



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 13 FEBRUARY 2025  
1.00PM**

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

Date: 13 February 2025

Time: 1:00 pm

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### Certificate of Qualified Advice

#### Background

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

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

#### Certification

I certify that:

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



**Sam Johnson OAM**  
Chief Executive Officer

## VIDEO and AUDIO STREAMING of COUNCIL MEETINGS

The video and audio of open sessions of ordinary Council meetings and special Council meetings that are held in the Council Chambers at Town Hall, will be streamed live via the Council's meeting stream channel on YouTube.

Video audio streaming and recording of this Council Meeting, except for any part held in Closed Session, will be made in accordance with our Video and Audio Streaming of Meetings Policy - 17-Plx-017.

This Council Meeting was streamed live to and can be accessed at:  
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For further information, please refer to our Video and Audio Streaming of Meetings Policy and our Privacy Policy available at:  
<https://www.launceston.tas.gov.au/Council-Region/Legislation-and-Policy/Policy>

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 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 Prof G Razay**  
**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)**  
**Nathan Williams (Executive Leader Delivery and Performance)**  
**Leanne Purchase (Acting Executive Leader Connections and Liveability)**  
**Chelsea van Riet (Executive Leader Community Assets and Design)**  
**Shane Fitzgerald (Director Queen Victoria Museum and Art Gallery)**  
**Zara Dawtrey (Team Leader Communications)**  
**Kelsey Hartland (Team Leader Governance)**  
**Lorraine Wyatt (Council and Committees Officer)**  
**Richard Jamieson (Senior Leader City Development) (Items 11.1, 11.2, 11.3, 11.4 and 11.5)**  
**Catherine Mainsbridge (Senior Town Planner) (Item 11.1)**  
**Duncan Payton (Town Planner) (Item 11.2)**  
**Iain More (Senior Town Planner Policy and Projects) (Items 11.3, 11.4 and 11.5)**  
**Samuel Kelty (Senior Leader Finance) (Items 20.1 and 20.2)**  
**Duncan Campbell (Team Leader Legal Services) (Items 20.4 and 20.5)**

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

The Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm.

**2. MAYORAL ACKNOWLEDGEMENTS**

The Mayor, Councillor M K Garwood, acknowledged the work undertaken by the Place Making Team regarding the presentation of the City of Launceston during the 60th Anniversary visit from Ikeda, as well as the administrative teams who coordinated the events.

**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 Pentridge declared an interest in Agenda Item 11.5. PSA-LLP0014 - 30 Merino Street, Kings Meadows - Scheme Amendment - Change of Zone from Light Industrial to Low Density Residential.**

**4. CONFIRMATION OF MINUTES**

**4.1. 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 23 January 2025 be confirmed as a true and correct record.

**DECISION: 13 February 2025**

**MOTION**

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

**That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 23 January 2025 be confirmed as a true and correct record.**

**CARRIED 12:0**

**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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**  
**AGAINST VOTE: Nil**

**5. COUNCIL WORKSHOPS**

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

**5.1. Council Workshops 30 January 2025 and 6 February 2025**

**FILE NO:** SF4401

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

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

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RELEVANT LEGISLATION:**

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

**RECOMMENDATION:**

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

1. Workshop conducted on 30 January 2025:

**St Leonards and Waverley Neighbourhood Plan - Project Update**

Councillors received an update from the project team on the St Leonards and Waverley Neighbourhood Plan project.

**Council Committees and Membership**

Councillors discussed the future of Council Committees following the completion of the Committee Review Project.

**Vehicular Access (Driveway) Policy and Guidelines**

Councillors received a briefing on the Draft Vehicular Access (Driveway) Policy and Guidelines.

**Planning Delegations Review**

Councillors participated in a review of the Planning Delegations to ensure that the delegations are fit for purpose and are contemporary with best practice.

**CARP (Corporate Application Replacement Program) Update**

Councillors were be provided with an update on CARP (Corporate Application Replacement Project).

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**Future of Local Government Review - Priority Reform Program 2024-2026**

Councillors provided feedback via an online Workshop to the Office of Local Government on the discussion paper, '*Targeted Amendments to the Local Government Act 1993*', which proposes a number of legislative changes to support the delivery of the Local Government Priority Reform Program 2024-2026.

*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 J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton  
*Apologies:* Councillor Prof G Razay

2. Workshop conducted on 6 February 2025:

**Elected Member Professional Training**

Councillors participated in the following Professional Training:

- Roles and responsibilities and Code of Conduct
- Council meetings and meeting procedures

*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 A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton  
*Apologies:* Councillor J J Pentridge

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**DECISION: 13 February 2025**

**MOTION**

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

**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. Workshop conducted on 30 January 2025:

**St Leonards and Waverley Neighbourhood Plan - Project Update**

Councillors received an update from the project team on the St Leonards and Waverley Neighbourhood Plan project.

**Council Committees and Membership**

Councillors discussed the future of Council Committees following the completion of the Committee Review Project.

**Vehicular Access (Driveway) Policy and Guidelines**

Councillors received a briefing on the Draft Vehicular Access (Driveway) Policy and Guidelines.

**Planning Delegations Review**

Councillors participated in a review of the Planning Delegations to ensure that the delegations are fit for purpose and are contemporary with best practice.

**CARP (Corporate Application Replacement Program) Update**

Councillors were be provided with an update on CARP (Corporate Application Replacement Project).

**Future of Local Government Review - Priority Reform Program 2024-2026**

Councillors provided feedback via an online Workshop to the Office of Local Government on the discussion paper, '*Targeted Amendments to the Local Government Act 1993*', which proposes a number of legislative changes to support the delivery of the Local Government Priority Reform Program 2024-2026.

*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 J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton  
*Apologies:* Councillor Prof G Razay

**2. Workshop conducted on 6 February 2025:**

**Elected Member Professional Training**

Councilors participated in the following Professional Training:

- Roles and responsibilities and Code of Conduct
- Council meetings and meeting procedures

*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 A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton  
*Apologies:* Councillor J J Pentridge

**CARRIED 12:0**

**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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton  
**AGAINST VOTE:** Nil

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

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

**7. COMMUNITY REPORTS**

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

**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 - Jim Dickenson - Albert Hall - 26 January 2025**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 29 January 2025 by Jim Dickenson has been answered by Liam Seymour (Senior Leader Building Assets and Investigations).

**Questions:**

1. Further to Public Questions on Notice 8.1.6. Council Meeting Agenda 23 January 2025:
  - a) Does the Shape contract include associated site works and landscaping?
  - b) Is work underway in the Hall to improve and upgrade the facilities as outlined in the Infrastructure and Assets Network report of 3 May 2023?
  - c) Please advise current progress of these works and expected completion date.
  - d) Putting aside for the moment the extension of time request for the Shape contract that is under review, what is the expected overall project completion date?
  - e) Have stakeholders been advised?

**Response:**

*Some of these works were originally intended to be completed directly by City of Launceston following completion of the Shape contract. Officers are now reviewing how to best carry out these works given a number of factors have changed since project commencement.*

*The works are currently in the planning phase and are being considered for appropriateness in line with Theatre North's requirements, as they are now known to be the operators of the facility. Once the scope is finalised by officers, Council will be briefed.*

*Council and Theatre North are working closely together throughout this process and have communication channels with other stakeholders. Once Shape completes their works and exit the site there will be a commissioning period. At this stage officers are yet to establish an official opening date this year but expect to be in a position to advise in the near future.*

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**8.1.2. Public Questions on Notice - Jessica Hoyle - Council Support for Families Suffering from Drug Addiction - 23 January 2025**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 23 January 2025 by Jessica Hoyle, have been answered by Leanne Purchase (Acting Executive Leader Connections and Liveability).

**Questions:**

1. What is Launceston City Council doing about drug addiction and the drug issue in our time?

**Response:**

*Council does not directly provide services in respect of treatment for drug addiction or support for affected families.*

2. What is Launceston City Council doing to support enforced rehabilitation and the effects on families?

**Response:**

*Council officers frequently work with the some of the consequences of drug addiction, responding to property damage, anti-social behaviour, drug-use related litter, and perceptions of safety within the community.*

3. We need to be stronger on crime to ensure help for families. Drugs destroy families?

**Response:**

*Council Officers would be pleased to meet with Jessica Hoyle to understand any action it would be reasonable for Council to undertake in the context of the services provided by, and the community service organisations funded by, the Tasmanian Government.*

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**8.1.3. Public Questions on Notice - Mikaela Lee - Public Disclosures, Alleged Misconduct, and Accountability - 23 January 2025**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 23 January 2025 by Mikaela Lee, have been answered by Leanne Purchase (Acting Executive Leader Connections and Liveability).

**Questions:**

1. Given the recent public disclosures regarding Council fund use and alleged misconduct within council backed community organisations, what process is employed to assure all organisations being endorsed/sponsored are upholding their duty of care to community?

**Response:**

*For event sponsorship and community grants, entities that apply for funding are usually required to have risk assessments and waste management plans in place and maintain an appropriate level of public liability cover. Funding agreements also include a provision for the Council to insist on other reasonable requirements. While this provision is not usually exercised it could, for example, include relevant qualifications or Registration to Work with Vulnerable People if the entity was engaged in a regulated activity.*

2. If a community member has concerns re: misconduct and/or a harmful environment within a community organisation that is supported, what options exist for informing Council/requesting re-assessment of support?

**Response:**

*A conversation with a Council Officer is often the best place to start, so any escalation or referrals can be appropriately directed, for example through statutory reporting channels or internal complaint handling processes.*

3. What accountability does council hold toward volunteer based community organisations who ultimately represent the City of Launceston should they be found to be maintaining an unsafe environment (e.g. harmful interactions reported and organisation does not uphold positive duty to prevent further occurrences)?

**Response:**

*Depending on the source of the funding, a portion of the grant or sponsorship may be withheld until after a successful event. In extenuating circumstances, Council may consider a complete withdrawal of support. Our current approach and processes do not contemplate all scenarios and while they are regularly reviewed to reflect contemporary standards and expectations, it is often the case that matters are dealt with on a case by case basis.*

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**8.1.4. Public Questions on Notice - Robin Smith - Abuse of Parking Officers,  
Blockie Route - 23 January 2025**

**FILE NO:** SF638

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

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

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 23 January 2025 by Robin Smith, have been answered by Erica Deegan (Senior Leader infrastructure and Engineering) and Lee Simmons (Team Leader Parking).

**Questions:**

1. As City Heart Stage 2 (City Heart Place Plan endorsed 31 October 2024), places such emphasis on challenging 'blockies' as a reason for converting one-way streets to two-way, at the Annual General Meeting, Councillor Harris (Special Council Committee Member - Launceston City Heart Reference Group) maintained the 'blockie route' as comprising Paterson, George, York and Charles Streets, (being 1.1km) whereas I consider it to include York Street to Bathurst Street, along Bathurst Street and back along Brisbane Street to Charles Street, (a total of 1.9km). Where addressing the blockie route, what streets does council's City Heart project consider the 'blockie' route to include?

**Response:**

*The City Heart Place Plan outlines the intention to progress with implementation of the conversion of multiple one-way streets to two-way streets as noted within Section 5.3 of the document. There is no specific reference to the blockie route, and Council has not formally designated a blockie route.*

2. As several recent Council Parking Officer reports appearing on agenda items relating to parking enhancements make references to the challenges to the safety of the Parking Officers, could Council provide a report on reports made by parking officers of abuse, insults, threats to person, physical harm and any outcomes for say, the last few years?

**Response:**

*The City of Launceston's Parking Officers play a critical role in ensuring the city's parking infrastructure operates effectively. Their work is essential in maintaining clear access to loading zones and truck zones for deliveries, keeping bus zones unobstructed, and ensuring fair access to public parking spaces.*

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*Despite the necessity of this role, officers are frequently subjected to verbal abuse, threats, and physical aggression. Alarmingly, much of this abuse is not linked to compliance-related interactions but is random and unprovoked, including passers-by yelling insults, individuals in moving vehicles hurling abuse, and targeted acts of harassment.*

### **Incidents of Abuse and Violence**

*In the last 12 months, 127 incidents of threats, abuse and aggression towards Parking Officers have been reported across multiple locations, with the highest frequency occurring in the Central Business District (CBD). Not all incidents of threats and abuse are reported and realistically these figures are conservative. City of Launceston is working on addressing barriers to reporting of incidents by adopting more intuitive and easily accessed reporting tools.*

### **Breakdown of Reported Incidents by Location**

- CBD – 65 incidents
- Phone/Remote Interactions – 4 incidents
- Communication Room – 5 incidents
- Outskirts Vehicle Patrol – 18 incidents
- North Zones of Launceston – 9 incidents
- South Zones of Launceston – 7 incidents
- Car Parks - 16 incidents
- Other Locations - 3 incidents

### **Nature of Abuse**

*Reports detail a consistent pattern of hostility, including:*

- *Verbal harassment – Officers are frequently subjected to shouted insults, personal attacks, and degrading remarks, often from random passers-by or individuals in moving vehicles with no direct engagement.*
- *Threats of violence – Officers have faced menacing behaviour, explicit threats of physical harm, death threats and acts of intimidation.*
- *Physical assaults – Officers have been pushed, struck, had objects thrown at them, threatened with concealed weapons and had drivers veer toward them with their vehicle.*
- *Damage to Council property – Incidents include vandalism and deliberate damage to patrol vehicles as an act of retaliation or intimidation.*

### **Response and Mitigation Measures**

*The City of Launceston is committed to protecting its officers and treats all incidents of abuse with the highest priority. Actions taken include:*

- *Referral to Tasmania Police – Assaults, threats, and property damage are formally reported and investigated.*
- *Operational adjustments – Where officers face repeated, high-risk hostility, deployment strategies are adjusted to reduce unnecessary exposure to volatile locations.*
- *Officer welfare and support – All reported incidents result in immediate welfare checks, and officers are offered counselling through the Employee Assistance Provider, Newport and Wildman.*

***Expectation of Public Conduct***

*Parking Officers provide a critical service that supports the functionality of the city's transport and business operations. The consistent hostility directed at them is completely unacceptable.*

*The City of Launceston expects all members of the public to conduct themselves with decency and respect. No individual should be subjected to ongoing abuse, intimidation, or physical violence for simply performing their duties.*

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**8.1.5. Public Questions on Notice - Robin Smith - Parking Matters including Parking Operations, Christmas Arrangements - 31 January 2025**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 31 January 2025 by Robin Smith, has been answered by Lee Simmons (Team Leader Parking).

**Questions:**

1. Regarding: Questions on Notice - Parking Matters - General Council Meeting 13th February 2025

**Parking Operations - Public Holiday and Boxing Day - 2025 Onwards**

Arising from City of Launceston Council Meeting Agenda Thursday 23 January 2025 item 15.1., Notice of Motion - Councillor T G Walker - Provision of Multi-storey Parking in the CBD on Boxing Day, I note these officer comments:

*'There are however multiple considerations regarding public safety due [to]...'*

*1. '...the traffic flow limiting design of our car parks, ...'*

*2. '...the outdated incumbent infrastructure in the car parks...'*

*3. '...the need to officially classify the Parking Team as essential workers.'*

Irrespective of the awaited report findings, do I read it that these three aspects contained in the officer comments were written in response to anticipated public safety aspects that may arise in the carparks (multi-deck Paterson Street East and West and Elizabeth Street) on future Boxing Days [and public holidays] only were they to be operated uniquely with both

- I. vehicle entry and exit boom gates held permanently in the open position, and
- II. completely free of charge?

**Free Christmas Shopping Initiative - 2024**

- Would you indicate the amount of revenue that was likely forgone during council's free parking initiatives of the 14th, 15th, 21st and 22 December 2024?
- What hours did they operate?
- How many officer hours were employed to operate those carparks on those days?
- Were any of the three numbered public safety items listed above noted as a particular a challenge to operations?

### **Boxing Day 2024**

- What consideration was given to parking operations on 26 December 2024 (Boxing Day)?
- If so, were any of the three numbered public safety items listed above raised in any consideration as being likely to cause a particular challenge during either
  - I. free of charge, or
  - II. revenue operations with the vehicle control boom gate in full use?

### **Boxing Day 2023**

Of the council's multi-deck parking structures that operated on 26th December 2023:

- Which carparks did council operate?
- How much parking revenue was generated?
- What hours did they operate?
- How many officer hours were employed to operate those carparks on that day?
- Were any of the three numbered items above found to have caused any challenge to full revenue operations with boom gates in full operation on this day please?

### **Response:**

#### **Parking Operations - Public Holiday and Boxing Day - 2025 Onwards**

##### ***Interpretation of Officer Comments Regarding Public Safety Considerations***

*The three public safety considerations were raised specifically in relation to the free parking promotion due to the anticipated increase in occupancy during this period. These concerns were in regard to operating the car parks as open passage with the boom gates held open and completely free of charge.*

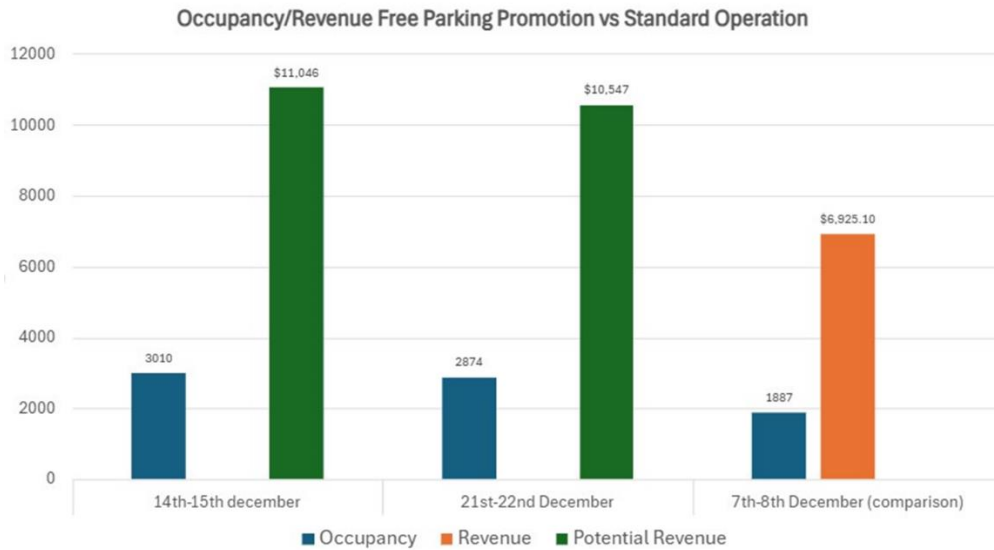
*Boxing Day, being a public holiday, would not have operated in this manner. Boom gates would have functioned as normal, and standard payment processes would have remained in place.*

#### **Free Christmas Shopping Initiative - 2024**

##### ***Revenue Forgone During Free Parking Initiatives (14, 15, 21, and 22 December 2024)***

*The occupancy rates during the Free Parking Promotion were higher than a standard weekend. When using the 7 - 8 December which is the weekend directly preceding the implementation of the Free Parking Promotion and dividing total revenue by total occupation to generate an average revenue per capita and extrapolating this against the occupation numbers of the Free Parking Promotion, the total forgone revenue would potentially be \$21,593 if the car parks were operating as per normal operation. The fact that they were operating free of charge would have influenced these figures.*





### **Hours of Operation**

All three car parks operated as per their normal hours of operation during the free parking initiative.

### **Officer Hours Employed During Free Parking Initiative**

A total of 144 officer hours were employed to operate the car parks during the free parking initiative.

### **Challenges Posed by Public Safety Considerations**

The three public safety considerations were noted as particular challenges to operations during the free parking initiative.

### **Boxing Day 2024**

#### **Consideration Given to Parking Operations on Boxing Day 26 December 2024**

The decision was made not to operate the three multi-storey car parks on Boxing Day 2024 due to a technical issue arising with our after-hours service provider. While the system was operational, several technological communication issues required addressing before it could function independently without oversight. As a result, the car parks remained closed on Boxing Day.

#### **Public Safety Considerations for Boxing Day Operations**

Yes, public safety considerations factored in the decision regarding Boxing Day operations. One of the contingencies considered was to operate the car parks as free open passage to mitigate the public disruption of having the car parks closed due to the technical difficulties. However, due to the concern of unmitigated access leading to over-filling the decision was made to not open the car parks.

### **Boxing Day 2023**

#### **Car Parks Operated on 26 December 2023**

The following multi-storey car parks were operated by the Council:

- Paterson Street East
- Paterson Street West

**Revenue Generated on Boxing Day 2023**

Revenue generated on Boxing Day 2023 from all operating car parks totalled:  
\$5264.90.

**Hours of Operation on Boxing Day 2023**

The car parks operated during their normal hours of operation.

**Officer Hours Employed on Boxing Day 2023**

On Boxing Day 2023, the car park was operated by our after-hours service provider.  
No officers worked on Boxing Day 2023.

**Challenges Posed by Public Safety Considerations on Boxing Day 2023**

The car parks were operated as per normal operation by our after-hours service provider. None of these safety considerations were relevant to the operating situation on Boxing Day 2023.

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**8.1.6. Public Questions on Notice - Robin Smith - Active Travel, Brisbane Street Lighting, Complaints Held - CBD Blockie Driving - 5 February 2025**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 5 February 2025 by Robin Smith, have been answered by Steven Tanchik (Team Leader Transport).

**Questions:**

**[Regarding Active Travel]**

1. In the Annual General Meeting agenda of Thursday 12 December 2024 item 6.1. Notice of Motion - Robin Smith - Signage for Personal Mobility Devices - 3 December 2024, officers wrote:

*It is also noted that we are also getting requests from members of the public around facilitating clear active transport corridors, to support both bicycle and the use of PMDs within the entire Launceston area, but specifically including the CBD.*

1. Are PMD's allowed to be ridden in bicycle lanes on roads in the Launceston area?
2. Does council consider PMD's (e-scooters - (powered micromobility devices)) to be classified as 'Active Transport' in any way, including for say, government funding application purposes?
3. Does council have any plans to install bicycle storage areas (painted on-street holding area before traffic lights) or other markings in the city?

**Response:**

1. *PMDs (Personal Mobility Devices) are currently permitted for use on footpaths, shared paths, bicycle paths and local roads which have a speed limit of 50km/h or less, no dividing lines or median strip and no multiple lanes if a one-way road.*
2. *PMDs, while considered micromobility, do form an integral part of the active transport modality included with walking and cycling. The Tasmanian Government definition for Active Transport also refers to PMDs/micromobility being included. Micromobility and PMDs feature prominently within the City of Launceston Transport Strategy and facilitated the implementation of the initial PMD trial and adoption of Beam ride sharing within the Municipality.*
3. *Council currently has no plans or resources allocated for installing bicycle storage areas such as painted on-street markings. The City of Launceston has rolled out throughout the city a number of bike racks and currently offers bicycle cages within Paterson Street West and Paterson East Car Parks.*

**[Regarding Brisbane Street Lighting]**

Ordinarily, faulty streetlights are quickly fixed if reported on the TasNetworks streetlight fault map.

The 18 green streetlights in the Avenue along Brisbane Street (from the Brisbane Street Mall to George Street) have been successively failing over the last year or so with only three currently left in operation. Unfortunately, none of these poles appear to be listed on the TasNetworks map.

1. Are these separately owned and managed by council perhaps and if so, can they be repaired please?

**Response:**

*The 18 green streetlights are City of Launceston Assets. Engineering investigations into the lighting failure have been initiated with the intent to return the assets to service as soon as possible.*

**[Regarding Complaints Held - CBD 'Blockie' Driving]**

A CBD speed limit drop from 50 to 40 km/h does not seem to have actually made a noticeable difference to the 'ferocity' of late Friday and Saturday night 'blockie' driving. One of the baseline measures council officers quote in substantiating a position, is referring to the presence (or absence) of complaints on file.

1. As this phenomenon of repeatedly lapping the CBD in cars is so seminal in justifying the planned street modifications under City Heart Stage 2 - Place Plan, can I be given an idea of what council holds then, on complaints related to vehicles being driven on the 'blockie route', for say, the last two years please?

**Response:**

*Customer Service has very limited records of anti-social hooning in the CBD as anti-social behavior is reported in most cases directly to Tasmania Police. City Heart Stage 2 intends to make streets more pedestrian and bike friendly through beautifying the streets and making them more attractive and people focused for all seasons day and night. This will inherently provide mechanisms to disincentivise anti-social behavior.*

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**8.2. Public Questions Without Notice**

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

**8.2.1. Public Questions Without Notice - Colin Burns (Chair of Trevallyn parks and Improvement Association) Cottage on Trevallyn Park - 13 February 2025**

- 1. When will the building report be available for the cottage at 62 Gorge Road?**
- 2. When will structural repairs at 62 Gorge Road occur and be completed?**
- 3. What financial compensation will be provided to the TPIA for loss of rent during the period of vacancy?**

**The Mayor, Councillor M K Garwood, advised that these questions would be Taken on Notice and a response provided in the Council Agenda of 6 March 2025.**

**9. PETITIONS**

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

**10. DEPUTATIONS**

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

## 11. 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 11 - Planning Authority.

### 11.1. DA0536/2024 228 Golconda Road, Lilydale - Food Services - Change of Use to Operate One Food Van at Lilydale Falls Reserve

**FILE NO:** DA0536/2024

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

**APPROVER:** Chelsea van Riet (Executive Leader Community Assets and Design)

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In accordance with the Council's policy, the assessment of this development application was peer reviewed by Chloe Lyne as an independent consultant Town Planner as it relates to development on Council owned land.

#### **DECISION STATEMENT:**

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

#### **PLANNING APPLICATION INFORMATION:**

Applicant:	City of Launceston
Property:	228 Golconda Road, Lilydale
Zoning:	Open Space
Receipt Date:	29/11/2024
Validity Date:	20/12/2024
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	13/02/2025
Representations:	1

#### **RELEVANT LEGISLATION:**

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

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

Council - 31 October 2024 - Item 17.4 - Mobile Food Vendor Policy

**RECOMMENDATION:**

That Council:

1. in accordance with sections 51 and 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme - Launceston, a permit be granted pursuant to Council, for DA0536/2024 Food Services - Change of use to operate one food van at Lilydale Falls Reserve at 228 Golconda Road, Lilydale 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 Senior Leader City Development unless modified by a condition of the Permit:

- a. Location Plan, Prepared by MB, Scale 1:4000 @ A3, Dated 27/11/2024.
- b. Site Plan, Prepared by MB, Scale 1:500 @ A3, Dated 27/11/2024.
- c. Covering letter.

**2. LEGAL TITLE**

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

**3. WASTEWATER COLLECTION AND DISPOSAL**

Each food vehicle that operates on-site must have an inbuilt holding tank for the collection of wastewater. Collected wastewater is to be disposed of off-site to an appropriate sewage dump point.

**4. NOISE AND ODOUR EMISSIONS - COMMERCIAL**

The use must not cause unreasonable noise and odour emissions or interference to other uses. Effective precautions must be taken to avoid nuisance noise and odour emissions associated with the activity including food processing, cooking and service.

**5. WASTE MATERIALS**

All waste materials generated by the activity are to be disposed of at an approved waste disposal facility or reclaimed/recycled if possible.

**6. LITTER MANAGEMENT**

Measures must be implemented to control litter on the land and to prevent the escape of litter from the land.

**7. VERMIN MANAGEMENT**

Measures must be implemented to eradicate, prevent the harbourage of and actively discourage the presence of vermin on The Land to ensure that they do not present an unacceptable public health risk.

**8. HOURS OF OPERATION**

Unless otherwise approved in writing by the Senior Leader Health and Compliance, the activities on The Land must only be undertaken during the hours of 8am to 10pm.

The above operating hours do not apply to activities associated with a response to an incident that is causing or threatening environmental harm.



## 9. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

### Notes

#### A. General

*This permit was issued based on the proposal documents submitted for DA0536/2024. 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.*

**E. Food Businesses**

*All food businesses must be registered with council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part I4 or any subsequent versions of this document.*

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**Richard Jamieson (Senior Leader City Development), Catherine Mainsbridge (Senior Leader City Development), Michelle Ogulin (Senior Leader Liveable Communities), Marcus Grantham (Team Leader Place Making) and Chloe Lyne (Consultant) were in attendance to answer questions in respect of this item.**

**The Mayor, Councillor M K Garwood, handed the Chair to the Deputy Mayor, Councillor D H McKenzie at 1.42pm.**

**The Mayor, Councillor M K Garwood, resumed the Chair at 1.44pm.**

**DECISION: 13 February 2025**

**MOTION 1**

Moved Councillor A G Harris, seconded Councillor J J Pentridge.

That Council:

1. in accordance with sections 51 and 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme - Launceston, a permit be granted pursuant to Council, for DA0536/2024 Food Services - Change of use to operate one food van at Lilydale Falls Reserve at 228 Golconda Road, Lilydale 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 Senior Leader City Development unless modified by a condition of the Permit:

- a. Location Plan, Prepared by MB, Scale 1:4000 @ A3, Dated 27/11/2024.
- b. Site Plan, Prepared by MB, Scale 1:500 @ A3, Dated 27/11/2024.
- c. Covering letter.

2. **LEGAL TITLE**

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

3. **WASTEWATER COLLECTION AND DISPOSAL**

Each food vehicle that operates on-site must have an inbuilt holding tank for the collection of wastewater. Collected wastewater is to be disposed of off-site to an appropriate sewage dump point.

4. **NOISE AND ODOUR EMISSIONS - COMMERCIAL**

The use must not cause unreasonable noise and odour emissions or interference to other uses. Effective precautions must be taken to avoid nuisance noise and odour emissions associated with the activity including food processing, cooking and service.

5. **WASTE MATERIALS**

All waste materials generated by the activity are to be disposed of at an approved waste disposal facility or reclaimed/recycled if possible.

6. **LITTER MANAGEMENT**

Measures must be implemented to control litter on the land and to prevent the escape of litter from the land.

7. **VERMIN MANAGEMENT**

Measures must be implemented to eradicate, prevent the harbourage of and actively discourage the presence of vermin on The Land to ensure that they do not present an unacceptable public health risk.

## **8. HOURS OF OPERATION**

Unless otherwise approved in writing by the Senior Leader Health and Compliance, the activities on The Land must only be undertaken during the hours of 8am to 8pm.

The above operating hours do not apply to activities associated with a response to an incident that is causing or threatening environmental harm.

## **9. BUILDING ACT 2016 REQUIREMENTS**

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

### **Notes**

#### **A. General**

*This permit was issued based on the proposal documents submitted for DA0536/2024. 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:*

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- 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).*

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**D. Permit Commencement.**

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

**E. Food Businesses**

*All food businesses must be registered with council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part I4 or any subsequent versions of this document.*

**LOST 6:6**

**FOR VOTE:** Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor Prof G Razay and Councillor A J Britton

**AGAINST VOTE:** Mayor Councillor M K Garwood, Councillor T G Walker, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

**During debate an alternate motion was foreshadowed.**

**The Mayor, Councillor M K Garwood, handed the Chair to the Deputy Mayor, Councillor D H McKenzie at 1.56pm.**

**DECISION: 13 February 2025**

**MOTION 2**

**Moved Mayor Councillor M K Garwood, seconded Councillor A J Britton.**

**That Council:**

- 1. in accordance with sections 51 and 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme - Launceston, a permit be granted pursuant to Council, for DA0536/2024 Food Services - Change of use to operate one food van at Lilydale Falls Reserve at 228 Golconda Road, Lilydale subject to the following conditions:**

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**3. WASTEWATER COLLECTION AND DISPOSAL**

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**6. LITTER MANAGEMENT**

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## **7. VERMIN MANAGEMENT**

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## **8. BUILDING ACT 2016 REQUIREMENTS**

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

### **Notes**

#### **A. General**

*This permit was issued based on the proposal documents submitted for DA0536/2024. 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.*

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**D. Permit Commencement.**

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

**E. Food Businesses**

*All food businesses must be registered with council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part I4 or any subsequent versions of this document.*

**NO VOTE WAS TAKEN AS A MOTION TO LAY THE ITEM ON THE TABLE WAS PUT**



**DECISION:** 13 February 2025

**MOTION 3**

**Moved Councillor S Cai, seconded Councillor J J Pentridge.**

**That the item lay on the table.**

**CARRIED 7:5**

**FOR VOTE:** Deputy Mayor Councillor D H McKenzie, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer and Councillor S Cai

**AGAINST VOTE:** Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A E Dawkins, Councillor L M McMahon and Councillor A J Britton

**The Mayor, Councillor M K Garwood, resumed the Chair at 1.59pm.**

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**11.2. DA0327/2024 - 298-308 Invermay Road, Mowbray - Food Services - Construction of Takeaway Food Premises with Associated Drive-Through, Parking, Landscaping and Signage**

**FILE NO:** DA0327/2024

**AUTHOR:** Duncan Payton (Town Planner)

**APPROVER:** Chelsea van Riet (Executive Leader Community Assets and Design)

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Ratio Consultants Pty Ltd
Property:	298-308 Invermay Road, Mowbray
Zoning:	Urban Mixed Use
Receipt Date:	23/07/2024
Validity Date:	19/11/2024
Further Information Request:	15/08/2024
Further Information Received:	20/11/2024
Deemed Approval (extension granted):	17/02/2025
Representations:	14

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

DA0088/2023 - Demolition of existing building and subdivision to adjust the boundaries between two lots.

**RECOMMENDATION:**

That Council:

1. 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 DA0327/2024 - Food Services - Construction of a take-away food premises with associated drive-through, parking, landscaping and signage at 298-308 Invermay Road, Mowbray, subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

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

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- a. Cover Page, prepared by Albus & Co. Building Designers, Job no 8615, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A000, dated 29/11/2024
  - b. Feature and Level Survey, prepared by Cohen & Associates P/L, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision 1, page 1, dated 29/11/2024
  - c. 3D Views, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A020, dated 29/11/2024
  - d. Location Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A021, dated 29/11/2024
  - e. Overall Site Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision B, page A030, dated 12/11/2024
  - f. Proposed Site Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision C, page A031, dated 12/11/2024
  - g. Acoustic Fence Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A081, dated 29/11/2024
  - h. Proposed Floor Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A101, dated 29/11/2024
  - i. Roof Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision A, page A102, dated 12/11/2024
  - j. Elevations - South & West, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A201, dated 29/11/2024
  - k. Elevations - East & North, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A202, dated 29/11/2024
  - l. Finishes Schedule, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A205, dated 29/11/2024
  - m. Ancillary Signage Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision B, page A801, dated 12/11/2024
  - n. Signage Elevations - South & West, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A802, dated 29/11/2024
  - o. Signage Elevations - East & North, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A803, dated 29/11/2024
  - p. Signage Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A805, dated 29/11/2024
  - q. Signage Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A806,
-

- dated 29/11/2024
- r. Signage Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A807, dated 29/11/2024
  - s. Blade Sign Location Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision C, page B001, dated 29/12/11/2024
  - t. Blade Sign Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision A, page B805, dated 24/09/2024
  - u. Detailed Landscape Plan, prepared by Taylors, project no. 24680/LA, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision B, page L01, dated 16/05/2024
  - v. Detailed Landscape Plan, prepared by Taylors, project no. 24680/LA, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision B, page L02, dated 16/05/2024
  - w. Planning Submission, prepared by Ratio Consultants Pty Ltd, project no. 20511P, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, version 2, dated 23/07/2024
  - x. Transport Impact Assessment Report, prepared by Ratio Consultants Pty Ltd, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, version F02, dated 25/09/2024
  - y. Odour Assessment - Memorandum, prepared by ESD Consulting, project no. 24680/LA, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, dated 23/09/2024
  - z. Acoustic Assessment Report, prepared by Clarity Acoustics, project no. RO1 24010, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision 1, dated 11/09/2024
  - aa. Outdoor Lighting Assessment, prepared by TMK Consulting Engineers, project no. 2405189, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, dated 15/10/2024
  - ab. Environmental Site Assessment - for Planning, prepared by ES&D, project no. 9149C, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision Final v2, dated 15/05/2024
  - ac. Preliminary Asbestos Assessment, prepared by ES&D, project no. 7012, 298-308 Invermay Road, Mowbray, revision Final, dated 25/05/2020

## 2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Senior Leader City Development. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- a. Elevation plan of the proposed northern boundary fence being 2.4m high and of solid metal with no gaps.
- b. Right of way in favour of lot 1 over that part of lot 2, (shown on the endorsed plans A030 and A031) to facilitate the widening of the crossover and swept paths for larger vehicles.

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

**3. LEGAL TITLE**

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

**4. RIGHT OF WAY REQUIRED PRIOR TO COMMENCEMENT OF WORKS**

Prior to the commencement of any works approved by this permit, the right of way, in favour of lot 1, required in condition 2 and the right of way, in favour of lot 2, as shown on endorsed plan A031 must be registered on the titles for lots 1 and 2 approved by DA0088/2023.

**5. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA0224/00895-LCC dated 19/11/2024 and attached to the permit.

**6. HOURS OF CONSTRUCTION**

- a) Unless otherwise approved in writing by the Senior 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 Executive Leader - Community Assets and Design 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. APPLICATION TO ALTER A STORMWATER SERVICE**

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

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

**10. 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.

**11. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)**

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

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

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra and TasNetworks, etc.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

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

**12. SOIL AND WATER MANAGEMENT PLAN**

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and

road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

### **13. 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.

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

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader - Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications.
- 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.

### **15. CONSTRUCTION OF WORKS**

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader - Community Assets and Design.

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
    - 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,
    - 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.
  - b. Roads
    - 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,
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- iii. Provision of a single vehicular crossing for each lot within the subdivision,
- iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- v. all necessary line marking, signage and other traffic control devices.
- c. Public Open Space
  - i. All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.
- d. 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:

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

#### **16. PRE-DEMOLITION ASBESTOS AUDIT**

The developer must comply with the Preliminary Asbestos Assessment provided by Rod Cooper (Final 25/05/2020) for es&d environmental service & design and undertake all recommendations outlined in the Conclusion section of the report including the development of a pre-demolition asbestos audit compiled by a licensed asbestos assessor. The audit must be in line with Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document. Removal of asbestos identified must be removed before demolition commences.

A copy of the visual clearance certificate is to be provided to council upon completion.

#### **17. EXTERIOR AND SECURITY LIGHTING**

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

#### **18. NOISE EMISSION LIMITS**

- a) Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
  - i. 47 dB(A) between 7 am and 6 pm (day time); and
  - ii. 44 dB(A) between 6 pm and 10 pm (evening time); and
  - iii. 39 dB(A) between 10 pm and 7 am hours (night time).



- b) Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
- c) The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Senior Leader Health and Compliance.
- d) Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
- e) All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

### **19. NO BURNING OF WASTE**

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

### **20. WASTE MATERIALS**

All waste materials generated by the activity are to be disposed of at an approved waste disposal facility or reclaimed/recycled if possible.

### **21. DEMOLITION**

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

### **22. CONTAMINATED LAND**

The developer must comply with the environmental site assessment (ESA) report prepared by Rod Cooper (May 2024) for es&d environmental service & design and complete all works required in the ESA report's recommendations.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery.

### **23. POTENTIAL SITE CONTAMINATION - LOW CONTAMINATION**

Construction Environmental Management Plan (CEMP)

Notwithstanding the findings of the ESA, prior to the commencement of excavation, earthworks or construction, a construction environmental management plan (CEMP) demonstrating that the proposal does not adversely impact on health and the environment must be submitted to the satisfaction of the Senior Leader of Health and Compliance. The CEMP must address as a minimum:

- a) The management of environmental risk during construction;

- b) How the supervisor will check for odour or soil discolouration;
- c) How the work is to stop if contamination is detected;
- d) The type of protective clothing (disposable) to be used including dust masks (P2); gloves, eye protection etc.
- e) The method for stockpiling and sampling soil to determine disposal process; and
- f) How sediment and dust generation is to be monitored and mitigated.

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

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

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

#### **25. NOISE MITIGATION MEASURES**

Prior to the use commencing the following noise mitigation measures must be implemented:

- a) An acoustically designed fence is to be located and constructed to the specifications of section 5.1 and 5.2 of the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024),
- b) Grates and speed humps designed and installed to the specifications of section 5.3 of the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024), and
- c) Mechanical plant provided to the site must comply with the sound power levels identified in the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024).  
Ongoing mitigation measures to be implemented include:
- d) Refrigeration condensers associated with delivery vehicles must be switched off during deliveries (prior to entering site), and
- e) Deliveries to the site must be within the following times:
  - i. 7.00am to 9.00pm Monday to Saturday.
  - ii. 8:00am to 9.00pm Saturday and public holidays.

#### **26. VAPOUR MONITORING**

Monitoring for vapour intrusion from Trichloroethylene (TCE) must be undertaken annually for three (3) years by a suitably qualified environmental practitioner specialising in vapour intrusion, unless otherwise directed in writing by the Manager of Health and Compliance.

- a) Council must be notified within 24 hours if vapour intrusion occurs.
- b) Annual vapour records must be kept and made available to council upon request.

#### **27. BUILDING ACT 2016 REQUIREMENTS**

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

## Notes

### A. General

*This permit was issued based on the proposal documents submitted for DA0327/2024. 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.*

### E. Food Businesses

*All food businesses must be registered with council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part H102.0 or any subsequent versions of this document.*

F. Noise Nuisance

Noise and odour nuisance is regulated under the Environmental Management and Pollution Control Act 1994. The location of any air extraction, pumping, refrigeration systems, compressors or generators must not be located in such a manner that will cause an environmental nuisance, or unreasonable loss of amenity to residential zones.

G. Environmental Management and Pollution Control Act 1994 - Commercial and industrial activities

The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.

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**Dale Goldsworthy spoke against the Recommendation**

**Nicole Tute spoke against the Recommendation**

**Heidi Komzak spoke against the Recommendation**

**Josh Hannesy (on behalf of McDonalds Australia) spoke for the Recommendation**

**Blanche Manuel (on behalf of Ratio Consultants) spoke for the Recommendation**

**Richard Jamieson (Senior Leader City Development), Duncan Payton (Town Planner), Sonia Smith (Team Leader Infrastructure Development) and Erica Deegan (Senior Leader Infrastructure and Engineering) were in attendance to answer questions in respect of this item.**

**Councillor L M McMahon withdrew from the Meeting at 2:00 pm**

**Councillor L M McMahon re-attended the Meeting at 2:02 pm**

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**DECISION:** 13 February 2025

**MOTION 1**

Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor A J Britton.

That Council:

1. 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 DA0327/2024 - Food Services - Construction of a take-away food premises with associated drive-through, parking, landscaping and signage at 298-308 Invermay Road, Mowbray, subject to the following conditions:

1. **ENDORSED PLANS & DOCUMENTS**

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

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  - w. **Planning Submission, prepared by Ratio Consultants Pty Ltd, project no. 20511P, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, version 2, dated 23/07/2024**
  - x. **Transport Impact Assessment Report, prepared by Ratio Consultants Pty Ltd, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, version F02, dated 25/09/2024**
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  - z. **Acoustic Assessment Report, prepared by Clarity Acoustics, project no. RO1 24010, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision 1, dated 11/09/2024**
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- ab. Environmental Site Assessment - for Planning, prepared by ES&D, project no. 9149C, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision Final v2, dated 15/05/2024
- ac. Preliminary Asbestos Assessment, prepared by ES&D, project no. 7012, 298-308 Invermay Road, Mowbray, revision Final, dated 25/05/2020

## **2. AMENDED PLANS REQUIRED**

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Senior Leader City Development. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- a. Elevation plan of the proposed northern boundary fence being 2.4m high and of solid metal with no gaps.
- b. Right of way in favour of lot 1 over that part of lot 2, (shown on the endorsed plans A030 and A031) to facilitate the widening of the crossover and swept paths for larger vehicles.

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

## **3. LEGAL TITLE**

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

## **4. RIGHT OF WAY REQUIRED PRIOR TO COMMENCEMENT OF WORKS**

Prior to the commencement of any works approved by this permit, the right of way, in favour of lot 1, required in condition 2 and the right of way, in favour of lot 2, as shown on endorsed plan A031 must be registered on the titles for lots 1 and 2 approved by DA0088/2023.

## **5. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA0224/00895-LCC dated 19/11/2024 and attached to the permit.

## **6. HOURS OF CONSTRUCTION**

- a) Unless otherwise approved in writing by the Senior 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 Executive Leader - Community Assets and Design 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. APPLICATION TO ALTER A STORMWATER SERVICE**

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

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

#### **10. 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.

#### **11. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)**

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



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

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra and TasNetworks, etc.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

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

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

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

#### **13. 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.

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

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader - Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications.
- 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.

**15. CONSTRUCTION OF WORKS**

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader - Community Assets and Design

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. Roads**

- i. Provision of a Right Turn Facility from Invermay Road into Foch Street which does not obstruct the existing right turn into the existing access at No. 310 Invermay Road.
- ii. Provision of a Right Turn Facility from Invermay Road into the subject site.
- iii. Provision of a pedestrian crossing point with central refuge island on Invermay Road.
- iv. Works to maintain the existing bicycle lanes on each side of Invermay Road including the removal of the existing kerb outstands on the western side of Invermay Road to facilitate the relocation of that bicycle lane.
- v. Relocation of the existing bus stop on the eastern side of Invermay Road to be clear of the right turn facility.
- vi. Removal of redundant cross overs at the property frontage of No. 298-308 Invermay Road and reinstatement of kerb and channel, nature strip and footpath to match the existing adjacent construction.
- vii. Removal of all necessary parking spaces along Invermay Road.
- viii. Installation of all necessary line marking, signage and other traffic and parking control devices.

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 month defects liability period the Final Inspection & Hand-Over.

## **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 Community Assets and Design.
- 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.

### **16. PRE-DEMOLITION ASBESTOS AUDIT**

The developer must comply with the Preliminary Asbestos Assessment provided by Rod Cooper (Final 25/05/2020) for es&d environmental service & design and undertake all recommendations outlined in the Conclusion section of the report including the development of a pre-demolition asbestos audit compiled by a licensed asbestos assessor. The audit must be in line with Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document. Removal of asbestos identified must be removed before demolition commences.

A copy of the visual clearance certificate is to be provided to council upon completion.

### **17. EXTERIOR AND SECURITY LIGHTING**

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

### **18. NOISE EMISSION LIMITS**

- a) Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
    - i. 47 dB(A) between 7 am and 6 pm (day time); and
    - ii. 44 dB(A) between 6 pm and 10 pm (evening time); and
    - iii. 39 dB(A) between 10 pm and 7 am hours (night time).
  - b) Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
  - c) The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Senior Leader Health and Compliance.
  - d) Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
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- e) All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

**19. NO BURNING OF WASTE**

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

**20. WASTE MATERIALS**

All waste materials generated by the activity are to be disposed of at an approved waste disposal facility or reclaimed/recycled if possible.

**21. DEMOLITION**

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

**22. CONTAMINATED LAND**

The developer must comply with the environmental site assessment (ESA) report prepared by Rod Cooper (May 2024) for es&d environmental service & design and complete all works required in the ESA report's recommendations.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery.

**23. POTENTIAL SITE CONTAMINATION - LOW CONTAMINATION**

Construction Environmental Management Plan (CEMP)

Notwithstanding the findings of the ESA, prior to the commencement of excavation, earthworks or construction, a construction environmental management plan (CEMP) demonstrating that the proposal does not adversely impact on health and the environment must be submitted to the satisfaction of the Senior Leader of Health and Compliance. The CEMP must address as a minimum:

- a) The management of environmental risk during construction;
- b) How the supervisor will check for odour or soil discolouration;
- c) How the work is to stop if contamination is detected;
- d) The type of protective clothing (disposable) to be used including dust masks (P2); gloves, eye protection etc.
- e) The method for stockpiling and sampling soil to determine disposal process; and
- f) How sediment and dust generation is to be monitored and mitigated.

**24. POTENTIAL SITE CONTAMINATION - NEW INFORMATION**

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

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

**25. NOISE MITIGATION MEASURES**

Prior to the use commencing the following noise mitigation measures must be implemented:

- a) An acoustically designed fence is to be located and constructed to the specifications of section 5.1 and 5.2 of the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024),
- b) Grates and speed humps designed and installed to the specifications of section 5.3 of the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024), and
- c) Mechanical plant provided to the site must comply with the sound power levels identified in the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024). Ongoing mitigation measures to be implemented include:
- d) Refrigeration condensers associated with delivery vehicles must be switched off during deliveries (prior to entering site), and
- e) Deliveries to the site must be within the following times:
  - i. 7.00am to 9.00pm Monday to Saturday.
  - ii. 8:00am to 9.00pm Saturday and public holidays.

**26. VAPOUR MONITORING**

Monitoring for vapour intrusion from Trichloroethylene (TCE) must be undertaken annually for three (3) years by a suitably qualified environmental practitioner specialising in vapour intrusion, unless otherwise directed in writing by the Manager of Health and Compliance.

- a) Council must be notified within 24 hours if vapour intrusion occurs.
- b) Annual vapour records must be kept and made available to council upon request.

**27. BUILDING ACT 2016 REQUIREMENTS**

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

## Notes

### **A. General**

***This permit was issued based on the proposal documents submitted for DA0327/2024. 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.***

**E. Food Businesses**

***All food businesses must be registered with council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part H102.0 or any subsequent versions of this document.***

**F. Noise Nuisance**

***Noise and odour nuisance is regulated under the Environmental Management and Pollution Control Act 1994. The location of any air extraction, pumping, refrigeration systems, compressors or generators must not be located in such a manner that will cause an environmental nuisance, or unreasonable loss of amenity to residential zones.***

**G. Environmental Management and Pollution Control Act 1994 - Commercial and industrial activities**

***The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.***

**NO VOTE WAS TAKEN AS AN AMENDMENT WAS PUT**

**DECISION:** 13 February 2025

**MOTION 2**

Moved Councillor J J Pentridge, seconded Councillor D C Gibson.

That the Motion be amended as follows:

That Council:

1. 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 DA0327/2024 - Food Services - Construction of a take-away food premises with associated drive-through, parking, landscaping and signage at 298-308 Invermay Road, Mowbray, subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

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

- a. Cover Page, prepared by Albus & Co. Building Designers, Job no 8615, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A000, dated 29/11/2024
  - b. Feature and Level Survey, prepared by Cohen & Associates P/L, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision 1, page 1, dated 29/11/2024
  - c. 3D Views, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A020, dated 29/11/2024
  - d. Location Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A021, dated 29/11/2024
  - e. Overall Site Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision B, page A030, dated 12/11/2024
  - f. Proposed Site Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision C, page A031, dated 12/11/2024
  - g. Acoustic Fence Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A081, dated 29/11/2024
  - h. Proposed Floor Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A101, dated 29/11/2024
  - i. Roof Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision A, page A102, dated 12/11/2024
  - j. Elevations - South & West, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A201, dated 29/11/2024
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15/10/2024

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- cc. Preliminary Asbestos Assessment, prepared by ES&D, project no. 7012, 298-308 Invermay Road, Mowbray, revision Final, dated 25/05/2020

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Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Senior Leader City Development. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- a. Elevation plan of the proposed northern boundary fence being 2.4m high and of solid metal with no gaps.
- b. Right of way in favour of lot 1 over that part of lot 2, (shown on the endorsed plans A030 and A031) to facilitate the widening of the crossover and swept paths for larger vehicles.
- c. plans of appropriate warning signs for pedestrians at driveway crossover.

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

## **3. LEGAL TITLE**

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

## **4. RIGHT OF WAY REQUIRED PRIOR TO COMMENCEMENT OF WORKS**

Prior to the commencement of any works approved by this permit, the right of way, in favour of lot 1, required in condition 2 and the right of way, in favour of lot 2, as shown on endorsed plan A031 must be registered on the titles for lots 1 and 2 approved by DA0088/2023.

## **5. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA0224/00895-LCC dated 19/11/2024 and attached to the permit.

## **6. HOURS OF CONSTRUCTION**

- a) Unless otherwise approved in writing by the Senior 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 Executive Leader - Community Assets and Design 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. APPLICATION TO ALTER A STORMWATER SERVICE**

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

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

#### **10. 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.

#### **11. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)**

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

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

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra and TasNetworks, etc.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

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

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

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

#### **13. 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.

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

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader - Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications.
  - 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.

## **15. CONSTRUCTION OF WORKS**

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader - Community Assets and Design.

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**

- 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,
- 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.

### **b. Roads**

- 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,
- iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- v. all necessary line marking, signage and other traffic control devices.

### **c. Public Open Space**

- i. All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.

### **d. 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:

- a. Construction requirements,
- b. Appointment of a suitably qualified Supervising Engineer to supervise and

certify construction works, arrange Council Audit inspections and other responsibilities,

- c. Construction Audit inspections,
- d. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

#### **16. PRE-DEMOLITION ASBESTOS AUDIT**

The developer must comply with the Preliminary Asbestos Assessment provided by Rod Cooper (Final 25/05/2020) for es&d environmental service & design and undertake all recommendations outlined in the Conclusion section of the report including the development of a pre-demolition asbestos audit compiled by a licensed asbestos assessor. The audit must be in line with Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document. Removal of asbestos identified must be removed before demolition commences.

A copy of the visual clearance certificate is to be provided to council upon completion.

#### **17. EXTERIOR AND SECURITY LIGHTING**

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

#### **18. NOISE EMISSION LIMITS**

- a) Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
  - i. 47 dB(A) between 7 am and 6 pm (day time); and
  - ii. 44 dB(A) between 6 pm and 10 pm (evening time); and
  - iii. 39 dB(A) between 10 pm and 7 am hours (night time).
- b) Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
- c) The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Senior Leader Health and Compliance.
- d) Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
- e) All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

#### **19. NO BURNING OF WASTE**

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

## **20. WASTE MATERIALS**

All waste materials generated by the activity are to be disposed of at an approved waste disposal facility or reclaimed/recycled if possible.

## **21. DEMOLITION**

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

## **22. CONTAMINATED LAND**

The developer must comply with the environmental site assessment (ESA) report prepared by Rod Cooper (May 2024) for es&d environmental service & design and complete all works required in the ESA report's recommendations.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery.

## **23. POTENTIAL SITE CONTAMINATION - LOW CONTAMINATION**

Construction Environmental Management Plan (CEMP)

Notwithstanding the findings of the ESA, prior to the commencement of excavation, earthworks or construction, a construction environmental management plan (CEMP) demonstrating that the proposal does not adversely impact on health and the environment must be submitted to the satisfaction of the Senior Leader of Health and Compliance. The CEMP must address as a minimum:

- a) The management of environmental risk during construction;
- b) How the supervisor will check for odour or soil discolouration;
- c) How the work is to stop if contamination is detected;
- d) The type of protective clothing (disposable) to be used including dust masks (P2); gloves, eye protection etc.
- e) The method for stockpiling and sampling soil to determine disposal process; and
- f) How sediment and dust generation is to be monitored and mitigated.

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

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

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

by the site contamination practitioner.

## 25. NOISE MITIGATION MEASURES

Prior to the use commencing the following noise mitigation measures must be implemented:

- a) An acoustically designed fence is to be located and constructed to the specifications of section 5.1 and 5.2 of the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024),
- b) Grates and speed humps designed and installed to the specifications of section 5.3 of the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024), and
- c) Mechanical plant provided to the site must comply with the sound power levels identified in the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024).
- d) Ongoing mitigation measures to be implemented include:
- e) Refrigeration condensers associated with delivery vehicles must be switched off during deliveries (prior to entering site), and
- f) Deliveries to the site must be within the following times:
  - i. 7.00am to 9.00pm Monday to Saturday.
  - ii. 8:00am to 9.00pm Saturday and public holidays.

## 26. VAPOUR MONITORING

Monitoring for vapour intrusion from Trichloroethylene (TCE) must be undertaken annually for three (3) years by a suitably qualified environmental practitioner specialising in vapour intrusion, unless otherwise directed in writing by the Manager of Health and Compliance.

- a) Council must be notified within 24 hours if vapour intrusion occurs.
- b) Annual vapour records must be kept and made available to council upon request.

## 27. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

### Notes

#### ***A. General***

***This permit was issued based on the proposal documents submitted for DA0327/2024. 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***

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*substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.*

**B. Restrictive Covenants**

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

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

**C. Appeal Provisions**

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

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

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

**D. Permit Commencement.**

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

**E. Food Businesses**

*All food businesses must be registered with council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part H102.0 or any subsequent versions of this document.*

**F. Noise Nuisance**

*Noise and odour nuisance is regulated under the Environmental Management and Pollution Control Act 1994. The location of any air extraction, pumping, refrigeration systems, compressors or generators must not be located in such a manner that will cause an environmental nuisance, or unreasonable loss of amenity to residential zones.*

**G. Environmental Management and Pollution Control Act 1994 - Commercial and industrial activities**

*The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.*

**CARRIED 11:1**

**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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**  
**AGAINST VOTE: Councillor T G Walker**

**THE MOTION AS AMENDED IS THE SUBSTANTIVE MOTION**

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**DECISION:** 13 February 2025

**MOTION 3**

Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor A J Britton.

That Council:

1. 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 DA0327/2024 - Food Services - Construction of a take-away food premises with associated drive-through, parking, landscaping and signage at 298-308 Invermay Road, Mowbray, subject to the following conditions:

1. **ENDORSED PLANS & DOCUMENTS**

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

- a. Cover Page, prepared by Albus & Co. Building Designers, Job no 8615, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A000, dated 29/11/2024
- b. Feature and Level Survey, prepared by Cohen & Associates P/L, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision 1, page 1, dated 29/11/2024
- c. 3D Views, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A020, dated 29/11/2024
- d. Location Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A021, dated 29/11/2024
- e. Overall Site Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision B, page A030, dated 12/11/2024
- f. Proposed Site Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision C, page A031, dated 12/11/2024
- g. Acoustic Fence Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A081, dated 29/11/2024
- h. Proposed Floor Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A101, dated 29/11/2024
- i. Roof Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision A, page A102, dated 12/11/2024
- j. Elevations - South & West, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A201, dated 29/11/2024
- k. Elevations - East & North, prepared by Albus & Co. Building Designers, project

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- no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A202, dated 29/11/2024
- l. **Finishes Schedule, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A205, dated 29/11/2024**
  - m. **Ancillary Signage Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision B, page A801, dated 12/11/2024**
  - n. **Signage Elevations - South & West, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A802, dated 29/11/2024**
  - o. **Signage Elevations - East & North, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A803, dated 29/11/2024**
  - p. **Signage Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A805, dated 29/11/2024**
  - q. **Signage Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A806, dated 29/11/2024**
  - r. **Signage Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision -, page A807, dated 29/11/2024**
  - s. **Blade Sign Location Plan, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision C, page B001, dated 29/12/11/2024**
  - t. **Blade Sign Details, prepared by Albus & Co. Building Designers, project no. 24002, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision A, page B805, dated 24/09/2024**
  - u. **Detailed Landscape Plan, prepared by Taylors, project no. 24680/LA, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision B, page L01, dated 16/05/2024**
  - v. **Detailed Landscape Plan, prepared by Taylors, project no. 24680/LA, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision B, page L02, dated 16/05/2024**
  - w. **Planning Submission, prepared by Ratio Consultants Pty Ltd, project no. 20511P, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, version 2, dated 23/07/2024**
  - x. **Transport Impact Assessment Report, prepared by Ratio Consultants Pty Ltd, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, version F02, dated 25/09/2024**
  - y. **Odour Assessment - Memorandum, prepared by ESD Consulting, project no. 24680/LA, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, dated 23/09/2024**
  - z. **Acoustic Assessment Report, prepared by Clarity Acoustics, project no. RO1 24010, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision 1, dated 11/09/2024**
  - aa. **Outdoor Lighting Assessment, prepared by TMK Consulting Engineers, project no. 2405189, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, dated 15/10/2024**
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- ab. Environmental Site Assessment - for Planning, prepared by ES&D, project no. 9149C, McDonald's Mowbray, 298-308 Invermay Road, Mowbray, revision Final v2, dated 15/05/2024
- ac. Preliminary Asbestos Assessment, prepared by ES&D, project no. 7012, 298-308 Invermay Road, Mowbray, revision Final, dated 25/05/2020

## **2. AMENDED PLANS REQUIRED**

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Senior Leader City Development. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- a. Elevation plan of the proposed northern boundary fence being 2.4m high and of solid metal with no gaps.
- b. Right of way in favour of lot 1 over that part of lot 2, (shown on the endorsed plans A030 and A031) to facilitate the widening of the crossover and swept paths for larger vehicles.
- c. plans of appropriate warning signs for pedestrians at driveway crossover.

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

## **3. LEGAL TITLE**

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

## **4. RIGHT OF WAY REQUIRED PRIOR TO COMMENCEMENT OF WORKS**

Prior to the commencement of any works approved by this permit, the right of way, in favour of lot 1, required in condition 2 and the right of way, in favour of lot 2, as shown on endorsed plan A031 must be registered on the titles for lots 1 and 2 approved by DA0088/2023.

## **5. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA0224/00895-LCC dated 19/11/2024 and attached to the permit.

## **6. HOURS OF CONSTRUCTION**

- a) Unless otherwise approved in writing by the Senior 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 Executive Leader - Community Assets and Design 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. APPLICATION TO ALTER A STORMWATER SERVICE**

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

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

#### **10. 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.

#### **11. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)**

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

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

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra and TasNetworks, etc.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

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

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

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

#### **13. 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.

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

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader - Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications.
- 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.

## **15. CONSTRUCTION OF WORKS**

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader - Community Assets and Design.

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**
  - 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,
  - 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.
- b. **Roads**
  - 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,
  - iv. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
  - v. all necessary line marking, signage and other traffic control devices.
- c. **Public Open Space**
  - i. All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.
- d. **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:

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

#### **16. PRE-DEMOLITION ASBESTOS AUDIT**

The developer must comply with the Preliminary Asbestos Assessment provided by Rod Cooper (Final 25/05/2020) for es&d environmental service & design and undertake all recommendations outlined in the Conclusion section of the report including the development of a pre-demolition asbestos audit compiled by a licensed asbestos assessor. The audit must be in line with Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document. Removal of asbestos identified must be removed before demolition commences.

A copy of the visual clearance certificate is to be provided to council upon completion.

#### **17. EXTERIOR AND SECURITY LIGHTING**

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

#### **18. NOISE EMISSION LIMITS**

- a) Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
    - i. 47 dB(A) between 7 am and 6 pm (day time); and
    - ii. 44 dB(A) between 6 pm and 10 pm (evening time); and
    - iii. 39 dB(A) between 10 pm and 7 am hours (night time).
  - b) Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
  - c) The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Senior Leader Health and Compliance.
  - d) Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
  - e) All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.
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**19. NO BURNING OF WASTE**

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

**20. WASTE MATERIALS**

All waste materials generated by the activity are to be disposed of at an approved waste disposal facility or reclaimed/recycled if possible.

**21. DEMOLITION**

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

**22. CONTAMINATED LAND**

The developer must comply with the environmental site assessment (ESA) report prepared by Rod Cooper (May 2024) for es&d environmental service & design and complete all works required in the ESA report's recommendations.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery.

**23. POTENTIAL SITE CONTAMINATION - LOW CONTAMINATION**

Construction Environmental Management Plan (CEMP)

Notwithstanding the findings of the ESA, prior to the commencement of excavation, earthworks or construction, a construction environmental management plan (CEMP) demonstrating that the proposal does not adversely impact on health and the environment must be submitted to the satisfaction of the Senior Leader of Health and Compliance. The CEMP must address as a minimum:

- a) The management of environmental risk during construction;
- b) How the supervisor will check for odour or soil discolouration;
- c) How the work is to stop if contamination is detected;
- d) The type of protective clothing (disposable) to be used including dust masks (P2); gloves, eye protection etc.
- e) The method for stockpiling and sampling soil to determine disposal process; and
- f) How sediment and dust generation is to be monitored and mitigated.

**24. POTENTIAL SITE CONTAMINATION - NEW INFORMATION**

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

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

**25. NOISE MITIGATION MEASURES**

Prior to the use commencing the following noise mitigation measures must be implemented:

- a) An acoustically designed fence is to be located and constructed to the specifications of section 5.1 and 5.2 of the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024),
- b) Grates and speed humps designed and installed to the specifications of section 5.3 of the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024), and
- c) Mechanical plant provided to the site must comply with the sound power levels identified in the Clarity Acoustics Assessment Report (R01 24010 / 2 May 2024). Ongoing mitigation measures to be implemented include:
- d) Refrigeration condensers associated with delivery vehicles must be switched off during deliveries (prior to entering site), and
- e) Deliveries to the site must be within the following times:
  - i. 7.00am to 9.00pm Monday to Saturday.
  - ii. 8:00am to 9.00pm Saturday and public holidays.

**26. VAPOUR MONITORING**

Monitoring for vapour intrusion from Trichloroethylene (TCE) must be undertaken annually for three (3) years by a suitably qualified environmental practitioner specialising in vapour intrusion, unless otherwise directed in writing by the Manager of Health and Compliance.

- a) Council must be notified within 24 hours if vapour intrusion occurs.
- b) Annual vapour records must be kept and made available to council upon request.

**27. BUILDING ACT 2016 REQUIREMENTS**

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

## Notes

### **A. General**

***This permit was issued based on the proposal documents submitted for DA0327/2024. 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.***

**E. Food Businesses**

*All food businesses must be registered with council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part H102.0 or any subsequent versions of this document.*

**F. Noise Nuisance**

*Noise and odour nuisance is regulated under the Environmental Management and Pollution Control Act 1994. The location of any air extraction, pumping, refrigeration systems, compressors or generators must not be located in such a manner that will cause an environmental nuisance, or unreasonable loss of amenity to residential zones.*

**G. Environmental Management and Pollution Control Act 1994 - Commercial and industrial activities**

*The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.*

**CARRIED 9:3**

**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 J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton

**AGAINST VOTE:** Councillor T G Walker, Councillor Prof G Razay and Councillor S Cai

**DECISION:** 13 February 2025

**MOTION 4**

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

**That the motion be put.**

**CARRIED 10:2**

**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 J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**

**AGAINST VOTE: Councillor T G Walker**

**ABSTAINED: Councillor Prof G Razay**

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**11.3. DA0516/2024 - 4 Hopkins Street, East Launceston - Residential - Construction of Alterations and Additions to an Existing Dwelling**

**FILE NO:** DA0516/2024

**AUTHOR:** Iain More (Senior Town Planner Policy and Projects)

**APPROVER:** Chelsea van Riet (Executive Leader Community Assets and Design)

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Wilkin Design & Drafting Pty Ltd
Property:	4 Hopkins Street, East Launceston
Zoning:	General Residential
Receipt Date:	19/11/2024
Validity Date:	4/12/2024
Further Information Request:	03/12/2024
Further Information Received:	04/12/2024
Deemed Approval:	13/02/2024
Representations:	5

**RELEVANT LEGISLATION:**

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

**STANDARDS REQUIRING PLANNING DISCRETION:**

8.4.2 - Setback and building envelope for all dwellings - P3

**RECOMMENDATION:**

That Council:

1. 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 DA0516/2024 - Residential - Construction of alterations and additions to an existing dwelling, at 4 Hopkins Street, East Launceston, subject to the following conditions:

**2. 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. Cover, prepared by Wilken Design, Drawing No. DA01, dated 04/12/2024;
- b. Site Plan, prepared by Wilken Design, Drawing No. DA02, dated 04/12/2024;

- c. Existing Floor Plan, prepared by Wilken Design, Drawing No. DA03, dated 04/12/2024;
- d. Demolitions Plan, prepared by Wilken Design, Drawing No. DA04, dated 04/12/2024;
- e. Proposed Ground Floor Plan, prepared by Wilken Design, Drawing No. DA05, dated 04/12/2024;
- f. Proposed First Floor Plan, prepared by Wilken Design, Drawing No. DA06, dated 04/12/2024;
- g. Proposed Roof Plan, prepared by Wilken Design, Drawing No. DA07, dated 04/12/2024;
- h. Existing Elevations, prepared by Wilken Design, Drawing No. DA08, dated 04/12/2024;
- i. Existing Elevations, prepared by Wilken Design, Drawing No. DA09, dated 04/12/2024;
- j. Proposed Elevations, prepared by Wilken Design, Drawing No. DA10, dated 04/12/2024;
- k. Proposed Elevations, prepared by Wilken Design, Drawing No. DA11, dated 04/12/2024; and
- l. 3D Views, prepared by Wilken Design, Drawing No. DA12, dated 04/12/2024; and
- m. Shadow Diagrams, prepared by Wilken Design, Drawing No. DA12, dated 04/12/2024.

### **3. LEGAL TITLE**

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

### **4. EXTERNAL FINISHES**

Prior to construction commencing, a revised plan showing the western facing sections of the extension finished in non-reflective finishes. The plan must be to the satisfaction of Senior Leader City Development.

### **5. HOURS OF CONSTRUCTION**

- a) Unless otherwise approved in writing by the Senior Leader 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).

### **6. 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.

### **7. 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 Executive Leader Community Assets and Design - 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.

## **8. 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.

## **9. DEMOLITION**

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

## **10. BUILDING ACT 2016 REQUIREMENTS**

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

## **Notes**

### **A. General**

*This permit was issued based on the proposal documents submitted for DA0516/2024. 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:*

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- 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).*

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**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.*

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**Richard Jamieson (Senior Leader City Development) and Iain More (Senior Town Planner Policy and Projects) were in attendance to answer questions in respect of this item.**

**Councillor A J Britton re-attended the Meeting at 3:03 pm**

**Helen Caples spoke against the Recommendation  
Natalie Bristow spoke for the Recommendation**

**DECISION: 13 February 2025**

**MOTION 1**

Moved Councillor J J Pentridge, seconded Councillor A G Harris.

That Council:

1. 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 DA0516/2024 - Residential - Construction of alterations and additions to an existing dwelling, at 4 Hopkins Street, East Launceston, subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

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

- a. Cover, prepared by Wilken Design, Drawing No. DA01, dated 04/12/2024;
- b. Site Plan, prepared by Wilken Design, Drawing No. DA02, dated 04/12/2024;
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- g. Proposed Roof Plan, prepared by Wilken Design, Drawing No. DA07, dated 04/12/2024;
- h. Existing Elevations, prepared by Wilken Design, Drawing No. DA08, dated 04/12/2024;
- i. Existing Elevations, prepared by Wilken Design, Drawing No. DA09, dated 04/12/2024;
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**2. LEGAL TITLE**

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### **3. EXTERNAL FINISHES**

Prior to construction commencing, a revised plan showing the western facing sections of the extension finished in non-reflective finishes. The plan must be to the satisfaction of Senior Leader City Development.

### **4. HOURS OF CONSTRUCTION**

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- 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).

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

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

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

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

The explicit permission of Executive Leader Community Assets and Design - Infrastructure & Assets Network is required prior to undertaking works where the works:

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

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

### **7. 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.

#### **8. DEMOLITION**

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

#### **9. BUILDING ACT 2016 REQUIREMENTS**

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

#### **Notes**

##### **A. General**

*This permit was issued based on the proposal documents submitted for DA0516/2024. 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 <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.*

**NO VOTE WAS TAKEN AS AN AMENDMENT WAS PUT**

**DECISION: 13 February 2025**

**MOTION 2**

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

That the Motion be amended as follows:

That Council 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 DA0516/2024 - Residential - Construction of alterations and additions to an existing dwelling, at 4 Hopkins Street, East Launceston, subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

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

- a. Cover, prepared by Wilken Design, Drawing No. DA01, dated 04/12/2024;
- b. Site Plan, prepared by Wilken Design, Drawing No. DA02, dated 04/12/2024;
- c. Existing Floor Plan, prepared by Wilken Design, Drawing No. DA03, dated 04/12/2024;
- d. Demolitions Plan, prepared by Wilken Design, Drawing No. DA04, dated 04/12/2024;
- e. Proposed Ground Floor Plan, prepared by Wilken Design, Drawing No. DA05, dated 04/12/2024;
- f. Proposed First Floor Plan, prepared by Wilken Design, Drawing No. DA06, dated 04/12/2024;
- g. Proposed Roof Plan, prepared by Wilken Design, Drawing No. DA07, dated 04/12/2024;
- h. Existing Elevations, prepared by Wilken Design, Drawing No. DA08, dated 04/12/2024;
- i. Existing Elevations, prepared by Wilken Design, Drawing No. DA09, dated 04/12/2024;
- j. Proposed Elevations, prepared by Wilken Design, Drawing No. DA10, dated 04/12/2024;
- k. Proposed Elevations, prepared by Wilken Design, Drawing No. DA11, dated 04/12/2024; and
- l. 3D Views, prepared by Wilken Design, Drawing No. DA12, dated 04/12/2024; and
- m. Shadow Diagrams, prepared by Wilken Design, Drawing No. DA12, dated 04/12/2024.

**2. LEGAL TITLE**

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

**3. EXTERNAL FINISHES**

Prior to construction commencing, a revised plan showing the western facing sections of the extension finished in non-reflective finishes. The plan must be to the satisfaction of Senior Leader City Development.

#### **4. HOURS OF CONSTRUCTION**

- a) Unless otherwise approved in writing by the Senior Leader 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).

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

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

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

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

The explicit permission of Executive Leader Community Assets and Design - Infrastructure & Assets Network is required prior to undertaking works where the works:

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

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

#### **7. 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.



## 8. DEMOLITION

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

## 9. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

## 10. OVERLOOKING

Prior to the commencement of works, details must be submitted for approval by the Senior Leader City Development, showing window 7 as annotated on the approved plans must be treated with obscured glazing. The treatment may take the form of a heritage style lead light window, or similar design.

### *Notes*

#### A. General

*This permit was issued based on the proposal documents submitted for DA0516/2024. 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 <http://www.tascat.tas.gov.au>*

**D. Permit Commencement**

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

**E. Neighbour Consultation**

*It is the Council's request that the applicant consult the adjoining neighbour regarding the colour of the non-reflective surface of the western wall; and take into consideration with the neighbour's request that window 06 be obscured or glazed and fixed.*

**CARRIED 12:0**

**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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton  
**AGAINST VOTE:** Nil

**THE MOTION AS AMENDED IS THE SUBSTANTIVE MOTION**

**DECISION: 13 February 2025**

**MOTION 3**

Moved Councillor J J Pentridge, seconded Councillor A G Harris.

That the Motion be amended as follows:

That Council 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 DA0516/2024 - Residential - Construction of alterations and additions to an existing dwelling, at 4 Hopkins Street, East Launceston, subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

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

- a. Cover, prepared by Wilken Design, Drawing No. DA01, dated 04/12/2024;
- b. Site Plan, prepared by Wilken Design, Drawing No. DA02, dated 04/12/2024;
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- e. Proposed Ground Floor Plan, prepared by Wilken Design, Drawing No. DA05, dated 04/12/2024;
- f. Proposed First Floor Plan, prepared by Wilken Design, Drawing No. DA06, dated 04/12/2024;
- g. Proposed Roof Plan, prepared by Wilken Design, Drawing No. DA07, dated 04/12/2024;
- h. Existing Elevations, prepared by Wilken Design, Drawing No. DA08, dated 04/12/2024;
- i. Existing Elevations, prepared by Wilken Design, Drawing No. DA09, dated 04/12/2024;
- j. Proposed Elevations, prepared by Wilken Design, Drawing No. DA10, dated 04/12/2024;
- k. Proposed Elevations, prepared by Wilken Design, Drawing No. DA11, dated 04/12/2024; and
- l. 3D Views, prepared by Wilken Design, Drawing No. DA12, dated 04/12/2024; and
- m. Shadow Diagrams, prepared by Wilken Design, Drawing No. DA12, dated 04/12/2024.

**2. LEGAL TITLE**

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

**3. EXTERNAL FINISHES**

Prior to construction commencing, a revised plan showing the western facing sections of the extension finished in non-reflective finishes. The plan must be to the satisfaction of Senior Leader City Development.

#### **4. HOURS OF CONSTRUCTION**

- a) Unless otherwise approved in writing by the Senior Leader 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).

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

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

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

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

The explicit permission of Executive Leader Community Assets and Design - Infrastructure & Assets Network is required prior to undertaking works where the works:

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

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

#### **7. 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.

## 8. DEMOLITION

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

## 9. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

## 10. OVERLOOKING

Prior to the commencement of works, details must be submitted for approval by the Senior Leader City Development, showing window 7 as annotated on the approved plans must be treated with obscured glazing. The treatment may take the form of a heritage style lead light window, or similar design.

### Notes

#### A. General

*This permit was issued based on the proposal documents submitted for DA0516/2024. 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 <http://www.tascat.tas.gov.au>*

**D. Permit Commencement**

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

**E. Neighbour Consultation**

*It is the Council's request that the applicant consult the adjoining neighbour regarding the colour of the non-reflective surface of the western wall; and take into consideration with the neighbour's request that window 06 be obscured or glazed and fixed.*

**CARRIED 12:0**

**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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahan, Councillor S Cai and Councillor A J Britton  
**AGAINST VOTE:** Nil

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**11.4. DA0492/2024 - 64 Elphin Road Launceston - Business and Professional Services - Change of Use to a Medical Centre and Associated Alterations and Additions to the Building and Developing Associated Parking**

**FILE NO:** DA0492/2024

**AUTHOR:** Iain More (Senior Town Planner Policy and Projects)

**APPROVER:** Chelsea van Riet (Executive Leader Community Assets and Design)

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Prime Design (Tas) Pty Ltd
Property:	64 Elphin Road, Launceston
Zoning:	General Residential
Receipt Date:	5/11/2024
Validity Date:	7/11/2024
Further Information Request:	08/11/2024
Further Information Received:	16/12/2024
Deemed Approval:	13/02/2025
Representations:	1

**RELEVANT LEGISLATION:**

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

**STANDARDS REQUIRING PLANNING DISCRETION:**

Clause 8.3.1 - Discretionary Uses - P4  
Clause 8.5.1 - Non-dwelling development - P3

**RECOMMENDATION:**

That Council:

1. 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 refused for DA0492/2024 - Business and Professional Services - Change of use to a medical centre and associated alterations and additions to the building and developing associated parking, at 64 Elphin Road, Launceston, on the following grounds:

*Clause 8.1 - Zone Purpose*

The proposal fails to demonstrate it will primarily serve the local community, and is considered to cause an unreasonable loss of amenity to surrounding sensitive uses.

*Clause 8.3.1 - Discretionary Uses - Performance Criteria P3*

The proposal will cause an unreasonable loss of amenity to adjacent sensitive uses noting the vehicular emissions caused by the use, having a negative impact on the character of the area.

*C2.0 Parking and Sustainable Transport Code - Code Purpose*

It is considered that the parking will cause an unreasonable loss of amenity to the surrounding area.

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**Richard Jamieson (Senior Leader City Development) and Iain More (Senior Town Planner Policy and Projects) were in attendance to answer questions in respect of this item.**

**Mitch Roberts spoke against the Recommendation**



**DECISION:** 13 February 2025

**MOTION**

Moved Councillor J J Pentridge, seconded Councillor A G Harris.

That Council:

1. 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 refused for DA0492/2024 - Business and Professional Services - Change of use to a medical centre and associated alterations and additions to the building and developing associated parking, at 64 Elphin Road, Launceston, on the following grounds:

***Clause 8.1 - Zone Purpose***

The proposal fails to demonstrate it will primarily serve the local community, and is considered to cause an unreasonable loss of amenity to surrounding sensitive uses.

***Clause 8.3.1 - Discretionary Uses - Performance Criteria P3***

The proposal will cause an unreasonable loss of amenity to adjacent sensitive uses noting the vehicular emissions caused by the use, having a negative impact on the character of the area.

***C2.0 Parking and Sustainable Transport Code - Code Purpose***

It is considered that the parking will cause an unreasonable loss of amenity to the surrounding area.

**CARRIED 9:3**

**FOR VOTE:** 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 L M McMahon, Councillor S Cai and Councillor A J Britton  
**AGAINST VOTE:** Mayor Councillor M K Garwood, Councillor J J Pentridge and Councillor A J Palmer

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**11.5. PSA-LLP0014 - 30 Merino Street, Kings Meadows - Scheme Amendment - Change of Zone from Light Industrial to Low Density Residential**

**FILE NO:** PSA-LLP0014

**AUTHOR:** Iain More (Senior Town Planner Policy and Projects)

**APPROVER:** Chelsea van Riet (Executive Leader Community Assets and Design)

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**DECISION STATEMENT:**

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Local Provisions Schedule.

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 8 August 2024 - 11.1 - Precis

Workshop - Date of Meeting - Initiated Draft Amendment PSA-LLP0014, to:

- a. Rezone 3.9ha of land from Light Industrial to Low Density Residential at 30 Merino Street, Kings Meadows; and
- b. Insert the priority vegetation overlay map over the rezoned land area.

Council - 17 October 2024 - 11.1 - Section 40K Report to Consider Representations

**RECOMMENDATION:**

That Council:

1. In accordance with sections 40K of the *Land Use Planning and Approvals Act 1993*, consider the merits of representations received during the public exhibition period for Draft Amendment PSA-LLP0014; and
  2. Recommends to the Tasmanian Planning Commission that draft Amendment PSA-LLP0014 be approved as certified and exhibited.
- 

**Due to a Declaration of Interest Councillor J J Pentridge withdrew from the Meeting at 4:13 pm**

**Richard Jamieson (Senior Leader City Development) and Iain More (Senior Town Planner Policy and Projects) were in attendance to answer questions in respect of this item.**

---

**DECISION:** 13 February 2025

**MOTION**

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

That Council:

1. In accordance with sections 40K of the *Land Use Planning and Approvals Act 1993*, consider the merits of representations received during the public exhibition period for Draft Amendment PSA-LLP0014; and
2. Recommends to the Tasmanian Planning Commission that draft Amendment PSA-LLP0014 be approved as certified and exhibited.

**CARRIED 10:1**

**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 T G Walker, Councillor Prof G Razay, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton

**AGAINST VOTE:** Councillor S Cai

**ABSENT DUE TO A DECLARATION OF INTEREST:** Councillor J J Pentridge

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

Councillor J J Pentridge re-attended the Meeting at 4:14 pm

Councillor T G Walker withdrew from the meeting at 4.14pm

Councillor A J Britton withdrew from the meeting at 4.14pm

## 12. ANNOUNCEMENTS BY THE MAYOR

### 12.1. Mayor's Announcements

FILE NO: SF2375

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#### Friday 24 January 2025

- Conducted a Citizenship Ceremony, Tramsheds, Inveresk

#### Monday 27 January 2025

- Attended KFC BBL|14 Final, Ninja Stadium, Bellerive

#### Wednesday 29 January 2025

- Attended the Newstead College Awards Evening 2024, Newstead College, Newstead

#### Thursday 30 January 2025

- Officiated at the Festivale 2025 Cocktail Party, City Park, Launceston

#### Friday 31 January 2025

- Attended Festivale, City Park, Launceston

#### Monday 3 February 2025

- Attended Ladbrokes Launceston Cup Dinner 2025, Ladbrokes Racing Centre, Mowbray

#### Wednesday 5 February 2025

- Attended tour of Carr Villa Flora Reserve, Opossum Road, Norwood

#### Saturday 8 February 2025

- Attended New Horizons Award Night, Country Club, Prospect

#### Sunday 9 February 2025

- Presented awards for the Henley Regatta, Royal Park, Launceston

#### Monday 10 February 2025

- Hosted a Civic Function to welcome the Mayor and Councillors from Ikeda to Launceston in celebration of 60 years of Sister City relations, Reception Room, Town Hall, Launceston

#### Tuesday 11 February 2025

- Hosted a Formal Dinner for Mayor and Councillors from Ikeda, Queen Victoria Museum and Art Gallery, Royal Park, Launceston

**Wednesday 12 February 2025**

- Attended the Launch Launceston Institute, The Shed, UTAS
-

**12.2. Mayoral Report - Western Australia Visit - December 2024**

**FILE NO:** SF0121, SF0619

**AUTHOR:** Alison Flood (Executive Assistant Mayor)

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

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**DECISION STATEMENT:**

To consider the report provided by Mayor Councillor Matthew Garwood including the approved attendance at the National Local Roads, Transport and Infrastructure Congress in Margaret River, and meetings with various local government authorities in Western Australia 2 - 4 December 2024. The Chief Executive Officer also accompanied the Mayor.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**RECOMMENDATION:**

That Council:

1. Consider Mandurah's youth engagement model for potential implementation.
  2. Explore differential rating systems for holiday accommodation.
  3. Review parking technology solutions implemented by City of Perth.
  4. Note successful regional collaboration approaches for advocacy.
  5. Undertake a review of the previous work undertaken to consider Mandurah and Launceston as working relationships.
  6. Engage with the project team working on the Perth Concert Hall redevelopment, to further support the Princess Theatre and Earls Arts Centre redevelopment.
- 

**The Mayor, Councillor M K Garwood, handed the chair to the Deputy Mayor Councillor D H McKenzie at 4.15pm**

**Councillor T G Walker re-attended the meeting at 4.16pm**

**Councillor A J Britton re-attended the meeting at 4.17pm**

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**DECISION: 13 February 2025**

**MOTION**

**Moved Mayor Councillor M K Garwood, seconded Councillor A J Palmer.**

**That Council:**

- 1. Consider Mandurah's youth engagement model for potential implementation.**
- 2. Explore differential rating systems for holiday accommodation.**
- 3. Review parking technology solutions implemented by City of Perth.**
- 4. Note successful regional collaboration approaches for advocacy.**
- 5. Undertake a review of the previous work undertaken to consider Mandurah and Launceston as working relationships.**
- 6. Engage with the project team working on the Perth Concert Hall redevelopment, to further support the Princess Theatre and Earls Arts Centre redevelopment.**

**CARRIED 7:5**

**FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor J J Pentridge, Councillor A J Palmer and Councillor A J Britton**

**AGAINST VOTE: Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor L M McMahon and Councillor S Cai**

**The Mayor, Councillor M K Garwood, resumed the Chair at 4.19pm**

**13. 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).*

**Councillor A J Palmer**

**31 January 2025 to 2 February 2025**

- **Attended Festivale: congratulated the Chairman David Dunn and team of event organisers**

**8 February 2025**

- **Attended New Horizons Awards Night**

**9 February 2025**

- **Attended the 24 Hour Football Challenge**

**12 February 2025**

- **Attended St Vincent de Paul Advisory Committee meeting**

**Councillor S Cai**

**24 January 2025**

- **Attended Citizenship Ceremony where 77 conferees became Australian citizens**

**2 February 2025**

- **Attended Festivale**

**4 February 2025**

- **Attended the Meeting of Premier Cabinet**

**5 February 2025**

- **Attended a tour of Carr Villa with the Friends of Carr Villa**

**8 February 2025**

- **Attended the Luna New Year Celebration at QVMAG**

**10-12 February 2025**

- **Attended the Ikeda 60 Years of Sister City Relationship Celebrations**



**Deputy Mayor Councillor D H McKenzie**

**10-12 February 2025**

- **Attended Ikeda 60 Years of Sister City Relationship Celebrations**

**12 February 2025**

- **Attended DAP (Development Assessment Panels) Meeting**

**Councillor T G Walker**

**5 February 2025**

- **Attended the Carr Villa Tour**

**12 February 2025**

- **Attended DAP (Development Assessment Panels) Meeting**

**Councillor A J Britton**

**10-12 February 2025**

- **Attended Ikeda 60 Years of Sister City Relationship Celebrations**

## 14. QUESTIONS BY COUNCILLORS

### 14.1. 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).*

#### 14.1.1. Councillor Question on Notice - Deputy Mayor Councillor D H McKenzie - Council Support to Keep Pets with Owners - 23 January 2025

**FILE NO:** SF6381

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

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

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### QUESTIONS AND RESPONSES:

The following question, submitted to Council on 23 January 2025 by Deputy Mayor Councillor D H McKenzie, has been answered by Geoff Stick (Acting Senior Leader Health and Compliance).

#### **Questions:**

1. Is there some way Council can support Just Cats to keep pets with their owners who can't afford to keep them?

#### **Response:**

*Council recognises the important role that Just Cats plays in cat welfare and responsible pet ownership within our community. Currently, Council provides financial support to Just Cats under existing funding commitments. At this stage, additional financial assistance specifically for pet owners facing financial hardship is not being considered.*

*Just Cats has also indicated that they have limited capacity to house stray cats or provide direct financial assistance to owners in need. However, Council will investigate alternative options that may help address this issue. One potential avenue is exploring whether Natural Resources & Environment (NRE) has access to additional funding that could be allocated to support pet retention initiatives.*

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**14.1.2. Councillors Questions on Notice - Councillor A G Harris - Carols by Candlelight held in City Park on 22 December 2024**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 23 January 2025 by Councillor A G Harris, have been answered by Leanne Purchase (Acting Executive Leader Connections and Liveability) and Angie Hart (Team Leader Visitation and Sponsorship).

**Questions:**

1. Preamble:

I note the Quarterly Report from Council's Community and Place Network under item 17.1 of today's meeting, a report on the very successful Carols by Candlelight held in City Park organised in just 23 days by Councillor Lindi McMahon and her band of volunteers that was attended by a crowd of 5000 or more on Sunday 22nd of December 2024 and supported by City of Launceston's Tourism and Events team and many other divisions of Council workforce as well.

My questions are:

**Cost of event:**

1. What were the directly incurred costs to Council of putting on this event, including wages of Events staff and other Council staff who assisted in getting the show up and happening and the cleaning up afterwards.

**Response:**

*The directly incurred labour costs for Carols by Candlelight amounted to \$33,735. This includes overtime for 22 Council employees who worked from the early hours of Friday morning until the early hours of Monday morning, overseeing the bump-in, event delivery, and clean-up.*

2. What were the directly incurred costs for the hire of plant and equipment necessary for the staging of the event and that were for paid for by the Council.

**Response:**

*The directly incurred costs for hiring plant and equipment for Carols by Candlelight total approximately \$84,171. This includes stage sound and lighting, toilets, marquees, accessible flooring and ramps, fencing, and electrical services.*

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3. How was the \$10,000 McGrath Estate Agents sponsorship, the \$5000.00 that was provided by the old organising committee and the initial \$15,000 Council event grant money used in payment of which services.

**Response:**

*The \$10,000 McGrath Estate Agents sponsorship, and the initial \$15,000 Council event grant were incorporated into the overall event budget. These funds were not allocated to specific expenses but contributed to covering various event costs, including logistics, marketing, infrastructure, and operational expenses. The previous organising committee did not claim the grant awarded by City of Launceston. The grant funding was redirected to cover general event costs.*

4. What is an estimate of costs of hire equipment, or any other services provided by event sponsors for either a reduced charge or at no charge.

**Response:**

*The estimated cost of in-kind support from event sponsors includes a 50% discount from SafeTas, reducing costs by \$720, and the supply, delivery, and installation of fencing panels by Vibestown, valued at approximately \$150. With greater lead time in future planning, Council officers will have increased opportunities to obtain multiple quotes and negotiate further cost reductions.*

5. What will now happen in regard to planning for Carols by Candlelight in 2025 by Council Events and Tourism staff or will a new volunteer-based Committee take over the running of the event?

**Response:**

*Council Officers will consider this in the wrap up of the 2024 event and will bring recommendations to a Workshop to discuss with Councillors.*

6. Will Council consider alternative ways of assisting future Carols by Candlelight event by way of a permanent Sound Stage and associated infrastructure on Council owned land, including other venues other than City Park, such as but not limited to First Basin or Riverbend Park?

**Response:**

*Council Officers will consider this in the wrap up of the 2024 event and will bring recommendations to a Workshop to discuss with Councillors.*

7. In the 12th of December 2024 meeting agenda item Questions on Notice Item 14.1.1, Councillor McMahon's questions about the previous Organising Committee of Carols by Candlelight were "to be circulated to Council Officers and a report will be provided at a future Council meeting".

***Response:***

*A response to Councillor McMahon's questions is provided separately in this agenda.*

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**14.1.3. Councillors' Questions on Notice - Councillor T J Walker - Glen Dhu Pool, Truck Stop Kings Meadows, Hospital Precinct Master Plan, North Launceston Football Club - 23 January 2025**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 23 January 2025 by Councillor T J Walker, have been answered by Sam Johnson OAM (Chief Executive Officer), Leanne Purchase (Acting Executive Leader Connections and Liveability) and Richard Jamieson (Senior Leader City Development).

**Questions:**

1. **[Regarding Glen Dhu Pool]**

- a) When a demolition order was sought from Council, no structural report was executed. Can I get that confirmed, that there was no supporting documentation in terms of the justification, being structural issues were the reason behind the demolition and associated with that, do they even need any justification to demolish the pool, even if there was nothing wrong with it?
- b) Does Council charge for school groups to attend, and if so, how much?
- c) Will the Council formulate a position on the rights of children to learn how to swim and what is the best way for the council to respond and to formulate a position on this before this construction takes place?

**Response:**

- a) *Approval was granted on the 13/1/2025 for demolition of the pool (DA0470/2024). Justification was provided sufficient to satisfy the relevant clauses of the planning scheme. Details were provided on the engineering feasibility of renovating the pool to a modern standard, which was deemed to be unfeasible.*

*The site is listed on the State and local heritage registers. The Tasmanian Heritage Council issued an exemption for the works as the pool is outside their area of interest. A permit condition required an archival recording of the site to be undertaken prior to demolition commencing.*

- b) *Council charges \$4.00 per student per session for school groups.*

c) *City of Launceston supports children's equitable access to the opportunity to be water safe and recognise the [social factors and economic barriers](#) to this access. As one venue owner (Lilydale and Launceston Aquatic), we support community in their advocacy to state government in any consideration for expanding Department for Education Children and Young Peoples Learn to Swim Program and the infrastructure to enable this.*

2. Has Council had a reply from the state government in regard to the money that was offered for a potential pathway from Lilydale Falls?

**Response:**

*This matter is in progress. The Department of State Growth has provided advice and Council is now in contact with the Office of the Premier.*

3. Has there been any further correspondence or discussion since the Council decision to amend a truck stop on the southern Outlet adjacent to Kings Meadows and associated sound walls?

**Response:**

*Further discussions have taken place between Council officers and the Department of State Growth. Council Officer feedback has been provided on a revised design.*

**[Regarding the Hospital Precinct Master Plan]**

4. It's been a number of years since Launceston Council had an active relationship with either the Health Department or State Growth in regard to having a working group discussing the implications of the expanding Hospital Precinct. Can the Council
- a) have that reinstated;
  - b) investigate ways in which we could work towards having a more active role in decision-making around that plan; and
  - c) can the Council investigate ways in which we can rebuild that communication?

**Response:**

Council has reached out to Hospitals North to progress this.

5. Have we had any Communications with North Launceston Football Club and their ongoing concerns around access at York Park, and what will Council's representation on any board, group or Association in regard to Stadium Tasmania and York Park look like and will it be the mayor will it be our CEO who will be representing Launceston and Council's interests?

***Response:***

*Council officers are preparing a Workshop briefing for Councillors.*

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**14.1.4. Councillors' Questions on Notice - Councillor J J Pentridge - North  
Launceston Football Club - 23 January 2025**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 23 January 2025 by Councillor J J Pentridge, has been answered by (Acting Executive Leader Connections and Liveability).

**Questions:**

1. Will Council have the opportunity to give the North Launceston Football Club some answers regarding the future use of the grounds?

**Response:**

*Council officers are preparing a Workshop briefing for Councillors.*

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**14.1.5. Councillor' Question on Notice - Councillor L McMahon - Cancellation of Carol by Candlelight - Council Funding - 28 November 2024**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 28 November 2024 by Councillor L McMahon, have been answered by Leanne Purchase (Acting Executive Leader Connections and Liveability).

**Questions:**

1. Given the organising Committee for the Carols by Candlelight received \$15,000 from Council Events funding, will Council be seeking:
  - a) a full explanation as to why the event was cancelled at the 11<sup>th</sup> hour;
  - b) a full report on what work had been completed for the event;
  - c) when were the participants notified of its cancellation;
  - d) has any of the funding been expended; and
  - e) when will the funding be returned to Council?

**Response:**

*No funds were paid to Launceston Carols by Candlelight Inc. for the 2024 event. If directed by the Council, officers would seek a response to the above from Launceston Carols by Candlelight Inc. but given no funds were paid, this would not be usual practice.*

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**14.1.6. Councillors' Questions on Notice - Councillor A E Dawkins - Launceston  
Waste Centre Compliance Assessment of Annual Environmental Review for  
2023-2024 - 23 January 2025**

**FILE NO:** SF6381

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

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

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 23 January 2025 by Councillor A E Dawkins, has been answered by Michael Attard (Team Leader Open Spaces and Sustainability).

**Questions:**

**[Regarding Agenda Item 19.4 Launceston Waste Centre Compliance Assessment of Annual Environmental Review for 2023-2024]**

1. In 1.9 of the assessment, we made no commitments for 23 24 so we can't be assessed. Is that usual, do we generally have commitments or is it just this one time we didn't?

**Response:**

*Section 1.9 refers to when additional environmental commitments outside of the current Environmental Protection Notice 7175/3 conditions are requested by the Environmental Protection Authority (EPA). For example when fruit fly was a statewide issue EPA requested special commitments for deep burial of affected fruit.*

*In 2023/2024 there were no additional commitments requested by the EPA.*

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**14.2. 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).*

**14.2.1 Councillors' Questions Without Notice - Councillor L M McMahon - Carols By Candlelight and Events Sponsorship and Acquittals - 13 February 2025**

- 1. What is the process once an applicant has been successful in receiving event funding, how and when the funds are dispersed, and why was no funding allocated to the Carols by Candlelight event?**
- 2. The total event cost was listed on the application as \$60,000 and the organising committee had requested \$20,000 to assist in bringing an event to the community. Did they no longer require funding support, and if so, did they notify Council of this, noting that the Launceston International Bowls Classic didn't receive full funding due to funds being exhausted, and five other events missing out altogether?**
- 3. What checks and balances are in place to ensure successful applicants report back on project plans that are part of their initial application?**

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 6 March 2025.

Deputy Mayor Councillor D H McKenzie retired from the Meeting at 4:33 pm  
Councillor A E Dawkins retired from the Meeting at 4:33 pm  
Councillor S Cai withdrew from the Meeting at 4:34 pm

**14.2.2. Councillors' Questions Without Notice - Councillor A G Harris - Boxing Day 2024 Non-Operation of Car Parks - 13 February 2025**

**[Regarding the response given at Agenda Item 8.1.5 Public Questions on Notice - Robin Smith - Parking Matters including Parking Operations, Christmas Arrangements - 31 January 2025]**

- 1. In regard to the Boxing Day 2024 non-operation of our car parks, where it says that there were several technological issues before it could function independently, as a result the car parks remain closed. Are we able to find out what those issues are and whether they will in fact be able to be resolved?**
- 2. In reading further into the report, is it normal practice that on a public holiday, Council staff are not used and that an after hours service provider is being used? If so, is that normal business practice?**

**The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 6 March 2025**

**14.2.3. Councillors' Questions Without Notice - Councillor D C Gibson - Event Strategy and Updated Budget Expenditure for Representation at the UNESCO Creative Cities of Gastronomy Annual Conference 2024 - 13 February 2025**

- 1. Pertaining to our Event Strategy, how far are we and when will we receive the updated event strategy? Any timelines around that piece of work?**

**The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 6 March 2025.**

- 2. Noting the great report regarding the Western Australia Council visit, when can Council receive a detailed report on updated budget expenses on the representation this Council endorsed for the Representation at the UNESCO Creative Cities of Gastronomy Annual Conference 2024?**

**The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 6 March 2025.**

**Councillor A J Palmer withdrew from the meeting at 4.35pm**

**Councillor S Cai re-attended the Meeting at 4:36pm**

**Councillor A J Palmer re-attended the Meeting at 4:37pm**

**Councillor A J Britton withdrew from the meeting at 4.38pm**

**Councillor S Cai retired from the Meeting at 4:38pm**

**Councillor A J Britton re-attended the Meeting at 4:37pm**

**15. NOTICES OF MOTION**

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

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

**16. COMMITTEE REPORTS**

**16.1. Cataract Gorge Reserve Advisory Committee**

**FILE NO:** SF0839

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

**APPROVER:** Chelsea van Riet (Executive Leader Community Assets and Design)

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**DECISION STATEMENT:**

To receive the unconfirmed minutes from the Cataract Gorge Advisory Committee.

**RECOMMENDATION:**

That Council:

1. receives the minutes from the Cataract Gorge Advisory Committee Meeting held on 8 August 2024.
- 

**DECISION: 13 February 2025**

**MOTION**

**Moved Councillor T G Walker, seconded Councillor L M McMahon.**

**That Council:**

1. receives the minutes from the Cataract Gorge Advisory Committee Meeting held on 8 August 2024.

**CARRIED 9:0**

**FOR VOTE:** Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton  
**AGAINST VOTE:** Nil



**17. CONNECTIONS AND LIVEABILITY**

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

**18. QVMAG (QUEEN VICTORIA MUSEUM AND ART GALLERY)**

**18.1. Quarterly Report - Queen Victoria Museum and Art Gallery**

**FILE NO:** SF5784

**AUTHORS:** Daniel McWilliams (Executive Assistant to the Director, Queen Victoria Museum and Art Gallery), Jules Clements (Leader Business Support), Kellie Wells (Lead Curator), Malene Bjornskov (Leader Strategic Collections), Sumeena Keshow (Leader Learning and Engagement), Susan Moore (Leader Marketing and Communications), Alisanne Butler (Leader Exhibitions).

**APPROVER:** Shane Fitzgerald (Director, Queen Victoria Museum and Art Gallery)

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**DECISION STATEMENT:**

To receive a report about activities of the Queen Victoria Museum and Art Gallery (formerly the Creative Arts and Cultural Services) Network between 1 October and 31 December 2025.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**RECOMMENDATION:**

That Council:

1. receives the Queen Victoria Museum and Art Gallery (QVMAG) Quarterly Report for the period 1 October 2025 and 31 December 2025.
- 

**The Mayor, Councillor M K Garwood noted that the period for Queen Victoria Museum and Art Gallery (QVMAG) Quarterly Report should read 1 October 2024 to 31 December 2024, not 2025 as published.**

**DECISION: 13 February 2025**

**MOTION**

**Moved Councillor A J Britton, seconded Councillor A G Harris.**

**That Council:**

- 1. receives the Queen Victoria Museum and the Art Gallery (QVMAG) Quarterly Report for the period 1 October 2024 and 31 December 2024.**

**CARRIED 9:0**

**FOR VOTE: Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton**

**AGAINST VOTE: Nil**

**19. COMMUNITY ASSETS AND DESIGN**

**19.1. St Leonards and Waverley Neighbourhood Plan - Project Update**

**FILE NO:** O25375/2025

**AUTHOR:** Claire Fawdry (Principal Town Planner)

**APPROVER:** Chelsea van Riet (Executive Leader Community Assets and Design)

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**DECISION STATEMENT:**

To note the Stage One Consultation Report following the first round of community engagement for the St Leonards and Waverley Neighbourhood Plan.

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

- Workshop – 30 January 2025 – St Leonards and Waverley Neighbourhood Plan
- Council – 12 December 2024 – Agenda Item 22.2 - St Leonards and Waverley Neighbourhood Plan project update
- Council – 31 October 2024 – Agenda Item 17.3 - St Leonards Structure Plan Update
- Council – 8 August 2024 - Agenda Item 17.1 - Non-Application of Public Tender Process for the St Leonards Structure Plan and Infrastructure Funding Framework

**RECOMMENDATION:**

That Council:

1. Notes the attached St Leonards and Waverley Neighbourhood Plan - Stage One Consultation Report, dated January 2025.
-

**DECISION: 13 February 2025**

**MOTION**

**Moved Councillor A G Harris, seconded Councillor A J Britton.**

**That Council:**

- 1. Notes the attached St Leonards and Waverley Neighbourhood Plan - Stage One Consultation Report, dated January 2025.**

**CARRIED 9:0**

**FOR VOTE: Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton**

**AGAINST VOTE: Nil**

## 20. DELIVERY AND PERFORMANCE

### 20.1. Budget Amendment - 13 February 2025

**FILE NO:** SF6817/SF7334

**AUTHOR:** Samuel Kelty (Senior Leader Finance)

**APPROVER:** Nathan Williams (Executive Leader Delivery and Performance)

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#### **DECISION STATEMENT:**

For Council to:

1. consider changes to the Council's 2024/2025 Statutory Estimates.

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

2. consider adjustments made during 1 January 2025 to 31 January 2025 by the Chief Executive Officer to the 2024/2025 Budget.

#### **RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

#### **RECOMMENDATION:**

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2024/2025 Statutory Estimates:
    - (a) Revenue
      - i. the net increase in revenue from external grants and contributions of \$63,242.
    - (b) Expenses
      - i. the net increase in operations expenditure of \$63,242.
    - (c) Capital Works Expenditure
      - i. the net increase in expenditure from external funds of \$0.
      - ii. the increase in the Council's funded expenditure of \$0.
  2. notes that amendments from Recommendation 1. result in:
    - (a) the underlying operating deficit remains unchanged at \$930,841 (excluding capital grants of \$19,178,656 and other adjustments of \$5,000,000) for 2024/2025.
    - (b) the capital budget remains the same at \$43,249,166 for 2024/2025.
  3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2024/2025 budget for the period 1 January 2025 to 31 January 2025.
-

Samuel Kelty (Senior Leader Finance) was in attendance to answer questions in respect of this item.

**DECISION:** 13 February 2025

**MOTION**

Moved Councillor A G Harris, seconded Councillor A J Britton.

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2024/2025 Statutory Estimates:
  - (a) Revenue
    - i. the net increase in revenue from external grants and contributions of \$63,242.
  - (b) Expenses
    - i. the net increase in operations expenditure of \$63,242.
  - (c) Capital Works Expenditure
    - i. the net increase in expenditure from external funds of \$0.
    - ii. the increase in the Council's funded expenditure of \$0.
2. notes that amendments from Recommendation 1. result in:
  - (a) the underlying operating deficit remains unchanged at \$930,841 (excluding capital grants of \$19,178,656 and other adjustments of \$5,000,000) for 2024/2025.
  - (b) the capital budget remains the same at \$43,249,166 for 2024/2025.
3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2024/2025 budget for the period 1 January 2025 to 31 January 2025.

**CARRIED BY ABSOLUTE MAJORITY 8:1**

**FOR VOTE:** Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor A J Palmer, Councillor L M McMahan and Councillor A J Britton  
**AGAINST VOTE:** Councillor J J Pentridge

## 20.2. Monthly Financial Performance Report

**FILE NO:** SF7694

**AUTHOR:** Zakia Afroz (Team Leader Accounting)

**APPROVER:** Nathan Williams (Executive Leader Delivery and Performance)

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### **DECISION STATEMENT:**

To consider the December 2024 Capital and Operational financial reports against budget.

### **RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

### **RECOMMENDATION:**

That Council:

1. notes the report outlining both Capital and Operational results to the period ending 31 December 2024.
- 

**Samuel Kelty (Senior Leader Finance) was in attendance to answer questions in respect of this item.**

**DECISION: 13 February 2025**

### **MOTION**

**Moved Councillor A G Harris, seconded Councillor A J Britton.**

**That Council:**

1. notes the report outlining both Capital and Operational results to the period ending 31 December 2024.

**CARRIED 8:1**

**FOR VOTE:** Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton  
**AGAINST VOTE:** Councillor J J Pentridge

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**20.3. Lease - 1st Tamar Sea Scouts**

**FILE NO:** SF2967

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

**APPROVER:** Nathan Williams (Executive Leader Delivery and Performance)

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**DECISION STATEMENT:**

To consider the lease of part of 78 Paterson Street, Launceston to the 1<sup>st</sup> Tamar Sea Scouts.

*This decision requires an absolute majority of Council.*

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**PREVIOUS COUNCIL CONSIDERATION:**

Council – 20 February- 2020-Lease- 1<sup>st</sup> Tamar Sea Scouts – 19.2

**RECOMMENDATION:**

That Council:

1. pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease part of the land situated at 78 Paterson Street, Launceston, Certificate of Title 138979/10, known as Home Point Parade, as identified on the plan below:



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
    - a. the lease will commence on the 28 February 2025 for a period of 5 years;
    - b. the commencing rent will be \$340.34 per annum;
    - c. tenant to be responsible for:
      - i. energy costs;
      - ii. volumetric and connection charges for water;
      - iii. contents insurance; and
      - iv. other service charges if any.
    - d. tenant will continuously maintain:
      - i. building in good and reasonable order;
      - ii. and keep clear all noxious growth from premises;
      - iii. public liability insurance of at least \$20 million.
    - e. Council will be responsible for all structural maintenance of all Council owned buildings
  
  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, 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).
- 

**Duncan Campbell (Team Leader Legal Services) and Sharin Imlach (Lease Officer) were in attendance to answer question with respect of this item.**

**DECISION: 13 February 2025**

**MOTION**

**Moved Councillor A G Harris, seconded Councillor A J Britton.**

**That Council:**

- 1. pursuant to section 179 of the *Local Government Act 1993 (Tas)*, decides to lease part of the land situated at 78 Paterson Street, Launceston, Certificate of Title 138979/10, known as Home Point Parade, as identified on the plan below:**



- 2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:**
  - a. the lease will commence on the 28 February 2025 for a period of 5 years;**
  - b. the commencing rent will be \$340.34 per annum;**
  - c. tenant to be responsible for:**
    - i. energy costs;**
    - ii. volumetric and connection charges for water;**
    - iii. contents insurance; and**
    - iv. other service charges if any.**
  - d. tenant will continuously maintain:**
    - i. building in good and reasonable order;**
    - ii. and keep clear all noxious growth from premises;**
    - iii. public liability insurance of at least \$20 million.**
  - e. Council will be responsible for all structural maintenance of all Council owned buildings**

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, 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 9:0**

**FOR VOTE: Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton**  
**AGAINST VOTE: Nil**

#### 20.4. Delegation under the Local Government (Highways) Act 1982

**FILE NO:** SF0113

**AUTHOR:** Duncan Campbell (Team Leader Legal Services)

**APPROVER:** Nathan Williams (Executive Leader Delivery and Performance)

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#### **DECISION STATEMENT:**

To consider delegation of functions and powers under the *Local Government (Highways) Act 1982* (Tas).

*This decision requires an absolute majority of Council.*

#### **RELEVANT LEGISLATION:**

*Local Government (Highways) Act 1982* (Tas)

*Acts Interpretation Act 1931* (Tas)

*Local Government (Meeting) Regulations 2015* - Regulation 18

*Local Government Act 1993* (Tas) - section 22(4)

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

Council - 7 February 2019 - Agenda Item 15.3 - Delegation from Council to General Manager and Council Officers - *Local Government (Highways) Act 1982* (Tas)

Council - 11 July 2019 - Agenda Item 19.1 - Delegation from Council to General Manager and Council Officers - *Local Government (Highways) Act 1982* (Tas)

Council - 14 November 2019 - Agenda Item 19.3 - Delegation from Council to Council Officers - *Local Government (Highways) Act 1982* (Tas)

#### **RECOMMENDATION:**

That Council:

1. pursuant to section 124 of the *Local Government (Highways) Act 1982* (Tas):
  - (a) revokes any previous delegation made by Council in respect of the *Local Government (Highways) Act 1982* (Tas).
  - (b) delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 3, the powers and functions under the sections of the *Local Government (Highways) Act 1982* (Tas) specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.

2. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas), authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
3. notes that the following table is the schedule referred to at Recommendation 1.

**The Schedule**

Column One	Column Two	Column Three
Position	Extent of delegation	Restrictions
Chief Executive Officer (CEO)	Sections 7(2), 10, 11, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 45, 46, 50, 52, 54, 55, 95, 96, 99, 104, 107, 109, 110, 112	Except in the case of an emergency, section 27 may only be exercised with 14 days' written notice to the landowner. Section 54 may only be exercised with the permission of the landowner.
Executive Leader Community Assets and Design	Sections 7(2), 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 46, 50, 52, 54, 95, 96, 99, 104, 109, 110, 112	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of GM. Section 54 may only be exercised with the permission of the landowner.
Senior Leader City Amenities	Sections 27, 30, 34, 39, 42, 44, 54, 104	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Senior Leader Infrastructure and Engineering	Sections 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 44, 46, 54, 95, 96, 104	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written

		notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Team Leader Transport	Sections 19, 20, 27, 30, 31, 34, 39, 44, 54, 95, 96, 104	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Executive Leader Performance and Delivery	Sections 45, 55(1), 104, 107, 109	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Senior Leader Health and Compliance	Sections 45, 104, 107	
Team Leader Parking	Sections 104, 107	
Team Leader Regulation Services	Section 45	
Team Leader Environmental Health	Section 45	
Regulations Officer	Section 45	
Coordinator Administration	Section 45	
Administration and Technical Officer	Section 45	
Senior Leader Governance	Section 109(2)	
Team Leader Procurement	Section 109(2)	
Executive Leader Strategy and Innovation  Senior Leader Innovation and Performance	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Team Leader Strategy, Economic Development and Analytics	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be

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		used to have a building marked with a number.
GIS Systems Administrator	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
GIS Data Officer	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Spatial Data Officer - Property	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.

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

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**Duncan Campbell (Team Leader Legal Services) was in attendance to answer questions in respect of this item.**



**DECISION: 13 February 2025**

**MOTION**

Moved Councillor A J Britton, seconded Councillor A G Harris.

That Council:

1. pursuant to section 124 of the *Local Government (Highways) Act 1982 (Tas)*:
  - (a) revokes any previous delegation made by Council in respect of the *Local Government (Highways) Act 1982 (Tas)*.
  - (b) delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 3, the powers and functions under the sections of the *Local Government (Highways) Act 1982 (Tas)* specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.
2. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
3. notes that the following table is the schedule referred to at Recommendation 1.  
**The Schedule**

Column One	Column Two	Column Three
Position	Extent of delegation	Restrictions
Chief Executive Officer (CEO)	Sections 7(2), 10, 11, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 45, 46, 50, 52, 54, 55, 95, 96, 99, 104, 107, 109, 110, 112	Except in the case of an emergency, section 27 may only be exercised with 14 days' written notice to the landowner. Section 54 may only be exercised with the permission of the landowner.
Executive Leader Community Assets and Design	Sections 7(2), 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 46, 50, 52, 54, 95, 96, 99, 104, 109, 110, 112	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of GM.

		Section 54 may only be exercised with the permission of the landowner.
<b>Senior Leader City Amenities</b>	<b>Sections 27, 30, 34, 39, 42, 44, 54, 104</b>	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
<b>Senior Leader Infrastructure and Engineering</b>	<b>Sections 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 44, 46, 54, 95, 96, 104</b>	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
<b>Team Leader Transport</b>	<b>Sections 19, 20, 27, 30, 31, 34, 39, 44, 54, 95, 96, 104</b>	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.

<b>Executive Leader Performance and Delivery</b>	<b>Sections 45, 55(1), 104, 107, 109</b>	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>
<b>Senior Leader Health and Compliance</b>	<b>Sections 45, 104, 107</b>	
<b>Team Leader Parking</b>	<b>Sections 104, 107</b>	
<b>Team Leader Regulation Services</b>	<b>Section 45</b>	
<b>Team Leader Environmental Health</b>	<b>Section 45</b>	
<b>Regulations Officer</b>	<b>Section 45</b>	
<b>Coordinator Administration</b>	<b>Section 45</b>	
<b>Administration and Technical Officer</b>	<b>Section 45</b>	
<b>Senior Leader Governance</b>	<b>Section 109(2)</b>	
<b>Team Leader Procurement</b>	<b>Section 109(2)</b>	
<b>Executive Leader Strategy and Innovation</b>  <b>Senior Leader Innovation and Performance</b>	<b>Section 55(1)</b>	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>
<b>Team Leader Strategy, Economic Development and Analytics</b>	<b>Section 55(1)</b>	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>
<b>GIS Systems Administrator</b>	<b>Section 55(1)</b>	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>
<b>GIS Data Officer</b>	<b>Section 55(1)</b>	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>
<b>Spatial Data Officer - Property</b>	<b>Section 55(1)</b>	<b>Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.</b>

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

**CARRIED BY ABSOLUTE MAJORITY 9:0**

**FOR VOTE: Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton**  
**AGAINST VOTE: Nil**

**20.5. Business Excellence Awards 2025 - Sponsorship**

**FILE NO:** SF4288

**AUTHOR:** Nathan Williams (Executive Leader Delivery and Performance)

**APPROVER:** Nathan Williams (Executive Leader Delivery and Performance)

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**DECISION STATEMENT:**

To consider a request for sponsorship from the Launceston Chamber of Commerce for the Business Excellence Awards 2025, specifically the Exceptional Event Award.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**RECOMMENDATION:**

That Council:

1. approves the sponsorship request of \$4,700 (plus GST) for the Launceston Chamber of Commerce Business Excellence Awards 2025 – in the category of the Exceptional Event Award.
- 

**DECISION: 13 February 2025**

**MOTION**

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

**That Council:**

1. **approves the sponsorship request of \$4,700 (plus GST) for the Launceston Chamber of Commerce Business Excellence Awards 2025 – in the category of the Exceptional Event Award.**

**CARRIED 8:1**

**FOR VOTE:** Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton

**AGAINST VOTE:** Councillor J J Pentridge

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**21. STRATEGY AND INNOVATION**

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

**22. CHIEF EXECUTIVE OFFICER NETWORK**

**22.1. Status Report on Notices of Motions**

**FILE NO:** SF5547

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

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

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**DECISION STATEMENT:**

To receive the updated Status Report – Notices of Motion.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

*Local Government (Meeting Procedures) Regulations 2015*

**RECOMMENDATION:**

That Council:

1. Receives the Status Report of Notices of Motions.
- 

**DECISION: 13 February 2025**

**MOTION**

**Moved Councillor D C Gibson, seconded Councillor A J Britton.**

**That Council:**

1. **Receives the Status Report of Notices of Motions.**

**CARRIED 8:1**

**FOR VOTE:** Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton

**AGAINST VOTE:** Councillor J J Pentridge

## 22.2. Status Report on Council Decisions

**FILE NO:** SF2346

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

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

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### **DECISION STATEMENT:**

To receive the Status Report on Council Decisions made as at 23 January 2025.

### **RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

*Local Government (Meeting Procedures) Regulations 2015*

### **RECOMMENDATION:**

That Council:

1. receives the Status Report on Council Decisions made as at 23 January 2025.
- 

### **DECISION: 13 February 2025**

#### **MOTION**

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

**That Council:**

1. receives the Status Report on Council Decisions made as at 23 January 2025.

**CARRIED 8:1**

**FOR VOTE:** Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton

**AGAINST VOTE:** Councillor J J Pentridge



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**22.3. Northern Tasmania Development Corporation Ltd (NTDC) Quarterly Report - October to December 2024**

**FILE NO:** SF2367

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

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

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**DECISION STATEMENT:**

To consider the Northern Tasmania Development Corporation Ltd (NTDC) Quarterly Report October to December 2024.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**RECOMMENDATION:**

That Council:

1. Receives and notes the Northern Tasmania Development Corporation Ltd (NTDC) Quarterly Report October to December 2024.
- 

**Councillor Prof G Razay withdrew from the Meeting at 5:18 pm**  
**Councillor Prof G Razay re-attended the Meeting at 5:20 pm**

**DECISION: 13 February 2025**

**MOTION**

**Moved Councillor A G Harris, seconded Councillor A J Britton.**

**That Council:**

1. **Receives and notes the Northern Tasmania Development Corporation Ltd (NTDC) Quarterly Report October to December 2024.**

**CARRIED 9:0**

**FOR VOTE:** Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton  
**AGAINST VOTE:** Nil

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**23. LATE ITEMS**

No Items were identified as part of these Minutes

**24. CLOSED COUNCIL**

No Closed Items were identified as part of these Minutes

**25. MEETING CLOSURE**

The Mayor, Councillor M K Garwood, closed the Meeting at 5.23pm.

**26. NEXT COUNCIL MEETING DATE**

The next Ordinary Meeting of Council will be held at 1.00pm on 6 March 2025 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.