



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 29 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: 29 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:

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
Councillor A J Britton

In Attendance:

Michael Stretton (Chief Executive Officer)
Dan Ryan (General Manager Community and Place Network)
Leanne Purchase (Acting General Manager Organisational Services Network)
Shane Eberhardt (General Manager Infrastructure and Assets Network)
Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)
Nathan Williams (Chief Financial Officer)
Michael Attard (Team Leader Sustainability) (Agenda Item 15.1)
Cassandra Jackson (Waste and Environment Officer) (Agenda Item 15.1)
Michelle Grey (Lease and Licensing Officer) (Agenda Item 16.1)
Samuel Kelty (Acting Manager Finance) (Agendas Items 16.2 - 16.4)
Courtney Osborne (Team Leader Performance and Planning) (Agenda Item 16.6)
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 Acting Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm.

In the spirit of reconciliation, we the citizens of Launceston recognise that Launceston is situated on country of which the Tasmanian Aboriginal people have been owners for over 35,000 years and on which they have performed age-old ceremonies of celebration initiation and renewal. We acknowledge the Aboriginal community of today, their living culture and unique role in the life of this region and offer our deep appreciation of their ongoing contribution to the community.

In recognition of NAIDOC Week 2023, the Acting Mayor, Councillor M K Garwood, invited Aunty Sharon Holbrook to deliver a Welcome to Country.

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).

No Declarations of Interest were identified as part of these Minutes

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

DECISION: 29 June 2023

MOTION

Moved Councillor A J Britton, seconded Councillor T G Walker.

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 15 June 2023 be confirmed as a true and correct record.

CARRIED 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

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

5.1. Council Workshop Report - 15 and 22 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 15 June 2023:

Petition to Amend Sealed Plan

Councillors discussed the process regarding a petition to amend a sealed plan.

Albert Hall Project Update

Councillors received an update on the Albert Hall Project.

In Attendance: Acting Mayor Councillor M K Garwood, Acting Deputy Mayor Councillor A E Dawkins, 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.

Apologies: Councillor D C Gibson, Councillor A G Harris and Councillor A J Britton

2. Workshop conducted on 22 June 2023:

Tasmanian Community Fund

Councillors were provided with information on the new strategic plan and funding strategy of the Tasmanian Community Fund.

Launceston Flood Recovery Exercise

Councillors received a briefing on the recently conducted Launceston Recovery Exercise.

The Future of Local Government Review - Tamar Valley Community Catchment Information Pack

Councillors discussed a draft submission on the Future of Local Government Review Stage 3 Tamar Valley Community Catchment Information Pack.

Budget 2023/2024

Councillors received an update on changes to the 2023/2024 Budget since the release for public consultation in May 2023.

Homelessness Update

Councillors received an update on activities and actions undertaken by the City of Launceston to support homelessness within the municipality.

In Attendance: Acting Mayor Councillor M K Garwood, 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.

Apologies: Acting Deputy Mayor Councillor A E Dawkins

DECISION: 29 June 2023

MOTION

Moved Councillor T G Walker, seconded Councillor A J Britton.

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

CARRIED 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

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

7. COMMUNITY REPORTS

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

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

8. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1. Public Questions on Notice

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

8.1.1. Public Questions on Notice - Rosalie Tsorvas - Stormwater Run-Off, Strahan Road, Newstead

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, asked at the Council Meeting on 15 June 2023 by Rosalie Tsorvas, has been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

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?

Response:

It is acknowledged that over the past 30+ years there has been incremental infill development in the area west of Strahan Road, Newstead. This area drains in two different directions. Stormwater generated from properties within Lennon Rise and Harrison Way is directed to the stormwater network in Amy Road. Stormwater generated from properties in Roman Court drain to the stormwater network in Walden Street. There are some properties that drain directly to the stormwater network in Strahan Road, either through a piped connection to the stormwater mains, or via a kerb connection to the street drainage. This stormwater then flows past 19 Strahan Road into Walden Street.

The impact of a specific development on the stormwater network is considered at the time of application. For example, detailed analysis was completed for DA0413/2003 (creation of 17 lots - Lennon Rise and Harrison Way) and DA0202/2010 (creation of 10 lots - Roman Court/Junction Street) to ensure there was adequate capacity in the drainage mains. Any drainage system augmentation identified is completed as part of the relevant developments.

For any recent development applications, the information provided as part of a development application is considered against the City of Launceston's stormwater network modelling and known problem areas of flooding, generally as identified within the stormwater modelling. Where necessary, controls are applied to the development such as onsite stormwater detention to limit the impacts of increased runoff on the downstream network. As part of the development application process, all nearby landowners are contacted. If concerns are raised about stormwater runoff as part of the representation process, these representations are considered prior to approval of any applications. No representations regarding stormwater runoff were submitted for DA0622/2021, construction of the units at 24-26 Strahan Road, as referenced in the question.

More broadly, the City of Launceston's stormwater modelling has been used to inform the Stormwater System Management Plan. The Stormwater System Management Plan prioritises infrastructure upgrades for locations experiencing urban flooding based on the modelled flood risk and associated impacts on property and public safety. The stormwater pipe network is designed to accommodate the 20% Annual Exceedance Probability (AEP) storm event. This is a storm that has a 20% chance of happening in any one year. When significant downpours impact the City, the stormwater pipe network reaches capacity and water flows overland to natural low points. Storms such as those experienced in Launceston in January 2016, December 2020, October 2021, January 2022 and recently in March and May 2023 exceeded the design capacity of the network at some locations.

During these events many residents experienced overland flow (stormwater flooding) of their properties. The Council's operations team respond in a timely manner to any urgent requests for assistance due to urban flooding. However, in significant downpours when the network capacity is exceeded, there is limited ability to make a significant difference in these matters. It is noted that the stormwater pit immediately upstream of the driveway at 19 Strahan Road was upgraded in 2014 in an effort to reduce blinding of the grate and reduce flooding.

The City of Launceston will undertake an analysis of the stormwater catchment in the immediate vicinity of 19 Strahan Road to confirm the design capacity of the network. If it is deemed works are required to improve network capacity, these will be prioritised against other drainage works and scheduled accordingly. It is important to note that there will continue to be storm events in which the design capacity of the network is exceeded and urban flooding will continue to impact properties across the urban area.

8.1.2. Public Questions on Notice - Jim Dickenson - Albert Hall Renewal

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following questions, submitted in writing to the Council on 20 June 2023 by Jim Dickenson, have been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Shape Australia were required to provide their revised price for the work by the end of May 2023. Did Shape Australia provide that revised price by the end of May and if so did the Council find the price acceptable?

Response:

Due to the commercially sensitive nature of the pricing, this item will be discussed in Closed Council for consideration. An update will be provided in due course.

2. Has Shape Australia been paid any further monies since the Tender Review Committee decision of September 2022? It is noted in the report of May 2023 that the Council has not committed any funding to the project.

Response:

Shape Australia has not been paid monies other than consulting fees approved at the Tender Review Committee Meeting of September 2022.

3. The report mentions that obtaining a building workforce is difficult under present conditions. From where then, does Shape propose to get its manpower? Or, by way of interaction, has the Council enquired of Shape that if the project might proceed and Shape becomes the contractor, from where will its workforce be drawn? Assuming that major Tasmanian contractors did not, or cannot, tender the works because of this problem.

Response:

The successful construction contractor will be required to demonstrate that it can adequately resource the project. Ideally, where appropriate, local sub-contractors will be utilised to support the project.

8.1.3. Public Questions on Notice - Ray Norman - Housing Crisis, City Architect and Public Liability Insurance

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following questions, submitted in writing to the Council on 21 June 2023 by Ray Norman, have been answered by Dan Ryan (General Manager Community and Place Network) and Leanne Purchase (Acting General Manager Organisational Services Network).

Questions:

1. Given the circumstances that have brought on the City's, indeed the region's, housing crisis and its deplorable and lamentable outcomes, will the City of Launceston initiate an arm's length Citizen's Assembly or like forum, ideally in collaboration with adjoining jurisdictions, to interrogate the options and the opportunities available plus the social and cultural circumstances within which planning schemes can be developed to meet current circumstances?

Response:

City of Launceston is an active participant in the development of the Tasmanian Housing Strategy that has been initiated by the State Government. This is being developed in collaboration with expert representation across a variety of sectors including government, research, business, construction, and community. This strategy is in draft form and is currently open for public consultation. City of Launceston believes that this represents an appropriate forum for the community to contribute feedback and raise suggestions.

2. Given the apparent and strategic consequences of holding to a position that, on the apparent advice of the Council's management that is demonstrably at its best is highly questionable, will the Council now, and with some urgency, be proactive in regard to securing the services of a certified practicing architect who is indemnified and qualified to practice by the Australian Institute of Architects?

Response:

As previously advised, the Council currently employs several qualified Architects and also contracts in specific Architectural expertise as and when it is required. The Council has an extremely qualified and experienced workforce, particularly in the Land Use Planning discipline, and therefore the views expressed in the question are not accepted.

3. Given the report and its circumstances, and that it is factual, will the Councillors initiate an investigation into the outrageous requirement that a guest speaker must take out their own public liability and accident insurance if invited to speak at a Council event and consequently put in place protocols that are designed to ensure this class of bureaucratic excess is not repeated? Additionally, will Council identify the person in question in this reported instance and unreservedly apologise?

Response:

Any person or business seeking to supply services to the Council for payment is required to provide the Council with information that varies depending on the nature and extent of the transaction. In most circumstances, the Council requires evidence of public liability cover, as it goes some way towards protecting the Council and community resources against claims arising from a breach of a supplier's duty of care to third parties. It is recognised that this is not appropriate in every situation and so General Managers are provided with a discretion to waive the requirement if appropriate.

8.1.4. Public Questions on Notice - Ron Baines, City Architect, Tree Removal and e-Scooter Safety

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following questions, submitted in writing to the Council on 21 June 2023 by Ron Baines, have been answered by Dan Ryan (General Manager Community and Place Network), and Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Does Council agree that having a suitably fully qualified architect on staff would have brought the Albert Hall refurbishment in on budget or maybe less?

Response:

No.

2. As I missed the answer to my question regarding the removal of nine trees from City Park and adjacent to the Albert Hall, could this be clarified as to Council's stance on this issue.

Response:

This question was asked at the Council Meeting held on 15 June 2023. A copy of the response is reproduced below:

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. The Council will now charge a fee to the company that owns [and operates] e-Scooter in our City. Will it, in the interest of safety, keep them off our footpaths?

Response:

The agreement includes the need to educate users and take appropriate actions when poor behaviours are observed. Where and how e-scooters operate is empowered by State Government legislation.

8.2. Public Questions Without Notice

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

8.2.1. Public Questions Without Notice - Paul Richardson - St Leonards Picnic Ground - 29 June 2023

- 1. How come the on lead dog area at St Leonards Picnic Ground allows off leash dogs to take priority over my two dogs which are on leash 24/7?**
- 2. What proof does the Launceston City Council have in relation to alleged complaints of dog attacks where my dogs have been accused of attacking other dogs - for example photographs, doctor's bills, veterinary bills, etc?**
- 3. If I am to be evicted from the St Leonards Picnic Ground, where does the Council envisage I move to?**

Dan Ryan (General Manager Community and Place Network) noted that he was not fully aware of the situation being referred to, however, there had been some discussion undertaken by the Council's Officers regarding the situation. Dan advised that he would, prior to providing a response, investigate the matter in order to be able to provide accurate information.

The Acting Mayor, Councillor M K Garwood, responded by saying that these questions would be Taken on Notice and a response provided in the Council Agenda of 13 July 2023.

8.2.2. Public Questions Without Notice - Jim Dickenson - SHAPE Australia - 29 June 2023

- 1. SHAPE Australia was appointed some time ago to assist with the design and constructability of the Albert Hall. What specifically has SHAPE Australia contributed over the last six months to the design and construction problem they were asked to comment on?**

Shane Eberhardt (General Manager Infrastructure and Assets Network) answered that SHAPE Australia has contributed to the detailed design of the final lot of drawings.

The Acting Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 13 July 2023.

- 2. Why is there no comment about the Albert Hall in the budget papers relating to the Council's contribution to the project?**

The Acting Mayor, Councillor M K Garwood, responded by saying that this issue would be dealt with in the Closed Agenda of today's Meeting and information would be available after today's Meeting.

8.2.3. Public Questions Without Notice - Kirsten Ritchie (Strike It Out Inc.) - Safe Spaces for Community Members - 29 June 2023

- 1. Why is it we still do not have safe places to keep our humans and pets together and a place where the basic amenities are provided 24/7?**
- 2. Why is a locked space a safety concern when everyone locks their doors at night?**
- 3. Why can the Council not provide safe green spaces setup with basic amenities for community members who are currently not having their basic human rights met?**

The Acting Mayor, Councillor M K Garwood, responded by saying that the Council and the Homelessness Advisory Committee is working hard towards solutions in this space. The Council is working closely with facilitators and providers who work in this area to provide the best way to continue to move forward and provide the best opportunities and solutions to this issue, including the safety of those community members requiring assistance and those within the community as a whole.

9. ANNOUNCEMENTS BY THE MAYOR

9.1. Mayor's Announcements

FILE NO: SF2375

Thursday 15 June 2023

- Attended the *Game of Tiara's* by Launceston Youth Theatre Ensemble, Earl Art Centre

Friday 16 June 2023

- Assisted with leading the Walk Against Elder Abuse
- Hosted a civic function to mark the Sacred Heart College 150th anniversary

Saturday 17 June 2023

- Officiated at the opening of *Australia in Space* exhibition at Queen Victoria Museum and Art Gallery, Inveresk

Monday 19 June 2023

- Participated in the LGAT Tamar Valley Catchment Local Government Review - Stage 3 Assessment
- Attended the *Circle of Silence* film, Village Cinema

Thursday 22 June 2023

- Participated in the Vinnies CEO Sleepout event, UTAS Stadium

Friday 23 June 2023

- Officiated at the RISE Exhibition launch at Queen Victoria Museum and Art Gallery, Royal Park
-

The Acting Mayor, Councillor M K Garwood, also noted he had attended a meeting on Wednesday, 21 June with Malcolm Bywaters who provided information on the Inveresk University of Tasmania campus pop-up exhibition opportunities and on Friday, 23 June attended the Future of Local Government Consolidation Meeting in Devonport.

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 A E Dawkins

- **Visited Glen Dhu Primary School and participated in discussions regarding how voting works in Tasmania and the role of a Councillor**

10.2. Councillor D H McKenzie

- **Visited the RISE Exhibition at the Queen Victoria Museum and Art Gallery**

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).

11.1.1. Councillors Question on Notice - Councillor A G Harris - Short Term Personal Mobility Device Hire

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS AND RESPONSES:

The following question, submitted to the Council in writing on 17 June 2023 by Councillor A G Harris, has been answered by Cameron Smith (Acting Team Leader Strategy, Economic Development and Analytics).

Questions:

1. During the initial PMD [personal mobility device] trial discussions, there was a proposal to investigate the potential for a short term bicycle hire operator to be established in Launceston, once the PMD trial was concluded.

Can the Chief Executive Officer or Council Officer update the community whether any discussions on this matter have occurred as yet and if there is a timeline to having such a service established in Launceston if an operator can be found?

Response:

Beam Mobility has been approached by the Council regarding the viability of adding e-Bikes to their existing e-Scooter deployment in Launceston. Beam have advised that e-Bikes do not suit their business model for small deployments such as Launceston.

In other markets where Beam have mixed-fleet operations, the demand for e-Scooters out numbers e-Bikes, generally at a ratio of 4:1. If they were to add e-Bikes to Launceston, the outcome may be more idle vehicles on the street which would not be a positive outcome for the City.

The current permit does not give exclusive rights to Beam to operate in Launceston. The Council is currently open to other operators approaching with bikes or other micro mobility options seeking a permit, but do not plan to actively promote the concept at this stage. During the trial there was interest from other operators, however, it is suspected appetite was lost when Neuron were not able to make their operation viable. Since the completion of the trial, no other operators have expressed an interest.

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. NOTICES OF MOTION

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

12.1. Notice of Motion - Councillor L M McMahon - Reinstatement of the State Government's Financial Contribution to the Active Launceston Program

FILE NO: SF5547/SF4512

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider a Notice of Motion submitted by Councillor L M McMahon regarding the reinstatement of the State Government's financial contribution to the Active Launceston program.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council requests the Chief Executive Officer write to the Premier and request the reinstatement of the State Government's financial contribution to the Active Launceston program.

DECISION: 29 June 2023

MOTION

Moved Councillor L M McMahon, seconded Acting Deputy Mayor Councillor A E Dawkins.

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

CARRIED 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

13. COMMITTEE REPORTS

13.1. Cultural Advisory Committee Meeting - 7 June 2023

FILE NO: SF7357

AUTHOR: Mengda Liu (Cultural Place Development Officer)

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

DECISION STATEMENT:

To receive a report from the Cultural Advisory Committee Meeting held 7 June 2023.

RECOMMENDATION:

That Council receives the report from the City of Launceston Cultural Advisory Committee Meeting held on 7 June 2023.

DECISION: 29 June 2023

MOTION

Moved Councillor T G Walker, seconded Councillor A J Britton.

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

CARRIED 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

14. COMMUNITY AND PLACE NETWORK

14.1. Heritage Advisory Committee Representative Ratification

FILE NO: SF2965

AUTHOR: Marcus Grantham (Team Leader Place Making)

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

DECISION STATEMENT:

To consider the appointment of community representatives to the Heritage Advisory Committee.

PREVIOUS COUNCIL CONSIDERATION:

Council - 9 March 2023 - Agenda Item 15.2 - Heritage Advisory Committee - Appointment of Community Representatives

RECOMMENDATION:

That Council endorses the appointment of Geoff Counsell as a new Community Representative member of the Heritage Advisory Committee.

DECISION: 29 June 2023

MOTION

Moved Councillor S Cai, seconded Councillor J J Pentridge.

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

CARRIED 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

15. INFRASTRUCTURE AND ASSETS NETWORK

15.1. Concessional Entry to the Council's Waste Disposal Facilities

FILE NO: SF0628

AUTHOR: Michael Attard (Team Leader Sustainability)

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

DECISION STATEMENT:

To allocate the value of concessions to approved charitable organisations for waste disposal at the Launceston Waste Centre for the 2023/2024 financial year.

PREVIOUS COUNCIL CONSIDERATION:

Council - 14 July 2022 - Agenda 15.1 - Concessional Entry to Council's Waste Disposal Facilities 2022/2023

Council - 4 May 2023 - Agenda 13.1 Notice of Motion - Councillor A E Dawkins - Financial Support for Veterinary Practices Treating Injured Wildlife

RECOMMENDATION:

That Council, in respect of clause 4(e) of the *Concessional Entry to Council's Waste Disposal Facilities* Policy (12-Plx-014), approves the participating charitable organisations and their recommended concessional entry values for the 2023/2024 financial year, as listed below:

Table 1: List of charitable organisations that applied for the concessional entry program and their recommended subsidy values, for the 2023/2024 financial year:

Organisation Name	2023/2024 Recommendation (\$)
Connections Op Shop Inc.	347.22
Door of Hope Christian Church	855.26
Launceston Benevolent Society Inc.	270.58
Launceston City Mission	21,502.10
Lions Club of Kings Meadows	150.00
New Horizons Club Inc.	150.00
PCYC	150.00
Salvos Store	1,033.18
SelfHelp Workplace	3,976.24
St Michaels Association	500.50
Veterans and Community Wood Centre Inc.	150.00

Organisation Name	2023/2024 Recommendation (\$)
Starting Point Neighbourhood House	150.00
Worldview	162.23
Just Cats Tasmania	150.00
Community Housing Limited	6,720.61
Community Care Tasmania	357.97
Rotary Punchbowl Community Gardens	150.00
Karinya Young Women's Service	516.98
Launceston VFC Services Inc.	330.83
Citizen Advocacy Launceston	150.00
Litter Free Launnie	150.00
Launceston Bowls and Community Club	211.54
Teen Challenge Tasmania	150.00
Launceston Players Society	150.00
GroWaverly	150.00
Friends of the Library Launceston	150.00
Vets - Native Animal Disposal (NoM)*	2,000.00
TOTAL	40,735.22

* *Vets - Native Animal Disposal (NoM) is a new, and separate, waste disposal program which will be consuming a portion of this allocated budget. However, it is not related to the concessional entry program and, therefore, does not adhere to its conditions/constraints.*

DECISION: 29 June 2023

MOTION

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

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

CARRIED 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

16. ORGANISATIONAL SERVICES NETWORK

16.1. Lease - Lilydale Courthouse

FILE NO: SF7439

AUTHOR: Michelle Grey (Lease and Licensing Officer)

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

DECISION STATEMENT:

To consider leasing part of an area of land situated at 1949 Main Road, Lilydale part of CT 124851/1 known as the old Lilydale Courthouse to the Upper Piper Arts and Craft Co-op Inc.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

(Reference any Local Government Act 1993 (Tas))

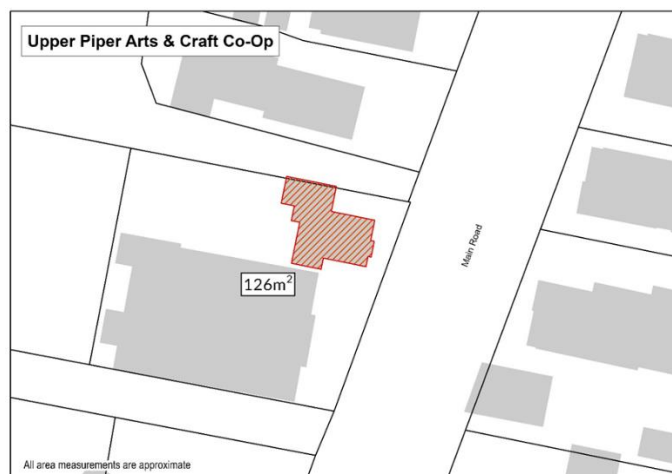
PREVIOUS COUNCIL CONSIDERATION:

Council - 21 April 2022 - Agenda Item 14.4 - Lease - Lilydale Courthouse

RECOMMENDATION:

That Council, by absolute majority, pursuant to section 178 of the *Local Government Act 1993 (Tas)*:

1. leases a parcel of land situated at 1949 Main Road, Lilydale part of CT124851/1 known as the old Lilydale Courthouse to the Upper Piper Arts and Craft Co-op Inc. 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 May 2023 or as determined by the Chief Executive Officer.
 - the lease amount for the first year shall be \$309.40 per annum based on 182 fee units;
 - tenant to be responsible for:
 - i. energy costs;
 - ii. volumetric and connection charges for water;
 - iii. contents insurance; and
 - iv. other service charges if any.
 - tenant shall continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. public liability insurance of at least \$20 million.
 - 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: 29 June 2023

MOTION

Moved Councillor D C Gibson, seconded Councillor A J Palmer.

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

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

16.2. 2023/2024 Statutory Estimates (Budget)

FILE NO: SF6940

AUTHOR: Nathan Williams (Chief Financial Officer)

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

DECISION STATEMENT:

To consider the adoption of the Council's Statutory Estimates for the financial year ending 30 June 2024.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 15 June 2023 - Agenda Item 14.5 - Public Consultation Feedback - 2023/2024 Budget and Annual Plan

Workshop - 25 May 2023 - Public Consultation Feedback

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

Workshop - 30 March 2023 - Waste Charges and Waste Rate

Workshop - 2 March 2023 - Budget and Annual Plan Discussion

Workshop - 19 January 2023 - Budget 2023/2024

RECOMMENDATION:

That Council, by absolute majority:

1. pursuant to section 82(20) of the *Local Government Act 1993* (Tas), adopts:
 - (a) Estimated Revenue (including Capital Grants) \$133.0m
 - (b) Estimated Expenditure
 - Operating \$135.4m
 - Capital \$20.6m
 - (c) Estimated Borrowings
 - Loans - LGLP* \$6.0m
 - (d) Estimated Capital Works
 - Council Funded \$19.2m
 - Externally Funded \$1.4m
-

* *Local Government Loans Program - administered by the Department of Treasury and Finance on behalf of the Tasmanian Government. This borrowing was scheduled for 2021/2022 but did not proceed.*

2. pursuant to section 82(3)(a) of the *Local Government Act 1993* (Tas), adopts the Proposed Statutory Estimates for the financial year ending 30 June 2024 as detailed in Attachment 1 (Doc Set ID 4908640).

	2024 (\$m)	2023 (\$m)
Revenue	133.0	122.4
Revenue (excluding Capital Funds)	131.6	120.8
Expenditure	135.4	127.3
Expenditure (excluding non-cash costs)	107.5	101.8
Capital Funds (Council and External funded)	20.6	16.7
Council Funded Capital Works	19.2	15.1
External Funded Capital Works	1.4	1.6
Loan Borrowings (LGLP)	6.0	6.0**
Loan Repayments (LGLP)	20.0	0.0

***Loan borrowing did not proceed as planned and as such has been rolled forward into 2023/2024.*

3. pursuant to section 82(3)(a) of the *Local Government Act 1993* (Tas), adopts the Proposed Capital Projects and Major Operational Projects for the financial year ending 30 June 2023 as detailed in Attachment 2 (Doc Set ID 4906200) and Attachment 3 (Doc Set ID 4906201) respectively.

DECISION: 29 June 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: 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

AGAINST VOTE: Nil

16.3. 2023/2024 Fees and Charges Amendments

FILE NO: SF2968

AUTHOR: Samuel Kelty (Acting Manager Finance)

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

DECISION STATEMENT:

To consider amendments to the adopted 2023/2024 Fees and Charges

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 4 May 2023 - Agenda Item 16.2 - Fees and Charges 2023/2024

RECOMMENDATION:

That Council approves the changes made to the adopted Fees and Charges for 2023/2024 as listed below:

Line No.	Fee Name	GST Status	2023/2024 Fee
	COMMUNITY AND PLACE		
	Launceston Aquatic Centre		
New	Complete Health and Fitness Single Visit Concession	Taxable	\$16.80
New	Complete Health and Fitness 10 Visit Pass	Taxable	\$189.00
New	Complete Health and Fitness 10 Visit Pass Concession	Taxable	\$151.20
	ORGANISATIONAL SERVICES		
613	Public Liability Insurance for Busking - per annum fee	Taxable	\$29.00

DECISION: 29 June 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: 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

AGAINST VOTE: Nil

16.4. Budget 2023/2024 - Rating Framework

FILE NO: SF6940/SF0521

AUTHOR: Nathan Williams (Chief Financial Officer)

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

DECISION STATEMENT:

To consider adoption of the Rating Framework for the financial year ending 30 June 2024.

Pursuant to Part 9 of the Local Government Act 1993 (Tas), this decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Valuation of Land Act 2001 (Tas)
Fire Service Act 1979 (Tas)
Waste and Resource Recovery Act 2022 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Considered annually.

Workshop - 25 May 2023 - Rates and Public Consultation Feedback

RECOMMENDATION:

That Council, by absolute majority, pursuant to Part 9 of the *Local Government Act 1993* (Tas), adopts the following Rating Framework for the financial year ending 30 June 2024:

Rating Resolution

1. General Rate:

1.1 Pursuant to sections 90 and 91 of the *Local Government Act 1993* (Tas), Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of section 87) within the municipal area of Launceston for the period commencing 1 July 2023 and ending 30 June 2024, which consists of two components as follows:

- (a) a rate of **6.1721** cents in the dollar of the assessed annual value of the land; and
 - (b) a fixed charge of **\$326.80**.
-

- 1.2 Pursuant to section 107(1) and (2) of the *Local Government Act 1993* (Tas), by reason of:
- (a) the use or non-use of any land which is within the municipal area; and
 - (b) the locality of the land;

Council declares, by absolute majority, that component 1.1(a) of the General Rate is varied for the financial year as follows:

- (i) for land used for commercial purposes, that is not located within the area known as the CBD Rate Variation Locality, the rate is varied by **increasing** it by **1.1866** cents in the dollar to **7.3587** cents in the dollar of the assessed annual value of the land;
- (ii) for land used for commercial purposes and which is located within the area known as the CBD Rate Variation Locality, the rate is varied by **increasing** it by **1.9121** cents in the dollar to **8.0842** cents in the dollar of the assessed annual value of the land;
- (iii) for land used for industrial purposes, the rate is varied by **increasing** it by **0.6424** cents in the dollar to **6.8145** cents in the dollar of the assessed annual value of the land;
- (iv) for land used for public purposes, the rate is varied by **increasing** it by **1.1851** cents in the dollar to **7.3572** cents in the dollar of the assessed annual value of the land;
- (v) for land used for primary production purposes, the rate is varied by **decreasing** it by **0.3182** cents in the dollar to **5.8539** cents in the dollar of the assessed annual value of the land;
- (vi) for land used for sporting or recreation facilities, the rate is varied by **increasing** it by **1.2111** cents in the dollar to **7.3832** cents in the dollar of the assessed annual value of the land;
- (vii) for land used for quarrying or mining, the rate is varied by **decreasing** it by **0.8418** cents in the dollar to **5.3303** cents in the dollar of the assessed annual value of the land; and
- (viii) for land which is vacant land, the rate is varied by **decreasing** it by **0.3931** cents in the dollar to **5.7790** cents in the dollar of the assessed annual value of the land.

Definition CBD Rate Variation Locality

- 1.3 That pursuant to section 107(1)(c) of the *Local Government Act 1993* (Tas), Council declares by absolute majority, that the location of any land which is within the following parts of the municipal area shall be defined as within the **CBD Rate Variation Locality** for the purposes of clause 1.2 above, namely:
- (a) that portion of the City of Launceston as is bounded by Wellington, Cameron, George and York Streets;
 - (b) those properties having a frontage on the Eastern side of George Street from numbers 37 to 115 (both inclusive);
 - (c) those properties having a frontage on the Southern side of York Street from numbers 45 to 123 (both inclusive);
 - (d) those properties having a frontage on the Northern side of Cameron Street from numbers 44 to 70 (both inclusive) and on the Southern side of that Street from numbers 41 to 93 (both inclusive);
 - (e) those properties having a frontage on the Eastern side of St John Street from numbers 119 to 153 (both inclusive) and on the Western side of that Street from numbers 116 to 128 (both inclusive);

- (f) those properties having a frontage on the Eastern side of Charles Street from numbers 179 to 205 (both inclusive) and on the Western side of that Street from numbers 126 to 156 (both inclusive); and
- (g) those properties having a frontage on the Northern side of Brisbane Street from numbers 36 to 60 (both inclusive) and those having a frontage on the Southern side of that Street from numbers 43 to 65 (both inclusive).

Maximum Percentage Increase

- 1.4 Pursuant to section 88A of the *Local Government Act 1993* (Tas), Council by absolute majority, sets a maximum percentage increase cap on component 1.1(a) of the general rate of 500% where that increase has occurred as a result of municipal revaluation undertaken in accordance with section 20 of the *Valuation of Land Act 2001*.
- 1.5 That pursuant to section 107 of the *Local Government Act 1993* (Tas), Council declares by absolute majority, that the maximum percentage cap referred to in 1.4 above is varied to 20% for all land which is used or predominantly used for residential purposes.

2. Service Charges - Waste Management Service:

Pursuant to section 94, of the *Local Government Act 1993* (Tas), Council makes the following service charges on all rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to section 87 but excluding land owned by the Crown to which the Council does not supply any of the following services) for the period commencing 1 July 2023 and ending on 30 June 2024, namely:

- 2.1 Service charges for waste management in respect of all land to which the Council supplies different waste management services comprising:
 - (i) the supply of mobile garbage bins;
 - (ii) the supply of a recycling service;

as follows:

- (a) (i) **\$170.00** for an existing 85 litre mobile garbage bin and one recycle bin;
 - (ii) **\$215.00** for a 140 litre mobile garbage bin and one recycle bin;
 - (iii) **\$368.00** for a 240 litre mobile garbage bin and one recycle bin; and
- 2.2 Pursuant to section 94(3) of the *Local Government Act 1993* (Tas), Council by absolute majority, varies each of the charges at clause 2.1(a) above within different parts of the municipal area for land used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities and/or quarrying or mining purposes as follows:
 - (i) **\$170.00** for an existing 85 litre mobile garbage bin;
 - (ii) **\$215.00** for a 140 litre mobile garbage bin;
 - (iii) **\$368.00** for a 240 litre mobile garbage bin.

- 2.3 In respect of the service charges for waste management:
- (a) if any land to which the waste management service is supplied is the subject of separate rights of occupation which are separately valued by the Valuer-General pursuant to section 11(3)(c) of the *Valuation of Land Act 2001*, then the charge applies to each such separate occupation;
 - (b) pursuant to section 94(3) of the *Local Government Act 1993* (Tas), Council by absolute majority, declares that the service charge varies within different parts of the municipal area by reference to the use or predominant use of land as follows:
 - (i) for all land used for residential purposes where there is more than one separate right of occupation which is separately valued in the valuation list prepared under the *Valuation of Land Act 2001*, and where the rate payer has elected by notice in writing delivered to the Chief Executive Officer on or before the 1 July 2023, not to have a waste management service, then the service charge is varied to **Nil**;
 - (ii) for all land which is used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities, quarrying and mining purposes and where the rate payer in respect of that land elects by notice in writing delivered to the Chief Executive Officer on or before the 1st day of July 2023 not to have a waste management service, then the service charge is varied to **Nil**.

- 2.4 A service charge for waste management services to offset a levy payable by the Council to the State Government under the *Waste and Resource Recovery Act 2022* (a Waste Management Levy Offset Service Charge) as follows:

\$10.50 in respect of all land to which the service charge for waste management applies pursuant to 2.1 and 2.3(a).

3. Service Rates - Fire Service:

- 3.1 Pursuant to section 93A of the *Local Government Act 1993* (Tas), Council makes the following service rates in respect of the fire service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the municipal area of Launceston (excluding land which is exempt pursuant to the provisions of section 87 of the *Local Government Act 1993* (Tas)) for the period commencing 1 July 2023 and ending on 30 June 2024, as follows:

District	Cents in the dollar of Assessed Annual Value
Launceston Permanent Brigade Rating District	1.17950
Lilydale Volunteer Brigade Rating District	0.31000
General Land	0.03000

- 3.2 Pursuant to section 93(3) of the *Local Government Act 1993* (Tas), Council sets a minimum amount payable in respect of this service rate of **\$48.00** for each rateable parcel of land within the municipal area of Launceston (excluding land which is exempt pursuant to the provisions of section 87 of the *Local Government Act 1993* (Tas)).

4. Separate Land:

- 4.1 Except where it is expressly provided to the contrary, for the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

5. Adjusted Values:

- 5.1 For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to sections 89 and 89A of the *Local Government Act 1993* (Tas).

6. Instalment Payment:

- 6.1 Pursuant to section 124 of the *Local Government Act 1993* (Tas), Council:
- (a) decides that all rates are payable by all rate payers by four instalments which must be of approximately equal amounts.
 - (b) determines that the dates by which instalments are to be paid shall be as follows:
 - (i) the first instalment on or before 31 August, 2023;
 - (ii) the second instalment on or before 30 November, 2023;
 - (iii) the third instalment on or before 31 January, 2024; and
 - (iv) the fourth instalment on or before 30 April, 2024 .
 - (c) if a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

7. Penalty and Interest:

- 7.1 Pursuant to section 128 of the *Local Government Act 1993* (Tas), if any rate or instalment is not paid on or before the date it falls due then:
- (a) there is payable a penalty of **3.0%** of the unpaid rate or instalment; and
 - (b) there is payable a daily interest charge of **0.02054795% (7.5% per annum)** in respect of the unpaid rate or instalment for the period during which it is unpaid.

8. Words and Expressions:

Words and expressions used both in these resolutions and in the *Local Government Act 1993* (Tas) or the *Fire Service Act 1979*, have in these resolutions the same respective meanings as they have in those Acts.

DECISION: 29 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor A G Harris.

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

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

16.5. Rates and Charges Policy (23-Plx-010)

FILE NO: SF6940/SF0521

AUTHOR: Nathan Williams (Chief Financial Officer)

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

DECISION STATEMENT:

To consider the revised Rates and Charges Policy (23-Plx-010).

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Valuation of Land Act 2001 (Tas)
Fire Services Act 1979 (Tas)
Waste and Resource Recovery Act 2022 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Considered annually.

RECOMMENDATION:

That Council, pursuant to section 86B of the *Local Government Act 1993 (Tas)*, adopts the revised Rates and Charges Policy (23-Plx-010) as set out below:

Rates and Charges Policy

PURPOSE:

This Policy provides the rating framework that the Council has adopted for rates and charges.

The Policy is prepared in accordance with section 86B of the *Local Government Act 1993 (Tas)* (LGA 1993) and provides an overview of the rating framework that Council has adopted.

The Policy reflects the fundamental premise as set out in section 86A of the LGA 1993 that:

- (a) rates are a tax and not a fee for service; and
- (b) the value of land is an indicator of the capacity to pay.

The Council through the application of this Policy primarily levies rates based on property values with a contribution through fixed and service charges. The Policy also outlines the Council's approach to the provision of remissions and the management of the rate debt.

SCOPE:

The Policy sets out the Council's rates and charges (taxation) objectives in regard to:

- (a) Statutory compliance; and
- (b) Discretionary matters.

This document is a statement of policy and intent, it does not supersede or overrule the specific rating resolutions and policies that are determined by resolution of the Council.

POLICY:

Rating Objectives

To maintain an appropriate distribution of rates and charges consistent with the principles stated in this Policy with the objectives of:

- (a) Consistent and equitable treatment of all residents and ratepayers;
- (b) Achieving an appropriate mix and distribution of taxation from
 - i. rates based on property values, fixed and service charges and revenue from other sources; and
 - ii. different sectors (including land use categories and localities) within the municipality.
- (c) Managing the impact on ratepayers of changes in
 - i. the Council's funding requirements; and
 - ii. property valuations as reflected in municipal revaluations.
- (d) Using rate settings to support the achievement of strategic objectives.

Rating Strategies and Methodologies

The strategies and methodologies that have been developed consistent with the principles and rating objectives are as follows.

The valuation methodology is based on assessed annual value.

The inclusion of a general fixed charge (that is not based on a property's value) as a component of the general rate.

The use of service charges for waste management (collection and processing) based on the capacity of the service provided.

Transitional arrangements through the capping of rate increases for residential ratepayers when municipal revaluations occur. Transitional arrangements are also considered in other circumstances where there is the potential for a significant change in rates from a change in the Council's rating structure.

Debt management policies and disincentives intended to encourage the timely payment of rates.

The minimisation of rate remissions to support equitable outcomes for all ratepayers and for the remissions to be strategically targeted to address unintended consequences of legislation and policy.

Exemptions based solely on the legislative provisions of section 87 of the LGA 1993.

Valuation Methodologies

The Council has determined to use assessed annual value as the basis of rates (section 89A(2) of the LGA 1993) within the municipality. Valuations are arranged by the Office of the Valuer General. Municipal valuations occur on a six yearly cycle, with indexation adjustments made between the full revaluation every two years.

Supplementary valuations occur when additions or significant alterations are made to a property. The values are determined as though the alterations existed at the date of the last municipal revaluation, with effect from the date the works are completed.

Rating Structures and Differential Rates

The Council uses the power provided by section 107 of the LGA 1993 to vary the rate based on property use and also by location for properties within a defined area of the city centre. The property usage categories are residential, commercial, industrial, primary production, public (community) service, quarrying or mining, sport or recreation and vacant land (non-use).

The location variation or differential is applied to raise an additional rate for promotional activities within the city centre.

Contribution Methodology

Assessed annual value (AAV) is a differential valuation system where the AAV varies with the use and capital value of the property. Through this differential valuation system together with differential rates based on property usage the contribution from sectors of the municipality varies with changes in property values. The use of assessed annual value is consistent with the rating principles contained in section 86A of the LGA 1993.

Fixed Charge

The Council has resolved to impose a fixed charge (section 91 of the LGA 1993) on each rateable property or tenancy, consistent with the legislation a minimum rate is not also levied. The application of a fixed charge recognises that all rateable properties should make a fixed contribution to the cost of the Council's operations and services. The application of a fixed charge reduces the rates that are raised based on property values. The Council recognises the regressive taxation effect of fixed charges and so limits the amount of the fixed charge. The total revenue raised from the fixed charge must not exceed an amount equal to 50% of the Council's general rates in each rating year.

Service Charges

The Council imposes a service charge (section 94(1) of the LGA 1993) for waste management services. Waste management (the collection of waste and recycling materials) is a defined service for which a pay for use charge is appropriate.

Private operators provide specific services to a limited number of organisations where for operational reasons it is not practical or efficient to provide the Council managed service. These organisations are able to opt out of the Council arranged service.

The Council varies or applies different charges based on the capacity of the bins that are now available, this pricing strategy is intended to provide incentives to reduce waste, encourage recycling and reflect the cost of waste disposal.

The Council also imposes a service charge (section 94(1) of the LGA 1993) for waste management services to offset a levy payable by the Council to the State Government under the *Waste and Resource Recovery Act 2022* (the Waste Management Levy Offset Service Charge). The State Government imposed levy will commence at \$20.00 per tonne of waste disposed to the Council's operated landfill facilities, then \$40.00 per tonne after two years, and \$60.00 per tonne after two more years. The Waste Management Levy Offset Service Charge will be subject to CPI increases to ensure its purpose is maintained in real terms to offset the State Government imposed levy into the future. The City of Launceston will impose the Waste Management Levy Offset Service Charge on each property that has one or more bins on a per property basis only. Data collected indicates that on average, each property disposes 0.49 tonnes to landfill per year and at \$21.36 per tonne (in line with CPI increases) this equates to a charge of \$10.50 per property with one or more bins for 2023/24. This amount is disclosed separately on rates notices for properties to which this Waste Management Levy Offset Service Charge applies.

Rating Independent Living Units (Retirement Villages)

General Rate

Residential Independent Living Units within retirement villages which are owned by a charitable organisation and operated exclusively for charitable purposes are exempt from the general rate (section 87(1)(d) of the LGA 1993).

Fire Rate

Residential Independent Living Units within retirement villages which are owned by a charitable organisation and operated exclusively for charitable purposes are exempt from being charged the fire rate.

The appropriateness of discretionary remissions is subject to ongoing monitoring by the Council.

Residential properties or units owned commercially or by private individuals are not exempt from being charged the general rate or fire rate.

Residential Rate Cap (Transitional Arrangements)

The Council supports the fundamental principle, subject to any differential rating structures and remissions, that properties with the same value (in the same usage category) should pay the same rate.

The Council recognises that the municipal revaluation may produce circumstances where the rates on individual properties increase or decrease significantly. In order to assist residential ratepayers to transition to the new rating levels the Council has determined to cap the amount that the general rate (the value based component) can increase at 20 percent per annum following a municipal revaluation.

Debt Management

The Council recognises that some members of the community may not pay the applicable rates and charges either because

- (a) they choose not to, or
- (b) they are unable to due to financial difficulties.

The Council provides financial disincentives through interest and penalty charges and undertakes commercial debt collection practices to ensure that the payment of rates and charges is given appropriate priority.

The Council seeks to assist those members of the community in genuine financial difficulty through payment arrangements. It also understands that the failure to take appropriate and timely action can have a greater adverse consequence for the ratepayer than the debt collection action.

Unpaid Council rates and charges are a debt that is secured (similarly to a mortgage) against the property (section 119 of the LGA 1993). Thus, any debt must be repaid when the property is sold. The Council has the power to sell a property when debts are outstanding for more than three years (section 137 of the LGA 1993).

Postponement of Payments

Section 125 of the LGA 1993 provides the power for the Council to defer or postpone the payment of rates on the grounds of hardship. The Council has determined that it will not offer this long term debt management facility as there are other commercial facilities that should be used in these circumstances. The Council provides short term payment arrangements.

Rate Remissions

Under section 129 of the LGA 1993, Council by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer and/or class of ratepayers. The Interim Rates and Charges Hardship Policy (23-Plx-011) sets out the process for applications in respect of remissions or postponement of rates, penalties or interest on the basis of financial hardship.

The Council is also required to exempt under section 87 of the LGA 1993 some properties from rates.

Without limiting the application of section 129 of the LGA the Council has resolved to provide rating remissions via the following policy documents:

- Crown leases/licences for jetties and slipways (Policy 23-PI-008)
- Charitable organisations (Policy 23-Plx-002)
- Small balances (Policy 23-PI-006)
- Interim Rates and Charges Hardship (Policy 23-Plx-011)

Other Rates

CBD Promotional Rate

Council, based on the request of the effected businesses, applies a differential rate to properties used for commercial purposes to fund promotional activities within the central business area (details of the area are specified in the annual rates resolution).

The delivery of the promotional outcomes is provided by Launceston Central Marketing Inc. under a service agreement with the Council.

This rate is being phased out over a four year period, with 2023/2024 being the second year of this transition. The additional revenue is collected across the rest of the rating base.

State Government Departments and Business Enterprises

State Government properties, with some exceptions related to parks and infrastructure, are subject to rates and charges on the same basis as other properties (section 87(1)(b) of the LGA 1993).

Construction Rates

Construction rates can be levied (sections 97 and 98 of the LGA 1993) related to drainage infrastructure works. The Council uses developer contribution arrangements in preference to construction rates due to limitations contained in section 98 regarding the amount that can be charged.

Separate Rates

Separate rates can be levied (section 100 of the LGA 1993) where the Council believes the services provided are of particular benefit to the *affected land; or the owners or occupiers of that land*.

There are currently no separate rates.

Fire Service Rates

The Council as required by legislation raises rates on behalf of the State Fire Commission (section 93A of the LGA 1993). The amount of the rate revenue is determined by the State Fire Commission. The Council receives an administrative fee for the provision of the service.

Payments

The Council has spread the payment dates across the year with the instalments due.

Instalment 1 - 31 August

Instalment 2 - 30 November

Instalment 3 - 31 January

Instalment 4 - 30 April

Penalty charges apply when instalments are not paid by the due date, interest applies on unpaid balances.

Rates can be paid in full, by four instalments or by more frequent payments so long as the instalments are paid by the due date, penalty and interest will not be incurred.

Payment Methods

The Council provides a range of payment facilities that include the use of modern technologies and in person.

Discounts

The Council does not provide payment discounts (section 130 of the LGA 1993) due to the additional cost imposed on those who are unable to take advantage of such a facility (the estimated cost of discount significantly exceeds the additional interest earnings that would result from the take up of the discount.)

Application of Payments

Payments are applied to outstanding debts in accordance with the sequence prescribed in the legislation (section 131 of the LGA 1993).

Objection

Objections to rates notices can only be made based on the grounds specified in section 123 of the LGA 1993. The grounds broadly relate to factual or calculation errors.

Objections to valuation can be made under section 28 of the *Valuation of Land Act 2001* (VLA 2001) only on the grounds specified and within 60 days of the date of notice issue. Application can be made for the correction of errors of fact at any time.

Disclaimer

This Policy is a general statement of the Council intent it is not a statement of legislative compliance. The Policy provisions do not provide a legal basis for a challenge or objection to any rating matters. The Policy is updated from time to time, consistent with the legislation (section 86B(4) of the LGA 1993).

PRINCIPLES:

The Council's rating policies are formed within a framework that includes:

- (a) The *Local Government Act 1993* (Tas);
- (b) Established taxation principles;
- (c) Organisational Values;
- (d) The Council's Long Term Financial Plan; and
- (e) The Council's Rating Resolution.

RELATED POLICIES AND PROCEDURES:

23-PI-003 Private Use of Council Land Policy
23-PI-006 Property Debt (Small Charge) Remission Policy
23-PI-008 Rating Exemptions and Remissions for Crown Lease Jetties and Slipways
23-Plx-002 Rating Exemptions and Remissions for Charitable Organisations Policy
23-Plx-011 Interim Rates and Charges Hardship Policy

RELATED LEGISLATION:

Local Government Act 1993 (Tas) (Part 9 - Rates and Charges)
Valuation of Land Act 2001
Fire Services Act 1979 (Tas)
Waste and Resource Recovery Act 2022 (Tas)

REFERENCES:

Access Economics/Henry Review (www.taxreview.treasury.gov.au)
Taxation Policy Criteria (Oakes Committee April 1990)

- Equity or Fairness
- Simplicity and Efficiency
- Accountability or Visibility
- Acceptability
- Benefits Derived
- Capacity to Pay

Local Government Rates and Charges - Guidance paper for policy development April 2012

DEFINITIONS:

Economic Efficiency

- Does the rating methodology distort property ownership and development decisions in a way that results in significant efficiency costs?

Simplicity

- Is the system practical and cost-effective to administer?
- Is the system simple to understand and comply with?

Equity

- Does the tax burden fall appropriately across different classes of ratepayers?

Capacity to Pay (is the tax progressive or regressive?)

- Those with a greater capacity to pay contribute more.

Benefit Principle

- Should those who benefit more, contribute more?

Sustainability

- Does the system generate sustainable and reliable revenues?
- Is it durable and flexible in changing conditions?

Cross-border Competitiveness

- Does the rating system undermine the Council as a business location?

REVIEW:

This Policy will be brought for approval as part of the annual budgeting and planning cycle.

This Policy is required to be at a minimum reviewed as required by legislation. Section 86B(4) of the LGA 1993 requires that:

A Council must review its rates and charges policy -

- (a) by the end of each successive four-year period after 31 August 2012.

There are other provisions in the legislation that trigger a policy review.

DECISION: 29 June 2023

MOTION

Moved Councillor D H McKenzie, seconded Councillor A G Harris.

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

CARRIED 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

16.6. City of Launceston Annual Plan 2023/2024

FILE NO: SF6937

AUTHOR: Courtney Osborne (Team Leader Performance and Planning)

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

DECISION STATEMENT:

To consider adoption of the City of Launceston Annual Plan 2023/2024.

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 - 30 March 2023 - Waste Charges and Waste Rate

Workshop - 2 March 2023 - Budget and Annual Plan Discussion

Workshop - 19 January 2023 - Budget 2023/2024

RECOMMENDATION:

That Council:

1. pursuant to section 71 of the *Local Government Act 1993 (Tas)*, adopts the City of Launceston Annual Plan 2023/2024 (ECM Doc Set ID 4731503); and
 2. notes that, pursuant to section 71(3) of the *Local Government Act 1993 (Tas)*, a copy of the City of Launceston Annual Plan 2023/2024 adopted at Recommendation 1. will be made available for public inspection and provided to the Directors of Local Government and Public Health.
-

DECISION: 29 June 2023

MOTION

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

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

CARRIED 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

**16.7. Local Government Association of Tasmania - Annual General Meeting -
30 June 2023**

FILE NO: SF0331/SF2218

AUTHOR: Anthea Rooney (Council and Committees Officer)

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

DECISION STATEMENT:

To provide voting direction to the Council delegate for the items listed for decision at the Local Government Association of Tasmania Annual General Meeting on 30 June 2023.

RECOMMENDATION:

That Council, in respect of items listed for decision at the Local Government Association of Tasmania's Annual General Meeting on 30 June 2023, directs the Council's delegate to vote as follows:

Ag Item	Pg. No	Items for Noting/Decision	Submitting Body	City of Launceston Comment
1	4	Minutes That the Minutes of the 110 th Annual General Meeting, held on 1 July 2022 be confirmed.	LGAT	Agree
2	4	President's Report That the President's report be received.	LGAT	Agree
3	5	Financial Statements to 30 June 2019 That the Financial Statements for the period 1 July 2021 to 30 June 2022 be received and adopted.	LGAT	Agree
4	5	2020/2021 LGAT Budget and Subscriptions That Members endorse the 2023/2024 LGAT Budget and Subscriptions, with an overall subscription increase for councils.	LGAT	Agree

Ag Item	Pg. No	Items for Noting/Decision	Submitting Body	City of Launceston Comment
5	7	President and Vice President Honorariums That the President's and Vice President's allowance for the period 1 July 2023 to 30 June 2024 be adjusted in accordance with the movement in the Wages Price Index.	LGAT	Agree
6	8	LGAT Annual Plan That Members note the report against the LGAT Annual Plan.	LGAT	Note
7	8	Reports from Board Representatives (a) That the reports from representatives on various bodies be received and noted. (b) That Members acknowledge the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees, etc.	LGAT	(a) Note (b) Acknowledge

DECISION: 29 June 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: 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

AGAINST VOTE: Nil

16.8. Local Government Association of Tasmania - General Meeting - 30 June 2023

FILE NO: SF0331/SF2218

AUTHOR: Anthea Rooney (Council and Committees Officer)

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

DECISION STATEMENT:

To provide voting direction to the Council's delegate for the items listed for decision at the Local Government Association of Tasmania General Meeting to be held on 29 June 2023.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 8 June 2023 - Motions - Local Government Association of Tasmania General Meeting - 30 June 2023

RECOMMENDATION:

That Council, in respect of the items listed for decision at the Local Government Association of Tasmania's General Meeting to be held on 30 June 2023, directs its delegate to vote as follows:

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
1.1	5	Confirmation of Minutes <i>That the Minutes of the Meetings held on 17 March 2023, as circulated, be confirmed.</i>	LGAT	Confirmed
1.2	5	Business Arising <i>That Members note the information.</i>	LGAT	Noted
1.3	6	Confirmation of Agenda <i>That consideration be given to the Agenda items and the order of business.</i>	LGAT	Confirmed
1.4	6	Follow Up of Motions <i>That Members note the following report.</i>	LGAT	Noted
1.5	6	President's Report <i>That Members note the report on the President's activity from 28 February 2023 until 9 June 2023.</i>	LGAT	Noted

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
1.6	8	Chief Executive Officer's Report <i>That the Meeting note the report on the CEO's activity from 27 February 2023 until 9 June 2023.</i>	LGAT	Noted
1.7	10	Council Round Ups <i>That Members note that there will not be a council round up this meeting.</i>	LGAT	Noted
2.1	10	Motion - Restrictive Covenants on Use of Land and Property <i>That LGAT lobby the State Government urging legislative change to outlaw the creation of covenants which place restrictions on the use of land and property for: (a) public, social or affordable housing; or (b) tenants or occupants based on their source of income, or social or financial circumstances.</i>	Clarence City	Officer Comment: Dan Ryan (General Manager Community and Place Network) Supported The City of Launceston is supportive of this motion, particularly given the current challenges experienced by community with sourcing affordable housing.
2.2	11	Motion - Council Leave of Absence Provisions <i>That LGAT and Member Councils support Clarence City Council's position which: A. Recognises that the current process for requests for leave of absence by councillors is inappropriate as it does not reflect the rights and responsibilities applicable in contemporary work environments. B. Authorises the Chief Executive Officer to write to the Minister for Local Government on behalf of Council to request the Tasmanian Government to introduce updated regulations as soon as practicable to provide for the following:</i>	Clarence City	Officer Comment: Leanne Purchase (Acting Manager Organisational Services Network) Not Supported

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
		<p><i>i. That a councillor be able to advise the relevant council of a leave of absence as of right, subject to conditions being met (as set out below).</i></p> <p><i>ii. A councillor's request for leave may be for a cumulative period of up to three months in any 12-month period in ordinary circumstances or up to six months in any 12-month period should a councillor or their spouse or domestic partner -</i></p> <p><i>(a) become the natural parent of a child (including any period during pregnancy); or</i></p> <p><i>(b) adopt a child under the age of 16 years - and the councillor has responsibilities for the care of the child during that period.</i></p> <p><i>iii. Any application for extended leave that is greater than three or six months, whichever is applicable, must be supported by evidence that would satisfy a reasonable person that the absence is reasonable in the circumstances, and be approved by the relevant council.</i></p> <p><i>iv. Should a council have concerns regarding a councillor leave of absence, (other than for parental leave), by an absolute majority decision, a council may refer any request for leave of absence to the Minister for Local Government/Director of Local Government for review and determination.</i></p>		<p>The City of Launceston is open to a review of the arrangements in place for leaves of absence for Councillors, however, the review should include consultation with Councils and Councillors to understand which circumstances are not covered by the current framework, which is flexible because of its lack of prescription.</p> <p>The scenarios proposed at B ii. do not consider the myriad of life events that might lead to a request for an extended period of leave. The leave of absence framework should allow for all requests to be considered in context, including recognition of the fact that Councillors are popularly elected public officers for a defined term.</p> <p>Matters that may be referred to the Minister/Director of Local Government at (b) iv. may be better addressed with local dispute resolution processes.</p>

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
2.3	12	<p>Motion - Short Stay That LGAT convene an expert reference group from member councils to develop recommendations for the sector to consider on:</p> <ul style="list-style-type: none"> • What further data and support is required to assist local government in responding to the housing crisis. • What changes are required to manage short stay accommodation's contribution to housing availability, local amenity, economic development and equitable rating. • What tools are available to encourage owners of unoccupied dwellings to make their properties available as long term rentals. 	Huon Valley	<p>Officer Comment: Michael Stretton (Chief Executive Officer)</p> <p>Supported</p> <p>Earlier this year the Council examined the impact of short stay accommodation on the Launceston rental market and resolved to explore the introduction of a differential rate for short stay accommodations together with options to address the high number of vacant dwelling that exist within the City.</p> <p>This motion is consistent with the Council's current position on short stay accommodation.</p>
4.1	14	<p>Future of Local Government Review That Members note the update on the Future of Local Government Review.</p>	LGAT	Noted
4.2	15	<p>Workplace Health and Safety Review That Members note the progress on the implementation of the Workplace Health and Safety Review of Elected Representatives (WH&S Review).</p>	LGAT	Noted
4.3	16	<p>Local Government Service Awards That Members note the updated LGAT Local Government Service Awards.</p>	LGAT	Noted

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
4.4	17	Infrastructure Contributions <i>That Members note the following report.</i>	LGAT	Noted
4.5	18	Planning Reform <i>That Members note the update on the progress of planning reforms.</i>	LGAT	Noted
4.6	20	Tasmanian Development Manual Project <i>That Members note the work LGAT is undertaking to overhaul the Tasmanian Municipal Standards and inform Tasmania's planning system with the Tasmanian Development Manual Project.</i>	LGAT	Noted
4.7	22	Bus Stop Ownership and Upgrade Grant Program <i>That Members note the update on the Department of State Growth's All-Access All-Weather Bus Stop Upgrade Grant Program and issue of bus stop ownership.</i>	LGAT	Noted
4.8	24	Regional Towns CCTV Project <i>That Members note the update on the Regional Towns CCTV project.</i>	LGAT	Noted
4.9	25	Emergency Management Update <i>That Members note the update on emergency management.</i>	LGAT	Noted
4.10	27	Waste and Resource Recovery <i>That Members note the report on waste and resource recovery.</i>	LGAT	Noted
4.11	28	Environmental Protection Authority Memorandum of Understanding <i>That Members note the report on LGAT's refreshed Memorandum of Understanding with EPA Tasmania.</i>	LGAT	Noted

Ag Item	Pg. No	Items for Decision	Submitting Body	City of Launceston Comment
4.12	30	Child and Youth Safe Organisations <i>That Members note the update on Child and Youth Safe Organisation Bill and Recommendation 6.12 from the Royal Commission into Institutional Responses to Child Sexual Abuse Report.</i>	LGAT	Noted
4.13	32	Community Health and Wellbeing Lift Local Project <i>That Members note the update on the Community Health and Wellbeing Project and Lift Local grants.</i>	LGAT	Noted
4.14	33	Events Overview <i>That the Committee note the report on recent and future events.</i>	LGAT	Noted
4.15	35	Policy Update <i>That Members note the update on a range of policy matters.</i>	LGAT	Noted
4.16	36	LGAT Procurement Update <i>That Members note the update on procurement support to Councils.</i>	LGAT	Noted

Councillor T G Walker withdrew from the Meeting at 2:37pm
Councillor T G Walker re-attended the Meeting at 2:39pm

DECISION: 29 June 2023

MOTION

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

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

CARRIED 12:0

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

AGAINST VOTE: Nil

17. CHIEF EXECUTIVE OFFICER NETWORK

17.1. Launceston Flood Authority - Appointment of Director

FILE NO: SF4493

AUTHOR: Kelsey Hartland (Team Leader Governance)

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider the appointment of Chair for the Launceston Flood Authority.

PREVIOUS COUNCIL CONSIDERATION:

Council - 20 May 2021 - Agenda Item 120.1 Launceston Flood Authority - Appointment of Directors

Council - 16 April 2020 - Agenda Item 18.1 - Adoption of the Launceston Flood Authority Rules 2020

RECOMMENDATION:

That Council, pursuant to:

1. clause 13.1 of the *Launceston Flood Authority Rules 2020* (ECM Doc Set ID 4273563), reappoints Greg Preece to position of Chair on the Board of Directors until 5 August 2025.
 2. clause 15 of the *Launceston Flood Authority Rules 2020*, approves an annual remuneration of \$6,000 to Greg Preece as Chair of the Launceston Flood Authority.
-

DECISION: 29 June 2023

MOTION

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

That Council, pursuant to:

1. **clause 12.1 of the *Launceston Flood Authority Rules 2020* (ECM Doc Set ID 4273563), reappoints Greg Preece to the Board of Directors, for a further term of four years, until 5 August 2027.**
-

2. clause 13.1 of the *Launceston Flood Authority Rules 2020* (ECM Doc Set ID 4273563), reappoints Greg Preece to position of Chair on the Board of Directors until 5 August 2025.
3. clause 15 of the *Launceston Flood Authority Rules 2020*, approves an annual remuneration of \$6,000 to Greg Preece as Chair of the Launceston Flood Authority.

CARRIED 11:1

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

18. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

18.1 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.

18.2 Albert Hall Renewal Project

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:

- (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

18.3 End of Closed Session

To be determined in Closed Council.

DECISION: 29 June 2023

MOTION

Moved Councillor A J Palmer, seconded Councillor A J Britton.

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

Council moved into Closed Session at 2.49pm

Council returned to Open Session at 3.42pm

18.3 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
18.1	<i>Closed Council Minutes - 15 June 2023</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 15 June 2023.</i>
18.2	<i>Albert Hall Renewal Project</i>	<i>Councillors accepted the Mains Works Proposal submitted by SHAPE Australia Pty Ltd for Building and Construction of the Albert Hall Renewal Project - Stage 3 - Contract No. CD.025/2022 for the Guaranteed Maximum Price of \$13,307,756.90 (exclusive of GST).</i>

DECISION: 29 June 2023

MOTION

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

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

CARRIED 12:0

FOR VOTE: 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

AGAINST VOTE: Nil

19. MEETING CLOSURE

The Acting Mayor, Councillor M K Garwood, closed the Meeting at 3.43pm.

20. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 13 July 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.