



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 23 JANUARY 2025
1.00PM**

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

Date: 23 January 2025

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

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

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

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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 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
Deputy Mayor Councillor D H McKenzie
Councillor D C Gibson
Councillor A E Dawkins (retired at 3.45pm)
Councillor A G Harris
Councillor L M McMahon
Councillor T G Walker
Councillor Prof G Razay
Councillor J J Pentridge
Councillor S Cai
Councillor A J Britton

In Attendance:

Sam Johnson OAM (Chief Executive Officer)
Nathan Williams (Executive Leader Delivery and Performance)
Leanne Purchase (Acting Executive Leader Connections and Liveability)
Chelsea van Riet (Executive Leader Community Assets and Design)
Shane Fitzgerald (Director Queen Victoria Museum and Art Gallery)
Zara Dawtrey (Team Leader Communications)
Kelsey Hartland (Team Leader Governance)
Lorraine Wyatt (Council and Committees Officer)
Richard Jamieson (Senior Leader City Development (Item 11.1, Item 11.2, Item 11.3 and Item 11.4))
Dileep Karna (Town Planner) (Item 11.1)
Iain More (Senior Town Planner Policy and Projects) (Item 11.2, Item 11.3)
Duncan Payton (Town Planner) (Item 11.4)
Jaclyn Galea (Infrastructure Development Officer) (Item 19.2, Item 19.3)
Michael Attard (Team Leader Sustainability) (Item 19.4)
Duncan Campbell (Team Leader Legal Services) (Item 20.2, Item 20.3, Item 20.4, Item 20.5)
Sharin Imlach (Lease Officer) (Item 20.6, Item 20.7 and Item 20.8)
Samuel Kelty (Senior Leader Finance) (Item 20.9 and Item 20.10)

Apologies:

Councillor Prof G Razay
Councillor A J Palmer
Councillor A J Britton

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

Pakana Elder, Delia Summers, provided a Welcome to Country.

The Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm and noted apologies from Councillor Prof G Razay, Councillor A J Palmer and Councillor A J Britton.

2. MAYORAL ACKNOWLEDGEMENTS

The Mayor, Councillor M K Garwood, acknowledged that two counsellors from Laurel House were in attendance to support people, if required for any of the questions that might be raised through Agenda Items 8.1 or 8.2 in the agenda.

The Mayor also acknowledged the appointment of Lynda Robins (Emergency Management Advisor) to the role Municipal Emergency Management Coordinator and Michael Newby (Chief Infrastructure Officer) to the role of Deputy Municipal Emergency Management Coordinator.

3. DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - section 48

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

No Declarations of Interest were identified as part of these Minutes

4. CONFIRMATION OF MINUTES

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 12 December 2024 be confirmed as a true and correct record.

DECISION: 23 January 2025

MOTION

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

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 12 December 2024 be confirmed as a true and correct record.

CARRIED 9:0

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

AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

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

5.1. Councillor Workshop Report - 12 December 2024 and 19 December 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 12 December 2024:

Aquatic Centre Cafe

Councillors were provided an update on the expression of interest campaign for the lease to operate the Launceston Leisure and Aquatic Centre Café.

Budget and Annual Plan 2025/2026 Update

Councillors received an update on the 2025/2026 Annual Plan processes, including a draft listing of proposed annual plan action items for initial review.

In Attendance: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, 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 S Cai and Councillor A J Britton

Apologies: Councillor D C Gibson and Councillor L M McMahon

2. Workshop conducted on 19 December 2024:

Conference Centre Presentation

Councillors received a presentation about a potential Conference Centre for Launceston.

Psychosocial Review

Councillors received a briefing about the effects of Psychosocial Behaviour in the Workplace.

Strategic Planning Review

Councillors workshopped the future directions of the City of Launceston.

Council Debrief - The Year that Was

Councillors reviewed the 2024 year including achievements and discussed outstanding goals.

Councillor Training - Meeting Procedures

Councillors participated in a training session regarding meeting procedures

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 S Cai and Councillor A J Britton

Apologies: Councillor L M McMahon

DECISION: 23 January 2025

MOTION

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

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 12 December 2024:

Aquatic Centre Cafe

Councillors were provided an update on the expression of interest campaign for the lease to operate the Launceston Leisure and Aquatic Centre Café.

Budget and Annual Plan 2025/2026 Update

Councillors received an update on the 2025/2026 Annual Plan processes, including a draft listing of proposed annual plan action items for initial review.

In Attendance: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, 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 S Cai and Councillor A J Britton

Apologies: Councillor D C Gibson and Councillor L M McMahon

2. Workshop conducted on 19 December 2024:

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Council Debrief - The Year that Was

Councillors reviewed the 2024 year including achievements and discussed outstanding goals.

Councillor Training - Meeting Procedures

Councillors participated in a training session regarding meeting procedures

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 S Cai and Councillor A J Britton
Apologies: Councillor L M McMahon

CARRIED 9:0

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

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

Councillors' Leave of Absence Applications were considered in Closed Council at Items 23.4, 23.5 and 23.6 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).

7.1. Community Report - Just Cats - Rachel Beech - 23 January 2025

FILE NO: SF6368

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

SUMMARY OF PRESENTATION

Tania Triffitt (President, Just Cats Inc.), on behalf of Rachel Beech, provided the following report about activities over the past 12 months.

- **1260 cats arrived into care predominantly from the north of the state**
- **more surrenders are occurring due to people experiencing cost of living crisis**
- **now have a low-cost desexing facility and last year desexed 121 cats**
- **City of Launceston provided grant funding which has supported the Last Litter Program (pregnant cats give birth; kittens raised in the shelter and desexed before adoption; mother cat desexed before returning to the owner)**
- **of the 1260 cats that arrived from the City of Launceston municipality there was 350 strays, and 102 surrenders (which is an increase of 67), and 13 that required vet assistance (injuries)**

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 Question on Notice - Annual General Meeting - Robin Smith - Street Sweeping Wellington and Bathurst Street - 12 December 2024

FILE NO: SF6381

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 12 December 2024 at the Annual General Meeting by Robin Smith, has been answered by Lynda Robins (Acting Senior Leader City Amenities).

Questions:

1. [Regarding Street Cleansing Wellington, and Bathurst Streets - National Highway 1] State Growth takes responsibility for sweeping the National Highway 1, which includes Wellington and Bathurst Streets in the city, which it schedules to do four times per year. It doesn't get serviced enough. There is a demarcation on who is responsible for it and Council does not include on its street sweeping schedule. Could the Council include it in its schedule or is there something legally preventing them from sweeping these two roads?

Response:

The highway in question is owned and maintained by the Department of State Growth, including the maintenance and cleaning. The highway is currently contracted to be cleaned four times per year. As this is not a Council asset any cleansing activities undertaken by Council may require a permit issued by State Growth. Council has contacted the Department of State Growth in regards to the frequency of cleansing and possibility of increasing this service. The reply received by State Growth was ' Thank you for your inquiry. After discussing your request with my supervisor, we have decided to issue an order to our contractor to conduct sweeping every 4 weeks from March to June to address the autumn period (tree leaves). Currently, we have a quarterly sweeping program in place. However, if needed, we can issue additional orders for sweeping in response to any complaints.'

In light of the response Council will not investigate an increase in service of cleansing the highway, and will forward any requests to State Growth for additional sweeping.

ATTACHMENTS:

Nil

8.1.2. Public Question on Notice - Annual General Meeting - Robin Smith - City Heart Plan - Two Way Street Conversions - 12 December 2024

FILE NO: SF6381

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 12 December 2024 at the Annual General Meeting by Robin Smith, has been answered by Erica Deegan (Senior Leader Infrastructure and Engineering).

Questions:

1. [Regarding City Heart Stage Two] In 2015 City Heart ran a report asking the people of Launceston about converting one-way streets to two-way streets and there were there were 4,483 engagements. 35% of those respondents were for converting one-way street to two-way, 17% were undecided and 47% wanted them left the way they were. There is none of that sentiment that City Heart has garnered as a response from the public about converting one-way streets to two-way streets. How has that information got lost?

Response:

A broad community engagement around Launceston City Heart was completed in mid-2015, this included some specific data capture about potential traffic flow changes. 4483 people were informed about the project / engagement through a combination of methods. 2766 people responded to a specific question regarding support for proposed changes, noting the statistics around support in the question are correct:

- 35.2% indicated support for changes
- 47.3% opposed changes and
- 17.6% remained neutral.

Of these respondents, 9.4% visited the CBD either less than once a month or never. It is noted that within the group of CBD residents surveyed (n=193):

- 44% indicated support for changes
- 36% opposed changes and
- 20% remained neutral.

It is understood that the Council of the time considered these results as well as other information and at the Council Meeting of the 14th December 2015 determined to continue with a proposal for directional changes (including two-way traffic flow on Charles Street and Paterson Street). No specific engagement regarding changes in CBD traffic flow has been undertaken since this time. More recent engagement has specifically noted interest in enhancing active transport provision within the City Centre, and there have also been ad-hoc comments within surveys since indicating support, such as "get rid of the one way streets". As you are aware, the Council has recently endorsed the City Heart Place Plan, with a key action being progressing the two-way streets approach as listed within the Launceston Transport Strategy Implementation Plan.

**8.1.3. Public Question on Notice - Annual General Meeting - Robin Smith -
Launceston Central Activities - 12 December 2024**

FILE NO: SF6381

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 12 December 2024 at the Annual General Meeting by Robin Smith, has been answered by Karishma Kodavali (Economic Development Officer).

Questions:

1. In the Annual Report, City Prom is listed as \$563,000 for that term and for next year is due to be about \$589,000, which comes to about \$1.1 million for the activities listed in today's agenda. Would it be better to bring City Prom back within the Council - there would be savings on offices, executive and support? Is this something that Council could look at?

Response:

Launceston Central (previously known as City Prom) was established as an independent organisation to fulfil a specific role in marketing and promoting the Launceston CBD. This approach was guided by the findings of the 2020 review conducted by the NOA Group, which highlighted the critical economic and social importance of the CBD to Northern Tasmania. The review noted that the CBD serves as more than just a retail hub; it is central to the region's liveability, attracting both local residents and visitors. Success in this area relies on a clear vision and collaborative action across public and private sectors.

An independent organisation such as Launceston Central is better positioned to deliver specialised destination marketing, drawing on its relationships with stakeholders, including industry bodies, regional councils, and key tourism entities.

The budget allocated for Launceston Central for the next financial year is \$589,236, consistent with Council's annual approvals. This investment is carefully monitored through established accountability measures, including biannual reports provided to Council workshops. These reports outline the outcomes achieved and performance against the agreed Key Performance Indicators, which include both qualitative and quantitative measures.

In terms of the future, Council was presented with three options at the Council workshop on 29th August: to continue funding under a renewed agreement; to discontinue funding at the end of the current agreement in June 2025 and explore alternative service delivery models; or to adjust funding with a reduced scope.

Following careful deliberation, Council resolved on 3rd October 2024 to pursue the first option, which was to negotiate a renewal of the Operational Agreement and Memorandum of Understanding. This decision includes a commitment to reviewing and refining the organisation's Key Performance Indicators to ensure alignment with the city's strategic priorities.

At that Council Meeting on Thursday 3 October, the Council moved the following motion:

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.*

CARRIED 10:0

Regarding the suggestion to bring Launceston Central back under Council's management, it is worth noting that its current independent structure allows for greater flexibility and focus. This arrangement avoids duplications and costs associated with internal management, while fostering partnerships and collaborations critical to the promotion of the CBD.

At this stage, there are no plans to adjust the current model, which has proven effective in delivering on its mandate. Council will continue to evaluate the value of this arrangement biannually against the agreed memorandum of understanding and in accordance with the existing reporting framework to ensure the best outcomes for the CBD and the broader community.

8.1.4. Public Question on Notice - Annual General Meeting - Robin Smith -Two Way Street Conversion Report - Peer Review - 12 December 2024

FILE NO: SF6381

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following question, submitted to Council on 12 December 2024 at the Annual General Meeting by Robin Smith, has been answered by Erica Deegan (Executive Leader Infrastructure and Engineering).

Questions:

1. [Regarding peer review - Launceston City Heart Project, Two-way Street Conversions, Preliminary Traffic Assessment] In the Annual Report Strategic Priority 4, it lists the 'Place Plan' (City Heart Stage 2) as an action item to support the conversion of one-way streets to two-way. The project relies on the GHD Report titled 'City of Launceston, Launceston City Heart Project, Two-way Street Conversion, Preliminary Traffic Assessment December 2014'. Given the irrelevancies it uses to support the proposals, which I have drawn to Councils attention, could Council look at it with a view to having the document peer reviewed, as it is so fundamental to everything City Heart plans, traffic wise?

Response:

The GHD Report titled 'City of Launceston, Launceston City Heart Project, Two-way Street Conversion, Preliminary Traffic Assessment', December 2014 was peer reviewed by Dr Bruce Corben of Corben Consulting in 2015.

**8.1.5. Public Questions on Notice - Phillip Brumby - Parking Infringement 10076860
- 12 December 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 12 December 2024 by Phillip Brumby, has been answered by Michelle Grey (Properties and Legal Officer).

Questions:

1. Is Council aware that a failure of process regarding parking infringement 10076860 due to communication problems resulted in cancellation of registration of Honda F08PV? Can someone investigate the failure of process and withdraw the action with MPES?

Response:

Council has investigated the issue and whilst we appreciate your concern around communication, we are informed that:

1. *the infringement notice provides options for payment, or lodging an Application to Withdraw/Vary or a Notice of Election;*
2. *reminders were sent on 11 December 2023 and 8 January 2024, both advising that the matter would be referred to MPES if payment was not made;*
3. *It is up to MPES what enforcement action is taken.*

Once a matter is referred to MPES, all drivers have the ability to pay or arrange to pay off or ask a Court to set aside.

Council will continue to ensure its processes meet legislative requirements in serving the community.

8.1.6. Public Question on Notice - Jim Dickenson - Albert Hall - 12 January 2025

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 12 January 2025 by Jim Dickenson, has been answered by Liam Seymour (Senior Leader Building Assets Investigations).

Questions:

1. Is the Albert Hall Renewal Project on time and on budget to meet the 27 March 2025 completion date and funding of \$17,104,396?

Response:

The contractual completion date of Shape and the overall project value (as noted in the question) are unrelated. Shape, as principal contractor of the eastern wing extension, are not responsible for the other stages of work.

The value of the Shape contract is currently expected to fall within the budgeted range. An Extension of Time has been submitted to the Superintendent which is under contractual review. The balance of the project costs (outside the Shape contract) relate to scope of works that are currently under review by officers to ensure the use and flexibility of the building is maximised once operational.

8.1.7. Public Question on Notice - Andrew Whitehead - Public Relations Costs - 14 January 2025

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 14 January 2025 by Andrew Whitehead, has been answered by Nathan Williams (Acting Executive Leader Delivery and Performance).

Questions:

1. Following upon the recent debacle, when CoL first paid, and then wanted the amounts paid back, (the Councillor Gibson saga), may I ask what the total cost of Public Relations was for the year?

Response:

Council manages its public relations function in-house through its Communications Team which consists of six team members, and a Senior Leader Stakeholder Experience who oversees the team.

This team manages all of Council's external media relations, internal communications and advice, marketing, promotions and digital media.

It is not commonplace for Council officers to use an external public relations firm.

The total costs in 2023/2024 associated with the Communications Team, including staff costs, promotional materials, advertising, website fees and internal cost allocations including finance, IT, human resources etc. was \$738,518.

8.1.8. Public Questions on Notice - Peter Lee - The Dogs' Home of Tasmania - 14 January 2025

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 14 January 2025 by Peter Lee, have been answered by Georgia Strickland (Building Asset Project Officer).

Questions:

1. Why was it not deemed necessary to consult with the staff and management of The Dogs' Home of Tasmania to ascertain what is actually needed in the design of this facility?

Response:

City of Launceston has been in regular contact with Dogs Home of Tasmania (DHoT) staff and management throughout the duration of the project, via email, phone, and onsite meetings. DHoT staff, including CEO Mark Wild, were in attendance for the first contractor site meeting to scope the project in September 2024 and their requests for inclusion in the project scope have not changed since this time. Feedback has been sought and received on multiple occasions throughout the project timeline.

2. Can you please detail what the plan for the new exercise yard contains and can you make that plan available to be viewed by your rate payers?

Response:

The works are minor civil works in nature and not subject to approval under the Building Act 2016 or Tasmanian Planning Scheme. As such no formal documentation was required but indicative sketches were shown to DHoT. The new exercise yards will be of mainly Colorbond construction, with large-gauge square mesh in some panels for the viewing of dogs as per DHoT request. The exercise yard sizes have been standardised in alignment with the Colorbond fence panel lengths and new concrete plinths have been installed, along with drainage for each yard to ensure water does not pool. Three of the six yards will include tilt-arm mesh tops, to ensure dogs are unable to jump over the fences. The yards will be surfaced with instant turf.

3. Can you please advise if any consultative meetings will be held with the Dogs' Home of Tasmania to ensure that the yards are appropriately designed to be fit for purpose?

Response:

Communication between City of Launceston and DHoT has occurred on the following dates:

- *12 September 2024 - Email*
- *16 September 2024 - Email*
- *19 September 2024 - Site meeting with DHoT representative present.*
- *26 September 2024 - Email*
- *27 September 2024 - Emails*
- *14 October 2024 - Email*
- *17 October 2024 - Site meeting. DHoT representative not available.*
- *21 October 2024 - Email*
- *24 October 2024 - Email*
- *25 October 2024 - Email*
- *8 November 2024 - Site meeting*
- *11 November 2024 - Emails*
- *15 November 2024 - Email*
- *18 November 2024 - Phone call between DHoT CEO and General Manager Infrastructure and Assets.*
- *21 November 2024 - Email*
- *22 November 2024 - Site meeting. DHoT representative not available.*
- *22 November 2024 - Email*
- *5 December 2024 - Email*
- *6 December 2024 - Email*
- *9 December 2024 - Email*
- *13 December 2024 - Email*
- *17 December 2024 - Email*
- *19 December 2024 - Microsoft Teams meeting between council and DHoT.*
- *8 January 2025 - Site meeting with contractor, DHoT and council.*
- *8 January 2025 - Email*
- *9 January 2025 - Emails*
- *13 January 2025 - Site meeting with council, DHoT and contractor.*
- *13 January 2025 - Email*
- *14 January 2025 - Email*
- *15 January 2025- Emails*
- *16 January 2025 - Phone call between DHoT CEO and Executive Leader Community Assets and Design.*

**8.1.9. Public Question on Notice - Haydyn Bevis - Launceston Dogs Home
Redevelopment - 15 January 2025**

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 15 January 2025 by Haydyn Bevis, have been answered by Georgia Strickland (Building Asset Project Officer).

Questions:

1. Why did the build of the yards still go ahead even though Mayor Matthew Garwood acknowledged on a Facebook post that the yards would not be flat? Was this decision purely based on a budget decision, not on a safety decision for the staff, dogs and volunteers?

Response:

The request to level the yards was investigated, however found to not be a viable option due to the topography of the land and this was communicated to the Dogs Home of Tasmania (DHoT) team in November 2024. Concerns regarding the slope of the land were again raised by DHoT on 8 January 2025 despite previous advice, and whilst works were already underway. The yard topography is challenging and for this, and other reasons, City of Launceston has been liaising with the CEO of the DHoT regarding the future of the site and its long-term suitability.

2. Also, Mayor Garwood is also quoted as saying extensive liaising took place between the Building Assets Team and the DHOT but when and how did full and proper consultation take place with the CEO Mr Mark Wild?

Response:

City of Launceston has been in regular contact with DHoT staff and management throughout the duration of the project, via email, phone, and onsite meetings. DHoT staff, including CEO Mark Wild, were in attendance for the first contractor site meeting to scope the project in September 2024 and their requests for inclusion in the project scope have not changed since this time. Feedback has been sought and received on multiple occasions throughout the project timeline.

Communication between City of Launceston and DHoT has occurred on the following dates:

- *12 September 2024 - Email*
 - *16 September 2024 - Email*
 - *19 September 2024 - Site meeting with DHOT representative present.*
 - *26 September 2024 - Email*
 - *27 September 2024 - Emails*
 - *14 October 2024 - Email*
 - *17 October 2024 - Site meeting. DHoT representative not available.*
 - *21 October 2024 - Email*
 - *24 October 2024 - Email*
 - *25 October 2024 - Email*
 - *8 November 2024 - Site meeting*
 - *11 November 2024 - Emails*
 - *15 November 2024 - Email*
 - *18 November 2024 - Phone call between DHoT CEO and General Manager Infrastructure and Assets.*
 - *21 November 2024 - Email*
 - *22 November 2024 - Site meeting. DHoT representative not available.*
 - *22 November 2024 - Email*
 - *5 December 2024 - Email*
 - *6 December 2024 - Email*
 - *9 December 2024 - Email*
 - *13 December 2024 - Email*
 - *17 December 2024 - Email*
 - *19 December 2024 - Microsoft Teams meeting between council and DHoT.*
 - *8 January 2025 - Site meeting with contractor, DHoT and council.*
 - *8 January 2025 - Email*
 - *9 January 2025 - Emails*
 - *13 January 2025 - Site meeting with council, DHoT and contractor.*
 - *13 January 2025 - Email*
 - *14 January 2025 - Email*
 - *15 January 2025- Emails*
 - *16 January 2025 - Phone call between DHoT CEO and Executive Leader Community Assets and Design.*
-

8.1.10. Public Question on Notice - Robin Smith - Provision of Assistance to a Major National Retail Store in the Central Business District - 15 January 2025

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 15 January 2025 by Robin Smith, have been answered by Rosanna Coombes (Acting Executive Leader Strategy and Innovation).

Questions:

1. Cost-Benefit Analysis

Notwithstanding that the City of Launceston may have become jaded by the Birchalls project in the Brisbane Street Mall, would council be in a position to support, encourage and assist a major national retail store to remain in the Launceston CBD?

I ask as the City of Hobart council were themselves instrumental in successful retaining such a business, following the uncertainty after the devastating 2007 Liverpool Street fire.

Response:

Council is fully committed to the aim of bringing residents, tourists, and workers into the city, to ensure that Launceston thrives with a buoyant and improving economy, has a more consolidated City footprint with minimised suburban sprawl; and an even safer City based on more people mingling about, day and night.

Council is having ongoing discussions with current and potential new retailers and property developers regarding opportunities for economic development in the greater Central Business District and specifically in and around the Brisbane Street Mall. Council leadership has had specific discussions with Myers to identify their intentions and determine how Council can facilitate their ongoing commitment to Launceston. While any decisions of Myers or other retailers will be based on commercial considerations, Council has an interest in ensuring the vibrancy of the urban core and the Mall, and as such is working on a number of initiatives to increase growth including infill development, and drive investment and renewal including strategies to entice existing businesses to remain in the community.

ATTACHMENTS:

1. Public Question on Notice - Robin Smith - Provision of Assistance to a National Retail Store in the [8.1.10.1 - 1 page]
-

8.1.11. Public Questions on Notice - Robin Smith - Recycling Waste Services - 15 January 2025

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 15 January 2025 by Robin Smith, has been answered by Rachael Eberhardt (Waste and Environment Officer).

Questions:

1. Following the recent incidents relating to Launceston CBD on-street public waste recycling bin emptying/collection contract:
 - What is the cost to council;
 - What is the current schedule of service;
 - Where does the responsibility for cleansing the bins lie (inside and out); and
 - Has the provision of bin-liners been made a requirement of the service provider?

Response:

The collection of the CBD recycling bins costs around \$30,000 per annum.

The CBD waste bins are collected daily including Saturday and Sunday by Council. CBD recycling bins are collected weekly on Thursday by a contractor.

Council undertakes the maintenance and cleaning of CBD bins with major cleans twice per year in December and June. Spot cleans are undertaken daily.

Bin liners are currently only used in the waste bins. There are no bin liners used in the recycling as it makes it harder to service the bin as the liner cannot be recycled.

ATTACHMENTS:

1. Public Question on Notice - Robin Smith - Recycling Waste Services - 15 January 2025 Redacted [8.1.11.1 - 1 page]

8.1.12. Public Questions on Notice - Jessica Hoyle - Councillor Gibson Repayments, Councillor Code of Conduct, Working with Vulnerable People Card for Councillors - 15 January 2025

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 15 January 2025 by Jessica Hoyle, have been answered by Sam Johnson OAM (Chief Executive Officer) and Nathan Williams (Acting Executive Leader Delivery and Performance).

Questions:

1. When will the outstanding sums be repaid to the ratepayers in regards to the recent articles regarding Councillor Gibson and what date will these payments be made or begin at?

Response:

Providing a response to the question would be contrary to the usual practice of not publicly commenting on the relevant financial and personal affairs of persons who are party to payment plans or proposed payment plans with the Council.

2. Are there any more amounts other than the over 14 thousand plus? What further investigations are being undertaken on this?

Response:

Council investigations have found no other amounts paid on behalf of Cr Gibson other than the public relations fees of \$4,867.50 and legal fees of \$9,034.91. A search of Council's information management system, email archive and accounts payable system has uncovered no further relevant payments, at this time.

- 3 When will the Launceston City Council support changes to the code of conduct and support a Working with Vulnerable People card for all councillors? It's time to lead by example.

Response:

The Registration to Work with Vulnerable People Act 2013 (Tas) sets out the requirement for people engaging in particular activities or services with vulnerable people to be registered to work with vulnerable people (WWVP). The Council does not have the authority under that Act to mandate that Councillors have a current WWVP registration. The Council is currently developing its position on whether the provisions of that Act should be extended to all Councillors and employees.

The terms of a Code of Conduct are established by order of the Minister of Local Government, pursuant to section 28R of the Local Government Act 1993 (Tas).

Council has taken a leadership role within the Local Government sector on multiple occasions regarding changes to the Code of Conduct framework and requesting that a requirement for a WWVP registration be mandatory for Councillors.

Such instances include;

- *Council approved updates to the Public Interest Disclosure Procedure on 28 November 2024.*
- *Council noted the introduction of the Local Government (Code of Conduct) Order 2024 by the Department of Premier & Cabinet on 3 October 2024.*
- *Council adopted a Statement of Commitment to Becoming a Child and Youth Safe Organisation on 5 September 2024.*
- *Council Leadership (staff) completed Trauma Informed Leadership training in late 2023*
- *A Notice of Motion was passed by Council on 14 July 2022, resolving that Council writes to the Local Government Division (Tasmania) requesting that the Tasmanian State Government:*
 1. *reviews the eligibility criteria, for the potential candidates to nominate for and/or hold the office of Local Government Councillor in Tasmania, to include the following: (a) requirement for a mandatory police check; (b) requirement to provide criminal history; and (c) requirement for current Working With Vulnerable People registration.*
 2. *reviews and strengthens the Code of Conduct taking into account the prescriptive mandatory codes that provide minimum standards to regulate the conduct of Tasmanian Councils and consumers.*
 3. *reviews the Code of Conduct process to ensure fairness and equity for all Code of Conduct participants and reduce ethics and compliance risks.*
 4. *provides clear penalty guidelines to include the ability to suspend and stand down a Councillor in circumstances that align with breaches of the Local Government Act 1993 (Tas) and the Code of Conduct.*

5. *develops a Model Member Code of Conduct that is strongly aligned with the public trust placed in us, as Councillors, on all occasions and that each Councillor will: (a) act with integrity and honesty; (b) act lawfully; (c) treat all persons with civility; and (d) lead by example and act in a way that secures public confidence in the office of Councillor.*

6. *completes a full review of and finalises the process prior to local government elections 2022.*

ATTACHMENTS:

1. Public Question on Notice - Jessica Hoyle - Cr Gibson Repayments , Cr Code of Conduct, WWVP Card for [8.1.12.1 - 1 page]

8.2. Public Questions Without Notice

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

8.2.1. Public Questions Without Notice - Jessica Hoyle - Council Support for Families Suffering from Drug Addiction - 23 January 2025

- 1. What is Launceston City Council doing about drug addition and the drug issue in our time?**
- 2. What is Launceston City Council doing to support enforced rehabilitation and the effects on families?**
- 3. We need to be stronger on crime to ensure help for families. Drugs destroy families.**

The Mayor, Councillor M K Garwood, advised that these questions would be Taken on Notice and a response provided in the Council Agenda of 13 February 2025.

8.2.2. Public Questions Without Notice - Mikaela Lee - Public Disclosures, Alleged Misconduct, and Accountability - 23 January 2025

- 1. Given the recent public disclosures regarding Council fund use and alleged misconduct within council backed community organisations, what process is employed to assure all organisations being endorsed/sponsored are upholding their duty of care to community?**
- 2. If a community member has concerns re: misconduct and/or a harmful environment within a community organisation that is supported, what options exist for informing Council/requesting re-assessment of support?**
- 3. What accountability does council hold toward volunteer based community organisations who ultimately represent the City of Launceston should they be found to be maintaining an unsafe environment (e.g. harmful interactions reported and organisation does not uphold positive duty to prevent further occurrences)?**

The Mayor, Councillor M K Garwood, advised that these questions would be Taken on Notice and a response provided in the Council Agenda of 13 February 2025.

8.2.3. Public Questions Without Notice - Robin Smith - Abuse of Parking Officers, Blockie Route - 23 January 2025

- 1. As City Heart Stage 2 (City Heart Place Plan endorsed 31 October 2024), places such emphasis on challenging 'blockies' as a reason for converting one-way streets to two-way, at the Annual General Meeting, Councillor Harris (Special Council Committee Member - Launceston City Heart Reference Group) maintained the 'blockie route' as comprising Paterson, George, York and Charles Streets, (being 1.1km) whereas I consider it to include York Street to Bathurst Street, along Bathurst Street and back along Brisbane Street to Charles Street, (a total of 1.9km). Where addressing the blockie route, what streets does council's City Heart project consider the 'blockie' route to include?**

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 13 February 2025.

- 2. As several recent council parking officer reports appearing on agenda items relating to parking enhancements make references to the challenges to the safety of the Parking Officers, could council provide a report on reports made by parking officers of abuse, insults, threats to person, physical harm and any outcomes for say, the last few years?**

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 13 February 2025.

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

The Mayor, Councillor M K Garwood, announced that 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. DA0478/2024 - 5 Welman Street, Launceston - Residential - Construction of Alterations and Additions to a Dwelling

FILE NO: DA0478/2024

AUTHOR: Dileep Karna (Town Planner)

APPROVER: Chelsea van Riet (Acting Executive Leader Community Assets and Design)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	David Denman & Associates
Property:	5 Welman Street, Launceston
Zoning:	General Residential
Receipt Date:	28/10/2024
Validity Date:	30/10/2024
Further Information Request:	06/11/2024
Further Information Received:	13/11/2024
Deemed Approval:	22/01/2025
Representations:	3

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting 6 October 2021 approved, DA0422/2021 - Residential - Construction of alterations and additions to a heritage dwelling.

The proposed development is similar to the approved development under DA0422/2021, except for the proposed renovation of the verandah located west of the dwelling.

STANDARDS REQUIRING PLANNING DISCRETION:

8.4.2 Setbacks and building envelope for all dwellings
8.4.6 Privacy for all dwellings

RECOMMENDATION:

That Council:

1. in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0478/2024 - Construction of alterations and additions to a dwelling at 5 Welman Street, Launceston, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Cover Page, Prepared by David Denman + Associates, Drawing No. A00, Revision No. 2, Dated 29/10/2024
- b. Proposed Site Plan, Prepared by David Denman + Associates, Drawing No. A01, Revision No. 2, Dated 29/10/2024
- c. Proposed Basement Plan, Prepared by David Denman + Associates, Drawing No. A02, Revision No. 2, Dated 29/10/2024
- d. Proposed Ground Floor Plan, Prepared by David Denman + Associates, Drawing No. A03, Revision No. 2, Dated 29/10/2024
- e. Proposed First Floor Plan, Prepared by David Denman + Associates, Drawing No. A04, Revision No. 2, Dated 29/10/2024
- f. Proposed Roof Plan, Prepared by David Denman + Associates, Drawing No. A05, Revision No. 2, Dated 29/10/2024
- g. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A06, Revision No. 2, Dated 29/10/2024
- h. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A06, Revision No. 3, Dated 6/11/2024
- i. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A07, Revision No. 2, Dated 29/10/2024
- j. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A08, Revision No. 2, Dated 29/10/2024
- k. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A08, Revision No. 3, Dated 6/11/2024
- l. Verandah Details, Prepared by David Denman + Associates, Drawing No. A09, Revision No. 3, Dated 11/11/2024
- m. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A10, Revision No. 2, Dated 29/10/2024
- n. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A11, Revision No. 2, Dated 29/10/2024
- o. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A12, Revision No. 2, Dated 29/10/2024
- p. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A13, Revision No. 2, Dated 29/10/2024
- q. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A14, Revision No. 2, Dated 29/10/2024
- r. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A15, Revision No. 2, Dated 29/10/2024
- s. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A16, Revision No. 2, Dated 29/10/2024

- t. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A17, Revision No. 2, Dated 29/10/2024
- u. Demolition Basement and Ground Floor Plan, Prepared by David Denman + Associates, Drawing No. D01, Revision No. 2, Dated 29/10/2024
- v. Demolition First Floor & Roof Plan, Prepared by David Denman + Associates, Drawing No. D02, Revision No. 2, Dated 29/10/2024
- w. Existing Site Plan, Prepared by David Denman + Associates, Drawing No. EC01, Revision No. 2, Dated 29/10/2024
- x. Existing Plan, Prepared by David Denman + Associates, Drawing No. EC02, Revision No. 2, Dated 29/10/2024
- y. Existing Plan, Prepared by David Denman + Associates, Drawing No. EC03, Revision No. 2, Dated 29/10/2024
- z. Existing Elevations, Prepared by David Denman + Associates, Drawing No. EC04, Revision No. 2, Dated 29/10/2024
- aa. Existing Elevations, Prepared by David Denman + Associates, Drawing No. EC5, Revision No. 2, Dated 29/10/2024
- ab. Heritage Impact Statement, Prepared by David Denman + Associates, Page No. 28 - 30, Dated 28/10/2024
- ac. Response to Further Information Request, Prepared by David Denman + Associates, Page No 31 - 33, Dated 10/11/2024

2. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land.

3. HERITAGE

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Application No. 8531, dated 09/01/2025 and attached to the permit.

4. HOURS OF CONSTRUCTION

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

5. DAMAGE TO COUNCIL INFRASTRUCTURE

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

6. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of Executive Leader Community Assets and Design is required prior to undertaking works where the works:

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

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

7. SOIL AND WATER MANAGEMENT PLAN

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

8. DEMOLITION

The developer must:

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

9. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0442/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

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

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement.

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

E. No Approval for alterations to Driveway Crossover

No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.

Geoff Clark (David Denman and Associates) spoke to the Recommendation.

Richard Jamieson (Senior Leader City Development) and Dileep Karna (Town Planner) were in attendance to answer questions in respect of this Item.

DECISION: 23 January 2025

MOTION

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

That Council:

1. in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0478/2024 - Construction of alterations and additions to a dwelling at 5 Welman Street, Launceston, subject to the following conditions:

1. **ENDORSED PLANS & DOCUMENTS**

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

- a. Cover Page, Prepared by David Denman + Associates, Drawing No. A00, Revision No. 2, Dated 29/10/2024
- b. Proposed Site Plan, Prepared by David Denman + Associates, Drawing No. A01, Revision No. 2, Dated 29/10/2024
- c. Proposed Basement Plan, Prepared by David Denman + Associates, Drawing No. A02, Revision No. 2, Dated 29/10/2024
- d. Proposed Ground Floor Plan, Prepared by David Denman + Associates, Drawing No. A03, Revision No. 2, Dated 29/10/2024
- e. Proposed First Floor Plan, Prepared by David Denman + Associates, Drawing No. A04, Revision No. 2, Dated 29/10/2024
- f. Proposed Roof Plan, Prepared by David Denman + Associates, Drawing No. A05, Revision No. 2, Dated 29/10/2024
- g. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A06, Revision No. 2, Dated 29/10/2024
- h. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A06, Revision No. 3, Dated 6/11/2024
- i. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A07, Revision No. 2, Dated 29/10/2024
- j. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A08, Revision No. 2, Dated 29/10/2024
- k. Proposed Elevation, Prepared by David Denman + Associates, Drawing No. A08, Revision No. 3, Dated 6/11/2024
- l. Verandah Details, Prepared by David Denman + Associates, Drawing No. A09, Revision No. 3, Dated 11/11/2024
- m. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A10, Revision No. 2, Dated 29/10/2024
- n. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A11, Revision No. 2, Dated 29/10/2024
- o. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A12, Revision No. 2, Dated 29/10/2024
- p. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A13, Revision No. 2, Dated 29/10/2024

- q. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A14, Revision No. 2, Dated 29/10/2024
- r. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A15, Revision No. 2, Dated 29/10/2024
- s. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A16, Revision No. 2, Dated 29/10/2024
- t. Interior Elevation, Prepared by David Denman + Associates, Drawing No. A17, Revision No. 2, Dated 29/10/2024
- u. Demolition Basement and Ground Floor Plan, Prepared by David Denman + Associates, Drawing No. D01, Revision No. 2, Dated 29/10/2024
- v. Demolition First Floor & Roof Plan, Prepared by David Denman + Associates, Drawing No. D02, Revision No. 2, Dated 29/10/2024
- w. Existing Site Plan, Prepared by David Denman + Associates, Drawing No. EC01, Revision No. 2, Dated 29/10/2024
- x. Existing Plan, Prepared by David Denman + Associates, Drawing No. EC02, Revision No. 2, Dated 29/10/2024
- y. Existing Plan, Prepared by David Denman + Associates, Drawing No. EC03, Revision No. 2, Dated 29/10/2024
- z. Existing Elevations, Prepared by David Denman + Associates, Drawing No. EC04, Revision No. 2, Dated 29/10/2024
- aa. Existing Elevations, Prepared by David Denman + Associates, Drawing No. EC5, Revision No. 2, Dated 29/10/2024
- ab. Heritage Impact Statement, Prepared by David Denman + Associates, Page No. 28 - 30, Dated 28/10/2024
- ac. Response to Further Information Request, Prepared by David Denman + Associates, Page No 31 - 33, Dated 10/11/2024

2. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land.

3. HERITAGE

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Application No. 8531, dated 09/01/2025 and attached to the permit.

4. HOURS OF CONSTRUCTION

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

5. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site.

Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

6. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of Executive Leader Community Assets and Design is required prior to undertaking works where the works:

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

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

7. SOIL AND WATER MANAGEMENT PLAN

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

8. DEMOLITION

The developer must:

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

9. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0442/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

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

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement.

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

E. No Approval for alterations to Driveway Crossover

No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.

CARRIED 9:0

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

AGAINST VOTE: Nil

11.2. PSA-LLP0024 - 64 Robin Street, Newstead - Draft Planning Scheme Amendment - 64 Robin Street, Newstead Heritage Listing - S.40K Report (After Being Re-Advertised)

FILE NO: PSA-LLP0024

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

APPROVER: Chelsea van Riet (Acting Executive Leader Community Assets and Design)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	6ty°
Area of the Site:	64 Robin Street, Newstead
Existing Use:	Community Hall
Receipt Date:	15/07/2024

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council - 22 August 2024 - Agenda Item Number 11.2 - Initiated Draft Amendment PSA-LLP0024, to:

- a. Add 64 Robin Street, Newstead, local heritage listings within LAU-table C6.1 Local Heritage Places;
- b. Create one (1) new datasheet within Appendix A: Local Historic Heritage Code Datasheets; and
- c. Add 64 Robin Street, Newstead into the local heritage listing place overlay map

Council - 17 October 2024 - Agenda Item Number 11.2 - Section 40K report to consider representations.

RECOMMENDATION:

That Council:

1. in accordance with section 40K of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Draft Amendment PSA-LLP0024; and that
 2. draft Amendment PSA-LLP0024 be approved as certified and exhibited.
-

Richard Jamieson (Senior Leader City Development) and Iain More (Senior Town Planner Policy and Projects) were in attendance to answer questions in respect of this Item.

DECISION: 23 January 2025

MOTION

Moved Councillor D C Gibson, seconded Councillor A E Dawkins.

That Council:

1. in accordance with section 40K of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Draft Amendment PSA-LLP0024; and that
2. draft Amendment PSA-LLP0024 be approved as certified and exhibited.

CARRIED 9:0

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

AGAINST VOTE: Nil

11.3. PSA-LLP0012 - Draft Planning Scheme Amendment - Multiple Heritage Listings - S.40K Report (After Being Re-Advertised)

FILE NO: PSA-LLP0012

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

APPROVER: Chelsea van Riet (Acting Executive Leader Community Assets and Design)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission after 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

Council - 3 October 2024 - Agenda Item 11.1 - Section 40K report to consider representations.

RECOMMENDATION:

That Council:

1. In accordance with sections 40K and 40F of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Draft Amendment PSA-LLP0012;
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.
-

Richard Jamieson (Senior Leader City Development) and Iain More (Senior Town Planner Policy and Projects) were in attendance to answer questions in respect of this item.

Councillor A G Harris noted that reference to 58 Norwood Avenue at item 2.2 in the body of the report is incorrect and should be 58 Holbrook Street.

DECISION: 23 January 2025

MOTION

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

That Council:

- 1. In accordance with sections 40K and 40F of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Draft Amendment PSA-LLP0012;**
- 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 9:0

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

AGAINST VOTE: Nil

11.4. DA0339/2024 - 52 Frankland Street, Launceston - Demolition - Demolition of Existing Buildings and Associated Works

FILE NO: DA0339/2024

AUTHOR: Duncan Payton (Town Planner)

APPROVER: Chelsea van Riet (Acting Executive Leader Community Assets and Design)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Artas Architects
Property:	52 Frankland Street, Launceston
Zoning:	Community Purpose
Receipt Date:	1/08/2024
Validity Date:	18/12/2024
Further Information Request:	21/08/2024
Further Information Received:	17/12/2024
Deemed Approval:	29/01/2025
Representations:	0

RELEVANT LEGISLATION:

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

STANDARDS REQUIRING PLANNING DISCRETION:

C6.6.1 - P1 - Demolition

C6.6.10 - P1 - Removal, destruction or lopping of trees, or removal of vegetation that is specifically part of a local heritage place

RECOMMENDATION:

That Council:

1. in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0339/2024 - Demolition - demolition of existing buildings and associated works at 52 Frankland Street, Launceston, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Demolition Plan, prepared by Artas Architects, project no. 231039, Mental Health Facility, 52 Frankland Street, revision DA01, page A002, dated 25/07/2024
-

- b. Perspective Views, prepared by Artas Architects, project no. 231039, Mental Health Facility, 52 Frankland Street, revision DA01, page A008, dated 25/07/2024
- c. Statement of Historic Heritage Significance and Consideration of Development Concept, prepared by Praxis Environment, 52 Frankland Street, revision v3, dated December 2024
- d. Demolition Traffic Assessment, prepared by GHD, project no. 12624586, 92 Frankland Street, revision 0, dated 29/07/2024
- e. Tree Report, prepared by Frank Rosol, 92 Frankland Street, dated 25/07/2024
- f. Demolition Waste Management Plan, prepared by GHD, project no. 12624586, 92 Frankland Street, revision 0, dated 29/07/2024

2. LOCAL HERITAGE

Prior to the commencement of work a detailed recording of the site and buildings to be demolished be undertaken and a copy provided to the Senior Leader City Development (i.e. a Photographic Archival Recording).

That any salvageable original materials (i.e. bricks, timbers, fireplaces, ceiling roses etc.) from the site are to be retained or recycled for future reuse in accordance with the Waste management Plan.

That a Heritage Interpretation Plan for the site be incorporated into any future development of the site.

3. LEGAL TITLE

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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/01005-LCC, dated 27/08/2024 and attached to the permit.

5. HOURS OF CONSTRUCTION

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

6. PROTECTION OF EXISTING TREES

Existing trees identified for retention on the subject land must be retained and must not be damaged, removed, destroyed or lopped without the written consent of the Council. Such trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees.*

7. DAMAGE TO COUNCIL INFRASTRUCTURE

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

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of the Executive Leader - Community Assets and Design is required prior to undertaking works where the works:

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

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

9. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

10. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)

No works to install, remove or modify a vehicular crossing, are to be undertaken without the issue of a Vehicular Crossing Permit for the works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

An application for such work must be lodged electronically via the Council eServices web portal or on the approved hard copy form.

All new works must be constructed to Council standards and include all necessary changes to on-street parking and associated signage, alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained

from the relevant authority (eg TasWater, Telstra and TasNetworks, etc.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense. Where the driveway crossing works result in changes to existing parking restrictions (bay markings, linemarking and/or signage) these works must be undertaken by Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

11. SOIL AND WATER MANAGEMENT PLAN

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

12. OCCUPATION OF ROAD RESERVE (METERED PARKING BAYS)

Prior to the commencement of the occupation of any metered parking spaces associated with the development (including the placement of skips or materials, or the installation of scaffolding) the applicant must obtain the Consent of the Executive Leader - Community Assets and Design. The applicant must pay the prescribed daily fee for each occupied metered space for the duration of the occupation, except where the Council's Senior Leader Health and Compliance permits a variation.

13. PROTECTION OF PIPELINES

The existing underground Council pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5 metres from the outer edge of the pipe,
- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. There must be a minimum clear space between buildings or substantial structures of at least 3 metres in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to Section 13 of the *Urban Drainage Act 2013*.

14. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base

fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

15. DEMOLITION

The developer must:

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

16. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0339/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

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

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement.

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

Richard Jamieson (Senior Leader City Development) and Duncan Payton (Town Planner) were in attendance to answer questions in respect of this Item.

DECISION: 23 January 2025

MOTION

Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor J J Pentridge.

That Council:

1. in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0339/2024 - Demolition - demolition of existing buildings and associated works at 52 Frankland Street, Launceston, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Demolition Plan, prepared by Artas Architects, project no. 231039, Mental Health Facility, 52 Frankland Street, revision DA01, page A002, dated 25/07/2024
- b. Perspective Views, prepared by Artas Architects, project no. 231039, Mental Health Facility, 52 Frankland Street, revision DA01, page A008, dated 25/07/2024
- c. Statement of Historic Heritage Significance and Consideration of Development Concept, prepared by Praxis Environment, 52 Frankland Street, revision v3, dated December 2024
- d. Demolition Traffic Assessment, prepared by GHD, project no. 12624586, 92 Frankland Street, revision 0, dated 29/07/2024
- e. Tree Report, prepared by Frank Rosol, 92 Frankland Street, dated 25/07/2024
- f. Demolition Waste Management Plan, prepared by GHD, project no. 12624586, 92 Frankland Street, revision 0, dated 29/07/2024

2. LOCAL HERITAGE

Prior to the commencement of work a detailed recording of the site and buildings to be demolished be undertaken and a copy provided to the Senior Leader City Development (i.e. a Photographic Archival Recording).

That any salvageable original materials (i.e. bricks, timbers, fireplaces, ceiling roses etc.) from the site are to be retained or recycled for future reuse in accordance with the Waste management Plan.

That a Heritage Interpretation Plan for the site be incorporated into any future development of the site.

3. LEGAL TITLE

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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/01005-LCC, dated 27/08/2024 and attached to the permit.

5. HOURS OF CONSTRUCTION

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

6. PROTECTION OF EXISTING TREES

Existing trees identified for retention on the subject land must be retained and must not be damaged, removed, destroyed or lopped without the written consent of the Council. Such trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees.*

7. DAMAGE TO COUNCIL INFRASTRUCTURE

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

8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of the Executive Leader - Community Assets and Design is required prior to undertaking works where the works:

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

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

9. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

10. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)

No works to install, remove or modify a vehicular crossing, are to be undertaken without the issue of a Vehicular Crossing Permit for the works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

An application for such work must be lodged electronically via the Council eServices web portal or on the approved hard copy form.

All new works must be constructed to Council standards and include all necessary changes to on-street parking and associated signage, alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra and TasNetworks, etc.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense. Where the driveway crossing works result in changes to existing parking restrictions (bay markings, linemarking and/or signage) these works must be undertaken by Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

11. SOIL AND WATER MANAGEMENT PLAN

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

12. OCCUPATION OF ROAD RESERVE (METERED PARKING BAYS)

Prior to the commencement of the occupation of any metered parking spaces associated with the development (including the placement of skips or materials, or the installation of scaffolding) the applicant must obtain the Consent of the Executive Leader - Community Assets and Design. The applicant must pay the prescribed daily fee for each occupied metered space for the duration of the occupation, except where the Council's Senior Leader Health and Compliance permits a variation.

13. PROTECTION OF PIPELINES

The existing underground Council pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5 metres from the outer edge of the pipe,
- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. There must be a minimum clear space between buildings or substantial structures of at least 3 metres in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to Section 13 of the *Urban Drainage Act 2013*.

14. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

15. DEMOLITION

The developer must:

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

16. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0339/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

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

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

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

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

C. Appeal Provisions

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

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

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

D. Permit Commencement.

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

CARRIED 8:1

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

DECISION: 23 January 2025

MOTION

Moved Councillor D C Gibson, seconded Councillor J J Pentridge.

That an additional three minutes speaking time be granted to Councillor T G Walker.

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor J J Pentridge, Councillor L M McMahon and Councillor S Cai
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, 12 December 2024

- Chaired City of Launceston Annual General Meeting, Council Chambers, Launceston

Friday, 13 December 2024

- Presented Award at the Brooks High School Presentation Assembly, School Gymnasium, Rocherlea
- Officiated for the Gentle Protagonist: Art of Michael McWilliams exhibition opening, Queen Victoria Museum and Art Gallery, Royal Park, Launceston

Saturday, 14 December 2024

- Attended the Charity Cherry Auction, Harvest Market, Launceston
- Officiated for the 30th Anniversary ArtRage Launch, Queen Victoria Museum and Art Gallery, Royal Park, Launceston
- Tossed the Coin for Gridiron Tasmania - Tiger Bowl, Royal Park, Launceston
- Attended performance of *Wizard of Oz* by Launceston Musical Society, Princess Theatre, Launceston

Wednesday, 18 December 2024

- Attended Grade 6 Presentation Assembly, Ravenswood Heights Primary School Gymnasium, Ravenswood
- Attended Our Balls S. Christmas event, 75 St John Street, Launceston

Friday, 20 December 2024

- Attended Tyler Village Christmas event, Prospect

Saturday, 21 December 2024

- Attended Hurricanes V Scorchers, Ninja Stadium, Bellerive

Sunday, 22 December 2024

- Officiated at Carols by Candlelight 2024, City Park, Launceston

Wednesday, 25 December 2024

- Officiated at Launceston Community Christmas, Door of Hope, Launceston

Friday, 27 December 2024

- Attended start of Launceston to Hobart Yacht Race, Tamar Yacht Club Marina, Beauty Point
-

Saturday, 28 December 2024

- Officiated at Christmas Track Carnival, Silverdome, Prospect

Tuesday, 31 December 2024

- Attended Beerfest, Royal Park, Launceston

Wednesday, 1 January 2025

- Attended Hurricanes verses Sixers, Ninja Stadium, Bellerive

Thursday, 2 January 2025

- Attended TASTE, Salamanca, Hobart

Friday, 3 January 2025

- Met Professor Michael O'Flaherty, Commissioner for Human Rights, Council of Europe at Riverside

Thursday, 9 January 2025

- Attended Hobart International, Domain Tennis Centre, Queens Domain, Hobart

Friday, 10 January 2025

- Attended Jack Jumpers game, MyState Arena, Hobart

Tuesday, 14 January 2025

- Attended Dr Sajet from Smithsonian Institute Gallery Lecture, Tramshed Function Centre, Invermay
- Attended Queen Victoria Museum and Art Gallery Arts Foundation dinner, Stillwater, Launceston

Monday, 20 January 2025

- Attended Tasmania Zoo with the Thylacine Committee, Riverside

Wednesday, 22 January 2025

- Officiated at City of Launceston Community Recognition Awards 2025, Town Hall, Launceston
-

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

16 December 2024

- Presented the City of Launceston's Springboard into Higher Education Scholarship to Prospect High School student Gabrielle Hedger 21 January 2025
- Attended a meeting with Minister for Local Government Kerry Vincent

22 January 2025

- Attended the 2025 Community Recognition Awards and noted the award winners:
 - Citizen of the Year - David Dunn
 - Young Citizens of the Year - Nastaran Jafari and Jack Duncan
 - Sports Award - Rodney Eiszele
 - Event of the Year - Launceston Parkrun

Deputy Mayor Councillor D H McKenzie

22 January 2025

- Attended the 2025 Community Recognition Awards

31 December 2024

- Attended Beerfest and noted it was well attended and ran smoothly

Congratulated the organisers of Carols by Candlelight for a terrific event that contributed to a great vibe in the city over Christmas.

Councillor A G Harris

13 December 2024

- Attended Premier's Cocktail Party

17 December 2024

- Attended Mowbray Heights Primary School end of year assembly

18 December 2024

- Attended Ravenswood Heights Primary School end of year assembly

22 January 2025

- Attended 2025 Community Recognition Awards

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 have been identified as part of this Agenda

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 - Deputy Mayor Councillor D H McKenzie - Council Support to Keep Pets with Owners - 23 January 2025

- 1. Is there some way Council can support Just Cats to keep pets with their owners who can't afford to keep them?**

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 13 February 2025.

14.2.2. Councillors' Questions Without Notice - Councillor A G Harris - Carols by Candlelight held in City Park on 22 December 2024 - 23 January 2025

Preamble:

I note the Quarterly Report from Council's Community and Place Network under item 17.1 of today's meeting, a report on the very successful Carols by Candlelight held in City Park organised in just 23 days by Councillor Lindi McMahon and her band of volunteers that was attended by a crowd of 5000 or more on Sunday 22nd of December 2024 and supported by City of Launceston's Tourism and Events team and many other divisions of Council workforce as well.

My questions are:

1. Cost of event:

- What were the directly incurred costs to Council of putting on this event, including wages of Events staff and other Council staff who assisted in getting the show up and happening and the cleaning up afterwards.
- What were the directly incurred costs for the hire of plant and equipment necessary for the staging of the event and that were for paid for by the Council.
- How was the \$10,000 McGrath Estate Agents sponsorship, the \$5000.00 that was provided by the old organising committee and the initial \$15,000 Council event grant money used in payment of which services.
- What is an estimate of costs of hire equipment, or any other services provided by event sponsors for either a reduced charge or at no charge.

2. What will now happen in regard to planning for Carols by Candlelight in 2025 by Council Events and Tourism staff or will a new volunteer-based Committee take over the running of the event?

3. Will Council consider alternative ways of assisting future Carols by Candlelight event by way of a permanent Sound Stage and associated infrastructure on Council owned land, including other venues other than City Park, such as but not limited to First Basin or Riverbend Park?

4. In the 12th of December 2024 meeting agenda item Questions on Notice Item 14.1.1, Councillor McMahon's questions about the previous Organising Committee of Carols by Candlelight were "to be circulated to Council Officers and a report will be provided at a future Council meeting".

5. As these questions have not been answered in this meeting's agenda as I expected, when can a public response be expected to these questions?

The Mayor, Councillor M K Garwood, advised that these questions would be Taken on Notice and a response provided in the Council Agenda of 13 February 2025.

14.2.3. Councillors' Questions Without Notice - Councillor T J Walker - Glen Dhu Pool, Truck Stop Kings Meadows, Hospital Precinct Master Plan - 23 January 2025

- 1. [Regarding Glen Dhu Pool] When a demolition order was sought from Council, no structural report was executed. Can I get that confirmed, that there was no supporting documentation in terms of the justification, being structural issues were the reason behind the demolition and associated with that, do they even need any justification to demolish the pool, even if there was nothing wrong with it?**
- 2. Do we have school groups that go to our facility at Windmill Hill Aquatic Centre and do we charge uh for school groups to attend there? If so, how much do we charge?**
- 3. Will the Council formulate a position ion the rights of children to learn how to swim and what is the best way for the council to respond and to formulate a position on this before the construction [at Glen Dhu] takes place?**
- 4. Has Council had a reply from the State Government in regard to the money that was offered for a potential pathway from Lilydale Falls?**
- 5. Has there been any further correspondence or discussion since the Council decision to amend a truck stop on the southern Outlet adjacent to Kings Meadows and associated sound walls?**
- 6. Hospital Precinct Master Plan: It's been a number of years since Launceston Council had an active relationship with either the Health Department or State Growth in regards to having a working group discussing the implications of the expanding Hospital Precinct. Can the Council**
 - a. have that reinstated**
 - b. investigate ways in which we could work towards having a more active role in decision-making around that plan?**
 - c. Can the Council investigate ways in which we can rebuild that communication?**
- 7. Have we had any Communications with North Launceston Football Club and their ongoing concerns around access at York Park, and what will Council's representation on any board, group or Association in regards to Stadium Tasmania and York Park look like? Will it be the mayor will it be our CEO who will be representing Launceston and Council's interests?**

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 13 February 2025.

**14.2.4. Councillors' Questions Without Notice - Councillor J J Pentridge - North
Launceston Football Club - 23 January 2025**

- 1. Will Council have the opportunity to give the North Launceston Football Club some answers regarding the future use of the grounds?**

14.2.5 Councillor's Questions Without Notice - Councillor A E Dawkins - Launceston Waste Centre Compliance Assessment of Annual Environmental Review for 2023-2024

- 1. [Regarding Agenda Item 19.4 Launceston Waste Centre Compliance Assessment of Annual Environmental Review for 2023-2024]. In 1.9 of the assessment we made no commitments for 23 24 so we can't be assessed. Is that usual, do we generally have commitments or is it just this one time we didn't?**

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 13 February 2025.

15. NOTICES OF MOTION

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

15.1. Notice of Motion - Councillor T G Walker - Provision of Multi-storey Parking in the CBD on Boxing Day - 14 January 2025

FILE NO: SF5547

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a Notice of Motion submitted by Councillor T G Walker regarding investigating options for the provision of free multi-storey parking in the central business district on Boxing Day and the feasibility of providing parking on other public holidays.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. notes the demand for parking on Boxing Day in the Central Business District;
 2. investigate options for providing parking in the Central Business District on Boxing Day at the following locations:
 - (a) Paterson Street East Car Park, located at 1-15 Paterson Street, Launceston
 - (b) Paterson Street West Car Park, located at 79-83 Paterson Street, Launceston
 - (c) Elizabeth Street Car Park, located at 32 Elizabeth Street, Launceston;
 3. investigate the feasibility of providing parking on other public holidays; and
 4. report findings back to a Council meeting within three months of this motion.
-

Robin Smith Spoke to the recommendation.

Councillor D C Gibson withdrew from the Meeting at 2:27 pm

Councillor D C Gibson re-attended the Meeting at 2:30 pm

Chief Executive Officer Sam Johnson OAM withdrew from the Meeting at 2.29pm

Chief Executive Officer Sam Johnson OAM re-attended the meeting at 2.30pm

Councillor S Cai noted the incorrect spelling of her name in the report which should be corrected from Kai to Cai.

DECISION: 23 January 2025

MOTION

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

That Council:

- 1. notes the demand for parking on Boxing Day in the Central Business District;**
- 2. investigate options for providing parking in the Central Business District on Boxing Day at the following locations:**
 - (a) Paterson Street East Car Park, located at 1-15 Paterson Street, Launceston**
 - (b) Paterson Street West Car Park, located at 79-83 Paterson Street, Launceston**
 - (c) Elizabeth Street Car Park, located at 32 Elizabeth Street, Launceston;**
- 3. investigate the feasibility of providing parking on other public holidays; and**
- 4. report findings back to a Council meeting within three months of this motion.**

CARRIED 9:0

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

AGAINST VOTE: Nil

16. COMMITTEE REPORTS

No Committee Reports were identified as part of these Minutes

17. CONNECTIONS AND LIVEABILITY

17.1. Quarterly Report - Community and Place Network

FILE NO: SF5784

AUTHORS: Justin Dale (Senior Leader Community Connections), Richard Jamieson (Senior Leader City Development), Fleur Marshall (Senior Leader Stakeholder Experience), Dearne Morrison (Social Recovery Officer), David Mullenger (Senior Leader Health and Compliance), Angie Hart (Acting Senior Leader Liveable Communities)

APPROVER: Leanne Purchase (Acting Executive Leader Connections and Liveability)

DECISION STATEMENT:

To receive a report about activities of the Community and Place Network between 1 October and 31 December 2024.

RELEVANT LEGISLATION:

Not applicable.

RECOMMENDATION:

That Council:

1. receives the Community and Place Network Quarterly Report for the period 1 October to 31 December 2024.
-

DECISION: 23 January 2025

MOTION

Moved Councillor D C Gibson, seconded Councillor A E Dawkins.

That Council:

1. receives the Community and Place Network Quarterly Report for the period 1 October to 31 December 2024.

CARRIED 9:0

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

AGAINST VOTE: Nil

18. QVMAG

No Items were identified as part of these Minutes

19. COMMUNITY ASSETS AND DESIGN

19.1. Quarterly Report - Infrastructure and Assets Network

FILE NO: SF7696

AUTHOR: Chelsea van Riet (Acting Executive Leader Community Assets and Design), Michael Newby (Chief Infrastructure Officer), Erica Deegan (Senior Leader Infrastructure and Engineering), Leanne Purchase (Acting Senior Leader Parks and Sustainability), Liam Seymour (Senior Leader Building Assets and Investigations), Derek Lynch (Senior Leader Project Design and Delivery) and Lynda Robins (Acting Senior City Amenities)

APPROVER: Chelsea van Riet (Acting Executive Leader Community Assets and Design)

DECISION STATEMENT:

To receive a report on activities for the Infrastructure and Assets Network between 1 October 2024 to 31 December 2024.

RELEVANT LEGISLATION:

Not applicable.

RECOMMENDATION:

That Council:

1. receives the Community Assets and Design Quarterly Report for the period 1 October 2024 to 31 December 2024.
-

DECISION: 23 January 2025

MOTION

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

That Council:

1. receives the Community Assets and Design Quarterly Report for the period 1 October 2024 to 31 December 2024.

CARRIED 9:0

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

AGAINST VOTE: Nil

19.2. Proposed New Street Name - Jennings Court

FILE NO: DA0285/2022

AUTHOR: Jaclyn Galea (Infrastructure Development Officer)

APPROVER: Chelsea van Riet (Acting Executive Leader Community Assets and Design)

DECISION STATEMENT:

To consider approval for a new street name, Jennings Court, for a new industrial street resulting from a subdivision located at 16-30 Waverley Road, Waverley.

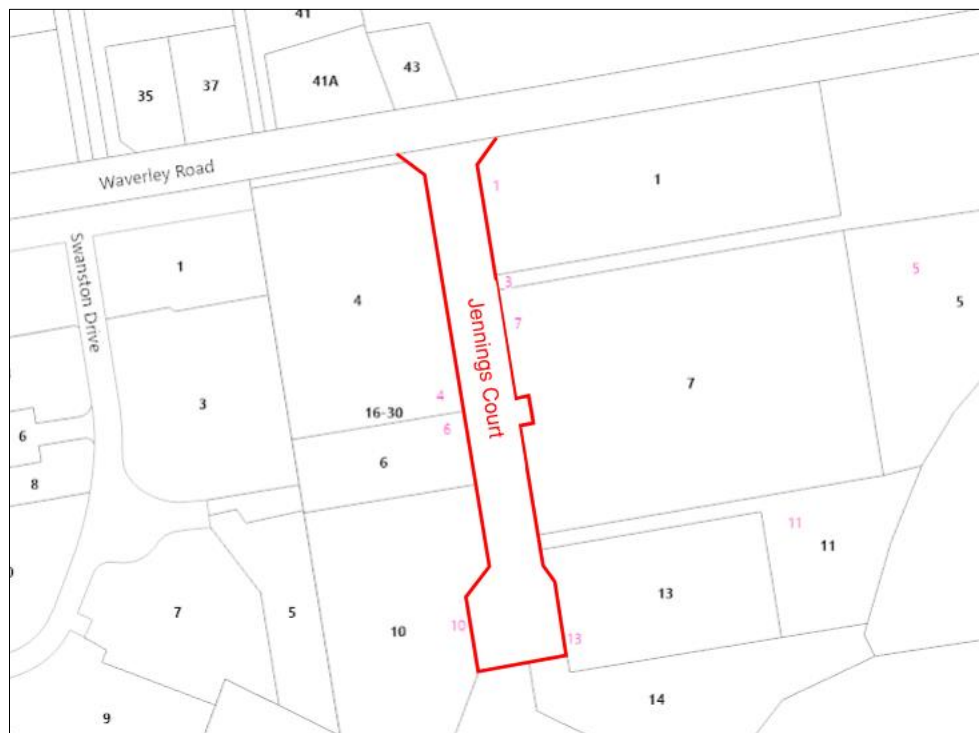
RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the name Jennings Court for the Cul De Sac in the industrial subdivision off Waverley Road.



Sonia Smith (Senior Leader Infrastructure and Engineering) was in attendance to answer questions in respect of this Item.

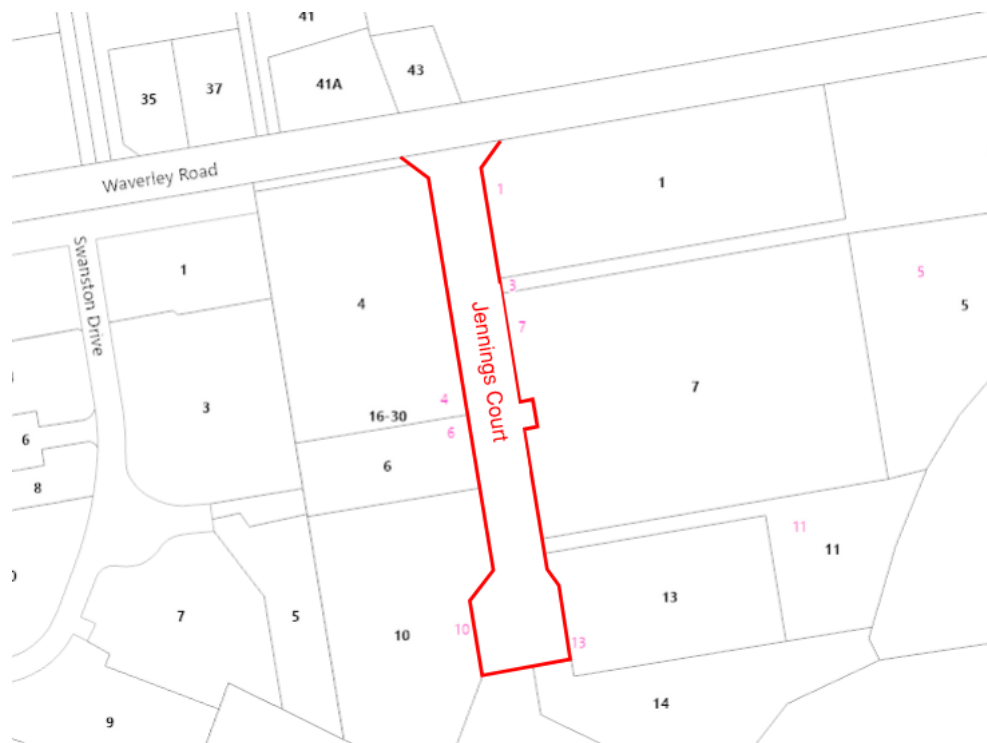
DECISION: 23 January 2025

MOTION

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

That Council:

1. pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the name Jennings Court for the Cul De Sac in the industrial subdivision off Waverley Road.



CARRIED 9:0

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

AGAINST VOTE: Nil

19.3. Proposed New Street Name - Pennant Drive

FILE NO: DA0506/2021

AUTHOR: Jaclyn Galea (Infrastructure Development Officer)

APPROVER: Chelsea van Riet (Acting Executive Leader Community Assets and Design)

DECISION STATEMENT:

To consider approval for the extension of Negara Street and a new street name, Pennant Drive, for the new residential streets resulting from a subdivision of a part of the Launceston Golf Club located at 27-99 Opossum Road, Norwood.

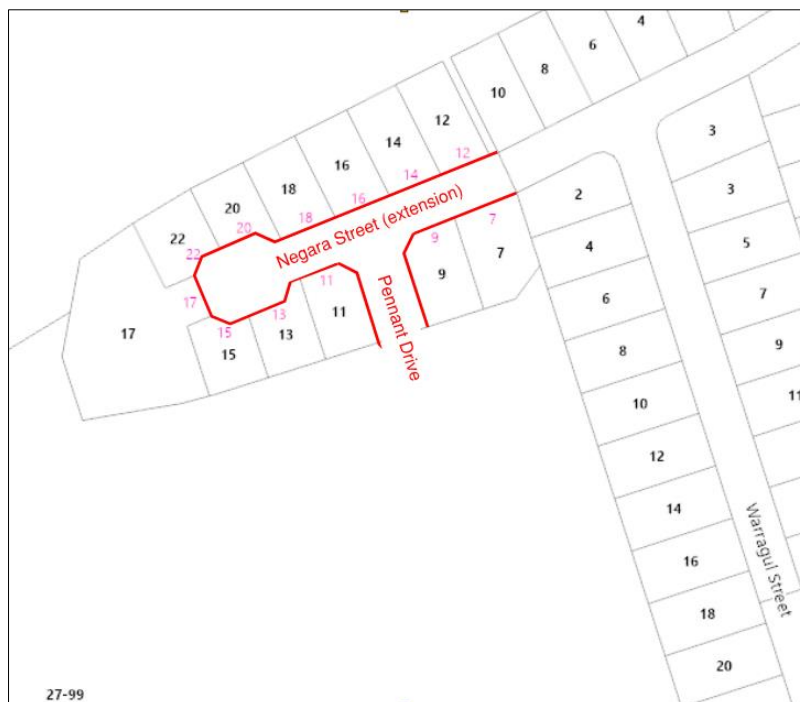
RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the name Negara Street for the extension to the existing Negara Street starting from the boundary of 10 Negara and the name Pennant Drive for the road stub, which will be a future connecting road off Negara Street, Norwood.



Sonia Smith (Senior Leader Infrastructure and Engineering) was in attendance to answer question in respect of this Item.

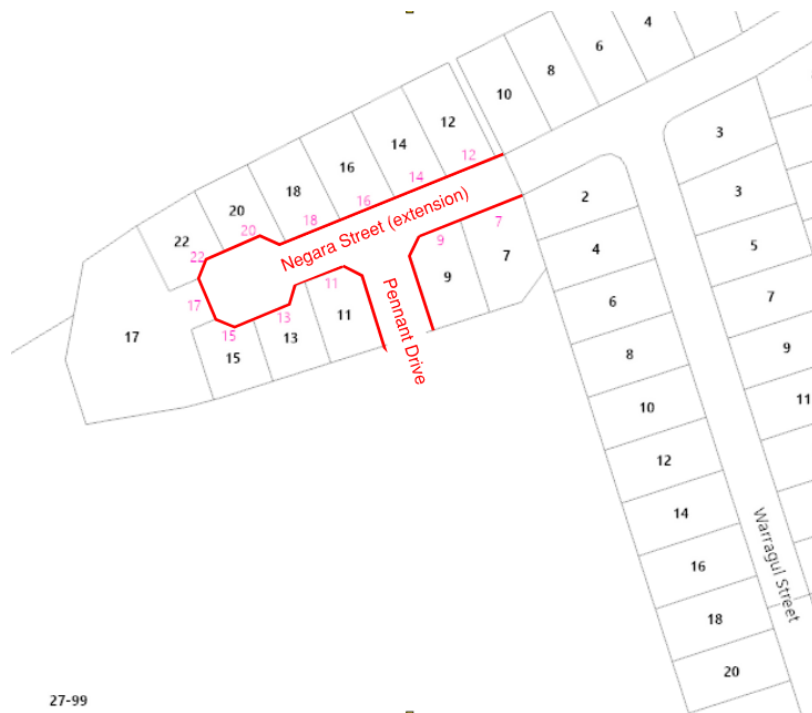
DECISION: 23 January 2025

MOTION

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

That Council:

1. pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the name Negara Street for the extension to the existing Negara Street starting from the boundary of 10 Negara and the name Pennant Drive for the road stub, which will be a future connecting road off Negara Street, Norwood.



CARRIED 9:0

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

AGAINST VOTE: Nil

19.4. Launceston Waste Centre Compliance Assessment of Annual Environmental Review for 2023-2024

FILE NO: SF0634, SF6227

AUTHOR: Michael Attard (Team Leader Sustainability)

APPROVER: Chelsea van Riet (Acting Executive Leader Community Assets and Design)

DECISION STATEMENT:

To note City of Launceston landfill complies with all licensing requirements under Environment Protection Notice No. 7175/3.

RELEVANT LEGISLATION:

Environmental Management and Pollution Control Act 1994 (Tas)

RECOMMENDATION:

That Council:

1. notes the correspondence from the Environment Protection Authority (ECM Doc Set ID 5175406), included as an attachment to this report; and
 2. Notes that the City of Launceston complies with all conditions listed in the Environmental Protection Notice No. 7175/3.
-

DECISION: 23 January 2025

MOTION

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

That Council:

1. **notes the correspondence from the Environment Protection Authority (ECM Doc Set ID 5175406), included as an attachment to this report; and**
2. **notes that the City of Launceston complies with all conditions listed in the Environmental Protection Notice No. 7175/3.**

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor J J Pentridge, Councillor L M McMahan and Councillor S Cai

AGAINST VOTE: Nil

20. DELIVERY AND PERFORMANCE

20.1. Quarterly Report - Organisational Services Network

FILE NO: SF0927

AUTHOR: Emily Causley (Personal Assistant Organisational Services Network)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To receive a report about activities of Organisational Services Network between 1 October 2024 and 31 December 2024

RELEVANT LEGISLATION:

Not Applicable.

RECOMMENDATION:

That Council:

1. receives the Organisational Services Network Quarterly Report for the period 1 October 2024 and 31 December 2024.
-

DECISION: 23 January 2025

MOTION

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

That Council:

1. receives the Organisational Services Network Quarterly Report for the period 1 October 2024 and 31 December 2024.

CARRIED 9:0

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

AGAINST VOTE: Nil

20.2. Highway Dedication - Inveresk Bridge (Stage 2)

FILE NO: SF7296

AUTHOR: Duncan Campbell (Team Leader Legal Services)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To consider the taking over of the Boland Street to Inveresk Pedestrian Bridge as a highway maintainable by the Council.

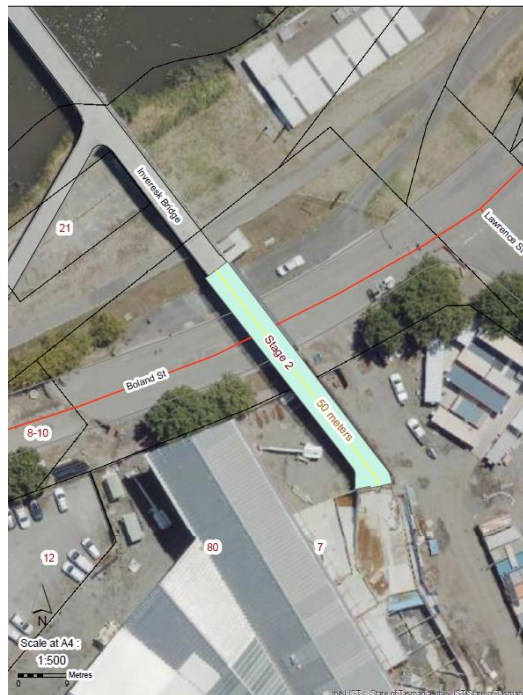
RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Local Government (Highways) Act 1982 (Tas)

RECOMMENDATION:

That Council:

1. by resolution, pursuant to section 12 of the *Local Government (Highways) Act 1982 (Tas)*, declares that the second stage of the Inveresk Bridge totalling approximately 50 metres, identified as Stage 2 in the image below, is to become a highway maintainable by the Council on the date of publication of this resolution in *The Tasmanian Government Gazette*:



2. requests the Chief Executive Officer to cause a copy of the highway declaration at Recommendation 1 to be published in *The Tasmanian Government Gazette* but only once satisfied that all relevant requirements have been met.

3. pursuant to section 175 of the *Local Government Act 1993* (Tas), approves the acquisition of an easement over approximately 254m² of land at 80 Cimitiere Street, Launceston, identified as Public Right of Way in the image below:



4. requests the Chief Executive Officer to determine any other detail and enter into any documentation necessary to transfer ownership of the bridge structure and easement to the Council, and to allow the highway to be created.
5. notes, for the avoidance of doubt, that the term 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).

Duncan Campbell (Team Leader Legal Services) was in attendance to answer questions in respect of this Item.

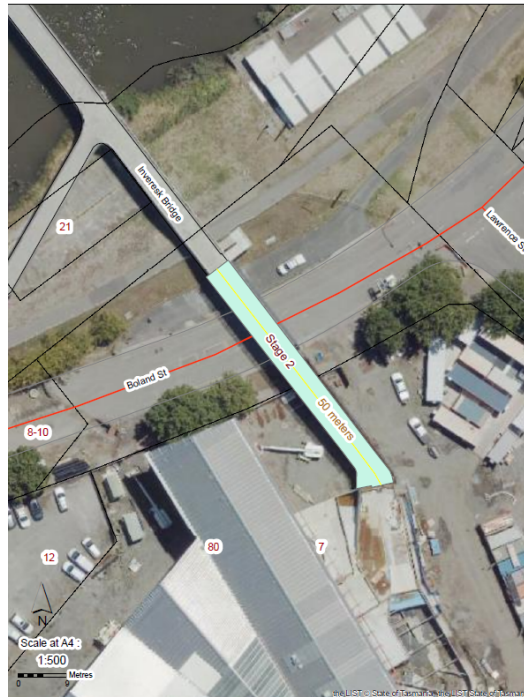
DECISION: 23 January 2025

MOTION

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

That Council:

1. by resolution, pursuant to section 12 of the *Local Government (Highways) Act 1982 (Tas)*, declares that the second stage of the Inveresk Bridge totalling approximately 50 metres, identified as Stage 2 in the image below, is to become a highway maintainable by the Council on the date of publication of this resolution in *The Tasmanian Government Gazette*:



2. requests the Chief Executive Officer to cause a copy of the highway declaration at Recommendation 1 to be published in *The Tasmanian Government Gazette* but only once satisfied that all relevant requirements have been met.
3. pursuant to section 175 of the *Local Government Act 1993 (Tas)*, approves the acquisition of an easement over approximately 254m² of land at 80 Cimitiere Street, Launceston, identified as Public Right of Way in the image below:



4. requests the Chief Executive Officer to determine any other detail and enter into any documentation necessary to transfer ownership of the bridge structure and easement to the Council, and to allow the highway to be created.
5. notes, for the avoidance of doubt, that the term 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 8:1

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

20.3. Delegation under the Land Use Planning and Approvals Act 1993 (Tas)

FILE NO: SF0113

AUTHOR: Duncan Campbell (Team Leader Legal Services)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To consider the delegation of functions and powers under the *Land Use Planning and Approvals Act 1993* (Tas).

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993 (Tas)

Land Use Planning and Approvals Regulations 2014 (Tas)

Acts Interpretation Act 1931 (Tas)

Local Government (Meeting Procedures) Regulations 2015 – regulation 15

Local Government Act 1993 (Tas) - section 22(4)

PREVIOUS COUNCIL CONSIDERATION:

Council - 23 August 2004 - Authorisation to use Part 5 Agreements to Protect Council Assets

Council - 26 August 2013 - Delegation of Powers - Land Use Planning and Approvals Act 1993

Council - 13 August 2018 - Delegation from Council to General Manager - Land Use Planning and Approvals Act 1993 and Land Use Planning and Approvals Regulations 2014

Council - 14 November 2019 - Delegation from Council to Council Officers - Land Use Planning and Approvals Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. pursuant to section 6 of the *Land Use Planning and Approvals Act 1993* (Tas):

(a) revokes any previous delegation made by Council in respect of the *Land Use Planning and Approvals Act 1993* (Tas) and the *Land Use Planning and Approvals Regulations 2014*.

(b) delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 2, the powers and functions under the sections of the *Land Use Planning and Approvals Act 1993* (Tas) and the *Land Use Planning and Approvals Regulations 2014* (Tas) specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.

2. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas), authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
3. notes that the following table is the schedule referred to at Recommendation 1.

The Schedule

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
<p>Chief Executive Officer</p> <p>Executive Leader Community Assets and Design</p> <p>Senior Leader City Development</p>	<p>Sections 35C, 35F, 35G, 35I, 35M, 35P, 40G, 40K, 40U, 40W, 42D, 43(2), 43(6), 43(7), 43(9), 43(10), 48AA, 48A, 51, 52(1B), 53(5A), 54, 55, 56, 57(2), 57(3), 57(5), 57(6), 57(6)(b), 57(6A), 57(7), 57A, 58, 59(7), 61, 63, 63B(3), 65C(5), 65G, 71, 74(3), 75, 76, 78, together with all functions and powers contained in the <i>Land Use Planning and Approvals Regulations 2014</i></p>	<p>The delegation under section 57(2) is exercisable only where such an application cannot lawfully be approved; and/or only exercised where an applicant will not agree to an extension of time that appears that Council will not be able to deal with the application within the time prescribed by section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas); and/or only where Council is not able to or does not make a decision upon the application within the time prescribed under section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas).</p> <p>The delegation under section 57(6) is exercisable only in those cases where:</p> <p>(a) no, or up to two, representations have been received in respect of such applications pursuant to section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas) and/or</p> <p>(b) any submissions received from a regulated entity pursuant to section 56P(1) of the <i>Water and</i></p>

		<i>Sewerage Industry Act 2008</i> , indicates it 'does not object to' or 'does not object if the permit is subject to conditions' regarding a notice of application from Council to the regulated entity pursuant to section 56O(2) of the <i>Water and Sewerage Industry Act 2008</i> .
<p>Team Leader Planning Assessments</p> <p>Senior Town Planner Development</p> <p>Senior Town Planner - Policy and Projects</p> <p>Town Planner</p> <p>Graduate Town Planner</p> <p>Urban Design Planner</p> <p>Heritage Planner</p>	<p>Sections 40G, 40K, 40U, 42D, 43(2), 43(6), 43(7), 48AA, 48A, 54, 57(3), 60P(4), 60Q(5), 61, 63, 65C(5), 71, 74(3), 75, 76, 78 together with all functions and powers contained in the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i></p>	
<p>Senior Leader Health and Compliance</p> <p>Team Leader Compliance</p> <p>Planning Compliance Officer</p>	<p>Sections 48AA, 48A, 64, 65C(5)</p>	
<p>Team Leader Statutory Services</p> <p>Statutory Services Officer</p>	<p>Sections 57(3), 71, 74(3), 75, 76, 78 together with all functions and powers contained in the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i></p>	

Permit Authority Officer	Sections 57(3) together with all functions and powers contained in the <i>Land Use Planning and Approvals Regulations 2014</i> (Tas)	
Planning Administration Officer		
Administration Officer - City Development		
Administration Assistant		

Duncan Campbell (Team Leader Legal Services) was in attendance to answer questions in respect of this Item.

Councillor T J Walker noted a correction within the body of the report which should read, "*As a result of the Seriously Entertained Change that took effect on 13 January 2025*", not 2024.

DECISION: 23 January 2025

MOTION

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

That Council:

1. pursuant to section 6 of the *Land Use Planning and Approvals Act 1993 (Tas)*:
 - (a) revokes any previous delegation made by Council in respect of the *Land Use Planning and Approvals Act 1993 (Tas)* and the *Land Use Planning and Approvals Regulations 2014*.
 - (b) delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 2, the powers and functions under the sections of the *Land Use Planning and Approvals Act 1993 (Tas)* and the *Land Use Planning and Approvals Regulations 2014 (Tas)* specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.
2. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
3. notes that the following table is the schedule referred to at Recommendation 1.

The Schedule

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
Chief Executive Officer Executive Leader Community Assets and Design Senior Leader City Development	Sections 35C, 35F, 35G, 35I, 35M, 35P, 40G, 40K, 40U, 40W, 42D, 43(2), 43(6), 43(7), 43(9), 43(10), 48AA, 48A, 51, 52(1B), 53(5A), 54, 55, 56, 57(2), 57(3), 57(5), 57(6), 57(6)(b), 57(6A), 57(7), 57A, 58, 59(7), 61, 63, 63B(3), 65C(5), 65G, 71, 74(3), 75, 76, 78, together with all functions and powers contained in the <i>Land Use Planning and Approvals Regulations 2014</i>	The delegation under section 57(2) is exercisable only where such an application cannot lawfully be approved; and/or only exercised where an applicant will not agree to an extension of time that appears that Council will not be able to deal with the application within the time prescribed by section 57 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i>: and/or only where

		<p>Council is not able to or does not make a decision upon the application within the time prescribed under section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas).</p> <p>The delegation under section 57(6) is exercisable only in those cases where:</p> <p>(a) no, or up to two, representations have been received in respect of such applications pursuant to section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas) and/or</p> <p>(b) any submissions received from a regulated entity pursuant to section 56P(1) of the <i>Water and Sewerage Industry Act 2008</i>, indicates it 'does not object to' or 'does not object if the permit is subject to conditions' regarding a notice of application from Council to the regulated entity pursuant to section 56O(2) of the <i>Water and Sewerage Industry Act 2008</i>.</p>
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<p>Team Leader Planning Assessments</p> <p>Senior Town Planner Development</p> <p>Senior Town Planner - Policy and Projects</p> <p>Town Planner</p> <p>Graduate Town Planner</p> <p>Urban Design Planner</p> <p>Heritage Planner</p>	<p>Sections 40G, 40K, 40U, 42D, 43(2), 43(6), 43(7), 48AA, 48A, 54, 57(3), 60P(4), 60Q(5), 61, 63, 65C(5), 71, 74(3), 75, 76, 78 together with all functions and powers contained in the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i></p>	
<p>Senior Leader Health and Compliance</p> <p>Team Leader Compliance</p> <p>Planning Compliance Officer</p>	<p>Sections 48AA, 48A, 64, 65C(5)</p>	
<p>Team Leader Statutory Services</p> <p>Statutory Services Officer</p>	<p>Sections 57(3), 71, 74(3), 75, 76, 78 together with all functions and powers contained in the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i></p>	
<p>Permit Authority Officer</p> <p>Planning Administration Officer</p> <p>Administration Officer - City Development</p> <p>Administration Assistant</p>	<p>Sections 57(3) together with all functions and powers contained in the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i></p>	

CARRIED 8:1

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

20.4. Delegation under the Local Government (Highways) Act 1982

FILE NO: SF0113

AUTHOR: Duncan Campbell (Team Leader Legal Services)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To consider delegation of functions and powers under the *Local Government (Highways) Act 1982* (Tas).

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government (Highways) Act 1982 (Tas)

Acts Interpretation Act 1931 (Tas)

Local Government (Meeting) Regulations 2015 - Regulation 18

Local Government Act 1993 (Tas) - section 22(4)

PREVIOUS COUNCIL CONSIDERATION:

Council - 7 February 2019 - Agenda Item 15.3 - Delegation from Council to General Manager and Council Officers - *Local Government (Highways) Act 1982* (Tas)

Council - 11 July 2019 - Agenda Item 19.1 - Delegation from Council to General Manager and Council Officers - *Local Government (Highways) Act 1982* (Tas)

Council - 14 November 2019 - Agenda Item 19.3 - Delegation from Council to Council Officers - *Local Government (Highways) Act 1982* (Tas)

RECOMMENDATION:

That Council:

1. pursuant to section 124 of the *Local Government (Highways) Act 1982* (Tas):
 - (a) revokes any previous delegation made by Council in respect of the *Local Government (Highways) Act 1982* (Tas).
 - (b) delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 3, the powers and functions under the sections of the *Local Government (Highways) Act 1982* (Tas) specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.

2. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas), authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
3. notes that the following table is the schedule referred to at Recommendation 1.

The Schedule

Column One	Column Two	Column Three
Position	Extent of delegation	Restrictions
Chief Executive Officer (CEO)	Sections 7(2), 10, 11, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 45, 46, 50, 52, 54, 55, 95, 96, 99, 104, 107, 109, 110, 112	Except in the case of an emergency, section 27 may only be exercised with 14 days' written notice to the landowner. Section 54 may only be exercised with the permission of the landowner.
Executive Leader Community Assets and Design	Sections 7(2), 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 46, 50, 52, 54, 95, 96, 99, 104, 109, 110, 112	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of GM. Section 54 may only be exercised with the permission of the landowner.
Senior Leader Operations	Sections 27, 30, 34, 39, 42, 44, 54, 104	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.

Manager Infrastructure and Engineering	Sections 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 44, 46, 54, 95, 96, 104	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Team Leader Transport	Sections 19, 20, 27, 30, 31, 34, 39, 44, 54, 95, 96, 104	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Executive Leader Performance and Delivery	Sections 45, 55(1), 104, 107, 109	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Senior Leader Health and Compliance	Sections 45, 104, 107	
Team Leader Parking	Sections 104, 107	
Team Leader Regulation Services	Section 45	
Team Leader Environmental Health	Section 45	
Regulations Officer	Section 45	
Coordinator Administration	Section 45	
Administration and Technical Officer	Section 45	
Senior Leader Governance	Section 109(2)	
Team Leader Procurement	Section 109(2)	
Executive Leader Strategy and Innovation	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Senior Leader Innovation and Performance		

Team Leader Strategy, Economic Development and Analytics	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
GIS Systems Administrator	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
GIS Data Officer	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Spatial Data Officer - Property	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.

Duncan Campbell (Team Leader Legal Services) was in attendance to answer questions in respect of this Item.

Councillor T J Walker noted a correction within the body of the report which should read, "*As a result of the Seriously Entertained Change that took effect on 13 January 2025*", not 2024.

DECISION: 23 January 2025

MOTION

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

That Council:

1. pursuant to section 124 of the *Local Government (Highways) Act 1982 (Tas)*:
 - (a) revokes any previous delegation made by Council in respect of the *Local Government (Highways) Act 1982 (Tas)*.
 - (b) delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 3, the powers and functions under the sections of the *Local Government (Highways) Act 1982 (Tas)* specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.
2. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
3. notes that the following table is the schedule referred to at Recommendation 1.
The Schedule

Column One Position	Column Two Extent of delegation	Column Three Restrictions
Chief Executive Officer (CEO)	Sections 7(2), 10, 11, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 45, 46, 50, 52, 54, 55, 95, 96, 99, 104, 107, 109, 110, 112	Except in the case of an emergency, section 27 may only be exercised with 14 days' written notice to the landowner. Section 54 may only be exercised with the permission of the landowner.
Executive Leader Community Assets and Design	Sections 7(2), 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 46, 50, 52, 54, 95, 96, 99, 104, 109, 110, 112	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of GM.

		Section 54 may only be exercised with the permission of the landowner.
Senior Leader Operations	Sections 27, 30, 34, 39, 42, 44, 54, 104	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Manager Infrastructure and Engineering	Sections 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 44, 46, 54, 95, 96, 104	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Team Leader Transport	Sections 19, 20, 27, 30, 31, 34, 39, 44, 54, 95, 96, 104	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.

Executive Leader Performance and Delivery	Sections 45, 55(1), 104, 107, 109	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Senior Leader Health and Compliance	Sections 45, 104, 107	
Team Leader Parking	Sections 104, 107	
Team Leader Regulation Services	Section 45	
Team Leader Environmental Health	Section 45	
Regulations Officer	Section 45	
Coordinator Administration	Section 45	
Administration and Technical Officer	Section 45	
Senior Leader Governance	Section 109(2)	
Team Leader Procurement	Section 109(2)	
Executive Leader Strategy and Innovation Senior Leader Innovation and Performance	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Team Leader Strategy, Economic Development and Analytics	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
GIS Systems Administrator	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
GIS Data Officer	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Spatial Data Officer - Property	Section 55(1)	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.

4. notes, for the avoidance of doubt, that the term 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 8:1

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

20.5. Delegation from Council to Chief Executive Officer - Neighbourhood Disputes About Plants Act 2017

FILE NO: SF0113

AUTHOR: Lucas Lim (Governance and Legal Officer)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To consider a delegation from Council to the Chief Executive Officer under the *Neighbourhood Disputes About Plants Act 2017*.

RELEVANT LEGISLATION:

Neighbourhood Disputes About Plants Act 2017
Local Government Act 1993 (Tas)
Acts Interpretation Act 1931

RECOMMENDATION:

That Council:

1. pursuant to section 22(1) of the *Local Government Act 1993*, delegates its functions and powers under section 27 of the *Neighbourhood Disputes About Plants Act 2017* to the Chief Executive Officer.
2. pursuant to section 64(1)(b) of the *Local Government Act 1993*, authorises the Chief Executive Officer to delegate the functions and powers delegated in Recommendation 1. to an employee or employees of the Council.
3. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effect by these Recommendations.
4. notes, for the avoidance of doubt, that the term 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*.

Duncan Campbell (Team Leader Legal Services) was in attendance to answer questions in respect of this Item.

DECISION: 23 January 2025

MOTION

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

That Council:

1. pursuant to section 22(1) of the *Local Government Act 1993*, delegates its functions and powers under section 27 of the *Neighbourhood Disputes About Plants Act 2017* to the Chief Executive Officer.
2. pursuant to section 64(1)(b) of the *Local Government Act 1993*, authorises the Chief Executive Officer to delegate the functions and powers delegated in Recommendation 1. to an employee or employees of the Council.
3. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effect by these Recommendations.
4. notes, for the avoidance of doubt, that the term 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*.

CARRIED 9:0

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

AGAINST VOTE: Nil

20.6. Lease - Kings Meadows Community Men's Shed

FILE NO: SF2967

AUTHOR: Sharin Imlach (Lease Officer)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To consider the lease of 1-33 Nunamina Avenue, Launceston to the Kings Meadows Community Men's Shed.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council – 6/2/2020 - 19.1 - Men's Shed Lease – Nunamina Park, Kings Meadows

RECOMMENDATION:

That Council:

1. by absolute majority pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease part of the land situated at 1-33 Nunamina Avenue, Kings Meadows (CT 15638/1), as identified on the plan below:



2. requires the lease to be on the following basis:
 - a. the lease will commence on 1st February 2025 for a period of 5 years;
 - b. the commencing rent will be \$340.34 per annum;
 - c. The Lessee 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. The Lessee will continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. public liability insurance of at least \$20 million.

 3. requests the Chief Executive Officer to:
 - a. determine the exact dimensions of the land to be leased and all remaining terms and conditions;
 - b. exercise any of Council's rights, options, or discretions necessary for the proper administration of 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).
-

Councillor T G Walker withdrew from the Meeting at 3:09 pm

Councillor T G Walker re-attended the Meeting at 3:10 pm

Duncan Campbell (Team Leader Legal Services) and Sharin Imlach (Lease Officer) were in attendance to answer questions in respect of this Item.

DECISION: 23 January 2025

MOTION

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

That Council:

- 1. by absolute majority pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease part of the land situated at 1-33 Nunamina Avenue, Kings Meadows (CT 15638/1), as identified on the plan below:**



- 2. requires the lease to be on the following basis:**
 - a. the lease will commence on 1st February 2025 for a period of 5 years;**
 - b. the commencing rent will be \$340.34 per annum;**
 - c. The Lessee 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. The Lessee will continuously maintain:**
 - i. building in good and reasonable order;**
 - ii. and keep clear all noxious growth from premises;**
 - iii. public liability insurance of at least \$20 million.**
- 3. requests the Chief Executive Officer to:**
 - a. determine the exact dimensions of the land to be leased and all remaining terms and conditions;**
 - b. exercise any of Council's rights, options, or discretions necessary for the proper administration of 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 BY ABSOLUTE MAJORITY 9:0

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

20.7. Lease - East Tamar Men's Shed

FILE NO: SF2967

AUTHOR: Sharin Imlach (Lease Officer)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To consider the lease of part of 308 John Lees Drive Dilston to The East Tamar Men's Shed.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

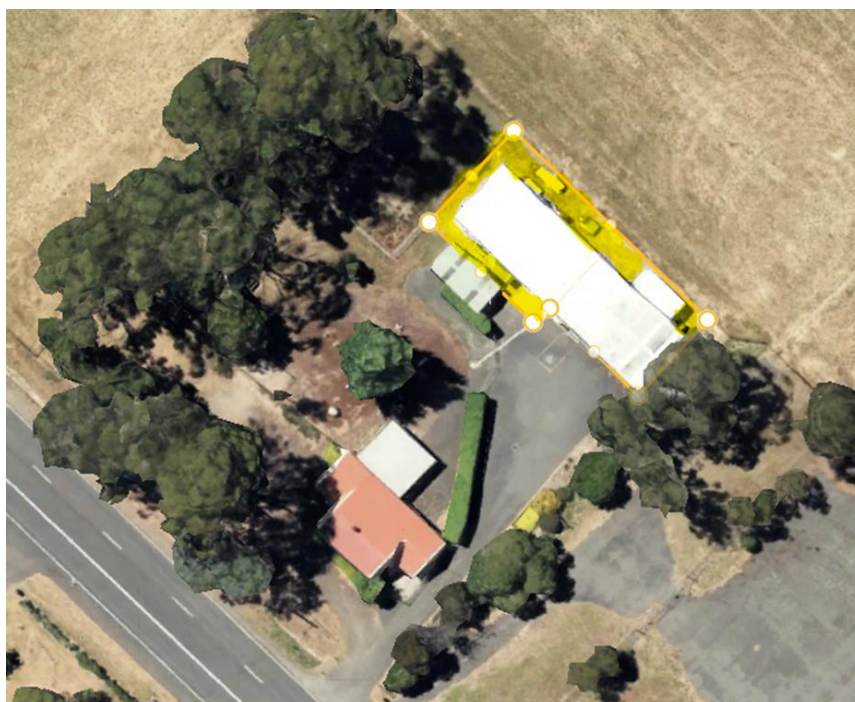
PREVIOUS COUNCIL CONSIDERATION:

Council Meeting- 11/2/2021- 19.1 - Lease - East Tamar Men's Shed Inc.

RECOMMENDATION:

That Council:

1. by absolute majority, pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease part of the land situated at 308 John Lees Drive, Dilston, CT 247000/1, as identified on the plan below:



2. requires the lease to be on the following basis:
 - a. the lease is to commence on 1st February 2025 for a period of 5 years;
 - b. the commencing rent will be \$340.34 per annum;
 - c. The Lessee to be responsible for:
 - i. energy costs;
 - ii. contents insurance; and
 - iii. other service charges if any.
 - d. The Lessee will continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. public liability insurance of at least \$20 million.

 3. requests the Chief Executive Officer to:
 - a. determine the exact dimensions of the land to be leased and all remaining terms and conditions;
 - b. exercise any of Council's rights, options, or discretions necessary for the proper administration of 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).
-

Duncan Campbell (Team Leader Legal Services) and Sharin Imlach (Lease Officer) were in attendance to answer questions in respect of this Item.

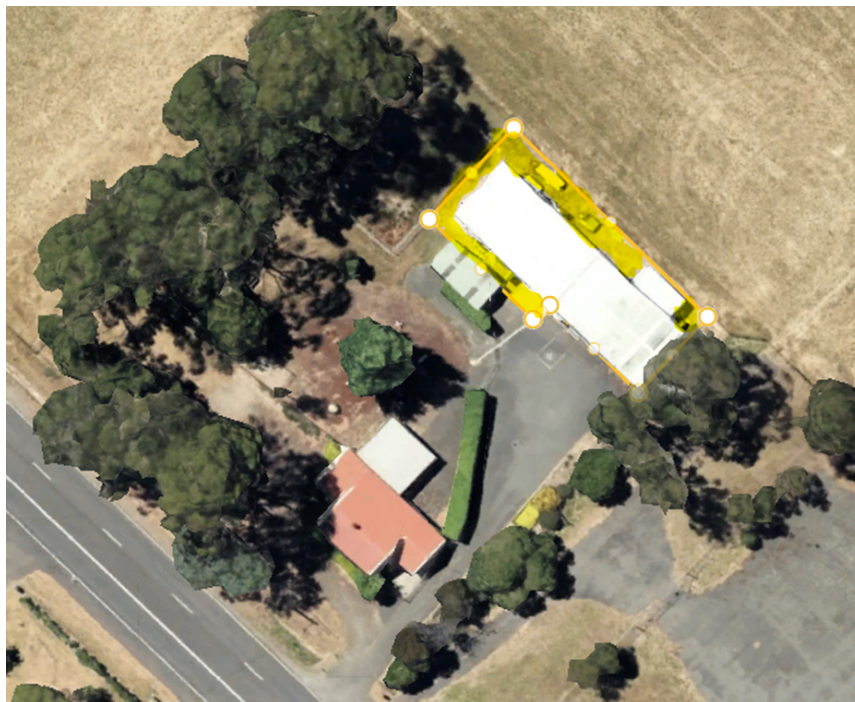
DECISION: 23 January 2025

MOTION

Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor J J Pentridge.

That Council:

1. by absolute majority, pursuant to section 179 of the *Local Government Act 1993 (Tas)*, decides to lease part of the land situated at 308 John Lees Drive, Dilston, CT 247000/1, as identified on the plan below:



2. requires the lease to be on the following basis:
 - a. the lease is to commence on 1st February 2025 for a period of 5 years;
 - b. the commencing rent will be \$340.34 per annum;
 - c. The Lessee to be responsible for:
 - i. energy costs;
 - ii. contents insurance; and
 - iii. other service charges if any.
 - d. The Lessee will continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. public liability insurance of at least \$20 million.
3. requests the Chief Executive Officer to:
 - a. determine the exact dimensions of the land to be leased and all remaining terms and conditions;
 - b. exercise any of Council's rights, options, or discretions necessary for the proper administration of 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 BY ABSOLUTE MAJORITY 9:0

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

AGAINST VOTE: Nil

20.8. Lease - Aquatic Centre Cafe

FILE NO: SF2967

AUTHOR: Sharin Imlach (Lease Officer)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To consider a commercial lease for the operation of the Aquatic Centre Cafe to Dolle Hospitality Services Pty. Ltd.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

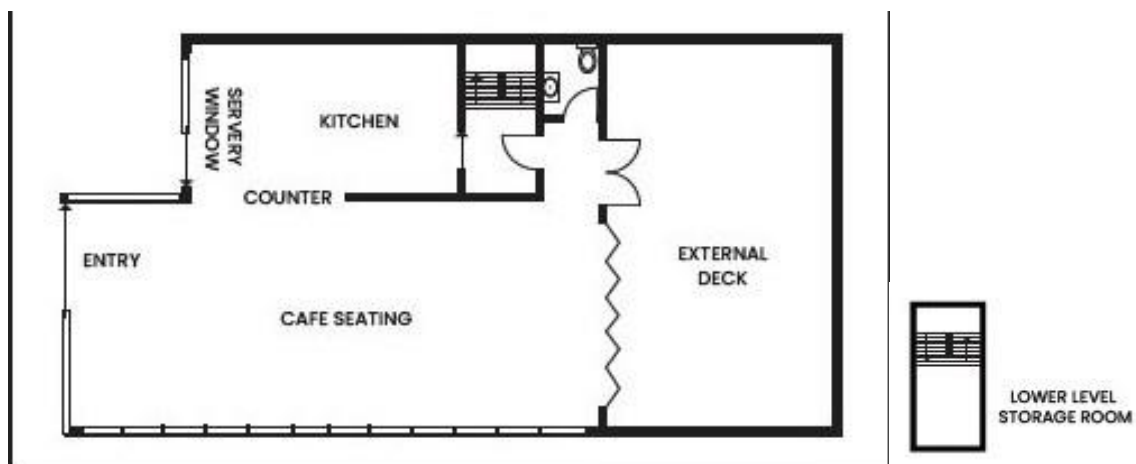
PREVIOUS COUNCIL CONSIDERATION:

Council – 16 May 2019 - 22.2 - License agreement – Launceston Leisure and Aquatic Centre Cafe and Catering
Workshop – 12 December 2024 – 1.1 - Aquatic Centre Cafe

RECOMMENDATION:

That Council:

1. by absolute majority, pursuant to section 178 of the Local Government Act 1993 (Tas), decides to lease part of the land situated at 18 High Street, Launceston, Certificate of Title 50902/1 known as the Launceston Leisure and Aquatic Centre Cafe, as identified on the plan below:



2. requires the lease to be on the following basis:
 - a. The Lessee is to be to Dolle Hospitality Services Pty Ltd.
 - b. the commercial lease will commence on or soon as possible after on 23 January for a period of 5 years + 5-year option.
 - c. the commencing rent is to be the amount advised to Councilors by an email dated 20 January 2025.
 - d. The Lessee to be responsible for:
 - i. contents insurance; and
 - ii. building insurance where applicable: and
 - iii. other service charges if any.
 - e. The Lessee will continuously maintain:
 - i. the leased area in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. public liability insurance of at least \$20 million.
 - f. Council is to be responsible for structural maintenance of the building.
3. requests the Chief Executive Officer to:
 - a. determine the exact dimensions of the land to be leased and all remaining terms and conditions;
 - b. exercise any of Council's rights, options, or discretions necessary for the proper administration of 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).

Duncan Campbell (Team Leader Legal Services), Geoff Stick (Business Leader Leisure and Aquatic Centre) and Sharin Imlach (Lease Officer) were in attendance to answer questions in respect of this Item.

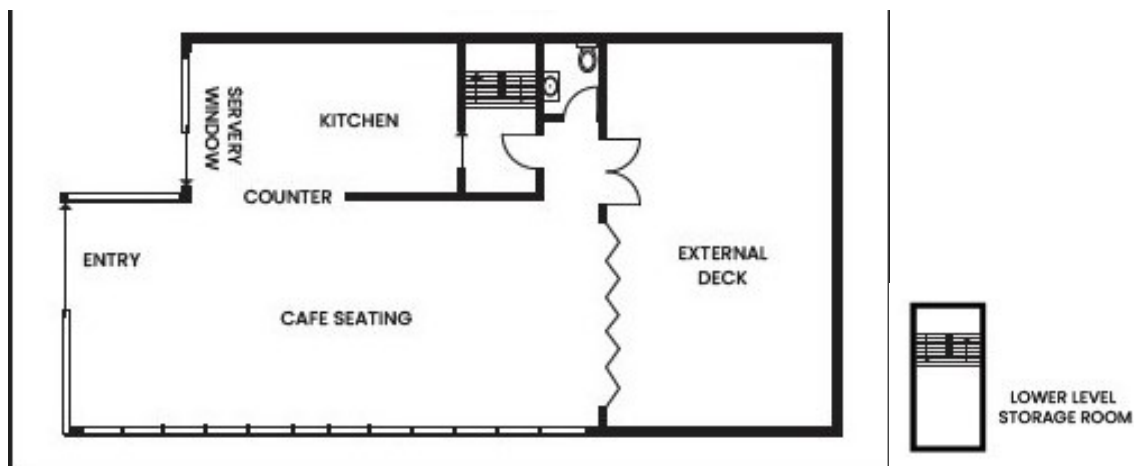
DECISION: 23 January 2025

MOTION

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

That Council:

1. by absolute majority, pursuant to section 178 of the Local Government Act 1993 (Tas), decides to lease part of the land situated at 18 High Street, Launceston, Certificate of Title 50902/1 known as the Launceston Leisure and Aquatic Centre Cafe, as identified on the plan below:



2. requires the lease to be on the following basis:
 - a. The Lessee is to be to Dolle Hospitality Services Pty Ltd.
 - b. the commercial lease will commence on or soon as possible after on 23 January for a period of 5 years + 5-year option.
 - c. the commencing rent is to be the amount advised to Councilors by an email dated 20 January 2025.
 - d. The Lessee to be responsible for:
 - i. contents insurance; and
 - ii. building insurance where applicable; and
 - iii. other service charges if any.
 - e. The Lessee will continuously maintain:
 - i. the leased area in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. public liability insurance of at least \$20 million.
 - f. Council is to be responsible for structural maintenance of the building.
3. requests the Chief Executive Officer to:
 - a. determine the exact dimensions of the land to be leased and all remaining terms and conditions;
 - b. exercise any of Council's rights, options, or discretions necessary for the proper administration of 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 BY ABSOLUTE MAJORITY 9:0

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

AGAINST VOTE: Nil

20.9. Waiver of Fees - Launceston Aquatic Centre

FILE NO: SF2968

AUTHOR: Samuel Kelty (Senior Leader Finance)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To consider waiving entry fees retrospectively for Launceston Aquatic Centre between Friday 6th and Sunday 8th December 2024 inclusive.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas) - section 207

RECOMMENDATION:

That Council:

1. pursuant to section 207 of the *Local Government Act 1993 (Tas)*, retrospectively waives fees for casual entry at the Launceston Aquatic Centre for the period Friday 6 December to Sunday 8 December inclusive.
-

Samuel Kelty (Senior Leader Finance) was in attendance to answer questions in respect of this item.

DECISION: 23 January 2025

MOTION

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

That Council:

1. pursuant to section 207 of the *Local Government Act 1993 (Tas)*, retrospectively waives fees for casual entry at the Launceston Aquatic Centre for the period Friday 6 December to Sunday 8 December inclusive.

CARRIED 9:0

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

AGAINST VOTE: Nil

20.10. Monthly Financial Performance Report

FILE NO: SF7694

AUTHOR: Zakia Afroz (Team Leader Accounting)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

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

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. notes the report outlining both Capital and Operational results to the period ending 30 November 2024.
-

Samuel Kelty (Senior Leader Finance) was in attendance to answer questions in respect of this item.

DECISION: 23 January 2025

MOTION

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

That Council:

1. notes the report outlining both Capital and Operational results to the period ending 30 November 2024.

CARRIED 9:0

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

AGAINST VOTE: Nil

The Mayor, Councillor M K Garwood, advised that Agenda Item 20.11 Correspondence - Director Local Government - Model Guidelines for Unreasonable Conduct within Council (Elected Members) - 20 December 2024, and Agenda Item 20.12. Correspondence - Acting Executive Director, Office of Local Government - Local Government Priority Reform Program - 3 January 2025, would be moved together.

The Council decision in relation to Agenda items 20.11 and 20.22 is replicated in the minutes for each item.

20.11. Correspondence - Director Local Government - Model Guidelines for Unreasonable Conduct within Council (Elected Members) - 20 December 2024

FILE NO: SF2213

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To note the correspondence from the Office of Local Government regarding the release of the Model Guidelines: Unreasonable Conduct within Councils (Elected Members) - Recognition and Response.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

Local Government Amendment (Code of Conduct) Act 2023

PREVIOUS COUNCIL CONSIDERATION:

Council – 22 August 2024 – Agenda Item 20.2 Consultation on Draft Amendments to the Local Government (General) Regulations 2015 and Draft Local Government Code of Conduct Order

Council - 3 October 2024 - Agenda Item 20.5. Code of Conduct for Councillors

RECOMMENDATION:

That Council:

1. notes the receipt of correspondence from the Acting Director of Local Government regarding the development and release of the Office of Local Government's Unreasonable Conduct within Councils (Elected Members) - Recognition and Response Model Guidelines (ECM Document Set ID 5176842).
 2. notes the Model Guidelines: Unreasonable Conduct within Councils (Elected Members) - Recognition and Response (ECM Document Set ID 5176805).
-

DECISION: 23 January 2025

MOTION

Moved Councillor A E Dawkins, seconded Councillor D C Gibson.

That Council, for Agenda Item 20.11:

- 1. notes the receipt of correspondence from the Acting Director of Local Government regarding the development and release of the Office of Local Government's Unreasonable Conduct within Councils (Elected Members) - Recognition and Response Model Guidelines (ECM Document Set ID 5176842).**
- 2. notes the Model Guidelines: Unreasonable Conduct within Councils (Elected Members) - Recognition and Response (ECM Document Set ID 5176805).**
- 3. notes the receipt of correspondence from the Acting Executive Director, Office of Local Government, regarding the Local Government Priority Reform Program (ECM Document Set ID 5175950) and upcoming Local Government Priority Reform Workshop sessions on 30 January 2025.**

and;

That Council, for Agenda Item 20.12:

- 1. notes the agenda for the Local Government Priority Reform Workshop sessions on 30 January 2025 attached (ECM Document Set ID 5175949).**
- 2. notes that Councillors and the Executive Leadership Team have been booked into the Workshop sessions for Councillors and council staff on 30 January 2025.**

CARRIED 9:0

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

AGAINST VOTE: Nil

**20.12. Correspondence - Acting Executive Director, Office of Local Government -
Local Government Priority Reform Program - 3 January 2025**

FILE NO: SF0327

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Nathan Williams (Acting Executive Leader Delivery and Performance)

DECISION STATEMENT:

To note the correspondence from the Office of Local Government regarding the proposed number of targeted legislative changes to support the delivery of the Local Government Priority Reform Program 2024-26 and upcoming training for elected members.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council – 12 December 2024 - Agenda Item 21.2 Tasmanian Government Response to the Future of Local Government Review Final Report Recommendations

RECOMMENDATION:

That Council:

1. notes the receipt of correspondence from the Acting Executive Director, Office of Local Government, regarding the Local Government Priority Reform Program (ECM Document Set ID 5175950) and upcoming Local Government Priority Reform Workshop sessions on 30 January 2025.
 2. notes the agenda for the Local Government Priority Reform Workshop sessions on 30 January 2025 attached (ECM Document Set ID 5175949).
-

DECISION: 23 January 2025

MOTION

Moved Councillor A E Dawkins, seconded Councillor D C Gibson.

That Council, for Agenda Item 20.11:

- 1. notes the receipt of correspondence from the Acting Director of Local Government regarding the development and release of the Office of Local Government's Unreasonable Conduct within Councils (Elected Members) - Recognition and Response Model Guidelines (ECM Document Set ID 5176842).**
- 2. notes the Model Guidelines: Unreasonable Conduct within Councils (Elected Members) - Recognition and Response (ECM Document Set ID 5176805).**
- 3. notes the receipt of correspondence from the Acting Executive Director, Office of Local Government, regarding the Local Government Priority Reform Program (ECM Document Set ID 5175950) and upcoming Local Government Priority Reform Workshop sessions on 30 January 2025.**

and;

That Council, for Agenda Item 20.12:

- 1. notes the agenda for the Local Government Priority Reform Workshop sessions on 30 January 2025 attached (ECM Document Set ID 5175949).**
- 2. notes that Councillors and the Executive Leadership Team have been booked into the Workshop sessions for Councillors and council staff on 30 January 2025.**

CARRIED 9:0

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

AGAINST VOTE: Nil

21. CHIEF EXECUTIVE OFFICER NETWORK

21.1. Quarterly Report - Chief Executive Officer

FILE NO: SF0008

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

This report provides a general update on activities and responsibilities within the Chief Executive Officer's (CEO) remit.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. receives and notes the report for the period 1 October 2024 to 31 December 2024.
-

DECISION: 23 January 2025

MOTION

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

That Council:

1. receives and notes the report for the period 1 October 2024 to 31 December 2024.

CARRIED 9:0

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

AGAINST VOTE: Nil

21.2. Report on City of Launceston's 2024 Annual General Meeting

FILE NO: SF0098

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To report on the Council's 2024 Annual General Meeting, held in compliance with section 72B of the *Local Government Act 1993* (Tas) on 12 December 2024 at 5.41pm in the Council Chambers, Town Hall, Launceston.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. in respect of the Annual General Meeting held on 12 December 2024 at 5.41pm in the Council Chambers, Town Hall, Launceston, notes the following motions passed at that Meeting:

Agenda Item 3. Confirmation of Minutes

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

Agenda Item 5.2 Annual Reports

That Council:

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

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

That City of Launceston Council:

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

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

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

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

Section 97(1)(d)	Parking a motor vehicle partly inside and partly outside a space	0.5	0.2	0.3
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Agenda Item 6.4. Notice of Motion - Robin Smith - Free Parking Promotion Advertised Available Seven Days Per Week - 3 December 2024

That City of Launceston:

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

DECISION: 23 January 2025

MOTION

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

That Council:

1. **in respect of the Annual General Meeting held on 12 December 2024 at 5.41pm in the Council Chambers, Town Hall, Launceston, notes the following motions passed at that Meeting:**

Agenda Item 3. Confirmation of Minutes

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

Agenda Item 5.2 Annual Reports

That Council:

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

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

That City of Launceston Council:

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

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

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

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

Section 97(1)(d)	Parking a motor vehicle partly inside and partly outside a space	0.5	0.2	0.3
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Agenda Item 6.4. Notice of Motion - Robin Smith - Free Parking Promotion
Advertised Available Seven Days Per Week - 3 December 2024

That City of Launceston:

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

CARRIED 9:0

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

AGAINST VOTE: Nil

21.3. Notice of Motion - Annual General Meeting - Robin Smith - Signage for Personal Mobility Devices - 3 December 2024

FILE NO: SF0098

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion, submitted by Robin Smith, and carried at the Annual General Meeting on 12 December 2024 regarding signage for Personal Mobility Devices (e-scooters).

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas) - section 72B(6)

PREVIOUS COUNCIL CONSIDERATION:

Annual General Meeting – 12 December 2024 - Agenda Item 6.1. Notice of Motion - Robin Smith - Signage for Personal Mobility Devices - 3 December 2024

RECOMMENDATION:

That City of Launceston Council:

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

Councillor L M McMahon withdrew from the Meeting at 3:26 pm

Robin Smith spoke to the Recommendation

DECISION: 23 January 2025

MOTION

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

That City of Launceston Council:

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

CARRIED 8:0

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

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

FILE NO: SF0098

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion, submitted by Robin Smith, and carried at the Annual General Meeting on 12 December 2024 regarding a new Parking Facilities By-Law that includes discount provisions for early payment of fines.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas) - section 72B(6)

PREVIOUS COUNCIL CONSIDERATION:

Annual General Meeting – 12 December 2024 - Agenda Item 6.3. Notice of Motion - Robin Smith - Make a By-Law - Early Discount Provisions for Parking Infringements - 3 December 2024

RECOMMENDATION:

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

Column 1	Column 2	Column 3	Column 4	Column 5
Section	Offence	Penalty (penalty units)	Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice (penalty units)	Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice (penalty units)
Section 97(1)(a)(i)	Remaining parked whilst meter not running	0.5	0.2	0.3
Section 97(1)(a)(ii)	Exceeding maximum period on parking meter	0.5	0.25	0.4

Section 97(1)(b)(i)	Parking without parking voucher displayed	0.5	0.2	0.3
Section 97(1)(b)(ii)	Parking longer than authorised by a parking voucher	0.5	0.25	0.4
Section 97(1)(c)	Parking more than one motor vehicle in a space	0.5	0.25	0.4
Section 97(1)(d)	Parking a motor vehicle partly inside and partly outside a space	0.5	0.2	0.3

Councillor L M McMahon re-attended the Meeting at 3:29 pm

DECISION: 23 January 2025

MOTION

Moved Councillor D C Gibson, seconded Deputy Mayor Councillor D H McKenzie.

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

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

Section 97(1)(d)	Parking a motor vehicle partly inside and partly outside a space	0.5	0.2	0.3
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LOST 0:9

FOR VOTE: Nil

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

21.5. Notice of Motion - Annual General Meeting - Robin Smith - Free Parking Promotion Advertised Available Seven Days Per Week - 3 December 2024

FILE NO: SF0098

AUTHOR: Kelsey Hartland (Team Leader Governance)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider a notice of motion, submitted by Robin Smith, and carried at the Annual General Meeting on 12 December 2024 regarding consistent promotion of free parking between 3.30pm and 5.30pm.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas) - section 72B(6)

PREVIOUS COUNCIL CONSIDERATION:

Annual General Meeting – 12 December 2024 - Agenda Item 6.4. Notice of Motion - Robin Smith - Free Parking Promotion Advertised Available Seven Days Per Week - 3 December 2024

RECOMMENDATION:

That City of Launceston:

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

Councillor A E Dawkins withdrew from the Meeting at 3:37 pm
Councillor J J Pentridge withdrew from the Meeting at 3:38 pm
Councillor A E Dawkins re-attended the Meeting at 3:39 pm

Robin Smith Spoke to the Recommendation

DECISION: 23 January 2025

MOTION

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

That City of Launceston:

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

CARRIED 8:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor L M McMahon and Councillor S Cai

AGAINST VOTE: Nil

ABSENT AT TIME OF VOTE: Councillor J J Pentridge

21.6. Status Report on Notices of Motions

FILE NO: SF5547

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To receive the updated Status Report – Notices of Motion.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

Local Government (Meeting Procedures) Regulations 2015

RECOMMENDATION:

That Council:

1. Receives the Status Report of Notices of Motions.
-

Councillor J J Pentridge re-attended the Meeting at 4:13 pm

Point of Order: Councillor L M McMahon noted that in the Notice of Motion brought on 29 June 2023: Reinstatement of the State Government's Financial Contribution to the Active Launceston Program, the progress states that the funding was received but it never was.

The Mayor Councillor M K Garwood advised that would be followed up.

DECISION: 23 January 2025

MOTION

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

That Council:

1. Receives the Status Report of Notices of Motions.

CARRIED 9:0

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

AGAINST VOTE: Nil

21.7. Status Report on Council Decisions

FILE NO: SF2346

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To receive the Status Report on Council Decisions made from 7 September 2023 to 12 December 2024.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Local Government (Meeting Procedures) Regulations 2015

RECOMMENDATION:

That Council:

1. receives the Status Report on Council Decisions made from 7 September 2023 to 12 December 2024.
-

DECISION: 23 January 2025

MOTION

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

That Council:

1. **receives the Status Report on Council Decisions made from 7 September 2023 to 12 December 2024.**

CARRIED 9:0

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

AGAINST VOTE: Nil

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. Tender - Cavalry Road Reconstruction CD039/2024

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.

23.3. Tender - Northern Gateway CD035/2024

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.

23.4. Councillors' Leave of Absence Application - Councillor A E Dawkins

REASON FOR CLOSED COUNCIL:

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

- 15(2)(h) applications by councillors for a leave of absence.

23.5. Councillors Leave of Absence Application - Councillor D C Gibson

REASON FOR CLOSED COUNCIL:

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

15(2)(h) applications by councillors for a leave of absence.

23.6. Councillors Leave of Absence Application - Deputy Mayor Councillor D H McKenzie

REASON FOR CLOSED COUNCIL:

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

15(2)(h) applications by councillors for a leave of absence.

DECISION: 23 January 2025

MOTION

Moved Councillor A G Harris, seconded Councillor L M McMahon.

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 9:0

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

AGAINST VOTE: Nil

Councillor A E Dawkins retired from the meeting at 3.45pm.

Council moved into Closed Session at 3.45pm.

Council returned to Open Session at 4.30pm.

23.7. End of Closed Session

DECISION: 23 January 2025

MOTION

Moved Councillor A G Harris, seconded Councillor L M McMahon.

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 – 12 December 2024.</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 12 December 2024.</i>
23.2	<i>Tender - Cavalry Road Reconstruction CD039/2024</i>	<i>Councillors awarded a Tender for Cavalry Road Reconstruction CD039/2024.</i> <i>The names of the successful tenderers will be published to www.launceston.tas.gov.au once the successful and unsuccessful tenderers have been notified of the decision</i>
23.3	<i>Tender - Northern Gateway CD035/2024</i>	<i>Councillors awarded a Tender for Northern Gateway CD035/2024.</i> <i>The names of the successful tenderers will be published to www.launceston.tas.gov.au once the successful and unsuccessful tenderers have been notified of the decision</i>
23.4	<i>Councillors' Leave of Absence Application – Councillor A E Dawkins</i>	<i>Councillors considered a Leave of Absence application.</i>

23.5	<i>Councillors' Leave of Absence Application – Councillor D C Gibson</i>	<i>Councillors considered a Leave of Absence application.</i>
23.6	<i>Councillors' Leave of Absence Application – Deputy Mayor Councillor D H McKenzie</i>	<i>Councillors considered a Leave of Absence application.</i>

2. moves out of Closed Session.

CARRIED 8:0

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

24. MEETING CLOSURE

The Mayor, Councillor M K Garwood, closed the Meeting at 4.31pm.

25. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 13 February 2025 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.