building material, stockpiles, skip bins or machinery are to be stored on the Public Open Space.
- d. No excavation or fill works within the subject site are permitted to extend into, impact upon the stability of, or reduce the ability of Council to maintain, the Public Open Space.
- e. No access to the subject site is permitted via the Public Open Space without express written consent from the General Manager, Infrastructure and Assets Network.
- f. Where permission is granted to access subject site via the Public Open Space, any and all damage caused to the Public Open Space is to be remediated within the timeframe specified in the written consent to access.

### **30. REVEGETATION OF DISTURBED AREAS**

All disturbed surfaces on land resulting from the buildings and works authorised or required by this permit must be revegetated and stabilised to the satisfaction of the Council so as to prevent any erosion or siltation either on or adjacent to the land.

### **31. STREET LANDSCAPING PLAN**

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the Council. Once approved by Council, it will form part of this permit. The approved landscaping of the site must:

- a. Be completed prior to the sealing of the Final plan of Survey.
- b. Provide street trees at a rate of 1 tree per lot and of an approved species with a minimum planted height of 2.5m, a minimum trunk diameter of 25mm (measured 1m above the surface) and at an average spacing of one per 20m of frontage.
- c. Have each shade tree provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti vandalism tie down to prevent removal.
- d. Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.

### **32. STAGED LANDSCAPING ON LARGE ESTATES PARKS**

- a. Prior to the commencement of works, a Landscaping Implementation Schedule must be submitted to the satisfaction of the Council. The schedule must indicate landscaping and site restoration works to be undertaken and these must be linked to the stages of subdivision.
- b. Prior to the sealing of the Final plan of subdivision by the Council for any stage, the landscape works linked to that stage by the Landscaping Implementation Schedule must be completed or suitable alternative arrangements to the satisfaction of the Council.

### **33. LAND SET ASIDE FOR PUBLIC OPEN SPACE**

When the Final Plan is submitted for sealing, Lot 1004 must be shown as a single lot and dedicated as Public Open Space. Once created, this lot must be transferred to Council at no cost to Council.

## Notes

### **A. General**

***This permit was issued based on the proposal documents submitted for DA0117/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.***

***This permit takes effect after:***

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

***The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.***

### **B. Restrictive Covenants**

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

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

### **C. Appeal Provisions**

***A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil & Administrative Tribunal (TASCAT).***

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

***For more information see the Tasmanian Civil & Administrative Tribunal (TASCAT) website [www.tascat.tas.gov.au](http://www.tascat.tas.gov.au) <<http://www.tascat.tas.gov.au>>***

**D. Permit Commencement**

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

**CARRIED 7:1**

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

**Councillor S Cai re-attended the Meeting at 2:04 pm**

---

**9.2. PSA-LLP0020 - 181, 183, 185, 187, 189, 191, 193 Westbury Road and 60 Oakden Road, Prospect from the Low Density Residential Zone to the General Residential Zone**

**FILE NO:** PSA-LLP0020

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

**APPROVER:** Chelsea van Riet (General Manager Community and Place)

---

**DECISION STATEMENT:**

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Tasmanian Planning Scheme - Launceston.

**PLANNING APPLICATION INFORMATION:**

Applicant:	PDA
Area of the Site:	181 Westbury Road, Prospect (CT 51268/3 - 4153m <sup>2</sup> and CT 51268/4) 8213m <sup>2</sup> )
Existing Zones:	Low Density Residential Zone
Existing Use:	181 Westbury Road (DA0546/2021 recently approved subdivision to create 23 lots) and 60 Oakden Road are vacant of development with single dwellings occupying the remaining lots
Receipt Date:	27 March 2024

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 16 May 2024 - Agenda Item 9.2 - rezone 181, 183, 185, 187, 189, 191, 193 Westbury Road and 60 Oakden Road, Prospect (described as CT 51268/1, 51268/2, 51268/3 & 51268/4, CT100576/3, CT 180140/2, CT 180140/1, CT122146/1, CT100907/1, CT30458/1 and CT37/9009) from the Low Density Residential Zone to the General Residential Zone

**RECOMMENDATION:**

That Council:

1. In accordance with section 40K of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Amendment PSA-LLP0020; and that Amendment PSA-LLP0020 be approved as certified and exhibited.
-

Claire Fawdry (Principal Town Planner) was in attendance to answer questions in respect of this item.

Councillor J J Pentridge re-attended the Meeting at 2:05 pm

**DECISION:** 11 July 2024

**MOTION**

Moved Councillor A G Harris, seconded Councillor D C Gibson.

That Council:

1. In accordance with section 40K of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Amendment PSA-LLP0020; and that Amendment PSA-LLP0020 be approved as certified and exhibited.

**CARRIED 10:0**

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

**AGAINST VOTE:** Nil



---

**9.3. PSA-LLP0019 - 325 Watery Plains Road, White Hills - Planning Scheme Amendment - Rezone from Agriculture Zone to Rural Zone**

**FILE NO:** PSA-LLP0019

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

**APPROVER:** Chelsea van Riet (General Manager Community and Place)

---

**DECISION STATEMENT:**

To decide whether to reject or agree to initiate and exhibit Amendment PSA-LLP0019 to the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme.

**PLANNING APPLICATION INFORMATION:**

Applicant:	6ty° Pty Ltd
Address:	325 Watery Plains Road, White Hills (described as CT 106554/1, CT 232243/1 & CT208625/1)
Existing Zones:	Agriculture
Existing Codes:	7.0 Natural Assets Code 13.0 Bushfire Prone Areas Code 15.0 Landslip Hazard Code 16.0 Safeguarding of Airports Code
Existing Use:	Part cleared land with outbuilding sustaining grazing, remainder Native bushland protected by Conservation covenant C412685

**RELEVANT LEGISLATION:**

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

**RECOMMENDATION:**

That Council, pursuant to:

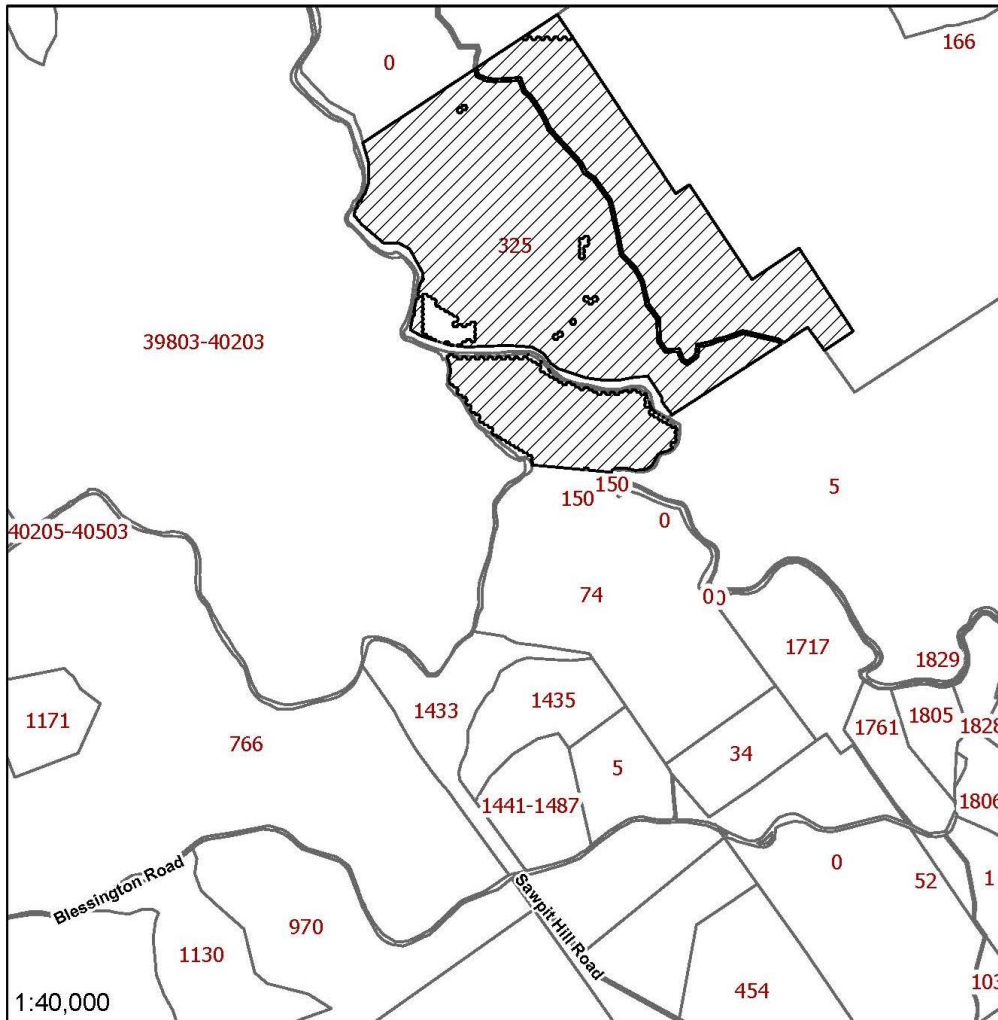
1. Section 40D of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates Amendment PSA-LLP0019, to the Launceston Local Provisions Schedule, to rezone land at 325 Watery Plains Road, White Hills (described as CT 106554/1, CT 232243/1 & CT208625/1) from the Agriculture zone to Rural zone and agrees to apply the Priority Vegetation component of the Natural Values code to part of the site.
2. Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies draft amendment PSA-LLP0019; and
3. Sections 40G and 40H of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.

Tasmanian Planning Scheme - Launceston Amendment PSA-LLP0019

**TASMANIAN PLANNING SCHEME - LAUNCESTON LOCAL PROVISIONS SCHEDULE**  
**Amendment PSA-LLP0019**

Apply the Priority Vegetation Overlay 325 Watery Plains Road  
(described as CT 208625/1, CT 232243/1 & CT 106554/1)

Amend the Tasmanian Local Provisions Schedule maps as below



 Priority Vegetation Overlay

THE COMMON SEAL  
of the City of  
Launceston was  
hereunto affixed in the  
presences of: -

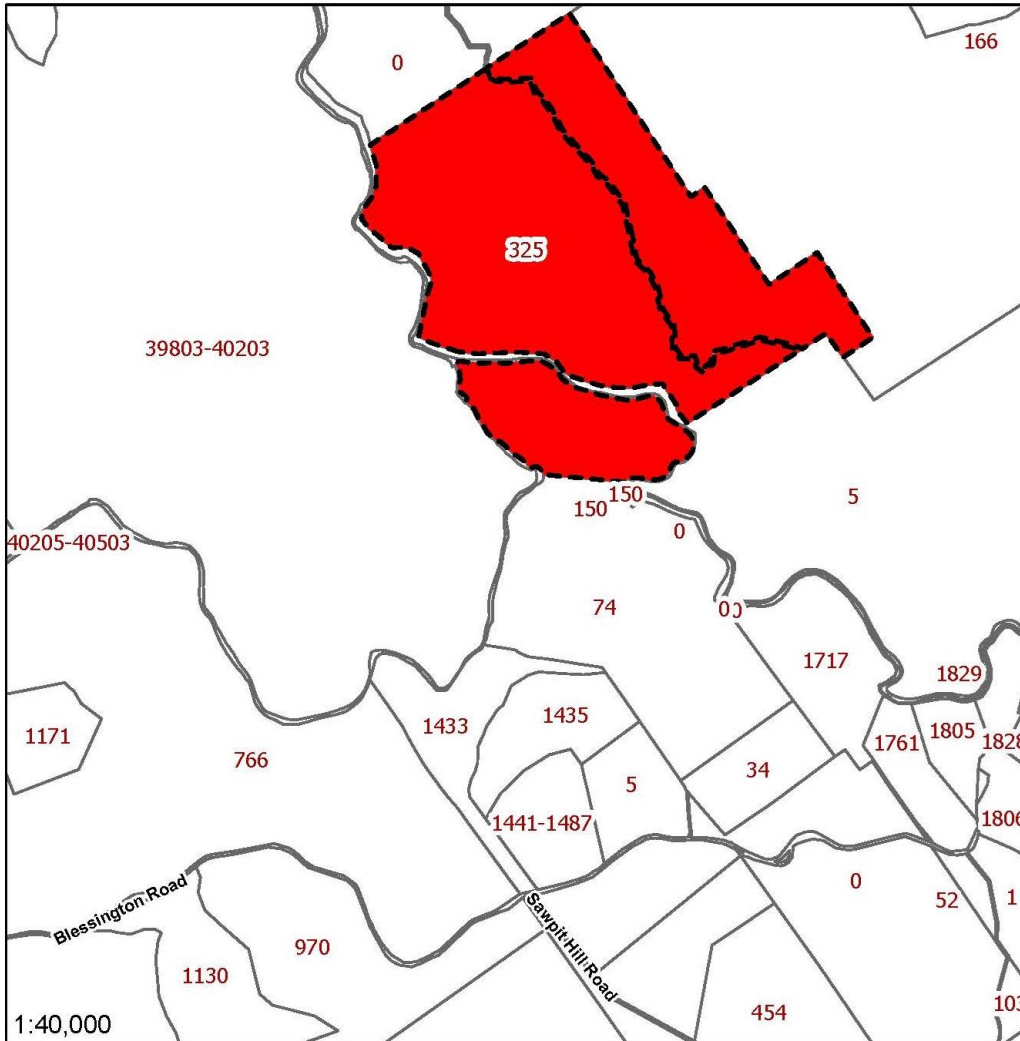
Sam Johnson  
Chief Executive Officer

Date

**TASMANIAN PLANNING SCHEME - LAUNCESTON LOCAL PROVISIONS SCHEDULE  
Amendment PSA-LLP0019**

Rezone land at 325 Watery Plains Road (described as CT 208625/1, CT 232243/1 & CT 106554/1)  
from Agricultural to Rural

Amend the Tasmanian Local Provisions Schedule maps as below



 Rural Zone

THE COMMON SEAL  
of the City of  
Launceston was  
hereunto affixed in the  
presences of: -

Sam Johnson  
Chief Executive Officer

Date

Claire Fawdry (Principal Town Planner) and Iain More (Senior Town Planner - Policy and Projects) were in attendance to answer questions in respect of this item.

**DECISION:** 11 July 2024

**MOTION**

Moved Councillor T G Walker, seconded Councillor J J Pentridge.

That Council, pursuant to:

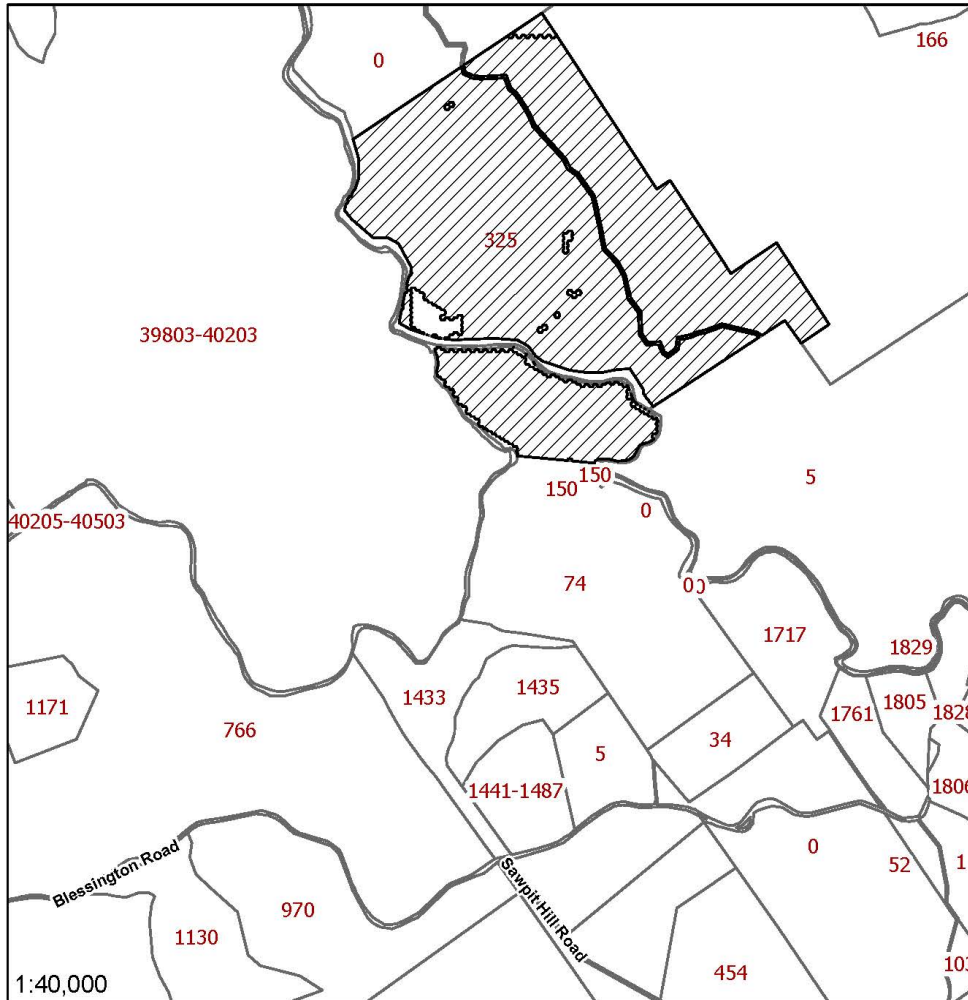
1. Section 37 of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates Amendment PSA-LLP0019, to the Launceston Local Provisions Schedule, to rezone land at 325 Watery Plains Road, White Hills (described as CT 106554/1, CT 232243/1 & CT208625/1) from the Agriculture zone to Rural zone and agrees to apply the Priority Vegetation component of the Natural Values code to part of the site.
2. Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies draft amendment PSA-LLP0019; and
3. Sections 40G and 40H of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.

**Tasmanian Planning Scheme - Launceston Amendment PSA-LLP0019**

**TASMANIAN PLANNING SCHEME - LAUNCESTON LOCAL PROVISIONS SCHEDULE  
Amendment PSA-LLP0019**

Apply the Priority Vegetation Overlay 325 Watery Plains Road  
(described as CT 208625/1, CT 232243/1 & CT 106554/1)

Amend the Tasmanian Local Provisions Schedule maps as below



 Priority Vegetation Overlay

THE COMMON SEAL  
of the City of  
Launceston was  
hereunto affixed in the  
presences of: -

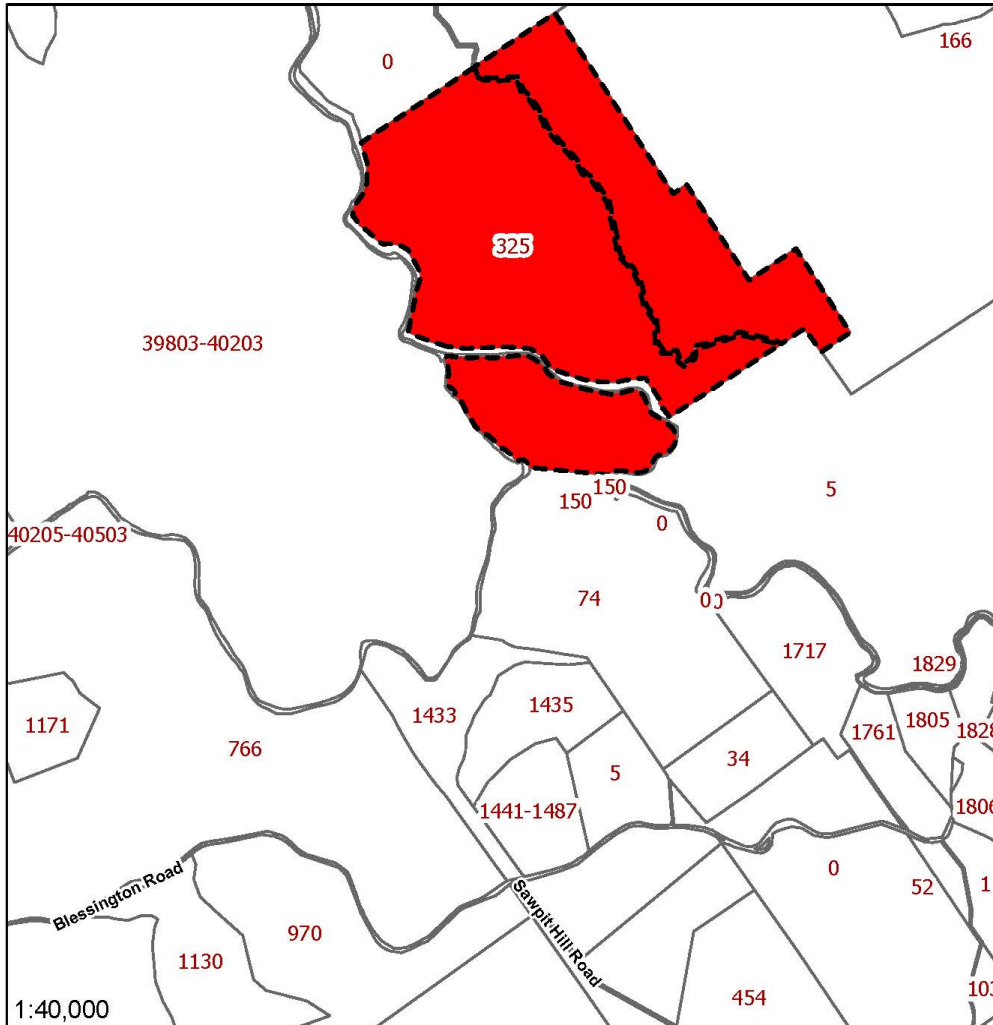
Sam Johnson  
Chief Executive Officer

Date

TASMANIAN PLANNING SCHEME - LAUNCESTON LOCAL PROVISIONS SCHEDULE  
Amendment PSA-LLP0019

Rezone land at 325 Watery Plains Road (described as CT 208625/1, CT 232243/1 & CT 106554/1)  
from Agricultural to Rural

Amend the Tasmanian Local Provisions Schedule maps as below



 Rural Zone

THE COMMON SEAL  
of the City of  
Launceston was  
hereunto affixed in the  
presences of: -

Sam Johnson  
Chief Executive Officer

Date

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

---

**9.4. PSA-LLP0012 - Planning Scheme Amendment - New Properties onto the Local Heritage List and New Datasheets**

**FILE NO:** PSA-LLP0012

**AUTHOR:** Jess Horton (Place and Heritage Officer) and Iain More (Senior Planner Policy and Projects)

**APPROVER:** Chelsea van Riet (General Manager Community and Place)

---

**DECISION STATEMENT:**

To decide whether to reject or agree to initiate and exhibit Amendment PSA-LLP0012 to the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme.

**PLANNING APPLICATION INFORMATION:**

Applicant: City of Launceston  
Address: 18-28 St John Street, Launceston Tas 7250  
Existing Zones: Multiple zonings  
Existing Use: Multiple uses

**RELEVANT LEGISLATION:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston  
Northern Tasmania Regional Land Use Strategy

**RECOMMENDATION:**

That Council, pursuant to:

1. Section 40D of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates Amendment PSA-LLP0012, to the Launceston Local Provisions Schedule, to:
    - a. insert 11 property datasheets for existing listings within Appendix A: Local Historic Heritage Code Datasheets, as shown in Attachment 2 to this report; and
    - b. add 38 new properties to the local heritage listings within LAU-Table C6.1 Local Heritage Places , as shown in Attachment 3;
    - c. create 38 new datasheets within Appendix A: Local Historic Heritage Code Datasheets, as shown in Attachments 4; and
    - d. introduce 38 new properties into the local heritage listing place overlay map, as shown in Attachment 5.
  2. Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies draft amendment PSA-LLP0012; and
  3. Sections 40G and 40H of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.
-



Iain More (Senior Town Planner - Policy and Projects) and Jess Horton (Place and Heritage Officer) were in attendance to answer questions in respect of this item.

**DECISION:** 11 July 2024

**MOTION 1**

Moved Councillor T G Walker, seconded Councillor S Cai.

That Council, pursuant to:

1. Section 40D of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates Amendment PSA-LLP0012, to the Launceston Local Provisions Schedule, to:
  - a. insert 11 property datasheets for existing listings within Appendix A: Local Historic Heritage Code Datasheets, as shown in Attachment 2 to this report; and
  - b. add 38 new properties to the local heritage listings within LAU-Table C6.1 Local Heritage Places, as shown in Attachment 3;
  - c. create 38 new datasheets within Appendix A: Local Historic Heritage Code Datasheets, as shown in Attachments 4; and
  - d. introduce 38 new properties into the local heritage listing place overlay map, as shown in Attachment 5.
2. Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies draft amendment PSA-LLP0012; and
3. Sections 40G and 40H of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.

**CARRIED 10:0**

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

**DECISION: 11 July 2024**

**MOTION 2**

**Moved Councillor D C Gibson, seconded Deputy Mayor Councillor D H McKenzie.**

**That an additional three minutes speaking time be granted to Councillor T G Walker.**

**CARRIED 10:0**

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

**The Mayor, Councillor M K Garwood, announced that Council no longer sits as a Planning Authority.**

## 10. ANNOUNCEMENTS BY THE MAYOR

### 10.1. Mayor's Announcements

FILE NO: SF2375

---

#### Friday 28 June 2024

- Guest Speaker at Scotch Oakburn Grade 5 Assembly
- Attended the Remembrance Day for the Workplace Safety Memorial Garden at Inveresk
- Attended the Sustainable Wearable Art Event - Remade 2024

#### Saturday 29 June 2024

- Guest Speaker and Q&A Session at Para Quad Association of Tasmania Inc, Basketball Game event, Elphin Stadium

#### Sunday 30 June 2024 - Attended by Acting Mayor, Councillor D H McKenzie

- Guest Speaker at Heritage Forest Community Garden - Certificate Ceremony

#### Monday 1 July 2024 - Friday 5 July 2024

- ALGA 2024 National General Assembly of Local Government, Canberra

#### Monday 8 July 2024

- Guest Speaker at the NAIDOC - Flag raising ceremony
- Attended the Elders Council of Tasmania Aboriginal Corporation - Community Luncheon for NAIDOC Week

#### Tuesday 9 July 2024

- Attended the Black Box Theatre Co - Opening Night of Spring Awakening
-

**11. COUNCILLORS' REPORTS**

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

**Deputy Mayor Councillor D H McKenzie**

- **30 June 2024 - As Acting Mayor, guest speaker at Heritage Forrest Community Garden**
- **3 July 2024 - As Acting Mayor, attended the funeral for former Alderman Annette Waddle**
- **5 July 2024 - Attended the 25th Symposium of Australian Gastronomy**
- **8 July 2024 - Attended the NAIDOC Week "Keep the fire burning! Blak, Loud and Proud" Flag Raising Ceremony at the Tasmanian Aboriginal Centre**
- **Acknowledged the conclusion of Nettie Burr as Manager of Starting Point Neighbourhood House, and wished her well**

**Councillor T G Walker**

- **Apologised to Aboriginal community for not attending the NAIDOC Week "Keep the fire burning! Blak, Loud and Proud" Flag Raising Ceremony at the Tasmanian Aboriginal Centre**

**Councillor J J Pentridge**

- **3 July 2024 - Attended the funeral of former Alderman Annette Waddle**
- **Acknowledged Launceston's past people and heritage including former Alderman Annette Waddle and restaurateur Albert Taurian who is turning 90**

**Councillor L M McMahon**

- **8 July 2024 - Attended Brand Tasmania's 5 year celebration**
- **8 July 2024 - Attended the NAIDOC Week "Keep the fire burning! Blak, Loud and Proud" Flag Raising Ceremony at the Tasmanian Aboriginal Centre**

**Councillor S Cai**

- **8 July 2024 - Attended the NAIDOC Week "Keep the fire burning! Blak, Loud and Proud" Flag Raising Ceremony at the Tasmanian Aboriginal Centre**
- **21 July 2024 - A reminder about the Launceston Historical Society event, Boot Up for a Byte of History, virtual walking tour of the Launceston CBD with "Cya On The Road" commencing at 2.00pm from the meeting room at QVMAG Inveresk**

## 12. QUESTIONS BY COUNCILLORS

### 12.1. Councillors' Questions on Notice

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

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

#### 12.1.1. Councillors' Questions on Notice - Councillor D H McKenzie - Coronation Park Play Equipment - 27 June 2024

**FILE NO:** SF2375

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**APPROVER:** Sam Johnson (Chief Executive Officer)

---

#### **QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 27 June 2024 by Deputy Mayor Councillor D H McKenzie, has been answered by Ben Clark (Recreation Planning Officer).

#### **Questions:**

1. Can Officers provide a timeline as to when Coronation Park play equipment might be considered for refurbishment?

#### **Response:**

*City of Launceston play grounds and public open spaces are of high importance to us and the value they give to communities for play, activity, health and wellbeing is invaluable.*

*This year, City of Launceston Officers, are undertaking a Recreation and Open Spaces Strategy. The Strategy will look at the provision of playgrounds and public open spaces across the municipality and look for opportunities to address gaps and make improvements. In December and January a survey was open to the community seeking feedback on how our public open spaces are used, things that work well and areas for improvement. This, along with targeted consultation with specific groups e.g. environmental and social inclusion groups, has helped to form the background work for the Strategy. The next steps include a more in depth analysis of our current public open space, including our 61 play spaces. The outcome of the Strategy will help to guide future planning, budgets and improvements of these spaces and ensure playgrounds like Coronation Park are well provided for now and into the future. The City of Launceston expects a draft strategy to be complete in coming weeks, with an opportunity to share the draft with the community prior to finalisation.*

---

*The play equipment at Coronation Park was installed in 2010. An average asset life of 15 years is applicable to this asset meaning it is theoretically due for renewal in 2025. Based on this asset data, renewal can be expected in the short-term, Council officers will inspect the equipment and to better inform a definitive delivery timeframe.*

---

**12.1.2. Councillors' Questions on Notice - Councillor D C Gibson - Grants and Sponsorship Funds - 27 June 2024**

**FILE NO:** SF2375

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**APPROVER:** Sam Johnson (Chief Executive Officer)

---

**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 27 June 2024 by Councillor D C Gibson, has been answered by Chelsea van Riet (General Manager Community and Place) and Angie Hart (Team Leader Tourism and Events, Liveable Communities).

**Questions:**

1. If an event that receives funding does not proceed, previously officers were able to go further down the list to allocate the funding that might still be available, because the recommendation was in line with the budget and not in line with the scoring. If the event does not go ahead, would the intent then be that officers bring back a subsequent motion for the next in line event, rather than it just going down the list?

**Response:**

*If a funded event does not proceed, and there is an opportunity to reallocate the funding to eligible events that were not recommended due to budget constraints, Officers will present a new recommendation to the Council.*

---

**12.2. Councillors' Questions Without Notice**

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

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

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

**13. NOTICES OF MOTION**

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

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



**14. COMMITTEE REPORTS**

**14.1. Audit Panel Meeting - 21 May 2024**

**FILE NO:** SF3618

**AUTHOR:** Nathan Williams (Chief Financial Officer)

**APPROVER:** Louise Foster (General Manager Organisational Services Network)

---

**DECISION STATEMENT:**

To receive a report from the Audit Panel for the meeting held on 21 May 2024.

**PREVIOUS COUNCIL CONSIDERATION:**

Council – 27 June 2024 – Agenda Item 15.1 Financial Report to Council to 31 March 2024

Council – 21 March 2024 – Agenda Item 14.2 2023/2024 Budget Amendments

Council – 18 April 2024 – Agenda Item 13.3 2023/2024 Budget Amendments

**RECOMMENDATION:**

That Council receives the report from the Audit Panel Meeting held on 21 May 2024.

---

**Nathan Williams (Chief Financial Officer) was in attendance to answer questions in respect of this item.**

**DECISION: 11 July 2024**

**MOTION**

**Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor T G Walker.**

**That Council receives the report from the Audit Panel Meeting held on 21 May 2024.**

**CARRIED 10:0**

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

**AGAINST VOTE: Nil**

---

**15. CREATIVE ARTS AND CULTURAL SERVICES NETWORK**

**15.1. QVMAG Strategic Plan 2023-2028**

**FILE NO:** SF3816

**AUTHOR:** Dan McWilliams (Executive Assistant)

**APPROVER:** Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)

---

**DECISION STATEMENT:**

To consider the endorsement of the *QVMAG Strategic Plan 2023-2028*.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 20 August 2020 - *The QVMAG Futures Plan - A Paradigm Shift*

Workshop - 1 April 2021 - *QVMAG Futures Plan*

Ordinary Council – 30 June 2022 – Agenda item 16.1 – Recommendation 2(g)

Workshop – 13 June 2024 - *QVMAG Strategic Instruments*

**RECOMMENDATION:**

That Council endorses the draft Queen Victoria Museum and Art Gallery (QVMAG) *Strategic Plan 2023-2028* (ECM Document Set ID 5092965).

---

**DECISION: 11 July 2024**

**MOTION**

**Moved Councillor D C Gibson, seconded Councillor A G Harris.**

**That Council endorses the draft Queen Victoria Museum and Art Gallery (QVMAG) *Strategic Plan 2023-2028* (ECM Document Set ID 5092965).**

**CARRIED 10:0**

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

## 16. ORGANISATIONAL SERVICES NETWORK

### 16.1. Lease - Lebrina Equestrian Club Inc.

**FILE NO:** {custom-field-file-no}

**AUTHOR:** Sharin Imlach (Lease Officer)

**GENERAL MANAGER APPROVAL:** Louise Foster (Organisational Services Network)

#### DECISION STATEMENT:

To consider leasing part of the Lebrina Recreation Ground to the Lebrina Equestrian Club Inc.

#### RELEVANT LEGISLATION:

*Local Government Act 1993 (Tas)*

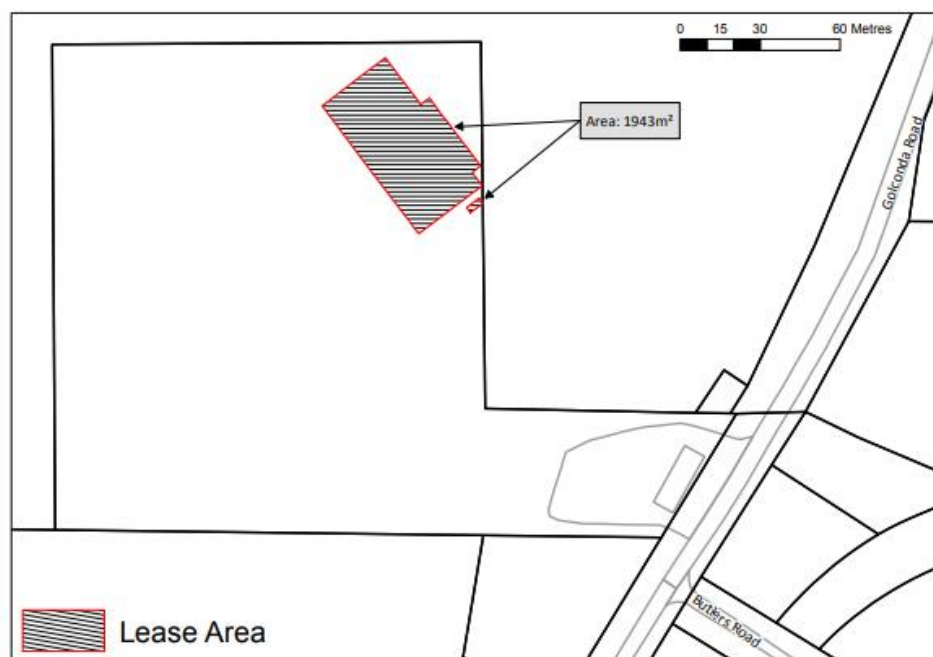
#### PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 3 October 2019 - Item 18.1 - Lease - Lebrina Equestrian Club Inc.

#### RECOMMENDATION:

That Council:

1. pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease part of the land situated at 905 Golconda Road, Lebrina (CT210903/1), known as the Lebrina Recreation Ground to the Lebrina Equestrian Club Inc., as identified on the plan below:



2. requires that the lease is on the following basis:
    - (a) the lessee is to be The Lebrina Equestrian Club Inc.;
    - (b) the lease is to commence on or as soon as possible after 1 October 2024 for a period of five years;
    - (c) the commencing rent is to be \$340.34, reviewed annually;
    - (d) the lessee is to be responsible for all outgoings including energy, water usage and service charges, security monitoring, and cleaning and operational maintenance;
    - (e) the lessee is to:
      - (i) keep the building clean and in good order;
      - (ii) maintain the grounds of the property;
      - (iii) hold public liability insurance with at least \$20,000,000 cover;
    - (f) the Council is to be responsible for structural maintenance;
  3. requests the Chief Executive Officer to:
    - (a) determine the exact dimensions of the land to be leased and all remaining terms and conditions;
    - (b) exercise any of Council's rights, options, or discretions necessary for the proper administration of the lease;
  4. notes, for the avoidance of doubt, that Chief Executive Officer is a term of reference for the General Manager within the meaning of the *Local Government Act 1993* (Tas).
- 

**Sharin Imlach (Lease Officer) and Trevor Clarke (Team Leader Recreation and Parks) were in attendance to answer questions with respect of this item.**

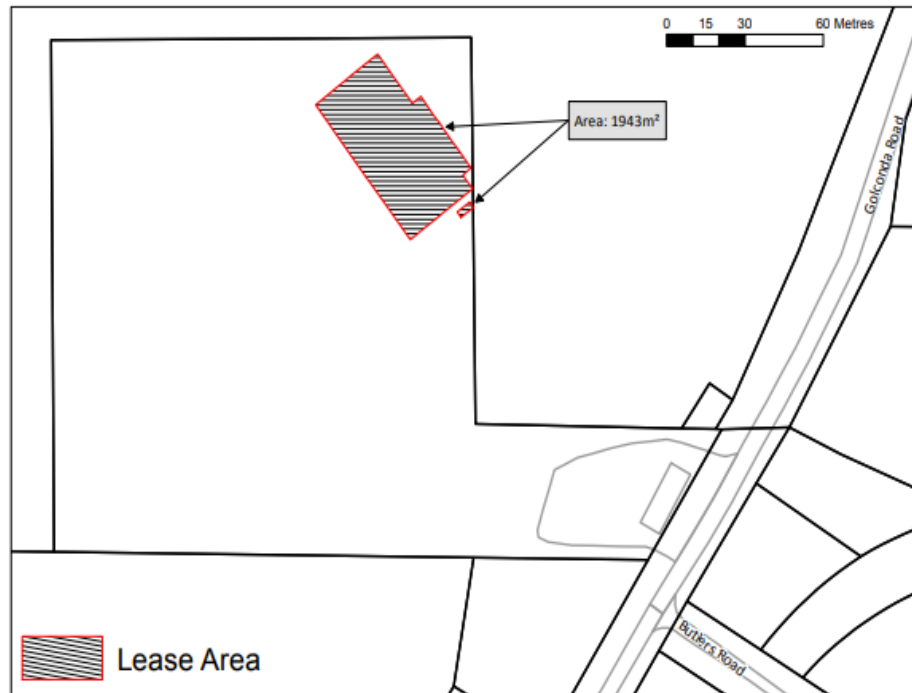
**DECISION: 11 July 2024**

**MOTION**

**Moved Councillor T G Walker, seconded Councillor J J Pentridge.**

**That Council:**

1. **pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease part of the land situated at 905 Golconda Road, Lebrina (CT210903/1), known as the Lebrina Recreation Ground to the Lebrina Equestrian Club Inc., as identified on the plan below:**



2. requires that the lease is on the following basis:
  - (a) the lessee is to be The Lebrina Equestrian Club Inc.;
  - (b) the lease is to commence on or as soon as possible after 1 October 2024 for a period of five years;
  - (c) the commencing rent is to be \$340.34, reviewed annually;
  - (d) the lessee is to be responsible for all outgoings including energy, water usage and service charges, security monitoring, and cleaning and operational maintenance;
  - (e) the lessee is to:
    - (i) keep the building clean and in good order;
    - (ii) maintain the grounds of the property;
    - (iii) hold public liability insurance with at least \$20,000,000 cover;
  - (f) the Council is to be responsible for structural maintenance;
3. requests the Chief Executive Officer to:
  - (a) determine the exact dimensions of the land to be leased and all remaining terms and conditions;
  - (b) exercise any of Council's rights, options, or discretions necessary for the proper administration of the lease;
4. notes, for the avoidance of doubt, that Chief Executive Officer is a term of reference for the General Manager within the meaning of the *Local Government Act 1993 (Tas)*.

**CARRIED 10:0**

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

**16.2. Disposal of Interest in Land - 16-30 Waverley Road, Waverley**

**FILE NO:** SF1168/MISC0006/2024

**AUTHOR:** Michelle Grey (Properties and Legal Officer)

**APPROVER:** Louise Foster (General Manager Organisational Services Network) and Michael Newby (Acting General Manager Infrastructure and Assets Network)

---

**DECISION STATEMENT:**

To consider the disposal of an interest in land at 16-30 Waverley Road, Waverley.

*This decision requires an absolute majority of Council.*

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

*Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)*

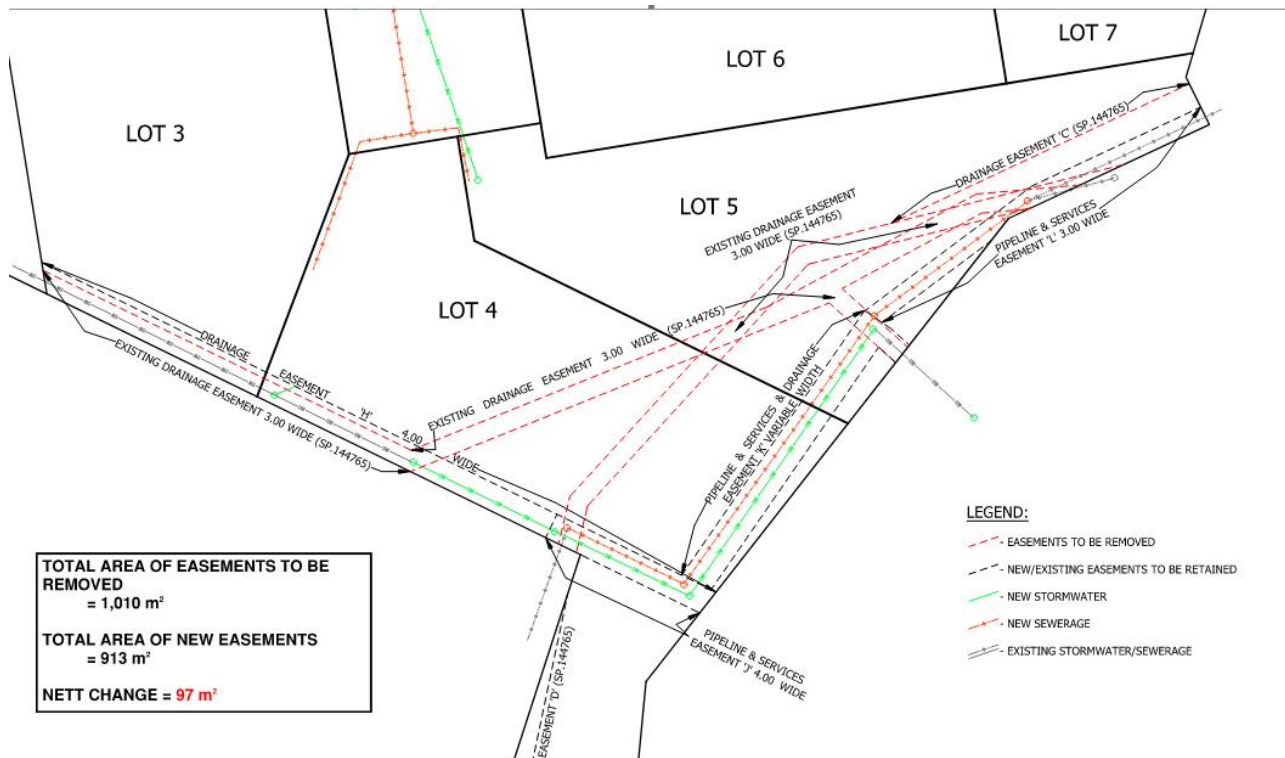
**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 20 June 2024 - Petition to Amend Sealed Plan 16-30 Waverley Road, Waverley

**RECOMMENDATION:**

That Council:

1. (a) decides, by absolute majority pursuant to section 177 of the *Local Government Act 1993 (Tas)* to dispose of an interest in land by agreeing to cancel the existing easements over Certificate of Title Volume 179043 Folio 2 as shown in the plan below; and  
(b) decides, pursuant to sections 175 of the *Local Government Act 1993 (Tas)* to acquire easements to contain stormwater and drainage infrastructure as shown in the plan below.



2. makes Recommendation 1 subject to the owner of 16-30 Waverley Road, Waverley paying the following costs:
  - (a) \$3,152 (plus GST) for Council's fee for a disposal of an interest in Council land;
  - (b) \$800 (plus GST) for the cost of obtaining the valuation;
  - (c) \$1 for the easement if demanded; and
  - (d) all associated costs with Land Titles Office registration.
3. notes the valuation advice at Attachment 1 (ECM Doc Set ID No. 5088282)
4. permits the Chief Executive Officer to do all things and exercise all functions and/or powers necessary to cause the easements to be amended in accordance with these Recommendations.
5. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).

**Michelle Grey (Properties and Legal Officer) was in attendance to answer questions in respect of this item.**

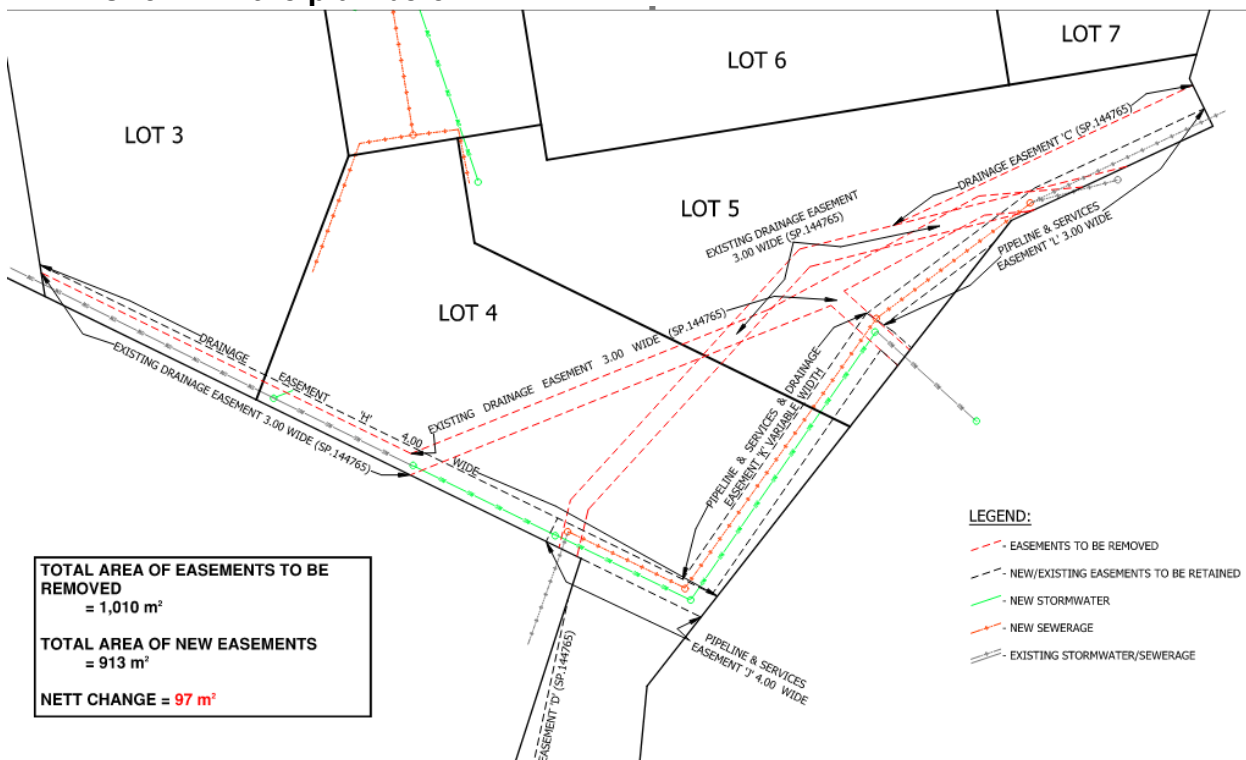
**DECISION:** 11 July 2024

**MOTION**

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

That Council:

1. (a) decides, by absolute majority pursuant to section 177 of the *Local Government Act 1993 (Tas)* to dispose of an interest in land by agreeing to cancel the existing easements over Certificate of Title Volume 179043 Folio 2 as shown in the plan below; and  
(b) decides, pursuant to sections 175 of the *Local Government Act 1993 (Tas)* to acquire easements to contain stormwater and drainage infrastructure as shown in the plan below.



2. makes Recommendation 1 subject to the owner of 16-30 Waverley Road, Waverley paying the following costs:
  - a. \$3,152 (plus GST) for Council's fee for a disposal of an interest in Council land;
  - b. \$800 (plus GST) for the cost of obtaining the valuation;
  - c. \$1 for the easement if demanded; and
  - d. all associated costs with Land Titles Office registration.
3. notes the valuation advice at Attachment 1 (ECM Doc Set ID No. 5088282)
4. permits the Chief Executive Officer to do all things and exercise all functions and/or powers necessary to cause the easements to be amended in accordance with these Recommendations.



5. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).

**CARRIED BY ABSOLUTE MAJORITY 10:0**

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

**17. LATE ITEMS**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(6)*

**No Late Items were identified as part of these minutes.**

**18. MEETING CLOSURE**

**The Mayor, Councillor M K Garwood, closed the Meeting at 3.25pm.**

**19. NEXT COUNCIL MEETING DATE**

**The next Ordinary Meeting of Council will be held at 1.00pm on 25 July 2024 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.**