



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 3 OCTOBER 2024
1.00PM**

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

Date: 3 October 2024

Time: 1:00 pm

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**

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 QUESTION TIME - AGENDA ITEM 8

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

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

PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

Present:

Mayor Councillor M K Garwood
Councillor A E Dawkins
Councillor A G Harris
Councillor T G Walker
Councillor Prof G Razay
Councillor J J Pentridge
Councillor A J Palmer
Councillor L M McMahon
Councillor S Cai
Councillor A J Britton

In Attendance:

Sam Johnson OAM (Chief Executive Officer)
Chelsea van Riet (General Manager Community and Place Network)
Erica Deegan (Acting General Manager Infrastructure and Asset Network)
Louise Foster (General Manager Organisational Services Network)
Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)
Nathan Williams (Chief Financial Officer)
Matt Morgan (Acting Manager Governance)
Zara Dawtrey (Senior Communications Officer)
Lorraine Wyatt (Council and Committees Officer)
Iain More (Senior Town Planner Policy and Projects) (Item 11.1)
Sarah McCormack (Item 17.1)
Lucas Lim (Acting Team Leader Legal Services) (Item 20.1 and Item 20.2)
Sharin Imlach (Lease Officer) (Item 20.1)
Karishma Kodavali (Economic Development Officer) (Item 20.3)
Zakia Afroz (Team Leader Accounting) (Item 20.4)

Apologies:

Nil

Leave of Absence:

Deputy Mayor Councillor D H McKenzie
Councillor D C Gibson

ORDER OF BUSINESS

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES.....	10
2. MAYORAL ACKNOWLEDGEMENTS	10
3. DECLARATIONS OF INTEREST	10
3.1. Declarations of Interest	10
4. CONFIRMATION OF MINUTES.....	10
4.1. Confirmation of Minutes	10
5. COUNCIL WORKSHOPS	12
5.1. Council Workshops Report - 19 September 2024 and 26 September 2024 ..	12
6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS	15
7. COMMUNITY REPORTS	15
8. PUBLIC QUESTION TIME	15
8.1. Public Questions on Notice.....	15
8.1.1. Public Questions on Notice - Robin Smith - Beam Scooters - 19	
September 2024	15
8.1.2. Public Questions on Notice - Robin Smith - Personal Mobility	
Devices (e-Scooters) - 25 September 2024.....	17
8.1.3. Public Questions on Notice - Robin Smith - Duty of Care to Officers	
(Parking) - 25 September 2024.....	19
8.2. Public Questions Without Notice.....	21
9. PETITIONS.....	21
10. DEPUTATIONS	21
11. PLANNING AUTHORITY	22
11.1. PSA-LLP0012 - Planning Scheme Amendment - New Properties onto the	
Local Heritage List and New Datasheets	22
12. ANNOUNCEMENTS BY THE MAYOR.....	26
12.1. Mayor's Announcements.....	26
13. COUNCILLORS' REPORTS	28

14. QUESTIONS BY COUNCILLORS	28
14.1. Councillors' Questions on Notice	28
14.2. Councillors' Questions Without Notice	28
14.2.1. Councillors' Questions Without Notice - Councillor T G Walker - Notice of Motion Paterson Barracks - 3 October 2024	28
14.2.2. Councillors' Questions Without Notice - Councillor L McMahon - Northern Hospice - 3 October 2024	30
15. NOTICES OF MOTION	31
16. COMMITTEE REPORTS	31
17. COMMUNITY AND PLACE NETWORK	31
17.1. ABCDE Learning Site Reflection and Growth Future Plan	31
18. CREATIVE ARTS AND CULTURAL SERVICES NETWORK	33
19. INFRASTRUCTURE AND ASSETS NETWORK	33
19.1. Road Reserves, Parks and Public Reserves Occupation Policy (27-Plx-012) 	33
19.2. Fees and Charges Amendment 2023/2024 and Associated Remission of Road Reserves, Parks and Public Reserves Occupation Fees	42
20. ORGANISATIONAL SERVICES NETWORK	45
20.1. Lease - Migrant Resource Centre	45
20.2. Occupation Licensing Act 2005 - Nominations to be a	49
20.3. Launceston Central Inc. - 3 Year Agreement Review	51
20.4. Monthly Financial Performance Report	53
20.5. Code of Conduct for Councillors	54
20.6. Representation at the 2024 Rail Trails Conference - 18 to 19 October 2024	56
21. CHIEF EXECUTIVE OFFICER NETWORK	57
22. LATE ITEMS	57

23. CLOSED COUNCIL	57
23.1. Confirmation of the Minutes.....	57
23.2. Disposal of Interest in Land - Corner Nairana and Forster Streets, Invermay 	57
23.3. Workers Commemorative (Memorial) Park Refurbishment	58
23.4. End of Closed Session	58
24. MEETING CLOSURE.....	59
25. NEXT COUNCIL MEETING DATE.....	59

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm acknowledging that we are meeting on the unseeded lands of the palawa people, the original and ongoing owners, and noted apologies from Deputy Mayor Councillor D H McKenzie and Councillor D C Gibson.

2. MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements for this Meeting.

3. DECLARATIONS OF INTEREST

3.1. Declarations of Interest

Local Government Act 1993 (Tas) - section 48

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

Councillor A G Harris Declared and Interest in Item 20.6 Representation at the 2024 Rail Trails Conference - 18 to 19 October 2024.

Councillor L M McMahon Declared an Interest in Item 23.3 Workers Commemorative (Memorial) Park Refurbishment.

4. CONFIRMATION OF MINUTES

4.1. 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 19 September 2024 be confirmed as a true and correct record.

DECISION: 3 October 2024

MOTION

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

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 19 September 2024 be confirmed as a true and correct record.

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof 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 Workshops Report - 19 September 2024 and 26 September 2024

FILE NO: SF4401

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

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 19 September 2024:

George Street Parklets (Dining Decks)

Councillors received a presentation about a proposed trial of parklets (dining decks) on George Street.

Museum Governance Advisory Board (MGAB): Terms of Reference (ToR)

Councillors received a presentation and discussed the reviewed and updated Terms of Reference pertaining to the QVMAG Museum Governance Advisory Board.

In Attendance: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

Apologies: Councillor D C Gibson, Councillor A E Dawkins and Councillor L M McMahon.

2. Workshop conducted on 26 September 2024:

Brisbane Street Mall Activation

Councillors received a presentation about the plan for the activation of the Brisbane Street Mall.

Chief Executive Officer (CEO) Performance Management Workshop

Councillors were provided with training and discussed opportunities around development of inaugural performance plan for the CEO.

In Attendance: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

Leave of Absence: Councillor D C Gibson and Deputy Mayor Councillor D H McKenzie

DECISION: 3 October 2024

MOTION

Moved Councillor A J Britton, seconded Councillor A E Dawkins.

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 19 September 2024:

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In Attendance: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

Apologies: Councillor D C Gibson, Councillor A E Dawkins and Councillor L M McMahon.

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In Attendance: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

Leave of Absence: Councillor D C Gibson and Deputy Mayor Councillor D H McKenzie

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof 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 - Robin Smith - Beam Scooters - 19 September 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 19 September 2024 by Robin Smith, has been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network) and Cameron Smith (Smart City Project Officer).

Questions:

1. With regard to the Beam Scooter Report, Beam Scooter, how much of the report was written by Council Officers and how much was written by Beam? Did they have any input into the writing of that report other than giving obviously the data? I did raise issues of what was in that report and I had some doubts about it.

Response:

The report was written and coordinated by City of Launceston officers and included many sources of information including:

- *Data used to analyse travel patterns and ride numbers was captured through the Ride Report platform which is independent from Beam and Neuron. Council staff completed the analysis and concluded the findings.*
- *Beam and Neuron provided data throughout the trial on incidents which were consolidated and included in the report alongside infringement data from Tas Police.*
- *Beam and Neuron each had user surveys during the trial for their internal purposes, yet aspects were referenced within the Council report.*
- *Beam and Neuron also provided information on aspects such as employment, safety programs, innovations and challenges which Council staff have referenced within the report.*
- *Council also captured community input that was included in the report through the Tomorrow Together "A well-designed City" engagement program as well as adhoc feedback via phone call, email and in writing.*

Neither Beam or Neuron had access to the report prior to it being made available to the public.

8.1.2. Public Questions on Notice - Robin Smith - Personal Mobility Devices (e-Scooters) - 25 September 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 25 September 2024 by Robin Smith, has been answered by Erica Deegan (Acting General Manager Infrastructure and Assets Network).

Question:

1. I have previously asked of council a number of questions about Personal Mobility Devices (escooter) riding. To bridge the gap between our differing interpretations of their permitted use in the Brisbane Street Mall, I would appreciate if you could comment on the following as it relates please:

Rule 100 of the *Road Rules 2019* (Road Rules) covers 'no entry' signs below:

100. No entry signs

A driver must not drive past a no entry sign.

Penalty: Fine not exceeding 10 penalty units.

Under the Road Rules, personal mobility device users are defined as pedestrians:

18. Who is a pedestrian

A pedestrian includes –

(e) a person in or on a personal mobility device, unless otherwise expressly stated.

Response:

According to our Facilities and Highways By-Law - 2021 it is an offence to drive a vehicle in a Mall (which includes the Brisbane Street Mall). The By-Law relies on the definition of "vehicle" from the Traffic Act 1925 rather than the definition from the Road Rules.

Section 3 (1) of the Traffic Act: (vehicle includes any description of vehicle designed to move or to be moved on one or more wheels or revolving runners, and any truck, barrow, or similar vehicle, but, except as may be expressly prescribed by regulations, does not include a vehicle constructed or adapted for propulsion on rails only.)

With consideration of this definition, it appears that a personal mobility device is considered a vehicle, thus riding of e-scooters in the Brisbane Street Mall is therefore prohibited under our By-Laws.

**8.1.3. Public Questions on Notice - Robin Smith - Duty of Care to Officers (Parking)
- 25 September 2024**

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 25 September 2024 by Robin Smith, has been answered by Lee Simmons.

Questions:

1. Today (25th Sept.) a City of Launceston parking officer was abused in Charles Street by a motorist as they left in response to having been issued with an infringement under the road rules. The tirade of verbal threats and abuse, together with the graphic nature of the language used, cannot stand.

What options does the council have (or what duty of care) is open to it, if it was felt that action should be taken against the driver?

Response:

Thank you for your inquiry regarding the incident on September 25th in Charles Street, where a City of Launceston Parking Officer was subjected to verbal abuse and threats by a motorist following the issuance of an infringement notice under the Road Rules. Threats and abuse directed at officers are taken very seriously, and measures are in place to ensure their safety and wellbeing include:

- *The provision of training in de-escalation techniques and effectively managing difficult interactions*
- *Officers are equipped with Body Worn Cameras (BWCs) ensuring accurate documentation of all interactions*
- *Council has established an internal Incident Reporting Framework providing immediate access to support services through the Employee Assistance Provider (EAP) and options for reassignment to non-public-facing duties*

The Officer followed all appropriate protocols by recording the incident with the BWC, and reporting it to the Team Leader, and Manager. The footage from the incident is currently being reviewed and forwarded to Tasmania Police. Additionally, a formal complaint will be lodged with the employer of the offender if identifiable logos or markings are observed. The officer elected to continue regular duties and periodic welfare checks were performed throughout the remainder of the shift.

Community support in such situations is invaluable.

Thank you once again for bringing this important matter to attention.

8.2. Public Questions Without Notice

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

No Public Questions Without Notice were identified as part of these Minutes.

9. PETITIONS

No Petitions were identified as part of these Minutes.

10. DEPUTATIONS

No Deputations were identified as part of these Minutes.

11. PLANNING AUTHORITY

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 11 - Planning Authority

11.1. PSA-LLP0012 - Planning Scheme Amendment - New Properties onto the Local Heritage List and New Datasheets

FILE NO: PSA-LLP0012

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

APPROVER: Chelsea van Riet (General Manager Community and Place Network)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a draft amendment to the Launceston Local Provisions Schedule.

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council - 11 July 2024 - Agenda Item Number 9.4 - Initiated Draft Amendment PSA-LLP0012, to:

- a. Insert 11 property datasheets for existing listings within Appendix A: Local Historic Heritage Code Datasheets; and
- b. Add 38 new properties to the local heritage listings within LAU-Table C6.1 Local Heritage Places;
- c. Create 38 new datasheets within Appendix A: Local Historic Heritage Code Datasheets; and
- d. Introduce 38 new properties into the local heritage listing place overlay map

RECOMMENDATION:

That Council:

1. In accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, consider the merits of representations received during the public exhibition period for Draft Amendment PSA-LLP0019;
2. Amend certified instrument 2 to reflect correct title reference for 4 Lyttleton Street, East Launceston;
3. Amend certified instrument 3 to reflect correct title reference for 4 Lyttleton Street, East Launceston;
4. Amend certified instrument 4 to reflect correct title reference as well as overlay map for 4 Lyttleton Street, East Launceston;
5. Amend certified instrument 3 to update the datasheet for 58 Holbrook Street, Invermay; and
6. Recommends to the Tasmanian Planning Commission that draft Amendment PSA-LLP0012 be approved with the recommended changes.

Iain More (Senior Town Planner Policy and Projects) was in attendance to answer questions in respect of this Item.

DECISION: 3 October 2024

MOTION

Moved Councillor S Cai, seconded Councillor J J Pentridge.

That Council:

1. In accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, consider the merits of representations received during the public exhibition period for Draft Amendment PSA-LLP0019;
2. Amend certified instrument 2 to reflect correct title reference for 4 Lyttleton Street, East Launceston;
3. Amend certified instrument 3 to reflect correct title reference for 4 Lyttleton Street, East Launceston;
4. Amend certified instrument 4 to reflect correct title reference as well as overlay map for 4 Lyttleton Street, East Launceston;
5. Amend certified instrument 3 to update the datasheet for 58 Holbrook Street, Invermay; and
6. Recommends to the Tasmanian Planning Commission that draft Amendment PSA-LLP0012 be approved with the recommended changes.

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof 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

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

12. ANNOUNCEMENTS BY THE MAYOR

12.1. Mayor's Announcements

FILE NO: SF2375

Thursday 19 September 2024

- Attended Stephen Brown's Retirement Function, Boathouse Centre.
- Officiated at Junction Arts Festival Opening, Princess Square

Friday 20 September 2024

- Hosted a Civic Function to mark the 50th Anniversary of St Cecilia School of Music and Examinations, Town Hall
- Attended the Grand Opening of Experientia Populi, Quadrant Mall

Saturday 21 September 2024

- Attended Premier's Function and Welcome Home 2024 for Olympic Athletes, Riverbend Park
- Officiated at the Venture Scout Leadership Course evening, First Tamar Sea Scouts Hall

Sunday 22 September 2024

- Attended the Open Day at UTAS the Shed, Inveresk

Wednesday 25 September 2024

- Visited Grade 5/6 students at St Thomas More's Catholic School, Newstead
- Officiated at the unveiling of a new Peace Pole, Northern Suburbs Community Centre, Newnham
- Participated in Industry Mentor Session [The Smith Family] at Glen Dhu Primary School

Thursday 26 September 2024

- Mayoress attended Playdate and The Parenthood with Senator Tammy Tyrrell at PCYC, Newstead

Friday 27 September 2024

- Attended AFL Grand Final Parade, Melbourne

Saturday 28 September 2024

- Attended Hawthorn Football Club AFL Grand Final Day Brunch, Southgate
 - Attended AFL Grand Final, Sydney Swans V Brisbane Lions, Melbourne Cricket Ground
-

13. COUNCILLORS' REPORTS

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

Councillor S Cai

21 September 2024

- **Attended: Olympic and Paralympic Welcome Home Celebrations**

25 September 2024

- **Attended: Garden of Peace and Reflection at the Northern Suburbs Community Centre**

25 September 2024

- **Attended: Women's Health Revolution (panel discussion) at the Peace Festival Hub at St Lukes**

Reminder: Heritage Sketch art competition is now open to children and young people aged 4 - 17 years. Theme: "We are Champions of Our Heritage"

14. QUESTIONS BY COUNCILLORS

14.1. Councillors' Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

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

14.2. 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).

14.2.1. Councillors' Questions Without Notice - Councillor T G Walker - Notice of Motion Paterson Barracks - 3 October 2024

What action is being taken about the March 2023 Notice of Motion regarding Paterson Barracks being retained by Council for community ownership, and the decision to, (within 12 months), make a final decision on whether to develop a business case and prepare a formal proposal for submission to the Department of Defence seeking a concessional sale to the City of Launceston?

The Mayor, Councillor M K Garwood, deferred to the Chief Executive Officer, Sam Johnson who advised that this question would be Taken on Notice and a response provided in the Council Agenda of 17 October 2024.

14.2.2. Councillors' Questions Without Notice - Councillor L McMahon - Northern Hospice - 3 October 2024

Has Council had any discussions with the state government around the Northern Hospice and how it is progressing?

The Mayor, Councillor M K Garwood, deferred to the Chief Executive Officer, Sam Johnson who advised that this question would be Taken on Notice and a response provided in the Council Agenda of 17 October 2024.

**Mayor, Councillor M K Garwood, handed the Chair to Councillor A E Dawkins
1:14pm**

Mayor, Councillor M K Garwood, resumed the Chair at 1:17pm

15. NOTICES OF MOTION

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

No Notices of Motions were identified as part of these Minutes.

16. COMMITTEE REPORTS

No Committee Reports were identified as part of these Minutes.

17. COMMUNITY AND PLACE NETWORK

17.1. ABCDE Learning Site Reflection and Growth Future Plan

FILE NO: SF7574

AUTHOR: Sarah McCormack (Community Connector Liveable Communities)

APPROVER: Chelsea van Riet (General Manager Community and Place Network)

DECISION STATEMENT:

To receive the ABCDE Learning Site Reflection and Growth Future Plan report.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council receives the ABCDE Learning Site Reflection and Growth Future Plan report.

Sarah McCormack (Community Connector Liveable Communities) was in attendance to answer questions with respect of this Item.

DECISION: 3 October 2024

MOTION

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

That Council receives the ABCDE Learning Site Reflection and Growth Future Plan report.

CARRIED 10:0

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

AGAINST VOTE: Nil

18. CREATIVE ARTS AND CULTURAL SERVICES NETWORK

No Items were identified as part of these Minutes.

19. INFRASTRUCTURE AND ASSETS NETWORK

19.1. Road Reserves, Parks and Public Reserves Occupation Policy (27-Plx-012)

FILE NO: SF7599

AUTHOR: Erica Deegan (Acting General Manager Infrastructure and Engineering)

APPROVER: Shane Eberhardt (General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To consider and endorse the Road, Parks and Public Reserves Occupation Policy (27-Plx-012).

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Local Government (Highways) Act 1982 (Tas)
Roads and Jetties Act 1935 (Tas)
Facilities and Highways By-Law Number 1 of 2021
Parking Facilities By-Law Number 2 of 2023
Vehicle and Traffic Act 1999 (Tas)
Road Rules 2019 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 23 November 2023 - Road Occupation Fee
Workshop - 15 August 2024 - Road Reserves, Parks and Public Reserves Occupation Policy, Guidelines and Fee Capping

RECOMMENDATION:

That Council endorses the Road Reserves, Parks and Public Reserves Occupation Policy as follows:

Road, Parks and Public Reserves Occupation Policy

PURPOSE

To provide a clear and consistent management approach to ensure that roads, parks and public reserves within the Launceston municipality are:

- kept in a safe and well-maintained condition
- recognised as publicly owned assets
- safe for pedestrians, cyclists and drivers; and
- that there is adequate protection for services (above and below ground), trees and stormwater management.

SCOPE

This policy applies to all individuals, builders, contractors, businesses and organisations seeking to undertake commercial activities or building works on, from or within a road, park or public reserve under the ownership, care and/or control of the City of Launceston.

POLICY

This policy has been developed to enable Council to:

- manage the risks and costs to public safety and public infrastructure associated with the proposed occupancy for commercial events and building works; and
- efficiently perform its functions and/or exercise its powers in accordance with relevant legislation and its by-laws as far as it relates to the roads, parks and public reserves under its care and control within the Launceston municipality; and
- provide a strategic direction for occupation of roads, parks and public reserves to guide Councillors, employees, residents, planners, developers, contractors and landscapers.

The policy should be read in conjunction with the *Guidelines for Occupation of Roads, Parks and Public Reserves (27-HLPrx-003)*, and is not intended to override or otherwise set definitions under any Act, the By-Laws, or any other relevant legislation.

Council is committed to supporting business development and growth through the controlled occupancy of Council's roads, parks and public reserves managed by council. It acknowledges that on occasions a proposed occupancy may not be possible, and in those instances, it will work with businesses to find suitable alternate solutions where practicable.

Permit or Authorisation

Depending on the nature of the activities on the public street, parks and/or public reserves, a Permit or Authorisation may be required. A Permit or Authorisation will be required to carry out any of the following activities:

- objects within or over a highway
- building any structures
- service connections
- use of machinery and/or vehicles for building works
- erect a hoarding, overhead protective awning, or scaffolding
- Fencing
- Temporary placement of skip bin or shipping container
- landscaping works, including planting or removing a tree or other vegetation

Permit Exclusions

The permit does not apply where the activity is covered by other specific permit, policies and procedures, such as:

- On-Street Dining
- Mobile Food Vendors
- Private Driveway Permit Vehicular Crossing. (Where no additional occupation of the roads occurs during the works).

Fees

Fees are set by Council, reviewed annually, and published on our website

<https://www.launceston.tas.gov.au/Council-Region/Payments-Fees-and-Charges>

Fee Exclusions

The fees associated with this policy do not apply to the following activities:

- Hire of parking bays (for permitted activities)
- Charitable organisations (activities/events)
- Council-sponsored events
- Approved City Activation trials
- Emergency works
- Utility providers
- Works on Council or government-owned assets adjacent Road or Park Reserves

Application Process

Applications are to be submitted in accordance with the processes outlined in the *Guidelines for Occupation of Roads, Parks and Public Reserves (27-HLPrx-003)*.

PRINCIPLES

Council's Organisational Value, *We care about our community* applies to this policy:

- we take pride in our work and pursue a standard of excellence
- we genuinely listen, and value collaborative relationships
- we strive towards the best outcome for our community
- we make responsible and sustainable decisions

RELATED POLICIES & PROCEDURES

- 27-HLPrx-003 Roads, Parks and Public Reserves Occupation Guidelines
- City of Launceston Event Planning Guide
- 26-Plx-005 Tree Management Policy
- 26-Plx-019 Nature Strip Policy
- 26-HLPr-005 Guidelines for Nature Strips
- City of Launceston Accessibility Framework 2020-2024

RELATED LEGISLATION

- Local Government Act 1993
- Local Government (Highways) Act 1982
- Roads and Jetties Act 1935
- Facilities and Highways By-Law Number 1 of 2021
- Parking Facilities By-Law Number 2 of 2023
- Vehicle and Traffic Act 2001
- Road Rules 2019

REFERENCES

- Austroads Guide to Temporary Traffic Management
- AS 1742.3:2019 Manual of uniform traffic control devices, Part 3: Traffic control for works on roads
- AS 4970-2009 Protection of trees on development sites
- Traffic Control for Works on Roads – Tasmania Guide (Department of State Growth)

DEFINITIONS

Council-sponsored Events	Events sponsored under the Council's Event Sponsorship Program (small, major or special events categories)
Emergency works	For the purposes of this Policy, emergency work is building work, plumbing work, utility work or demolition work that: <ul style="list-style-type: none"> a) is required to be performed under an emergency order; or b) is required on reasonable grounds to be performed in an emergency, or to circumvent an emergency to: <ul style="list-style-type: none"> (1) protect public health or safety; or (2) prevent significant damage to property; or (3) prevent a waste of water; or restore a water supply that has been cut off to prevent a waste of water; or (4) free a blocked pipe
Events	Means community and major events and festivals that take place annually, biennially, occasionally or once-off. It includes arts and cultural events, food and beverage, sporting and special interest events, community celebrations and civic commemorations, as well as one-off major events that have capacity to draw a substantial number of visitors to the city
Approved City Activation Trial	Activation trials create a community sense of place, encourage social connections, improve safety and bring vibrancy to the City of Launceston. Trials may include temporary infrastructure such as seating, games and interactive play, as well as public art and cultural storytelling. Activation trials do not include events, for-profit activities or busking. Approval from Manager Liveable Communities is required.
Charitable organisation	An organisation registered with the Australian Charities and Not-for-profits Commission (ACNC)
Public Reserve	For the purposes of this Policy, public reserve means a reserve, area of bushland, park, flood levee or garden usually open to the public, and under the control and management of the Council

Public Road or Public Streets	Means any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise
Utility providers	Organisations that provide services consumed by the public, such as electricity, gas, water, sewerage, and communications
Works	Construction and maintenance work in work sites wholly or partly within the road, park or public reserve boundaries or any other works that cause interference or obstruction to the normal use of the reserve by any user

REVIEW

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

DECISION: 3 October 2024

MOTION

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

That Council endorses the Road Reserves, Parks and Public Reserves Occupation Policy as follows:

Road, Parks and Public Reserves Occupation Policy

PURPOSE

To provide a clear and consistent management approach to ensure that roads, parks and public reserves within the Launceston municipality are:

- kept in a safe and well-maintained condition
- recognised as publicly owned assets
- safe for pedestrians, cyclists and drivers; and
- that there is adequate protection for services (above and below ground), trees and stormwater management.

SCOPE

This policy applies to all individuals, builders, contractors, businesses and organisations seeking to undertake commercial activities or building works on, from or within a road, park or public reserve under the ownership, care and/or control of the City of Launceston.

POLICY

This policy has been developed to enable Council to:

- manage the risks and costs to public safety and public infrastructure associated with the proposed occupancy for commercial events and building works; and
- efficiently perform its functions and/or exercise its powers in accordance with relevant legislation and its by-laws as far as it relates to the roads, parks and public reserves under its care and control within the Launceston municipality; and
- provide a strategic direction for occupation of roads, parks and public reserves to guide Councillors, employees, residents, planners, developers, contractors and landscapers.

The policy should be read in conjunction with the *Guidelines for Occupation of Roads, Parks and Public Reserves (27-HLPrx-003)*, and is not intended to override or otherwise set definitions under any Act, the By-Laws, or any other relevant legislation.

Council is committed to supporting business development and growth through the controlled occupancy of Council's roads, parks and public reserves managed by council. It acknowledges that on occasions a proposed occupancy may not be possible, and in those instances, it will work with businesses to find suitable alternate solutions where practicable.

Permit or Authorisation

Depending on the nature of the activities on the public street, parks and/or public reserves, a Permit or Authorisation may be required. A Permit or Authorisation will be required to carry out any of the following activities:

- objects within or over a highway
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Permit Exclusions

The permit does not apply where the activity is covered by other specific permit, policies and procedures, such as:

- On-Street Dining
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Fees

Fees are set by Council, reviewed annually, and published on our website

<https://www.launceston.tas.gov.au/Council-Region/Payments-Fees-and-Charges>

Fee Exclusions

The fees associated with this policy do not apply to the following activities:

- Hire of parking bays (for permitted activities)
- Charitable organisations (activities/events)
- Council-sponsored events
- Approved City Activation trials
- Emergency works
- Utility providers
- Works on Council or government-owned assets adjacent Road or Park Reserves

Application Process

Applications are to be submitted in accordance with the processes outlined in the *Guidelines for Occupation of Roads, Parks and Public Reserves (27-HLPrx-003)*.

PRINCIPLES

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RELATED POLICIES & PROCEDURES

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- 26-HLPr-005 Guidelines for Nature Strips
- City of Launceston Accessibility Framework 2020-2024

RELATED LEGISLATION

- Local Government Act 1993
- Local Government (Highways) Act 1982
- Roads and Jetties Act 1935
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REFERENCES

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DEFINITIONS

Council-sponsored Events	Events sponsored under the Council's Event Sponsorship Program (small, major or special events categories)
Emergency works	For the purposes of this Policy, emergency work is building work, plumbing work, utility work or demolition work that: <ul style="list-style-type: none"> a) is required to be performed under an emergency order; or b) is required on reasonable grounds to be performed in an emergency, or to circumvent an emergency to: <ul style="list-style-type: none"> (1) protect public health or safety; or (2) prevent significant damage to property; or (3) prevent a waste of water; or restore a water supply that has been cut off to prevent a waste of water; or (4) free a blocked pipe
Events	Means community and major events and festivals that take place annually, biennially, occasionally or once-off. It includes arts and cultural events, food and beverage, sporting and special interest events, community celebrations and civic commemorations, as well as one-off major events that have capacity to draw a substantial number of visitors to the city
Approved City Activation Trial	Activation trials create a community sense of place, encourage social connections, improve safety and bring vibrancy to the City of Launceston. Trials may include temporary infrastructure such as seating, games and interactive play, as well as public art and cultural storytelling. Activation trials do not include events, for-profit activities or busking. Approval from Manager Liveable Communities is required.
Charitable organisation	An organisation registered with the Australian Charities and Not-for-profits Commission (ACNC)
Public Reserve	For the purposes of this Policy, public reserve means a reserve, area of bushland, park, flood levee or garden usually open to the public, and under the control and management of the Council

Public Road or Public Streets	Means any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise
Utility providers	Organisations that provide services consumed by the public, such as electricity, gas, water, sewerage, and communications
Works	Construction and maintenance work in work sites wholly or partly within the road, park or public reserve boundaries or any other works that cause interference or obstruction to the normal use of the reserve by any user

REVIEW

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof 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

19.2. Fees and Charges Amendment 2023/2024 and Associated Remission of Road Reserves, Parks and Public Reserves Occupation Fees

FILE NO: SF2968

AUTHOR: Erica Deegan (Acting General Manager Infrastructure and Engineering)

APPROVER: Shane Eberhardt (General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To consider changes to the approved Fees and Charges for 2024/2025 for the occupation of road, mall, parks or reserve and to reconsider fees previously charged under the original fee structure, applying remissions where applicable.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 23 November 2023 - Road Occupation Fee

Council - 4 April 2024 - Agenda Item 15.3 - Fees and Charges 2024/2025

Workshop - 15 August 2024 - Road Reserves, Parks and Public Reserves Occupation Policy, Guidelines and Fee Capping

RECOMMENDATION:

That Council:

1. pursuant to section 205 of the *Local Government Act 1993 (Tas)*, remove fee 726 incorporating the fee calculation details, including minimum fee, into the description, update the existing fees and approve the new fees associated with Road Occupation, as detailed below for the financial year ending 30 June 2025.

	Road, Mall, Parks or Reserve Occupation Fee will be calculated with consideration of m ² rate, with a minimum fee (\$155), as well as a maximum weekly fee (\$1000) - daily pro rata if less than seven days duration		
NEW	Fee associated with the occupation of road, mall, parks or reserve for the following: - charitable organisations (activities/events) - council-sponsored events - approved city activation trials - public utility providers - works on Council or government-owned buildings adjacent road, park or reserve		\$0.00
727	Occupation fee \$4.00 per m2 per week, outside the CBD	GST Exempt	\$4.00
728	Occupation fee \$5.00 per m2 per week, within the CBD	GST Exempt	\$5.00

All figures are exclusive of GST.

2. pursuant to section 207 of the *Local Government Act 1993* (Tas), approves the remission of any fees charged or paid in excess of the capped figure noted in Recommendation 1 since the introduction of the fee for the occupation of road reserves, parks and public reserves in 2023.
 3. notes that should Recommendation 2. be adopted, the total of the fees to be remitted or reimbursed is \$213,536.
-

DECISION: 3 October 2024

MOTION

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

That Council:

1. pursuant to section 205 of the *Local Government Act 1993 (Tas)*, remove fee 726 incorporating the fee calculation details, including minimum fee, into the description, update the existing fees and approve the new fees associated with Road Occupation, as detailed below for the financial year ending 30 June 2025.

	Road, Mall, Parks or Reserve Occupation Fee will be calculated with consideration of m ² rate, with a minimum fee (\$155), as well as a maximum weekly fee (\$1000) - daily pro rata if less than seven days duration		
NEW	Fee associated with the occupation of road, mall, parks or reserve for the following: - charitable organisations (activities/events) - council-sponsored events - approved city activation trials - public utility providers - works on Council or government-owned buildings adjacent road, park or reserve		\$0.00
727	Occupation fee \$4.00 per m2 per week, outside the CBD	GST Exempt	\$4.00
728	Occupation fee \$5.00 per m2 per week, within the CBD	GST Exempt	\$5.00

All figures are exclusive of GST.

2. pursuant to section 207 of the *Local Government Act 1993 (Tas)*, approves the remission of any fees charged or paid in excess of the capped figure noted in Recommendation 1 since the introduction of the fee for the occupation of road reserves, parks and public reserves in 2023.
3. notes that should Recommendation 2. be adopted, the total of the fees to be remitted or reimbursed is \$213,536.

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof 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

20. ORGANISATIONAL SERVICES NETWORK

20.1. Lease - Migrant Resource Centre

FILE NO: SF2967

AUTHOR: Sharin Imlach (Lease Officer)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

To consider leasing part of Heritage Forest known as The Heritage Forest Community Gardens.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council – 13/08/2018 - Agenda Item 18.2 Lease – Heritage Forest Community Garden

RECOMMENDATION:

That Council:

1. pursuant to section 179 of the *Local Government Act 1993 (Tas)*, decides to lease part of the land situated at 148 Vermont Road, Mowbray (CT 503541/1), known as Heritage Forest Community Garden, as identified on the plan below:



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - a. the term shall be twelve months commencing on 5 years or as determined by the Chief Executive Officer.
 - b. the lease amount shall be \$340.34 per annum (as per the Lease and Licence Policy);
 - c. 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.
 - d. tenant shall continuously maintain:
 - i. keep clear all noxious growth from premises;
 - ii. hold public liability insurance of at least \$20 million.
 - e. the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.
 3. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the lease.
 4. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

Sharin Imlach (Lease Officer) was in attendance to answer questions in respect of this Item.

DECISION: 3 October 2024

AMENDED MOTION

Moved Councillor A E Dawkins, seconded Councillor T G Walker.

RECOMMENDATION:

That Council:

1. pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease part of the land situated at 148 Vermont Road, Mowbray (CT 503541/1), known as Heritage Forest Community Garden, as identified on the plan below:



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - a. the term shall be twelve months or 5 years or as determined by the Chief Executive Officer.
 - b. the lease amount shall be \$340.34 per annum (as per the Lease and Licence Policy);
 - c. 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.
 - d. tenant shall continuously maintain:
 - i. keep clear all noxious growth from premises;
 - ii. hold public liability insurance of at least \$20 million.
 - e. the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.

3. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the lease.
4. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof 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

20.2. Occupation Licensing Act 2005 - Nominations to be a "Licenced Person"

FILE NO: SF2611/SF0789

AUTHOR: Lucas Lim (Governance and Legal Officer)

APPROVER: Louise Foster (General Manager Organisational Services Network) and
Chelsea van Riet (General Manager Community and Place Network)

DECISION STATEMENT:

To consider nominating various Council Officers, who each have been appointed as Permit Authority of the Council and each holds a building services licence, to be a licensed person for the Council, to carry out the functions or powers as a Permit Authority.

RELEVANT LEGISLATION:

Building Act 2016

Occupational Licensing Act 2005

Residential Building (Miscellaneous Consumer Protection Amendments) Act 2023

RECOMMENDATION:

That Council:

1. Pursuant to section 37C(8)(c) of the *Occupational Licensing Act 2005*, nominates the following Council Officers, who each have been appointed as Permit Authority of the Council and each holds a building services licence, to be a licensed person:
 - a. Benjamin Pugh (Team Leader Compliance)
 - b. Caitlin Zantvoort (Building Compliance Officer)
 - c. Benjamin Ransley (Building Compliance Officer)
 - d. Jannet Stoianou (Permit Authority Officer)
 - e. Shannon Douglas (Administration Officer City Development)
 - f. Emily Bessell (Team Leader Statutory Services)

Lucas Lim (Acting Team Leader Legal Services) was in attendance to answer questions with respect of this item.

DECISION: 3 October 2024

MOTION

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

That Council:

- 1. Pursuant to section 37C(8)(c) of the *Occupational Licensing Act 2005*, nominates the following Council Officers, who each have been appointed as Permit Authority of the Council and each holds a building services licence, to be a licensed person:
 - a. Benjamin Pugh (Team Leader Compliance)**
 - b. Caitlin Zantvoort (Building Compliance Officer)**
 - c. Benjamin Ransley (Building Compliance Officer)**
 - d. Jannet Stoianou (Permit Authority Officer)**
 - e. Shannon Douglas (Administration Officer City Development)**
 - f. Emily Bessell (Team Leader Statutory Services)****

CARRIED 9:1

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

20.3. Launceston Central Inc. - 3 Year Agreement Review

FILE NO: SF0016

AUTHOR: Karishma Kodavali (Economic Development Officer)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

To consider the review options to determine the future operation of Launceston Central Inc. at end of the three-year Agreement on 30 June 2025.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 10 September 2020 - Cityprom Review
Council - 1 October 2020 - Agenda Item 21.2 - Cityprom Review
Workshop - 3 December 2020 - Cityprom Presentation
Workshop - 8 March 2021 - Cityprom Review
Workshop - 1 April 2021 - Cityprom Review
Council - 17 June 2021 - Agenda Item 20.4 - Cityprom Review
Workshop - 9 December 2021 - Cityprom Futures Project
Workshop - 28 April 2022 - Cityprom Futures Project
Council – 16 June 2022 - Central Launceston Marketing Inc. Operational Agreement
Workshop – 4 September 2023 - Central Launceston Marketing Inc Annual Report 2023
Council -14 December 2023 -Launceston Central Marketing Inc Annual Report 2022-2023
Workshop – 29 February 2024 - Launceston Central Marketing inc Half yearly report
Workshop – 4 July 2024 - Launceston Central CPI request
Workshop – 29 August 2024 - Launceston Central Marketing Biannual Reporting
Workshop – 29 August 2024 - Launceston Central Marketing - 3 Year Agreement Review

RECOMMENDATION:

That Council requests 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.

Karishma Kodavali (Economic Development Officer) was in attendance to answer questions in respect of this Item.

DECISION: 3 October 2024

MOTION

Moved Councillor L M McMahon, seconded Councillor A E Dawkins.

That Council requests officers to engage with Launceston Central Marketing Inc with a 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

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof 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

20.4. Monthly Financial Performance Report

FILE NO: SF7694

AUTHOR: Zakia Afroz (Team Leader Accounting)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

To consider the August 2024 Capital and Operational financial reports against budget.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council notes the report outlining both Capital and Operational results to the period ending 31 August 2024.

Nathan Williams (Chief Financial Officer) and Zakia Afroz (Team Leader Accounting) was in attendance to answer question sin respect of this Item.

DECISION: 3 October 2024

MOTION

Moved Councillor A G Harris, seconded Councillor T G Walker.

That Council notes the report outlining both Capital and Operational results to the period ending 31 August 2024.

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof 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

20.5. Code of Conduct for Councillors

FILE NO: SF2213

AUTHOR: Matt Morgan (Acting Manager Governance)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

To note the introduction of the *Local Government (Code of Conduct) Order 2024* which automatically applies to Councillors and removes the requirement for individual councils to adopt a Model Code of Conduct and rescind the City of Launceston's Code of Conduct for Councillors (14-Plx-032).

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Local Government (Code of Conduct) Order 2024

RECOMMENDATION:

That Council:

1. notes the introduction of the *Local Government (Code of Conduct) Order 2024* by the Department of Premier and Cabinet; and
 2. rescinds the City of Launceston's 14-Plx-032 Code for Conduct for Councillors (ECM Doc Set Id 3311975).
-

DECISION: 3 October 2024

MOTION

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

That Council:

- 1. notes the introduction of the *Local Government (Code of Conduct) Order 2024* by the Department of Premier and Cabinet; and**
- 2. rescinds the City of Launceston's 14-Plx-032 Code for Conduct for Councillors (ECM Doc Set Id 3311975).**

CARRIED 9:1

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

20.6. Representation at the 2024 Rail Trails Conference - 18 to 19 October 2024

FILE NO: SF0121; SF0619

AUTHOR: Alison Flood (Executive Assistant Mayor)

APPROVER: Louise Foster (General Manager Organisational Services Network)

DECISION STATEMENT:

To consider the attendance of Councillor Alan Harris at the 2024 Rail Trails Conference in Melbourne on 18 and 19 October 2024.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council approves the attendance of Councillor Alan Harris at the 2024 Rail Trails Conference in Melbourne on 18 and 19 October 2024.

Councillor A G Harris withdrew from the Meeting at 2:06 pm

DECISION: 3 October 2024

MOTION

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

That Council approves the attendance of Councillor Alan Harris at the 2024 Rail Trails Conference in Melbourne on 18 and 19 October 2024.

CARRIED 7:2

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor Prof G Razay, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Councillor T G Walker and Councillor J J Pentridge

ABSENT DUE TO A DECLARATION OF INTEREST: Councillor A G Harris

Councillor A G Harris re-attended the Meeting at 2:10 pm

21. CHIEF EXECUTIVE OFFICER NETWORK

No Items were identified as part of these Minutes.

22. LATE ITEMS

No Late Items were identified as part of these Minutes.

23. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

23.1. Confirmation of the Minutes

REASON FOR CLOSED COUNCIL:

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.

23.2. Disposal of Interest in Land - corner Nairana and Forster Streets, Invermay

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with regulation 15(2) (b) (f) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- (b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business.
- (f) proposals for the council to acquire land or an interest in land or for the disposal of land.

23.3. Workers Commemorative (Memorial) Park Refurbishment

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with regulation 15(2) (d) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

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

DECISION: 3 October 2024

MOTION

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

That Council:

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

Minutes Item	Matter	Brief Description
23.1	<i>Closed Council Minutes – 19 September 2024.</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 19 September 2024.</i>
23.2	<i>Disposal of Interest in Land - Corner Nairana and Forster Streets, Invermay</i>	<i>Council considered a disposal of interest land in part of Nairana Street, Invermay.</i>
23.3	<i>Workers Commemorative (Memorial) Park Refurbishment</i>	<i>The Councillors awarded a Tender for the Refurbishment of the Workers Commemorative Memorial Park under Contract No. CD006/2024.</i> <i>The names of the successful tenderers will be published to www.launceston.tas.gov.au once both the successful and unsuccessful tenderers have been notified of the decision.</i>

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof 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

24. MEETING CLOSURE

The Mayor, Councillor M K Garwood, closed the Meeting at 3.03pm.

25. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 17 October 2024 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.