



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 12 DECEMBER 2024
1.00PM**

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

Date: 12 December 2024

Time: 1:00 pm

Certificate of Qualified Advice

Background

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

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

Certification

I certify that:

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



Sam Johnson OAM
Chief Executive Officer

VIDEO and AUDIO STREAMING of COUNCIL MEETINGS

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

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<https://www.launceston.tas.gov.au/Council-Region/Legislation-and-Policy/Policy>

The following information was provided to members of the public in respect of attendance at the Council Meeting.

PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

Present:

Mayor Councillor M K Garwood
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 (retired at 5.27pm)
Councillor S Cai
Councillor A J Britton

In Attendance:

Sam Johnson OAM (Chief Executive Officer)
Nathan Williams (Acting General Manager Organisational Services Network)
Michelle Ogulin (Acting General Manager Community and Place Network)
Chelsea van Riet (Acting General Manager Infrastructure and Assets Network)
Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)
Zara Dawtrey (Team Leader Communications)
Kelsey Hartland (Team Leader Governance)
Lorraine Wyatt (Council and Committees Officer)
Richard Jamieson (Manager City Development) (Items 11.1, 11.2, 11.3 and 11.4)
Iain More (Senior Town Planner) (Item 11.1 and 11.2)
Sonia Smith (Team Leader Infrastructure and Development) (Item 11.1)
Erica Deegan (Manager Infrastructure and Engineering) (Item 11.2, 16.1, 19.1)
Anushka Gardiye (Town Planner) (Item 11.2)
Catherine Mainsbridge (Senior Town Planner) (Item 11.3)
Dileep Karna (Town Planner) (Item 11.4)
Marcus Grantham (Team Leader Placemaking) (Item 15.2, 15.4 and 17.5)
Leanne Purchase (Acting Manager Parks and Sustainability) (Item 19.2, Item 19.3 and Item 21.1)
Samuel Kelty (Finance Manager) (Item 20.3)
Eve Gibbons (Business Leader Carr Villa) (Item 20.3)
Duncan Campbell (Team Leader Legal Services) (Item 20.5, Item 20.7, Item 20.8, 20.9 and 22.3)
Matt Morgan (Acting Governance Manager) (Item 20.8)

Apologies:

Councillor L McMahon

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm and noted an apology from Councillor L M McMahon

2. MAYORAL ACKNOWLEDGEMENTS

The Mayor, Councillor M K Garwood, acknowledged that along with Councillor Cai and Councillor Palmer, he was very privileged to be able to present the second Ariarne Titmas Scholarship Award to Isabelle Perry.

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).

Deputy Mayor Councillor D H McKenzie declared an interest in item 23.6 - Tender - Hoblers Bridge Netball Courts Redevelopment (Courts 2 and 3) CD040/2024

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 28 November 2024 be confirmed as a true and correct record.

DECISION: 12 December 2024

MOTION

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

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 28 November 2024 be confirmed as a true and correct record.

CARRIED 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

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

5.1. Council Workshops Report - 28 November 2024 and 5 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 28 November 2024:

Recreation and Open Space Strategy Update

Representatives from Realm Studios presented a final draft of the Recreation and Open Space Strategy.

On the Swamp Presentation by Helene Boyer

Helene Boyer presented proposals for Council consideration linked to the one hundred year anniversary of the disastrous 1929 Floods for Launceston.

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 L M McMahon, and Councillor S Cai

Apologies: Councillor A J Palmer and Councillor A J Britton

Apology with a Leave of Absence: Councillor D C Gibson

2. Workshop conducted on 5 December 2024:

Building Assets Update

Councillors were provided an update on Building Assets.

Macaque Management

Councillors were provided with an update on the proposed management of the City Park Macaques.

Clean Air Strategy

Councillors received a presentation about the status of the Clean Air Strategy including recommendations to progress the Strategy.

Council Committee Review

Councillors reviewed the findings of the Committee Review Project, with key recommendations and actions to be provided to Councillor's regarding the future of each committee.

Future of Lilydale Pool

Councillors received a presentation about the Lilydale Swimming Pool including history, significance, operational aspects, financial challenges, and future considerations.

Draft Launceston Housing Strategy

Councillors received a presentation from project consultant, REMPLAN, regarding the outcome of background analysis and initial consultation, and recommendations on the emerging vision, principles and directions of the Launceston Housing Strategy 2025-2040.

In Attendance: 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, and Councillor A J Britton

Apologies: Mayor Councillor M K Garwood, Councillor L M McMahon, and Councillor S Cai

Apology with a leave of Absence: Councillor D C Gibson

DECISION: 12 December 2024

MOTION

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

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 28 November 2024:

Recreation and Open Space Strategy Update

Representatives from Realm Studios presented a final draft of the Recreation and Open Space Strategy.

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Helene Boyer presented proposals for Council consideration linked to the one hundred year anniversary of the disastrous 1929 Floods for Launceston.

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 L M McMahon, and Councillor S Cai

Apologies: Councillor A J Palmer and Councillor A J Britton

Apology with a Leave of Absence: Councillor D C Gibson

2. Workshop conducted on 5 December 2024:

Building Assets Update

Councillors were provided an update on Building Assets.

Macaque Management

Councillors were provided with an update on the proposed management of the City Park Macaques.

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In Attendance: 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, and Councillor A J Britton

Apologies: Mayor Councillor M K Garwood, Councillor L M McMahon, and Councillor S Cai

Apology with a leave of Absence: Councillor D C Gibson

CARRIED 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

No Councillor Leave of Absence Applications were identified as part of these Minutes.

7. COMMUNITY REPORTS

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

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

8. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1. Public Questions on Notice

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

8.1.1. Public Questions on Notice - Robin Smith - City Heart Place Plan 2024-2029, Rubbish and Recycling Collections - 28 November 2024

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 28 November 2024 by Robin Smith, have been answered by Chelsea van Riet (Acting General Manager Infrastructure and Assets Network) and Leigh Handley (Manager Operations).

Questions:

1. [Regarding Agenda Item 8.1.2. Public Questions on Notice - Robin Smith - City Heart Place plan 2024-2029 Traffic Calming - 7 November 2024]
How can we have such a divergent opinion of the same literature, interpreted by me, completely different to that GHD report?

Response:

The view that converting one-way streets to two-way streets to calm traffic is supported throughout Australia and internationally. The original reason for making streets one way was to increase traffic capacity and efficiency through the city, but this also increased the impact of traffic on the city environment.

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

- *Conversion of city streets to two-way traffic*
 - *can reduce average vehicle speeds by 20% to 30% compared to one-way operation due to a general increase in the number of stops,*
 - *will increase the number of conflict points at intersections, however, may reduce incidence of red light running and crash severity, and*
 - *will reduce the number of situations, or conflict sequences, that a pedestrian will experience when walking through the network.*
 - *The reduction in traffic volumes and vehicle speeds anticipated because of the conversion of city streets to two-way traffic, would reduce the traffic barrier effects experienced by pedestrians walking through the city.*
-

The specific relevance to Launceston of the expected effects of conversion to two-way traffic are summarised on pages 15 and 16 of the report. The report quotes from the 2010 report by Jan Gehl which also promotes the benefits of changing one-way streets to two-way streets.

2. [Regarding the City of Launceston City Heart Place Plan 2024-2029]
Is Council in a position to cite examples of where turning one-way streets into two-way streets in Charles and Paterson Streets would reduce 'blockie' driving?

Response:

Until Council implement changes, we cannot categorically make any statements with regard to the actual impact on driver behaviour. As per our previous response, there is evidence that two-way streets calm traffic.

3. About 5 o'clock, a council contractor squashes the recycling into the landfill rubbish bins creating a lot of spills, bottles, and cans go everywhere. At 7 o'clock, a separate council team tip those rubbish bins into a truck. Then Council brings in a sweeper around the bins because of the mess made by tipping the recycling into the landfill. Should we go back to the old system of not having recycling bins if it is an issue?

Response:

Recycling continues to be one of the main responses to divert waste from landfill and although contamination in a public place continues to persist, it is essential that we maintain the recycling systems in place. The recycle bin specifically mentioned in this question is generally contaminated with material such as coffee cups and the remnants of liquid within, which spills throughout the contents. This decreases the quality of recyclable material making it harder to process and reuse. That being said, we have reviewed the practice of decanting and sorting of the material to avoid spills. We would also welcome business and community support to ensure waste is placed in the appropriate bin.

8.2. Public Questions Without Notice

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

**8.2.1. Public Questions Without Notice - Phillip Brumby - Parking Infringement
10076860 - 12 December 2024**

- 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?**

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 23 January 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 D C Gibson, 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. DA0472/2024 - 18 Wyett Street and 44 Hill Street, West Launceston - Residential - Construction of an Additional Dwelling with Access over 44 Hill Street

FILE NO: DA0472/2024

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

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	S. Group
Property:	18 Wyett Street and 44 Hill Street, West Launceston
Zoning:	General Residential
Receipt Date:	25/10/2024
Validity Date:	28/10/2024
Further Information Request:	01/11/2024
Further Information Received:	11/11/2024
Deemed Approval:	18/12/2024
Representations:	108

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council - 18 April 2024 - 9.2 - DA0547/2024 - 18 Wyett Street & 44 Hill Street West Launceston – Residential – Construction of an Additional Dwelling with Access Over 44 Hill Street, West Launceston - The permit was refused.

STANDARDS REQUIRING PLANNING DISCRETION:

Clause 8.4.2 - Setbacks and building envelopes for all dwellings - P3
Clause 8.4.6 - Privacy for all dwellings - P1, P2
Clause C2.5.1 - Car parking numbers - P1.2
Clause C2.6.2 - Design and layout - P1

RECOMMENDATION:

That, 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 DA0472/2024 - Residential - Construction of an additional dwelling at 18 Wyett Street with access over 44 Hill Street, West 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 Manager City Development unless modified by a condition of the Permit:

- a. Cover, prepared by S Group, Drawing No. A000, Revision H, dated 11/10/2024;
- b. Site Plan, prepared by S Group, Drawing No. A101, Revision H, dated 11/10/2024;
- c. Shadow Diagrams, prepared by S Group, Drawing No. A102, Revision H, dated 11/10/2024;
- d. Proposed Floor Plan, prepared by S Group, Drawing No. A202, Revision H, dated 11/10/2024;
- e. Proposed Elevations, prepared by S Group, Drawing No. A301, Revision H, dated 11/10/2024;
- f. 3D, prepared by S Group, Drawing No. A401, Revision H, dated 11/10/2024;
- g. 3D with Envelope, prepared by S Group, Drawing No. A402, Revision H, dated 11/10/2024;
- h. 3D, prepared by S Group, Drawing No. A403, Revision H, dated 11/10/2024;
- i. 3D with Envelope, prepared by S Group, Drawing No. A404, Revision H, dated 11/10/2024;
- j. 3D, prepared by S Group, Drawing No. A405, Revision H, dated 11/10/2024;
- k. 3D with Envelope, prepared by S Group, Drawing No. A406, Revision H, dated 11/10/2024;
- l. View from Kitchen Window 42 Hill Street, prepared by S Group, Drawing No. A407, Revision H, dated 11/10/2024;
- m. Outside Wheel Path Section 01, prepared by S Group, Drawing No. A501, Revision H, dated 11/10/2024; and
- n. Outside Wheel Path Section 01, prepared by S Group, Drawing No. A502, Revision H, dated 11/10/2024.

2. CONSTRUCTION MANAGEMENT PLAN

Prior to commencement of the use, a construction management plan must be prepared and submitted to Council at the satisfaction of Manager of Infrastructure and Development. The plan must detail how access along the Right of Way will be made available during construction.

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 2024/01270-LCC, dated 11/11/2024 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. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

7. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

8. 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 DA0472/2024. 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 <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 (Manager City Development), Sonia Smith (Team Leader Infrastructure and Development) and Iain More (Senior Town Planner) were in attendance to answer questions in respect of this Item.

Michelle Holmes spoke against the Recommendation.

Denise Bailey spoke against the Recommendation.

Andrew MacLaine-Cross spoke against the Recommendation.

Rev Valentina Satvedi Leydon spoke against the Recommendation.

Lisa Williams spoke against the Recommendation.

Bernadett Jonker spoke against the Recommendation.

Ellen Tiller spoke for the Recommendation.

Tim Fry (Consultant, S Group) spoke for the Recommendation.

Matt Dewse spoke for the Recommendation.

Elizabeth MacLaine-Cross (on behalf of others) spoke against the Recommendation.

Eamonn Tierman spoke against the Recommendation.

Sam Cook spoke against the Recommendation.

Councillor J J Pentridge withdrew from the Meeting at 1:39 pm

Councillor J J Pentridge re-attended the Meeting at 1:47 pm

DECISION: 12 December 2024

MOTION

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

That, 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 DA0472/2024 - Residential - Construction of an additional dwelling at 18 Wyett Street with access over 44 Hill Street, West 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 Manager City Development unless modified by a condition of the Permit:

- a. Cover, prepared by S Group, Drawing No. A000, Revision H, dated 11/10/2024;
- b. Site Plan, prepared by S Group, Drawing No. A101, Revision H, dated 11/10/2024;
- c. Shadow Diagrams, prepared by S Group, Drawing No. A102, Revision H, dated 11/10/2024;
- d. Proposed Floor Plan, prepared by S Group, Drawing No. A202, Revision H, dated 11/10/2024;
- e. Proposed Elevations, prepared by S Group, Drawing No. A301, Revision H, dated 11/10/2024;
- f. 3D, prepared by S Group, Drawing No. A401, Revision H, dated 11/10/2024;
- g. 3D with Envelope, prepared by S Group, Drawing No. A402, Revision H, dated 11/10/2024;
- h. 3D, prepared by S Group, Drawing No. A403, Revision H, dated 11/10/2024;
- i. 3D with Envelope, prepared by S Group, Drawing No. A404, Revision H, dated 11/10/2024;
- j. 3D, prepared by S Group, Drawing No. A405, Revision H, dated 11/10/2024;
- k. 3D with Envelope, prepared by S Group, Drawing No. A406, Revision H, dated 11/10/2024;
- l. View from Kitchen Window 42 Hill Street, prepared by S Group, Drawing No. A407, Revision H, dated 11/10/2024;
- m. Outside Wheel Path Section 01, prepared by S Group, Drawing No. A501, Revision H, dated 11/10/2024; and
- n. Outside Wheel Path Section 01, prepared by S Group, Drawing No. A502, Revision H, dated 11/10/2024.

2. CONSTRUCTION MANAGEMENT PLAN

Prior to commencement of the use, a construction management plan must be prepared and submitted to Council at the satisfaction of Manager of Infrastructure and Development. The plan must detail how access along the Right of Way will be made available during construction.

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 2024/01270-LCC, dated 11/11/2024 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. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

7. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

8. 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 DA0472/2024. 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 <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 7:4

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 and Councillor A J Britton

AGAINST VOTE: Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer and Councillor S Cai

11.2. PSA-LLP0029 - Section 40D(b) Planning Scheme Amendment - Flood Levee Protected Areas Specific Area Plan

FILE NO: PSA-LLP0029

AUTHOR: Anushka Gardiye (Town Planner)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

To decide whether to reject or initiate PSA-LLP0029 to the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme.

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Workshop – 28 October 2021 - The consultation findings and project way forward
Workshop - 14 April 2022 – The Proposed Draft Specific Area Plan and community consultation plan
Workshop – 18 August 2022 – The community consultation findings and way forward
Workshop – 8 December 2022 – The proposed Draft Specific Area Plan and way forward
Workshop – 1 August 2024 – The final Draft Specific Area Plan Review

RECOMMENDATION:

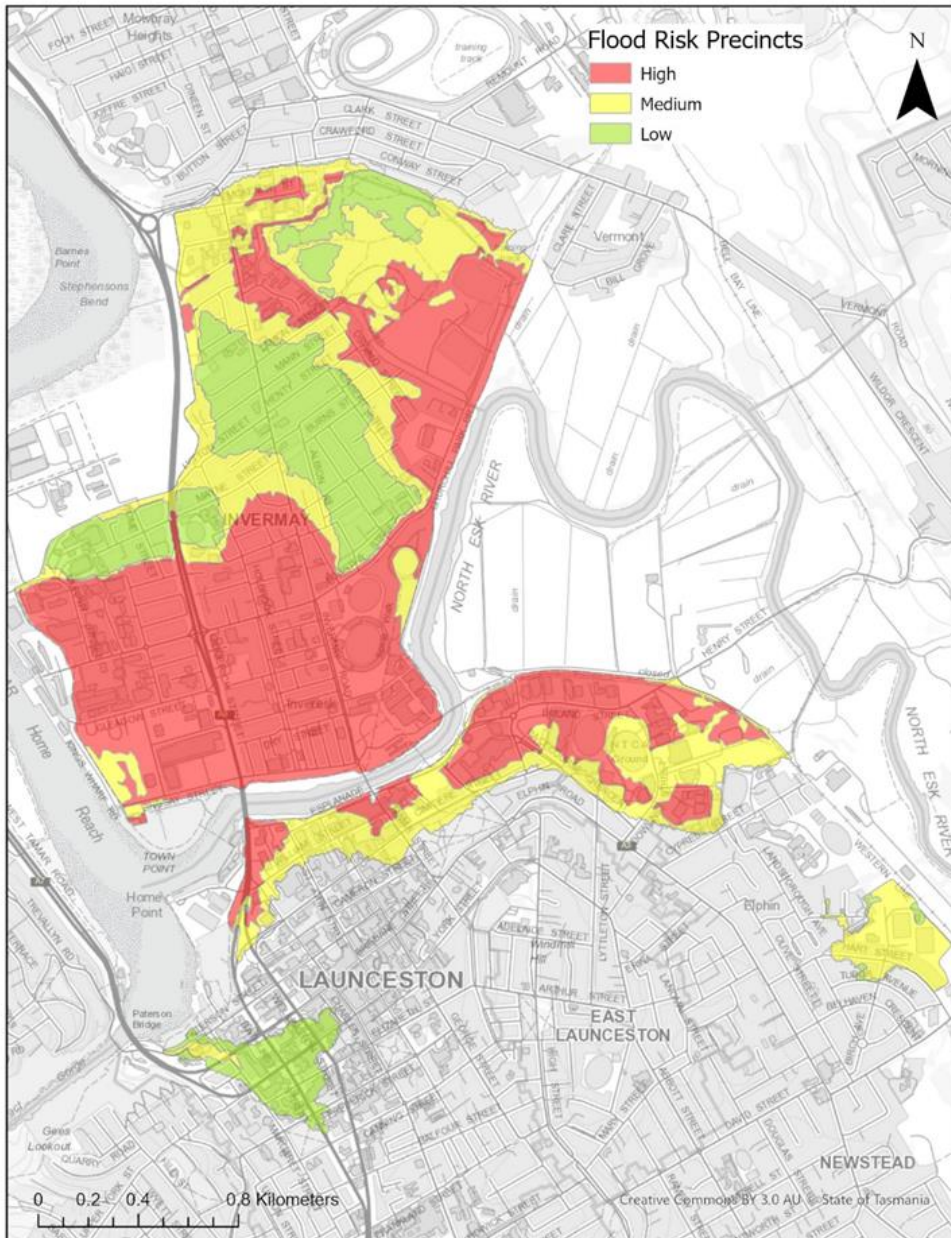
That Council, pursuant to:

1. Section 40D (b) of the *Land Use Planning and Approvals Act 1993*, prepares Amendment PSA-LLP0029 to the Launceston Local Provisions Schedule to:
 - a) remove LAU-S10.0 from the Launceston Local Provisions Schedule;
 - b) remove LAU-S10.0 Invermay/Inveresk Flood Inundation Specific Area Plan from the overlay maps;
 - c) insert LAU-S17 Flood Levee Protected Areas Specific Area Plan into the Launceston Local Provisions Schedule attached as Instrument 1a;
 - d) insert LAU-S17 Flood Levee Protected Areas Specific Area Plan into the overlay maps, attached as Instrument 1b; and
 - e) modify C12.0 Flood-Prone Areas Hazard Code overlay map (instrument 2) by
 - (i) removing the mapped areas where proposed LAU-S17 Flood Levee Protected Areas Specific Area Plan applies.
 - (ii) Including the areas where the current LAU-S10.0 Invermay/Inveresk Flood Inundation Specific Area Plan overlay map applies, but which are not covered by the proposed LAU-S17 Flood Levee Protected Areas Specific Area Plan overlay map.

2. Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies Draft Amendment PSA-LLP0029

**TASMANIAN PLANNING SCHEME - LAUNCESTON
Amendment PSA-LLP0029**

Insert LAU-S17 Flood Levee Protected Areas Specific Area Plan into the overlay maps - Launceston Local Provisions Schedule



Instrument 1b - Proposed Flood Levee Protected Areas Specific Area Plan overlay map

Instrument 1a - *The proposed Flood Levee Protected Areas Specific Area Plan is attached under the attachments (Attachment 1) of the report.*

Richard Jamieson (Manager City Development), Erica Deegan (Manager Infrastructure and Engineering) and Anushka Gardiye (Town Planner) were in attendance to answer questions in respect of this Item.

DECISION: 12 December 2024

MOTION

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

That Council, pursuant to:

1. Section 40D (b) of the *Land Use Planning and Approvals Act 1993*, prepares Amendment PSA-LLP0029 to the Launceston Local Provisions Schedule to:
 - a) remove LAU-S10.0 from the Launceston Local Provisions Schedule;
 - b) remove LAU-S10.0 Invermay/Inveresk Flood Inundation Specific Area Plan from the overlay maps;
 - c) insert LAU-S17 Flood Levee Protected Areas Specific Area Plan into the Launceston Local Provisions Schedule attached as Instrument 1a;
 - d) insert LAU-S17 Flood Levee Protected Areas Specific Area Plan into the overlay maps, attached as Instrument 1b; and
 - e) modify C12.0 Flood-Prone Areas Hazard Code overlay map (instrument 2) by
 - (i) removing the mapped areas where proposed LAU-S17 Flood Levee Protected Areas Specific Area Plan applies.
 - (ii) Including the areas where the current LAU-S10.0 Invermay/Inveresk Flood Inundation Specific Area Plan overlay map applies, but which are not covered by the proposed LAU-S17 Flood Levee Protected Areas Specific Area Plan overlay map.
2. Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies Draft Amendment PSA-LLP0029

CARRIED 10:1

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 Prof G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Councillor J J Pentridge

11.3. DA0453/2024 - 65A Bourke Street and 65 Bourke Street Launceston - Residential - Partial Demolition, Construction of Alterations and Additions to a Dwelling and Construction of a Crossover with Right of Way access over 65 Bourke Street

FILE NO: DA0453-2024

AUTHOR: Catherine Mainsbridge (Senior Town Planner Development)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	S. Group
Property:	65A Bourke Street and 65 Bourke Street, Launceston
Zoning:	Inner Residential
Receipt Date:	16/10/2024
Validity Date:	6/11/2024
Further Information Request:	18/10/2024
Further Information Received:	06/11/2024
Deemed Approval:	18/12/2024
Representations:	4

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council - 1 October 2020 - 9.2 - 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling - DA0427/2020

DA0586/2010 - Subdivision - subdivide and adhere 10m² land - approved under delegation

STANDARDS REQUIRING PLANNING DISCRETION:

9.4.2 - Setbacks and building envelope for all dwellings
9.4.6 - Privacy for all dwellings

RECOMMENDATION:

That, 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 DA0427/2024 Residential - Partial demolition, construction of alterations and additions to a dwelling and construction of a crossover with ROW access of 65 Bourke St at 65a Bourke 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. Cover page, Prepared by S Group, Project J008586, Drawing No. A001, Rev B, Dated 23/10/2024. Plans to be amended.
- b. Site Plan, Prepared by S Group, Project J008586, Drawing No. A101, Scale 1:200 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- c. Site Plan Title, Prepared by S Group, Project J008586, Drawing No. A102, Scale 1:200 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- d. Ex/Demo Ground Floor Plan, Prepared by S Group, Project J008586, Drawing No. A201, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- e. Ex/Demo Lower Floor Plan, Prepared by S Group, Project J008586, Drawing No. A202, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- f. Proposed Upper Floor Plan, Prepared by S Group, Project J008586, Drawing No. A203, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- g. Proposed Ground Floor Plan, Prepared by S Group, Project J008586, Drawing No. A204, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- h. Proposed Lower Floor Plan, Prepared by S Group, Project J008586, Drawing No. A205, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- i. Ex/Demo Roof, Prepared by S Group, Project J008586, Drawing No. A206, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- i. Proposed Roof, Prepared by S Group, Project J008586, Drawing No. A207, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- j. Proposed carport plan, Prepared by S Group, Project J008586, Drawing No. A208, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- k. Section Sheet 01, Prepared by S Group, Project J008586, Drawing No. A401, Scale 1:50 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- l. Section Sheet 02, Prepared by S Group, Project J008586, Drawing No. A402, Scale 1:50 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- m. Section Sheet 03, Prepared by S Group, Project J008586, Drawing No. A403, Scale 1:50 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- n. Section Sheet 04, Prepared by S Group, Project J008586, Drawing No. A404, Scale 1:50 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- o. Ex/Demo Elevation Sheet 01, Prepared by S Group, Project J008586, Drawing No. A501, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- p. Ex/Demo Elevation Sheet 02, Prepared by S Group, Project J008586, Drawing No. A502, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- q. Proposed Elevation Sheet 01, Prepared by S Group, Project J008586, Drawing No. A503, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- r. Proposed Elevation Sheet 02, Prepared by S Group, Project J008586, Drawing No. A504, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- a. The roof proposed over the new deck between the rear of the dwelling and laundry must be redesigned so it is totally below the height of the adjoining brick wall.
- b. The car port noted on the plans must be corrected to say car park and wheel stops must show at the internal end of the proposed car space.

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the planning officer.

3. CAR PARKING

Prior to the commencement of the use, the parking space must be constructed as shown on the endorsed plans and must include wheel stops at the end of the space to prevent vehicles over running the space.

4. 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.

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. 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. 8533, dated 5 December 2024 and attached to the permit.

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 General Manager - Infrastructure & Assets Network 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. APPLICATION TO ALTER A STORMWATER SERVICE

An application must be made using the Council's eServices web portal, or on the approved form, and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with Council standards. All costs associated with these contractors are to be borne by the applicant.

10. 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.

11. 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 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.

12. 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.

13. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

14. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

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 DA0453/2024. 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 (Manager City Development) and Catherine Mainsbridge (Planner) were in attendance to answer questions in respect of this Item.

Helen Tait spoke for the Recommendation.

Tim Fry (S. Group) spoke for the Recommendation.

DECISION: 12 December 2024

MOTION 1

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

That, 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 DA0427/2024 Residential - Partial demolition, construction of alterations and additions to a dwelling and construction of a crossover with ROW access over 65 Bourke St at 65a Bourke 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. Cover page, Prepared by S Group, Project J008586, Drawing No. A001, Rev B, Dated 23/10/2024. Plans to be amended.
- b. Site Plan, Prepared by S Group, Project J008586, Drawing No. A101, Scale 1:200 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- c. Site Plan Title, Prepared by S Group, Project J008586, Drawing No. A102, Scale 1:200 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- d. Ex/Demo Ground Floor Plan, Prepared by S Group, Project J008586, Drawing No. A201, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- e. Ex/Demo Lower Floor Plan, Prepared by S Group, Project J008586, Drawing No. A202, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- f. Proposed Upper Floor Plan, Prepared by S Group, Project J008586, Drawing No. A203, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- g. Proposed Ground Floor Plan, Prepared by S Group, Project J008586, Drawing No. A204, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- h. Proposed Lower Floor Plan, Prepared by S Group, Project J008586, Drawing No. A205, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- i. Ex/Demo Roof, Prepared by S Group, Project J008586, Drawing No. A206, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- i. Proposed Roof, Prepared by S Group, Project J008586, Drawing No. A207, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.

- j. Proposed carport plan, Prepared by S Group, Project J008586, Drawing No. A208, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- k. Section Sheet 01, Prepared by S Group, Project J008586, Drawing No. A401, Scale 1:50 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- l. Section Sheet 02, Prepared by S Group, Project J008586, Drawing No. A402, Scale 1:50 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- m. Section Sheet 03, Prepared by S Group, Project J008586, Drawing No. A403, Scale 1:50 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- n. Section Sheet 04, Prepared by S Group, Project J008586, Drawing No. A404, Scale 1:50 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- o. Ex/Demo Elevation Sheet 01, Prepared by S Group, Project J008586, Drawing No. A501, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- p. Ex/Demo Elevation Sheet 02, Prepared by S Group, Project J008586, Drawing No. A502, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- q. Proposed Elevation Sheet 01, Prepared by S Group, Project J008586, Drawing No. A503, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.
- r. Proposed Elevation Sheet 02, Prepared by S Group, Project J008586, Drawing No. A504, Scale 1:100 @A3, Rev B, Dated 23/10/2024. Plans to be amended.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- a. The roof proposed over the new deck between the rear of the dwelling and laundry must be redesigned so it is totally below the height of the adjoining brick wall.
- b. The plans must be altered to reflect the decision of the Tasmanian Heritage Council.

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the planning officer.

3. LEGAL TITLE

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

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 - 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).

5. 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. 8533, dated 5 December 2024 and attached to the permit.

6. 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.

7. 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 General Manager - Infrastructure & Assets Network 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.

8. APPLICATION TO ALTER A STORMWATER SERVICE

An application must be made using the Council's eServices web portal, or on the approved form, and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with Council standards. All costs associated with these contractors are to be borne by the applicant.

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. 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.

11. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

12. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

13. 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.

14. 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 DA0453/2024. 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 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

DECISION: 12 December 2024

MOTION 2

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

That the motion be put.

CARRIED 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

11.4. DA0479/2024 - 48 Bill Grove, Mowbray - Residential - Construction of a Dwelling and an Outbuilding

FILE NO: DA0479/2024

AUTHOR: Dileep Karna (Town Planner)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Graeme Rex Johnson
Property:	48 Bill Grove, Mowbray
Zoning:	General Residential
Receipt Date:	30/10/2024
Validity Date:	31/10/2024
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	12/12/2024
Representations:	3

RELEVANT LEGISLATION:

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

STANDARDS REQUIRING PLANNING DISCRETION:

8.4.2 Setbacks and building envelope for all dwellings
C9.5.2 Sensitive use within an attenuation area

RECOMMENDATION:

That, 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 DA0479/2024 - Residential - Construction of a dwelling and an outbuilding at 48 Bill Grove, Mowbray, 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. Cover Page, Prepared by Gowland Drafting, Drawing No. 240802-P1, Dated 21/10/24
 - b. Overall Site Plan, Prepared by Gowland Drafting, Drawing No. 240802-P2, Dated 21/10/24
 - c. Site Plan, Prepared by Gowland Drafting, Drawing No. 240802-P3, Dated 21/10/24
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- d. Residence Ground Floor Plan, Prepared by Gowland Drafting, Drawing No. 240802-P4, Dated 21/10/24
- e. Residence Lower Floor Plan, Prepared by Gowland Drafting, Drawing No. 240802-P5, Dated 21/10/24
- f. Residence Elevation Plan, Prepared by Gowland Drafting, Drawing No. 240802-P6, Dated 21/10/24
- g. Residence Elevation Plan, Prepared by Gowland Drafting, Drawing No. 240802-P7, Dated 21/10/24
- h. Shed Floor Plan, Prepared by Gowland Drafting, Drawing No. 240802-P8, Dated 21/10/24
- i. Shed Elevation Plan, Prepared by Gowland Drafting, Drawing No. 240802-P9, Dated 21/10/24

2. LEGAL TITLE

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

3. 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).

4. OUTBUILDINGS

The use of outbuildings is not permitted for human habitation and is limited to residential storage and related residential activities only.

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 General Manager - Infrastructure & Assets Network 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 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.

8. 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*.

9. 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.

10. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light,

vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

11. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

12. 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 DA0479/2024. 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).

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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 (Manager City Development) and Dileep Karna (Town Planner) were in attendance to answer questions with respect of this Item.

DECISION: 12 December 2024

MOTION

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

That, 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 DA0479/2024 - Residential - Construction of a dwelling and an outbuilding at 48 Bill Grove, Mowbray, 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:

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- e. Residence Lower Floor Plan, Prepared by Gowland Drafting, Drawing No. 240802-P5, Dated 21/10/24**
- f. Residence Elevation Plan, Prepared by Gowland Drafting, Drawing No. 240802-P6, Dated 21/10/24**
- g. Residence Elevation Plan, Prepared by Gowland Drafting, Drawing No. 240802-P7, Dated 21/10/24**
- h. Shed Floor Plan, Prepared by Gowland Drafting, Drawing No. 240802-P8, Dated 21/10/24**
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- 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).

4. OUTBUILDINGS

The use of outbuildings is not permitted for human habitation and is limited to residential storage and related residential activities only.

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 General Manager - Infrastructure & Assets Network 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 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.

8. 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*.

9. 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.

10. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

11. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

12. 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 DA0479/2024. 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.

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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 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

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

The Mayor adjourned the meeting at 2.51pm.
The Mayor resumed the meeting at 3.00pm.

12. ANNOUNCEMENTS BY THE MAYOR

12.1. Mayor's Announcements

FILE NO: SF2375

Report - Mayor Garwood

- Attendance at City Nation Place Global 2024 (Attachment 1)

Thursday, 28 November 2024

- Attended Elevate - Launceston College Celebration, Door of Hope, South Launceston

Friday, 29 November 2024

- Attended the Children's University Graduation, Sir Raymond Ferrall Centre, Newnham
- Officiated at the City of Launceston "Lighting of the Christmas Tree", Brisbane St Mall

Monday, 2 December - Friday, 6 December 2024

- Attended Australian Local Government Association Conference, Margaret River, Western Australia and visited with a number of other Councils including Busselton, Mandurah and Perth City. Report to be provided.

Saturday, 7 December 2024

- Officiated at the City of Launceston Lion's Christmas Parade, central Launceston

Sunday, 8 December 2024

- Participated in Lilydale Carols, Lilydale Bowls Club

Monday, 9 December 2024

- Met with Sacred Heart students for Town Hall tour, Launceston

Tuesday, 10 December 2024

- Participated in the Walk Against Family Violence, central Launceston

Thursday, 12 December 2024

- Participated in the Town and Gown Parade, Civic Square, Launceston
 - Attended the University of Tasmania Graduation Ceremony, Door of Hope, South 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).

Deputy Mayor Councillor D H McKenzie

Friday, 29 November 2024

- **Attended the Childrens University Graduation Ceremony at UTAS**
- **Attended the opening of St Lukes Health Building**
- **Attended SnagChat Program at Mowbray House Community Centre with Minister Roger Jaensch**

Friday, 6 December 2024

- **Attended the Country Club Christmas Party**

Monday, 9 December 2024

- **Attended Psychosocial Training with LGAT**

Wednesday, 11 December 2024

- **Attended the Waverly School Award Presentation**
- **Attended the City of Launceston end of year Christmas celebration**
- **Attended the Northern Suburbs Christmas Carols**

Councillor A E Dawkins

Tuesday, 10 December 2024

- **Attended the Indie End of School Year Celebration**

Councillor A G Harris

Friday, 29 November 2024

- **Attended the opening of St Lukes Health Building**

Monday, 2 December 2024

- **Presented to year 7 students at Kings Meadows High School about Civics and Local Government**
- **Attended the Tasmanian Active Living Coalition**
- **Attended Franklin House National Trust monthly meeting**

Wednesday, 11 December 2024

- **Attended the City of Launceston end of year Christmas celebration**

Councillor Dr G Razay

Monday, 2 December 2024

- **Attended the Northern Suburbs Community Presentation launching an initiative aimed at introducing a new Centrelink category especially for homelessness**

Friday, 6 December 2024

- **Attended the Glenara Lakes Christmas carols**

Saturday, 7 December 2024

- **Participated in the Christmas Parade**

Councillor S Cai

Tuesday 10 December 2024

- **Attended 16 Days of Activism event for International Human Rights Day at the St Lukes Community Hub followed by the Walk Against Family Violence**

Wednesday, 11 December 2024

- **Attended the City of Launceston end of year Christmas celebration**
- **With Mayor, Councillor M K Garwood, and Councillor A J Palmer, awarded the Ariarne Titmus Swimming Scholarship to Isabel Perry at the Lunceston Aquatic Centre**

Councillor A J Britton

- **Special mention to Josh Flood for raising money for Movember by cutting off his mustache and beard**

Councillor A J Palmer

Sunday 15 November 2024

- **Officiated at the Lilydale Carols**

Wednesday 11 December 2024

- **With Mayor, Councillor M K Garwood, and Councillor S Cai, awarded the Ariarne Titmus Swimming Scholarship to Isabel Perry at the Launceston Aquatic Centre**

DECISION: 12 December 2024

MOTION

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

That Council:

- 1. by absolute majority, Item 19.3 City Park Macaques, be brought forward on the Agenda and considered out of sequence.**

CARRIED BY ABSOLUTE MAJORITY 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

Council moved to discuss Agenda Item 19.3 City Park Macaques. The minutes for this item can be found on Page 89.

Council returned to the published order of the Agenda following this item.

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).

14.1.1. Councillor Question on Notice - Councillor L McMahon - Cancellation of Carol by Candlelight - Council Funding - 28 November 2024

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 28 November 2024 by Councillor L McMahon, have been answered by Sam Johnson OAM (Chief Executive Officer).

Questions:

1. Given the organising Committee for the Carols by Candlelight received \$15,000 from Council Events funding, will Council be seeking:
 - a) a full explanation as to why the event was cancelled at the 11th hour;
 - b) a full report on what work had been completed for the event;
 - c) when were the participants notified of its cancellation;
 - d) has any of the funding been expended; and
 - e) when will the funding be returned to Council?

Response:

The questions have been circulated to Officers and a report will be provided at a future Council meeting.

14.1.2. Councillor Question on Notice - Councillor A J Palmer - Launceston Aquatic Centre - 4 December 2024

FILE NO: SF6381, SF5350

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 4 December 2024 by Councillor A J Palmer, have been answered by Michelle Ogulin (Acting Manager Community and Place Network).

Questions:

A constituent has contacted me with concerns about the condition of the disability wheelchairs and hoists in the changerooms at the Launceston Aquatic Centre. It has been reported that this equipment does not always function properly.

1. Should this equipment be replaced? Are regular servicing and maintenance checks conducted to ensure it is in working order?

Response:

The Aquatic Centre currently manages two stationary hoists and one mobile hoist, all of which undergo regular servicing by a local supplier to ensure they remain in optimal working condition. These hoists are checked daily, both in the morning and evening by Centre staff, as issues such as incorrect docking during charging and accidental emergency stop activations are occasionally encountered.

To support patrons in the proper operation of the hoists, user guides are supplied, providing clear instructions for usage and for ensuring the equipment is adequately docked for charging.

Additionally, the Centre maintains three wheelchairs designed to assist patrons in accessing the pool. While two of the wheelchairs are operational, one is undergoing refurbishment, with parts currently on order. These wheelchairs are routinely inspected to confirm their usability, with parts replaced as needed to address any wear and tear or problems caused by the pool's corrosive environment.

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).

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

15. NOTICES OF MOTION

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

15.1. Notice of Motion - Councilor A G Harris - City of Launceston to Establish a Memorandum of Understanding with Dorset Council to Facilitate the Development of Stage 3 of the North East Rail Trail - 20 November 2024

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 A G Harris regarding a Memorandum of Understanding with the Dorset Council for the North East Rail Trail.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. in support of the North East Rail Trail Stage 3 – Lilydale Falls to Scottsdale, Council requests that the Chief Executive Officer:
 - a) undertake relevant due diligence checks to be satisfied that project costs anticipated by Dorset Council are reasonable estimates;
 - b) work with Dorset Council to develop a Memorandum of Understanding between City of Launceston and Dorset Council that includes, but is not limited to, the following matters:
 - a. a letter of support from City of Launceston to Dorset Council for the purpose of making a funding application to the Australian Government's Regional Precincts and Partnerships Program or Growing Regions Program;
 - b. clarification of the approach to funding for the North East Rail Trail Stage 3 which is provisionally:
 - i. \$1,470,000 in grant funding from the Australian Government
 - ii. \$1,800,000 to be sought by City of Launceston and Dorset Council from the Regional Precincts and Partnerships Program or the Growing Regions Program
 - iii. \$600,000 from Dorset Council
 - iv. \$323,400 from City of Launceston

2. provides a commitment that City of Launceston and Dorset Council will each maintain the part of the North East Rail Trail that sits within their respective municipality to an agreed standard.
-

Councillor S Cai withdrew from the Meeting at 3.40 pm

Councillor S Cai re-attended the Meeting at 3.42 pm

Councillor D C Gibson withdrew from the Meeting at 3:57 pm

Councillor D C Gibson re-attended the Meeting at 4:00 pm

DECISION: 12 December 2024

MOTION

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

That Council:

1. Provides in-principle support of the North East Rail Trail Stage 3 being Lilydale Falls to Scottsdale in concept only;
2. approves providing Dorset Council a letter of support outlining Council's in-principle support for the project; and
3. be provided with a project report to better understand implications to Council, such as costs, ownership and technical challenges.

CARRIED 8:3

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 Prof G Razay, Councillor A J Palmer and Councillor A J Britton
AGAINST VOTE: Councillor T G Walker, Councillor J J Pentridge and Councillor S Cai

15.2. Notice of Motion - Mayor Councillor M K Garwood - Street Art Festival and Street Art Laneways - 22 November 2024

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 Mayor Councillor M K regarding the launch of a street art festival and development of street art laneways.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. pursuant to the City of Launceston Public Art Strategy 2023-2031, prioritises the Opportunity - City Centre Laneways recommendation for a Street Art Laneway Gallery to be developed for delivery in FY2024/2025, and a second gallery for delivery in FY2025/2026; and
 2. pursuant to the City of Launceston Public Art Strategy 2023-2031, prioritises the Opportunity - City Centre Laneways recommendation for a Laneway Festival to be developed in conjunction with each gallery described in the above recommendation.
-

Councillor A J Britton withdrew from the Meeting at 4:12 pm
Councillor A J Britton re-attended the Meeting at 4:15 pm

Marcus Grantham (Team Leader Placemaking) was in attendance to answer questions in respect of this Item.

DECISION: 12 December 2024

MOTION

Moved Mayor Councillor M K Garwood, seconded Councillor A G Harris.

That Council:

- 1. pursuant to the City of Launceston Public Art Strategy 2023-2031, prioritises the Opportunity - City Centre Laneways recommendation for a Street Art Laneway Gallery to be developed for delivery in FY2024/2025, and a second gallery for delivery in FY2025/2026; and**
- 2. pursuant to the City of Launceston Public Art Strategy 2023-2031, prioritises the Opportunity - City Centre Laneways recommendation for a Laneway Festival to be developed in conjunction with each gallery described in the above recommendation.**

CARRIED 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

15.3. Notice of Motion - Councillor S Cai - Graffiti Removal from Private Dwellings Within the Launceston Municipality - 28 November 2024

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 S Cai regarding Notice of Motion - Graffiti removal from private dwellings within the Launceston Municipality.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. considers expanding graffiti removal to include private dwellings and infrastructure by:
 - reviewing and amending the City of Launceston's graffiti policy framework to expand to removal of graffiti in all locations throughout the municipality.
-

Councillor A J Palmer withdrew from the Meeting at 4:24 pm
Councillor A J Palmer re-attended the Meeting at 4:30 pm

DECISION: 12 December 2024

MOTION

Moved Councillor S Cai, seconded Deputy Mayor Councillor D H McKenzie.

That Council:

- 1. considers expanding graffiti removal to include private dwellings and infrastructure by:
 - reviewing and amending the City of Launceston's graffiti policy framework to expand to removal of graffiti in all locations throughout the municipality.****

CARRIED 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

15.4. Notice of Motion - Mayor Councillor M K Garwood - Mobile LED Screen - 28 November 2024

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 Mayor Councillor M K Garwood regarding the procurement of a mobile LED screen for city activation and events.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. investigates the procurement of a large mobile LED screen to support City activation, and events; and
 2. the project is to be considered as part of annual plan and budget discussions.
-

Marcus Grantham (Team Leader Placemaking) was in attendance to answer questions in respect of this Item.

DECISION: 12 December 2024

MOTION

Moved Mayor Councillor M K Garwood, seconded Councillor J J Pentridge.

That Council:

- 1. investigates the procurement of a large screen to support City activation, and events; and**
- 2. the project is to be considered as part of annual plan and budget discussions.**

CARRIED 10:0

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 Prof G Razay, Councillor J J Pentridge, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

15.5. Notice of Motion - Mayor Councillor M K Garwood - Bicycle Donation to Tasmania Police - 12 December 2024

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 Mayor Councillor M K regarding council purchasing two bicycles for donation to Tasmania Police to reintroduce bike patrols in Launceston's central business district (CBD), demonstrating Councils commitment to a collaborative partnership with one of its key stakeholders.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. purchase two (2) fit-for-purpose bicycles, to a combined maximum value of \$15,000 (excluding GST), to be donated to Tasmania Police for the sole purpose of reintroducing the bike patrols within the Launceston Central Business District.

The Mayor, Councillor M K Garwood handed the chair to Deputy Mayor Councillor D H McKenzie at 5.07pm

DECISION: 12 December 2024

MOTION 1

Moved Mayor Councillor M K Garwood, seconded Councillor A J Britton.

That Council:

1. **purchase two (2) fit-for-purpose bicycles, to a combined maximum value of \$15,000 (excluding GST), to be donated to Tasmania Police for the sole purpose of reintroducing the bike patrols within the Launceston Central Business District.**

NO VOTE WAS TAKEN AS AN AMENDMENT WAS PUT

DECISION: 12 December 2024

MOTION 2

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

That the Motion be amended as follows:

That Council:

1. purchase two (2) fit-for-purpose bicycles, to a combined maximum value of \$15,000 (excluding GST), to be provided to Tasmania Police for the sole purpose of reintroducing the bike patrols within the Launceston Central Business District, supported by a Memorandum of Understanding.

CARRIED 9:2

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Councillor D C Gibson and Councillor T G Walker

THE MOTION AS AMENDED IS THE SUBSTANTIVE MOTION

DECISION: 12 December 2024

MOTION 3

Moved Mayor Councillor M K Garwood, seconded Councillor A J Britton.

That Council:

1. purchase two (2) fit-for-purpose bicycles, to a combined maximum value of \$15,000 (excluding GST), to be provided to Tasmania Police for the sole purpose of reintroducing the bike patrols within the Launceston Central Business District, supported by a Memorandum of Understanding.

CARRIED 9:2

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Councillor D C Gibson and Councillor T G Walker

15.6. Notice of Motion - Councillor L McMahon - Waiving of all On-Street Dining Fees for a Period of 3 Months - 4 December 2024

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 L McMahon regarding waiving of all on-street dining for a period of 3 months

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. resolves to waive all on-street dining fees across the municipality for a period of 3 months (~90 days), effective from the 20 December 2024 to activate public spaces and to stimulate economic activity.
-

The Mayor, Councillor M K Garwood, advised that this item had been withdrawn.

16. COMMITTEE REPORTS

16.1. Transport Committee Meeting - 28 October 2024

FILE NO: SF7429

AUTHOR: Erica Deegan (Manager Infrastructure and Engineering)

APPROVER: Chelsea van Riet (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To receive a report from the Transport Committee Meeting held on 28 October 2024.

RECOMMENDATION:

That Council:

1. receives the report from the Transport Committee Meeting held on Monday, 28 October 2024.
-

Deputy Mayor Councillor D H McKenzie left the meeting at 5.09 pm

DECISION: 12 December 2024

MOTION

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

That Council:

1. receives the report from the Transport Committee Meeting held on Monday, 28 October 2024.

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, 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

AGAINST VOTE: Nil

Deputy Mayor Councillor D H McKenzie re-attended the Meeting at 5:10 pm

17. COMMUNITY AND PLACE NETWORK

17.1. In-Kind Support Proposal for Able Australia

FILE NO: SF7646

AUTHOR: Kate Schindler (Grants and Sponsorship Officer)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

To consider providing in-kind support to Able Australia by offering 20 adult concession aquatic 10-visit passes, valued at \$1,206.00, to support the delivery of the Launceston Aquatic Centre component of the 'Able Launceston Festivale and Fitness for All' program.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 31 October 2024 - Agenda Item Number 17.1 - Community Grants Round 1 2024-2025

RECOMMENDATION:

That Council:

1. notes that Able Australia submitted a grant application in Round One of the 2024/2025 Community Grant (Organisations) program. While the application was deemed eligible, it was not funded as the available budget was fully allocated to higher-scoring applications; and
 2. agrees to provide in-kind support to Able Australia by providing twenty (20) adult concession aquatic ten (10)-visit passes, valued at \$1,206.
-

DECISION: 12 December 2024

MOTION 1

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

That Council:

- 1. notes that Able Australia submitted a grant application in Round One of the 2024/2025 Community Grant (Organisations) program. While the application was deemed eligible, it was not funded as the available budget was fully allocated to higher-scoring applications; and**
- 2. agrees to provide in-kind support to Able Australia by providing twenty (20) adult concession aquatic ten (10)-visit passes, valued at \$1,206.**

NO VOTE WAS TAKEN AS AN AMENDMENT WAS PUT

Councillor T G Walker withdrew from the Meeting at 5:19 pm

DECISION: 12 December 2024

MOTION 2

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

That the Motion be amended as follows:

That Council:

- 1. notes the request as outlined within this report is a result of the Community Grants Committee;**
- 2. notes that Able Australia submitted a grant application in Round One of the 2024/2025 Community Grant (Organisations) program. While the application was deemed eligible, it was not funded as the available budget was fully allocated to higher-scoring applications; and**
- 3. agrees to provide in-kind support to Able Australia by providing twenty (20) adult concession aquatic ten (10)-visit passes, valued at \$1,206.**

CARRIED 10:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

THE MOTION AS AMENDED IS THE SUBSTANTIVE MOTION

Councillor T G Walker re-attended the Meeting at 5:20 pm

DECISION: 12 December 2024

MOTION 3

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

That Council:

1. notes the request as outlined within this report is a result of the Community Grants Committee;
2. notes that Able Australia submitted a grant application in Round One of the 2024/2025 Community Grant (Organisations) program. While the application was deemed eligible, it was not funded as the available budget was fully allocated to higher-scoring applications; and
3. agrees to provide in-kind support to Able Australia by providing twenty (20) adult concession aquatic ten (10)-visit passes, valued at \$1,206.

CARRIED 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

Councillor A E Dawkins withdrew from the Meeting at 5:21 pm

DECISION: 12 December 2024

MOTION

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

That Council:

- 1. by absolute majority, Item 20.5 Lease - 8A Blaydon Street - St Vincent de Paul Society and Item 20.6 Councillor Nomination for the Community Advisory Committee Facilitated by St Vincent de Paul at the Blaydon Street Site, be brought forward on the Agenda and considered out of sequence.**

CARRIED BY ABSOLUTE MAJORITY 10:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

Councillor A E Dawkins re-attended the Meeting at 5:24 pm

Council moved to discuss Agenda Item 20.5 Lease - 8A Blaydon Street - St Vincent de Paul Society and Item 20.6 Councillor Nomination for the Community Advisory Committee Facilitated by St Vincent de Paul at the Blaydon Street Site. The minutes for these items start on Page 118.

The Mayor, Councillor M K Garwood advised that pursuant to section 13 of the Local Government Meeting Procedures regulations of 2015 the Council Meeting be adjourned the to allow for the Annual General Meeting (AGM) to be held starting at 5:30 pm and that the Council meeting will resume at the conclusion of the AGM to deal with the remainder of the Agenda.

The meeting was adjourned at 5:27 pm

The meeting resumed at 7:29 pm

17.2. Petition Response - Thomas Wickert - Community Pantry Reinstatement at Princes Square

FILE NO: SF0097

AUTHOR: Michelle Ogulin (Acting General Manager Community and Place Network)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

To consider a response to the petition received from Thomas Wickert calling for a community pantry to be installed in Princes Square.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council – 31 October 2024 – 17.2 - Community Pantry Initiative

RECOMMENDATION:

That Council:

1. notes the ongoing work by the Liveable Communities team to install a new community pantry at Princes Square.
-

DECISION: 12 December 2024

MOTION

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

That Council:

1. notes the ongoing work by the Liveable Communities team to install a new community pantry at Princes Square.

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 Prof G Razay and Councillor J J Pentridge
AGAINST VOTE: Nil

17.3. Petition Response - Denise Delphin - DA0272/2024 General Retail and Hire - Addition of Bottleshop - 385-389 Invermay Road

FILE NO: SF0097, DA0272/2024

AUTHOR: Anushka Gardiye (Town Planner)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

To consider the petition received at the Council Meeting on 14 November 2024 regarding the construction of alterations and additions to a shop (Coles Supermarket) to allow the additional use of a bottle shop at 385-389 Invermay Road, 393A-393B Invermay Road and 391 Invermay Road, Mowbray.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. acknowledges the petition received under section 57(2) of the *Local Government Act 1993 (Tas)*; and
 2. notes that the Development Application DA0272/2024 General Retail and Hire - Addition of Bottleshop - 385-389 Invermay Road was advertised from 5 to 22 October 2024 with no representations received during the advertising period and subsequently was issued a planning permit on 8 November 2024.
-

DECISION: 12 December 2024

MOTION

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

That Council:

- 1. acknowledges the petition received under section 57(2) of the *Local Government Act 1993* (Tas); and**
- 2. notes that the Development Application DA0272/2024 General Retail and Hire - Addition of Bottleshop - 385-389 Invermay Road was advertised from 5 to 22 October 2024 with no representations received during the advertising period and subsequently was issued a planning permit on 8 November 2024.**

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 Prof G Razay and Councillor J J Pentridge
AGAINST VOTE: Nil

17.4. Carols in the Park

FILE NO: SF2191

AUTHOR: Kate Schindler (Grants and Sponsorship Officer)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

To consider that Council funds and leads the production of Carols in the Park, scheduled to be held on Sunday, 22 December 2024.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. approves funding of up to \$85,377 to facilitate the production of Carols in the Park, to be held in City Park on Sunday 22 December 2024, in collaboration with the community and local business sponsorship; and
 2. agrees that any unspent funds from the allocated amount are returned to the Special Event Sponsorship budget.
-

Councillor S Cai re-attended the Meeting at 7:32 pm

DECISION: 12 December 2024

MOTION

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

That Council:

- 1. approves funding of up to \$85,377 to facilitate the production of Carols in the Park, to be held in City Park on Sunday 22 December 2024, in collaboration with the community and local business sponsorship; and**
- 2. agrees that any unspent funds from the allocated amount are returned to the Special Event Sponsorship budget.**

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

17.5. Cultural Advisory Committee Representative Ratification

FILE NO: SF7357

AUTHOR: Marcus Grantham (Team Leader Place Making)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

To appoint community representatives to the Cultural Advisory Committee.

RECOMMENDATION:

That Council:

1. receives and notes the Report; and
 2. endorses the appointment of Amr Elsayed, Ariel Chanko and Judith Ridge as new community representative members of the Cultural Advisory Committee.
-

DECISION: 12 December 2024

MOTION

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

That Council:

1. receives and notes the Report; and
2. endorses the appointment of Amr Elsayed, Ariel Chanko and Judith Ridge as new community representative members of the Cultural Advisory Committee.

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

18. CREATIVE ARTS AND CULTURAL SERVICES NETWORK

No items have been identified as part of this Agenda

19. INFRASTRUCTURE AND ASSETS NETWORK

19.1. Lilydale Golconda Memorandum of Understanding (MoU)

FILE NO: SF0362

AUTHOR: Erica Deegan (Manager Infrastructure and Engineering)

APPROVER: Chelsea van Riet (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To consider entering into a Memorandum of Understanding (MOU) with Dorset Council to:

- Create a shared understanding of the importance of the Golconda Road and Lilydale Road connection as a key freight route between the municipalities; and
-
- Outline the terms and conditions of collaboration between the councils to lobby for funding to improve road and pavement conditions of Golconda Road, to High Productivity Vehicle (HPV) standards, with a focus on safety and productivity outcomes.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Roads and Jetties Act 1935 (Tas)

RECOMMENDATION:

That Council:

1. authorises the Chief Executive Officer to enter into a formal Memorandum of Understanding (MoU) under the following terms:
 - a) duration shall be from the date of signing until the collaboration outlined within the MOU is complete, or until such time as either council determines the MoU is no longer applicable;
 - b) nothing in the MoU creates or implies any obligations on the part of either council to enter into any contract, agreement, commitment or other arrangement, nor are the provisions intended to give rise to legal rights, obligations or liabilities on the part of either council;
 - c) areas of collaboration shall include:
 - i. shared understanding
 - ii. advocacy and lobbying
 - iii. road and pavement improvements
 - iv. data sharing and analysis
 - v. community engagement
-

- d) periodic reporting to Council on progress; and
- 2. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the Memorandum of Understanding.

Erica Deegan (Manager Infrastructure and Engineering) was in attendance to answer questions in respect of this item.

DECISION: 12 December 2024

MOTION

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

That Council:

- 1. authorises the Chief Executive Officer to enter into a formal Memorandum of Understanding (MoU) under the following terms:**
 - a) duration shall be from the date of signing until the collaboration outlined within the MOU is complete, or until such time as either council determines the MoU is no longer applicable;**
 - b) nothing in the MoU creates or implies any obligations on the part of either council to enter into any contract, agreement, commitment or other arrangement, nor are the provisions intended to give rise to legal rights, obligations or liabilities on the part of either council;**
 - c) areas of collaboration shall include:**
 - i. shared understanding**
 - ii. advocacy and lobbying**
 - iii. road and pavement improvements**
 - iv. data sharing and analysis**
 - v. community engagement**
 - d) periodic reporting to Council on progress; and**
- 2. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the Memorandum of Understanding.**

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai
AGAINST VOTE: Nil

19.2. Action in Respect of a Grant from the Tasmanian Government for Projects in Lilydale

FILE NO: SF0915

AUTHOR: Leanne Purchase (Acting Manager Parks and Sustainability)

APPROVER: Chelsea van Riet (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To consider action in respect of an offer of funding from the Tasmanian Government.

RECOMMENDATION:

That Council:

1. receives and notes the report; and
2. requests the Chief Executive Officer write to the Tasmanian Government to seek an amendment to the grant deed referenced as *Launceston City Council, \$190,000, October 2024*, to request an amendment to (a) under *Clause 1.1: the Approved Purpose for which the Grant is provided* as follows:

Original	Amendment
(a) the design and construction of a pedestrian and cycle pathway between Lilydale Falls and Lilydale;	(a) investigate possible location(s) and review the associated feasibility for a pedestrian and cycle pathway between Lilydale Falls and Lilydale;

Item (b) under *Clause 1.1: the Approved Purpose for which the Grant is provided* will remain unchanged.

Leanne Purchase (Acting Manager Parks and Sustainability) was in attendance to answer questions in respect of this item.

DECISION: 12 December 2024

MOTION 1

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

That Council:

1. receives and notes the report; and
2. requests the Chief Executive Officer write to the Tasmanian Government to seek an amendment to the grant deed referenced as *Launceston City Council, \$190,000, October 2024*, to request an amendment to (a) under *Clause 1.1: the Approved Purpose for which the Grant is provided* as follows:

Original	Amendment
(a) the design and construction of a pedestrian and cycle pathway between Lilydale Falls and Lilydale;	(a) investigate possible location(s) and review the associated feasibility for a pedestrian and cycle pathway between Lilydale Falls and Lilydale;

Item (b) under *Clause 1.1: the Approved Purpose for which the Grant is provided* will remain unchanged.

LOST 2:7

FOR VOTE: Councillor A E Dawkins and Councillor A G Harris

AGAINST VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor T G Walker, Councillor Prof G Razay, Councillor J J Pentridge and Councillor S Cai

During debate an alternate motion was foreshadowed.

DECISION: 12 December 2024

MOTION 2

Moved Councillor T G Walker, seconded Councillor D C Gibson.

That Council:

1. determines to:

- (i) decline the component of the grant related to Clause 1.1 (a): the design and construction of a pedestrian and cycle pathway between Lilydale Falls and Lilydale;**
- (ii) accept the component of the grant related to Clause 1.1 (b): council-led improvements to better integrate the Lilydale pool, playground, toilet and BBQ areas.**
- (iii) write to the State Government seeking to purpose the remaining funds for the purpose of the Lilydale community.**

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

19.3. City Park Macaques

FILE NO: SF7137, SF0832

AUTHOR: Leanne Purchase (Acting Manager Parks and Sustainability)

APPROVER: Chelsea van Riet (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To consider breeding controls for the City Park Japanese macaques.

RELEVANT LEGISLATION:

Environmental Protection and Biodiversity Conservation Act 1999 (Cth)

This legislation scaffolds a list of specimens taken to be suitable for live import. The Japanese macaque (scientific name *macaca fuscata*) does not appear in this list, which means live import to introduce genetic diversity to the troop is not permitted.

Nature Conservation (Wildlife) Regulations 2021

The Council holds a Wildlife Exhibition Licence issued pursuant to the above regulations. The licence requires the Council to, amongst other things, microchip all wildlife kept under the licence and ensure that any breeding is in accordance with a species management plan.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting – 7 August 2000 – Report on Monkeys in City Park

Council Meeting – 21 August 2000 – future management of the City Park Monkeys, Mayoral Appeal For New Monkey Enclosure

Council Meeting – 4 September 2000 – Aldermen's Question Time – matters relating to Monkey Enclosure Appeal

Council Meeting – 18 September 2000 – Aldermen's Question Time – fundraising for City Park Monkeys

Council Meeting – 13 November 2000 – Launceston City Council Monkey Enclosure Fund Rules

Council Meeting – circa December 2000 – Aldermen's Reports – donation to Monkey Appeal

Council Meeting – 18 December 2000 – Proposed New Monkey Enclosure

Council Meeting – 26 February 2001 – City Park Monkey Enclosure, Mayor's Monkey Appeal

Council Meeting – 26 March 2001 – City Park Monkey Enclosure, Councillor Questions Without Notice regarding obtaining new monkeys, rehousing the monkeys

Council Meeting – 10 September 2001 – City Park Monkeys – New Monkey Enclosure

Workshop – 3 March 2022 – Discussion of the P2R2 Consulting Review Report dated 22 February 2022

Workshop – 31 March 2022 – Draft City of Launceston City Park Monkeys Communications Plan 2022

Workshop – 8 December 2022 – Taronga Report Background and Recommendations

Council Meeting – 22 February 2024 – Councillor Question on Notice – Councillor S Cai –
City Park Monkeys – 8 February 2024

RECOMMENDATION:

That Council:

1. receives and notes the report;
 2. determines that in respect of the reproductive, genetic and social management of the City Park Japanese macaques, action is to be taken to prevent all breeding within the troop;
 3. if recommendation 2 above is resolved in the affirmative:
 - a) notes that a consequence of that resolution will be that attrition will occur over an estimated 20-25 years, until no Japanese macaques remain in City Park;
and
 - b) requests the Mayor communicates the Council decision to the Mayor of Ikeda, Japan.
-

DECISION: 12 December 2024

MOTION

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

That Council:

- 1. receives and notes the report;**
- 2. determines that in respect of the reproductive, genetic and social management of the City Park Japanese macaques, action is to be taken to prevent all breeding within the troop;**
- 3. if recommendation 2 above is resolved in the affirmative:**
 - a) notes that a consequence of that resolution will be that attrition will occur over an estimated 20-25 years, until no Japanese macaques remain in City Park; and**
 - b) requests the Mayor communicates the Council decision to the Mayor of Ikeda, Japan.**

CARRIED 10:1

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 Prof G Razay, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Councillor J J Pentridge

20. ORGANISATIONAL SERVICES NETWORK

20.1. City of Launceston Annual Plan 2024/2025 - Progress Against Annual Plan Actions for Period Ending 30 September 2024

FILE NO: SF6938

AUTHOR: Emily Lewis (Corporate Planning Officer)

APPROVER: Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider the progress against Council's 2024/2025 Annual Plan Actions for the period ending 30 September 2024.

PREVIOUS COUNCIL CONSIDERATION:

Council – 27 June 2024 – Agenda Item 15.5 - City of Launceston Annual Plan 2024/2025 Workshop – 23 May 2024 - Annual Plan and Budget2024/2025 - Public Consultation Feedback

Council - 4 April 2024 – Agenda Item 15.4 - Proposed 2024/2025 Annual Plan and Statutory Estimates

Workshop – 29 February 2024 - Draft Budget and Annual Plan 2024/25

RECOMMENDATION:

That Council:

1. receives and notes progress against 2024/2025 Annual Plan Actions for the period 30 September 2024.
-

DECISION: 12 December 2024

MOTION

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

That Council:

- 1. receives and notes progress against 2024/2025 Annual Plan Actions for the period 30 September 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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

20.2. Budget Amendment - 12th December 2024

FILE NO: SF6817/SF7334

AUTHOR: Samuel Kelty (Manager Finance)

APPROVER: Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

For Council to:

1. consider changes to the Council's 2024/2025 Statutory Estimates.

A decision for Recommendation 1. requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).

2. consider adjustments made during 1 November 2024 to 30 November 2024 by the Chief Executive Officer to the 2024/2025 Budget.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2024/2025 Statutory Estimates:
 - (a) Revenue
 - i. the net increase in revenue from external grants and contributions of \$0.
 - (b) Expenses
 - i. the net increase in operations expenditure of \$300,000.
 - (c) Capital Works Expenditure
 - i. the decrease in the Council's funded expenditure of \$300,000.
 2. notes that amendments from Recommendation 1. result in:
 - (a) the underlying operating deficit being amended from \$630,841 to \$930,841 (excluding capital grants of \$19,178,656 and other adjustments of \$5,000,000) for 2024/2025.
 - (b) the capital budget being amended from \$43,549,166 to \$43,249,166 for 2024/2025.
 3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2024/2025 budget for the period 1 November 2024 to 30 November 2024.
-

DECISION: 12 December 2024

MOTION

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

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2024/2025 Statutory Estimates:
 - (a) Revenue
 - i. the net increase in revenue from external grants and contributions of \$0.
 - (b) Expenses
 - i. the net increase in operations expenditure of \$300,000.
 - (c) Capital Works Expenditure
 - i. the decrease in the Council's funded expenditure of \$300,000.
2. notes that amendments from Recommendation 1. result in:
 - (a) the underlying operating deficit being amended from \$630,841 to \$930,841 (excluding capital grants of \$19,178,656 and other adjustments of \$5,000,000) for 2024/2025.
 - (b) the capital budget being amended from \$43,549,166 to \$43,249,166 for 2024/2025.
3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2024/2025 budget for the period 1 November 2024 to 30 November 2024.

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

20.3. 2024/2025 Fees and Charges Amendments

FILE NO: SF7648

AUTHORS: Samuel Kelty (Manager Finance) and Eve Gibbons (Business Leader Carr Villa)

APPROVER: Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider an amendment to the adopted 2024/2025 Fees and Charges to ensure the supply of a right to be buried in a cemetery operated by a local, state, or territory government is not subject to GST.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

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

RECOMMENDATION:

That Council:

1. pursuant to section 2015 of the *Local Government Act 1993 (Tas)*, approves the below fees which will change the previously adopted Fees and Charges for 2024/2025 as listed below:

Line No.	Fee Name	GST Status	2024/2025 Fee
	COMMUNITY AND PLACE		
	Carr Villa Memorial Park		
426	Burial Single Depth Interment Fee Only	Taxable	\$3,123.00
NEW NO.	Burial Single Depth (at need) Right of Burial Fee	GST Exempt	\$1,018.20
430	Burial Double Depth Interment Fee Only	Taxable	\$3,631.00
NEW NO.	Burial Double Depth (at need) Right of Burial Fee	GST Exempt	\$920.90
433	Burial Infant under 12 years Interment Fee Only	Taxable	\$923.00
NEW NO.	Burial Infant under 12 years (at need) Right of Burial Fee	GST Exempt	\$246.35
435	Pre-purchase of right of burial	GST Exempt	\$1877.25
436	Conversion Free Ground to Private (Carr Villa Memorial Park Only)	GST Exempt	\$471.80
463	A' Section Rose Garden first placement	GST Exempt	\$1,694.00

464	A' Section Rose Garden each of second and third placements (if required)	GST Exempt	\$771.00
465	B' Section Rose Garden first placement	GST Exempt	\$1,255.00
466	B' Section Rose Garden each of second and third placements (if required)	GST Exempt	\$614.00
467	Red Oak Tree position Lawn Cemetery	GST Exempt	\$1,554.00
468	Barakee Waters - Placement single depth (each)	GST Exempt	\$1,694.00
469	Barakee Waters - 2nd placement at double depth (each)	GST Exempt	\$1,255.00
470	Barakee Waters - Cremorial Panel (per niche)	GST Exempt	\$1,694.00
471	Clay Grove and Kooyong Garden placement - per placement	GST Exempt	\$1,255.00
472	Granite Wall, per single niche	GST Exempt	\$1,255.00
473	Northern Wall Main Bay per single niche	GST Exempt	\$361.00
474	Northern Wall Pergola Pillars per single niche	GST Exempt	\$996.00
475	Northern Wall Ex Serviceman - DVA criteria	GST Exempt	\$361.00
476	Lawn and Pergola Walls first placement in niche	GST Exempt	\$1,255.00
477	Lawn and Pergola Walls second placement in niche	GST Exempt	\$771.00
478	Colonnade Walls per single niche	GST Exempt	\$1,008.00
479	Western Wall per single niche	GST Exempt	\$1,008.00
480	Fence Piers per single niche	GST Exempt	\$1,008.00
481	Feature Gardens Special Rose per placement	GST Exempt	\$1,818.00
482	Feature Gardens Water Feature first placement	GST Exempt	\$1,818.00
483	Feature Gardens Water Feature second placement	GST Exempt	\$1,258.00
484	Pool of Eternal Memories	GST Exempt	\$1,258.00
485	Ash Interment - Placement in a grave or a memorial plinth on a grave	GST Exempt	\$578.20
491	Ash Placement Garden - Garden of Memories		
492	Bed 1,2,3,4,17 and 18 Tier 1. Per Placement	GST Exempt	\$1,433.00
493	Bed 5,6,14 and 19. Tier 2. Per Placement	GST Exempt	\$1,645.00
494	Bed 7,8,9,10,11,12,13,15 and 16 Tier 2. 1st Placement	GST Exempt	\$1,645.00
495	Bed 7,8,9,10,11,12,13,15 and 16 Tier 2. 2nd Placement at double depth	GST Exempt	\$1,327.00
496	Bed 7,8,9,10,11,12,13,15 and 16. Tier 2. 3rd and 4th placement when double block reserved	GST Exempt	\$1,327.00
497	Bed 20,21,22,23,24 and 25 Tier 3. Per Placement	GST Exempt	\$1,751.00
498	Ash Placement Garden - Reflection Walls		
499	Wall 1-11. Tier 4. Per Placement	GST Exempt	\$2,069.00
500	Ash placement Garden - Niche Walls		
501	Wall A. Row A-D per placement	GST Exempt	\$1,645.00
502	Wall A. Row E-F per placement	GST Exempt	\$1,433.00
503	Wall B. Row A-D per placement	GST Exempt	\$1,645.00
504	Wall B, Row E-F per placement	GST Exempt	\$1,433.00

505	Wall C. Row A-D per placement	GST Exempt	\$1,645.00
506	Wall C. Row E-F per placement	GST Exempt	\$1,433.00
507	Wall D. Row A-D per placement	GST Exempt	\$1,645.00
508	Wall D. Row E-F per placement	GST Exempt	\$1,433.00
509	Wall E. Row A-D per placement	GST Exempt	\$1,645.00
510	Wall E. Row E-F per placement	GST Exempt	\$1,433.00
511	Lilydale Cemetery		
513	Columbarium - per single niche	GST Exempt	\$771.00

Samuel Kelty (Finance Manager) and Eve Gibbons (Business Leader Carr Villa) were in attendance to answer questions in respect of this Item.

DECISION: 12 December 2024

MOTION

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

That Council:

1. pursuant to section 2015 of the *Local Government Act 1993 (Tas)*, approves the below fees which will change the previously adopted Fees and Charges for 2024/2025 as listed below:

Line No.	Fee Name	GST Status	2024/2025 Fee
	COMMUNITY AND PLACE		
	Carr Villa Memorial Park		
426	Burial Single Depth Interment Fee Only	Taxable	\$3,123.00
NEW NO.	Burial Single Depth (at need) Right of Burial Fee	GST Exempt	\$1,018.20
430	Burial Double Depth Interment Fee Only	Taxable	\$3,631.00
NEW NO.	Burial Double Depth (at need) Right of Burial Fee	GST Exempt	\$920.90
433	Burial Infant under 12 years Interment Fee Only	Taxable	\$923.00
NEW NO.	Burial Infant under 12 years (at need) Right of Burial Fee	GST Exempt	\$246.35
435	Pre-purchase of right of burial	GST Exempt	\$1877.25
436	Conversion Free Ground to Private (Carr Villa Memorial Park Only)	GST Exempt	\$471.80
463	A' Section Rose Garden first placement	GST Exempt	\$1,694.00
464	A' Section Rose Garden each of second and third placements (if required)	GST Exempt	\$771.00
465	B' Section Rose Garden first placement	GST Exempt	\$1,255.00

466	B' Section Rose Garden each of second and third placements (if required)	GST Exempt	\$614.00
467	Red Oak Tree position Lawn Cemetery	GST Exempt	\$1,554.00
468	Barakee Waters - Placement single depth (each)	GST Exempt	\$1,694.00
469	Barakee Waters - 2nd placement at double depth (each)	GST Exempt	\$1,255.00
470	Barakee Waters - Cremorial Panel (per niche)	GST Exempt	\$1,694.00
471	Clay Grove and Kooyong Garden placement - per placement	GST Exempt	\$1,255.00
472	Granite Wall, per single niche	GST Exempt	\$1,255.00
473	Northern Wall Main Bay per single niche	GST Exempt	\$361.00
474	Northern Wall Pergola Pillars per single niche	GST Exempt	\$996.00
475	Northern Wall Ex Serviceman - DVA criteria	GST Exempt	\$361.00
476	Lawn and Pergola Walls first placement in niche	GST Exempt	\$1,255.00
477	Lawn and Pergola Walls second placement in niche	GST Exempt	\$771.00
478	Colonnade Walls per single niche	GST Exempt	\$1,008.00
479	Western Wall per single niche	GST Exempt	\$1,008.00
480	Fence Piers per single niche	GST Exempt	\$1,008.00
481	Feature Gardens Special Rose per placement	GST Exempt	\$1,818.00
482	Feature Gardens Water Feature first placement	GST Exempt	\$1,818.00
483	Feature Gardens Water Feature second placement	GST Exempt	\$1,258.00
484	Pool of Eternal Memories	GST Exempt	\$1,258.00
485	Ash Interment - Placement in a grave or a memorial plinth on a grave	GST Exempt	\$578.20
491	Ash Placement Garden - Garden of Memories		
492	Bed 1,2,3,4,17 and 18 Tier 1. Per Placement	GST Exempt	\$1,433.00
493	Bed 5,6,14 and 19. Tier 2. Per Placement	GST Exempt	\$1,645.00
494	Bed 7,8,9,10,11,12,13,15 and 16 Tier 2. 1st Placement	GST Exempt	\$1,645.00
495	Bed 7,8,9,10,11,12,13,15 and 16 Tier 2. 2nd Placement at double depth	GST Exempt	\$1,327.00
496	Bed 7,8,9,10,11,12,13,15 and 16. Tier 2. 3rd and 4th placement when double block reserved	GST Exempt	\$1,327.00
497	Bed 20,21,22,23,24 and 25 Tier 3. Per Placement	GST Exempt	\$1,751.00
498	Ash Placement Garden - Reflection Walls		
499	Wall 1-11. Tier 4. Per Placement	GST Exempt	\$2,069.00
500	Ash placement Garden - Niche Walls		
501	Wall A. Row A-D per placement	GST Exempt	\$1,645.00
502	Wall A. Row E-F per placement	GST Exempt	\$1,433.00
503	Wall B. Row A-D per placement	GST Exempt	\$1,645.00

504	Wall B, Row E-F per placement	GST Exempt	\$1,433.00
505	Wall C. Row A-D per placement	GST Exempt	\$1,645.00
506	Wall C. Row E-F per placement	GST Exempt	\$1,433.00
507	Wall D. Row A-D per placement	GST Exempt	\$1,645.00
508	Wall D. Row E-F per placement	GST Exempt	\$1,433.00
509	Wall E. Row A-D per placement	GST Exempt	\$1,645.00
510	Wall E. Row E-F per placement	GST Exempt	\$1,433.00
511	Lilydale Cemetery		
513	Columbarium - per single niche	GST Exempt	\$771.00

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai
AGAINST VOTE: Nil

20.4. Investment Policy (12-PI-002)

FILE NO: SF4127

AUTHOR: Nathan Williams (Acting General Manager Organisational Services Network)

APPROVER: Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider and approve Council's revised Investment Policy (12-PI-002).

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 7 November 2024 – Long Term Financial Planning

Audit Panel Meeting – 26 August 2024 – Item 13.2 Investment Governance Review

RECOMMENDATION:

That Council:

1. approves the Investment Policy (12-PI-012) (ECM Doc Set ID 5162164) as follows:

Investment Policy

PURPOSE

To set the objectives for the investment of financial assets and provide the framework and risk profile for the formulation of Council's Investment Strategy by:

- Providing an authorising framework for control and security over financial assets.
- Mandating risk and diversification parameters for the investment of Council's financial assets
- Ensuring funds are invested in accordance with the requirements of the *Local Government Act 1993*.

SCOPE

This policy applies to all financial assets owned or controlled by Council, with the following exceptions:

- Loans made and authorised by Council to external bodies.
 - Investments other than for the management of cash funds.
 - Cash held by special committees.
 - Superannuation Funds.
 - Trust funds administered under separate deeds or where there is a specific resolution removing them from this Investment Policy.
-

POLICY

The Investment Policy outlines the principles and guidelines governing how the Council manages its financial assets. It aims to ensure the prudent use of public funds by prioritising security, liquidity, and return on investments. The policy typically specifies the types of allowable investments, risk management strategies, and compliance with legal and regulatory requirements, promoting transparency, accountability, and alignment with the Council's broader financial objectives.

OBJECTIVE

The investment objective for Council's financial assets will be to optimise the investment return within the risk parameters of this policy.

AUTHORISING FRAMEWORK

Authorities

Policy

Council is the approving authority for the formulation of and variations to the Investment Policy.

Financial assets will be invested consistent with this policy.

Strategy

The Chief Executive Officer is the approving authority for the Investment Strategy.

Changes to Strategy

The General Manager Organisational Services or Chief Financial Officer may authorise a strategy review in response to changes of market conditions or market products

Legislation

Under section 75, *Local Government Act 1993*, a Council may invest any money:

- In any manner in which a trustee is authorised by law to invest trust funds; and
- In any investment the Treasurer approves.

Authorised Investments

Controls

Transfer of funds

Two signatories are required to transfer funds in accordance with 12-PI-027 Bank Signatory Policy.

Funds held other than in the trading account must, where possible, be on the condition that any redemption will only be transferred into Council's trading account.

Where institutions are unable to provide this facility the General Manager Organisational Services is to ensure adequate controls exist to protect the Council's financial assets.

Signatories

The signatories are to be as specified in 12-PI-027 Bank Signatory Policy.

Separation of Duties

The Council Officer responsible for the monitoring, reconciling and reporting of Council's financial assets must not be a signatory to any account.

RISK

Approach to Risk

Council officers will take a conservative approach to assessing risk, which will be reflected by all investments other than the LTP being made in term deposit investments. The assessment of risk will extend beyond the investment rating of the institution. Schedule 1 outlines some of the risks and the approach Council will take. The supply of investment products is an ever developing market, and as such the risks outlined should not be regarded as exhaustive.

Long Term Pool & Investment Advisor

Council staff will use the services of appropriately qualified investment advisors to assist with monitoring of investment performance, strategy development and choice of investments whenever investments are made in managed funds or similar. The Long Term Pool ("LTP") must be invested considering advice from the Investment Advisor and in line with approved Policy objectives and risk appetite. A separate strategy for the LTP will be developed in conjunction with the Investment Advisor. With increased return expectations does come an inherent increase in the risk profile of these investments, however this risk can be mitigated by the use of the investment advisor.

Investment Parameters

Council's non LTP financial assets will only be invested in cash investments such as Term Deposits, that is they are not to be invested in:

- equities.
- structured products
- cryptocurrency

When assessing cash and term deposit style products Council officers will be vigilant for products that meet the legal requirements to be sold as a cash product while the underlying investments is equities, structured debt or other non-cash assets.

Duration

When assessing fixed term investments Council officers will determine the cash flow requirements to ensure that sufficient liquidity remains for Council to meet its obligations.

Diversification

The amount invested with any one financial institution should not exceed the following percentages of funds invested under the Investment Policy:

Direct Deposits

Long Term Rating (Standard and Poors)	Maximum Percentage of Total Investments	Single Institution Maximum Percentage of Total Investments
AAA	100%	65%
AA	100%	65%
A	<u>30%</u>	<u>30%</u>

BBB and below	Nil	Nil
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The above diversification restrictions do not apply to the LTP; however its strategy must still reflect appropriate diversification and no third party investment manager will hold a majority of its assets.

ENVIRONMENTAL CONSIDERATION

Several financial institutions provide investment products centred on 'ethical' or 'green' investments commonly referred to as Green Deposits. This is a nuanced and often subjective market, as definitions of 'ethical' or 'green' can vary and sometimes conflict, depending on individual perspectives. While the institution offering these products may invest in these industries, the specific funds themselves typically do not. Each case is carefully assessed when considering Green Deposits.

The Council may prioritize investing its funds in Green Deposits, provided they meet all other investment criteria.

The Investment Strategy will establish annual targets for the amounts to be allocated to Green Deposits.

Although the environmental restrictions outlined above do not directly apply to the LTP, investments will be selected to ensure no more than 10% exposure to fossil fuel industries, using a methodology agreed upon with the Investment Advisor.

STRATEGY

Methodology

Council staff in conjunction with the Council's independent investment advisor (if appointed) will monitor investment performance, strategy development and choice of investments within this policy.

As part of the budget process the Council will each year perform an analysis of cash needs both current and future. An Investment Strategy will be formulated to allocate financial resources in a manner that optimises return over the allocation duration within the confines of the risk profile defined in this Policy.

Investment Strategy

The Investment Strategy will be reviewed each year and submitted to the Chief Executive Officer for approval.

The Investment Strategy will contain:

- A breakdown of Council funds by class according to:
 - Trading funds
 - Working Capital
 - Conditional Funding
 - Restricted Cash
 - Cash backed reserves

- Capex Carryover
- Employee Provisions
- Long Term Cash
- Long Term Pool (LTP) of up to a maximum amount of \$5,000,000 over a period of up to 5 years to match Council's longer term liabilities.
- The target investment duration
- How funds will be invested
- The target return for funds
- The name of Council's investment advisor (if appointed)

Once formulated the Investment Strategy must be approved by the Chief Executive Officer before any changes in investments can be made.

Choice of investment

Investing officers may invest differently from the advisor's recommendations provided that:

- The investment complies with all other requirements of this policy
- The investment is in accordance with the Investment Strategy
- The investment is approved by the General Manager Organisational Services.

Any variation from the advisor's recommendations shall be reported to the next meeting of the Audit Panel.

Market conditions

The General Manager Organisational Services or Chief Financial Officer may authorise a strategy review in response to changes of market conditions or market products.

REPORTING

- The Manager Finance is responsible for the preparation of:
 - A brief report of financial asset balances each calendar month. This will typically include some brief management items of note.
 - A calendar quarterly report will also be provided to the Audit Panel, detailing:
 - ♣ investment performance relative to benchmark over different time periods
 - ♣ counterparty percentage exposure of total portfolio
 - ♣ and addressing any other material relevant factors.
 - An annual 1 page public dashboard report.
- Benchmarks:
 - Bank deposit investment performance shall be measured against the Official Cash Rate.
 - Managed Funds Investment performance will be measured against its own appropriate benchmark.
 - The LTP's benchmark is CPI+2% p.a. over rolling 5 year periods (after investment-related costs).

PRINCIPLES

Council's Organisational Values apply to all investing activities.

RELATED POLICIES & PROCEDURES

12-PI-015 Investment Strategy

Long Term Financial Plan

RELATED LEGISLATION

Trustee Act 1898 – As Amended
Local Government Act 1993

REFERENCES

Common law responsibilities - The *Local Government Act 1993* permits investment in any investment which a trustee is authorised by law to invest trust funds.

The *Trustee Act 1898* Part II Investments, requires that all investments are to be made exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of another person. The interpretation of these is a matter of common law.

Section 75, *Local Government Act 1993*

DEFINITIONS

Authorised deposit-taking institution (ADI)

A financial institution licensed by the Australian Prudential Regulatory Authority (APRA) to carry on banking business, including accepting deposits from the public. This includes:

- banks
- building societies,
- credit unions.

Austrac Website Jan 21

Conservative Approach to Risk

An investing strategy that seeks to preserve an investment portfolio's value by investing in lower risk products.

Equities

Investments in the share capital of firms either directly or through managed funds or derivatives.

Financial Assets

A financial asset is a liquid asset that gets its value from a contractual right or ownership claim. Cash, stocks, bonds, mutual funds, and bank deposits are all examples of financial assets. Unlike land, property, commodities, or other tangible physical assets, financial assets do not necessarily have inherent physical worth or even a physical form. Rather, their value reflects factors of supply and demand in the marketplace in which they trade, as well as the degree of risk they carry.

Council will only hold cash financial assets, with the exception of funds which are used to achieve the goals of the LTP following guidance from the Investment Advisor in the form of a managed fund.

Investopedia: November 2024

Council will only seek to invest in the Managed Fund type of Financial Asset such as mutual funds, exchange-traded funds or hedge funds for the purpose of achieving the goals for the LTP and within the overall risk profile of this Policy.

Financial institution

Authorised Deposit-taking Institutions, non-bank financial intermediaries, and insurers and funds managers.

Council of Financial Regulators Website Jan 21

Any authorised deposit-taking institution authorised under the Trustee Act to receive deposits.

Standard and Poors

A rating agency that assesses capacity of an obligor to meet its financial obligations.

Stress testing

Analysis of the institution or product to determine its ability to maintain the investment balance during a down turn in market factors that affect the investment product.

Structured products

Managed Funds or Floating Rate Notes where the underlying investment is a securitised instrument.

Official Cash Rate (OCR)

The Official Cash Rate is the interest rate paid by banks in the overnight money market in Australia and is regulated by the Reserve Bank of Australia.

Sector

The asset class in which funds are invested e.g. government, corporate, asset backed etc.

REVIEW

This policy will be reviewed no more than 4 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

SCHEDULE 1

RISKS

Risk Profile

Council officers will take a conservative approach to assessing risk when investing in term deposits. Unless otherwise stated, consideration of the below risks when framing recommendations is also an important responsibility of the investment advisor (if used).

Diversification Risk

The risk associated with the size of loss relative to the total portfolio from placing investments with a single or relatively small number of funds, notes, product styles or underlying economic factors.

Council officers will be diligent when placing investments such as managed funds or floating rate notes to avoid products that have invested in the same underlying assets.

Duration Risk

When selecting investment products with a duration beyond 48 hours, particular attention is to be given to what is being rated, principal and interest, principal or principal at maturity.

For products where the rating is for principal only or principal at maturity, the risk of losing income can increase with long duration products. The particular product should be assessed on the probability of capital loss, return loss and inflation erosion.

Council funds will not be invested in long duration products with a high principal on maturity rating based on a third party underwriting.

Institution Risk

The risk associated with concentrating the portfolio with one institution.

Finance staff will actively monitor the portfolio to identify both the fund manager and the investing institution for investments held and maintain the portfolio within the investment parameters.

Product Risk

A number of State Governments have strict statutory controls on the type of products and markets that local government may invest in. As a result there are products in the market structured so that they fit the definition of a highly rated cash investment while the fund has a high (up to 100%) exposure to equities or structured debt products. Council funds will not be invested in these products.

Any product offering significantly higher return than its peers must have undergone stress testing for both return and capital loss and the product endorsed in writing by the Council's investment advisor, before any funds are invested.

All investment products should also be reviewed on the basis that the investment adheres to the intent as well as the letter of this policy.

Sector Risk

Sector Risk refers to the risk associated with having a high portion of a portfolio exposes to the same market sector.

A portfolio can be diversified across institutions but if they have all invested in the same market sector the level of exposure to that market is increased.

The Finance Department will also monitor the total asset allocations of the portfolio across all investments to ensure sector risk allocations are identified and managed.

DECISION: 12 December 2024

MOTION

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

That Council:

1. approves the Investment Policy (12-PI-012) (ECM Doc Set ID 5162164) as follows:

Investment Policy

PURPOSE

To set the objectives for the investment of financial assets and provide the framework and risk profile for the formulation of Council's Investment Strategy by:

- Providing an authorising framework for control and security over financial assets.
- Mandating risk and diversification parameters for the investment of Council's financial assets
- Ensuring funds are invested in accordance with the requirements of the *Local Government Act 1993*.

SCOPE

This policy applies to all financial assets owned or controlled by Council, with the following exceptions:

- Loans made and authorised by Council to external bodies.
- Investments other than for the management of cash funds.
- Cash held by special committees.
- Superannuation Funds.
- Trust funds administered under separate deeds or where there is a specific resolution removing them from this Investment Policy.

POLICY

The Investment Policy outlines the principles and guidelines governing how the Council manages its financial assets. It aims to ensure the prudent use of public funds by prioritising security, liquidity, and return on investments. The policy typically specifies the types of allowable investments, risk management strategies, and compliance with legal and regulatory requirements, promoting transparency, accountability, and alignment with the Council's broader financial objectives.

OBJECTIVE

The investment objective for Council's financial assets will be to optimise the investment return within the risk parameters of this policy.

AUTHORISING FRAMEWORK

Authorities

Policy

Council is the approving authority for the formulation of and variations to the Investment Policy.

Financial assets will be invested consistent with this policy.

Strategy

The Chief Executive Officer is the approving authority for the Investment Strategy.

Changes to Strategy

The General Manager Organisational Services or Chief Financial Officer may authorise a strategy review in response to changes of market conditions or market products

Legislation

Under section 75, *Local Government Act 1993*, a Council may invest any money:

- In any manner in which a trustee is authorised by law to invest trust funds; and
- In any investment the Treasurer approves.

Authorised Investments

Controls

Transfer of funds

Two signatories are required to transfer funds in accordance with 12-PI-027 Bank Signatory Policy.

Funds held other than in the trading account must, where possible, be on the condition that any redemption will only be transferred into Council's trading account.

Where institutions are unable to provide this facility the General Manager Organisational Services is to ensure adequate controls exist to protect the Council's financial assets.

Signatories

The signatories are to be as specified in 12-PI-027 Bank Signatory Policy.

Separation of Duties

The Council Officer responsible for the monitoring, reconciling and reporting of Council's financial assets must not be a signatory to any account.

RISK

Approach to Risk

Council officers will take a conservative approach to assessing risk, which will be reflected by all investments other than the LTP being made in term deposit investments. The assessment of risk will extend beyond the investment rating of the institution. Schedule 1 outlines some of the risks and the approach Council will

take. The supply of investment products is an ever developing market, and as such the risks outlined should not be regarded as exhaustive.

Long Term Pool & Investment Advisor

Council staff will use the services of appropriately qualified investment advisors to assist with monitoring of investment performance, strategy development and choice of investments whenever investments are made in managed funds or similar. The Long Term Pool (“LTP”) must be invested considering advice from the Investment Advisor and in line with approved Policy objectives and risk appetite. A separate strategy for the LTP will be developed in conjunction with the Investment Advisor. With increased return expectations does come an inherent increase in the risk profile of these investments, however this risk can be mitigated by the use of the investment advisor.

Investment Parameters

Council’s non LTP financial assets will only be invested in cash investments such as Term Deposits, that is they are not to be invested in:

- equities.
- structured products
- cryptocurrency

When assessing cash and term deposit style products Council officers will be vigilant for products that meet the legal requirements to be sold as a cash product while the underlying investments is equities, structured debt or other non-cash assets.

Duration

When assessing fixed term investments Council officers will determine the cash flow requirements to ensure that sufficient liquidity remains for Council to meet its obligations.

Diversification

The amount invested with any one financial institution should not exceed the following percentages of funds invested under the Investment Policy:

Direct Deposits

Long Term Rating (Standard and Poors)	Maximum Percentage of Total Investments	Single Institution Maximum Percentage of Total Investments
AAA	100%	65%
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The above diversification restrictions do not apply to the LTP; however its strategy must still reflect appropriate diversification and no third party investment manager will hold a majority of its assets.

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The Investment Strategy will establish annual targets for the amounts to be allocated to Green Deposits.

Although the environmental restrictions outlined above do not directly apply to the LTP, investments will be selected to ensure no more than 10% exposure to fossil fuel industries, using a methodology agreed upon with the Investment Advisor.

STRATEGY

Methodology

Council staff in conjunction with the Council's independent investment advisor (if appointed) will monitor investment performance, strategy development and choice of investments within this policy.

As part of the budget process the Council will each year perform an analysis of cash needs both current and future. An Investment Strategy will be formulated to allocate financial resources in a manner that optimises return over the allocation duration within the confines of the risk profile defined in this Policy.

Investment Strategy

The Investment Strategy will be reviewed each year and submitted to the Chief Executive Officer for approval.

The Investment Strategy will contain:

- A breakdown of Council funds by class according to:
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 - Long Term Cash
 - Long Term Pool (LTP) of up to a maximum amount of \$5,000,000 over a period of up to 5 years to match Council's longer term liabilities.
- The target investment duration

- How funds will be invested
- The target return for funds
- The name of Council's investment advisor (if appointed)

Once formulated the Investment Strategy must be approved by the Chief Executive Officer before any changes in investments can be made.

Choice of investment

Investing officers may invest differently from the advisor's recommendations provided that:

- The investment complies with all other requirements of this policy
- The investment is in accordance with the Investment Strategy
- The investment is approved by the General Manager Organisational Services.

Any variation from the advisor's recommendations shall be reported to the next meeting of the Audit Panel.

Market conditions

The General Manager Organisational Services or Chief Financial Officer may authorise a strategy review in response to changes of market conditions or market products.

REPORTING

- The Manager Finance is responsible for the preparation of:
 - A brief report of financial asset balances each calendar month. This will typically include some brief management items of note.
 - A calendar quarterly report will also be provided to the Audit Panel, detailing:
 - ♣ investment performance relative to benchmark over different time periods
 - ♣ counterparty percentage exposure of total portfolio
 - ♣ and addressing any other material relevant factors.
 - An annual 1 page public dashboard report.
- Benchmarks:
 - Bank deposit investment performance shall be measured against the Official Cash Rate.
 - Managed Funds Investment performance will be measured against its own appropriate benchmark.
 - The LTP's benchmark is CPI+2% p.a. over rolling 5 year periods (after investment-related costs).

PRINCIPLES

Council's Organisational Values apply to all investing activities.

RELATED POLICIES & PROCEDURES

12-PI-015 Investment Strategy
Long Term Financial Plan

RELATED LEGISLATION

Trustee Act 1898 – As Amended
Local Government Act 1993

REFERENCES

Common law responsibilities - The *Local Government Act 1993* permits investment in any investment which a trustee is authorised by law to invest trust funds.

The *Trustee Act 1898* Part II Investments, requires that all investments are to be made exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of another person. The interpretation of these is a matter of common law.

Section 75, *Local Government Act 1993*

DEFINITIONS

Authorised deposit-taking institution (ADI)

A financial institution licensed by the Australian Prudential Regulatory Authority (APRA) to carry on banking business, including accepting deposits from the public. This includes:

- banks
- building societies,
- credit unions.

Austrac Website Jan 21

Conservative Approach to Risk

An investing strategy that seeks to preserve an investment portfolio's value by investing in lower risk products.

Equities

Investments in the share capital of firms either directly or through managed funds or derivatives.

Financial Assets

A financial asset is a liquid asset that gets its value from a contractual right or ownership claim. Cash, stocks, bonds, mutual funds, and bank deposits are all examples of financial assets. Unlike land, property, commodities, or other tangible physical assets, financial assets do not necessarily have inherent physical worth or even a physical form. Rather, their value reflects factors of supply and demand in the marketplace in which they trade, as well as the degree of risk they carry.

Council will only hold cash financial assets, with the exception of funds which are used to achieve the goals of the LTP following guidance from the Investment Advisor in the form of a managed fund.

Investopedia: November 2024

Council will only seek to invest in the Managed Fund type of Financial Asset such as mutual funds, exchange-traded funds or hedge funds for the purpose of achieving the goals for the LTP and within the overall risk profile of this Policy.

Financial institution

Authorised Deposit-taking Institutions, non-bank financial intermediaries, and insurers and funds managers.

Council of Financial Regulators Website Jan 21

Any authorised deposit-taking institution authorised under the Trustee Act to receive deposits.

Standard and Poors

A rating agency that assesses capacity of an obligor to meet its financial obligations.

Stress testing

Analysis of the institution or product to determine its ability to maintain the investment balance during a down turn in market factors that affect the investment product.

Structured products

Managed Funds or Floating Rate Notes where the underlying investment is a securitised instrument.

Official Cash Rate (OCR)

The Official Cash Rate is the interest rate paid by banks in the overnight money market in Australia and is regulated by the Reserve Bank of Australia.

Sector

The asset class in which funds are invested e.g. government, corporate, asset backed etc.

REVIEW

This policy will be reviewed no more than 4 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

SCHEDULE 1

RISKS

Risk Profile

Council officers will take a conservative approach to assessing risk when investing in term deposits. Unless otherwise stated, consideration of the below risks when framing recommendations is also an important responsibility of the investment advisor (if used).

Diversification Risk

The risk associated with the size of loss relative to the total portfolio from placing investments with a single or relatively small number of funds, notes, product styles or underlying economic factors.

Council officers will be diligent when placing investments such as managed funds or floating rate notes to avoid products that have invested in the same underlying assets.

Duration Risk

When selecting investment products with a duration beyond 48 hours, particular attention is to be given to what is being rated, principal and interest, principal or principal at maturity. For products where the rating is for principal only or principal at maturity, the risk of losing income can increase with long duration products. The particular product should be assessed on the probability of capital loss, return loss and inflation erosion.

Council funds will not be invested in long duration products with a high principal on maturity rating based on a third party underwriting.

Institution Risk

The risk associated with concentrating the portfolio with one institution.

Finance staff will actively monitor the portfolio to identify both the fund manager and the investing institution for investments held and maintain the portfolio within the investment parameters.

Product Risk

A number of State Governments have strict statutory controls on the type of products and markets that local government may invest in. As a result there are products in the market structured so that they fit the definition of a highly rated cash investment while the fund has a high (up to 100%) exposure to equities or structured debt products. Council funds will not be invested in these products.

Any product offering significantly higher return than its peers must have undergone stress testing for both return and capital loss and the product endorsed in writing by the Council's investment advisor, before any funds are invested.

All investment products should also be reviewed on the basis that the investment adheres to the intent as well as the letter of this policy.

Sector Risk

Sector Risk refers to the risk associated with having a high portion of a portfolio exposes to the same market sector.

A portfolio can be diversified across institutions but if they have all invested in the same market sector the level of exposure to that market is increased.

The Finance Department will also monitor the total asset allocations of the portfolio across all investments to ensure sector risk allocations are identified and managed.

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

20.5. Lease - 8A Blaydon Street - St Vincent de Paul Society

FILE NO: SF2967

AUTHOR: Sharin Imlach (Lease Officer)

APPROVER: Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

That Council consider the lease of 8A Blaydon Street, Kings Meadows to St Vincent de Paul Society (Tasmania).

Pursuant to Section 177 of the Local Government Act 1993 the lease of public land requires an absolute majority decision by Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

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 8A Blaydon Street, Kings Meadows (CT12900/70), known as the former YMCA building, as identified on the plan below:



2. requires that the lease is on the following basis:
 - a. the lease will commence on 12 December 2024 for a period of 5 years;
 - b. the commencing rent will be \$340.34 per annum;
 - c. tenant to be responsible for:
 - i. energy costs;
 - ii. volumetric and connection charges for water;
 - iii. contents insurance; and
 - iv. other service charges if any;
 - d. tenant shall continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. hold public liability insurance of at least \$20 million;
 - e. the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer;

 3. 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; and

 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).
-

Samantha Grace (Youth and Community Manager, St Vincent de Paul Society) spoke to the Recommendation.

DECISION: 12 December 2024

MOTION

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

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 8A Blaydon Street, Kings Meadows (CT12900/70), known as the former YMCA building, as identified on the plan below:



2. requires that the lease is on the following basis:
 - a. the lease will commence on 12 December 2024 for a period of 5 years;
 - b. the commencing rent will be \$340.34 per annum;
 - c. tenant to be responsible for:
 - i. energy costs;
 - ii. volumetric and connection charges for water;
 - iii. contents insurance; and
 - iv. other service charges if any;
 - d. tenant shall continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. hold public liability insurance of at least \$20 million;
 - e. the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer;

3. 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; and

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 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

20.6. Councillor Nomination for the Community Advisory Committee Facilitated by St Vincent de Paul at the Blaydon Street Site

FILE NO: SF2233

AUTHOR: Michelle Ogulin (Acting General Manager Community and Place Network)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network) and Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider a Councillor appointment to a community advisory committee for a period of two years.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop – 16 November 2023 – YMCA presentation on the review of the potential future use of the old YMCA site at 8A Blaydon Street, Kings Meadows.

RECOMMENDATION:

That Council:

1. following a ballot, if required, appoints Councillor [insert name] to the newly formed community advisory committee to help steer the direction of the community's use of the 8A Blaydon Street site for a period of two years until 2026 when Councillor appointments are next due for review.
-

DECISION: 12 December 2024

MOTION

Moved Councillor A J Britton, seconded Deputy Mayor Councillor D H McKenzie.

That Council:

- 1. following a ballot, if required, appoints Councillor A J Palmer to the newly formed community advisory committee to help steer the direction of the community's use of the 8A Blaydon Street site for a period of two years until 2026 when Councillor appointments are next due for review.**

CARRIED 11:0

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Nil

20.7. Lease - Tamar Yacht Club

FILE NO: SF2967

AUTHOR: Sharin Imlach (Lease Officer)

APPROVER: Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider the lease of part of 11 Park Street, Launceston as a Community Lease to the Tamar Yacht Club

Pursuant to Section 178 of the Local Government Act 1993 the lease of public land requires an absolute majority decision by Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 13 June 2024 - 19.1 Lease - Tamar Yacht Club

RECOMMENDATION:

That Council:

1. by absolute majority and pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease part of the land situated at 11 Park Street, Launceston and part of 88-96 Paterson Street, Launceston, described as Volume 49784/1, 49745/2 and part of 159106/1 and as identified on the plan below:



2. Requires that the lease is on the following basis:
 - a. the lease is to commence on the 12 December 2024 for a period of 5 years;
 - b. the commencing rent will be \$340.34 per year;
 - c. tenant to be responsible for:
 - i. energy costs;
 - ii. volumetric and connection charges for water;
 - iii. contents insurance; and
 - iv. other service charges if any.
 - d. The lessee shall continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. hold 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; and

 4. notes, for the avoidance of doubt, that Chief Executive Officer is a term of reference for the General Manager within the meaning of the *Local Government Act 1993*.
-

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

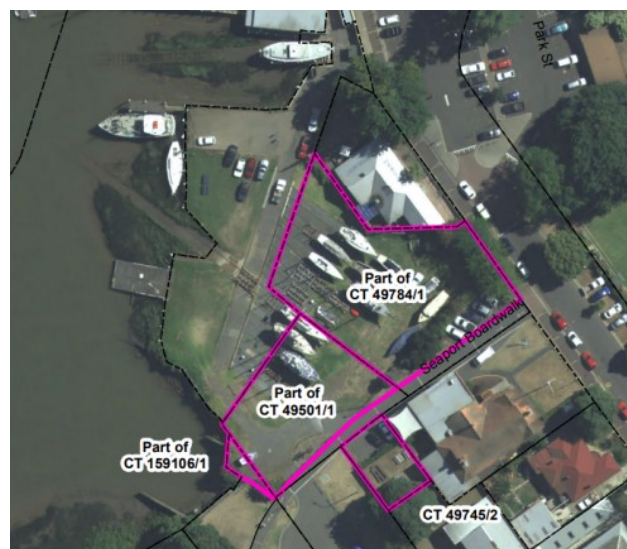
DECISION: 12 December 2024

MOTION

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

That Council:

1. by absolute majority and pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease part of the land situated at 11 Park Street, Launceston and part of 88-96 Paterson Street, Launceston, described as Volume 49784/1, 49745/2 and part of 159106/1 and as identified on the plan below:



2. Requires that the lease is on the following basis:
 - a. the lease is to commence on the 12 December 2024 for a period of 5 years;
 - b. the commencing rent will be \$340.34 per year;
 - c. tenant to be responsible for:
 - i. energy costs;
 - ii. volumetric and connection charges for water;
 - iii. contents insurance; and
 - iv. other service charges if any.
 - d. The lessee shall continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. hold 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; and

4. notes, for the avoidance of doubt, that Chief Executive Officer is a term of reference for the General Manager within the meaning of the *Local Government Act 1993*.

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

20.8. Lease - Launceston History Centre

FILE NO: SF2967

AUTHOR: Sharin Imlach (Lease Officer)

APPROVER: Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider the lease of 56 Frederick Street, Launceston to The Launceston History Centre Incorporated

Pursuant to Section 177 of the Local Government Act 1993 the lease of land requires an absolute majority decision by Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

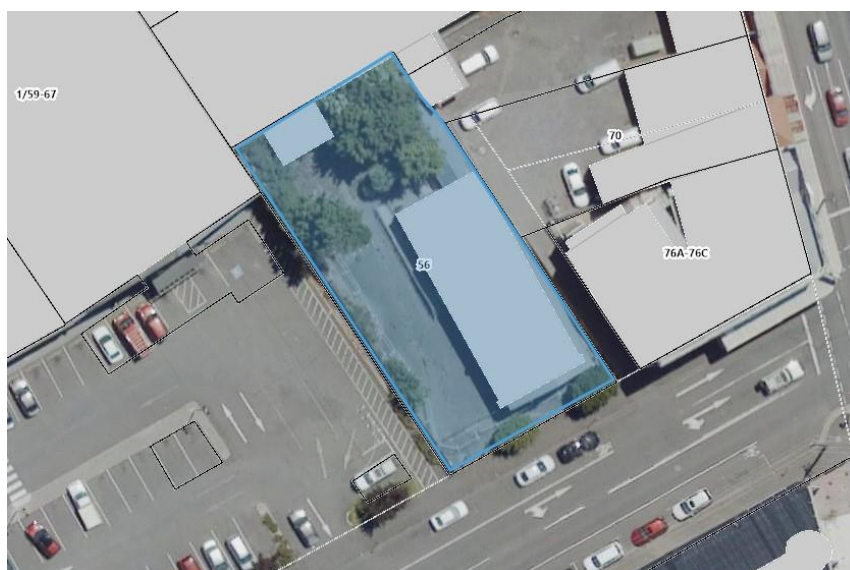
PREVIOUS COUNCIL CONSIDERATION:

Next steps in expression of interest process – 56 Frederick Street, Launceston – 4 April 2024 – 15.2

RECOMMENDATION:

That Council:

1. by absolute majority and pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease the land situated at 56 Frederick Street, Launceston, CT216133/1, as identified on the plan below:



-
2. Requires that the lease is on the following basis:
 - a. the lease is to commence on or as soon as possible after 12th December 2024 for a period of 10 years with a 10-year option;
 - b. the commencing rent will be \$340.34 per annum;
 - c. lessee to be responsible for:
 - i. energy costs;
 - ii. volumetric and connection charges for water;
 - iii. All costs associated with the registration of the lease;
 - iv. Building insurance for any additional building constructed;
 - v. contents insurance; and
 - vi. other service charges if any.
 - d. tenant shall continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. hold 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; and
 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).
-

Matt Morgan (Acting Governance Manager) and Duncan Campbell (Team Leader Legal Services) were in attendance to answer questions in respect of this item.

DECISION: 12 December 2024

MOTION

Moved Councillor T G Walker, seconded Councillor J J Pentridge.

That Council:

1. by absolute majority and pursuant to section 179 of the *Local Government Act 1993* (Tas), decides to lease the land situated at 56 Frederick Street, Launceston, CT216133/1, as identified on the plan below:



2. Requires that the lease is on the following basis:
 - a. the lease is to commence on or as soon as possible after 12th December 2024 for a period of 10 years with a 10-year option;
 - b. the commencing rent will be \$340.34 per annum;
 - c. lessee to be responsible for:
 - i. energy costs;
 - ii. volumetric and connection charges for water;
 - iii. All costs associated with the registration of the lease;
 - iv. Building insurance for any additional building constructed;
 - v. contents insurance; and
 - vi. other service charges if any.
 - d. tenant shall continuously maintain:
 - i. building in good and reasonable order;
 - ii. and keep clear all noxious growth from premises;
 - iii. hold 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; and

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

20.9. Intention to Lease Four Hospitality Venues at the Launceston Leisure and Aquatic Centre, Gorge Reserve, and Albert Hall

FILE NO: SF2967

AUTHOR: Sharin Imlach (Lease Officer)

APPROVER: Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider forming an intention to lease four properties located on public land

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. pursuant to section 178 of the *Local Government Act 1993*:
 - (a) forms the intention to lease the property currently known as the Aquatic Cafe, located within the Launceston Leisure and Aquatic Centre, Certificate Title 246404/1, as identified in blue on the plan below, for a period of up to ten years:



- (b) forms the intention to lease approximately 108m² of space within the extension to the Albert Hall, which is currently under construction, Certificate of Title 50902/1, as identified on the plan below, for a period of up to ten years:



(c) forms the intention to lease the property currently known as the Gorge Restaurant, located within the Cataract Gorge Reserve, Certificate Title 235401/1, as identified in blue on the plan below, for a period of up to ten years:



(d) forms the intention to lease the property currently known as the First Basin Cafe, located within the Cataract Gorge Reserve, Certificate Title 243968/1, as identified on the plan below, for a period of up to ten years:



2. requires that formal notice is given of the intention to lease each of the four properties, as required by section 178(4) of the Local Government Act 1993 (Tas);
3. notes that, following the statutory objection period and completion of expression of interest processes, the selection of the lessee for each of the properties listed above will be made at a future Council meeting, along with the terms upon which each lease will be offered.

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

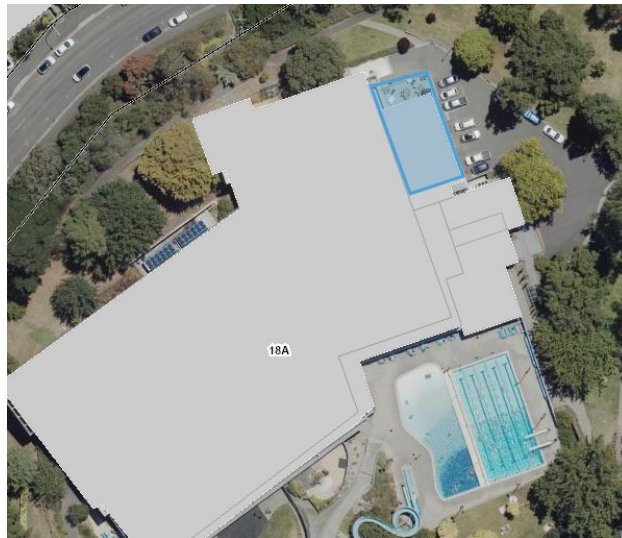
DECISION: 12 December 2024

MOTION

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

That Council:

1. pursuant to section 178 of the *Local Government Act 1993*:
 - (a) forms the intention to lease the property currently known as the Aquatic Cafe, located within the Launceston Leisure and Aquatic Centre, Certificate Title 246404/1, as identified in blue on the plan below, for a period of up to ten years:



- (b) forms the intention to lease approximately 108m² of space within the extension to the Albert Hall, which is currently under construction, Certificate of Title 50902/1, as identified on the plan below, for a period of up to ten years:



(c) forms the intention to lease the property currently known as the Gorge Restaurant, located within the Cataract Gorge Reserve, Certificate Title 235401/1, as identified in blue on the plan below, for a period of up to ten years:



(d) forms the intention to lease the property currently known as the First Basin Cafe, located within the Cataract Gorge Reserve, Certificate Title 243968/1, as identified on the plan below, for a period of up to ten years:



2. requires that formal notice is given of the intention to lease each of the four properties, as required by section 178(4) of the Local Government Act 1993 (Tas);
3. notes that, following the statutory objection period and completion of expression of interest processes, the selection of the lessee for each of the properties listed above will be made at a future Council meeting, along with the terms upon which each lease will be offered.

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai
AGAINST VOTE: Nil

Councillor J J Pentridge withdrew from the Meeting at 8:36 pm
Councillor J J Pentridge re-attended the Meeting at 8:39 pm

21. CHIEF EXECUTIVE OFFICER NETWORK

21.1. Proposal to Establish a Public Register of Interests

FILE NO: SF2346

AUTHOR: Leanne Purchase (Acting Manager Parks and Sustainability)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider whether to advance a proposal to establish a publicly available register of Councillors' interests, including payments made to Councillors and other interests.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas), Part 5 – Pecuniary Interests, Part 5A - Gifts and Donations, Section 340A – Allowances, Schedule 5 – Office of Councillors
Local Government (Code of Conduct) Order 2024, Part 2 - Conflicts of interests that are not pecuniary
Personal Information Protection Act 2004 (Tas), Schedule 1 - Personal Information Protection Principles

RECOMMENDATION:

That Council:

1. Indicates its support for the development of a policy, which may be similar to the proposed policy outline document which is attachment 1 (ECM Doc Set ID 5162592) to this report, requiring:
 - 1.1 the Chief Executive Officer to maintain a publicly available register containing details of certain interests of Councillors; and
 - 1.2 Councillors to proactively disclose outside interests to the Chief Executive Officer for the purpose of inclusion in that register;
2. Instructs the Chief Executive Officer to:
 - 2.1 convene a workshop or workshops at which the Councillors may engage in discussion and provide comments and guidance regarding the development of the policy described above;
 - 2.2 bring to a future meeting of the Council, after those workshop/s, a proposed policy which the Council may adopt.

Leanne Purchase (Acting Manager Parks and Sustainability) was in attendance to answer question with respect of this item.

DECISION: 12 December 2024

MOTION

Moved Councillor D C Gibson, seconded Councillor T G Walker.

That Council:

- 1. Indicates its support for the development of a policy, which may be similar to the proposed policy outline document which is attachment 1 (ECM Doc Set ID 5162592) to this report, requiring:**
 - 1.1 the Chief Executive Officer to maintain a publicly available register containing details of certain interests of Councillors; and**
 - 1.2 Councillors to proactively disclose outside interests to the Chief Executive Officer for the purpose of inclusion in that register;**
- 2. Instructs the Chief Executive Officer to:**
 - 2.1 convene a workshop or workshops at which the Councillors may engage in discussion and provide comments and guidance regarding the development of the policy described above;**
 - 2.2 bring to a future meeting of the Council, after those workshop/s, a proposed policy which the Council may adopt.**

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 Prof G Razay and Councillor S Cai
AGAINST VOTE: Councillor J J Pentridge

21.2. Tasmanian Government Response to the Future of Local Government Review Final Report Recommendations

FILE NO: SF0327

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider the Tasmanian Government Response to the Future of Local Government Review Final Report Recommendations.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council:

1. notes the Tasmanian Government Response to the Future of Local Government Review Final Report Recommendations; and
 2. upon release of the discussion paper, prepares a submission.
-

DECISION: 12 December 2024

MOTION

Moved Councillor T G Walker, seconded Councillor J J Pentridge.

That Council:

1. **notes the Tasmanian Government Response to the Future of Local Government Review Final Report Recommendations; and**
2. **upon release of the discussion paper, prepares a submission.**

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

22. LATE ITEMS

22.1. Acceptance of Urgent Late Items

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider accepting two late and urgent agenda items relating to the St Leonards and Waverley Neighbourhood Plan Update and Waiving of Parking Fees at Multi-Story Carparks on 14 December 2024 and 21 December 2024.

RELEVANT LEGISLATION:

Local Government (Meeting Procedures) Regulations 2015

RECOMMENDATION(S):

That Council:

1. by absolute majority and pursuant to Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015* (Tas):
 - a. determines to deal with an item for the St Leonards and Waverley Neighbourhood Plan Update that was not included in the published Agenda; and
 - b. notes the advice from the Chief Executive Officer in respect of the reason it was not possible to include this matter in the Agenda and that the matter is urgent, that advice having been provided to Councillors by email on 12 December 2024 and in the report attached as Agenda Item 22.2.
 2. by absolute majority and pursuant to Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015* (Tas):
 - a. determines to deal with an item for the Waiving of Parking Fees at Multi-Story Carparks on 14 December 2024 and 21 December 2024 that was not included in the published Agenda; and
 - b. notes the advice from the Chief Executive Officer in respect of the reason it was not possible to include this matter in the Agenda and that the matter is urgent, that advice having been provided to Councillors by email on 12 December 2024 and in the report attached as Agenda Item 22.3.
-

DECISION: 12 December 2024

MOTION

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

That Council:

1. by absolute majority and pursuant to Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015 (Tas)*:
 - a. determines to deal with an item for the St Leonards and Waverley Neighbourhood Plan Update that was not included in the published Agenda; and
 - b. notes the advice from the Chief Executive Officer in respect of the reason it was not possible to include this matter in the Agenda and that the matter is urgent, that advice having been provided to Councillors by email on 12 December 2024 and in the report attached as Agenda Item 22.2.
2. by absolute majority and pursuant to Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015 (Tas)*:
 - a. determines to deal with an item for the Waiving of Parking Fees at Multi-Story Carparks on 14 December 2024 and 21 December 2024 that was not included in the published Agenda; and
 - b. notes the advice from the Chief Executive Officer in respect of the reason it was not possible to include this matter in the Agenda and that the matter is urgent, that advice having been provided to Councillors by email on 12 December 2024 and in the report attached as Agenda Item 22.3.

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

22.2. St Leonards and Waverley Neighbourhood Plan Update

FILE NO: O25375/2025

AUTHOR: Claire Fawdry (Principal Town Planner)

APPROVER: Michelle Ogulin (Acting General Manager Community and Place Network)

DECISION STATEMENT:

To note the report providing an update on the St Leonards and Waverley Neighbourhood Plan.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Local Government (General) Regulations 2015

PREVIOUS COUNCIL CONSIDERATION:

Council – 31 October 2024 – Agenda Item 17.3 - St Leonards Structure Plan Update

Council – 8 August 2024 - Agenda Item 17.1 - Non Application of Public Tender Process for the St Leonards Structure Plan and Infrastructure Funding Framework

RECOMMENDATION:

That Council:

1. notes the content of the report providing an update on progress toward developing the St Leonards and Waverley Neighbourhood Plan and Infrastructure Funding Framework.
-

DECISION: 12 December 2024

MOTION

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

That Council:

- 1. notes the content of the report providing an update on progress toward developing the St Leonards and Waverley Neighbourhood Plan and Infrastructure Funding Framework.**

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

22.3. Waiving of Parking Fees at Multi-Story Carparks on 14 December 2024 and 21 December 2024

FILE NO: SF2968

AUTHOR: Duncan Campbell (Team Leader Legal Services)

APPROVER: Nathan Williams (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider waiving parking fees at Council owned multistory carparks on 14 and 21 December 2024.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION(S):

That Council:

1. Pursuant to section 207 of the *Local Government Act 1993 (Tas)*, waives the requirement to pay parking fees on 14 December 2024 and 21 December 2024 at each of the following Council owned carparks:
 - (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
 2. notes that parking controls across the municipality are otherwise unaffected.
-

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

**Councillor S Cai withdrew from the Meeting at 8:43 pm
Councillor S Cai re-attended the Meeting at 8:45 pm**

DECISION: 12 December 2024

MOTION

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

That Council:

1. Pursuant to section 207 of the *Local Government Act 1993* (Tas), waives the requirement to pay parking fees on 14 December 2024, 15 December 2024, 21 December 2024 and 22 December 2022 at each of the following Council owned carparks:
 - (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
2. notes that parking controls across the municipality are otherwise unaffected.

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

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. Redevelopment of 118-122 and 124 Brisbane Street

REASON FOR CLOSED COUNCIL:

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

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

23.3. Tender - Trevallyn Road Retaining Wall Rehabilitation - CD030/2024

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. Tender - Invermay Road Lindsay Street Traffic Lights Project -
CD017/2024**

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.

23.5. Tender - John Hart Conservatory Remediation CDO38/2024

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.

**23.6. Tender - Hobblers Bridge Netball Courts Redevelopment (Courts 2 & 3)
CD040/2024**

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.

**23.7. Verbal Briefing from the Chief Executive Officer Regarding Past
Payments Made to a Councillor**

REASON FOR CLOSED COUNCIL:

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

- (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.
- (i) matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council.

DECISION: 12 December 2024

MOTION

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

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

Council moved into Closed Session at 8.47pm.

Council returned to Open Session at 9.48pm.

23.8. End of Closed Session

DECISION: 12 December 2024

MOTION

Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor Prof G Razay.

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 - 28 November 2024.</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 28 November 2024.</i>
23.2	<i>Redevelopment of 118-122 and 124 Brisbane Street</i>	<i>Councillors considered options for the redevelopment of Council-owned land at 118-122 and 124 Brisbane Street and provide direction to staff to seek proposals for the redevelopment option(s) selected.</i>
23.3	<i>Tender - Trevallyn Road Retaining Wall CD030/2024</i>	<i>Councillors awarded a Tender for Trevallyn Road Retaining Wall CD030/2024.</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>Tender - Invermay Road Lindsay Street Traffic Lights Project CD017/2024</i>	<i>Councillors awarded a Tender for Invermay Road Lindsay Street Traffic Lights Project CD017/2024.</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>

23.5	<i>Tender - John Hart Conservatory Remediation CD038/2024</i>	<i>Councillors awarded a Tender for John Hart Conservatory Remediation CD038/2024.</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>
23.6	<i>Tender - Hoblers Bridge Netball Courts Redevelopment (Courts 2 & 3) CD040/2024</i>	<i>Councillors awarded a Tender for Hoblers Bridge Netball Courts Redevelopment (Courts 2 & 3) CD040/2024.</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>
23.7	<i>Verbal Briefing from the Chief Executive Officer Regarding Past Payments Made to a Councillor</i>	<i>Procedural Motion: The matter be deferred.</i>

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 Prof G Razay, Councillor J J Pentridge and Councillor S Cai

AGAINST VOTE: Nil

24. MEETING CLOSURE

The Mayor, Councillor M K Garwood, closed the Meeting at 9.49pm.

25. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 23 January 2025 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.