



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 13 FEBRUARY 2017  
1.00pm**

# City of Launceston

COUNCIL AGENDA

Monday 13 February 2017

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

Date: 13 February 2017

Time: 1.00pm

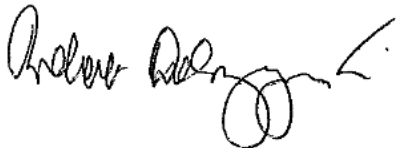
## Section 65 Certificate of Qualified Advice

### Background

Section 65 of the *Local Government Act 1993* requires the General Manager to certify that any advice, information or recommendation given to Council is provided by a person with appropriate qualifications or experience.

### Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the Agenda Items for this Meeting.



**Robert Dobrzynski**  
General Manager

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**1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES**

**2 DECLARATIONS OF INTEREST**

*Local Government Act 1993 - Section 48*

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

**3 CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 23 January 2017 be confirmed as a true and correct record.

**4 DEPUTATIONS**

**No Deputations have been received as part of this Agenda**

**5 PETITIONS**

*Local Government Act 1993 - Sections 57 and 58*

**5.1 Petition - Rocherlea Surveillance**

**FILE NO:** SF0097

**AUTHOR:** John Davis (Manager Corporate Strategy)

**GENERAL MANAGER:** Robert Dobrzynski

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**DECISION STATEMENT:**

To consider a petition submitted by Hon. Ivan Dean MLC requesting surveillance cameras in a number of locations in Rocherlea.

**RECOMMENDATION:**

That, pursuant to Section 58(2) of the *Local Government Act 1993*, Council receives the petition requesting surveillance cameras in a number of locations in Rocherlea, tabled by the General Manager and submitted by Hon. Ivan Dean MLC.

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**REPORT:**

A petition, with 99 signatures, submitted by Hon. Ivan Dean MLC, has been received by the Council (Attachment 1). The petition states:

*We the undermentioned ratepayers and electors of the Municipal Area of Launceston, in accordance with section 57 of the Local Government Act 1993 petition the Launceston City Council and Aldermen and the Tasmanian Police to jointly support the provision of surveillance cameras for Cupania Street, Rocherlea and on George Town Road near the Lilydale Road T-Junction and at the main access and exit points at Waratah Road and Reservoir Road, Rocherlea.*

This petition has been forwarded to the Director of Facilities Management for action and as required under Section 60(2)(b) of the *Local Government Act 1993*, a report will be brought back to Council within 42 days for Council to determine any action to be taken in respect of the petition.

The Manager Corporate Strategy will give reasonable notice to Hon. Ivan Dean MLC of when the Council is to consider this petition.

**5.1 Petition - Rocherlea Surveillance...(Cont'd)**

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**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation


**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Robert Dobrzynski: General Manager**

**ATTACHMENTS:**

1. The petition requesting surveillance cameras in a number of locations in Rocherlea



**Attachment 1 - Petition - Rocherlea Surveillance**

PETITION

To: Mayor and Aldermen of Launceston City Council,  
Northern Commander of Police - Launceston

We the undermentioned ratepayers and electors of the Municipal Area of Launceston, in accordance with section 57 of the Local Government Act 1993 petition the Launceston City Council and Aldermen and the Tasmania Police to jointly support the provision of surveillance cameras for Cupania Street, Rocherlea and on George Town Road near the Lilydale Road T-Junction and at the main access and exit points at Waratah Road and Reservoir Roads, Rocherlea.

These areas are experiencing ongoing anti-social and criminal behaviour, 'hooning' and erratic driving and putting the public at risk of harm. We, the community have reached a period of where we are not prepared to accept this intolerable behaviour continuing and are demanding action from the Council and Police for their combined assistance in getting control of this unacceptable behaviour.

NAME (Please print name)	ADDRESS (Please print address in full)	SIGNATURE
Addison Barfoot	83 <sup>rd</sup> George St	[Signature]
Pam Denman	17 Sassafras Cres Rocherlea	[Signature]
MARK LYND	33 HARGRAVE MARGFIELD CRES	[Signature]
[Signature]	5 Hales St	[Signature]
Daniel DeLeon	4 <del>th</del> St	[Signature]
Abdul Kanara		[Signature]
Gerrard McEwen	12 Procter St	[Signature]
Shirley Wallace	171 LILYDALE RD, ROCHERLEA	[Signature]
Serenity Hamer	32 Ulybete Rd.	[Signature]
Corina Maynard	3 Cupania Street	[Signature]
Michelle Anderson	7 Boobialla Crt	[Signature]
Melissa Dalco	90 Hargrave Cres.	[Signature]
J. Seago	Lous G. [Signature]	[Signature]
A. McEwen	Margfield	[Signature]
LISA HARPER	6 Hargrave cres	[Signature]
Jackie Murray	Huron Crt	[Signature]

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NAME (Please print name)	ADDRESS (Please print address in full)	SIGNATURE
Jakie Wise	3 Boobiella St.	J. Wise
Paul Hafziger	10 Boobiella	P. Hafziger
Steven Smith	6 Boobiella St	<del>Steven Smith</del>
Stanzelau	9 Melaleuca Cr	Stanzelau
REBECCA	"GRIFFITHS"	R. Griffiths
Darren	CROFT	D. Croft
THERESA ARGHER	3 MELALEUCA CR.	T. Argher
<del>John</del>	91 MELALEUCA	<del>John</del>
Dang Bourke	15 Reservoir RD	D. Bourke
Tim Clark	9 WESTRINGIA CRT	T. Clark
Rebekka Gashp	5 Westringia Court	<del>Rebekka Gashp</del>
Darlene Donaghy	2/4 Westringia Court	D. Donaghy
Katie Pugh	3 Westringia Court	K. Pugh
Sharie Kopeland	3 LEMONWOOD ST.	S. Kopeland
Tolia Reeres	5 Lemonwood St	T. Reeres
Jacynne Noble	17 Lemonwood st	J. Noble

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NAME (Please print name)	ADDRESS (Please print address in full)	SIGNATURE
Karen Willmot	11 Lemon Wood St	K. Willmot
Sandy Banelis	2/15 Lemonwood St	Sandy Banelis
Karen Beddell	21 Lemonwood St	Karen Beddell
Sharon Franklin	19 Lemonwood St	Sharon Franklin
Therese Humphris	27 Lemonwood St	Therese Humphris
Angela Griffiths	29 Lemonwood	Angela Griffiths
Melissa Batten	37 Lemonwood	Melissa Batten
Janna Kupsch	28 Tulipwood Cres	Janna Kupsch
J'DEE COKER	15 Tulipwood Cres	J'DEE COKER
Simone Robinson	11 Tulipwood Cres	Simone Robinson
Shiralee Curmison	11 Tulipwood Cres	Shiralee Curmison
Sallyanne Cohen	15 Tulipwood Crescent	Sallyanne Cohen
RYAN Keefe	5 Tulipwood Cres	R. Keefe
LEIGH King	11 11	Leigh King
Ben down	11 11	Ben
de Arsh	41 RESERVOIR RD	de Arsh

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NAME (Please print name)	ADDRESS (Please print address in full)	SIGNATURE
Katherine Brooks	7 Cupania St	[Signature]
Barry Pickett	8 Denway Ln Newwood	[Signature]
Denise Delphin	1 Archer St. R'lea	[Signature]
Mark Brown	470m PLYC	[Signature]
Marcel Kerrison	Y'ron	[Signature]
Mary Challis	1 Archer St. R'lea	[Signature]
Tanja Turner	145 George town Rd	[Signature]
Amanda Dahlud	35 Yorkport hwy	[Signature]
MARCO BALENI	6/10 NETLEY ST MANTON	[Signature]
Erashone Ryan	9 Como Cres - Newwood	[Signature]
David Meech	1 Mungahart CRT Y'ron	[Signature]
Alana Olding	12 Tulipwood cres	[Signature]
Car Bellis	1 Archer St. R'lea	[Signature]
M. Morley		[Signature]
S Rigby	9 orchid CRT Rch	[Signature]

PETITION

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Northern Commander of Police - Launceston

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NAME (Please print name)	ADDRESS (Please print address in full)	SIGNATURE
Shandell <sup>10thang</sup>	2/32 Reservoir Rd Rocherlea	<i>[Signature]</i>
ESTHER BEEPVA	30 RESERVOIR RD.	<i>[Signature]</i>
Graeme John	2/10 HONEY SUCKLE CRT	<i>[Signature]</i>
PATRICIA BURR P. Burr	8/5 Grevillea Court	P. Burr
Bob Cantavano	1/9 " "	<i>[Signature]</i>
Jarrod Howard	28 Waratah Road	<i>[Signature]</i>
Janessa Newton	25 King Billy CFS	<i>[Signature]</i>
PATRICK TAYLOR		<i>[Signature]</i>











**6 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 Aldermen.)*

**6.1 Northern Young Professionals Network**

Mr Ben Marquis (President)

Mr Marquis will provide the Mayor and Aldermen with an overview of their group role within the Launceston community.

**7 PUBLIC QUESTION TIME**

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

**7.1 Public Questions on Notice**

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

*(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)*

**7.1.1 Public Questions on Notice - Council Meeting - 23 January 2017**

**FILE NO:** SF6381

**AUTHOR:** Anthea Rooney (Committee Clerk)

**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**QUESTIONS and RESPONSES:****Questions: Mr Frank Nott**

The following questions were asked at Council on 23 January 2017 by Mr Frank Nott and have been answered by Mrs Leanne Hurst (Director Development Services).

**Questions:**

Mr Nott prefaced his questions stating that there is an aluminium window on the east facing window of 159 St John Street, Launceston:

1. If this is the case, when was the addition built?
2. Does this addition comply with Heritage Building Regulations?

**Response:**

The Director Development Services advises officers have reviewed the plans endorsed as part of a Planning Permit for DA0418/2014 for 159 St John Street, Launceston and that 'recycled steel windows' were specified and approved for the eastern side of the ground floor of the extension to this property. A site inspection to confirm adherence to this condition revealed that the completed work does comply and therefore there are no outstanding heritage concerns or compliance issues in regard to this property at this time.

**7.1.1 Public Questions on Notice - Council Meeting - 23 January 2017...(Cont'd)**

The following question was asked at Council on 23 January 2017 by Mr Basil Fitch and has been answered by Mr Robert Dobrzynski (General Manger).

**Question:**

Who authorised the 20 million dollar loan from the State Government?

**Response:**

The Council by resolution at its meeting of 25 May 2015 adopted a Priority Projects framework for the City of Launceston. This decision enabled advocacy on major priority projects to both the Commonwealth and State Governments. The City of Launceston has been successful in gaining Federal and State Government support for many of these projects to assist in their financing.

Council has allocated funding within its strategic financial plan to finance its portion of the priority projects. The Northern Tasmania Economic Stimulus package invited applications from the Council to bring forward such projects, with the State Government meeting the financing costs.

The following table outlines the Council's previous timing for completion of the project and the Council's current timing following approval to bring forward the projects from the State Government. Further details of the interest free financing being provided by the State Government are anticipated to be received in the near future.

Details	Project		
	St John St Redevelopment	Brisbane St Mall Redevelopment	Re-Imagining the Gorge
Original Timetable	Calendar year 2019	Calendar year 2018 plus Financial Year 2018/2019	Financial years 2017/2018 2018/2109 and 2019/20
Revised Timetable	Financial year 2017/2018	Financial year 2017/2018 plus July-Dec 2018	Financial year 2017/2018
Time period brought forward	18 months	6 months	Up to 36 months
Project amount brought forward	\$4.2m	\$5.8m	\$0.75m

**7.2 Public Questions without Notice**

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

*(Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)*

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 8 - Planning Authority.

## **8 PLANNING AUTHORITY**

**No Development Applications have been registered with Council as part of this Agenda**

**9 ANNOUNCEMENTS BY THE MAYOR****9.1 Mayor's Announcements****FILE NO: SF2375**

---

**Tuesday 24 January 2017**

- Welcomed guests to the City of Launceston Event Sponsorship Information Sessions at 10am and 6pm in the Town Hall Reception Room.

**Wednesday 25 January 2017**

- Attended the Chilli Skyfire Official Function.

**Thursday 26 January 2017**

- Officiated at the Australia Day Public Citizenship Ceremony at the Albert Hall
- Attended and assisted with the City of Launceston Australia Day BBQ in the City Park.

**Friday 27 January 2017**

- Attended Ricky's Biggest Game of Cricket Charity Match at University of Tasmania Stadium.

**The Mayor appointed Deputy Mayor Alderman Rob Soward as Acting Mayor for the period 1 February 2017 - 6 February 2017.**

**Saturday 4 February 2017**

- Officiated at the St Giles "Walk with Me" from Myer's to the City Park.

**The Mayor returned to office on 7 February 2017.**

**Friday 10 February 2017**

- Attended the Official Opening of Festivale in the City Park.

**Sunday 12 February 2017**

- Officiated at the Launceston International at the Launceston Regional Tennis Centre.

**9.2 Mayor's Report - 2009 Heritage Award - Mr John Millwood****FILE NO:** SF2965**MAYOR:** Albert van Zetten

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**DECISION STATEMENT:**

To consider formally withdrawing the 2009 Heritage Award provided to Mr John Millwood and noting that the Award has been returned.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting 23 January 2017 - response to the questions raised by Ms Dayna Dennison.

**RECOMMENDATION:**

That the Council hereby formally withdraws the 2009 Heritage Award provided to Mr John Millwood and notes that the Award has been returned.

---

**REPORT:**

The Council received a representation at its last Meeting in regard to the Council's proposed actions in relation to the Heritage Award presented to Mr John Millwood in 2009. The Council undertook that further consideration would take place on the appropriateness of the Award.

The Council is aware that the 2009 Heritage Award has been returned to the Council.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

The decision will serve as a clear indication that the City of Launceston will not tolerate crimes perpetrated against children in the community.



**9.2 Mayor's Report - 2009 Heritage Award - Mr John Millwood...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation

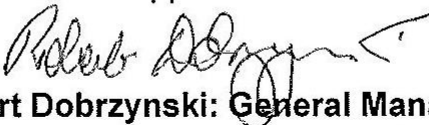
**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Robert Dobrzynski: General Manager**

**10 ALDERMEN'S REPORTS**

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

**11 QUESTIONS BY ALDERMEN****11.1 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 General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)*

**No Aldermen's Questions on Notice have been received as part of this Agenda**

**11.2 Questions without Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 29*

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

**12 COMMITTEE REPORTS****12.1 Launceston Access Advisory Committee Report - 6 December 2016****FILE NO:** SF0025**AUTHOR:** Sarah McCormack (Community Development Project Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Launceston Access Advisory Committee regular Meeting held on 6 December 2016.

**RECOMMENDATION:**

That Council receives the report from the Launceston Access Advisory Committee Meeting held on 6 December 2016.

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**REPORT:**

The Launceston Access Advisory Committee had its regular meeting on 6 December 2016.

The Committee was updated on the following:

- Community consultation of the design of the Civic Square and the Wayfinding guidelines;
- The CH Smith Building Development Application; and
- The revised Access Maps.

The following consultations occurred with the Committee:

- An onsite consultation was held at the Paterson East Car Park in relation to disability parking;
- Access issues regarding an event in the Launceston CBD in November 2016 were discussed and written feedback will be provided to Council;
- Members attended Metro Tasmania's public consultation forum about the proposed Launceston bus changes; and
- The Access Survey was reviewed by the Committee for distribution in early 2017.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**12.1 Launceston Access Advisory Committee Report - 6 December 2016...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Consideration contained in the report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 3 - A city in touch with its region

Ten-year goal - To ensure Launceston is accessible and connected, through efficient transport and digital networks

Key Direction -

2. To improve and maintain accessibility within the City of Launceston area, including its rural areas.

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Direction -

5. To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities.

Greater Launceston Plan Direction:

To develop a socially inclusive Launceston where people feel valued, their differences are respected, and their basic needs are met so they can live with dignity.

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Leanne Hurst: Director Development Services**

## 13 COUNCIL WORKSHOPS

Council Workshops conducted on 6 February 2017 were:

- Economic Profile and Economic Development Strategy
- Police Briefing - Current Policing Issues in Launceston
- University of Tasmania Presentation
- Launceston City Deal Presentation
- Heritage Award

## 14 NOTICES OF MOTION

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

**No Notices of Motion have been received as part of this Agenda**

**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS****15.1 Petition to Amend Sealed Plans Numbered 16325 and 19533 - 304 and 308 Penquite Road, Norwood****FILE NO:** DA0148/2014**AUTHOR:** Michael Jacques (Senior Legal Advisor)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider the recommendation of the Sealed Plan Hearing Committee in relation to the Petition to Amend Sealed Plans Numbered 16325 and 19533 - 304 and 308 Penquite Road, Norwood.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 25 July 2016 - Item 15.1 - 304-308 Penquite Road, Norwood - Petition to Amend a Sealed Plan

**RECOMMENDATION:**

Pursuant to Section 103 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*, Council adopts the recommendation from the Sealed Plan Hearing Committee and approves the petition made in relation to Sealed plans 1625 and 19533 - 304 & 308 Penquite Road, Norwood, to remove the following covenants:

*(b) That the main building erected on such lot shall not be used for any purpose other than a private dwelling house;*

*(d) That not more than one main building shall be erected on such Lot.*

*(f) That there shall not be erected any building or outbuilding (excluding carport) on such lot with outer walls other than of masonry brick or brick veneer construction;*

*(g) That no hoarding or other structure for the purpose of exhibiting any advertisement or sign shall be erected or placed or suffered to be upon any part of such Lot other than shall relate to the letting of such Lot;*

*(h) Not to subdivide such Lot into smaller lots nor alter nor amend the subdivision plan as it relates to such Lot in any way without the Vendor's consent first had and obtained;*

## **15.1 Petition to Amend Sealed Plans Numbered 16325 and 19533 - 304 and 308 Penquite Road, Norwood...(Cont'd)**

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*(i) That other than domestic animals approved by the vendor no animals or birds of any kind shall be kept or permitted or suffered to be kept upon such Lot.*

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### **REPORT:**

At its Meeting on 25 July 2016, Council appointed a Committee to consider the Petition to Amend Sealed Plans Numbered 16325 and 19533 - 304 and 308 Penquite Road, Norwood.

The Committee met on 20 October 2016 to hear from both proponents and objectors to the petition, inviting further comment subsequent to the meeting.

Taking into consideration both the legislation guiding the decision-making process and the submissions presented, the Committee moved and carried the following motion:

*That the Committee recommends that Council approves the petition made in relation to the Sealed plans 16325 and 19533 - 304 & 308 Penquite Road, Norwood.*

This matter requires the Council to consider,

- (a) the procedural requirements of the amendment of a sealed plan pursuant to Section 103 of the *Local Government (Building & Miscellaneous Provisions) Act 1993 (LGBMPA)* have been satisfied;
- (b) To balance the benefits and impacts of granting or refusing the petition.

The rights that are the subject of the petition are registered covenants that have been attached to the Sealed Plans. The petitioners are seeking to remove these covenants in order to facilitate a proposed residential development. The petitioner's development proposal has planning approval.

### **Background**

Council has received a request from Sproal and Associates on behalf of Brian Robert Overton, Alistair James Knight, Philip Andrew Rose, John Ernest Tchappat and Peter Geoffrey Woolston being the Trustees for the Tamar Properties Gospel Trust, for a Petition to Amend Sealed Plans 16325 and 19533, under Section 103 of the *Local Government (Building & Miscellaneous Provisions) Act 1993 (LGBMPA)*. The petition is attached (Attachment 1).

The petitioners have planning approval DA0148/2014 to build 24 residential units on the properties 304 & 308 Penquite Road, Norwood (CT 19533/3 & 165249/1) (Attachment 2).

## **15.1 Petition to Amend Sealed Plans Numbered 16325 and 19533 - 304 and 308 Penquite Road, Norwood...(Cont'd)**

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In order to proceed with the development the petitioners seek to amend the Schedule of Easements for Sealed Plan numbers 16325 and 19533 by deleting the covenants listed below:

*(b) That the main building erected on such lot shall not be used for any purpose other than a private dwelling house;*

*(d) That not more than one main building shall be erected on such Lot.*

*(f) That there shall not be erected any building or outbuilding (excluding carport) on such lot with outer walls other than of masonry brick or brick veneer construction;*

*(g) That no hoarding or other structure for the purpose of exhibiting any advertisement or sign shall be erected or placed or suffered to be upon any part of such Lot other than shall relate to the letting of such Lot;*

*(h) Not to subdivide such Lot into smaller lots nor alter nor amend the subdivision plan as it relates to such Lot in any way without the Vendor's consent first had and obtained;*

*(i) That other than domestic animals approved by the vendor no animals or birds of any kind shall be kept or permitted or suffered to be kept upon such Lot;*

As an alternative to deletion, the petitioners have also proposed varying the words of covenants.

Sealed Plan numbers 16325 and 19533 and the associated Schedule of Easements are attached to the petition.

The Sealed Plan 16325 consists of 1 lot currently owned by the petitioner. The Sealed Plan 19533 consists of 4 lots currently owned by the petitioners and the objectors Gibbons (lot 1), Sanzaro (Lot 2).

### **Summary of the arguments**

The submissions made by the petitioners and objectors are included as Attachment 3. The key arguments put to the Committee by the petitioners and the objectors were:

#### **1. Jurisdiction and Standing to Object**

(a) Objectors - The Council has no jurisdiction to amend the sealed plan.

*Answer:* Based on legal advice the Committee does not support this view.



**15.1 Petition to Amend Sealed Plans Numbered 16325 and 19533 - 304 and 308 Penquite Road, Norwood...(Cont'd)**

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(b) Petitioner - While the Council has jurisdiction to amend the covenants, several of the objectors aren't actually affected by the petition and have no standing to object.

*Answer:* Based on legal advice the Committee does not support this view.

**2. Relevance of the planning scheme**

Petitioner - That the petitioner's development has been given planning approval and should be allowed to proceed. The old covenants act to subvert the planning process.

*Answer:* The Committee did not view approval under the planning scheme as automatically overriding the registered covenants. The power to amend the sealed plan is exercised under the LGBMPA is explicitly exercised by the "council" not a "planning authority". The LGBMPA requires the Council to exercise its municipal powers and consider a broader balancing of interests and issues than simply enforcing the planning scheme.

**3. Consistency in decision making**

Petitioner - The Council has previously removed similar covenants and to reject the petition would be inconsistent.

*Answer:* The Clements', who are objectors to this petition, earlier sought to amend similar covenants affecting their nearby land. The petitioner argues that the Council needs to be consistent with this earlier decision and offer the same outcome to the current petitioner.

While consistency in decision-making is desirable, each application also needs to be taken on its merits. The lack of objectors would have meant that the Council's consideration of the merits would have been limited to predominantly assessing the petitioner's evidence at face value, without any contrary evidence about the ongoing value of the covenants from those benefitting from the right. The circumstances of the current petition are not the same as the Clements' earlier petition.

**4. Immediate impacts of the development**

(a) Petitioner - On the facts, the objectors are not significantly affected by the amendment.

*Answer:* While it is accepted that there will be some impacts on view and other aspects of amenity from the currently proposed development, it may well be that these immediate impacts are relatively minor and will likely have been adequately addressed by the planning application and permit conditions.

## **15.1 Petition to Amend Sealed Plans Numbered 16325 and 19533 - 304 and 308 Penquite Road, Norwood...(Cont'd)**

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The petitioner also validly points out the economic benefits of the development, which could be realised by approving the petition. At the hearing, the petitioner's barrister conceded that substantial parts of the development could still proceed if there was no amendment to the sealed plan. While not detailed, it is likely this would lead to a sub-optimal financial outcome for the petitioner.

(b) Objectors - There are unacceptable direct impacts from the development.

*Answer:* The objectors principally raise issues around amenity, but there was some commentary about traffic and other issues. There are some immediate impacts of the development, but they are mainly a planning issue, which has been adequately addressed by the Planning Authority.

### 5. Interference with covenant rights.

Objectors - Removal of the covenants will have a longer-term impact on the character of the area and property values. The objectors are entitled to rely on the protections of the covenant rights and did so when making purchasing decisions.

*Answer:* The immediate issue for many of the objectors is the petitioner's currently proposed development. Similarly, the petitioner's focus is to remove covenants that inhibit his current proposal. The ongoing role, relevance and value of the covenants as property rights in perpetuity are of significant relevance to the current petition. The more detailed objections about longer-term impacts were around amenity, the current character of the area, property values, and the objector's reliance on the protections of the covenant rights when making purchasing decisions. Objectors who would be directly affected by the removal of these covenants as lot owners on the plan, also raised these concerns.

The Committee also noted that the covenants conflict with the planning scheme for the Council area. The planning scheme zone characteristics do not support the retention of the particular values raised by the objectors in this particular zone. Covenants like these can lead to inefficient use of infrastructure and therefore increase total cost for the community. It is arguably the case that the maximum benefit cannot be derived in terms of the available residential land in the Launceston urban area if the covenants were to remain in place.

However, the Committee also agreed that the power to 'interfere' with these property interests should be exercised sparingly where it extinguishes a valid proprietary right of current utility.

### Summary Assessment

The Committee see that this petition is a 'borderline' case, but has on balance and a decision which was not unanimous, supported the petition to delete the covenants currently on the title.

**15.1 Petition to Amend Sealed Plans Numbered 16325 and 19533 - 304 and 308 Penquite Road, Norwood...(Cont'd)**

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The strategic value of the area to future development plans for the city is relevant, and in the present circumstances supports granting the petition in full.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation  
Ten-year goals -  
To communicate and engage consistently and effectively with our community and stakeholders  
To ensure decisions are made in a transparent and accountable way  
To continue to meet our statutory obligations and deliver quality services  
Key Directions -  
1. To develop and consistently use community engagement processes  
3. To ensure decisions are made on the basis of accurate and relevant information

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Leanne Hurst: Director Development Services**

**15.2 Xiamen Philharmonic Orchestra****FILE NO:** SF4604, SF0124, SF3347**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To consider a request for support for the Xiamen Philharmonic Orchestra to perform at the Albert Hall on 23 March 2017.

**RECOMMENDATION:**

That, in support of the performance by the Xiamen Philharmonic Orchestra at the Albert Hall on 23 March 2017, Council agrees to:

1. Meet the cost of venue hire; and
  2. Provide a welcome reception prior to the concert performance.
- 

**REPORT:**

As part of the Ten Days on the Island (TDOI) festival programming and following from the recent successful tour of the Fujian Province by the Tasmanian Symphony Orchestra (TSO), TDOI and the TSO have secured the performance of two concerts in Tasmania by the Xiamen Philharmonic Orchestra. The first of these will be held in Launceston on 23 March, 2017.

The Xiamen Philharmonic is one of the most prestigious orchestras in China and this tour, which has only been confirmed within the past two weeks, will perform exclusively in Tasmania. The 72-piece orchestra (plus support) will arrive in Launceston on Tuesday 21 March (flying from China via Sydney).

They will rehearse in the Albert Hall on Wednesday 22 March and perform one concert in the Albert Hall on Thursday 23 March from 7.30 – 9.30pm.

They will then travel to Hobart for a performance at the Federation Concert Hall on Saturday 25 March before returning to China on Sunday 26 March.

Ten Days on the Island is working with the Tasmanian Symphony Orchestra (TSO) on what is, in effect, a reciprocal arrangement, with TSO having toured to Xiamen in January 2017.

Ticket prices have been set at a very accessible level (\$30, \$20 concession, \$10 children) to encourage the broadest participation.

## **15.2 Xiamen Philharmonic Orchestra...(Cont'd)**

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The City of Launceston has provided, through the Events Sponsorship program, some funds towards the costs of the TDOTI Festival 2017 in Launceston which was agreed before this opportunity arose.

There are significant benefits to the City through the visit of this internationally renowned orchestra – conferring prestige on the City, demonstrating the City's sophistication and cultural richness, providing opportunities to develop Launceston/China relations and delivering revenue to local business including accommodation (around 150 bed-nights), ground transport, dining, entertainment, etc.

Xiamen is one of the three major cities in Fujian Province [Fuzhou and Putian being the other two]. The approach by Xiamen Philharmonic Orchestra has been made as a follow up from the recent TSO concert series played in China, where they played at all three of the major Fujian cities.

Xiamen is a port city on China's southeast coast, across a strait from Taiwan. It encompasses 2 main islands and a region on the mainland. Population:2.053 million (2000), Area:1,699 km<sup>2</sup>.

Putian does not have a symphony orchestra, so will be unable to reciprocate Launceston with this sort of visit. Nevertheless, the TSO have advised that the recent concert that the orchestra performed in Putian was well received and officials again indicated their continued desire for exchange with the City of Launceston and progress towards a formal Sister City relationship. Hobart has existing contacts with Xiamen and will have a role in supporting the visit to that city, though the TSO will be the host.

Advice from TDOI and the TSO is that, should an official reception be hosted in Launceston at the start of the tour, then supporting activities in Hobart would be less formal or ceremonial.

There is sufficient capacity within the Economic Development, Asian Engagement budget to accommodate the requested support.

It is likely that this visit will be the prompt for further cultural exchange and visits to Tasmania through the wide connections of the orchestra.

### **ECONOMIC IMPACT:**

Support for cultural exchanges of this sort are consistent with the City of Launceston's Sister City and Asian Engagement strategies and sends a message that the City is open to engagement with China and the Fujian province.

**15.2 Xiamen Philharmonic Orchestra...(Cont'd)**

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Beyond the immediate economic impact of the performance in Launceston (hospitality and accommodation for example) the visit can also be expected to have further positive impacts, including the media exposure here and in China, and provides an opportunity for wider engagement on the other core elements of the relationship with Putian, such as education.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative City

Ten-year goal - To foster creative and innovative people and industries

Key Directions -

3. To optimise the use and usability of our assets for different types of activities
6. To contribute towards artistic, cultural and heritage outcomes

City of Launceston Strategic Plan 2014-2024

Priority Area 7 - A city that stimulates economic activity and vibrancy

Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston

Key Directions -

1. To actively market the City and Region and pursue investment
3. To promote tourism and a quality Launceston tourism offering
4. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar

**BUDGET & FINANCIAL ASPECTS:**

Indicative associated costs of the requested support are:

Albert Hall Hire (including set-up, pack-down, concert performance) - \$5,160.

Welcome Reception - numbers are not confirmed but estimated approximately \$2,500.

These costs are able to be accommodated within the Asian Engagement budget.

**15.2 Xiamen Philharmonic Orchestra...(Cont'd)**

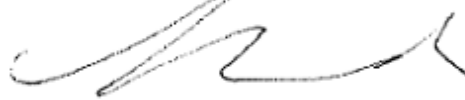
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The budget adjustment consideration of this item has been approved by the Director Corporate Services.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Leanne Hurst: Director Development Services**

**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS****16.1 Action in respect of the York Park & Inveresk Precinct Authority****FILE NO:** SF3246**AUTHOR:** Robert Groenewegen (Manager Inveresk Precinct)**DIRECTOR:** Matthew Skirving (Acting Director Facilities Management)

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**DECISION STATEMENT:**

To consider disbanding the York Park & Inveresk Precinct Authority (YPIPA).

***Pursuant to Section 37 (1)(a) of the Local Government Act (1993) - This decision requires an absolute majority of Council.***

**RECOMMENDATION:**

Pursuant to Section 37 of the *Local Government Act (1993)*, Council resolve to wind up the York Park & Inveresk Precinct Authority one month from the date of providing notice of this decision to Authority members, in accordance with *YPIPA Controlling Authority Rules*.

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**REPORT:**

The York Park & Inveresk Precinct Authority was established on 22 October 2001 to provide operational, financial and strategic management of the Inveresk Precinct.

Over time, a number of General Managers have noted that the Functions and Powers of the YPIPA are potentially inconsistent with the role of the General Manager under the Local Government Act 1993. Recent legal advice has verified that this is the case.

In 2016, a process was commenced to change the YPIPA rules and make the YPIPA rules reflect the actual role of the Authority. This included removing references to management, operational and financial responsibilities that are rightly the domain of the General Manager.

During this process it became apparent that the only role that would remain for YPIPA was to ensure the community was adequately consulted on issues relating to the Inveresk Precinct. YPIPA subsequently decided that a revised Authority with little jurisdiction or real authority was not the most effective manner to undertake this community consultation role. The City of Launceston already has in place a variety of community consultation systems which could be used to gain public feedback on any issues at Inveresk.



**16.1 Action in respect of the York Park & Inveresk Precinct Authority...(Cont'd)**

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It was also recognised that the precinct is affected by broader Council developed strategic plans which have their own community consultation processes.

Subsequently, at its meeting of 21 December 2016, the Authority decided:

1. The following resolution be considered by Council:

That the York Park and Inveresk Precinct Authority (YPIPA) has not been able to operate as originally intended and therefore be wound-up;

2. That the winding up of the YPIPA be on the proviso: 'That the City of Launceston put in place an alternative community consultation process for the Inveresk Precinct'; and

3. That the community consultation process as per Recommendation 2 be established and in place prior to a formal resolution of Council to wind up the Authority.

City of Launceston's Communication Department has created a Communication Strategy for the Inveresk Precinct which clearly defines the actions and methodology for ensuring public consultation surrounding any issues at Inveresk. The Inveresk Communication Strategy was approved by the General Manager on January 23<sup>rd</sup> 2017 (refer attachment 1).

Should Council accept the recommendation, the York Park & Inveresk Precinct Authority will be wound up with one months' notice to members, in accordance with *YPIPA Controlling Authority Rules* which state:

*29. The Launceston City Council may wind up the Authority with the provision of one months' notice.*

The Authority has no outstanding financial or legal obligations in its name.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**16.1 Action in respect of the York Park & Inveresk Precinct Authority...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation  
Ten-year goals -  
To ensure decisions are made in a transparent and accountable way  
Key Direction -  
To ensure decisions are made on the basis of accurate and relevant information

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Matthew Skirving: Acting Director Facilities Management**

**ATTACHMENTS:**

1. Inveresk Precinct Communications Strategy
2. York Park & Inveresk Precinct Authority Controlling Authority Rules

Attachment 1 - Inveresk Precinct Communications Strategy

## Communications Strategy - Inveresk Precinct

**Background**

This Communications Strategy outlines a number of channels that will be used to effectively communicate what's happening in the Inveresk Precinct and also identifies channels for consultation and feedback from the community.

<b>Target audience:</b> <i>Who do we want to inform?</i>	<b>Key messages/content:</b> <i>What do we want to tell them?</i>	<b>Communication tools:</b> <i>How are we going to tell them?</i>	<b>Responsible person:</b> <i>Who is responsible for implementing?</i>	<b>Timing:</b> <i>When will communications occur?</i>	<b>Outcome:</b> <i>How will the communication be measured?</i>
<b>Community/General public</b>	<ul style="list-style-type: none"> <li>What's on/events taking place in the precinct</li> <li>Infrastructure changes within the precinct e.g. buildings, signage, cricket pitch</li> <li>Major changes within the precinct e.g. Precinct Masterplan</li> <li>Changes to existing businesses/new businesses entering precinct</li> <li>Promotional information about tenants in precinct</li> </ul>	<ul style="list-style-type: none"> <li>Social media (COL, UTAS Stadium, QVMAG)</li> <li>Email marketing (COL)</li> <li>Radio - regular spot outlining what's happening at Inveresk</li> <li>Media releases</li> <li>Website - COL</li> <li>Signage within precinct (in particular during high event periods)</li> <li>COL customer service area - lightboxes</li> <li>Your Voice Your Launceston (for consultation/feedback)</li> </ul>	UTAS Stadium & Inveresk team - provide information to Communications Dept.  Communications Dept to execute communications through relevant channels	Timing to coincide with that of key messages, with a minimum of quarterly updates using the tools outlined.	<ul style="list-style-type: none"> <li>Social media reach and engagement</li> <li>Reach and open/click through rate of email marketing</li> <li>Media coverage achieved</li> <li>Page views on website</li> <li>Attendance at events</li> </ul>
<b>Inveresk tenants</b>	<ul style="list-style-type: none"> <li>Direct email to tenant list with updates and circulation of communication distributed</li> <li>Face to face meetings where appropriate</li> <li>Group meetings with tenants</li> </ul>	<ul style="list-style-type: none"> <li>Hot Potato</li> <li>Red Hot Potato</li> <li>Aldermen's Bulletin</li> </ul>			<ul style="list-style-type: none"> <li>Email open rate/click through</li> <li>Attendance at meetings</li> </ul>
<b>Employees &amp; Aldermen</b>					<ul style="list-style-type: none"> <li>Email open rate/click through</li> </ul>

## Attachment 2 - York Park &amp; Inveresk Precinct Authority Controlling Authority Rules

<b>YORK PARK &amp; INVERESK PRECINCT AUTHORITY</b>
<b>CONTROLLING AUTHORITY RULES</b>

**PURPOSE:**

To set out the role, responsibilities and structure of the York Park and Inveresk Precinct Authority.

**SCOPE:**

Applies to the management of the York Park and Inveresk Precinct.

**POLICY:**

A Controlling Authority under Section 29 of the Local Government Act 1993, known as the York Park and Inveresk Precinct Authority, has been established by Council.

The role of the Authority is to develop the York Park and Inveresk Precinct as a centre for art, education, tourism and recreation.

**PART 1- PRELIMINARY**

1. The York Park & Inveresk Precinct Authority is established by Launceston City Council as a controlling authority under section 29 of the Local Government Act 1993.

**Title**

2. This document is called the York Park & Inveresk Precinct Authority Controlling Authority Rules.

**Name**

3. The name of the controlling authority is the York Park & Inveresk Precinct Authority.

**Principal Objectives**

4. The principal objective of the Authority is:

"Help develop the Inveresk Precinct as an international centre for art, education, tourism and recreation." – Launceston City Council Strategic Plan 1999-2003

**Interpretation**

5. In these rules the following words are assigned the meanings given below unless the contrary intention appears.

**Authority** means the York Park & Inveresk Precinct Authority.

**Chairperson** means the chair of the Authority.

**Community member** means duly appointed non-council representatives.

**Council** means the Launceston City Council.

**Council member** means the Aldermen appointed by Council and the Launceston City Council General Manager (or delegate).

**Members** means all members of the Authority.

**Plans** mean the operating plan, works programme and budget to be prepared annually by the Authority.

**Quorum** is a simple majority of members.

**Precinct** means all the venues and properties contained on York Park, Invermay Park, the Old Bike Track and the Inveresk Railyards. Refer plan in attachment 1.

## **PART 2 - FUNCTIONS AND POWERS**

### **Functions**

6. The Authority is to manage the following functions, at the Precinct, on behalf of Council.
  - 6.1 Precinct promotion and marketing
  - 6.2 Ground maintenance and horticultural services
  - 6.3 Booking, scheduling and venue coordination
  - 6.4 Liaison and communication with precinct tenants
  - 6.5 Revenue generation, budgeting and cost control
  - 6.6 Event attraction, management and co-ordination
  - 6.7 Car parking
  - 6.8 Land development and site planning
  - 6.9 Lease negotiations and issue resolution
  - 6.10 Site security risk management and insurance

### **Powers**

7. In carrying out its functions the Authority has the power to:
  - 7.1 Appoint employees, contractors and consultants within Council employment policy guidelines.
  - 7.2 Establish sub committees to organise events or undertake projects on behalf of the Authority
  - 7.3 Set and collect fees
  - 7.4 Make bookings and hire the venues
  - 7.5 Seek and accept sponsorship
  - 7.6 Make policies and procedures
  - 7.7 Raise revenue
  - 7.8 Incur expenditure within Council approved budget limits
  - 7.9 Call tenders and let contracts
  - 7.10 Enter into lease, license, hiring and service agreements

### **Membership**

8. The membership of the Authority is to include:
  - Two Aldermen appointed by Council

- Launceston City Council General Manager (or delegate)
- A member nominated by the State Government
- Up to four community members with business, event and venue management experience

8.1 Members are to be appointed for a minimum period of two years.

8.2 The membership period shall be concurrent with Council elections except in the first year.

8.3 Council may terminate the appointment of a member at its discretion.

8.4 Appointment, replacement or termination does not become effective until all members are notified in writing.

8.5 Members are not entitled to remuneration beyond the reimbursement of out of pocket expenses.

### **Appointment of Community Members**

9. The Council members on the Authority are to seek expressions of interest from potential community members and make recommendations to Council.

9.1 Council is to appoint community members.

9.2 Community members may resign with the provision of one months notice to the Authority.

## **PART 3 - MEETINGS OF REPRESENTATIVES**

### **Convening of Meetings**

10. The Authority may, subject to these rules, hold such general meetings and sub-committee meetings as are necessary to carry out its functions.

10.1 A general meeting of members of the Authority is to be convened at the request of the Chairperson or 2 or more members.

10.3 2 days notice, in writing, of a general meeting is to be given to members unless the chairperson decides matters are urgent.

10.4 The notice is to specify the place, date, and time of the meeting and the business to be transacted at the meeting.

### **First General Meeting**

11. A general meeting is to be held within 28 days of the establishment of the Authority to:

- elect the chairperson
- elect a deputy chairperson

11.1 The Authority is to elect a chairperson and deputy chairperson at the first general meeting following the appointment of new members resulting from Council elections.

## **PART 4 - PROCEEDINGS OF MEETINGS**

**Attendance**

12. The chairperson may invite any other person to attend and address a general meeting or to be an observer.

12.1 A general meeting is not open to the public.

**Quorum**

13 A meeting may only transact business if a quorum is present.

**Quorum not present**

14 If a meeting lacks a quorum it is to be postponed and reconvened at a later date or time.

**Chairperson and Deputy**

15 The chairperson will chair general meetings.

15.1 In the absence of the chairperson, the deputy chairperson will chair the meeting.

15.2 In the absence of both the chairperson and the deputy chairperson, the members are to choose one of their number to chair the meeting or part of the meeting.

**Conduct of Meeting**

16 The chairperson, subject to these rules, will use, where appropriate, the Local Government (Meeting Procedures) Regulations 2005 when conducting meetings.

**Voting Values**

17 A member, including the chairperson, is entitled to vote at a general meeting.

17.1 One vote equals one value.

**PART 5 – ACCOUNTABILITY****Plans and Programmes**

18 The Authority is to prepare an annual operating plan and budget.

18.1 The plans are to contain the financial details of the Authority for the period covered by the plan; as well as a programme of works and activities.

18.2 The plans are to be consistent with the Launceston City Council strategic plan.

18.3 The plans are to be submitted to Launceston City Council for consideration during its budget setting process.

18.4 The plans require Council approval.

18.5 Council may require the Authority to alter the plans

**Annual Report**

19 Each year the Authority is to prepare an annual report for the preceding financial year. The report is to be presented to Council before the end of September and is to include the following information and documents:

19.1 The financial statements of the Authority for the financial year to which the annual report relates.

19.2 A copy of the opinion of the auditor in respect of the financial statement - Council's auditor will perform the auditing functions for the Authority.

19.3 Reports of the Chairperson of the Authority.

19.4 Performance targets and actions achieved.

### **Monthly Reports**

20. Monthly reports on the finances and activities of the Authority are to be prepared for consideration of the members at general meetings. These reports shall include details of;

20.1 Actual revenue and expenditure compared to budget.

20.2 Outstanding debtors including lease.

20.3 Incidents on the site including accidents and insurance claims.

20.4 Utilisation of the various venues and arrears.

20.5 Bookings.

20.6 Leasing and tenant issues including renewals.

### **Disclosure of Interests**

21. A representative, as soon as practicable after the relevant facts come to the representative's knowledge, must disclose to the Authority any of the following:

21.1 A direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the Authority.

21.2 An interest of the representative in a matter that may conflict with the proper performance of the representative's duties in relation to consideration of the matter.

21.3 A representative who has declared an interest in a matter that is to be considered by the Authority must not be present during any deliberation of the Authority in relation to the matter or take part in any decision of the Authority in relation to the matter.

21.4 Provisions of the Local Government Act 1993 are to be followed for the definitions of pecuniary interest.

## **PART 6 - PROVISION OF SERVICES**

### **Council Services**

22. Council will provide the following support services to the Authority.

22.1 Accounting, payroll and banking.

22.2 Information technology and support.

22.3 Tender and contract administration.

22.4 Horticultural advice.

22.5 Office accommodation and administrative support Human resources.

22.6 Marketing.

22.7 Economic Development.

22.8 Any other Council services relevant to its functions.

23. Council will allocate the appropriate overhead charges for the provision of these services.



## **PART 7 - MISCELLANEOUS**

### **Minutes**

24. The Authority is to ensure that minutes of general meetings are properly recorded.

24.1 The minutes are to include the names of the representatives present at general meetings of the Authority.

24.2 The minutes are to include a record of resolutions and proceedings of general meetings of the Authority.

24.3 The minutes of any meeting are to be confirmed at a subsequent general meeting.

24.4 The minutes must be circulated to representatives, participating members and aldermen of Launceston City Council.

### **Notices**

25. A document is effectively given to an individual under these rules if it is:

25.1 Given to the person; or

25.2 Left at, or sent by post to, the person's postal or residential address or place of business or employment last known to the giver of the document; or

25.3 Sent by way of electronic mail or facsimile transmission to the person's electronic mail address or facsimile number.

26. A document is effectively given to a member under these rules if it is marked to the attention of the member and

26.1 Left at, or sent by post to, the member's principal office; or

26.2 Sent by way of electronic mail or facsimile transmission to the member's electronic mail address or facsimile number.

27. A notice required to be given to a member is to be given to both the member and the member's representative.

### **Alteration of rules**

28. The Authority shall recommend changes of rules to Council for approval.

### **Winding Up**

29. The Launceston City Council may wind up the Authority with the provision of one months notice.

### **Insolvency**

30. In the event of the insolvency or winding up of the Authority, Council is responsible for the assets and liabilities of the Authority.

### **Immunity from Liability**

31. The provisions of Section 341 of the Local Government Act 1993 apply to members of the Authority.

### **Expenses and Proceeds from Land Sales**

32. That any expenses associated with the sale of land shall be the responsibility of the York Park & Inveresk Precinct Authority.

33. That the proceeds from the sale of any land within the York Park and Inveresk Precinct be invested in the capital improvement of the Precinct, on items determined by the Authority and agreed to by Council.

**PRINCIPLES:**

The Council's guiding principles apply to all activities.

**RELATED POLICIES & PROCEDURES:**

Governance Arrangements 14-PI-004
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Committee Details Procedure 14-HLPr-003
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York Park & Inveresk Precinct Authority Rules

**RELATED LEGISLATION:**

Section 29 Local Government Act 1993.

**REFERENCES:**

N/A.

**DEFINITIONS:**

N/A.

**REVIEW:**

This policy will be reviewed no more than 2 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

File Ref: SF3246

Author: General Manager

Agenda Ref: 22 October 2001  
Agenda Item 10.2

Amended 23rd October 2006  
Agenda Item 11.1

**17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS**

**No Items have been received as part of this Agenda**

**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS****18.1 Launceston BMX Club Lease****FILE NO:** SF0892**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider leasing an area of land at the St Leonards Sports Complex known as the BMX track (part of Certificate of Title Vol 103535 Folio 1) to the Launceston BMX Club Inc.

This decision requires an absolute majority of Council.

**RECOMMENDATION:**

That, pursuant to the provisions of Section 179 of the *Local Government Act* 1993, Council approves the lease of public land known as the BMX track, situated at 240 St Leonards Road (part of Certificate of Title Vol 103535 Folio 1), to the Launceston BMX Club Inc. under the following terms:

- the term shall be 5 years commencing on 1 March 2017;
  - the lease amount shall be \$1 per annum if demanded;
  - tenant to be responsible for:
    - energy costs;
    - volumetric and connection charges for water; and
    - other service charges (if any)
  - tenant shall continuously maintain:
    - building in good and reasonable order; and
    - public liability insurance of at least \$10 million
- 

**REPORT:**

The Launceston BMX Club Inc. is located within the St Leonards Sports Complex ([Attachment 1](#)) and has been leased to the Club for over 25 years. They currently have around 60 members and are a mix of adults and children, where the majority of members are under 18 years of age. They train weekly with regular race meetings where children as young as 3 years old and upwards can race. The club runs under the national BMX sporting body rules and regulations (BMXA) for BMX which includes a national and state committee of which club members are members.

**18.1 Launceston BMX Club Lease...(Cont'd)**

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Their most recent lease required that rent, public liability and utility costs be paid by the club and they currently pay \$500.00 per annum. Recently the Launceston BMX Club Inc. has written to Council ([Attachment 2](#)) requesting a 5 year lease where they will be responsible for their outgoings including water and power usage, maintenance of the building and perimeter fence. Their responsibility shall also include mowing & weeding of lawns and maintenance of their race track.

A Council may lease public land for a period not exceeding five years without advertising as required by Section 178 of the *Local Government Act 1993*. As the property is Public Land and the lease is for a maximum period of five years, it is not necessary to provide valuation advice to the Council.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

There is no social impact with this proposal other than to allow successful tenants to continue to provide an important recreational opportunity for Launceston.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Directions -

1. To continue to offer and attractive network of parks, open spaces and facilities throughout Launceston
3. To contribute to enhanced public health and amenity to promote a safe and secure environment
6. To promote active and healthy lifestyles

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

18.1 Launceston BMX Club Lease...(Cont'd)

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. Map of leased area
2. Letter of proposal from Launceston BMX Club Inc.





## **Launceston BMX Club Inc.**

PO Box 5169, Launceston Tas, 7250

Web site: <http://www.bmxaustralia.com.au/tas/launceston/clubhome.aspx>

## **Attachment 2**

10<sup>th</sup> of December 2016

### **Renewal of Lease for the St Leonards BMX Facility to the Launceston BMX Club Inc.**

As previously discussed with representatives of the Launceston City Council, The Launceston BMX Club Inc. would like to further the relationship between both parties by agreeing to a new lease arrangement.

The proposed arrangement would be for a 5 Year "Peppercorn" lease, where the LBMXC would agree to pay to the LCC, charges for metered water and electricity, and also would agree to maintain the facilities, on the basis that the current lease payment would be reduced to Nil per annum.

Maintenance of the facilities would include mowing of lawns and weeding etc. Maintaining the perimeter fencing, replacement of consumables such as light globes etc. It would also include maintenance of the racing track, including starting gate.

The current committee has already spent funds on repairing the asphalt surface of the starting hill, and has created a new asphalt path into the facility from the carpark. We also have plans for revamping other parts of the facility, including the race track.

Over the next few years, our club plans to pursue government funding and grants, and to seek donations to enable the club to bring the standard of the facility to a national level. This will assist the club's ability to attract national class racing to Tasmania.

It is understood that the LCC already has plans to modify the surrounds of the track facility to improve traffic flow and parking etc. it is perceived that both parties could work together to achieve the clubs long term objectives. And therefore, it would be appreciated, if the LBMXC could receive options to increase the lease duration to more than five years, ensuring that the LBMXC had the security of a long term lease, which would assist the club in raising of capital for works and also, to be able to secure annual events.

Should the Launceston City Council have any questions, or require additional information? Please contact myself using the below listed contact information, or via our postal address.

Best Regards

Perry

Perry Karras  
President  
Launceston BMX Club Inc.  
Ph. 0498 772759  
Email. [perry@peratek.com.au](mailto:perry@peratek.com.au)





**18.2 Disposal of Public Land - part of 50 Lamont Street****FILE NO:** 113270 SF0830**AUTHOR:** Robert Holmes (Senior Property Advisor)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider a request to purchase part of 50 Lamont Street.

**RECOMMENDATION:**

1. That Council authorises the General Manager to commence the process required under Section 178 of the Local Government Act 1993 to advertise the proposed sale of that part of 50 Lamont Street having an area of approximately 1,650m<sup>2</sup> as shown on Attachment 1.
  2. Subject to there being no objection under the advertised proposal to dispose of public land, that Council decides to sell that part of 50 Lamont Street indicated on the plan marked Attachment 1.
  3. Council as land owner authorises the General Manager to provide advice to the Planning Commission that it would not object to the making of an urgent amendment to the Launceston Interim Planning Scheme 2015 to rezone the land shown on Attachment 1 from "19.0 Open Space Zone" to "24.0 Light Industrial Zone".
- 

**REPORT:**

Council officers have been approached by a representative of the adjoining land owners at 25-31 McKenzie Street and 2-4 Derby Street expressing interest in purchasing part of 50 Lamont Street. The property fronts onto McKenzie Street having an area of approximately 1,650m<sup>2</sup>.

The area involved has not physically been available for public use since gates were erected in the mid-1980s and then a formal right of way being issued by Council in 2009. Practical use of the land has been associated with adjacent commercial buildings rather than access to Heritage Forest. Over the years there has been a dispute in terms of the two property owners as to use of the right of way. Purchase by one of the adjoining owners will resolve any future dispute.

**18.2 Disposal of Public Land - part of 50 Lamont Street...(Cont'd)**

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Assessment by Council officers is that access to Heritage Forest from McKenzie Street over the land in question does not offer any advantage or provide greater utility or use options associated with the park. There are already multiple access points to Heritage Forest which provide adequate access. On that basis the assessment is that the land is potentially surplus to Councils requirements. Upon subdivision the current service infrastructure would be protected by way of easement registered on title. An additional issue is that if the land is to be disposed of it should be suitably zoned.

Under the previous Launceston Planning Scheme 1996 the area in question was zoned "Light Industrial". The zone was changed under the Launceston Interim Planning Scheme of 2012 when a decision was made to have zone boundaries coincident with title boundaries. This changed the zone from Light Industrial to Open Space Zone. The same zone was carried forward to the 2015 scheme. The adjoining owner/s have made arrangements for an application to be made to the Planning Commission for the area in question to be rezoned to "24.0 Light Industrial Zone". The Planning Commission response has been that it is preferable for the application to be endorsed by Council in order for such application to be considered. It is recommended that Council authorises the General Manager to provide advice to the Planning Commission that it would not object to the making of an urgent amendment to the Launceston Interim Planning Scheme 2015.

It is recommended that Council decides to dispose of the land shown on Attachment 1, to commence the process required under Section 178 of the Local Government Act 1993 and to authorise the Director Infrastructure Services to negotiate matters of price and conditions of sale including meeting cost of advertising the intent to dispose of public land as well as planning application & adhesion fees, survey, plan registration costs etc. In accordance with Section 178 of the *Local Government Act 1993* Aldermen are advised of the valuation by way of a supplementary report presented in closed session of this Council meeting.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**18.2 Disposal of Public Land - part of 50 Lamont Street...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 6 - A city building its future

Ten-year goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions

Key Direction -

2. To develop and take a strategic approach to development sites to maximise public benefits of development

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

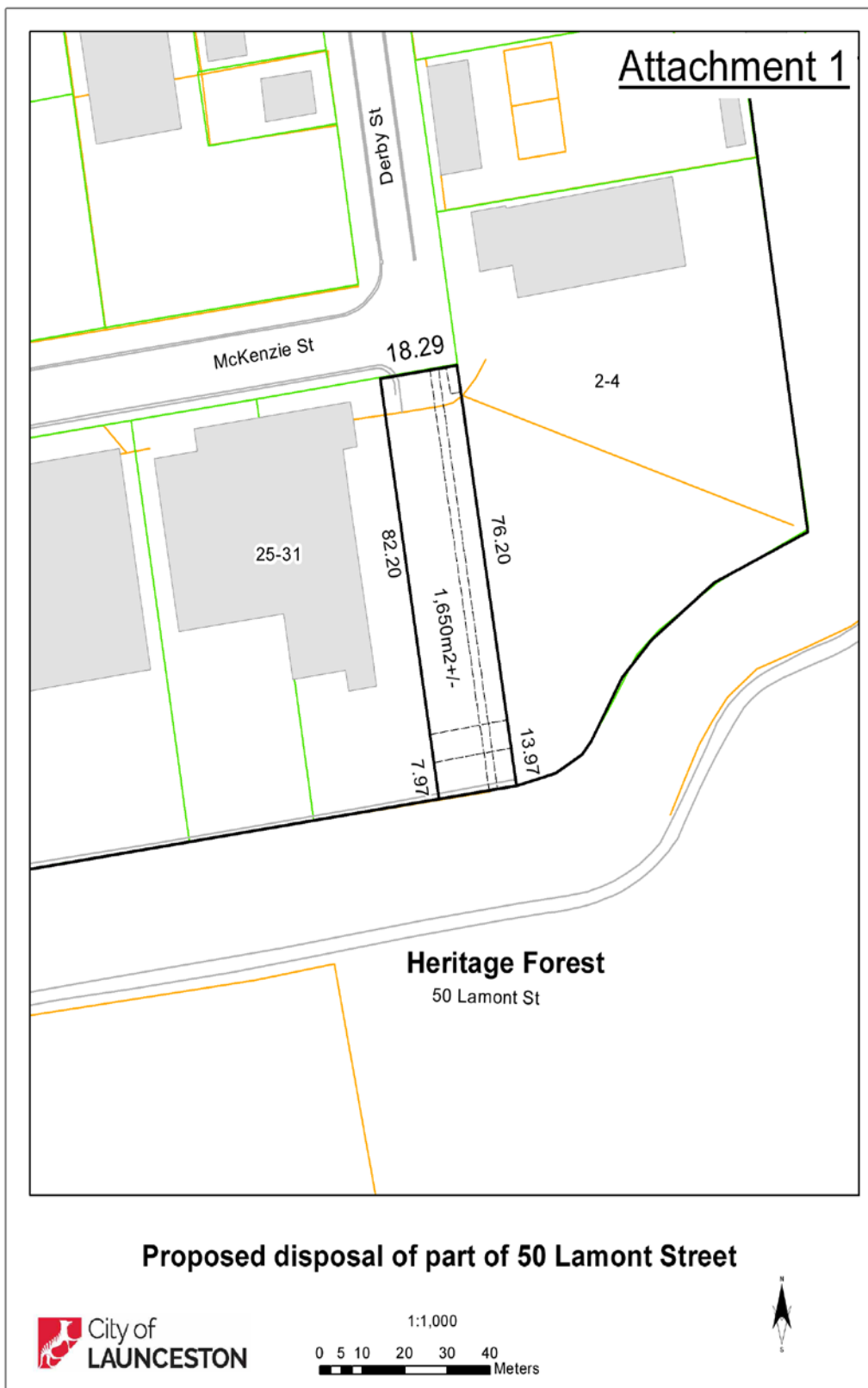
I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. Plan of land proposed to be sold



**18.3 Sale of land at rear of 151, 153 & 155-159 Hobart Road****FILE NO:** 9389 31960 9392**AUTHOR:** Robert Holmes (Senior Property Advisor)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider whether to dispose of surplus land.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 26 August 2013 - Item 26.1 - Council resolved to abandon the former access road proposal. Authorised the Director Infrastructure Services to make an application to remove the road notation from the title plan. Authorised the Director Infrastructure Services to enter into preliminary negotiations for sale of land, to obtain valuation advice and to report back to Council.

**RECOMMENDATION:**

That Council pursuant to Section 177 of the *Local Government Act 1993*, resolves to sell 3 parcels of land located at the rear of 151, 153 and 155-159 Hobart Road being Certificate of Title Volume 16640 folio 1, Certificate of Title Volume 16640 folio 2 and Certificate of Title Volume 50480 folio 1. Matters of conditions of sale and price are to be negotiated by the General Manager after having regard to valuation advice.

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**REPORT:**

Council at its meeting 26 August 2013 agreed to abandon the long term proposal to construct a road to enable access to the rear of properties located on the eastern side of Hobart Road.

At that time a valuation report was obtained and adjacent property owners were contacted to determine interest in possible purchase at valuation. Not all of the owners responded immediately with the last response only being received in December 2016. This means that it is now possible to undertake formal negotiations with each of the adjacent land owners.

**18.3 Sale of land at rear of 151, 153 & 155-159 Hobart Road...(Cont'd)**

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It is recommended that Council decides to dispose of the land and to authorise the Director Infrastructure Services to negotiate matters of price and conditions of sale. In accordance with Section 177 of the *Local Government Act 1993* Aldermen are advised of the valuation by way of a supplementary report presented in closed session of this Council meeting.

A plan of the land is indicated by Attachment 1.

**ECONOMIC IMPACT:**

Transfer will make an unused asset available for development or parking.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 6 - A city building its future  
Ten-year goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions  
Key Directions -  
To develop and take a strategic approach to development sites to maximise public benefits of development

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**18.3 Sale of land at rear of 151, 153 & 155-159 Hobart Road...(Cont'd)**

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. Plan of the land to be sold (151, 153 & 155-159 Hobart Road) (distributed separately)

## 19 CORPORATE SERVICES DIRECTORATE ITEMS

### 19.1 LGAT General Meeting - 17 February 2017

**FILE NO:** SF2217

**AUTHOR:** John Davis (Manager Corporate Strategy)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

#### DECISION STATEMENT:

To consider the items listed for decision, noting and discussion at the Local Government of Tasmania (LGAT) General Meeting scheduled for 17 February 2017.

#### RECOMMENDATION:

That Council directs the Council representative on the items listed for decision, noting and discussion at the Local Government Association of Tasmania General Meeting for 17 February 2017 in the manner indicated within the table below:

Items for Decision, Noting and Decision at LGAT General Meeting 17 February 2017

Ag Item	Pg. No	Items for Discussion/Decision	Submitting Council/s	City of Launceston Comment/Recommendation
2.1	10	<p><b>Motion - Elected Members Access to Electoral Rolls</b></p> <p>Decision Sought -</p> <ol style="list-style-type: none"> <li>1. That LGAT Supports the entitlement of all councillors in Tasmania to be provided with a hard copy or electronic copy of the electoral roll for their Local Government Area, including the General Manager's Roll for that area, with regular updates; and</li> <li>2. That LGAT calls on the Tasmanian Government to put forward the legislative changes necessary to give effect to this entitlement, noting that details such as the regularity of updates, permitted uses of the roll and how the costs of providing the roll will be funded; and what safeguards will be put in place to ensure copies of the roll are transmitted securely are matters to be determined by the Tasmanian Government in consultation with Local Government.</li> </ol>	Clarence City	<p><b>Comment:</b> Robert Dobrzynski, General Manager</p> <p>Given the candidates have access to the electoral roll there seems no reason why the elected members should not be accorded the same access.</p> <p><b>Recommendation:</b> Supported</p>
2.2	11	<p><b>Motion - Extending term of GMC Members</b></p> <p>Decision Sought -</p> <p>That the Members agree to an extension of the term of office of the two Southern GMC Members elected to fill casual vacancies during 2016.</p>	LGAT	<p><b>Comment:</b> Robert Dobrzynski, General Manager</p> <p><b>Recommendation:</b> Supported</p>
3.1	12	<p><b>State Budget Submission</b></p> <p>Decision Sought -</p> <p>That Members note the report as stated in Background.</p>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p>The Council directly engages with member of State Government on budget matters on an ongoing basis.</p> <p><b>Recommendation:</b> Noted</p>



Ag Item	Pg. No	Items for Discussion/Decision	Submitting Council/s	City of Launceston Comment/Recommendation
3.2	13	<p><b>Code of Conduct</b></p> <p>Decision Sought -</p> <ol style="list-style-type: none"> <li>1. That Members note the report by LGAT and presentation by the Local Government Division; and</li> <li>2. That Members note the Government has committed to a twelve month review of the Code of Conduct legislation.</li> </ol>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p>LGAT will be engaging with councils as part of the review process.</p> <p><b>Recommendation:</b> Noted</p>
3.3	15	<p><b>Review of Local Government Act</b></p> <p>Decision Sought -</p> <p>That Members note the report as stated in Background.</p>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p>Noting that the draft amendment Bill will be released for public consultation when prepared.</p> <p><b>Recommendation:</b> Noted</p>
3.4	16	<p><b>ALGA Strategic Planning</b></p> <p>Decision Sought -</p> <p>That Members note the verbal report provided by the President.</p>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p><b>Recommendation:</b> Noted</p>
3.5	17	<p><b>TasWater</b></p> <p>Decision Sought -</p> <p>That the Meeting note:</p> <ol style="list-style-type: none"> <li>1. The submission made by LGAT with regard to TasWater; and</li> <li>2. That LGAT is currently seeking advice from council GMs in relation to a possible submission to the Price and Service Plan.</li> </ol>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p>The Price and Service Plan is a process that concludes with a determination by the Office of the Economic Regulator (OTTER) on the charges that can be set by Taswater.</p> <p>The consultation process provides for individual comment as we as through the LGAT. From an overall perspective the approach presented by TasWater in their issues paper is accepted.</p> <p><b>Recommendation:</b> Noted</p>

Ag Item	Pg. No	Items for Discussion/Decision	Submitting Council/s	City of Launceston Comment/Recommendation
3.6	18	<p><b>LGAT Communications &amp; Marketing</b></p> <p>Decision Sought -</p> <p>That Members note the changes to LGAT Communications.</p>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p><b>Recommendation:</b> Noted</p>
3.7	20	<p><b>Waste</b></p> <p>Decision Sought -</p> <p>That Members note that</p> <ol style="list-style-type: none"> <li>1. The Environmental Protection Authority has commenced preparation of an updated Statewide Waste Strategy and is very keen to seek Local Government input;</li> <li>2. The LGAT Waste Reference group (WRG) has met on two occasions (November and February) with a draft Statewide Waste Strategy from a Local Government perspective being presented at the most recent meeting; and</li> <li>3. Once endorsed, this document will be used as a tool for engagement with the EPA during their updating of the State Waste Strategy.</li> </ol>	LGAT	<p><b>Comment:</b> Harry Galea, Director Infrastructure Services</p> <p>The Tasmania Government have commissioned the EPA to develop an 'action plan' based Tasmanian Waste Strategy. In order for Local Government to be able to properly contribute to the Tasmanian Strategy, work was undertaken to prepare a waste strategy from a local government perspective.</p> <p><b>Recommendation:</b> Noted</p>
3.8	22	<p><b>Planning Reform</b></p> <p>Decision Sought -</p> <p>That Members note the progress of the State Government's planning reforms and the key issues for the Local Government sector.</p>	LGAT	<p><b>Comment:</b> Leanne Hurst, Director Development Services</p> <p><b>Recommendation:</b> Noted</p>

Ag Item	Pg. No	Items for Discussion/Decision	Submitting Council/s	City of Launceston Comment/Recommendation
3.9	23	<p><b>Feasibility Studies</b></p> <p>Decision Sought -</p> <p>That Members note the President will provide a verbal report should there be new information since the last General Meeting.</p>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p><b>Recommendation:</b> Noted</p>
3.10	23	<p><b>Building Act 2016</b></p> <p>Decision Sought -</p> <p>That Members note the commencement of the Building Act 2016 and related instruments and LGAT's continued advocacy on behalf of the membership.</p>	LGAT	<p><b>Comment:</b> Leanne Hurst, Director Development Services</p> <p><b>Recommendation:</b> Noted</p>
3.11	24	<p><b>Training</b></p> <p>Decision Sought -</p> <p>That Members note the progress of the updated LGAT Training and Professional Development program.</p>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p><b>Recommendation:</b> Noted</p>
3.12	25	<p><b>Emergency Management</b></p> <p>Decision Sought -</p> <p>That Members note the report as stated in Background.</p>	LGAT	<p><b>Comment:</b> Matthew Skirving, Acting Director Facilities Management</p> <p>LGAT and SES have maintained engagement with Council Officers throughout the Justice Review process and comment has been provided by officers as required. City of Launceston provided a submission for the Government Review into the June 2016 floods.</p> <p><b>Recommendation:</b> Noted</p>

Ag Item	Pg. No	Items for Discussion/Decision	Submitting Council/s	City of Launceston Comment/Recommendation
3.13	27	<p><b>Energy</b></p> <p>Decision Sought -</p> <p>That Members note the report as stated in Background.</p>	LGAT	<p><b>Comment:</b> Harry Galea, Director Infrastructure Services</p> <p>The key section relevant to the City of Launceston is that the LED Local street light replacement program that will start insitu in Launceston in February.</p> <p><b>Recommendation:</b> Noted</p>
3.14	29	<p><b>Annual Plan</b></p> <p>Decision Sought -</p> <p>That Members note the LGAT Annual Plan (Attachment to Item 3.14 - LGAT General Meeting Agenda)</p>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p><b>Recommendation:</b> Noted</p>
3.15	30	<p><b>Policy Update</b></p> <p>Decision Sought -</p> <p>That Members note the report on current Policy Activity.</p>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p><b>Recommendation:</b> Noted</p>
4.1	35	<p><b>LGAT Strategic Plan</b></p> <p>Decision Sought -</p> <p>That the Members discuss priorities for the 2017-2020 LGAT Strategic Plan.</p>	LGAT	<p><b>Comment:</b> Michael Tidey, Director Corporate Services</p> <p><b>Recommendation:</b> For discussion only - no decision required</p>

### REPORT:

The Local Government Association of Tasmania (LGAT) General Meeting will be held in Launceston on 17 February 2017. The outline of the Meeting Agenda Items, with recommendations for the consideration of Aldermen, is included in this report's recommendation.

The full Meeting Agenda is provided at Attachment 1 and the Minutes for the LGAT General Meeting of 4 November 2016 are provided at Attachment 2.

## COUNCIL AGENDA

Monday 13 February 2017

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The purpose of this report is to provide Aldermen with the opportunity to comment on these items and provide advice to the Council representative for the LGAT General Meeting on 17 February.

### **ECONOMIC IMPACT:**

Not considered relevant to this report.

### **ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

### **SOCIAL IMPACT:**

Not considered relevant to this report.

### **STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation  
Ten-year goals -  
To Communication and engage consistently and effectively with our community and stakeholders  
Key Direction -  
3. To ensure decision are made on the basis of accurate and relevant information

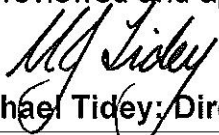
### **BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey, Director Corporate Services

### **ATTACHMENTS:**

1. LGAT General Meeting Agenda - 17 February 2017 (distributed separately)
2. Minutes for LGAT General Meeting - 4 November 2016 (distributed separately)

**19.2 Delegation from Council to General Manager - Strata Titles Act 1998 (Tas)****FILE NO:** SF0113/SF2642/SF6203**AUTHOR:** Leanne Purchase (Governance and Planning Coordinator)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the delegation from Council to the General Manager of particular powers and functions under the *Strata Titles Act 1998 (Tas)*.

**PREVIOUS COUNCIL CONSIDERATION:**

Not applicable.

**RECOMMENDATION:**

That Council:

1. Pursuant to section 22 of the *Local Government Act 1993 (Tas)*, determines to delegate the following powers and functions under the *Strata Titles Act 1998 (Tas)* to the holder of the position of General Manager -

- i. Section 31(3) - Issuing a certificate of approval for a strata plan
- ii. Section 31(4) - Council must return documents
- iii. Section 31(6) - Council must refuse to issue certificate of approval
- iv. Section 36(1) - Developer can apply to Council for in principle approval
- v. Section 37(1)(a) - Council can require changes
- vi. Section 37(1)(b) - Council can require demolition or alteration
- vii. Section 37(2)(a) - Council can approve staged development scheme unconditionally
- viii. Section 37(2)(b) - Council can approve the staged development scheme subject to specified conditions
- ix. Section 37(2)(c) - Council can refuse to approve the staged development scheme
- x. Section 37(4) - Council to issue certificate of approval
- xi. Section 41(2) - Council can refuse to approve stage
- xii. Section 42(2) - Council to receive application for variation of staged development scheme
- xiii. Section 42(5) - Council may dispense with consent of owners
- xiv. Section 42(6) - Council may approve or refuse application for variation
- xv. Section 45 - Council may apply for an injunction
- xvi. Section 54(1)(a) - Council can require changes
- xvii. Section 54(1)(b) - Council can require demolition or alteration

- xxviii. Section 54(2)(a) - Council can approve community development scheme unconditionally
- xix. Section 54(2)(b) - Council can approve the staged development scheme subject to specified conditions
- xx. Section 54(2)(c) - Council can refuse to approve the community development scheme
- xxi. Section 54(4) - Council to issue certificate of approval
- xxii. Section 57(2) - Council can refuse to approve stage
- xxiii. Section 58(2) - Council to receive application for variation of community development scheme
- xxiv. Section 58(5) - Council may dispense with consent of owners
- xxv. Section 58(6) - Council may approve or refuse application for variation
- xxvi. Section 61 - Council may apply for an injunction
- xxvii. Section 65(a) - Council to receive notification of proposed sale or disposal of land
- xxviii. Section 65(b)(i) - Council to receive undertaking on acquisition of land in scheme
- xxix. Section 65(b)(ii) - Council may require security on acquisition of land in scheme
- xxx. Section 142(2)(b) - Council can apply to the Recorder of Titles to have a register of title cancelled or corrected

2. Subject to the adoption of recommendation 1, revokes the **Delegation of Approval for Staged Development Schemes under the Strata Titles Act 1998 Policy 18-PI-009**.

3. Subject to the adoption of recommendation 1, revokes the delegation of the power to authorise the cancellation of strata plans from Council to the General Manager made at item 9.12 at the Council Meeting on 5 April 2004.

4. Subject to the adoption of recommendation 1, authorises the holder of the position of General Manager to delegate the powers and functions described at 1. to an employee or employees of the Council, as provided for by section 64(b) of the *Local Government Act 1993 (Tas)*.

5. Subject to the adoption of recommendations 1 to 4, notes the delegations at 1. above, and the revocations at 2. and 3. above, will be effected by an instrument that will be executed by the Mayor to comply with the requirement of section 22(1) of the *Local Government Act 1993 (Tas)* that delegations are in writing.

6. Notes that, on execution of the instrument described at 5. above, the Council's delegations register will be updated to reflect the delegations and revocations described in the instrument.

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## **REPORT:**

This report is prepared for Council's consideration as part of a process to review and update the delegation of functions and powers at City of Launceston.

## **19.2 Delegation from Council to General Manager - Strata Titles Act 1998 (Tas)...(Cont'd)**

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The *Strata Titles Act 1998 (Tas)* is legislation that provides for the division of property into lots and common property. Council has particular functions and powers around applications for and approval of strata plans, staged development schemes and community development schemes.

A complete version of the *Strata Titles Act 1998 (Tas)* can be viewed at [www.thelaw.tas.gov.au](http://www.thelaw.tas.gov.au).

Delegation from Council to the General Manager of the following powers and functions is sought to allow for the General Manager to exercise these powers and functions -

- i. Section 31(3) - Issuing a certificate of approval for a strata plan
- ii. Section 31(4) - Council must return documents
- iii. Section 31(6) - Council must refuse to issue certificate of approval
- iv. Section 36(1) - Developer can apply to Council for in principle approval
- v. Section 37(1)(a) - Council can require changes
- vi. Section 37(1)(b) - Council can require demolition or alteration
- vii. Section 37(2)(a) - Council can approve staged development scheme unconditionally
- viii. Section 37(2)(b) - Council can approve the staged development scheme subject to specified conditions
- ix. Section 37(2)(c) - Council can refuse to approve the staged development scheme
- x. Section 37(4) - Council to issue certificate of approval
- xi. Section 41(2) - Council can refuse to approve stage
- xii. Section 42(2) - Council to receive application for variation of staged development scheme
- xiii. Section 42(5) - Council may dispense with consent of owners
- xiv. Section 42(6) - Council may approve or refuse application for variation
- xv. Section 45 - Council may apply for an injunction
- xvi. Section 54(1)(a) - Council can require changes
- xvii. Section 54(1)(b) - Council can require demolition or alteration
- xviii. Section 54(2)(a) - Council can approve community development scheme unconditionally
- xix. Section 54(2)(b) - Council can approve the staged development scheme subject to specified conditions
- xx. Section 54(2)(c) - Council can refuse to approve the community development scheme
- xxi. Section 54(4) - Council to issue certificate of approval
- xxii. Section 57(2) - Council can refuse to approve stage
- xxiii. Section 58(2) - Council to receive application for variation of community development scheme

**19.2 Delegation from Council to General Manager - Strata Titles Act 1998 (Tas)...(Cont'd)**

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- xxiv. Section 58(5) - Council may dispense with consent of owners
- xxv. Section 58(6) - Council may approve or refuse application for variation
- xxvi. Section 61 - Council may apply for an injunction
- xxvii. Section 65(a) - Council to receive notification of proposed sale or disposal of land
- xxviii. Section 65(b)(i) - Council to receive undertaking on acquisition of land in scheme
- xxix. Section 65(b)(ii) - Council may require security on acquisition of land in scheme
- xxx. Section 142(2)(b) - Council can apply to the Recorder of Titles to have a register of title cancelled or corrected

Council's authority to delegate

Section 22 of the *Local Government Act 1993 (Tas)* permits delegation by Council and is reproduced below.

**22. Delegation by council**

*(1) Subject to subsection (2), a council, in writing, may delegate with or without conditions to the general manager, controlling authority, a council committee or a special committee, any of its functions or powers under this or any other Act, other than—*

- (a) this power of delegation, unless authorized by the council; and*
- (b) the powers referred to in subsection (3).*

*(2) A council, in writing, may delegate any of the following powers only to the general manager or a council committee and only on condition that the council has determined appropriate policies and procedures to be followed in relation to those powers:*

- (a) the collection of rates and charges under Part 9;*
- (ab) the postponement of rates and charges;*
- (b) the remission or rebate of rates and charges;*
- (ba) the writing off of any debts owed to the council;*
- (c) the making of grants or the provision of benefits.*

*(3) A council must not delegate any of its powers relating to the following:*

- (a) the borrowing of money or other financial accommodation;*
- (b) the determination of the categories of expenses payable to councillors and any member of any committee;*
- (c) the establishment of council committees, special committees, controlling authorities, single authorities or joint authorities;*
- (d) the revision of the budget or financial estimates of the council;*
- (e) the revision of the strategic plan and the annual plan of the council;*
- (f) the appointment of the general manager;*
- (fa) the sale, donation, exchange or other disposal of land or public land;*

## **19.2 Delegation from Council to General Manager - Strata Titles Act 1998 (Tas)...(Cont'd)**

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- (fb) the decision to exercise any power under section 21(1);*
- (g) the making of by-laws;*
- (h) the making of rates and charges under Part 9;*
- (i) any other prescribed power.*

The further delegation from the General Manager to an employee of the Council is permitted with Council's authorisation, as provided for in section 64 of the *Local Government Act 1993 (Tas)*, reproduced below:

### **64. Delegation by general manager**

*The general manager, in writing, may delegate to an employee of the council –*

- (a) any functions or powers under this or any other Act, other than this power of delegation; and*
- (b) any functions or powers delegated by the council which the council authorized the general manager to delegate.*

Section 22(1) of the *Local Government Act 1993 (Tas)* requires that delegation is made in writing. This condition is satisfied by an instrument of delegation from Council to the General Manager, which will be executed by the Mayor if Council determines to delegate.

### Revocation of existing delegations

Revocation of the -

- **Delegation of Approval for Staged Development Schemes under the Strata Titles Act 1998 Policy 18-PI-009**, and the
- delegation of the power to authorise the cancellation of strata plans from Council to the General Manager made at item 9.12 at the Council Meeting on 5 April 2004

is sought for clarity. In the case of the **Delegation of Approval for Staged Development Schemes under the Strata Titles Act 1998 Policy 18-PI-009**, the powers and functions described in the delegations to be revoked are dealt with in the new and more specific delegations sought at recommendation 1. The delegation of the power to authorise the cancellation of strata plans from Council to the General Manager made at item 9.12 at the Council Meeting on 5 April 2004 is recommended for revocation because the power is better described by the delegation sought at xxx in respect of section 142(2)(b) - Council can apply to the Recorder of Titles to have a register of title cancelled or corrected.

### **ECONOMIC IMPACT:**

Not considered relevant to this report.



**19.2 Delegation from Council to General Manager - Strata Titles Act 1998  
(Tas)...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goal - To ensure decisions are made in a transparent and accountable way

Key Direction -

3. To ensure decisions are made on the basis of accurate and relevant information

Ten-year goal - To continue to meet our statutory obligations and deliver quality services

Key Direction -

4. To continually improve our service delivery and supporting processes

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey, Director Corporate Services

**19.3 Council Meetings (Frequency and Commencement Time) Policy****FILE NO:** SF0975**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider the Council Meetings (Frequency and Commencement Time) Policy 14-Plx-001.

**This decision requires an absolute majority, per Regulation 6(1) of the Local Government (Meeting Procedures) Regulations 2015.**

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 23 January 2017 - 19.1- Council Meetings (Frequency and Commencement Time) Policy

SPPC - 6 February 2017 - 4.4 - Council Meetings (Frequency and Commencement Time) Policy

**RECOMMENDATION:**

That Council adopts the Council Meetings (Frequency and Commencement Time) Policy as follows:

**Council Meetings (Frequency and Commencement Time) Policy (14-Plx-001)****PURPOSE:**

To set the commencement times of ordinary Council Meetings and Strategic Planning and Policy Committee (SPPC) Meetings, to comply with regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015*, which states:

*A meeting is not to start before 5:00pm unless otherwise determined by the council by absolute majority or by the council committee by simple majority.*

To set the frequency of the ordinary Council Meetings and SPPC Meetings

To set the start time and day of Council's Annual General Meeting, to comply with section 72B(1)(a) of the *Local Government Act 1993 (Tas)* which states:

**19.3 Council Meetings (Frequency and Commencement Time) Policy...(Cont'd)**

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*A council must hold an Annual General Meeting on a date that is not later than 15 December in each year*

**SCOPE:**

This policy applies to ordinary Council Meetings, SPPC Meetings and the Annual General Meeting.

**POLICY:**

1. The first meeting of the calendar year will be a Council Meeting which will be held on the fourth Monday in January.
2. Following the first Council Meeting, SPPC and Council Meetings will be held on alternate Mondays, with no meeting being held on a week where there is a Monday public holiday, until the final scheduled Council Meeting in December.
3. The final scheduled Council Meeting will be on either the second or third Monday in December.
4. Council Meetings will commence at 1.00pm.
5. SPPC Meetings will commence at 10.00am.
6. The Annual General Meeting is held on the first Monday in December, at 5.30pm..

**PRINCIPLES:**

The Council's organisational values apply to all activities.

**RELATED POLICIES & PROCEDURES:**

N/A

**RELATED LEGISLATION:**

*Local Government Act 1993*

*Local Government (Meeting Procedures) Regulations 2015*

**REFERENCES:**

N/A

**DEFINITIONS:**

N/A

**REVIEW:**

This Policy will be reviewed after each Council election.

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**19.3 Council Meetings (Frequency and Commencement Time) Policy...(Cont'd)**

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**REPORT:**

The Council Meetings (Frequency and Commencement Time) Policy was discussed at the Council Meeting on 23 January 2017, where Council determined (in part) to:

*Defer consideration of the Council Meetings (Frequency and Commencement Time) Policy to facilitate discussion at a Strategic Planning and Policy Committee Meeting in February 2017.*

The matter was discussed at the Strategic Planning and Policy Committee Meeting on 6 February 2017 where the Policy, as outlined in the recommendation of this report.

The Meeting Schedule aligned with the Policy is attached (Attachment 1).

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

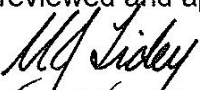
**19.3 Council Meetings (Frequency and Commencement Time) Policy...(Cont'd)**

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Michael Tidey: Director Corporate Services**

**ATTACHMENTS:**

1. City of Launceston Meeting Schedule 2017

**2017 Meeting Schedule - Alternate Model**

DAY	DATE	MEETING	TIME
<b>COUNCIL in RECESS from Tuesday 13 December 2016 to Friday 20 January 2017</b>			
<b>JANUARY</b>			
Monday	23 January	Council	1.00pm
<b>Monday</b>	<b>30 January</b>	<b>NO MEETING</b>	
<b>FEBRUARY</b>			
Monday	6 February	Strategic Planning & Policy Committee	10.00am
Monday	13 February	Council	1.00pm
Monday	20 February	Strategic Planning & Policy Committee	10.00am
Monday	27 February	Council	1.00pm
<b>MARCH</b>			
<b>Monday 13 March - PUBLIC HOLIDAY - 8 Hours Day</b>			
Monday	6 March	Strategic Planning & Policy Committee	10.00am
<b>Monday</b>	<b>13 March</b>	<b>No meeting due to Public Holiday Monday</b>	
Monday	20 March	Council	1.00pm
Monday	27 March	Strategic Planning & Policy Committee	10.00am
<b>APRIL</b>			
<b>Friday 14 April to Tuesday 18 April - PUBLIC HOLIDAYS - EASTER</b>			
<b>Tuesday 25 April - PUBLIC HOLIDAY - Anzac Day</b>			
Monday	3 April	Council	1.00pm
Monday	10 April	Strategic Planning & Policy Committee	10.00am
<b>Monday</b>	<b>17 April</b>	<b>No meeting due to Public Holiday Monday</b>	
Monday	24 April	Council	1.00pm
<b>MAY</b>			
Monday	1 May	Strategic Planning & Policy Committee	10.00am
Monday	8 May	Council	1.00pm
Monday	15 May	Strategic Planning & Policy Committee	10.00am
Monday	22 May	Council	1.00pm
Monday	29 May	Strategic Planning & Policy Committee	10.00am
<b>JUNE</b>			
<b>Monday 12 June - PUBLIC HOLIDAY - Queen's Birthday</b>			
Monday	5 June	Council	1.00pm
<b>Monday</b>	<b>12 June</b>	<b>No meeting due to Public Holiday Monday</b>	
Monday	19 June	Strategic Planning & Policy Committee	10.00am
Monday	26 June	Council	1.00pm

DAY	DATE	MEETING	TIME
<b>JULY</b>			
Monday	3 July	Strategic Planning & Policy Committee	10.00am
Monday	10 July	Council	1.00pm
Monday	17 July	Strategic Planning & Policy Committee	10.00am
Monday	24 July	Council	1.00pm
Monday	31 July	Strategic Planning & Policy Committee	10.00am
<b>AUGUST</b>			
Monday	7 August	Council	1.00pm
Monday	14 August	Strategic Planning & Policy Committee	10.00am
Monday	21 August	Council	1.00pm
Monday	28 August	Strategic Planning & Policy Committee	10.00am
<b>SEPTEMBER</b>			
Monday	4 September	Council	1.00pm
Monday	11 September	Strategic Planning & Policy Committee	10.00am
Monday	18 September	Council	1.00pm
Monday	25 September	Strategic Planning & Policy Committee	10.00am
<b>OCTOBER</b>			
Monday	2 October	Council	1.00pm
Monday	9 October	Strategic Planning & Policy Committee	10.00am
Monday	16 October	Council	1.00pm
Monday	23 October	Strategic Planning & Policy Committee	10.00am
Monday	30 October	Council	1.00pm
<b>NOVEMBER</b>			
<b>Monday 6 November - PUBLIC HOLIDAY - Recreation Day</b>			
<b>Monday</b>	<b>6 November</b>	<b>No meeting due to Public Holiday Monday</b>	
Monday	13 November	Strategic Planning & Policy Committee	10.00am
Monday	20 November	Council	1.00pm
Monday	27 November	Strategic Planning & Policy Committee	10.00am
<b>DECEMBER</b>			
<b>Monday 26 December to Friday 29 December - PUBLIC HOLIDAYS - CHRISTMAS</b>			
Monday	4 December	Council	1.00pm
Monday	4 December	Annual General Meeting	5.30pm
Monday	11 December	Strategic Planning & Policy Committee	10.00am
Monday	18 December	Council	1.00pm

**19.4 Council Borrowing Approval and Budget Amendment for the 2016/2017 Financial Year**

**FILE NO:** SF6329

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

**DECISION STATEMENT:**

To consider the approval for the taking out of loans under the State Government's Accelerated Local Government Capital Program and the amendment of the Council's Capital Budget.

*The decision requires an absolute majority of Council in accordance with Section 82(4) of the Local Government Act 1993.*

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 28 November 2018 - 20.2 - CH Smith Site Development

**RECOMMENDATION:**

1. That Council, pursuant to Section 78 of the *Local Government Act 1993* authorises the following amounts totalling \$19.5m to be borrowed under the State Government's Accelerated Local Government Capital Program (ALGCP).

	\$m
a) Reimaging the Cataract Gorge	0.5
b) St John Street Redevelopment	4.2
c) Brisbane Street Mall Redevelopment	5.8
d) CH Smith Car Park	9.0
	<u>19.5</u>

The program provides for the State Government to fully subsidise the interest that would otherwise apply to the loans.

2. That Council, pursuant to Section 82 of the *Local Government Act 1993* approves the amendment of the Capital Works Budget for the 2016/17 financial year as follows:

<b>Capital Budget</b>	<b>Council \$m</b>	<b>Grant \$m</b>	<b>Total \$m</b>
Existing (pending approval)	18.6	15.3	33.9
ALGC Program	19.5	-	19.5
	<u>38.1</u>	<u>15.3</u>	<u>53.4</u>

**19.4 Council Borrowing Approval and Budget Amendment for the 2016/2017 Financial Year...(Cont'd)**

Project	Current Amount \$	Transfer From \$	Transfer To \$	New Budget \$
a) Reimaging the Cataract Gorge	250,000	-	500,000	750,000
b) St John Street Redevelopment	-	-	4,200,000	4,200,000
c) Brisbane Street Mall Redevelopment	-	-	5,800,000	5,800,000
d) CH Smith Car Park	-	-	9,000,000	9,000,000
	<b>250,000</b>	<b>-</b>	<b>19,500,000</b>	<b>19,750,000</b>

Note

1. The existing budget includes some amendments that are pending approval by the Audit Panel and Council that occur as part of routine updates.
2. The overall budget is the current year funding and does not include the funding carried forward from 2015/2016.

**REPORT:**

The State Government has initiated an Accelerated Local Government Capital Program as part of an economic stimulus package. The package provides for interest subsidised (free) loans for approved projects with the objective of increasing commercial activity by enabling projects to be brought forward that were planned for future years.

The Council identified three projects that could be advanced in the short term if the funding were available now. Additionally, the opportunity for the Council to facilitate the redevelopment of the CH Smith site arose through the construction of a carpark. Council approved the acquisition of the carpark.

The recommendations are presented to complete the formal legislative requirements in regard to budget changes and borrowing approval.

**ECONOMIC IMPACT:**

The expenditure of \$19.5m will provide a significant economic stimulus to the local economy. It will also provide confidence in the city and the region.



**19.4 Council Borrowing Approval and Budget Amendment for the 2016/2017 Financial Year...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

All the projects contribute to the ongoing enhancement of the built environment within the City.

**SOCIAL IMPACT:**

Economic activity has positive social impacts through the confidence it creates for residents and the experience of visitors.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation  
Ten-year goals -

Key Directions -

5. To strategically manage our assets, facilities and services
6. To maintain a financially sustainable organisation

**BUDGET & FINANCIAL ASPECTS:**

The Accelerated Local Government Capital Program provides for a subsidy of the interest costs on loans. Thus there isn't an operating budget impact for the projects, other than the carpark which is forecast to produce a positive financial result as detailed in the presentation to aldermen when the proposal was considered late in 2016.

The budget adjustment consideration of this item has been approved by the Director Corporate Services.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey: Director Corporate Services

## 20 GENERAL MANAGER'S DIRECTORATE ITEMS

**No Items have been received as part of this Agenda**

## 21 URGENT BUSINESS

*Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Agenda.*

**No Urgent Items have been received as part of this Agenda**

## 22 CLOSED COUNCIL

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)*

### 22.1 Confirmation of the Minutes

#### **DECISION STATEMENT:**

Pursuant to the *Local Government (Meeting Procedures) Regulations 2015 - Regulation 34(6)* 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.

### 22.2 Information regarding the proposed sale of part of 50 Lamont Street

#### **RECOMMENDATION:**

That Agenda Item 22.2 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(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:

15(2)(f) proposals for the council to acquire land or an interest in land or for the disposal of land.

**22.3 Information regarding land at the rear of 151, 153 & 155-159 Hobart Road****RECOMMENDATION:**

That Agenda Item 22.3 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(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:

15(2)(f) proposals for the council to acquire land or an interest in land or for the disposal of land.

**22.4 Rate Remission - Residential Properties Made Uninhabitable by the June 2016 Flooding****RECOMMENDATION:**

That Agenda Item 22.4 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

**23 MEETING CLOSURE**