



City of
LAUNCESTON

ANNUAL GENERAL MEETING AGENDA

**THURSDAY 12 DECEMBER 2024
5.30PM**

Notice is hereby given that the Annual General Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 12 December 2024

Time: 5.30pm

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.



**Sam Johnson OAM
Chief Executive Officer**

VIDEO and AUDIO STREAMING of COUNCIL MEETINGS

The video and audio of open sessions of ordinary Council meetings and special Council meetings that are held in the Council Chambers at Town Hall, will be streamed live via the Council's meeting stream channel on YouTube.

Video and audio streaming and recording of this Council Meeting, except for any part held in Closed Session, will be made in accordance with our Video and Audio Streaming of Meetings Policy - 17-Plx-017.

This Council Meeting will be streamed live to and can be accessed at:
www.launceston.tas.gov.au/Council/Meetings/Watch-and-Listen

The audio-visual recording equipment will be configured in a way which avoids coverage of the public gallery area and Council will endeavour to ensure images in this area are not streamed. However, Council expressly provides no assurances to this effect and by entering or exiting the Council Chamber or by remaining in the public gallery area, it is assumed that consent has been given to the Council to broadcast images and audio recordings.

The Mayor or their representative will provide notice that the meeting will be recorded through live streaming. By attending a Council meeting, attendees will be taken to have consented to their image, speech or statements being live streamed.

For further information, please refer to our Video and Audio Streaming of Meetings Policy and our Privacy Policy available at:
<https://www.launceston.tas.gov.au/Council-Region/Legislation-and-Policy/Policy>

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.

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2. 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).

3. CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Annual General Meeting of the City of Launceston Council held on 7 December 2023 be confirmed as a true and correct record.

4. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

4.1. Public Questions on Notice

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

4.1.1. Public Questions on Notice - City Heart Place Plan, Launceston Central Activities, Traffic Revenue for On Street Parking, Parking Signage, Car Park Usage, Museum Fees, Snap Send Solve Statistics and On Street Dining - 3 December 2024

FILE NO: SF6381

AUTHOR: Kelsey Hartland (Team Leader Governance)

CHIEF EXECUTIVE OFFICER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS and RESPONSES:

The following questions, submitted to Council on 3 December 2024 by Robin Smith, have been answered by the Council Officers noted in the response for each question.

Question 1:

With reference to the City of Launceston City Heart Place Plan 2024-2029 (document prepared by WSP Australia and adopted by council 30 October 2024 - AKA City Heart Stage 2), does the council Customer Request System or can council officers identify any significant ongoing demand or request for sections of Paterson and Charles Streets to be two-way?

Response

Erica Deegan (Manager Infrastructure and Engineering)

In the timeframe provided we were not able to undertake a comprehensive and detailed review of the Council's customer request system or community engagement datasets to provide specific information as requested. A detailed response to this question can be provided in the Council agenda in the New Year. As previously provided to similar questions, the view that converting one-way streets to two-way streets to calm traffic is supported throughout Australia and internationally. The original reason for making streets one way was to increase traffic capacity and efficiency through the city, but this also increased the impact of traffic on the city environment.

A literature review about two-way streets prepared for Launceston City Council by GHD found the following:

- *Conversion of city streets to two-way traffic*
 - *can reduce average vehicle speeds by 20% to 30% compared to one-way operation due to a general increase in the number of stops,*
 - *will increase the number of conflict points at intersections, however, may reduce incidence of red light running and crash severity, and*

- *will reduce the number of situations, or conflict sequences, that a pedestrian will experience when walking through the network.*
- *The reduction in traffic volumes and vehicle speeds anticipated because of the conversion of city streets to two-way traffic, would reduce the traffic barrier effects experienced by pedestrians walking through the city.*

Anecdotally, the City of Launceston regularly receive complaints about vehicle speed and vehicular behaviour within the CBD. In addition to this, feedback from users of active transport is the one way streets, higher speeds and absence of clear routes for active transport make travelling to, and through, the CBD challenging.

Question 2:

Launceston Central is engaged by the City of Launceston to lead marketing and promotion activities. With a view to suggesting moving to where the organisation is wholly within council at some time in the future, can you detail the main events they conducted this year and details of plans for next year?

Response

Sarah McRobbie (Manager Innovation and Performance)

At the Council Meeting on Thursday 3 October 2024, Council unanimously voted to request officers to engage with Launceston Central Marketing Inc with view to negotiating the renewal of the operational agreement and memorandum of understanding, to be considered formally at a future meeting of Council, with inclusion of the following

- *a 3-year term (2025-2028), with the option of an additional 3-year extension*
- *revision of KPIs, to include a combination of qualitative and quantitative measures, and*
- *Any adjustments necessary to ensure the operations of the entity continue to be aligned with the key purpose.*

The Launceston Central organisation have provided advice of the events they organised in 2024 and currently propose for 2025 as follows:

2024 Events Run:

- *Boutique Week – Multiple events*
- *Super Sale Saturday*
- *TAGS Off x 2*
- *The Lounge – Multi small events hosted over 12 operational weeks*
- *NORTH – 35+ events at venues, including the Riverside Park Family Fun Day*
- *Christmas in the City – Multiple performances, activations, promotions, and Black Friday shopping night coordination*
- *Industry Events – Police info sessions, Ryan Smolar presentation, Business Connect session, and City Champion meetings*

2025 Planned Events:

- Continuation of the above events
- Pilot coffee-based event
- School holiday activation
- A refreshed set of event stakeholder sessions

This does not include any marketing, advocacy, stories of city or promotional campaigns undertaken by Launceston Central.

Question 3:

To a question at the City of Launceston Annual General Meeting Thursday 7 December 2023, I received the response below. Below that is an excerpt of the page 134, but it does not quite detail the item as I was hoping. These totals on page 134 appeared to include more than on-street parking revenue and traffic infringements. Can you make available these individual items, if they are in existence please?

With regard to the City of Launceston Annual Report, what is the total revenue for metered on-street parking revenue and the total traffic infringements for parking for the year? Is that included in the report?

The Mayor, Councillor M K Garwood, responded that this question would be answered when discussing Agenda Item 6.

[During discussion of Agenda Item 6 - the Chief Financial Officer advised that the relevant figures could be found on page 134 of the Annual Report]

Note 2.2 Statutory Fees and Fines

	2023	2022
	\$'000	\$'000
Infringements and Costs	2,074	1,370
Regulatory Fees	3,054	3,516
Regulatory Services	494	592
Permits and Registrations	51	50
Total Statutory Fees and Fines	5,673	5,528

Note 2.3 User Fees

Sport and Leisure Facilities	4,863	4,766
Parking Fees and Charges	6,718	5,924
Waste Charges	8,998	7,030
Health Fees	34	24
Cemetery Fees and Charges	1,592	1,362
Trading Revenue	2,097	2,793
Other Revenue	-	21
Venue Hire	15	4
Commissions	626	452
Total User Fees	24,943	22,376

Response

Samuel Kelty (Manager Finance)

Due to the breadth and size of council operations, it is necessary to group many figures in the annual financial statements contained within the annual report. A breakdown has been provided below of Infringement and Costs as well as Parking Fees and Charges detailed on page 125 of the City of Launceston Annual Report 2023-24.

	2024
	\$'000
<i>Fees Parking On Street</i>	<i>3,146</i>
<i>Fees Parking Off Street</i>	<i>3,473</i>
<i>Parking Fees and Charges</i>	<i>6,619</i>
<i>Fines Street Offences</i>	<i>469</i>
<i>Fines Off Street Offences</i>	<i>482</i>
<i>Fines Traffic Act Offences</i>	<i>339</i>
<i>Other Infringements</i>	<i>535</i>
<i>Infringements and Costs</i>	<i>1,825</i>

Question 4:

With regard to the two-hour free parking promotion council runs (3.30-5.30pm), can you provide any statistics which might indicate if there is any discernable 'spike' in entry at 3.30pm and conversely on exiting prior to 5.30pm please?

Question 5:

Does council have any analysis of length of stay for it's multi-story car parks, for say the last year, that it can make available please?

Responses 4 and 5

Lee Simmons (Team Leader Parking)

The City of Launceston began recording hour-by-hour occupancy rates for our multi-storey car parks during the 2022-23 financial year. The following referenced data is averaged across the entire data set that has thus far been accumulated.

Based on this data, there is a discernible impact on occupancy during the free parking period from 3:30 PM to 5:30 PM on weekdays.

Our data shows that the highest occupancy across all multi-storey car parks typically occurs between 11:00 AM and 2:00 PM, with the following average occupancy rates during this peak period:

Paterson East: 80% to 100%

Paterson West: 70% to 80%

Elizabeth Street Car Park: 80% to 100%

After 2:00 PM, occupancy decreases to approximately 40% and remains at this level during the 3:30 PM to 5:30 PM free parking promotion. Following the end of the promotion, occupancy further declines to around 10% to 20%.

It is important to note that the impact of the free parking period is less pronounced during school holidays. The promotion was introduced to encourage re-engagement with the local economy, particularly after school hours, and the data suggests that this objective has been met during term times.

To correlate more precise statistical data would require a substantial time investment. If this is required, based on current workload and capacity parking would require at least seven days to correlate the required data.

Question 6:

What analysis has council undertaken to evaluate the effects of charging general entry to the council run Art Gallery at Royal Park and Inveresk Museums?

Response

Shane Fitzgerald (General Manager Creative Arts and Cultural Service Network)

No analysis has been undertaken in recent years. Access to cultural services is a right and fees that limit access are unlikely to be introduced. Blockbuster experiences and events may incur an admission charge.

Question 7:

How many Snap Send Solve reports were received by council 2023-24?

Response

Kate Woodland (Team Leader Customer Service)

Customer Service received a total of 3,030 Snap Send Solve reports for the 2023-24 Financial year.

Question 8:

What is the council on-street dining policy relating to smoking, vaping and the provision of ashtrays while furniture is in use in the dining area?

Response

Natasha Tempest (Team Leader Environmental Health)

Smoking and vaping are prohibited in an outdoor dining area, irrespective of people eating or drinking food.

An outdoor dining area is defined by The Public Health Act 1997 as an area that is not enclosed and that contains tables or seating provided by the occupier of licensed premises, a restaurant, a cafe, a snack bar or a takeaway food shop for the use of its customers to consume solid food.

The Public Health Act 1997 defines a smoke-free area as:

Division 1A - Smoke-free areas, 67B Smoke-free areas, (1):

(k) anywhere in an outdoor dining area;

(l) anywhere within 3 metres of an outdoor dining area that is not surrounded by a screen, or other barrier, that is at least 2.1 metres high and impervious to smoke

Council's Environmental Health Officers monitor Council's declared and prescribed smoke-free areas to ensure Council prioritises public health.

ATTACHMENTS:

1. Questions on Notice - Annual General Meeting - Smith, Robin _ Redacted [4.1.1.1 - 2 pages]

4.2. Public Questions Without Notice

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

5. ANNUAL REPORTS

5.1. Mayor and Chief Executive Officer Reports/Presentations

FILE NO: SF0098, SF7556

APPROVER: Sam Johnson OAM (Chief Executive Officer)

SUMMARY OF PRESENTATION

The Mayor, Councillor Matthew Garwood, and Sam Johnson OAM (Chief Executive Officer) will provide a presentation showcasing City of Launceston's achievements this year.

5.2. Annual Reports

FILE NO: SF7556, SF2633, SF0958

APPROVOR: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To receive the City of Launceston's Annual Report for the year ended 30 June 2024 and note the Annual Reports for the following City of Launceston entities and Authorities:

- (a) Queen Victoria Museum and Art Gallery; and
- (b) Launceston Flood Authority

RECOMMENDATION:

That Council:

1. receives the City of Launceston Annual Report for the year ended 30 June 2024 (ECM Doc Set ID 5162353) and pursuant to section 72(2)(a) of *the Local Government Act 1993* (Tas) and submits one copy of the Annual Report to the Director of Local Government and one to the Director of Public Health;
 2. receives the Launceston Flood Authority Annual Report for the period ended 30 June 2024 (ECM Doc Set ID 5159517); and
 3. notes the Queen Victoria Museum and Art Gallery Annual Report 2023/2024 (ECM Doc Set ID 4968941) was received by the Council at its Meeting on 31 October 2024.
-

REPORT:

The City of Launceston's Annual Reports for the year ended 30 June 2024 have been publicly provided by their inclusion on the City of Launceston's website - www.launceston.tas.gov.au .

The Annual Reports provide an overview of the City of Launceston's operational and financial performance for the year ended 30 June 2024.

Pursuant to section 72(2)(d) of the *Local Government Act 1993* (Tas), the City of Launceston's Annual Report for the year ended 30 June 2024 was advertised in The Examiner and published on the City of Launceston's website www.launceston.tas.gov.au for members of the public to lodge submissions by 12pm Tuesday 3 December 2024.

No submissions have been received in regard to the City of Launceston's Annual Reports for the year ended 30 June 2024.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

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

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

Focus Areas:

1. To actively market the City and region and pursue investment.
2. To facilitate direct investment in the local economy to support its growth.
3. To provide an environment that is supportive to business and development within the municipality.
4. To promote tourism and the development of a quality tourism offering for Launceston.
5. To understand and support the establishment and growth of new and creative industries and businesses in Launceston.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Chief Executive Officer has no interests to declare in this matter.

ATTACHMENTS:

1. City of Launceston Annual Report 2023-24 [5.2.1 - 196 pages]
2. QVMAG Annual Report [5.2.2 - 125 pages]
3. Launceston Flood Authority Annual Report - 30 June 2024 [5.2.3 - 32 pages]

6. NOTICES OF MOTION

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

6.1. Notice of Motion - Robin Smith - Signage for Personal Mobility Devices - 3 December 2024

FILE NO: SF5547

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion submitted by Robin Smith regarding signage for Personal Mobility Devices (e-scooters).

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That City of Launceston Council:

1. review the rules and signage as they relate to the operation of PMDs (e-scooters) in the Launceston CBD.
-

REPORT:

City of Launceston introduced and manages the use e-scooters (Personal Mobility Devices) in the municipality of Launceston.

Pedestrians should be the priority in the CBD.

There is some degree of ambiguity as can be identified between the following attached documents:

- City of Launceston E-Scooter Trial Evaluation hire e-scooter Launceston CBD 'no-go' map, (figure 24, page 60);
 - City of Launceston Spatial Apps and Maps (SAM) PMD Exclusion Areas - CAD dated 8 March 2023;
 - City of Launceston E-Scooter Trial Evaluation report - heat map of hire e-scooter use in Launceston's Central Activity District, (figure 17, page 42);
 - Screenshot of e-scooter hire operating application detailing Launceston's CBD 'no-go' zone';
 - Images of several e-scooter hire trip history from the same operator.
-

OFFICER COMMENTS:

Erica Deegan (Manager Infrastructure and Engineering)

The City of Launceston have a clear understanding of the rules around operation of PMDs (e-scooters) in the Launceston CBD. It is known that the combination of the Road Rules and our Facilities and Highways By-Law creates a significant barrier to PMD usage (both private and hire-and-ride) through the central CBD. The Road Rules prevent riding on the roads (as they all have centrelines), and the By-Law prevents riding of a vehicle in the "Malls" (listed within the By-Law, including Brisbane St Mall, the Quadrant Mall, Civic Square, the Avenue, and sections of Charles St and St John St). To reflect this, and to maintain pedestrian safety in these "Malls", we imposed a "no-ride" area for hire-and-ride scooters in the area bounded by Charles, Cameron, George and York Streets. It is possible that some hire-and-ride scooters have gone through this area, whether it be due to inaccuracies in the geo-fencing or the scooter being pushed rather than ridden.

It is acknowledged that there is some lack of clarity about where PMDs can be ridden in the CBD within the general public. Updating the existing signs that restrict the use of bikes, skateboards and scooters to also prohibit PMDs should largely resolve this confusion. It is understood that updating of this signage has not been undertaken to date due to budgetary constraints. Acknowledging we have not undertaken a comprehensive search, relevant officers are not aware of any significant issues or complaints about PMDs (either private or hire-and-ride) in these pedestrian areas, so while there is some ambiguity, it is not a high priority to resolve. Likewise, the hire-and-ride geo-fencing could be tweaked in the CBD, but in the absence of any notable problems, there is limited reason to do so. It is also noted that we are also getting requests from members of the public around facilitating clear active transport corridors, to support both bicycle and the use of PMDs within the entire Launceston area, but specifically including the CBD.

It is also noted that our ability to enforce the PMD restrictions in the By-Law or Road Rules is completely untested. If the signs were to be updated this would be around confirmation of rules and public information, rather than a restriction to be enforced.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and Chief Executive Officer have no interests to declare in this matter.

ATTACHMENTS:

1. Notice of Motion - Robin Smith - Signage and Rules - 3 December 2024 - Redacted
[6.1.1 - 8 pages]

6.2. Notice of Motion - Robin Smith - Traffic Trial - Lane Removal Charles Street and Paterson Street - 3 December 2024

FILE NO: SF5547

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion submitted by Robin Smith regarding a traffic trial in Charles Street and Paterson Street, Launceston.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. trial to remove a lane of traffic in Charles Street (between Brisbane Street and Paterson Streets) and Paterson Street, (between Charles Street and St. John Streets) Launceston.
-

REPORT:

At the City of Launceston Council Meeting held Thursday 31 October 2024, Council voted unanimously to endorse item 21.1 City Heart Place Plan.

That plan contains a proposal for a number of one-way streets to be converted to two-way, as contained in the Overarching Actions for the City Heart (p21).

A test of lane narrowing on Paterson St (between St John and George Streets) is proposed by the City Heart Place Plan but not on Charles Street except an 'exploration' of two-way operation.

Council officers and councillors have expressed the belief that if cars on this section are prevented from being able to race two abreast, even in this short two block section, it would reduce the incidence of 'blockies',

The goal of temporally removing a single lane of traffic on several Friday and Saturday nights is to emulate City Heart treatments prior to permanent implementation of council's plan.

Filming and recording traffic volumes, noise and speed, both before and during the trial at various locations on the CBD wide route, will help guide the City Heart Place Plan on the

effectiveness (or otherwise) the planned lane reductions may have in reducing traffic volumes and speeds on the 'blockie' route.

Department of Infrastructure, Energy and Resources and specialist external consultation would be required, together with temporary traffic management of lane closure according to the Australian Standard and traffic guides.

OFFICER COMMENTS:

Erica Deegan (Manager Infrastructure and Engineering)

A trial of this nature has not been specifically considered within the City Heart Place Plan. Before any commitments are made, a detailed analysis would be necessary to assess its broader impacts. Implementing such a trial would also delay the delivery of actions outlined in the City Heart Place Plan due to the time required to fully scope and prepare for temporary trials. As highlighted in the Notice of Motion, external specialist consultation and temporary traffic management compliant with Australian Standards would be essential. Following receipt of the Notice of Motion, preliminary investigations were conducted to estimate the potential costs associated with a proposal of this nature. These investigations suggest that closing a lane for approximately 8 hours overnight on a Friday or Saturday (e.g. 8 pm to 4 am) would cost around \$2,000 per night.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and Chief Executive Officer have no interests to declare in this matter.

ATTACHMENTS:

1. Notice of Motion - Robin Smith - Traffic Trial - 3 December 2024 - Redacted [6.2.1 - 1 page]
-

6.3. Notice of Motion - Robin Smith - Make a By-Law - Early Discount Provisions for Parking Infringements - 3 December 2024

FILE NO: SF5547

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion submitted by Robin Smith regarding a new Parking Facilities By-Law that includes discount provisions for early payment of fines.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That City of Launceston makes a new by-law generally in the terms of the current Parking Facilities By-Law No 2 of 2023 with the following early discount provision for all infringement notices issued under clause 7 with penalty units corresponding as shown below:

Column 1	Column 2	Column 3	Column 4	Column 5
Section	Offence	Penalty (penalty units)	Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice (penalty units)	Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice (penalty units)
Section 97(1)(a)(i)	Remaining parked whilst meter not running	0.5	0.2	0.3
Section 97(1)(a)(ii)	Exceeding maximum period on parking meter	0.5	0.25	0.4
Section 97(1)(b)(i)	Parking without parking voucher displayed	0.5	0.2	0.3

Section 97(1)(b)(ii)	Parking longer than authorised by a parking voucher	0.5	0.25	0.4
Section 97(1)(c)	Parking more than one motor vehicle in a space	0.5	0.25	0.4
Section 97(1)(d)	Parking a motor vehicle partly inside and partly outside a space	0.5	0.2	0.3

REPORT:

City of Launceston currently has three by-laws in force:

- Facilities and Highways By-Law Number 1 of 2021
- On-Street Parking Penalties By-Law Number 1 of 2023
- Parking Facilities By-Law Number 2 of 2023

Unfortunately, the Parking Facilities By-Law No 2 of 2023 does not offer a discount for early payment as it does in other areas of the city for the same offence.

However, as it stands today, there is the unintended consequences that if council were to give a discounted amount thereby undercutting the existing penalty structure in the current Parking Facilities By-Law No 2 of 2023, it may have compromise the Director of Monetary Penalties Enforcement Service ability to use the *Monetary Penalties Enforcement Act 2005* to collect on an infringement, so requiring this motion to make a new by-law.

Ordinarily, making a by-law requires the involved Regulatory Impact Statement process to be followed, however, as the Parking Facilities By-Law No 2 of 2023 is currently in force and this is a minor change to the existing law, the *Local Government Act 1993* carries a provision to excuse the RIS as in the following section:-

LOCAL GOVERNMENT ACT 1993 - REG 156A

Regulatory impact statement

- (1) A council is to prepare a regulatory impact statement in respect of any by-law it intends to make.
- (1A) Subsection (1) does not apply to any by-law –
 - (a) the whole purpose of which is to repeal another by-law; or
 - (b) that is an amendment to an existing by-law that –
 - i. is of a minor and technical nature; or
 - ii. does not significantly alter the purpose or effect of the existing by-law; or
 - iii. does not significantly alter the impact on the public of the existing by-law.

This motion would bring down the dollar value payable on some applicable parking infringements issued by the City of Launceston's parking department and will have budgetary implications.

I also make reference to the City of Launceston Corporate Strategic Plan 2014 - 2024 Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
5. To maintain a financially sustainable organisation.

(For the avoidance of doubt, this table above is extracted from the On-Street Parking Penalties By-Law Number 1 of 2023 detailed in the City of Launceston Council Meeting Agenda Thursday 15 June 2023 p.75 being part of the prescribed penalties table).

OFFICER COMMENTS:

Lee Simmons (Team Leader Parking Operations)

Since the implementation of the adopted penalties under the Parking Facilities By-Law No. 2 of 2023, which align with the penalty unit structure of the Road Rules 2019, there has been a significant reduction in non-compliant parking across the City of Launceston's off-street parking facilities. This reduction has resulted in higher occupancy by paying users, as bays historically occupied by non-compliant parkers are now available.

Additionally, the number of infringements issued in these areas has decreased compared to the previous graduated penalty system. The combination of increased revenue from paid parking and reduced statutory infringement revenue demonstrates that the current system is functioning effectively, providing clarity for users and encouraging adherence to parking regulations.

A change to adopt the previous graduated penalty system will result in less compliance.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
5. To maintain a financially sustainable organisation.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and Chief Executive Officer have no interests to declare in this matter.

ATTACHMENTS:

1. Notice of Motion - Robin Smith - Make a By- Law - Early Discount Provisions for Parking Infringements -3 December 2024 Redacted [6.3.1 - 3 pages]
2. Notice of Motion - Robin Smith - Make a By- Law (Attachment) [6.3.2 - 1 page]

6.4. Notice of Motion - Robin Smith - Free Parking Promotion Advertised Available Seven Days Per Week - 3 December 2024

FILE NO: SF5547

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion submitted by Robin Smith regarding consistent promotion of free parking between 3.30pm and 5.30pm..

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That City of Launceston:

1. That City of Launceston establish a consistent approach to it's promotion of offering free parking 3.30pm-5.30pm
-

REPORT:

The City of Launceston runs a long-standing and successful free parking promotion in Paterson Street East, Paterson Street West and Elizabeth Street multi-deck car-parks between 3.30pm and 5.30pm.

Council officers identified that this was when these facilities were underutilised and provides an opportunity for promoting visitation by the extension of an existing stay or attracting someone to stop by in the city.

City of Launceston, Council Meeting Agenda Thursday 22 August 2024 item 8.1.2. Public Questions on Notice - Robin Smith - Parking Promotion - 8 August 2024, confirmed that the free parking promotion is programmed to automatically calculate the discount as applying seven days per week. (Attached)

Unfortunately, this promotion is inconsistently advertised by Council as both 'week days only' and also 'seven days per week'. (please see attachments).

As the applicable parking fees are currently waived by the council every day of the week, every week of the year, it would be advantageous to visitors and businesses to market as such.

OFFICER COMMENTS:

Lee Simmons (Team Leader Parking)

The implementation of the signs was a Launceston Central initiative. Parking only facilitated dates and times for installation. It is understood that there has been some ambiguity in the promotion of the free parking period and the signage on our car parks adds to this ambiguity.

The signs state the promotion runs from 3:30PM to 5:30 PM Monday to Friday. The period is available on Saturday and Sunday in car parks that are open at these times however, as the promotion was to encourage re-engagement with the local economy after school hours. Council can resolve this by adopting the hours advertised or by altering the signage to accurately represent the free period being available seven days a week when car parks are in operation.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and Chief Executive Officer have no interests to declare in this matter.

ATTACHMENTS:

1. Notice of Motion - Robin Smith - Free Parking Promotion Advertised Available Seven Days Per Week [6.4.1 - 6 pages]

6.5. Notice of Motion - Robin Smith - Questions Without Notice on Agenda Items - 3 December 2024

FILE NO: SF5547

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion submitted by Robin Smith regarding Questions Without Notice relating to an agenda item.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That the City of Launceston Council adopt a general meeting policy of allowing a public question without notice relating to an agenda item, be permitted to be answered.

REPORT:

Local Government (Meeting Procedures) Regulations 2015 requires the agenda of an ordinary council meeting is to provide for a public question time.

A long held practice enforced by successive City of Launceston meeting chairpersons, directs that Council will not answer questions from the public where it relates to an item on the agenda of that general meeting.

While this rule does not appear in Council's Public Question Time Policy (14-Plx-037 | Version 16/06/2022), the *Local Government (Meeting Procedures) Regulations 2015* states that the chairperson of an ordinary council meeting may refuse to accept a question from a member of the public.

The benefits of answering a question at such a time, outweighs any other consideration and therefore should be permitted as a matter of course.

OFFICER COMMENTS:

Kelsey Hartland (Team Leader Governance)

Section 31 of the Local Government (Meetings Regulations) Procedures 2015 relates to Public Questions Without Notice and section 31(7) permits the Council to determine procedures in respect of public question time.

City of Launceston currently allows for questions without notice relating to agenda items tabled at the same meeting to be asked by members of the public but an answer is not

provided. This allows the Councillors to hear the questions which can then be considered as part of the discussion when the agenda item is heard.

Should the Notice of Motion be supported a review of Public Question Time Policy (14-Plx-037) would need to be undertaken.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and Chief Executive Officer have no interests to declare in this matter.

ATTACHMENTS:

1. Notice of Motion - Questions Without Notice on Items on an Agenda - Smith, Robin Redacted [6.5.1 - 1 page]

**6.6. Notice of Motion - Robin Smith - Activity Permit Conditions - Malls - 3
December 2024**

FILE NO: SF5547

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion submitted by Robin Smith regarding permitted activities in malls.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That City of Launceston Council resolve to include the following requirements in 26-Rfx-006 Guidelines for Activities in Malls, Parks and Public and associated permit documentation:

1. the permit holder is required to display a copy of the permit (Authorisation to conduct an Activity in a Mall) at the site for the duration of activity; and
 2. list the activities of boycotting, protesting, divesting or sanctioning of a legal product, business or industry as a 'not permitted' activity in malls.
-

REPORT:

- Guidelines: City of Launceston - Guidelines for Activities in Malls, Parks and Public Reserves
- Permits: Authorisation to conduct as Activity in a Mall, Park or Public Reserve

Such activist practices are incompatible with the mall areas, which are an area of focussed commerce.

Attached is a question enquiring on the subject as made in Council General Meeting 25 July 2024 at item 8.1.4. Public Questions on Notice - Robin Smith - Permitted Use for Activities in Civic Areas but it did not elicit much engagement on a challenge to the protesting activity itself.

OFFICER COMMENTS:

Leanne Purchase (Acting Manager Parks and Sustainability)

A review of permit documentation would be required to determine if the proposal is reasonable. Given that the suggestions have the potential to affect legal rights, careful consideration will need to be given to ensure any modifications are lawful and appropriate.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

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Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and Chief Executive Officer have no interests to declare in this matter.

ATTACHMENTS:

1. Notice of Motion - Robin Smith - Activity Permit Conditions - Malls - 3 December 2024 - Redacted [6.6.1 - 3 pages]

6.7. Notice of Motion - Robin Smith - Reinstallation of Two Bronze Thylacine Statues in the Brisbane Street Mall - 3 December 2024

FILE NO: SF5547

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion submitted by Robin Smith regarding the re-installation of two bronze thylacine statues in the Brisbane Street Mall.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That the City of Launceston:

1. resolves to return two of the bronze thylacine statues (D1 & D2) to the Brisbane Street Mall on a raised plinth or platform approximate to where they were originally installed.
-

REPORT:

The thylacine sculpture installation represented a major activation under the City Heart Stage 1 of the Brisbane Street Mall and should be reinstated to a degree.

I wrote to council 12 November 2018 identifying a safety issue with the thylacine sculptures being a tripping hazard as follows: 'Potential Defect - Thylacines appear significantly smaller than the drawings'. Attached is a list of my engagement since that email.

On Thursday 23 March 2023 at agenda item 16.1 I spoke against the motion but council voted unanimously 'That Council approves the relocation of the Brisbane Street Mall thylacine sculptures to Civic Square'.

This demonstrated that the commissioning artist would consider their relocation and that a safe and appropriate vantage was achievable.

The bronze thylacine statues D1 & D2 are identified in the Thursday 23 March 2023 agenda item 16.1 [page 184] Thylacines Concept 1: Civic Square, being attachment Proposed Location Civic Square [16.1.1 - 2 pages]

Attachments: Minutes detailing previous enquiries and efforts 2019-2024; Council meeting agenda 23 March 2023, item 16.1, Thylacine Relocation

OFFICER COMMENTS:

Marcus Grantham (Team Leader Placemaking)

The Council has undertaken extensive investigations to resolve incidences of tripping involving the thylacine sculptures in the Brisbane Street Mall ("BSM"). Prior to the relocation of the thylacines to Civic Square, several solutions were explored, including raising the sculptures on plinths or new garden beds within the BSM. It was found that plinths or similar structures would require larger footings than the original installations and due to substantial sub-ground services in the BSM, location choices would have been limited and / or unfavourable for public amenity. In addition, raising the sculptures on plinths or similar structures may have introduced a fall risk to motivated community members. To reduce this risk, fall mitigation approaches could have included soft-fall matting or increasing the surface area of the plinth.

During detailed investigations of these options, changes in construction costs and builder availability were not favourable, and it was determined that the abovementioned options would deliver sub-optimal results compared to relocating the thylacines to Civic Square as follows:

- establishing trees or plants may have caused underground service damage in the BSM;*
- installing the sculptures on smaller plinths would have changed the narrative of the sculptures, as they were intended to appear as "natural" in the space and not displayed just as art pieces;*
- island seating would have increase perceived 'clutter' in the BSM; and*
- additional disruption to local businesses during construction would have occurred.*

For these reasons, keeping the thylacines in the mall was not considered best value for money or public amenity.

Should the two sculptures highlighted by Mr Smith (D1 & D2) be relocated back into the BSM, on plinths with fall mitigation measures (such as soft-fall matting), the cost to Council (estimated) would be in the order of \$8,000 to \$20,000, pending further investigations into service locations, footings and plinth design.

The Council has invested significant time and resources to relocate the sculptures to Civic Square, and as a collection, it is favourable for the sculptures to be located together for curatorial / storytelling purposes. On this basis, and due to the significant cost and possible disruption to the BSM by relocating thylacines back to the mall, Council officers recommend the thylacines remain in-situ in Civic Square.

Notwithstanding this, Council officers are currently working on plans to activate the mall which may include a range of activities and assets (including ephemeral artworks), which will be brought to a future Council meeting.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and Chief Executive Officer have no interests to declare in this matter.

ATTACHMENTS:

1. Notice of Motion - Robin Smith - Re-installation of Two Bronze Thylacine Statues in the Brisbane St [6.7.1 - 16 pages]

7. MEETING CLOSURE