



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 10 AUGUST 2023  
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: 10 August 2023**

**Time: 1.00pm**

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### **Certificate of Qualified Advice**

#### **Background**

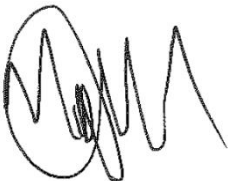
To comply with section 65 of the *Local Government Act 1993* (Tas):

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

#### **Certification**

I certify that:

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



**Michael Stretton  
Chief Executive Officer**

### **AUDIO of COUNCIL MEETINGS**

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

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

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

### **PUBLIC ATTENDANCE AT THE COUNCIL MEETING**

At the Council Meeting, please take care to follow signage and the directions of Council Officers to ensure that physical distancing and other COVID-19 safe behaviour is observed.

### **PUBLIC QUESTION TIME - AGENDA ITEM 8**

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

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

## PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

## LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

***Present:***

**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 Dr G Razay**  
**Councillor J J Pentridge**  
**Councillor A J Palmer**  
**Councillor L M McMahon**  
**Councillor S Cai**  
**Councillor A J Britton**

***In Attendance:***

**Michael Stretton (Chief Executive Officer)**  
**Dan Ryan (General Manager Community and Place Network)**  
**Leanne Purchase (Acting General Manager Organisational Services Network)**  
**Shane Eberhardt (General Manager Infrastructure and Assets Network)**  
**Richard Jamieson (Manager City Development) (Agenda Items 9.1 to 9.4)**  
**Catherine Mainsbridge (Senior Town Planner - Development) (Agenda Item 9.1)**  
**Jayden Broad (Town Planner) (Agenda Item 9.3)**  
**Nathan Williams (Chief Financial Officer) (Agenda Item 15.1)**  
**Samuel Kelty (Acting Manager Finance) (Agenda Item 15.1)**  
**Michelle Grey (Lease and Licensing Officer) (Agenda Item 15.2)**  
**Courtney Osborne (Team Leader Planning and Performance) (Agenda Item 15.3)**  
**Emily Lewis (Business Improvement Officer) (Agenda Item 15.3)**  
**Simon Tennant (Team Leader Communications)**  
**Duncan Campbell (Acting Manager Governance)**  
**Kelsey Hartland (Team Leader Governance)**

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**ORDER OF BUSINESS**

<b>1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES.....</b>	<b>2</b>
<b>2. MAYORAL ACKNOWLEDGEMENTS .....</b>	<b>2</b>
<b>3. DECLARATIONS OF INTEREST .....</b>	<b>2</b>
<b>4. CONFIRMATION OF MINUTES.....</b>	<b>2</b>
<b>5. COUNCIL WORKSHOPS .....</b>	<b>2</b>
<b>5.1. Council Workshop Report - 3 August 2023 .....</b>	<b>2</b>
<b>6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS .....</b>	<b>2</b>
<b>7. COMMUNITY REPORTS .....</b>	<b>2</b>
<b>8. PUBLIC QUESTION TIME .....</b>	<b>2</b>
<b>8.1. Public Questions on Notice.....</b>	<b>2</b>
<b>8.1.1. Public Questions on Notice - Malcolm Cowan - Air Quality Strategy -                 25 July 2023.....</b>	<b>2</b>
<b>8.2. Public Questions Without Notice.....</b>	<b>2</b>
<b>8.2.1. Public Questions Without Notice - Ron Baines - Recycling Aluminium                 Construction Waste - Thylacine Statue Relocation - 10 August 2023 .</b>	<b>2</b>
<b>8.2.2. Public Questions Without Notice - Wendy McLennan - North East                 Railway - 10 August 2023 .....</b>	<b>2</b>
<b>9. PLANNING AUTHORITY.....</b>	<b>2</b>
<b>9.1. PSA-LLP0016 - 181 Westbury Road, Prospect - Rezone Land at (Described                 as CT 51268/3 and CT 51268/4) from the Particular Purpose Zone - P6.0                 Prospect Business Precinct to the Low Density Residential Zone .....</b>	<b>2</b>
<b>9.2. PSA-LLP0015 - Amendment - Site Specific Qualification Into the Launceston                 Local Provisions Schedule to Allow the Hospital Services Use Class as a                 Discretionary (Unqualified) Use Within the Commercial Zone at 213-215                 Wellington Street, Launceston.....</b>	<b>2</b>
<b>9.3. DA0253/2023 - 50-56 Campbell Street, Newstead - Installation of a Digital                 Sign (Retrospective) .....</b>	<b>2</b>

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9.4. PSA-LLP0009 and DA0051/2023 - Initiate Draft Amendment to Rezone Land at 14, 16 and 18 Howard Street; 26 and 28 Montagu Street and the Southern Portion of 69A Mayne Street Invermay from General Residential Zone to Light Industrial Zone .....	2
10. ANNOUNCEMENTS BY THE MAYOR .....	2
10.1. Mayor's Announcements .....	2
11. COUNCILLORS' REPORTS .....	2
12. QUESTIONS BY COUNCILLORS .....	2
12.1. Councillors' Questions on Notice .....	2
12.1.1. Councillor Question on Notice - Councillor J J Pentridge - Dredging.	2
12.2. Councillors' Questions Without Notice .....	2
13. COMMITTEE REPORTS .....	2
13.1. Access Advisory Committee - 8 March and 7 June 2023 .....	2
14. INFRASTRUCTURE AND ASSETS NETWORK .....	2
14.1. Launceston Flood Authority Report .....	2
15. ORGANISATIONAL SERVICES NETWORK .....	2
15.1. 2023/2024 Budget - Budget Amendments .....	2
15.2. Lease - 341 Vermont Road, Ravenswood .....	2
15.3. City of Launceston Four Year Delivery Plan 2023 Edition .....	2
16. MEETING CLOSURE .....	2
17. NEXT COUNCIL MEETING DATE .....	2

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

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

**2. MAYORAL ACKNOWLEDGEMENTS**

The Mayor acknowledged Homelessness Awareness Week and the work Council and community groups are doing to reduce homelessness.

**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 A G Harris declared an interest in Agenda Item 9.4. PSA-LLP0009 and DA0051/2023 - Initiate Draft Amendment to Rezone Land at 14, 16 and 18 Howard Street; 26 and 28 Montagu Street and the Southern Portion of 69A Mayne Street Invermay from General Residential Zone to Light Industrial Zone.**

**Councillor D H McKenzie declared an interest in Agenda Item 15.2 Lease - 341 Vermont Road, Ravenswood.**



**4. CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 27 July 2023 be confirmed as a true and correct record.

**DECISION: 10 August 2023**

**MOTION**

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

**That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 27 July 2023 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 Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton**  
**AGAINST VOTE: Nil**

**5. COUNCIL WORKSHOPS**

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

**5.1. Council Workshop Report - 3 August 2023**

**FILE NO:** SF4401

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

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

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RELEVANT LEGISLATION:**

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

**RECOMMENDATION:**

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

1. Workshop conducted on 3 August 2023:

**Stadiums Tasmania Briefing**

Stadiums Tasmania provided Councillors with an update on the progress of forming Stadiums Tasmania and the UTAS Stadium transfer.

**Key to the City**

Councillors discussed a request for Key to the City presentation.

**St Leonards Update**

Councillors received a briefing on urban growth in St Leonards.

**Pavers Adjacent to Pilgrim Uniting Church, Civic Square**

Councillors considered interventions available to the Council to assist the Pilgrim Uniting Church resolve issues with the maintenance of the pavers on and adjacent to the Church's property in Civic Square.

**Section 75CA Declarations pursuant to the *Conveyancing and Law of Property Act 1884 - 59-61 Frederick Street, Launceston***

Councillors considered an application for a Declaration by Deed pursuant to Section 75CA of the *Conveyancing and Law of Property Act 1884*.

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**Controlled Parking**

Councillors were given a briefing on parking controls in Launceston.

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

*Apologies:* Deputy Mayor Councillor D H McKenzie, Councillor L M McMahon

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**DECISION: 10 August 2023**

**MOTION**

**Moved Councillor D C Gibson, seconded Councillor T G Walker.**

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

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

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

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

**7. COMMUNITY REPORTS**

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

**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 - Malcolm Cowan - Air Quality Strategy - 25 July 2023**

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to the Council in writing on 25 July 2023 by Malcolm Cowan, has been answered by Dan Ryan (General Manager Community and Place Network).

**Questions:**

1. What progress has been made on the development of the Air Quality Strategy and at what stage will the public be involved in the development of the Strategy?

**Response:**

*The development of a Clean Air Strategy and a supporting implementation plan is well underway and is expected to be completed over the coming months.*

*Once this initial stage has been completed, public consultation will be undertaken. It is expected that there will be additional engagement undertaken with specific sectors as part of the implementation plan.*

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**8.2. Public Questions Without Notice**

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

**8.2.1. Public Questions Without Notice - Ron Baines - Recycling Aluminium Construction Waste - Thylacine Statue Relocation - 10 August 2023**

- 1. What happens to the all the doors, windows, ramps and other products made of aluminium, that end up on large trucks that then taken to our Launceston tip site from various demolition areas in Launceston and surrounding areas?**

**Shane Eberhardt (General Manager Infrastructure and Assets Network)** responded by saying that Council has mechanisms to separate the recycling and materials at the Launceston Recovery Centre. We have undertaken trials with the Master Builders Association to demonstrate how that would work. A challenge for Council is that builders do not want to separate the recyclable material from their mixed loads due to the the space and costs involved. There a no legal mechanism in place to require builders to separate their waste.

City of Launceston is a member of the Northern Waste Management Group and this group sees the sorting and separation of construction and demolition waste as a huge opportunity for the future in terms of the strategic direction, better outcomes and investment.

- 2. Where are the thylacines that were removed out of the Brisbane Street Mall?**
- 3. Has any alternative site been chosen? If not, why?**

The Mayor, Councillor M K Garwood, noted that in recent weeks, the thylacines have been removed from the Mall. They are undergoing checks to ensure that the statues and footings are ready for installation in their new home in Civic Square.

One will be going into the green space where the old fountain used to be in Civic Square and some will be relocated into the garden beds. We want them to be accessible and a feature for our community but we also want them to be safe, and risk management is a big part of the process before installing them in Civic Square.

**8.2.2. Public Questions Without Notice - Wendy McLennan - North East Railway - 10 August 2023**

**[During her questions, Wendy McLennan distributed letters that that have been written to the Federal Environment Minister concerning the Environmental Protection and Biodiversity Conversation Act 1999]**

- 1. Surely the council have a duty of care to future generations and not just the current generation to make sure that what you do meets all standards?**
- 2. Are you comfortable that you're not exposing future generations of farmers their customers and eventually clients of the track to dangers that you could face some liability for knowing what you know does the council understand that you have a responsibility under the relevant acts for the potential environmental and health risks that could occur?**
- 3. Are you satisfied that you had sufficient information to make that decision?**

**The Mayor, Councillor M K Garwood, responded by saying that whilst a contentious and a split decision was made by the Council to move forward, we are waiting on the findings from the TASCAT case against our decision. We haven't been made aware of the findings from that case and the determination hasn't been made public.**

**In terms of the information distributed, this Council has acted initially on that next stage so we will see how this appeal goes through the TASCAT as to what if, and any, responses that we can have as a council towards once the initial decision has come through Council for consideration.**

## 9. PLANNING AUTHORITY

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

### 9.1. PSA-LLP0016 - 181 Westbury Road, Prospect - Rezone Land at (Described as CT 51268/3 and CT 51268/4) from the Particular Purpose Zone - P6.0 Prospect Business Precinct to the Low Density Residential Zone

**FILE NO:** PSA-LLP0016

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

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

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#### DECISION STATEMENT:

To decide whether to reject or agree to and initiate and exhibit PSA-LLP0016 to Rezone land at 181 Westbury Road, Prospect (described as CT 51268/3 and CT 51268/4) from the Particular Purpose Zone - P6.0 Prospect Business Precinct to the Low Density Residential Zone.

#### PLANNING APPLICATION INFORMATION:

Applicant: PDA  
Area of the Site: 181 Westbury Road, Prospect (CT 51268/3 - 4153m<sup>2</sup> and CT 51268/4) 8213m<sup>2</sup>)  
Existing Zones: Particular Purpose Zone - P6.0 Prospect Business Precinct  
Existing Use: Vacant land  
Receipt Date: 14 June 2023

#### RELEVANT LEGISLATION:

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

#### RECOMMENDATION:

That Council:

1. pursuant to sections 34, 37 and 38 of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates Amendment PSA-LLP0016, to Rezone land at 181 Westbury Road, Prospect (described as CT 51268/3 and CT 51268/4) from the Particular Purpose Zone - P6.0 Prospect Business Precinct to the Low Density Residential Zone.
2. pursuant to section 40F of the *Land Use Planning and Approvals Act 1993*, certifies draft amendment PSA-LLP0016, as shown in Figure 1.



3. sections 40G and 40F(a) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.



Figure 1 - Instrument to Certify

4. pursuant with sections 40G and 40H of the *land Use Planning and Approvals Act 1993* determines the period for public exhibition to be 28 days.

**DECISION: 10 August 2023**

**MOTION**

**Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor J J Pentridge.**

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

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

**9.2. PSA-LLP0015 - Amendment - Site Specific Qualification Into the Launceston Local Provisions Schedule to Allow the Hospital Services Use Class as a Discretionary (Unqualified) Use Within the Commercial Zone at 213-215 Wellington Street, Launceston**

**FILE NO:** PSA-LLP0015

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

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

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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.

**PLANNING APPLICATION INFORMATION:**

Applicant: Commercial Project Delivery  
Area of the Site: 213-215 Wellington Street, Launceston (described as CT42371/1)  
Existing Zones: Commercial  
Existing Use: Car Park and Medical Center  
Receipt Date: 28 March 2023  
Representations: Nil

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 1 June 2023 - 10.2 - PSA-LLP0015 - Amendment PSA-LLP0015 - Text Amendment to Allow Hospital Services at 213-215 Wellington Street, Launceston.

Initiated and certified Draft Amendment PSA-LLP0015 to amend the Launceston Local Provisions Schedule, to insert new Site Specific Qualification, LAU-17.2, to provide for the use class Hospital Services as a discretionary use in the Commercial Zone at 213-215 Wellington Street, South Launceston (CT42371/1).

**RECOMMENDATION:**

That Council in accordance with section 40K of the *Land Use Planning and Approvals Act 1993*, advises the Tasmanian Planning Commission that no representations were received in regard to exhibition of PSA-LLP0015 and recommends that the amendment be approved as proposed.

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**DECISION: 10 August 2023**

**MOTION**

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

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

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

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**9.3. DA0253/2023 - 50-56 Campbell Street, Newstead - Installation of a Digital Sign (Retrospective)**

**FILE NO:** DA0253/2023

**AUTHOR:** Jayden Broad (Town Planner)

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	St Thomas More's School
Property:	50-56 Campbell Street, Newstead
Zoning:	Community Purpose
Receipt Date:	7/06/2023
Validity Date:	14/06/2023
Further Information Request:	22/06/2023
Further Information Received:	26/06/2023
Deemed Approval (extension granted):	3/08/2023
Representations:	4

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0253/2023 - Signage - Installation of a digital sign (retrospective) at 50-56 Campbell Street, Newstead subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

The use 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. Sign Elevations, Prepared by Flying Colours Group, Project name St Thomas More's Catholic School, Revision No. Proof 2, Dated 22/03/2023;
  - b. Site Plan, Prepared by Tasmanian Catholic Education Office, Drawing No. 4213-S01, as exhibited for DA0253/2023 on 28/06/2023; and
  - c. Site Plan Scale 1:500, Prepared by Tasmanian Catholic Education Office, as exhibited for DA0253/2023 on 28/06/2023.
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## 2. SIGNAGE CONTENT

- a. The images displayed must change a maximum of twice per day of operation (one image each for AM and PM hours).
- b. Apart from the above, content displayed on the digital sign may be updated or changed without separate approval of Council, subject to:
  - i. The structure, location and size of the signage not changing.
  - ii. It not including any third party content.
  - iii. Compliance with the requirements of the planning scheme in place at the time.

## 3. USE LIMITATION

The LED screens must only be active during the hours of 7am and 6pm Monday - Friday and turned off outside of these hours.

## 4. SIGN MAINTENANCE

The sign is to be maintained in good condition to the satisfaction of the Council. The LED screen must incorporate an automatic error detection system which will turn the display off or switch to a blank, black screen should the screen or system malfunction.

## 5. 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.

## 6. PROHIBITED IMAGE OR MESSAGE

Images or messages on the sign that are similar in format or appearance to traffic control or warning, incident or traffic management, or road safety or driver information messages are prohibited.

## 7. SIGN MESSAGE CHANGES

Messages displayed on the sign must be static during the dwell time and message changes must not use any animated transitional effects such as fly-in, sliding or checker boarding.

## 8. LIGHT SPILLAGE FROM ILLUMINATED SIGN

Light from the illuminated sign must not unreasonably spill over the boundaries of the subject property.

### Notes

#### A. General

*This permit was issued based on the proposal documents submitted for DA0253/2023. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.*

*This permit takes effect after:*

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

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**Casimir Douglas (Principal of St Thomas More's Catholic School) spoke for the Recommendation**

**DECISION: 10 August 2023**

**MOTION**

**Moved Councillor A E Dawkins, seconded Councillor D C Gibson.**

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

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

**9.4. PSA-LLP0009 and DA0051/2023 - Initiate Draft Amendment to Rezone Land at 14, 16 and 18 Howard Street; 26 and 28 Montagu Street and the Southern Portion of 69A Mayne Street Invermay from General Residential Zone to Light Industrial Zone**

**FILE NO:** PSA-LLP0009 and DA0051/2023

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

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

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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.

**PLANNING APPLICATION INFORMATION:**

Applicant: Pitt & Sherry Pty Ltd  
Area of the Site: 14, 16 and 18 Howard Street; 26, 28 and 30 Montagu Street and 69A Mayne Street, Invermay (described as CT62242/8, CT62242/9, CT62242/10, CT62242/11, CT62242/12, CT175261/2 and CT54767/2)  
Existing Zones: General Residential and Light Industrial  
Existing Use: Vacant land, existing dwellings and associated outbuildings  
Receipt Date: 2 February 2023

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 1 June 2023 - 10.1 - DA0051/2023 - 14, 18 and 16 Howard Street, Invermay; 26, 28 and 30 Montagu Street, Invermay and 69A Mayne Street, Invermay - Section 40T - Combined Scheme Amendment and Development Application

Initiated Draft Amendment PSA-LLP0009 to the Launceston Local Provisions Schedule, to initiate Amendment PSA-LLP0009, to:

- a. rezone land at 14, 16 and 18 Howard Street; 26 and 28 Montagu Street and the southern portion of 69A Mayne Street, Invermay from the General Residential Zone to the Light Industrial Zone; and
- b. rezone the northern portion of 30 Montagu Street from the Light Industrial Zone to the General Residential Zone; and
- c. to amend the precinct maps contained within LAU-S10.0 Invermay/Inveresk Flood Inundation Specific Area Plan to reflect the zoning changes; and
- d. sections 40T and 40Y of the *Land Use Planning and Approvals Act 1993*, approves DA0051/2023 - Storage - Demolition of existing buildings and construction of a building with five tenancies for storage use and associated car parking at 14 Howard



Street, 18 Howard Street, 16 Howard Street, 26 Montagu Street, 28 Montagu Street, 30 Montagu Street and 69A Mayne Street, Invermay.

**RECOMMENDATION:**

That Council:

1. In accordance with sections 40K of the Land Use Planning and Approvals Act 1993, notifies the Tasmanian Planning Commission that one (1) representation was received during the public exhibition period for Amendment PSA-LLP0009: and
2. In accordance with section 42 of the Land Use Planning and Approvals Act 1993, considers the merit of the representations received to draft Amendment PSA-LLP0009; and
3. Provide advice to the Tasmanian Planning Commission that Amendment PSA-LLP0009 and DA0051/2023 be approved as certified and exhibited.

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**Councillor A G Harris withdrew from the Meeting at 1:31 pm**

**DECISION: 10 August 2023**

**MOTION**

**Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor J J Pentridge.**

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

**CARRIED 11:0**

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

**AGAINST VOTE: Nil**

**Councillor A G Harris re-attended the Meeting at 1:37 pm**

## 10. ANNOUNCEMENTS BY THE MAYOR

### 10.1. Mayor's Announcements

FILE NO: SF2375

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#### Thursday 27 July 2023

- Attended the Wilson Homes' Official Opening Cocktail Event

#### Friday 28 July 2023

- Officiated at the UTAS Opening of Rivers Edge Building, Inveresk
- Attended Junction Arts Festival Launch, Du Cane Brewery & Dining Hall
- Attended Assembly 197 for the 'sharing' of a new work being developed

#### Saturday 29 July 2023

- Attended Launceston Kart Club meeting, Archerville

#### Wednesday 2 August 2023

- Attended *Ascent* by Sydney Dance Company, Princess Theatre

#### Thursday 3 August 2023

- Attended Salvos Sleep Out, Civic Square

#### Friday 4 August 2023

- Attended agriCULTURED Tasmania, Conversations in the City *Opening Plenary* and *Closing Plenary*, Pilgrim Church
- Attended agriCULTURED Tasmania *Fire & Fog Friday Night*, Civic Square
- Officiated at Queen Victoria Museum and Art Gallery Exhibition Launch *Mariw Minaral (Spiritual Patterns)*, QVMAG Art Gallery

#### Saturday 5 August 2023

- Attended Food and Resilience Movement Launch, MACS Ravenswood
- Attended Food and Resilience Movement Launch, NSC Newnham

#### Wednesday 9 August 2023

- Attended 2023 Catholic Education Week Mass, St Thomas More's, Newstead
- Attended Meet and Greet with Councillors and Chamber of Commerce Board Members, Chamber of Commerce

#### Thursday 10 August 2023

- Welcomed delegates to Parking Meter Conference, The Sebel Launceston
-

**The Mayor also noted participation in the following events:**

**Monday 31 July 2023**

- **Met with visiting delegates from our Sister City Ikeda**

**Saturday 5 August 2023**

- **Attended the rivalry football match between George Town and Hillwood, as a guest of the George Town Mayor and Chief Executive Officer**

**Monday 7 August 2023**

- **Attended the Housing Ends Homelessness Catholic Care Tasmania Morning Tea and Presentation**

**Wednesday 9 August 2023**

- **Attended the opening night of Launceston College's production *Be More Chill* at the Princess Theatre**

**Thursday 10 August 2023**

- **Attended the walk to raise awareness for homelessness from City Park**

**11. COUNCILLORS' REPORTS**

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

**Councillor D C Gibson withdrew from the Meeting at 1:45 pm pm**

**Councillor J J Pentridge withdrew from the Meeting at 1:46 pm**

**11.1 Councillor A E Dawkins**

- **attended the agriCULTURED event for the launch of the Flavors of Launceston**

**11.2 Councillor T G Walker**

- **attended opening of agriCULTURED and other agriCULTURED events**

**11.3 Councillor S Cai**

- **Attended the Catholic Care morning tea - National Homelessness Week on Monday 7 August 2023**

## 12. QUESTIONS BY COUNCILLORS

### 12.1. Councillors' Questions on Notice

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

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

#### 12.1.1. Councillor Question on Notice - Councillor J J Pentridge - Dredging

**FILE NO:** SF6381

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

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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### QUESTIONS AND RESPONSES:

The following questions, submitted to Council in writing on 2 August 2023 by Councillor J J Pentridge have been answered by Michael Stretton (Chief Executive Officer)

#### **Questions:**

1. What studies has the council, or the Flood Authority undertaken to determine whether the river will maintain its self-cleansing approach once the channel sides have risen so much that they have developed a super hard crust that is resistant to self-scouring. Have there been any?

#### **Response:**

*This question would be more appropriately directed to the Tamar Estuary Management Taskforce (TEMT) as neither the Council or the Launceston Flood Authority have maintenance responsibility for the Estuary.*

*The TEMT was established to provide options and advice to the Tasmanian Government on how to develop and manage the kanamaluka/Tamar Estuary. As an advisory body, its members include government departments, agencies, local government authorities and expert bodies with responsibilities or interests in the estuary.*

*In 2021 the TEMT commissioned the Tamar Estuary and Esk Rivers Program to conduct a comprehensive and independent analysis of the challenges, impacts and magnitude of costs of various proposed sedimentation management options for the kanamaluka/Tamar estuary.*

*The report entitled, Environment, flooding and aesthetics; sediment in the kanamaluka/Tamar estuary, uses a scientifically robust, best practice and evidence-*

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*based approach, with analysis of primary data, where possible, and informed by technical experts across the range of criteria, which include:*

- *legislative and feasibility challenges;*
- *cost;*
- *impacts on bathymetry;*
- *impacts on flooding;*
- *impacts on environmental values and water quality; and*
- *impacts on recreation and navigation.*

*In addition to the report, the Council does have information on scour and floods. Bathymetry data collected by the City of Launceston show that moderate-large floods (>800-1000 cumecs) induce scour of sediment in the estuary, even during times of no dredging or raking activity. For example, a moderate flood in 2009, after the millennium drought, resulted in significant sediment scoured from the Yacht Basin. Scour would typically begin within the channel in the early stages of a flood, with the intertidal flats scouring as water volume and velocity increased.*

*A number of independent studies have been undertaken on this, for example:*

- *BMT WBM (2009) assessed the impact of dredging on the river for flood protection. Only minor flood level improvements were associated with major dredging. Maintenance dredging of channels in the Yacht Basin were found to have no significant beneficial effect on flood levels in the developed parts of Launceston.*
- *GHD (2009) concluded that significant flood level rises that may impact on flood levees would coincide with significant scour that is likely to be far greater than what could be extracted through even a major dredging operation (100,000m<sup>3</sup> in first year, followed by 50,000m<sup>3</sup> per annum for 20 years). "*

2. *Doesn't anyone think that we need to dredge river sediments in the upper river (home point) for navigation, recreation, health and safety, tourism, and general amenity reasons? Flood mitigation benefits are a by-product. Dredging is insurance against a worsening outcome.*

**Response:**

*Please refer to the report identified in the previous question which addresses the issues raised.*

3. How can we think we should be the leader of local government across ALL of Northern Tasmania when we can't be bothered to simply clean our own backyard?

**Response:**

*It is not accurate to say that the Council is not acting to 'clean out' the Estuary. As a member of the TEMT, the Council has developed and is partnering with the other members to implement the 10-Year Vision for the Estuary.*

*The vision is designed to reframe Launceston's relationship to the estuary, recognising and embracing its transformation from an industrial landscape to a focal point for community events and recreation. It sets the direction for the long-term recreational, community and cultural use of the upper kanamaluka/Tamar Estuary, with scalable options that can be implemented over time.*

*In addition, along with the Australian and State Government, the Council has invested a total of \$140.7 million to implement the key actions in the River Health Action Plan, namely:*

- \$129.2 million to deliver infrastructure upgrades to reduce overflows from Launceston's combined sewage and stormwater system; and*
  - \$11.5 million for the Catchment Works Program to support grazing and dairy landholders within the kanamaluka/Tamar Estuary and Esk rivers catchment to keep stock out of waterways through funded activities including the installation of waterway fencing, riparian revegetation, and effluent management upgrades on dairy farms. The Sewage Intrusion Program identified and corrected many cross-connections to the Launceston's separated stormwater system, diverting a significant amount of sewerage from discharging in the Estuary.*
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**12.2. Councillors' Questions Without Notice**

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

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

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



**13. COMMITTEE REPORTS**

**13.1. Access Advisory Committee - 8 March and 7 June 2023**

**FILE NO:** SF0025

**AUTHOR:** Nindarra Wheatley (Community Development Officer Inclusion)

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

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**DECISION STATEMENT:**

To receive a report from the Access Advisory Committee.

**RECOMMENDATION:**

That Council receives the report from the Access Advisory Committee Meetings held on 8 March and 7 June 2023.

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**DECISION: 10 August 2023**

**MOTION**

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

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

**CARRIED 10:0**

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

**AGAINST VOTE:** Nil

## 14. INFRASTRUCTURE AND ASSETS NETWORK

### 14.1. Launceston Flood Authority Report

**FILE NO:** SF4493

**AUTHOR:** Debbie Pickett (Personal Assistant - General Manager Infrastructure and Assets Network)

**GENERAL MANAGER APPROVAL:** Shane Eberhardt (Infrastructure and Assets Network)

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#### **DECISION STATEMENT:**

To receive the Launceston Flood Authority Quarterly Report - April to June 2023.

#### **RELEVANT LEGISLATION:**

*Launceston Flood Authority Rules, April 2020*

#### **RECOMMENDATION:**

That Council, in accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, receives the Launceston Flood Authority Quarterly Report, April to June 2023 (ECM Doc Set ID 4930976).

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#### **DECISION: 10 August 2023**

#### **MOTION**

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

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

**CARRIED 10:0**

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

**AGAINST VOTE:** Nil

**15. ORGANISATIONAL SERVICES NETWORK**

**15.1. 2023/2024 Budget - Budget Amendments**

**FILE NO:** SF6940/SF7558

**AUTHOR:** Samuel Kelty (Acting Manager Finance)

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

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**DECISION STATEMENT:**

For Council to consider changes to the Council's 2023/2024 Statutory Estimates.

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

**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 2023/2024 Statutory Estimates:
    - (a) Revenue
      - i. the net increase in revenue from external grants and contributions of \$16,380,044.
    - (c) Capital Works Expenditure
      - i. the net increase in expenditure from external funds of \$16,380,044.
  2. notes that amendments from Recommendation 1. result in:
    - (a) the operating surplus being amended to \$13,974,141 (including capital grants of \$17,793,044) for 2023/2024.
    - (b) the capital budget being increased to \$37,016,044 for 2023/2024.
-

**DECISION: 10 August 2023**

**MOTION**

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

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

**CARRIED BY ABSOLUTE MAJORITY 10:0**

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

**15.2. Lease - 341 Vermont Road, Ravenswood**

**FILE NO:** SF0379

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

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

**DECISION STATEMENT:**

To consider sub-leasing property situated at 341 Vermont Road, Ravenswood, known as Ravenswood Memorial Hall, to Starting Point Neighbourhood House Incorporated.

*This decision requires an absolute majority of Council.*

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 23 May 2016 - Agenda Item 18.1 - Crown Land Lease - 341 Vermont Road, Ravenswood

**RECOMMENDATION:**

That Council:

1. by absolute majority, in accordance with section 179 of the *Local Government Act 1993 (Tas)*, agrees to lease 341 Vermont Road, Ravenswood to Starting Point Neighbourhood House Incorporated (CT137989/1) as indicated on the plan below:



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
    - (a) the term shall be five years commencing on 1 July 2023;
    - (b) the commencing rent shall be \$323.96 per annum based on 182 fee units;
    - (c) tenant to be responsible for all outgoing costs such as:
      - i energy costs;
      - ii volumetric usage and service charges for water;
      - iii fire service checks;
      - iv security monitoring fees; and
      - v all other service fees and charges associated with maintenance of the building.
    - (d) tenant shall continuously maintain:
      - i. contents insurance
      - ii. public liability insurance of at least \$20 million.
    - (e) the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.
  3. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the lease.
  4. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
- 

**Deputy Mayor Councillor D H McKenzie withdrew from the Meeting at 2:10 pm**

**DECISION: 10 August 2023**

**MOTION**

**Moved Councillor A G Harris, seconded Councillor S Cai.**

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

**CARRIED BY ABSOLUTE MAJORITY 9:0**

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

**Deputy Mayor Councillor D H McKenzie re-attended the Meeting at 2:12 pm**

**15.3. City of Launceston Four Year Delivery Plan 2023 Edition**

**FILE NO:** SF6955

**AUTHOR:** Courtney Osborne (Team Leader Performance and Planning)

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

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**DECISION STATEMENT:**

To consider the City of Launceston Four Year Delivery Plan 2023 Edition.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop – 20 July 2023 – Four Year Delivery Plan and Advocacy Priorities.

Workshop – 24 November 2022 – Four Year Delivery Plan – Planning Session.

**RECOMMENDATION:**

That Council endorses the City of Launceston Four Year Delivery Plan 2023 Edition (ECM Document Set ID No: 4931029).

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**DECISION: 10 August 2023**

**MOTION**

**Moved Councillor Dr G Razay, seconded Councillor A G Harris.**

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

**CARRIED 10:0**

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

**AGAINST VOTE:** Nil

**16. MEETING CLOSURE**

The Mayor, Councillor M K Garwood, closed the Meeting at 2.20pm.

**17. NEXT COUNCIL MEETING DATE**

The next Ordinary Meeting of Council will be held at 1.00pm on 24 August 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.