



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 28 SEPTEMBER 2015
1.00pm**

City of Launceston

COUNCIL MINUTES

Monday 28 September 2015

The Ordinary Meeting of the City of Launceston Council was held at the Council Chambers:

Date: 28 September 2015

Time: 1.00pm

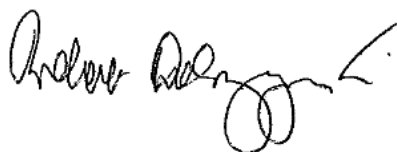
Section 65 Certificate of Qualified Advice

Background

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

Declaration

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



Robert Dobrzynski
General Manager

City of Launceston

COUNCIL MINUTES

Monday 28 September 2015

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

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

Apologies: **Alderman** **D H McKenzie**
J Finlay
E K Williams
K P Stojansek

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Alderman A M van Zetten, declared the meeting open at 1.00pm and noted apologies from Alderman D H McKenzie, Alderman J Finlay, Alderman E K Williams and Alderman K P Stojansek.

2 DECLARATION OF INTERESTS

Local Government Act 1993 - Section 48

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

No Declarations of Interest were made at this Meeting

3 CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 14 September 2015 be confirmed as a true and correct record.

DECISION: 28 September 2015

MOTION

Moved Alderman D C Gibson, seconded Alderman D W Alexander.

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

CARRIED 8:0

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

4 DEPUTATIONS

No Deputations were identified as part of these Minutes

Meeting - Public Speaking Protocol Statement (as read by the General Manager)

Only residents, ratepayers or people on the Electoral Roll of City of Launceston may address an item on the Minutes. Before commencing you will need to state your name and address if requested. Generally speaking time is limited to two minutes; three minutes for Community Reports. No extension of time is permitted. Comments and statements are not to be defamatory, offensive or abusive, or be designed to embarrass any person, including Aldermen or Officers. Statements are not to be repetitive of statements or points already made. Several people repeating a common position should nominate a single speaker on their behalf. The Mayor may ask a member of the gallery to cease speaking if the above procedures are not followed. When required to do so, you must speak for, or against the recommendation, not ask questions of Aldermen or Officers or attempt to enter into debate with Aldermen or Officers. Statements can only be made either directly relating to supporting the recommendation or arguing against it.

5 PETITIONS

Local Government Act 1993 - Section 58

No Petitions were identified as part of these Minutes

6 COMMUNITY REPORTS

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

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

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions On Notice

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

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

No Public Questions on Notice were registered with Council as part of these Minutes

7.2 Public Questions Without Notice

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

(Members of the public who ask Questions Without Notice at a meeting will have both the question and answer recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer can not be provided at the Meeting, the question will be treated as a Question On Notice and it will need to be written down. A response will be provided at the next Council Meeting.)

7.2.1 Mr Basil Fitch - University of Tasmania's Move to Inveresk

Mr Fitch asked if the public meeting being organised regarding the University of Tasmania's (UTAS) proposed move to Inveresk is being organised by the City of Launceston or UTAS. If so, could the meetings be held at a more convenient time by moving the timing of the meeting from 5.45pm to 7.00pm?

The Mayor, Alderman A M van Zetten, responded by stating that UTAS control the timing of the public meeting being organised.

7.2.2 Mr Basil Fitch - UTAS Organisation of Public Meetings

Mr Fitch asked when the City of Launceston would be conducting public meetings to inform ratepayers regarding the Memorandum of Understanding with the University of Tasmania as public input has been limited. Mr Fitch also asked when other Councils would be participating in the process.

The Mayor, Alderman A M van Zetten stated that a Memorandum of Understanding had been discussed at a recent Council Meeting.

7.2.3 Mr Basil Fitch - Valuation of Council Land

Mr Fitch asked if the City of Launceston agrees to sell the land to the University of Tasmania, who would be responsible for completion of the land valuation?

Mr H Galea (Director Infrastructure Services) has responded that the disposal of land requires a majority decision of the Council - whether this is lease or sale. The *Local Government Act 1993* has provision relating to valuations, advertising and notice to the public. At the appropriate time, these matters will be reported to Council on which provisions apply. Specifically, to this question, valuations need to be prepared by the Valuer General's Department or an appropriately qualified and registered valuer. The Council only need to consider the advice and may make any decision considered appropriate in the circumstance.

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Item 8 - Planning Authority.

8 PLANNING AUTHORITY

No Development Applications were registered with Council as part of these Minutes

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

Wednesday 16 September

- Launched and attended the Peace Garden Veggie Box Project at the University of Tasmania

Thursday 17 September

- Attended a Public Citizenship Ceremony at the Albert Hall
- Attended and presented the Legion of Honour Medal at the Fred French Nursing Home
- Officiated and attended the BOFA Film Festival at St John Craft Beer

Friday 18 September

- Attended the Legana Christian Church 20 Year Celebration Dinner at Tailrace

Saturday 19 September

- Attended the North Launceston Bowls and Community Club 2015 Open Day

Tuesday 22 September

- Attended the Civic Reception Function to welcome the Australian Golf Croquet Championships to Launceston at the Town Hall

Wednesday 23 September

- Attended Singfest 2015 at the Albert Hall

Thursday 24 September

- Attended the Launceston College production of Dance Fever at the Door of Hope

Friday 25 September

- Attended the Master Tree Growers Association Dinner at Pierre's Restaurant
-

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

Saturday 26 September

- Attended the Launch of the Spirit of ANZAC Centenary Experience at the Silverdome
- Attended the Rotary Club of Tamar Sunrise Great Gatsby Themed Cocktail Party at Chalmers Church

Sunday 27 September

- Attended the official opening of the Launceston Flood Authority Risk Management Project at Levee Observation Deck
 - Attended the St Patrick River Progress Association's Official Opening of the new Nursery at Nunamara
-

10 ALDERMEN'S REPORTS

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

10.1 Alderman R I Soward

- **Attended the Spirit of ANZAC experience at the Silverdome and commented on timing of the event coinciding with school holidays**

10.2 Alderman R L McKendrick

- **Participated in a tour of AMC facilities**
- **Attended the Heritage Council Meeting held in Launceston and thanked CoL for hosting the event stating that delegates appreciated visits to Chalmers Church and the QVMAG**
- **Attended Franklin House monthly Meeting**

10.3 Alderman D C Gibson

- **Attended the Annual General Meeting of the Launceston branch of the Good Neighbour Council**
- **Commented on the Festival of Dance currently being held in Launceston**

10.4 Alderman D W Alexander

- **Attended the City Heart Reference Group Meeting to discuss planning**
- **Attended the Spirit of ANZAC experience at the Silverdome**
- **Attended the Yorktown Square night market**
- **Participated in a tour of AMC facilities and commented on the extent of facilities and students**

10.5 Alderman S R F Wood

- **Attended the Heritage Council networking function held at the Town Hall**
 - **Attended the monthly CityProm Meeting**
 - **Attended the public Citizenship Ceremony**
 - **Attended the BOFA launch at St Johns Craft beer**
 - **Attended the 28th Annual Speak Out Advocacy function at the Tram Sheds**
 - **Attended the twice-monthly Youth Advisory Group Meeting**
 - **Attended the Civic Reception Function to welcome the Australian Golf Croquet Championships to Launceston at the Town Hall**
 - **Attended the Spirit of ANZAC experience at the Silverdome**
 - **Attended the re-opening of the flood levees**
-

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

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

No Questions on Notice were registered with Council as part of these Minutes

11.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12 COMMITTEE REPORTS**12.1 Heritage Advisory Committee Meeting - 27 August 2015****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Urban Design & Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Heritage Advisory Committee's meeting held on 27 August 2015.

RECOMMENDATION:

That Council:

1. Receives the report from the Heritage Advisory Committee meeting held on 27 August 2015;
 2. Writes to the State Planning Reform Taskforce to request that the Council and Heritage Advisory Committee be advised of any proposed amendments that may impact on the City of Launceston's heritage projects; and
 3. Agrees to allocate up to \$2,000 from the Heritage Advisory Committee budget towards the repair of solar panels for the lighting of the Strathroy Bridge.
-

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

DECISION: 28 September 2015**MOTION**

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

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

CARRIED 8:0

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

12.2 Cataract Gorge Advisory Committee Report - 6 August 2015**FILE NO:** SF0839**AUTHOR:** Andrew Smith (Parks and Recreation Manager)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider a report from the Cataract Gorge Advisory Committee.

RECOMMENDATION:

That Council, in respect to recommendations from a meeting of the Cataract Gorge Advisory Committee held on 6 August 2015, resolves to appoint Anna Coxen, Samantha Denmead and Lionel Morrell as the three community members on the Cataract Gorge Advisory Committee for a two-year period expiring on 28 September 2017.

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

DECISION: 28 September 2015**MOTION**

Moved Alderman R L McKendrick, seconded Alderman D W Alexander.

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

CARRIED 8:0

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

12.3 Heritage Forest Advisory Committee Meeting - 2 September 2015**FILE NO:** SF6371**AUTHOR:** Andrew Smith (Parks and Recreation Manager)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider a report from the Heritage Forest Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Heritage Forest Advisory Committee meeting held on 2 September 2015.

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

DECISION: 28 September 2015**MOTION**

Moved Alderman R I Soward, seconded Alderman S R F Wood.

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

CARRIED 8:0

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

13 COUNCIL WORKSHOPS

Council Workshops conducted on 21 September 2015 were:

- Rates and Charges Policy 23-PI-101
 - Lilydale Pool Fees and Charges
 - Periodical Presentation by Tasmania Police
 - Demographic Information Resources
-

14 NOTICES OF MOTION

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

14.1 Notice of Motion - Alderman S R F Wood - Events Funding

FILE NO: SF5547/SF6274

AUTHOR: Anthea Rooney (Committee Clerk)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider additional event sponsorship.

PREVIOUS COUNCIL CONSIDERATION:

13 July 2015 - Item 15.1 - Event Sponsorship - Round 1, 2015/2016

24 August 2015 - Item 15.1 - Event Sponsorship - Round 2, 2015/2016

RECOMMENDATION:

That Council determine to provide additional funding in light of the high calibre and number of applications for events funding received.

Had the threshold for funding been lower, the recommended funding amounts would have been allocated to the following events receiving the high score of 65% and greater.

	Round	Score	Request	Recommendation	
Chilli Skyfire	2	69%	\$10,000	75% of \$10,000	\$7,500
Festival of Voices	2	67%	\$20,000	75% of \$20,000	\$15,000
Fusion Advent Pagent	1	65%	\$5,000	75% of \$5,000	\$3,750
				Total	\$26,250

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

14.1 Notice of Motion - Alderman S R F Wood - Events Funding...(Cont'd)

DECISION: 28 September 2015

MOTION

Moved Alderman S R F Wood, seconded Alderman R L McKendrick.

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

AMENDMENT

Moved Alderman D W Alexander that Council determine to provide additional funding in light of the high calibre and number of applications for events funding received.

Had the threshold for funding been lower, the recommended funding amounts would have been allocated to the following events receiving the high score of 65% and greater.

	Round	Score	Request	Recommendation	
Chilli Skyfire	2	69%	\$10,000	75% of \$10,000	\$7,500
Festival of Voices	2	67%	\$20,000	75% of \$20,000	\$11,250
Fusion Advent Pagent	1	65%	\$5,000	75% of \$5,000	\$3,750
				Total	\$26,250

Motion lapsed for want of a seconder

As the Amendment lapsed, the original motion was put.

CARRIED 5:3

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

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Development Services Directorate Items were identified as part of these Minutes

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**16.1 Cash Collection at Lilydale District Swimming Pool****FILE NO:** SF0906**AUTHOR:** Elise Frost (Manager Leisure & Aquatic Centre)**DIRECTOR:** Rod Sweetnam (Director Facilities Management)

DECISION STATEMENT:

To seek endorsement of the three recommendations regarding Lilydale Pool.

PREVIOUS COUNCIL CONSIDERATION:

SPPC Meeting 21/08/2015 - Workshop

RECOMMENDATION:

1. That Council not charge for casual admission at Lilydale District Swimming Pool, from the commencement of the Summer 15/16 Season.
 2. That the Lilydale District Swimming Pool Committee be removed from Council's Committee list, and it be noted that the committee is dissolved.
 3. That Council maintain charges for out of hours bookings at Lilydale District Swimming Pool.
-

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

DECISION: 28 September 2015**MOTION**

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

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

CARRIED 8:0

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

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Queen Victoria Museum and Art Gallery Directorate Items were identified as part of these Minutes

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS**18.1 765 Golconda Road Part Acquisition for Road Realignment****FILE NO:** SF1491/SF1326/SF2569**AUTHOR:** Robert Holmes (Property Coordinator)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider acquiring land for road widening purposes.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That the Council compulsorily acquire in accordance with the provisions of the *Land Acquisition Act 1993*, an area of approximately 1956m² from the owners of 765 Golconda Road as contained in CT 122924 Folio 2 as indicated on the plan marked Attachment A. Compensation is to be at the rate of \$1.00 per square metre based on the final survey and in accordance with the latest valuation advice or as otherwise determined by the General Manager.

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

DECISION: 28 September 2015**MOTION**

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

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

CARRIED 8:0

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

18.2 Launceston Waste Centre - Waste Concessions Review**FILE NO:** SF0633, SF1059, SF0628**AUTHOR:** Rachael Eberhardt (Waste Management Officer)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider future direction of the free annual hard waste collection program and the value of pensioner concession vouchers.

PREVIOUS COUNCIL CONSIDERATION:

SPPC Workshop - Waste Concessions Review - 7 September 2015.

Discussion on annual hard rubbish collection service and Launceston Waste Centre pensioner concessions.

Council Item 18.2 - Launceston Waste Centre - Waste Concessions Review - 25 May 2015

Approval of process changes for resident free disposal days and free annual hard waste collection.

SPPC Workshop - Waste Concessions review - 18 May 2015

Discussion on process changes and review of waste concessions.

Council Item 18.1 - Concessional Entry to the Council's Waste Disposal Facilities Policy - inclusion of Transition Pricing provisions - 23 February 2015

Approval of changes to the concessional entry policy including reduction of greenwaste allowable weight to 20kg for commercial operators acting on the behalf of a pensioner.

RECOMMENDATION:

That Council, in respect to waste disposal concessions, resolves to:

1. Discontinue the free annual hard waste collection program beginning the 2016/17 financial year on the basis that the service costs \$80 per collection and to include a hardship collection program for those residents who have no other available means to dispose of larger items. The hardship collection program to be consistent with the guidelines contained in Attachment 1.
 2. Beginning the 2016/17 financial year, reduce pensioner concession to 4 tickets (equivalent to \$40.00) and where the concession would be issued per household not per pensioner.
-

18.2 Launceston Waste Centre - Waste Concessions Review...(Cont'd)

3. Note the undertaking of a business case for the introduction of a City of Launceston debit card for the administration of the pensioner concession for waste disposal and multi-storey parking and any other fee for service as deemed appropriate.
 4. Inform the community of the changes in advance of the 2016/17 financial year.
-

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

DECISION: 28 September 2015

MOTION

Moved Alderman R L McKendrick, seconded Alderman D W Alexander.

That Council, in respect to waste disposal concessions, resolves to:

1. **Discontinue the free annual hard waste collection program beginning the 2016/17 financial year on the basis that the service costs \$80 per collection and to include a hardship collection program for those residents who have no other available means to dispose of larger items. The hardship collection program to be consistent with the guidelines contained in Attachment 1.**
2. **Beginning the 2016/17 financial year, reduce pensioner concession to 8 tickets (equivalent to \$80.00) and where the concession would be issued per household not per pensioner.**
3. **Note the undertaking of a business case for the introduction of a City of Launceston debit card for the administration of the pensioner concession for waste disposal and multi-storey parking and any other fee for service as deemed appropriate.**
4. **Inform the community of the changes in advance of the 2016/17 financial year.**

No Vote was Taken as an Amendment was put.

18.2 Launceston Waste Centre - Waste Concessions Review...(Cont'd)

AMENDMENT

Moved Alderman R I Soward, seconded Alderman S R F Wood.

1. Beginning the 2016/17 financial year, reduce pensioner concession to 8 tickets (equivalent to \$80.00) and where the concession would be issued per household not per pensioner.
2. Note the undertaking of a business case for the introduction of a City of Launceston debit card for the administration of the pensioner concession for waste disposal and multi-storey parking and any other fee for service as deemed appropriate.
3. Inform the community of the changes in advance of the 2016/17 financial year.

CARRIED 5:3

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman S R F Wood and Alderman D W Alexander

AGAINST VOTE: Alderman R J Sands, Alderman J G Cox and Alderman D C Gibson

THE AMENDMENT BECOMES THE MOTION

DECISION: 28 September 2015

MOTION

Moved Alderman R L McKendrick, seconded Alderman D W Alexander .

That the Motion be adopted.

CARRIED 5:3

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman S R F Wood and Alderman D W Alexander

AGAINST VOTE: Alderman R J Sands, Alderman J G Cox and Alderman D C Gibson

18.3 Heritage Forest Community Garden**FILE NO:** SF0830**AUTHOR:** Andrew Smith (Parks and Recreation)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider the leasing and management of a community garden in Heritage Forest. This decision requires an absolute majority of the Council.

PREVIOUS COUNCIL CONSIDERATION:

Item 4.3 - SPPC Meeting 20 August 2012

Mr Gus Green attended the meeting to present the concept for the development of a Community Garden at Heritage Forest.

RECOMMENDATION:

That in accordance with S178 *Local Government Act 1993*, the Council resolves to issue a 3-year lease to Youth Futures Incorporated for the operation of the Heritage Forest Community Garden subject to the following terms:

- tenant to be responsible for:
 - energy costs
 - volumetric and connection charges for water
 - tenant shall continuously maintain:
 - property insurance equal to the value of the building
 - public liability insurance of at least \$10 million
 - rental to be \$1 per annum (if demanded)
-

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

18.3 Heritage Forest Community Garden...(Cont'd)

DECISION: 28 September 2015**MOTION****Moved Alderman R L McKendrick, seconded Alderman R I Soward.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 8:0****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander and Alderman S R F Wood**

19 CORPORATE SERVICES DIRECTORATE ITEMS**19.1 2014-2015 Annual Plan Progress Report Period Ending 30 June 2015****FILE NO:** SF5652/SF6088**AUTHOR:** Leanne Purchase (Governance and Planning Coordinator)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To receive the report on progress against Council's 2014-2015 Annual Plan for the period ending 30 June 2015.

PREVIOUS COUNCIL CONSIDERATION:

Council 30 April 2015 - Item 19.1 - *Annual Plan 2014-2015 Progress to 30 April 2015*

RECOMMENDATION:

That Council:

1. Notes the progress against 2014-2015 Annual Plan Actions for the period ending 30 June 2015.
 2. Endorses the deferral of the Action *Willis Street Precinct - Complete the Willis Street Precinct Plan* pending advice regarding the possible relocation of UTAS to the site.
 3. Endorses the deferral of the Action *Rural road improvement strategy - Develop a rural road hierarchy and an accompanying methodology to determine upgrades to rural roads* due to reprioritising of this project to address other projects such as City Heart, and notes that this project will be delivered during 2015-2016.
-

Mr M Tidey (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

19.1 2014-2015 Annual Plan Progress Report Period Ending 30 June 2015...(Cont'd)

DECISION: 28 September 2015

MOTION

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

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

CARRIED 8:0

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

19.2 Local Government Representative - State Fire Commission**FILE NO:** SF0032/SF0331**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

For Council to nominate a potential Local Government Representative to the State Fire Commission for three (3) years.

PREVIOUS COUNCIL CONSIDERATION:**Item 12.4 - Council - 29 June 2009**

That Mr Rod Sweetnam, Director Resident & Leisure Services be nominated to the Local Government Association for a position on the State Fire Commission

Item 19.2 - Council - 8 October 2012

That Mr Rod Sweetnam, Director Facility Management & Governance Services be nominated to the Local Government Association for a position on the State Fire Commission

RECOMMENDATION:

That Mr Rod Sweetnam, Director Facilities Management be nominated to the Local Government Association for a position on the Tasmanian State Fire Commission (TFSC) for three (3) years.

Mr M Tidey (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 28 September 2015**MOTION****Moved Alderman R L McKendrick, seconded Alderman R I Soward.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 8:0****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman J G Cox, Alderman D C Gibson, Alderman D W Alexander and Alderman S R F Wood**

19.3 General Manager's Contract and Performance Sub Committee Policy (22-PI-008)**FILE NO:** SF0972**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To conduct the scheduled review of Council's General Manager's Contract and Performance Sub Committee Policy (22-PI-008).

PREVIOUS COUNCIL CONSIDERATION:

Item 18.1 - Council - 7 July 2008.

RECOMMENDATION:

That Council's existing General Manager's Contract and Performance Sub Committee Policy (22-PI-008) be reaffirmed with minor amendments (to include the use of external assistance) as set out below:

PURPOSE:

To set the terms of reference for the General Manager's Contract and Performance Sub Committee.

SCOPE:

Applies to the role of the General Manager's Contract and Performance Sub Committee, Aldermen and Officers as appropriate.

POLICY:

The purpose of the General Manager's Contract and Performance Sub Committee is to assist Council fulfil its responsibilities for:

- Conducting the annual evaluation of the General Manager's performance of the role.
 - Contractual conditions for the employment of the General Manager including remuneration.
 - Overseeing the process for contract renewal or termination.
 - Recommending actions related to employment issues for the General Manager.
 - Overseeing the recruitment and selection process for the position of General Manager.
 - Recommending professional development strategies for the General Manager.
-

19.3 General Manager's Contract and Performance Sub Committee Policy (22-PI-008)...(Cont'd)

- Advising Council on goals for the General Manager to achieve.
- Recommending the content of the position description for the General Manager.
- Recommend to Council where the General Manager's involvement in any external organisation is considered not required or no longer appropriate.

All deliberations of this Sub Committee will remain confidential.

Council will appoint the Sub Committee.

Council will not delegate any decision-making powers to the Sub Committee. The Sub Committee will make recommendations to Council for debate and decision.

Membership will include the Mayor, Deputy Mayor and three other Aldermen. Where possible membership of the Sub Committee will be gender balanced.

The Mayor's Executive Assistant will provide administrative support to the Sub Committee.

The Sub Committee has the power to second any Alderman or Officer it considers may be able to contribute or assist the Sub Committee in performing its task. Any person seconded is required to respect and retain the confidential nature of the Sub Committee.

Actions of the Sub Committee will follow procedures set out in the General Manager's contract of employment and be guided by the General Manager's position description.

External Assistance

The Sub Committee may engage suitably qualified external expert assistance to assist the Committee. The selection of external assistance should be carried out in consultation with the General Manager.

Aldermanic Feedback Regarding General Manager Performance

Feedback may be positive or the raising of issues or concerns.

Aldermen are encouraged to provide feedback regarding the General Manager's Performance directly with the General Manager.

19.3 General Manager's Contract and Performance Sub Committee Policy (22-PI-008)...(Cont'd)

For formal consideration of any feedback an Alderman may have regarding the General Manager's performance, they may do so by detailing their feedback in writing and forwarding it to the Mayor for consideration at the next Sub Committee Meeting. An Alderman may also request to meet with the Sub Committee regarding the feedback they have provided.

The Sub Committee will consider any formal feedback provided by an Alderman and respond in writing when it considers a written response appropriate.

The roles and responsibilities of the General Manager's Contract and Performance Sub Committee members are:

Mayor

- To speak on behalf of the Sub Committee.
- To be the liaison point between the Sub Committee and the General Manager.
- To receive complaints or observations regarding the General Manager's performance.
- To facilitate discussion of Sub Committee meetings.
- To raise, deliberate and where appropriate participate in decision making and the development of recommendations.

Members of Sub Committee

- To provide input into matters being deliberated by the Sub Committee
- To request information that will assist the Sub Committee to perform its role
- To raise, deliberate and where appropriate participate in decision making and the development of recommendations.

Mayor's Executive Assistant

- To provide secretarial and administrative support to the Sub Committee including:
 - Minute preparation
 - Agenda development
 - Correspondence
 - Research
 - Liaison with external resources
 - Provision of professional advice regarding issues deliberated on by the Sub Committee and Council.
 - Documentation of decisions made by Council when "in Council" and deliberating on matters consistent with the responsibilities of the Sub Committee.
-

19.3 General Manager's Contract and Performance Sub Committee Policy (22-PI-008)...(Cont'd)

PRINCIPLES:

Council's Organisational Values apply to all activities.

RELATED POLICIES & PROCEDURES:

N/A

RELATED LEGISLATION:

Local Government Act 1993

REFERENCES:

The General Manager's Contract of Employment
The General Manager's Position Description
Launceston City Council Enterprise Bargaining Agreement

DEFINITIONS:

Deliberation – weighing in mind, careful consideration, discussion of reasons for and against, debate.

REVIEW:

This policy will be reviewed no more than 5 years after the date of approval or more frequently, if required by Council.

Mr M Tidey (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 28 September 2015

MOTION

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

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

CARRIED 8:0

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

20 GENERAL MANAGER'S DIRECTORATE ITEMS

No General Manager's Directorate Items were identified as part of these Minutes

21 URGENT BUSINESS

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

No Urgent Business Items were identified as part of these Minutes

22 CLOSED COUNCIL

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

22.1 Confirmation of the Minutes

The *Local Government (Meeting Procedures) Regulations 2015 - Regulation 34(6)* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

22.2 Bathurst Street Car Park**RECOMMENDATION:**

That Minutes Item 22.2 - Bathurst Street Car Park be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- 15(2)(b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business.

DECISION: 14 September 2015**MOTION**

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

That Council move into Closed Session to consider Items 22.1 - Confirmation of the Minutes and 22.2 - Bathurst Street Car Park.

CARRIED 8:0

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

**The Council moved to Closed Session at 2.19pm
The Council returned to Open Session at 2.22pm**

23 MEETING CLOSURE

The Mayor, Alderman A M van Zetten, closed the meeting at 2.23pm
