



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 15 JUNE 2023
1.00PM**

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

Date: 15 June 2023

Time: 1.00pm

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.

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, 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:

Councillor M K Garwood (Acting Mayor)
Councillor D H McKenzie
Councillor T G Walker
Councillor Dr G Razay
Councillor J J Pentridge
Councillor A J Palmer
Councillor L M McMahon
Councillor S Cai

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)
Nathan Williams (Chief Financial Officer)
Richard Jamieson (Manager City Development) (Agenda Item 13.1)
Michelle Grey (Lease and Licencing Officer) (Agenda Item 14.1)
Wezley Frankcombe (Acting Team Leader Legal Services) (Agenda Items 14.1 and 14.4)
Samuel Kelty (Acting Manager Finance) (Agenda Items 14.2 and 14.3)
Duncan Campbell (Acting Manager Governance) (Agenda Items 14.8 and 14.9)
Kelsey Hartland (Team Leader Governance)
Anthea Rooney (Council and Committees Officer)

Apologies:

Acting Deputy Mayor Councillor A E Dawkins
Councillor D C Gibson
Councillor A G Harris
Councillor A J Britton

ORDER OF BUSINESS

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES.....	8
2. MAYORAL ACKNOWLEDGEMENTS	8
3. DECLARATIONS OF INTEREST	8
4. CONFIRMATION OF MINUTES.....	8
5. COUNCIL WORKSHOPS	9
5.1. Council Workshop Report - 1 and 8 June 2023	9
6. COMMUNITY REPORTS	11
7. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS	11
8. PUBLIC QUESTION TIME	12
8.1. Public Questions on Notice.....	12
8.1.1. Public Questions on Notice - Ron Baines - Parking, Tree Removal and C H Smith - 1 June 2023	12
8.1.2. Public Questions on Notice - Malcolm Cowan - Mayoral Election Costs - 6 June 2023.....	13
8.2. Public Questions Without Notice.....	15
8.2.1. Public Questions Without Notice - Kirsten Ritchie (Strike It Out Inc.) - Homelessness Issues	15
8.2.2. Public Questions Without Notice - Rosalie Tsowas - Stormwater Run-Off, Strahan Road, Newstead	16
9. ANNOUNCEMENTS BY THE MAYOR.....	17
9.1. Mayor's Announcements.....	17
10. COUNCILLORS' REPORTS	18
11. QUESTIONS BY COUNCILLORS	18
11.1. Councillors' Questions on Notice.....	18
11.2. Councillors' Questions Without Notice	18

12. COMMITTEE REPORTS	19
12.1. Northern Youth Coordinating Committee Meeting - 9 May 2023	19
12.2. Audit Panel Meeting - 16 May 2023.....	20
12.3. Tender Review Committee Meeting - 1 June 2023	21
13. COMMUNITY AND PLACE NETWORK	22
13.1. Request to Waive Planning Permit Fees - 10-16 Wellington Street, Launceston	22
14. ORGANISATIONAL SERVICES NETWORK	23
14.1. Lease - St Leonards Memorial Hall.....	23
14.2. 2022/2023 Budget - Budget Amendments.....	25
14.3. Financial Report to Council to 31 March 2023.....	27
14.4. Weber Bros Circus - Unpaid Debt.....	28
14.5. Public Consultation Feedback - 2023/2024 Budget and Annual Plan	29
14.6. Progress Against 2022/2023 Annual Plan Actions - 31 March 2023.....	31
14.7. Representation at the Climate Summit for Local Government 2023	42
14.8. Launceston City Council On-Street Parking Penalties By-Law No. 1 of 2023	43
14.9. Launceston City Council Parking Facilities By-Law No. 2 of 2023.....	47
15. CLOSED COUNCIL	60
15.1. Confirmation of the Minutes.....	60
15.2. Approval of Lease - Myrtle Park Recreation Ground, Targa	60
15.3. Electronic Document and Records Management Tender.....	60
15.4. End of Closed Session	60
16. MEETING CLOSURE.....	61
17. NEXT COUNCIL MEETING DATE.....	61

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Acting Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm and noted apologies from Acting Mayor Councillor A E Dawkins, Councillor D C Gibson, Councillor A G Harris and Councillor A J Britton.

2. MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements for this Meeting

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 D H McKenzie declared an interest in Agenda Item 14.1 - Lease - St Leonards Memorial Hall

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 1 June 2023 be confirmed as a true and correct record.

DECISION: 15 June 2023

MOTION

Moved Councillor L M McMahon, seconded Councillor A J Palmer.

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 1 June 2023 be confirmed as a true and correct record.

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

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

5.1. Council Workshop Report - 1 and 8 June 2023

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

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

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

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

1. pre-Council Workshop conducted on 1 June 2023:

Design Tasmania Presentation

Councillors were provided with a presentation and overview of Design Tasmania's 2023 Program and Masterplan.

In Attendance: Acting Mayor Councillor M K Garwood, Acting Deputy Mayor Councillor A E Dawkins, Councillor D C Gibson, Councillor D H McKenzie, 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.

2. Workshop conducted on 8 June 2023:

Junction Arts Festival Presentation

Councillors were provided with key achievements highlighting and identifying some key programmed events for the 2023 Junction Arts Festival.

Commissioner for Children and Young People

Councillors received further details about the Commissioner for Children and Young People Annual Report 2021/2022.

Improving Community Health and Wellbeing - Critical Age Periods

Councillors were presented with a project update on improving community health.

Community Health and Wellbeing

Councillors were provided with a presentation on creating a healthy, happy and active community.

Overview of the Council's Health and Wellbeing Initiatives

Councillors were provided with an overview of the health and wellbeing activities and initiatives currently being delivered and/or supported by the City of Launceston.

Heritage Review

Councillors discussed the recent directed consultation regarding the updating of the heritage listings.

Motions - Local Government Association of Tasmania General Meeting - 30 June 2023

Councillors were provided with an opportunity to discuss impending Notices of Motion for the upcoming Meeting.

In Attendance: Acting Mayor Councillor M K Garwood, Acting Deputy Mayor Councillor A E Dawkins, Councillor D C Gibson, Councillor D H McKenzie, 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.

**Councillor J J Pentridge withdrew from the Meeting at 1:06pm
Councillor J J Pentridge re-attended the Meeting at 1:07pm**

DECISION: 15 June 2023

MOTION

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

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

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

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 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 identified as part of these Minutes

7. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

No Councillors' Leave of Absence Applications were identified 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 - Ron Baines - Parking, Tree Removal and C H Smith - 1 June 2023

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following questions, asked at the Council Meeting on 1 June 2023 by Ron Baines, have been answered by Dan Ryan (General Manager Community and Place Network), Shane Eberhardt (General Manager Infrastructure and Assets Network) and Nathan Williams (Chief Financial Officer).

Questions:

1. My first question is directed to all duly elected Councillors, not the administrative branch of the Council. Council is aware that few people read the Public Notices column in *The Examiner*, yet chose to hide a massive 39% increase, plus yearly indexation in parking penalties. Parity pricing with other areas is not needed or justifiable. Therefore, I ask, will Councillors extend the time period available for submissions to enable full transparency and honesty toward our motorists and complete understanding of the consequences of the by-law way on an article in *The Examiner* and online?

Response:

As part of the by-law making process, the Council is required to provide notice of the proposed by-law and invite submissions from members of the public. On 6 May 2023, the Council published a notice in The Examiner Newspaper that invited members of the public to make a submission. A copy of the notice and associated documentation was also placed on the Council's website and displayed at Town Hall. The period for submission expired on 29 May 2023. Given that the legislative process was followed, there is no intention to extend the period for submission.

2. Trees are aesthetically pleasing and provide cover for inclement weather including harsh sunlight, therefore, I fail to understand the Council's motive for cutting down nine trees adjacent to the Albert Hall given the proposed greening plan. Could the Council please explain why they intend to kill nine trees?

Response:

The assumption is that Mr Baines is referring to the Albert Hall Renewal Project (the project). The trees to be removed were considered in the assessment of the required Development Application (DA0108/2022). Although the Council's policy is not to unnecessarily remove trees, it is considered that the benefit to be delivered by the project outweighed the removal of the trees.

In summary a total of 10 existing trees are to be completely removed; two will be transplanted and relocated to a location off site and a further one tree will be transplanted within the project area. The removal and relocation of the selected trees will open up the vista between the Albert Hall and City Park. The majority of trees and plantings in the immediate northeast area of the Albert Hall, were planted after 1955. None of the trees identified for removal have listed significant heritage value. There are four trees identified within the Albert Hall surrounds that date back prior to 1920 and these trees will all be retained.

3. Could the Council provide a profit or loss statement for the C H Smith parking area owned by the Council as it always appears to be empty?

Response:

An extract from the Council's financial statements that relate to the C H Smith Car Park is provided below:

CH Smith Car Park	
Statement of Financial Performance	
	2023 YTD to 31 May
Income	
Parking Fees	\$217,878
Other Revenue	\$150
Pensioner Concessions	\$1,766
Remissions - Parking	\$0
Total Revenue	\$219,794
Expenditure	
Employee Benefits	\$5,058
Materials and Services	\$64,496
Utilities	\$16,859
Land Tax	\$107,177
Insurance	\$17,429
Total Core Operations Expenditure	\$211,019
Core Operations Net Result	\$8,775
Non-Core Operations Expenditure	
Internal Parking Revenue	(\$13,911)
Depreciation	\$83,569
Total Non-Core Operations Expenditure	\$69,658
Operating Result	(\$60,883)

**8.1.2. Public Questions on Notice - Malcolm Cowan - Mayoral Election Costs -
6 June 2023**

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, submitted to Council in writing on 6 June 2023 on by Malcolm Cowan has been answered by Leanne Purchase (Acting Manager Organisational Services Network).

Questions:

1. How much will the upcoming election for the position of Mayor cost the ratepayers of Launceston?

Response:

The Tasmanian Electoral Commission has suggested that costs may be in the vicinity of \$250,000, however, firm pricing is not yet available. The quoted figure does not include the Council Officer's time, or local expenses, such as advertising the availability of the General Manager's Roll. For the 2022 Local Government Elections, the cost per elector was \$9.84 exclusive of GST. It is expected the by-election cost to be less than \$9.84 per elector, with fewer Tasmanian Electoral Commission staff and administration costs required.

Notably, however, this cost includes an estimate for the follow-up of non-voters which will be a first for a Local Government election in Tasmania. Given that last year's general election was the first to involve compulsory voting, the Commission decided not to pursue non-voters at that time.

8.2. Public Questions Without Notice

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

8.2.1. Public Questions Without Notice - Kirsten Ritchie (Strike It Out Inc.) - Homelessness Issues

- 1. I am interested in the candidates running for Mayor and if they can give a statement about housing stress and how the Council may play a part? These people are not helpless, just houseless.**

The Acting Mayor, Councillor M K Garwood, responded by saying that the Council Meeting was not the appropriate forum for responding to this question, however, there would be an opportunity for response via a Mayoral debate or reaching out personally to the candidates to gain their views on the issue.

- 2. Given that the Tasmanian Councils are facing amalgamation, will the Launceston City Council consider a Citizens Assembly to find out what the citizens of the region want and what they expect, what their aspirations are and what the Council has in mind?**

The Acting Mayor, Councillor M K Garwood, noted that a review and discussion of the latest Reform Paper is due to be considered at the next Workshop [22 June 2023]. The issue of a Citizens Assembly is part of the conversation which could be undertaken.

- 3. [With regard to use of sleeping pods in the community] what time frame does the Launceston City Council envisage to action finding Strike It Out Inc. a space to set up its mobile sleeping pod project?**

Dan Ryan (General Manager Community and Place Network) responded by referring to previous conversations undertaken with Strike It Out Inc. noting that a list of information being sought with regard to placement of the sleep pods had been requested. Information required includes clarity on intended users, how users would be selected ensuring that conflicting groups are not co-located, additional services to be provided on site (showers and toilets, etc.), how the site would be managed and resourced (noting that external grant funding has been applied for), hours of operation and who would be responsible for oversight during those hours, a risk assessment, methods of community consultation regarding delivery, details of additional service providers and environmental impact and how this may affect businesses and community members. He noted that responses to some of the issues raised had been received and the Council's Officers are able to assist with preparation of required documentation and work to achieve the desired outcome. It was also highlighted that a meeting could be arranged to facilitate any additional help or advocacy required as has been offered previously.

8.2.2. Public Questions Without Notice - Rosalie Tsowas - Stormwater Run-Off, Strahan Road, Newstead

- 1. [With regard to continuing flooding issues in Strahan Road, Newstead] is anyone from the Council actually going to have a look at the amount of stormwater that flows down Strahan Road from Lennon Rise and the developments behind it so that flooding does not occur?**

The Acting Mayor, Councillor M K Garwood, indicated that this question would be Taken on Notice and a response provided in the Council Agenda of 29 June 2023.

9. ANNOUNCEMENTS BY THE MAYOR

9.1. Mayor's Announcements

FILE NO: SF2375

Friday 2 June 2023

- Presented awards for music section of the Launceston Competitions, Earl Arts Centre

Saturday 3 June 2023

- Presented medals at the Interweave Gumboot Gala, Inveresk
- Attended the New Horizons Yellowstone Gala, Tailrace Centre

Sunday 4 June 2023

- Attended the Vigil for Shyanne-Lee in City Park
- Attended the opening of *Indeterminate Landscape: A cancer carers creative journey* exhibition at s.p.a.c.e. gallery

Tuesday 6 June 2023

- Provided a welcome at LGBTIQ+ Disability Forum, University of Tasmania, Newnham

Thursday 8 June 2023

- Attended the 2023 Pay It Forward breakfast, Tailrace Centre

Friday 9 June 2023

- Attended the Wildlife Photographer of the Year exhibition launch at Queen Victoria Museum and Art Gallery, Inveresk

Saturday 10 June 2023

- Attended the Basketball Tasmania Clinic, Elphin Sports Centre
- Attended the McGrath Launceston Running Festival pre-event dinner, Peppers Silo Hotel

Sunday 11 June 2023

- Attended *Property Rites*, Launceston Youth Theatre Ensemble, Earl Art Centre
-

10. 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).

10.1. Councillor D H McKenzie

- **Attended the Launceston Central City rebrand function**
- **Attended the Recovery Exercise held at the Boatshed**

10.2. Councillor A J Palmer

- **Attended and presented awards for the Healthy and Connected Community Program**
- **Attended the launch of the McGrath Launceston Running Festival**

10.3. Councillor Dr G Razay

- **Acknowledged the work of the Council organising the Community Health and Wellbeing Workshop**

11. QUESTIONS BY COUNCILLORS

11.1. 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).

No Councillors' Questions on Notice were identified as part of these Minutes

11.2. 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

12. COMMITTEE REPORTS

12.1. Northern Youth Coordinating Committee Meeting - 9 May 2023

FILE NO: SF0136

AUTHOR: Stephanie Armour (Community Development Officer)

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

DECISION STATEMENT:

To receive a report from the Northern Youth Coordinating Committee.

RECOMMENDATION:

That Council receives the report from the Northern Youth Coordinating Committee Meeting held on Tuesday, 9 May 2023.

DECISION: 15 June 2023

MOTION

Moved Councillor S Cai, seconded Councillor A J Palmer.

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

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahan and Councillor S Cai

AGAINST VOTE: Nil

12.2. Audit Panel Meeting - 16 May 2023

FILE NO: SF3611

AUTHOR: Anthea Rooney (Council and Committees Officer)

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

DECISION STATEMENT:

To receive a report from the Audit Panel Meeting held on 16 May 2023.

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held on 16 May 2023.

DECISION: 15 June 2023

MOTION

Moved Councillor T G Walker, seconded Councillor D H McKenzie.

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

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

12.3. Tender Review Committee Meeting - 1 June 2023

FILE NO: SF0100/CD.052/2023

AUTHOR: Anthea Rooney (Council and Committees Officer)

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

DECISION STATEMENT:

To receive a report from the Tender Review Committee.

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept the tender submitted by the Baker Group (Tas) Pty Ltd for the Birch Avenue Pitch Drainage Design and Construct - CD.052/2023 at a cost of \$267,015.60 (excluding GST).

DECISION: 15 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor J J Pentridge.

That Council notes the decision of the Tender Review Committee to accept the tender submitted by the Baker Group (Tas) Pty Ltd for the Birch Avenue Pitch Drainage Design and Construct - CD.052/2022 at a cost of \$267,015.60 (excluding GST).

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahan and Councillor S Cai
AGAINST VOTE: Nil

13. COMMUNITY AND PLACE NETWORK

13.1. Request to Waive Planning Permit Fees - 10-16 Wellington Street, Launceston

FILE NO: SF6440/DA0180/2023/DA0181/2023

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

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

DECISION STATEMENT:

To consider a request to waive the fee for a lodged Development Application.

RECOMMENDATION:

That Council refuses a request to waive the assessment fee for DA0181/2023 (139 hotel room, bar and food services associated with the hotel, as well as changes to the car parking).

DECISION: 15 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor T G Walker.

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

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

14. ORGANISATIONAL SERVICES NETWORK

14.1. Lease - St Leonards Memorial Hall

FILE NO: SF2967

AUTHOR: Michelle Grey (Lease and Licensing Officer)

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

DECISION STATEMENT:

To consider leasing an area of land situated at the St Leonards Sports Complex known as the St Leonards Memorial Hall to the Tamar Bridge Club as marked on the attached plan.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 13 August 2018 - Agenda Item 18.3 - Lease - Tamar Bridge Club

RECOMMENDATION:

That Council:

1. by absolute majority, in accordance with section 179 of the *Local Government Act 1993 (Tas)*, agrees to lease part of St Leonards Sports Centre to the Tamar Bridge Club Incorporated (CT103535/1) as indicated on the plan below:



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - the term shall be five years commencing on 1 July 2023;
 - the commencing rent shall be \$323.96 per annum based on 182 fee units;
 - 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.
 - tenant shall continuously maintain:
 - i. contents insurance
 - ii. public liability insurance of at least \$20 million.
 - 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).
-

Councillor D H McKenzie withdrew from the Meeting at 1:36 pm

DECISION: 15 June 2023

MOTION

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

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

CARRIED BY ABSOLUTE MAJORITY 7:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

ABSENT DUE to DECLARATION of INTEREST: Councillor D H McKenzie

Councillor D H McKenzie re-attended the Meeting at 1:39pm

14.2. 2022/2023 Budget - Budget Amendments

FILE NO: SF7463/SF6939

AUTHOR: Samuel Kelty (Acting Manager Finance)

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

DECISION STATEMENT:

For Council to:

1. consider changes to the Council's 2022/2023 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).

2. consider adjustments made during 1 May to 31 May 2023 by the Chief Executive Officer to the 2022/2023 Budget.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2022/2023 Statutory Estimates:
 - (a) Revenue
 - i. the net increase in revenue from external grants and contributions of \$853,325.
 - (b) Expenses
 - i. the net decrease in operations expenditure of \$200,000.
 - (c) Capital Works Expenditure
 - i. the net increase in expenditure from external funds of \$853,325.
 - ii. the decrease in the Council's funded expenditure of \$200,000.
 2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$16,319,122 (including capital grants of \$24,611,118) for 2022/2023.
 - (b) the capital budget being increased to \$38,240,222 for 2022/2023.
 3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2022/2023 budget for the period 1 May to 31 May 2023.
-

DECISION: 15 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor T G Walker.

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

CARRIED BY ABSOLUTE MAJORITY 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

14.3. Financial Report to Council to 31 March 2023

FILE NO: SF3611

AUTHOR: Samuel Kelty (Acting Manager Finance)

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

DECISION STATEMENT:

To consider the Council's financial performance for the period ended 31 March 2023.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 21 February 2023 - Agenda Item 9.1 - Capital Report

Audit Panel - 21 February 2023 - Agenda Item 9.3 - Financial Statements (Analysis and Commentary)

RECOMMENDATION:

That Council receives the operational and capital financial reports for the period ended 31 March 2023, noting the operational report discloses an underlying deficit of \$5.923m as compared to the budgeted underlying deficit of \$7.798m, comprising of a \$4.085m favourable revenue variance and a \$2.210m unfavourable expenditure variance.

DECISION: 15 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor S Cai.

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

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

14.4. Weber Bros Circus - Unpaid Debt

FILE NO: SF0889

AUTHOR: Wezley Frankcombe (Acting Team Leader Legal Services)

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

DECISION STATEMENT:

To consider the circumstances and subsequent course of action relating to the outstanding debt of Weber Bros Entertainment Pty Ltd (trading as Weber Bros Circus). If the recommendation is adopted, enforcement and recovery of the debt will be actioned in line with the Council's usual process.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council does not exercise its power pursuant to section 207 of the *Local Government Act 1993 (Tas)* to remit hire fees of \$9,855.00 owed by Weber Bros Entertainment Pty Ltd (trading as Weber Bros Circus).

James Carroll (on behalf of Weber Bros Circus) spoke against the Recommendation

DECISION: 15 June 2023

MOTION

Moved Councillor T G Walker, seconded Councillor D H McKenzie.

That Council delegates power under section 207 of the *Local Government Act 1993 (Tas)* to the Chief Executive Officer to remit three days of the hire fees totalling \$1,971 from the debt owed by Weber Bros Entertainment Pty Ltd (trading as Weber Bros Circus) on the basis that Weber Bros Entertainment Pty Ltd (trading as Weber Bros Circus) pay the remainder of the debt within 30 days from the date of this decision.

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahan and Councillor S Cai

AGAINST VOTE: Nil

14.5. Public Consultation Feedback - 2023/2024 Budget and Annual Plan

FILE NO: SF6937

AUTHOR: Nathan Williams (Chief Financial Officer)

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

DECISION STATEMENT:

To consider the 2023/2024 proposed Budget and Annual Plan public consultation process, the responses submitted and the Council's response to each submission.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 4 May 2023 - Agenda Item 16.1 - Proposed 2023/2024 Annual Plan and Statutory Estimates

Workshop - 25 May 2023 - Public Consultation Feedback

RECOMMENDATION:

That Council:

- 1 receives the submissions from:
 - (a) Tim Vosper; and
 - (b) Tracey Davenport.
 2. notes that no amendments are proposed to the Draft 2023/2024 Annual Plan or Budget resulting from the submissions received.
 3. notes that the Council Meeting of 29 June 2023 is the intended date at which the 2023/2024 Annual Plan and Budget will be adopted the rate struck.
-

DECISION: 15 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor T G Walker.

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

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

14.6. Progress Against 2022/2023 Annual Plan Actions - 31 March 2023

FILE NO: SF6812

AUTHOR: Courtney Osborne (Team Leader Performance and Planning)

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

DECISION STATEMENT:

To consider the progress against the Council's 2022/2023 Annual Plan Actions for the period ending 31 March 2023.

PREVIOUS COUNCIL CONSIDERATION:

Council - 23 March 2023 - Agenda Item 18.3 - Progress Against 2022/2023 Annual Plan Actions - 31 December 2022

Council - 17 November 2022 - Agenda Item 16.1 - City of Launceston Annual Plan 2022/2023 - Progress Against Annual Plan Actions for period Ending 30 September 2022

Council - 16 June 2022 - Agenda Item 15.3 - City of Launceston Annual Plan 2022/2023

RECOMMENDATION:

That Council notes progress against the 2022/2023 Annual Plan Actions for the period ending 31 March 2023.

Strategic Priority 1: We *connect with our Community and our Region* through meaningful engagement, cooperation and representation.

Our interactions with our community are authentic, timely, accurate and open. We want to build strong and productive relationships with our community and regional partners.

10-Year Goal: To seek out and champion positive engagement and collaboration to capitalise on the major opportunities, and address the future challenges facing our community and region.

Focus Area		
To develop and consistently utilise contemporary and effective community engagement processes.		
Action	Network	% Complete
<p>Through the next iteration of the Tomorrow Together program engage with our community on the following:</p> <p>Theme one: A Social, inclusive and fair City:</p> <ul style="list-style-type: none"> • Trails and Network Strategy • Northern Regional Sports Facility Plan • Urban Tree Canopy Strategy • Smart Cities Strategy • Public Open Space Strategy • City Park and Punchbowl playground renewals • Preliminary Playspace Strategy consultation <p>Theme two: A Mobile and Accessible City:</p> <ul style="list-style-type: none"> • Two-way traffic and more. <p>Launch of the new Community Engagement website.</p> <p>Implementation of compulsory <i>Closing the Loop</i> feedback on all projects.</p>	Organisational Services	100
Comment		
<p>Theme one: A Social, inclusive and fair City completed.</p> <p>Theme two: A Mobile and Accessible City was put on hold until Stage Two City Heart commences.</p> <p>Instead, engagement on the Tomorrow Together, A Well-Designed City Theme was undertaken. This included engaging on the following topics:</p> <ul style="list-style-type: none"> • Tourism Plan • Events Strategy • E-scooters • CCTV Strategy • Sustainability Action Plan • Emergency Management • Open data and how we can share it <p>Previous community engagement website www.yourvoicemyourlaunceston.com.au was replaced with a refreshed look and renamed www.tomorrowtogetherlaunceston.com.au.</p> <p>Closing the loop feedback on all projects has been made compulsory.</p>		

Focus Area		
To advocate and collaborate to enhance regionally significant services and infrastructure for the benefit of our communities		
Action	Network	% Complete
Complete Regional Sports Facility Plan (the Plan) in conjunction with sporting clubs, the State Government and neighbouring Councils.	Infrastructure and Assets	80
Comment		
Engagement has occurred with the Council's Clubs and Associations on their needs along with an analysis of where the current and future demand will be generated. The Plan will be released by 31 March 2024.		

Strategic Priority 2: We *Facilitate Prosperity* by seeking out and responding to opportunities for growth and renewal of our regional economy.

We use our influence and resources to deliver the foundations for ongoing economic development. We want Launceston to be the heart of a thriving regional economy.

10-Year Goal: To have realised opportunities that grow and sustain our economy, and foster creative and innovative people and industries.

Focus Area		
To actively market the City and region and pursue investment.		
Action	Network	% Complete
Develop and Implement Smart Cities Strategy (the Strategy).	Organisational Services	85
Comment		
The Strategy was presented to Councillors in April 2023.		
Community feedback and research has informed a broadening of the scope to include more focus on innovating. This focus will ensure all solutions (technical and non-technical) are considered and that processes are in place to realise value and benefit, while protecting the community's interests.		

Strategic Priority 3: We are a *Progressive Leader* that is accountable to our governance obligations and responsive to our community.

Our decision-making and actions are evidence-based, strategic, transparent and considered. We are ethical, fair and impartial in complying with and enforcing the law.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Area		
To fairly and equitably discharge our statutory and governance obligations.		
Action	Network	% Complete
Provide information and advice to prospective Councillor candidates and support the Tasmanian Electoral Commission in the delivery of the Local Government election.	Organisational Services	100
Comment		
Local Government elections have been conducted.		
Focus Area		
To fairly and equitably discharge our statutory and governance obligations.		
Action	Network	% Complete
Engage with the community and commence a review of the Corporate Strategic Plan.	Organisational Services	5
Comment		
The review preparation has been delayed due to staffing changes. A brief has been completed for the project and it is expected to begin in the new financial year.		
Focus Area		
To ensure decisions are made on the basis of accurate and relevant information.		
Action	Network	% Complete
Deliver End of Term Report.	Chief Executive Officer	100
Comment		
Completed.		
Focus Area		
To ensure decisions are made on the basis of accurate and relevant information.		
Action	Network	% Complete
Level of Service Planning Stage 1 Develop a project plan to document service levels, review appropriateness of services, and engage with the community around expectations.	Organisational Services	5
Comment		
Resourcing issues have required a review of timelines around this project.		
Focus Area		
To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.		
Action	Network	% Complete
Implement the Organisational Cultural Development Roadmap.	Organisational Services	85
Comment		
The Council's Values Champions (VC) have recently reviewed the Champions Guidelines and the VCs are developing a plan for 2023 to continue to embed Our Values. The organisation's Culture Re-survey has been completed. A Communications Plan outlines the organisation's approach to share results across teams in the coming months and commence action planning within teams to continue to build a positive and constructive workplace culture. This work is the trigger for the organisation's Cultural Development Roadmap to be reviewed and updated by Executive Leadership Team, with initiatives that will continue to build the organisation's desired culture.		

Focus Area		
To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.		
Action	Network	% Complete
Undertake the Corporate Application Replacement Program (CARP).	Organisational Services	75
Comment		
The CARP project commenced with Project Blueprints Workshops for all of the key modules in phase one. All key milestones have been met to date.		
A tender for the document management system has closed and the Tender Evaluation Panel are in the process of selecting a vendor. Key personnel have been recruited to fill the Change Officer and Data Migration positions.		
Focus Area		
To maintain a financially sustainable organisation.		
Action	Network	% Complete
Implement the recommendations of the UTAS Stadium Future Direction Plan.	Chief Executive Officer	60
Comment		
Meetings have occurred with Infrastructure Tasmania Officers as well as the new Stadiums Tasmania Chair, Mike Mogridge, in respect to the proposed sub-division at Inveresk. The Council is awaiting confirmation that both are comfortable with the proposed plan. Once this is received, the advertising process will commence.		
Discussions between the Government and Chief Executive Officer in respect to the AFL and local content Memorandum of Understanding are on-going.		
The Council's Officers are also continuing to work with the State Government in respect to the Stage 1 re-development of UTAS Stadium.		
Focus Area		
To maintain a financially sustainable organisation.		
Action	Network	% Complete
Implement recommendations of the QVMAG Futures Plan.	Chief Executive Officer	50
Comment		
The Council's Officers have been focussed on addressing the strategic needs of the QVMAG and determining future workforce arrangements over the first half of this year. Staff have held meetings in respect to the future funding of QVMAG. Work will commence on the development of the <i>QVMAG Future Direction Action Plan</i> shortly.		

Strategic Priority 4: We value our City's Unique Identity by celebrating our special heritage and culture and building on our competitive advantages to be a place where people choose to live, work and visit.

We facilitate our community's sense of place by enhancing local identity. We want people to be proud to say that Launceston is my City.

10-Year Goal: To sustain and promote Launceston as a unique place to live, work, learn and play.

Focus Area		
To promote and enhance Launceston's rich heritage, culture and natural environment.		
Action	Network	% Complete
Launceston Heritage List Review and Precincts - continuing the review of the City of Launceston's local heritage list as part of the final stage of this five-year project.	Community and Place	75
Comment		
Informal consultation has been undertaken with property owners. Feedback to be collated and reviewed in preparation for the Council to initiate formal public exhibition in July 2023.		
Focus Area		
To promote and enhance Launceston's rich heritage, culture and natural environment.		
Action	Network	% Complete
Launceston Place Brand implementation and commencement of monitoring of usage.	Community and Place	90
Comment		
A report on the first 12 months' usage of the Place Brand is being finalised by the Tourism and Events team and is expected to be ready by the end of April. The team is also developing a strategy to guide the Place Brand's ongoing implementation over the next two - three years, with the aim of having this strategy in place by July 2023.		
Focus Area		
To promote and enhance Launceston's rich heritage, culture and natural environment.		
Action	Network	% Complete
Continue to work with the newly formed Cultural Advisory Committee to implement the first four-year action plan from the Cultural Strategy.	Community and Place	75
Comment		
Regular meetings are continuing with the Cultural Advisory Committee. With Council's approval of the Public Art Strategy, the Cultural Advisory Committee will be asked to provide advice on public art installations around Launceston.		
Focus Area		
To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.		
Action	Network	%Complete
Undertake review of the City of Launceston Open Space Strategy.	Infrastructure and Assets	5
Comment		
Due to challenges with project delivery the commencement of this project has been delayed.		
Focus Area		
To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.		
Action	Network	% Complete
Continue the Albert Hall Renewal program.	Infrastructure and Assets	10

Comment		
It is a challenging environment for procuring services for building works which is impacting the affordability and timeframes for delivery. Council was provided with an update on the Albert Hall Renewal Project at the Council Meeting held on 4 May 2023.		
Focus Area		
To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.		
Action	Network	% Complete
Develop and implement an improvement plan for Princess Theatre and Earl Arts Centre upgrade implementation.	Infrastructure and Assets	10
Comment		
The Council is engaged with Theatre North in planning for renewal of the Theatre. During the next quarter it is planned to acquire design services for the project.		
Focus Area		
To support the central business district (CBD) and commercial areas as activity places during day and night.		
Action	Network	% Complete
Develop and commence implementation of Stage 2 Launceston City Heart Project which includes the following key areas of investment: Greening of our City. <ul style="list-style-type: none"> Improved public transport infrastructure. Creating greater opportunities for pedestrianisation of the CBD. 	Community and Place	0
Comment		
On hold pending outcomes of negotiations on bus interchange, funding application and confirmation of project outcomes. Recent progress on the Birchalls redevelopment through the initiation of a terms sheet. Initial meetings held with State Government on key outcomes from bus interchange project.		

Strategic Priority 5: We Serve and Care for our Community by providing equitable and efficient services that reflects needs and expectations of our community.

We are invested in our community's long term health, well-being, safety and resilience. We want to be trusted and respected by our community.

10-Year Goal: To offer access to services and spaces for all community members, and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Area		
To plan for and provide services and facilities that recognise the changing demographics and needs of our community.		
Action	Network	% Complete
Implement Council commitments from the <i>My Place My Future Plan</i> and support State and Federal Governments on implementation of their actions.	Community and Place	75

Comment		
The Northern Suburbs Project Officer continues to collaborate with local service providers in the Northern Suburbs, delivering a range of grassroots events and programs including International Women's Day Morning Tea on 8 March (attended by the Mayor); Neighbour Day Brekkie Rocherlea on 26 March and Digital Marketing small business Workshop on 30 March at Northern Suburbs Community Centre. Attending local meetings including the FARM Steering Committee Meeting.		
Focus Area		
To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.		
Action	Network	% Complete
Continue to roll out the ABCDE Learning Sites community development program, with the Invermay learning site to commence in July 2022.	Community and Place	75
Comment		
The Invermay ABCDE Learning Site is progressing very well with strong community participation. Fifteen community led projects are underway with the completion of the Learning Site to occur in December 2023. Support and connection is also occurring with past Learning Site Community Builders.		

Strategic Priority 6: We Protect our Environment by caring for our unique natural assets and amenity and sensitively managing future development opportunities.

We strive to minimise the impact of our actions on the environment, while planning for, adapting to and managing the impact of climate change. We want to protect the special character and values of our city for future generations.

10-Year Goal: To enhance the unique natural character, values, and amenity of our City by minimising the impacts of our organisation's and our community's activities in the environment.

Focus Area		
To contribute to air and river quality improvements in Launceston.		
Action	Network	% Complete
Participate and support the Tamar Estuary Management Taskforce.	Infrastructure and Assets	75
Comment		
The Council continues to support the activities of the Tamar Estuary Management Taskforce.		
Focus Area		
To contribute to air and river quality improvements in Launceston.		
Action	Network	% Complete
Support TasWater and NRM North with the implementation of the \$157m River Health Action Plan to improve catchment management and reduce overflows from the combined system.	Infrastructure and Assets	75

Comment		
There has been active engagement and assistance of TasWater in the planning and delivery of the River Health Action Plan.		
Council gifted land near the Ti Tree Bend Wastewater Treatment Plant to enable the construction of a storage facility.		
Focus Area		
To reduce our and the community's impact on the natural environment.		
Action	Network	% Complete
Develop City of Launceston Sustainability Action Plan which sets out how the organisation will achieve sustainable outcomes for operations, service delivery and assets. The Sustainability Action Plan focuses on six key priority areas: <ul style="list-style-type: none"> • Leadership and Advocacy • Towards Zero Emissions • Adaption and Resilience • Material Efficiency, Recovery and Optimisation • Natural Capital • Smart Assets 	Infrastructure and Assets	100
Comment		
The Sustainability Action Plan is complete and has been adopted by Council. Implementation of priority actions has commenced.		

Strategic Priority 7: We are a City Planning for our Future by ensuring our approach to strategic land-use, development and infrastructure investment is coordinated, progressive, and sustainable.

We play a leading role in balancing the enviable amenity of our municipality with the needs of future development and growth. We want to influence the delivery of the right investment for our City and Region.

10-Year Goal: To facilitate appropriate development via integrated land-use planning, infrastructure investment, and transport solutions within our municipality and region.

Focus Area		
To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.		
Action	Network	% Complete
Participate in the Northern Regional Land Use Strategy Review.	Community and Place	75
Comment		
Participation is ongoing with the first development being the housing demand study expected to be finalised by mid-2023.		
Focus Area		
To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.		

Action	Network	% Complete
Develop a Placemaking Framework.	Community and Place	40
Comment		
The Placemaking Framework is currently under development.		
Focus Area		
To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.		
Action	Network	% Complete
Continue work on St Leonards Residential Growth Strategy and Masterplan and obtain Council endorsement for a structured plan and delivery framework for development within St Leonards and the Eastern Growth Corridor.	Chief Executive Officer	5
Comment		
A temporary position has been created and filled via an internal secondment to fast-track work on the St Leonards Residential Growth Strategy and Masterplan to support increased land supply for the housing market in the Launceston municipality.		
Focus Area		
To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.		
Action	Network	% Complete
Continue work on South Prospect Residential Growth Strategy and Masterplan and initiate planning scheme amendments to facilitate development with the South Prospect Growth Corridor.	Chief Executive Officer	78
Comment		
The focus has been on finalising the alignment of roads and stormwater, engagement with Department of State Growth on a left in/left out access point, completion of the Kate Reed Mountain Biking Masterplan, the residential and commercial supply and demand studies, an assessment of masked owl habitat and undertaking a bushfire assessment. Work is underway on a potential headworks framework for discussion with developers. The Council is currently developing a community engagement plan to socialise the need for greenfields development and the role of development south of Prospect to alleviate the pressure on housing.		
Focus Area		
To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.		
Action	Network	% Complete
Implement the Launceston Transport Strategy with the following key actions: <ul style="list-style-type: none"> • Support the new formed Transport Committee. • Develop implementation plan for traffic calming in the City. • Undertake the first stage of a review of speed limits. • Implementing the Network Operating Plan. 	Infrastructure and Assets	75

Comment		
<p>The Council has been delivering the Launceston Transport Strategy through:</p> <ul style="list-style-type: none"> • Supporting the new formed Transport Committee. • Commenced a review of speed limits. • Continued implementation of the network operating plan. 		
Focus Area		
<p>To ensure our suite of strategic planning initiatives are coordinated and representative of our community's needs and aspirations.</p>		
Action	Network	% Complete
<p>City Deal Agreement</p> <p>Continue to work with the Commonwealth and State Governments to successfully implement all of the City of Launceston's commitments under the City Deal program to deliver a range of economic and social benefits to the City.</p>	<p>Chief Executive Officer</p>	<p>52</p>
Comment		
<p>Work on Launceston City Deal projects is continuing in collaboration with the Commonwealth and State Governments.</p> <p>The Federal Government has confirmed its commitment to all current city and regional deal commitments. They have advised they are currently looking at streamlining the work being undertaken with Deals and how these can be delivered most efficiently.</p> <p>A meeting with Minister King, the Australian Government Minister for Infrastructure, Transport, Regional Development and Local Government was organised for early May to progress these discussions.</p> <p>Proposed Extension Projects are progressing.</p>		

DECISION: 15 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor T G Walker.

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

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

14.7. Representation at the Climate Summit for Local Government 2023

FILE NO: SF0121

AUTHOR: Liz Lynch (Personal Assistant Councillor Rooms)

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

DECISION STATEMENT:

To consider the attendance of Councillor A E Dawkins at the Climate Summit for Local Government 2023 in Melbourne 6 - 8 September 2023.

RECOMMENDATION:

That Council approves the attendance of Councillor A E Dawkins to the Climate Summit for Local Government 2023 in Melbourne 6 - 8 September 2023.

DECISION: 15 June 2023

MOTION

Moved Councillor S Cai, seconded Councillor L M McMahan.

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

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahan and Councillor S Cai

AGAINST VOTE: Nil

14.8. Launceston City Council On-Street Parking Penalties By-Law No. 1 of 2023

FILE NO: SF7397

AUTHOR: Duncan Campbell (Acting Manager Governance)

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

DECISION STATEMENT:

To consider the making of the *On-Street Parking Penalties By-Law No. 1 of 2023*.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Launceston Flood Risk Management Act

PREVIOUS COUNCIL CONSIDERATION:

Council - 10 March 2022 - Agenda Item 19.2 - Intention to Make On-Street Parking Penalties By-Law No. 1 of 2022

Workshop - 3 February 2022 - Parking By-Laws

RECOMMENDATION:

That Council, by absolute majority:

1. notes its decision made on 10 March 2022 that it intended to make a new by-law, generally in the terms set out at Recommendation 2.
2. pursuant to 160 and 161 of the *Local Government Act 1993 (Tas)*, alters the by-law as proposed on 10 March 2022 so that it is in accordance with the text below and authorises the fixing of the Council's seal in order to make the *Launceston City Council On-Street Parking Penalties By-Law No. 1 of 2023*:

LAUNCESTON CITY COUNCIL

ON-STREET PARKING PENALTIES BY-LAW
NO. 1 of 2023

A by-law made under sections 145 and 161 of the *Local Government Act 1993* for the purpose of prescribing penalties for infringement notices pursuant to section 100 of the *Local Government (Highways) Act 1982*.

PART 1 – PRELIMINARY

1. Short title

This by-law may be cited as the *On-Street Parking Penalties By-Law No. 1 of 2023*.

2. Repeal

Part 7 of the *Launceston City Council Parking By-Law No. 2 of 2013* is repealed.

3. Interpretation

In this by-law, unless the contrary intention appears:

"penalty unit" means a sum prescribed under the provisions of the *Penalty Units and Other Penalties Act 1987*;

4. Prescribed penalties for parking offences under the *Local Government (Highways) Act 1982*

For the purposes of section 100(4) of the *Local Government (Highways) Act 1982*, the prescribed penalty for an infringement notice issued for an offence under section 97, 98 or 99 of that Act is the applicable amount specified adjacent to the offence in the following table:

Column 1	Column 2	Column 3	Column 4	Column 5
Section	Offence	Penalty (penalty units)	Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice (penalty units)	Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice (penalty units)
Section 97(1)(a)(i)	Remaining parked whilst meter not running	0.5	0.2	0.3

Section 97(1)(a)(ii)	Exceeding maximum period on parking meter	0.5	0.25	0.4
Section 97(1)(b)(i)	Parking without parking voucher displayed	0.5	0.2	0.3
Section 97(1)(b)(ii)	Parking longer than authorised by a parking voucher	0.5	0.25	0.4
Section 97(1)(c)	Parking more than one motor vehicle in a space	0.5	0.25	0.4
Section 97(1)(d)	Parking a motor vehicle partly inside and outside a space	0.5	0.2	0.3
Section 98	Obstructing use of parking space	0.5	-	-
Section 99	Parking whilst space closed	0.5	-	-

Seal and Certification

Pursuant to section 161 of the *Local Government Act 1993* and the decision of Council on the day of 2023, the Common Seal of the Launceston City Council was placed upon this document on the day of 2023 in the presence of:

.....
Matthew Garwood
Acting Mayor

I certify that the provisions of the *Launceston City Council On-Street Parking Penalties By-Law No. 1 of 2023* are in accordance with the law.

.....
Duncan Campbell
Legal Practitioner

The *Launceston City Council On-Street Parking Penalties By-Law No. 1 of 2023* has been made in accordance with the *Local Government Act 1993*.

.....
Michael Stretton
Chief Executive Officer
being the General Manager as appointed by Council
pursuant to section 61 of the *Local Government Act 1993*

DECISION: 15 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor L M McMahon.

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

CARRIED BY ABSOLUTE MAJORITY 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai
AGAINST VOTE: Nil

14.9. Launceston City Council Parking Facilities By-Law No. 2 of 2023

FILE NO: SF7397

AUTHOR: Duncan Campbell (Acting Manager Governance)

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

DECISION STATEMENT:

To consider the making of the *Launceston City Council Parking Facilities By-Law No. 2 of 2023*.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Launceston Flood Risk Management Act 2015

PREVIOUS COUNCIL CONSIDERATION:

Council - 8 September 2022 - Agenda Item 15.1 - Intention to Make the Launceston City Council Parking Facilities By-Law No 1 of 2023

Workshop - 3 February 2022 - Parking By-Laws

RECOMMENDATION:

That Council, by absolute majority:

1. notes its decision made on 8 September 2022 that it intended to make a new by-law, generally in the terms set out at Recommendation 2.
2. pursuant to sections 160 and 161 of the *Local Government Act 1993 (Tas)*, alters the by-law as proposed on 8 September 2022 so that it is in accordance with the text below and authorises the fixing of the Council's seal in order to make the *Launceston City Council Parking Facilities By-Law No. 2 of 2023*:

LAUNCESTON CITY COUNCIL

**PARKING FACILITIES BY-LAW
NO. 2 of 2023**

A by-law made under sections 145, 161 and section 170 of the *Local Government Act 1993*, in respect of the parking of vehicles and other activities on land owned by or under the control of the Launceston City Council and designated a parking area within the municipal area of the Launceston City Council.

PART 1 – PRELIMINARY

1. Short title

This by-law may be cited as the *Parking Facilities By-Law Number 1 of 2023*.

2. Repeal

The *Launceston City Council Parking By-Law No. 2 of 2013* is repealed.

3. Interpretation

In this by-law, unless the contrary intention appears:

"article" includes a vehicle, motor vehicle, goods and rubbish.

"authorised officer" means the Chief Executive Officer, a person employed by the Council as a Parking Officer, and a person appointed by the Chief Executive Officer for the purpose of this by-law;

"Chief Executive Officer" means the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas);

"Council" means the Launceston City Council;

"drive" has the same meaning as under the Dictionary in the *Road Rules 2019*;

"General Manager" means the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas);

"highway" has the same meaning as a local highway under the *Local Government (Highways) Act 1982*;

"Manager Compliance" means the person holding the position of Manager Compliance with the Council, or a person acting in that position, or other person as authorised by the Chief Executive Officer;

"motor vehicle" has the same meaning as in the *Vehicle and Traffic Act 1999*;

"park" means to leave a vehicle in a stationary position whether attended or not;

"parking area" includes any area owned by or under the control of the Council and designated by public notice for the parking of vehicles, but does not include a highway;

"parking meter" means a device installed by or for the Council for measuring time on the insertion of coin, note or other accepted payment method, of the name or value shown on the device;

"parking space" means a space within a parking area or a space controlled by a parking meter, indicated by lines or other marks on the ground or indicated by any other method, of sufficient clear space to accommodate a vehicle within that space;

"parking voucher" means a document issued by a voucher machine;

"penalty unit" means a sum prescribed under the provisions of the *Penalty Units and Other Penalties Act 1987*;

"registered operator" has the same meaning as under the *Vehicle and Traffic Act 1999*;

"ride" includes travel in or on, and drive.

"vehicle" means "wheeled recreational device", "wheeled toy", "scooter", "motorised scooter" and "personal mobility device" as defined by the *Road Rules 2019*;

"voucher machine" means a device that is installed by or for Council that issues a parking voucher after the correct coin, note or other accepted payment method, has been inserted and:

- (a) indicates that the holder may park a vehicle in a space in the parking area where the voucher was purchased; and
- (b) bears the date and time of issue.

PART 2 - DRIVING OF VEHICLES

4. Entry and exit of parking areas

A person driving a motor vehicle must not enter or leave a parking area except by an access point designated by the Council's signs.

Penalty: a fine not exceeding 2 penalty units.

5. Driving of motor vehicles

A person must not drive a motor vehicle in a parking area at more than twenty kilometres an hour.

Penalty: a fine not exceeding 2 penalty units.

PART 3 - PARKING

6. Parking of motor vehicles

- (1) A person must not park a motor vehicle which is not wholly within one parking space or parked otherwise than as directed by an authorised officer or signage; or

Penalty: a fine not exceeding 2 penalty units.

- (2) A person must not park a motor vehicle in a disabled parking space unless that person holds a permit or authority issued by a competent authority authorising such parking in the same or similar circumstances.

Penalty: a fine not exceeding 2 penalty units.

7. Parking of motor vehicles

- (1) Subject to sub-clause 7(2), a person must not park a motor vehicle in a parking area:

- (a) in a parking space for which there is a parking meter -

(i) unless there is time registered on the parking meter relating to that parking space; or

(ii) for a period longer than the maximum period notified on the parking meter;

- (b) in a parking space regulated by any Council sign in the parking area -

(i) for a period longer than the maximum period notified on the sign relating to that parking space;

- (c) in a parking space for which a voucher machine is available -

(i) unless the parking of the motor vehicle is authorised by a parking voucher (or parking vouchers) obtained from the relevant voucher machine and clearly displayed on the motor vehicle, or there is time registered on a virtual meter relating to that parking space; or

(ii) for a period longer than the maximum period notified on the voucher machine; or

- (d) partly inside and partly outside of a parking space.

Penalty: a fine not exceeding 2 penalty units.

- (2) Sub-clause 7(1) does not apply to:

- (a) bicycles and tricycles moved only by human strength;

- (b) trolleys with only two wheels if those wheels are less than 310 millimetres in diameter;
 - (c) motor vehicles used as ambulances being used on urgent ambulance services; or
 - (d) motor vehicles used by a fire brigade in connection with a fire with which the brigade is then dealing.
- (3) For the purposes of sub-clause 7(1):
- (a) “virtual meter” means a piece of software that can be run on a computer, mobile phone or other electronic device and that allows for payment to be made for parking in a parking space; and
 - (b) a voucher is clearly displayed on a motor vehicle if the voucher is so placed on the dashboard against the interior of a windscreen or window of the motor vehicle, such that all writing and imprinted words, figures, and symbols appearing on the side of the voucher bearing the date and time of issue are capable of being clearly read by a person standing beside the motor vehicle.

8. Reserved spaces

- (1) The Manager Compliance is to decide on the location of, and the conditions applicable to, reserved parking areas and spaces.
- (2) A person must not park or leave a motor vehicle in a parking space or parking area which is designated "Reserved" unless authorised to do so.

Penalty: a fine not exceeding 2 penalty units.

- (3) An authorised officer may remove or, permit an agent of the Council to remove, a motor vehicle if it is parked in contravention of this clause.

PART 4 - PROHIBITED ACTIVITIES

9. Damage to equipment

A person must not, in any way, damage equipment used or connected in any way with a parking area or parking space nor use anything other than the type of notes or coins or payment method indicated on the outside of the equipment as acceptable for that purpose.

Penalty: a fine not exceeding 2 penalty units.

10. Unauthorised removal of infringement notice

A person other than the registered operator or person in charge of the motor vehicle, must not remove or cause to be removed an infringement notice affixed to a motor vehicle.

Penalty: a fine not exceeding 2 penalty unit

11. Washing, dismantling and repair of motor vehicles

- (1) A person must not dismantle or repair any motor vehicle in a parking area without the permission of an authorised officer unless it is necessary to enable the motor vehicle to be moved from the parking area.

Penalty: a fine not exceeding 2 penalty units.

- (2) A person must not paint or wash any motor vehicle in a parking area without the consent of an authorised officer.

Penalty: a fine not exceeding 2 penalty units.

12. Skidding of motor vehicles

A person must not intentionally drive a motor vehicle so:

- (a) it skids; or
(b) it leaves rubber marks from its tyres on the surface of a parking area.

Penalty: a fine not exceeding 2 penalty units.

13. Damage to the Council's property

A person must not remove or damage the Council's property in any parking area.

Penalty: a fine not exceeding 2 penalty units.

14. Obstruction

A person must not cause any obstruction to motor vehicle or foot traffic in a parking area.

Penalty: a fine not exceeding 5 penalty units.

15. Use of skates and cycles

- (1) Except as otherwise provided in subclause (2) or (3) a person must not to ride a vehicle or bicycle in a parking area.

Penalty: a fine not exceeding 2 penalty units.

- (2) A person may ride a vehicle or bicycle in a parking area for the purpose of parking in, transiting directly through, or taking the nearest path to a designated exit of, a parking area.

- (3) A person may ride a vehicle in a parking area outside the ordinary operating hours of that parking area, except where such riding is prohibited by a notice at such parking area.

PART 5 - MISCELLANEOUS

16. Supply of name and address

- (1) An authorised officer or a police officer who reasonably believes that a person has committed or is committing an offence against this by-law may request that person to supply their full name and permanent or present temporary address.
- (2) A person must not refuse to supply their correct and full name and permanent or present temporary address if requested to do so by an authorised officer or police officer;

Penalty: a fine not exceeding 2 penalty units

17. Request to leave an area

- (1) A police officer or authorised officer may ask a person whom they reasonably believe is offending against this by-law to leave a parking area.
- (2) A person who does not obey the directions of an authorised officer is guilty of an offence.

Penalty: a fine not exceeding 2 penalty units.

18. Closure of parking areas

The Manager Compliance may close any parking area or portion of a parking area.

19. Use of parking areas for other purposes

The Manager Compliance may give written approval for a parking area to be used for any purpose and impose conditions for its use.

20. Recovery of expenses

In addition to a penalty imposed in relation to a failure to comply with or a contravention of a provision of this by-law, an expense incurred by the Council in consequence of that failure or contravention is recoverable by the Council as a debt payable by the person so failing to comply or in contravention.

21. Unauthorised articles

- (1) A person must not leave any unauthorised article on or in a parking area.

Penalty: a fine not exceeding 2 penalty units.

- (2) An authorised officer may seize and remove any unauthorised article found on or in a parking area.
- (3) An article will be an 'unauthorised article' for the purposes of this clause if it has been placed or remains on or in a parking area contrary to this by-law, or without the permission of an authorised officer.

22. Handling of unauthorised articles

- (1) An article removed from a parking area pursuant to sub-clause 21(2) must be stored in a safe place until it has been:
 - (a) claimed by the owner (or a person acting on behalf of the owner); or
 - (b) disposed of pursuant to this by-law.
- (2) If an article removed from a parking area pursuant to sub-clause 21(2) is not claimed by the owner (or a person acting on behalf of the owner) within 48 hours of said removal, and the identity of the owner of the article is known, an authorised officer is to give notice to the owner of the removal of the article in accordance with sub-clause 22(3).
- (3) A notice given under subclause 22(2) must contain:
 - (a) a description of the article, including any distinguishing features;
 - (b) the place from which the article was removed;
 - (c) the date on which the article was removed;
 - (d) the place from which the article may be claimed;
 - (e) the fees, costs or charges payable in respect of the removal, maintenance and storage of the article; and
 - (f) a statement that, if the article is not claimed within 14 days of receipt of the notice, that article may be disposed of by the Chief Executive Officer.
- (4) If an article removed from a parking area pursuant to sub-clause 21(2) has not been claimed by its owner (or a person acting on behalf of its owner) within 48 hours of said removal, the identity of the owner of that article is not known and cannot be readily ascertained, and the Chief Executive Officer is of the opinion that the value of the article is such that Council ought issue a public notice to attempt to identify the owner, the Chief Executive Officer is to publish, on at least one occasion, a notice in a newspaper circulating in the municipal area containing either:
 - (a) the particulars specified in sub-clause 22(3); or
 - (b) a brief description of the article and the location at which interested persons can obtain the particulars specified in sub-clause 22(3).

- (5) If 14 days after:
- (a) the giving of notice pursuant to sub-clause 22(2); or
 - (b) publication of a notice pursuant to sub-clause 22(4),
- an article has not been claimed by its owner (or a person acting on behalf of its owner), the article may be disposed of by the Chief Executive Officer in accordance with clause 24.
- (6) If the owner of an unauthorised article which has been removed from a parking area pursuant to sub-clause 21(2) is not known, and cannot be readily ascertained, no advertising is published in accordance with sub-clause 22(4), and the article is not claimed by the owner (or a person acting on behalf of the owner) within 28 days after the date on which it was removed, the article may be disposed of in accordance with clause 24.
- (7) Notwithstanding sub-clauses 22(1) to 22(6) (inclusive), if in the opinion of the Chief Executive Officer an article removed from a parking area pursuant to sub-clause 21(2) has no material value, the article may be disposed of in whatever manner the Chief Executive Officer sees fit.

23. Fees, costs and charges

- (1) The owner of any article removed from a parking area pursuant to sub-clause 21(2) is liable to pay the Council:
- (a) any fees, costs and charges specified in a notice issued pursuant to sub-clauses 22(2) or 22(4);
 - (b) any further fees incurred in the storage and maintenance of the article once removed, together with any relevant advertising and administrative costs; and
 - (c) any fees, costs or charges incurred in the disposal of the article pursuant to clause 24.
- (2) Any unpaid fees, costs or charges are a debt due to the Council and may be recovered by the Council in a court of competent jurisdiction.
- (3) The Council may retain an article until all relevant fees, costs or charges incurred pursuant to this by-law have been paid in full.

24. Disposal of unauthorised articles

- (1) The Chief Executive Officer may dispose of an article removed from a parking area pursuant to sub-clause 21(2) if:
- (a) the article is not claimed within 14 days of the service of a notice under sub-clause 22(2);

- (b) the article is not claimed within 14 days of publication of a notice pursuant to sub-clause 22(4);
 - (c) sub-clause 22(6) applies;
 - (c) sub-clause 22(7) applies;
 - (d) the owner of the article has been notified of all applicable fees, costs or charges specified in sub-clause 23(1) and such fees, costs or charges have not been paid within 14 days of such notification; or
 - (e) sub-clause 25(2) applies.
- (2) An article that satisfies one or more of the pre-requisites for disposal prescribed in sub-clause 24(1) or sub-clause 25(2) may be disposed of:
- (a) by tender or public auction following notification in a local newspaper circulating in the municipal area; or
 - (b) in a manner determined by the Chief Executive Officer if:
 - (i) the Chief Executive Officer is of the opinion that the article has a value that does not warrant the costs of a tender or a public auction; or
 - (ii) no tender is received, or no bid is made at a public auction.
- (3) If an article is disposed of under this clause 24, the Chief Executive Officer must notify the owner of the article as soon as possible if the owner can be ascertained or found by reasonable enquiries.
- (4) If an article is disposed of under this clause 24 and the owner is subsequently identified, any proceeds of the disposal must be paid to the owner, less any fees, costs or charges incurred by the Council in the removal, storage or disposal of the article.

25. Article required for prosecution

- (1) Where an article removed from a parking area pursuant to sub-clause 21(2) is to be used by the Council as evidence in support of the prosecution of an offence created by this by-law, the article will be released to the owner following the completion or withdrawal of the prosecution, subject to payment by the owner to the Council of any relevant fees, costs and charges payable by operation of clause 23 (unless otherwise directed by a court).
- (2) The Chief Executive Officer may dispose of any article retained by the Council pursuant to sub-clause 25(1):
 - (a) which is not claimed by the owner; and

- (b) in relation to which any fees, costs or charges payable by operation of clause 23 have not been paid in full,

within 30 days of completion of the relevant prosecution.

26. Assistance of police officer

A Police Officer is authorised to assist an Authorised Officer to carry out an action under this by-law.

Part 6 - INFRINGEMENT NOTICES

27. Infringement notices

- (1) In this clause:

"specified offence" means an offence against the clause specified in column 1 of Schedule 1 and generally described in column 2 of Schedule 1.

- (2) An authorised officer may issue an infringement notice in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 1 is the penalty payable under the infringement notice for that offence.
- (3) An authorised officer may:
- (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
 - (b) issue one infringement notice in respect of more than one specified offence.
- (4) The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this By-law.
- (5) In addition to any other method of service, an infringement notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.
- (6) A person who is served with an infringement notice must, within 28 days of the date of service, do one or more of the following:
- (a) pay the monetary penalty in full to the Chief Executive Officer;
 - (b) apply to the Chief Executive Officer for withdrawal of the infringement notice;
 - (c) apply to the Chief Executive Officer for a variation of payment conditions; or
 - (d) lodge with the Chief Executive Officer a notice of election to have the offence or offences set out in the infringement notice heard and determined by a court.
- (7) If a person who has been served with an infringement notice fails to take one or more of the actions required by sub-clause (6) within the prescribed time, the infringement notice may be referred to the Director, Monetary Penalties Enforcement Service.

Schedule 1 - Infringement Notice Offences

Column 1	Column 2	Column 3
Clause	General Description of Offence	Penalty (penalty units)
4	Failure to use designated access point to parking area	0.5
5	Exceeding speed limit in parking area	0.5
6(1)	Not parking as directed	0.5
6(2)	Parking in disabled parking space	1
7(1)(a)(i)	Failure to pay parking fee for parking space	0.5
7(1)(a)(ii)	Parking for longer than maximum period	0.25
7(1)(b)	Parking for longer than maximum period regulated by Council sign	0.25
7(1)(c)(i)	Parking without authorisation of voucher or virtual meter	0.5
7(1)(c)(ii)	Parking for longer than maximum period	0.25
7(1)(d)	Park outside parking space	0.5
8(2)	Parking in a reserved space without authorisation	0.5
9	Damaging equipment in a parking area	0.5
10	Unauthorised removal of infringement notice	0.5
13(1)	dismantling and repairing motor vehicle without consent	0.5
13(2)	Washing or painting motor vehicle without consent	0.5
12	Skidding of motor vehicles	0.5
13	Damage to Council property	0.5
14	Obstructing vehicle or foot traffic	0.5
15(1)	Using vehicles and bicycles in a parking area	0.25
16(2)	Fail to provide name and address	0.5
17	Fail to obey request	0.5

Seal and Certification

Pursuant to section 161 of the *Local Government Act 1993* and the decision of Council on the day of 2023, the Common Seal of the Launceston City Council was placed upon this document on the day of 2023 in the presence of:

.....
Matthew Garwood
Acting Mayor

I certify that the provisions of the *Launceston City Council Parking Facilities By-Law No. 2 of 2023* are in accordance with the law.

.....
Duncan Campbell
Legal Practitioner

The *Launceston City Council Parking Facilities By-Law No. 2 of 2023* has been made in accordance with the *Local Government Act 1993*

.....
Michael Stretton
Chief Executive Officer
being the General Manager as appointed by Council
pursuant to section 61 of the *Local Government Act 1993*

DECISION: 15 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor L M McMahon.

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

CARRIED BY ABSOLUTE MAJORITY 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

15. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

That Council moves into Closed Session to consider the following matters:

15.1 Confirmation of the Minutes

Regulation 35(6) of the *Local Government (Meeting Procedures) Regulations 2015* 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.

15.2 Approval of Lease - Myrtle Park Recreation Ground, Targa

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

- (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.
- (d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.
- (f) proposals for the council to acquire land or an interest in land or for the disposal of land.

15.3 Electronic Document and Records Management Tender

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

- (d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

15.4 End of Closed Session

To be determined in Closed Council.

DECISION: 15 June 2023

MOTION

Moved Councillor A J Palmer, seconded Councillor L M McMahon.

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

Council moved into Closed Session at 2.22pm

Council returned to Open Session at 2.47pm

15.4 End of Closed Session

RECOMMENDATION:

That Council, pursuant to Regulation 34(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, resolves to report in Open Session that it has considered the following matters in Closed Session:

Minutes Item	Matter	Brief Description
15.1	<i>Closed Council Minutes - 1 June 2023</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 1 June 2023.</i>
15.2	<i>Approval for Lease - Myrtle Park Recreation Ground</i>	<i>Councillors endorsed lease arrangements for the Myrtle Park Recreation Ground, Targa.</i>
15.3	<i>Electronic Document and Records Management Tender</i>	<i>Councillors endorsed the Electronic Document Records Management Tender.</i>

DECISION: 15 June 2023

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

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

CARRIED 8:0

FOR VOTE: Acting Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

16. MEETING CLOSURE

The Acting Mayor, Councillor M K Garwood, closed the Meeting at 2.47pm.

17. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 29 June 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.