

COUNCIL AGENDA

COUNCIL MEETING THURSDAY 30 MAY 2024 1.00PM Notice is hereby given that the Ordinary Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 30 May 2024

Time: 1.00pm

Certificate of Qualified Advice

Background

To comply with section 65 of the *Local Government Act 1993* (Tas):

- 1. A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- 2. A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless -
- (a) the general manager certifies, in writing -
 - (i) that such advice was obtained; and
 - (ii) the general manager took the advice into account in providing general advice to the council or council committee; and
- (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

Certification

I certify that:

- (i) the advice of a qualified person has been sought where required;
- (ii) this advice was taken into account in providing general advice to the council or council committee; and
- (iii) a copy of the advice, or a written transcript or summary of advice provided orally, is included with the agenda item.

Shane Eberhardt

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

PUBLIC QUESTION TIME - AGENDA ITEM 8

A limit of three questions received in writing by 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.

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2. MAYORAL ACKNOWLEDGEMENTS

3. DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - section 48

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

4. CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 16 May 2024 be confirmed as a true and correct record.

5. COUNCIL WORKSHOPS

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

5.1. Council Workshops Report - 16 May 2024 and 23 May 2024

FILE NO: SF4401

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

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

1. Pre-Council Workshop conducted on 16 May 2024:

Northern Gateway Project - Check In

Councillors received a presentation on options to improve the gateway to Launceston from the Southern Outlet and provided feedback to staff.

UTas Stadium Transfer

Councillors received an update on the Stadium transfer process.

In Attendance: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton Apologies: Nil

2. Council Workshop conducted on 23 May 2024:

Rates Modelling - Budget 2024/2025

Councillors were provided a presentation on the proposed rates for 2024/2025 by each rating category.

Annual Plan and Budget 2024/2025 - Public Consultation Feedback

Councillors were provided feedback received from the public during public consultation for the proposed 2024/2025 Annual Plan and Budget and a presentation about outcomes of the resourcing review for the proposed Annual Plan 2024/2025.

Stadium Redevelopment Update

Councillors received a presentation on the planned University of Tasmania Stadium upgrades by Infrastructure Tasmania.

Aboriginal Cultural Awareness Training

Councillors participated in Aboriginal Cultural Awareness Program, muylatina tunapri (embracing understanding), which was presented by external facilitators Dewayne Everettsmith from mina nina and Sarah Wilcox from Cooee Communities.

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

Apologies: Councillor Prof G Razay and Deputy Mayor Councillor D H McKenzie,

REPORT:

Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015* says that the Agenda of an Ordinary Council Meeting is to include the date and purpose of any Council Workshops held since the last Meeting.

Attendance is recorded for noting and reporting in the Council's Annual Report.

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 General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

No Councillors' Leave of Absence Applications have been identified as part of this Agenda.

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 have been identified as part of this Agenda

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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 - John Chaplin - Excessive Noise - 16 May 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following question was submitted to Council on 16 May 2024 by John Chaplin, has been answered by Ben Pugh (Team Leader Compliance).

Question:

1. I am seeking clarification about provisions in the Launceston City Council Planning Scheme regarding excessive noise (planes) from nearby farm (Rostella), advising Air Services Australia had informed that the minimum height above residences is 500ft however, planes don't adhere to this height restriction.

Response:

On Wednesday 15 May 2024, the Environmental Health Team advised, that noise complaints in relation to aircraft, should be directed to Air Services Australia on 1800 802 584 or alternatively, a noise complaint feedback form can be found at: https://complaints-au.emsbk.com/asa5

Complaints related to allegations that planes are flying as low as 100ft above the tree tops, not the minimum prescribed height of 500ft, should be directed to the Civil Aviation Safety Authority on 131 757 or https://www.casa.gov.au/about-us/contact-us

Planning Scheme Requirements: Permitted Use

Mr Chaplin's property is zoned as Rural Living, not Residential. The use of planes for the purpose of crop-dusting is considered ancillary to the agricultural use of the specific site (defined as 'Resource Development' under use table 20.2 of the Rural Zone).

The use of Resource Development, has a 'No Permit Required' status under the zone use table, and there are no qualifying factors under the Tasmanian Planning Scheme (TPS) which were previously available under the Rural Resource Zoning of the Launceston Interim Planning Scheme 2015.

In 2021, the use of Resource Development on the site would have been considered existing, with the crop dusting an ancillary component, and therefore a permit would not have been sought. This assessment was made based on the information received from the Planning Assessment Team, noting the concern relates to 'permitted' or 'not permitted' uses.

Given there is a vast area of Rural and Agricultural zoned land within close proximity to 135 Rostella Road, Dilston, (land for the purpose of farming), it would be reasonable to believe that the airstrip was being utilised to service the needs of crop dusting farming land within the local area.

As this use does not require a permit, from a Planning Compliance perspective, Council Officers are unable to suggest or enforce the operator of the airplane, to give written notice advising nearby residents of the noise level, in advance.

Concerns about wildlife such as Sea Eagles, Wedge Tails and Pelican's, should be directed to the Department of Natural Resources and Environment Tasmania on 1300 827 727 or https://parks.tas.gov.au/feedback

8.1.2. Public Questions on Notice - Ray Norman - Community Engagement, Environmental Management, Housing Stress and Homelessness - 22 May 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 22 May 2024 by Ray Norman, have been answered by Louise Foster (General Manager Organisational Services) and Chelsea van Riet (General Manager Community and Place).

QUESTION 1

CONTEXT NOTE

Given the ongoing reports from citizens and ratepayers that suggests:

- That they believe that that Council treats them less than well; and
- That they believe that too many council officers are inclined to treat them with disrespect; and
- That they believe that too many councils officers regard them simply as a revenue source; and
- That they believe that council officers are immune from having to treat residents and ratepayers with respect if they seek to challenge the bureaucratic status quo; and
- That they believe that too many council officers provide services to developers that in reality are unavailable to ordinary ratepayer.

Moreover, generally many of the Council's officers and staff are not encouraged to engage respectfully and helpfully with community members in the way service providers do in the caring professions.

THE QUESTION

Given the backgrounding and the bureaucratic status quo will Council now move proactively in insuring that officers and staff deliver UPR (Unconditional Positive Regard) to all community members in order to encourage reciprocal behaviour from members of the community and council's client base?

Response:

The values of the City of Launceston describe our desired culture and service, underpinning our goals and expectations to create a positive future for Launceston. The City of Launceston values are detailed on our website at https://www.launceston.tas.gov.au/Council/Our-Vision-Purpose-and-Values.

City of Launceston Council Meeting Agenda

In summary our values are:

- Our people matter
- We care about our Community
- We bring an open mind
- We go home safe and well

Council is always striving for respectful conversations with our community that are aligned with our core values.

To encourage reciprocal behaviour from our community we have recently initiated a, 'A Reminder to be Kinder' campaign which is aimed at encouraging respect and kindness and discouraging anti-social behaviour in the community towards customer service representatives.

Launched by the City of Launceston, the campaign is available to all businesses and organisations in Launceston to help spread a message of kindness. Businesses in the Launceston Central catchment were provided with merchandise and collateral, while all businesses are able to access editable social media and poster templates to share their own message of kindness and respect.

QUESTION 2

CONTEXT NOTE

Given the Councils predisposition to impose punitive measures, revenue oriented in most cases, this is increasingly counterproductive when it comes to encouraging community members to be more:

- Environmentally aware and to act; accordingly, and
- Sensitive to the need to be proactive regarding resource recovery; and
- Sensitive to the need to GREEN LAUNCESTON towards mitigating against the worst effects of Climate Change and related issues; and
- More active regarding creating a community sensibility that is predisposed to being a Caring City.

These things will draw visitors to the city and subliminally visitors take the messages home with them in ways that bring about attitudinal change generally.

THE QUESTION

Will Council consider abandoning the exclusive use of the BIGstick when dealing with errant citizens and offer MOREcarrots towards encouraging citizens to act more responsibly in their lives and especially so regarding PLACEmaking, STREETscaping and planning matters by offering rewards/gifts to citizens demonstrating exemplarily behaviours?

Response:

The City of Launceston will continue to work proactively with community to deliver sound outcomes related to placemaking, streetscaping and planning matters. Council will rely on legislative provisions to support compliance with our legislative framework where proactive engagement is unsuccessful and where circumstances require.

QUESTION 3

CONTEXT NOTE

Given the Councils clear disinclination to be proactive regarding assisting in the provision of more housing that enables people suffering HOUSING*stress* to cope more adequately with their individual circumstances short and long term. There is a need and there are opportunities for Local Governance to be innovative and proactive in this space.

Thus far Council has been countenancing TALK*fests* designed and devised to establish that there is nothing that Council can do etc. etc. While on the other hand Local Govt. elsewhere that have taken the lead and changed their management style away from disallowing innovative approaches towards findings ways to speed up change etc.

Attempt to canvass some of these with planners and you will find yourself being lectured on this regulation, that by-law etc. and being lent a DEAF*ear*.

Since the longest night of the year, and as likely as not it will be one of the coldest, is almost upon us there is a need for Council to overtly demonstrate the care that is so often says it has for the VISIBLY*homeless*. Without doubt, the community would welcome some leadership in this space.

With Council printing a brochure for the VISIBLY*homeless* advising them to go-see one of the city's charities has floated like a LEAD*balloon* ... and sadly so! Given this there is scope for Council, Councillors, and management to provide some leadership in this space there is a real need that it does. What is actually needed is more housing and there are ways to do that if we look for them.

THE QUESTION

Will Council NOW show leadership by sponsoring a ROUGHsleep on Town Hall's steps that is directed towards gaining community sponsorships for the city's ROUGHsleeps and with the 'sponsorship money raised' going toward acquiring/buying(?) appropriate accommodation to assist with the alleviation of Launcestonians HOUSINGstress and homelessness, and with the FIRSTevent being the SHORTEST DAY AND LONGEST NIGHT 2024?

Response:

The City of Launceston's commitment to addressing the issue of homelessness for our community is focussed on

- Changing the narrative.
- Engaging the community.
- Facilitation of cohesive services.
- Striving towards prevention.
- Engaging in data informed decision making.
- Advocacy
- Ensuring transparency and accountability.

Council does not consider provision of accommodation a service that is appropriately provided by the local government sector.

8.1.3. Public Questions on Notice - Robin Smith - Bicycle Count Statistics, Graffiti, Placement of Information Stands, and Parking Infringements

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 22 May 2024 by Robin Smith, have been answered by Chelsea van Riet (General Manager Community and Place), Erica Deegan (Manager Infrastructure and Engineering) and Kathryn Pugh (Manager Parks and Sustainability).

Questions:

1. What are the most recent bicycle count statistics for use in particular locations on public streets in the Launceston CBD please? How do they compare to the next most recent statistics please?

Response:

The City of Launceston carries out a biannual count of pedestrian and cyclists travelling into and out of Launceston at 12 cordon points across the city. The count captures the number of pedestrians and cyclists passing these points during the morning peak commuter period between 7am and 9am. The sites are located at key entry points to the city, and not within the CBD itself.

The count is undertaken twice per year, every March and September. This March the data recorded 1234 pedestrians, compared to 1193 last year. The number of cyclists also increased from 253 in March 2023 to 286 in the most recent count. Cyclist and pedestrian activity has trended steadily upwards in Launceston since the count first began in 2009, with 818 pedestrians and 218 cyclists recorded that year.

2. Thank you to the Council yet again for removing all of the graffiti from its property at 118-120 Brisbane Street Mall. Did, as the brochure suggests, Council take photographs and report the offence to Tasmania Police or Crimestoppers please?

Response:

This question has been answered previously. Please refer to the answer provided in the Council Meeting Agenda of 16 May 2024.

3. Council issues permits for 'information stands' in the Brisbane St Mall allowing promotion of a movement focusing on boycotting the very items being sold in the surrounding businesses. Council levies rates and fees from these boycotted businesses. Due to the detrimental nature of boycotts on sales, would council kindly increase the distance it allows these pop-up information stands to be set up, so as to be further away from the businesses, thereby reducing the antagonism.

Response:

Prior to the issuing of the next permit for this display in the Brisbane St Mall, Council officers will work with the permit holders to define the area for the display and ensure that it has an appropriate set back from shop fronts, and remind the permit holders of the conditions of the permit. Council officers will inspect the display to ensure that it complies with the permit.

8.2. Public Questions Without Notice

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

9. ANNOUNCEMENTS BY THE MAYOR

9.1. Mayor's Announcements

FILE NO: SF2375

Friday 17 May 2024

Attended the Waverley Mills 150+ VIP Event, Design Centre

Saturday 18 May 2024

 Officiated at the Emerging Community Leaders Program - Community Panel, Grindelwald

Sunday 19 May 2024

· Officiated at the Million Paws Walk, Heritage Forest

Tuesday 21 May 2024

 Spoke at the Grade 8 SWAT (Success, Wellbeing, Aspiration, Teamwork) Day, Kings Meadows High School

Wednesday 22 May 2024

Conducted private Citizenship Ceremony, Town Hall

Friday 24 May 2024

- Attended Law Week pop-up Playgroup, Invermay
- Attended ACTION! Film & War Launch, QVMAG, Inveresk
- Attended Kalisch Studios Launch, IO Performance

Sunday 26 May 2024

- Officiated at the start of the MS Walk Run + Roll, Inveresk Precinct
- Officiated at the Scripture Union Fundraiser, Heritage Forest

10. COUNCILLORS' REPORTS

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

11. QUESTIONS BY COUNCILLORS

11.1. Councillors' Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

11.1.1. Councillors' Questions on Notice - Councillor D C Gibson - Launceston Pump Track - 22 May 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 22 May 2024 by Councillor D C Gibson, have been answered by Ben Clark (Recreation Planning Officer).

Questions:

1. When should we expect that our City's first pump track will be open?

Response:

The design and construct tender was awarded to World Trail on 7 March 2024 with a project inception meeting being held 9 April 2024.

World Trail are now reviewing survey data, geotechnical information for the site, flood analysis information, and the design scope and construction budget, to refine the concept design that was presented as part of the tender process.

Construction of the pump track takes approximately eight (8) weeks with a nominated commencement timeframe between September and October 2024. It is anticipated the Pump Track will be open during November 2024.

2. How have community engagement responses been incorporated into the scope and design?

Response:

Once a concept is developed the community will have an opportunity to provide feedback prior to the finalisation of the design.

3. Noting a construction contract has been awarded, is the project on schedule and within budget?

Response:

This project was included in the 2023/2024 Annual Plan however will be carried forward to 2024/2025. The project will remain on budget as per the 'design and construct' contract terms.

11.2. Councillors' Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12. COMMITTEE REPORTS

12.1. Transport Committee Meeting - 2 May 2024

FILE NO: SF7429

AUTHOR: Cathy Williams (Roads and Traffic Officer)

APPROVER: Michael Newby (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To receive a report from the Transport Committee.

RECOMMENDATION:

That Council receives the report from the Transport Committee Meeting held on Thursday, 2 May 2024.

REPORT:

The Transport Committee, at its meeting on 2 May 2024 received presentations on:

- National Road Safety Week Initiatives;
- City of Launceston as a Yellow Ribbon Road Safety Council;
- Condition assessments of roads and footpaths;
- Road and Footpath Reseal programs;
- Denison Road one way section; and
- Launceston Transport Strategy Four Year Implementation Plan.

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 1: We connect with our community and our region through meaningful engagement, cooperation and representation.

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

Focus Areas:

1. To develop and consistently utilise contemporary and effective community engagement processes.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

13. MEETING CLOSURE

14. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 13 June 2024 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.