



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 27 JULY 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: 27 July 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:

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
Councillor A J Britton

In Attendance:

Michael Stretton (Chief Executive Officer)
Dan Ryan (General Manager Community and Place Network)
Leanne Purchase (Acting General Manager Organisational Services Network)
David Murray (Acting General Manager Infrastructure and Assets Network)
Nathan Williams (Chief Financial Officer)
Richard Jamieson (Manager City Development (Agenda Item 9.1))
Duncan Payton (Town Planner) (Agenda Item 9.1)
Sam Kelty (Acting Manager Finance) (Agenda Item 15.1)
Michelle Grey (Lease and Licensing Officer) (Agenda Items 15.2 and 15.3)
Duncan Campbell (Acting Manager Governance (Agenda Items 15.2 and 15.3))
Adrian Tanner (Senior Assets Advisor) (Agenda Item 14.2)
Simon Tennant (Team Leader Communications)
Kelsey Hartland (Team Leader Governance)
Anthea Rooney (Council and Committees Officer)

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

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

2. MAYORAL ACKNOWLEDGEMENTS

The Mayor, Councillor M K Garwood, noted the achievements of Arianne Titmus at the swimming championships and commented on her commitment and sportsmanship for the events.

3. DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - section 48

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

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 13 July 2023 be confirmed as a true and correct record.

DECISION: 27 July 2023

MOTION

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

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 13 July 2023 be confirmed as a true and correct record.

CARRIED 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

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

5.1. Council Workshop Report - 13 and 20 July 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 13 July 2023:

Corporate Applications Replacement Project

Councillors received a presentation on the Corporate Applications Replacement Project.

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 20 July 2023:

My Place My Future Plan

Councillors were provided with information relating to the My Place My Future Plan.

Disposal of Interest in Land

Councillors considered amending an existing easement at Newstead.

Four Year Delivery Plan and Advocacy Priorities

Councillors discussed the four year delivery plan and advocacy priorities.

Albert Hall Renewal Project - Governance and Management

Councillors were provided with an update on proposed governance and management options for the Albert Hall.

Multi-Storey Car Park Electronic Occupancy Signage

Councillors were provided with a presentation on the progress of the car park electronic occupancy signs.

Launceston Airport Update

Councillors were provided with information on the stakeholder-owner update for the past 12 months and discussed the Launceston Airport's future plans.

In Attendance: 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.

DECISION: 27 July 2023

MOTION

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

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

CARRIED 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

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

7. COMMUNITY REPORTS

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

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

8. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1. Public Questions on Notice

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

No Public Questions on Notice were identified as part of these Minutes

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.) - Portable Toilet and Space for Community Event - 27 July 2023

- 1. Why is this not a priority for the safety and wellbeing of our community members to have the portable toilet in the Northern Esk Carpark cleaned regularly and why does the Council find it hard to accommodate anything to do with people who are homeless?**

Dan Ryan (General Manager Community and Place Network) responded by saying that the matter would be investigated as the toilets should be cleaned and sanitised on a regular basis as they are part of a cleaning contract.

- 2. Many other community events are held regularly in Launceston in community spaces. I do not understand why we [Strike It Out Inc.] are unable to host an event ourselves, why is that not possible?**

Dan Ryan (General Manager Community and Place Network) responded by saying that the sites suggested for the event, the carparks at Invermay and Royal Park are not suitable locations for community events unless they are completely closed off due to traffic. Dan advised that he would provide a list of suitable venues that could be investigated.

9. PLANNING AUTHORITY

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

9.1. DA0178/2023 - 6 Middle Street, Launceston - Demolish Existing Sheds, Construction of Alterations and Additions to Existing Dwelling and Construction of Two Additional Dwellings

FILE NO: DA0178/2023

AUTHOR: Duncan Payton (Town Planner)

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

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Wilkin Design and Drafting Pty Ltd
Property:	6 Middle Street, Launceston
Zoning:	General Residential
Receipt Date:	18/04/2023
Validity Date:	26/04/2023
Further Information Request:	04/05/2023
Further Information Received:	14/06/2023
Deemed Approval:	31/07/2023
Representations:	Three

RELEVANT LEGISLATION:

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

STANDARDS REQUIRING PLANNING DISCRETION:

8.4.1 P1 - Residential density for multiple dwellings
8.4.2 P3 - Setbacks and building envelope for all buildings
C2.5.1 P1 - Car parking numbers
C6.6.1 P1 - Demolition*
C6.6.2 P1 - Site coverage*
C6.6.3 P1 - Height and bulk of buildings*
C6.6.4 P1 - Siting of buildings and structures*
C6.6.7 P1 - Building alterations, excluding roof form and materials*
(* *Local Heritage Code - no acceptable solutions*)

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted pursuant to a delegation from Council, for Residential - Demolish existing sheds. Construction of alterations and additions to the existing dwelling and construction of two additional dwellings at 6 Middle Street, Launceston subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover sheet, Prepared by Wilkin Design, Project Name: Wahroonga, Dated 23/05/2023.
- b. Site Survey, Prepared by Wilkin Design, Drawing No. DA02, Project Name: Wahroonga, Dated 23/05/2023.
- c. Site Plans, Prepared by Wilkin Design, Drawing No. DA03, Project Name: Wahroonga, Dated 23/05/2023.
- d. Proposed Site Plan, Prepared by Wilkin Design, Drawing No. DA04, Project Name: Wahroonga, Dated 23/05/2023.
- e. Proposed Unit 1 Floor Plan, Prepared by Wilkin Design, Drawing No. DA05, Project Name: Wahroonga, Dated 23/05/2023.
- f. Proposed Unit 2 and 3 Floor Plans, Prepared by Wilkin Design, Drawing No. DA06, Project Name: Wahroonga, Dated 23/05/2023.
- g. Proposed Roof Plan, Prepared by Wilkin Design, Drawing No. DA07, Project Name: Wahroonga, Dated 23/05/2023.
- h. Elevations, Prepared by Wilkin Design, Drawing No. DA08, Project Name: Wahroonga, Dated 23/05/2023.
- i. Elevations, Prepared by Wilkin Design, Drawing No. DA09, Project Name: Wahroonga, Dated 23/05/2023.
- j. Shadow Diagrams, Prepared by Wilkin Design, Drawing No. DA10, Project Name: Wahroonga, Dated 23/05/2023.
- k. 3D Views, Prepared by Wilkin Design, Drawing No. DA11, Project Name: Wahroonga, Dated 23/05/2023.

2. LEGAL TITLE

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

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/00542-LCC, dated 08/05/2023 and attached to the permit.

4. HOURS OF CONSTRUCTION

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

5. FENCING

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (ie. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:

- a. 1.2m within 4.5m of the frontage; and
- b. 1.8m - 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.

6. MULTIPLE DWELLINGS - SERVICE FACILITIES

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a. mail receptacles must be provided and appropriately numbered for each dwelling unit.

7. DRIVEWAY AND PARKING AREA CONSTRUCTION

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. be properly constructed to such levels that they can be used in accordance with the plans;
- b. be surfaced with an impervious all weather seal;
- c. be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. be line-marked or otherwise delineated to indicate each car space and access lanes.

Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

8. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

9. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

10. APPLICATION TO ALTER A STORMWATER SERVICE

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

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

11. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

12. SOIL AND WATER MANAGEMENT PLAN

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

13. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). No such items are to be placed within the road reserve without approval.

14. STRATA LOT NUMBERS AND ADDRESSES FOR DWELLINGS

The following number and addressing is to be assigned to the development consistent with the residential addressing standard: Australian Standard AS4819:

Dwelling No	Strata Lot No.	Street Address
1	1	Unit 1/6 Middle Street
2	2	Unit 2/6 Middle Street
3	3	Unit 3/6 Middle Street

The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.

15. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin or otherwise.

16. NO BURNING OF WASTE

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

17. DEMOLITION

The developer must:

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0178/2023. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning Staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement

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

Natalie Bristow (Wilkin Design and Drafting Pty Ltd on behalf of the client) spoke for the Recommendation
Robert Grant spoke against the Recommendation
Mitchell Dabelstein spoke against the Recommendation

DECISION: 27 July 2023

MOTION

Moved Councillor A J Britton, seconded Acting Deputy Mayor Councillor A E Dawkins.

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

CARRIED 9:3

FOR VOTE: 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 Dr G Razay, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton

AGAINST VOTE: Councillor T G Walker, Councillor J J Pentridge and Councillor S Cai

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

10. ANNOUNCEMENTS BY THE MAYOR

10.1. Mayor's Announcements

FILE NO: SF2375

Saturday 15 July 2023

- Officiated at the Launceston Competitions Dance Section, Princess Theatre

Sunday 16 July 2023

- Attended World Street Eats, Civic Square

Monday 17 July 2023

- Attended the opening of the *muylatina* Child and Family Learning Centre, Mayfield
- Hosted a Civic Function to welcome participants of the Miss Teen Australia National Titles and World Supermodel Production

Tuesday 18 July 2023

- Officiated at the Miss Teen Australia and Supermodel Production, Princess Theatre

Thursday 20 July 2023

- Attended *Interloper* by Rooke, Princess Theatre

Tuesday 25 July 2023

- Attended the National Seniors Australia Luncheon *Christmas in July*, Mowbray

Wednesday 26 July 2023

- Attended official opening of The Ark and Community Centre at 9 Killafaddy Road
-

The Mayor, Councillor M K Garwood, also noted that he had attended the City of Launceston staff Quarterly Forum on Wednesday, 19 July at Town Hall; the RSPCA Quizmas function on Friday, 21 July; the Fragile lighting of Town Hall on Saturday, 22 July and the Tamar Valley Leaders' luncheon on Wednesday, 26 July 2023 at the Hotel Grand Chancellor.

11. COUNCILLORS' REPORTS

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

11.1 Councillor D C Gibson

- **Acknowledged the Donate Life Campaign and the participation of Michele Polley, a City of Launceston staff member**

11.2 Councillor D H McKenzie

- **Attended the opening of the *muylatina* Child and Family Learning Centre, Mayfield**
- **Provided the thanks of Self Help to the Council for their assistance with the construction of a greenhouse**

12. QUESTIONS BY COUNCILLORS

12.1. Councillors' Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

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

12.2. Councillors' Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

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

13. COMMITTEE REPORTS

13.1. Homelessness Advisory Committee - 30 May 2023

FILE NO: SF7447

AUTHOR: Nindarra Wheatley (Community Development Officer Inclusion)

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

DECISION STATEMENT:

To receive a report from the City of Launceston Homelessness Advisory Committee.

RECOMMENDATION:

That Council receives the report from the City of Launceston Homelessness Advisory Committee meeting held on 30 May 2023.

DECISION: 27 July 2023

MOTION

Moved Councillor T G Walker, seconded Councillor Dr G Razay.

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

CARRIED 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

14. INFRASTRUCTURE AND ASSETS NETWORK

14.1. Proposed New Street Name - Norah and Fountaindale Streets, St Leonards

FILE NO: DA0058/2014/SF0621

AUTHOR: Jaclyn Galea (Infrastructure Development Officer)

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

DECISION STATEMENT:

To consider approval of the name Norah Street and Fountaindale Street for new residential streets resulting from a subdivision located at 47 Abels Hill Road, St Leonards.

RELEVANT LEGISLATION:

Local Government (Highways) Act 1982
Survey Co-ordination Act 1944

RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the names Norah and Fountaindale Streets, St Leonards in the subdivision known at 47 Abels Hill Road, also known as the Regent Street subdivision:



DECISION: 27 July 2023

MOTION

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

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

CARRIED 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

14.2. Strategic Asset Management Plan

FILE NO: SF6945

AUTHOR: Adrian Tanner (Senior Asset Management Advisor)

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

DECISION STATEMENT:

To consider endorsing a review and update of Council's Strategic Asset Management Plan.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Local Government (Content of Plans and Strategies) Order 2014

PREVIOUS COUNCIL CONSIDERATION:

Council - 11 July 2019 - Agenda item 19.3 - Strategic Asset Management Plan 2019-2039

Workshop - 13 April 2023 - Draft Strategic Asset Management Plan (SAMP)

RECOMMENDATION:

That Council endorses the Strategic Asset Management Plan 2023 (ECM Doc Set ID 4922205).

DECISION: 27 July 2023

MOTION

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

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

CARRIED 12:0

FOR VOTE: Mayor Councillor M K Garwood, 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 McMahan, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

15. ORGANISATIONAL SERVICES NETWORK

15.1. 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 June to 30 June 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 absolute majority, approves the following changes to the 2022/2023 Statutory Estimates:
 - (a) Revenue
 - i. the net decrease in revenue from external grants and contributions of \$16,402,201.
 - (b) Expenses
 - i. the net increase in operations expenditure of \$1,044,996.
 - (c) Capital Works Expenditure
 - i. the net decrease in expenditure from external funds of \$16,402,201.
 - ii. the decrease in the Council's funded expenditure of \$5,690,626.
2. notes that amendments from Recommendation 1. result in:
 - (a) the operating deficit being amended to \$9,088,972 (including capital grants of \$7,960,897) for 2022/2023.
 - (b) the capital budget being decreased to \$16,147,395 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 June to 30 June 2023.
-

DECISION: 27 July 2023

MOTION

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

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

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

15.2. Lease - 14 Station Road, St Leonards (Soldiers Memorial Hall) - Launceston Racing Pigeon Society Incorporated

FILE NO: SF0901/SF0382/SF2967

AUTHOR: Michelle Grey (Lease and Licensing Officer)

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

DECISION STATEMENT:

To consider leasing Soldiers Memorial Hall at 14 Station Road, St Leonards (part of CT48389 Folio 6) to the Launceston Racing Pigeon Society Incorporated.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 25 August 2022 - Agenda Item 17.1 - Lease - Launceston Racing Pigeon Society Incorporated

Council - 12 June 2021 - Agenda Item 17.2 - Lease Launceston Racing Pigeon Society Incorporated

RECOMMENDATION:

That Council:

1. by absolute majority, pursuant to section 179 of the *Local Government Act 1993 (Tas)* agrees to lease two rooms at the Soldiers Memorial Hall (part of CT48389 Folio 6), to the Launceston Racing Pigeon Society Incorporated within the confines of the plan below and further detailed at Recommendation 2:



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - (a) the term shall be five years commencing on 1 July 2023;
 - (b) the commencing rent shall be \$323.96 per annum based on 182 fee units
 - (c) tenant to be responsible for all outgoing costs such as:
 - i. energy costs;
 - ii. volumetric usage and service charges for water;
 - iii. fire service checks;
 - iv. security monitoring fees; and
 - v. all other service fees and charges associated with maintenance of the building.
 - (d) tenant shall continuously maintain:
 - i. contents insurance
 - ii. public liability insurance of at least \$20 million.
 - (e) the lease is limited to one large room and one small room within the building, as currently utilised by the Launceston Racing Pigeon Society Incorporated, together with a non-exclusive licence to utilise the kitchen and carpark as required.
 - (f) 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).

DECISION: 27 July 2023

MOTION

Moved Acting Deputy Mayor Councillor A E Dawkins, seconded Councillor T G Walker.

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

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

15.3. Lease - 240 St Leonards Road, St Leonards (Part of the St Leonards Sports Centre) - Northern Tasmanian Croquet Centre Inc.

FILE NO: SF0892

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 240 St Leonards Road, St Leonards, known as the St Leonards Sports Centre, to the Northern Tasmanian Croquet Centre Incorporated.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 23 April 2018 - Agenda Item 18.3 - Lease - Northern Tasmanian Croquet Centre Incorporated

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 Northern Tasmanian Croquet Centre Incorporated (CT229700/1) as indicated on the plan below:



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

DECISION: 27 July 2023

MOTION

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

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

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

16. CHIEF EXECUTIVE OFFICER NETWORK

16.1. Appointment of Deputy Mayor

FILE NO: SF0144/SF7544

AUTHOR: Kelsey Hartland (Team Leader Governance)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To appoint a Deputy Mayor through a ballot process.

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council - 1 June 2023 - Agenda Item Number 19.1 - Appointment of Acting Deputy Mayor

RECOMMENDATION:

That Council, pursuant to:

1. section 5(3) of the *Local Government (General) Regulations 2015* appoints Councillor *[Name to be determined]*, who is not a candidate for Deputy Mayor, to preside at the meeting for the period of the ballot.
 2. section 44(5) of the *Local Government Act 1993 (Tas)*, appoints Councillor *[Name to be determined]* as Deputy Mayor for the remainder of the current term of office.
-

DECISION: 27 July 2023

MOTION 1

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

That Council, pursuant to section 5(3) of the *Local Government (General) Regulations 2015* appoints Councillor Mayor Councillor M K Garwood, who is not a candidate for Deputy Mayor, to preside at the Meeting for the period of the ballot.

CARRIED 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

DECISION: 27 July 2023

MOTION 2

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

That Standing Orders be suspended in order for the vote for Deputy Mayor be undertaken by secret ballot.

CARRIED 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

Standing Orders were suspended at 2.40pm

Candidates for Deputy Mayor were provided an opportunity to speak for two minutes prior to voting.

DECISION: 27 July 2023

MOTION 3

Moved Councillor T G Walker, seconded Acting Deputy Mayor Councillor A E Dawkins.

That Council resumes Standing Orders.

CARRIED 12:0

FOR VOTE: 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 McMahan, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

Standing Orders resumed at 2.58pm

Ballot 1		
Name	Votes	Excluded
Councillor A E Dawkins	2	Y
Councillor D H McKenzie	6	
Councillor A J Palmer	4	

Ballot 2		
Name	Votes	Excluded
Councillor D H McKenzie	8	
Councillor A J Palmer	4	Y

Pursuant to section 8(1) of the *Local Government (General) Regulations 2015*, Michael Stretton (Chief Executive Officer) declared the successful candidate elected to the office of Deputy Mayor was Councillor D H McKenzie.

DECISION: 27 July 2023

MOTION 4

Moved Acting Deputy Mayor Councillor A E Dawkins, seconded Councillor A G Harris.

That Council, pursuant to section 44(5) of the *Local Government Act 1993 (Tas)*, appoints Councillor D H McKenzie as Deputy Mayor for the remainder of the current term of office.

CARRIED 12:0

FOR VOTE: 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
AGAINST VOTE: Nil

17. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

17.1 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.

17.2 Lease 240A St Leonards Road, St Leonards - St Leonards Cottage

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:

- (f) proposals for the council to acquire land or an interest in land or for the disposal of land.
- (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

17.3 End of Closed Session

To be determined in Closed Council.

DECISION: 27 July 2023

MOTION

Moved Councillor A G Harris, seconded Councillor S Cai.

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 12:0

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

Council moved into Closed Session at 2.59pm
Council returned to Open Session at 3.07pm

17.3 End of Closed Session

RECOMMENDATION:

That, 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.

Agenda Item	Matter	Brief Description
17.1	<i>Closed Council Minutes - 13 July 2023</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 13 July 2023.</i>
17.2	<i>Lease - 240A St Leonards Road, St Leonards - St Leonards Cottage</i>	<i>Councillors endorsed lease arrangements for the cottage at 240A St Leonards Road, St Leonards.</i>

DECISION: 27 July 2023

MOTION

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

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

CARRIED 12:0

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

18. MEETING CLOSURE

The Mayor, Councillor M K Garwood, closed the Meeting at 3.08pm.

19. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 10 August 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.