



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 7 MAY 2018
1.00pm**

City of Launceston

COUNCIL MINUTES

Monday 7 May 2018

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

Date: 7 May 2018

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 Minutes Items for this Meeting.



Michael Stretton
General Manager

City of Launceston

COUNCIL MINUTES

Monday 7 May 2018

Present: **Alderman** **A M van Zetten (Mayor)**
R I Soward (Deputy Mayor)
R L McKendrick
R J Sands
D H McKenzie
J G Cox
J Finlay
S R F Wood
E K Williams
K P Stojansek

In Attendance: **Mr M Stretton (General Manager)**
Mr S G Eberhardt (Director Infrastructure Services)
Mrs L M Hurst (Director Development Services)
Mr B MacIsaac (Director Facilities Management)
Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery)
Ms L Foster (Director Corporate Services)
Mr D E Sinfield (Director Major Projects)
Mrs A Rooney (Committee Clerk)

Apologies: **Alderman** **D C Gibson**
D W Alexander

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COUNCIL MINUTES

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Alderman A M van Zetten, opened the Meeting at 1.00pm and noted apologies from Alderman D C Gibson and Alderman D W Alexander.

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.)

No Declarations of Interest were identified as part of these Minutes

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 April 2018 be confirmed as a true and correct record.

DECISION: 7 May 2018**MOTION**

Moved Alderman D H McKenzie, seconded Alderman J G Cox.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

4 DEPUTATIONS

No Deputations were identified as part of these Minutes

5 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions were identified as part of these Minutes

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 Minutes Items; that opportunity exists when that Minutes Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Aldermen.)

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

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 - Mr Basil Fitch - Council Meeting - 7 May 2018**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following question was asked at the Council Meeting on 23 April 2018 by Mr Basil Fitch and has been answered by Mr Michael Stretton (General Manger).

Questions (typed as received):

1. During the Council Meeting of 9 April 2018, a letter sent from the General Manager to the Hon Peter Gutwein on 13 November 2017 was not included in the Agenda Attachments for the Meeting - why not and is this letter available to the public?

Response:

The Agenda Item referred to related to a recommendation that Council seek an amendment to the Launceston Interim Planning Scheme 2015. The proposed amendment was placed on public exhibition from 10 February to 13 March 2018 and four representations were received. In response to one of the matters raised in a representation, the Consultant Planner made reference to correspondence from the Minister for Planning and Local Government. That correspondence was attached to the report for the reference of Aldermen in considering the report and recommendation. It was not considered necessary or relevant to include the initial letter from the General Manager to the Minister seeking his advice.

A copy of the General Manager's letter to the Minister has been provided to Mr Fitch by way of active disclosure under the *Right to Information Act 2009*.

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.)

7.2.1 Mr Basil Fitch - Amendment 43

1. With reference to correspondence from the Hon Peter Gutwein to the General Manager regarding Amendment 43 - how can the Minister make statements such as those in the letter when these matters need to be submitted to the Planning Commission for comment?

Mr Michael Stretton (General Manager) responded by saying that the Minister has ultimate responsibility on behalf of the Government for the Deed. There are two processes which need to occur, the first being to provide advice regarding the Deed and what is intended by that, which will then be considered as part of the planning scheme amendment process which is now in the hands of the Tasmanian Planning Commission. That is why the Minister was able to provide comment as he did.

2. Still, with regard to Amendment 43, the next question relates to a statement made by the Launceston Flood Authority. Under delegation from the Launceston Flood Authority to the Director of Infrastructure Services, what does the following statement mean - *the Flood Deed of Agreement which has been introduced as planning provisions into the Invermay/Inveresk Flood Inundation Area Code does not prohibit the development of a museum and any subsequent development of a museum needs to comply with the Code?*

Mr Stretton responded by saying that these are matters which are part of the planning scheme amendment process which is underway at present and will ultimately be determined by the Tasmanian Planning Commission. It is Council's position that the planning scheme went beyond what was intended by the terms of the Deed in that it was never intended that museums be prohibited in that zone and that is the Council's contention. Ultimately this matter will be determined by the Tasmanian Planning Commission in considering the planning scheme amendment.

7.2.2 Mr Basil Fitch - Macquarie House Tender

1. With regard to the Tender Review Committee report included in today's Agenda concerning Macquarie House, there is a comment regarding the subsequent electrical works within the tender. How does the Tender Review Committee make a decision to remove such items from a contract, when there is more than one tenderer for the project?

The Mayor, Alderman A M van Zetten, responded by saying that this question would be Taken on Notice and a response provided in the Council Agenda of 21 May 2018.

7.2.3 Mr Paul Spencer - Council Contractors

1. **Why does Council nominate its own contractors for electrical work in projects such as the Quadrant Mall and Brisbane Street Mall projects, as this restricts other local providers from the opportunity?**

The Mayor, Alderman A M van Zetten, responded by saying that this question would be Taken on Notice and a response provided in the Council Agenda of 21 May 2018.

7.2.4 Mr Paul Spencer - UTAS Stadium Signage

- 1. Contractors and wholesalers installing the ground signage at UTAS Stadium were not Tasmanian based and some wholesalers have indicated not ever having seen the relevant tender documents. Ultimately, a Victorian company was awarded the contract and has supposedly used products not approved for use in Australia. Why were Tasmanian contractors and wholesalers not given an opportunity to quote on the works and why did the successful contractor use unapproved product?**

The Mayor, Alderman A M van Zetten, responded by saying that this question would be Taken on Notice and a response provided in the Council Agenda of 21 May 2018.

7.2.5 Mr Paul Spencer - Pavers

1. **Council works in the Quadrant Mall, Civic Square and Brisbane Street Malls used pavers from a company based in Western Australia. A Tasmanian company quoted on works and the quote was cheaper. Why was the Tasmanian company overlooked and the supply awarded to an interstate company?**

The Mayor, Alderman A M van Zetten, responded by saying that this question would be Taken on Notice and a response provided in the Council Agenda of 21 May 2018.

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 were identified as part of these Minutes

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

Tuesday 24 April 2018

- Attended farewell function for Ray Mostogl held at the Queen Victoria Museum and Art Gallery

Wednesday 25 April 2018

- Officiated at the Launceston ANZAC Day march and service
- Attended the ANZAC Day luncheon at the Launceston RSL

Friday 27 April 2018

- Attended a business lunch hosted by the President of Hawthorn Football Club and General Manager of ANZ Business Banking Australia at Tramsheds, Inveresk
- Attended the launch of *The Florance* at Brisbane Street, Launceston
- Officiated at the 20th National Conference for Couples in Christ (Australia) at the Albert Hall

Saturday 28 April 2018

- Attended the Hawthorn versus St Kilda AFL football match at the University of Tasmania Stadium

Sunday 29 April 2018

- Officiated at the Launceston Freelance Festival held at Enterprize, Launceston
-

- **Following a meeting regarding inner city living with the Launceston Chamber of Commerce and a local building firm Tas City Building, the Mayor complimented Council staff on the current number of developments occurring within the City and highlighted the professionalism of the Council staff.**
-

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.)

No Aldermen's Reports were identified as part of these Minutes

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 were identified as part of these Minutes

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.)

No Aldermen's Questions without Notice were identified as part of these Minutes

12 COMMITTEE REPORTS**12.1 Pedestrian and Bike Committee Meeting - 27 March 2018****FILE NO:** SF0618**AUTHOR:** Cathy Williams (Built Environment Officer)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider a report from the Pedestrian and Bike Committee Meeting held on 27 March 2018.

RECOMMENDATION:

That Council receives the report from the Pedestrian and Bike Committee Meeting held on 27 March 2018.

Mr S Eberhardt (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 7 May 2018**MOTION**

Moved Alderman D H McKenzie, seconded Alderman J Finlay.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

12.2 Tender Review Committee Meeting - 23 April 2018**FILE NO:** SF0100**AUTHOR:** Jonathan Downes (Manager Strategic Procurement)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To receive and consider a report from the Tender Review Committee (a delegated Authority Committee).

RECOMMENDATION:

That Council receives the report from the Tender Review Committee Meeting held on 23 April 2018.

Ms L Foster (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 7 May 2018**MOTION**

Moved Alderman D H McKenzie, seconded Alderman J G Cox.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

13 COUNCIL WORKSHOPS

Council Workshops conducted on 30 April 2018 and 7 May 2018 were:

- Cataract Gorge Projected Storytelling Consultation
- Tourism Plan Consultation
- Capital Budget 2017/2018 Amendments
- Launceston Flood Authority
- Strategic Asset Management Plan (SAMP) and Long Term Financial Plan (LTFP) - Review of Draft Plans and Scenario Modelling
- General Manager's Quarterly Update
- Place Brand - DNA
- Ten Days on the Island Festival

14 NOTICES OF MOTION

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

No Notices of Motion were identified as part of these Minutes

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**15.1 CBD Promotional Service Agreement 2018-2022****FILE NO:** SF0016/SF0526**AUTHOR:** Bruce Williams (Senior Economic Advisor)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To consider approval for renewal of the CBD Promotional Service Agreement 2018-2022.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 26 February 2018 - Cityprom Proposal for New Service Agreement and Budget - 2018/2019

Council - 9 May 2016 - Agenda Item 15.2 - CBD Promotional Service Grant Agreement 2016-2018

Strategic Planning and Policy Committee - 18 April 2016 - Agenda Item 4.1 - CBD Promotional Service Grant Agreement 2016-2018

RECOMMENDATION:

That Council, subject to the adoption of the 2018-2019 rating resolution for a 2.8% rate in the dollar increase in the differential rate levied on businesses within the Launceston CBD:

1. Agrees to renew the CBD Promotional Service Agreement with Cityprom Inc, for the period from 1 July 2018 to 30 June 2022, for purposes of:
 - (a) Supporting the City's vision of central Launceston as a vibrant hub.
 - (b) Conducting activities that support economic growth for stakeholders.
 - (c) Communicating and facilitating opportunities for business growth and development.
 - (d) Supporting the Launceston City Deal targets for inner city activation.
 - (e) Supporting the strategic direction of the City of Launceston through the Greater Launceston Plan and implementation of the Launceston City Heart project.
 - (f) Supporting the strategic direction of the Northern Tasmania's regional tourism body.
 2. Approves the following conditions to the 2018-2022 CBD Promotional Service Agreement, whereby Cityprom Inc is to:
-

15.1 CBD Promotional Service Agreement 2018-2022 ...(Cont'd)

- (a) Provide Council with an annual draft budget for year one of this agreement for the ensuing financial year, then provide Council with a three-year budget for the 2019-2022 financial years by not later than 28 February 2019.
 - (b) Provide an annual report, including a copy of Cityprom's audited financial statements following Cityprom's Annual General Meeting, by not later than 31 December each year.
 - (c) Maintain a \$20million public liability insurance cover.
 - (d) Not change Cityprom's purpose without consulting Council.
 - (e) Not use the levy collected by Council to fund actions or undertake activities against the Council or its interests.
-

Mr M Stretton (General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.

Mr Steve Henty spoke for the item

DECISION: 7 May 2018

MOTION

Moved Alderman S R F Wood, seconded Alderman J Finlay.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items were identified as part of these Minutes

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items were identified as part of these Minutes

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS**18.1 Lease - Lilydale Football Club****FILE NO:** SF0907**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider leasing an area of land situated at 38-40 Doaks Road, Lilydale to the Lilydale Football Club Inc as marked on the attached plan.

Under section 178(3) of the Local Government Act 1993 this decision is required to be passed by an absolute majority of Council.

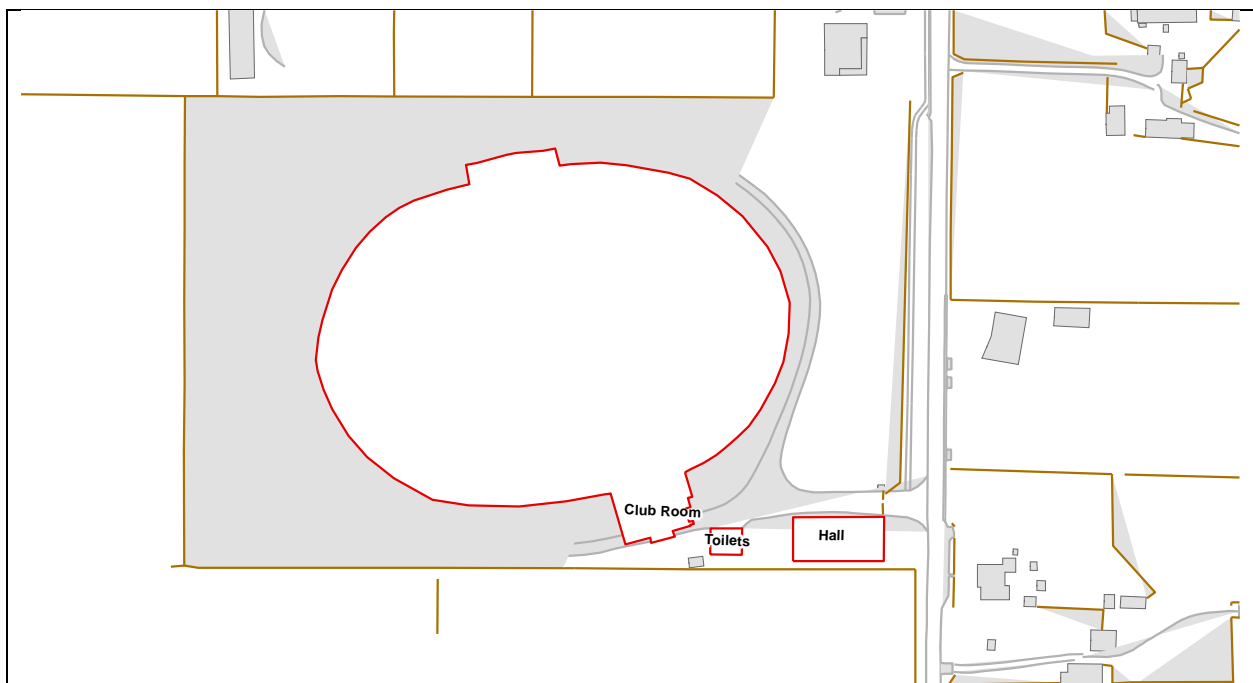
PREVIOUS COUNCIL CONSIDERATION:

Council - 22 February 2016 - Agenda Item 18.1 - Lilydale Football Club Lease - Lease approved

Council - 29 March 2010 - Agenda Item 12.2 - Lilydale Football Club Lease - Lease approved

RECOMMENDATION:

1. That Council, by absolute majority, in accordance with section 179 of the *Local Government Act 1993*, agrees to lease part of 38-40 Doaks Road, Lilydale (CT49467/1) known as the Lilydale Recreation Ground to the Lilydale Football Club Inc as indicated by hatch on the plan below, for the purposes of a community recreational area.
-

18.1 Lease - Lilydale Football Club ...(Cont'd)

2. The General Manager is authorised to enter into a formal lease under the following terms:
- the term shall be five years commencing on 1 June 2018
 - the lease amount shall be \$1pa if demanded
 - tenant to be responsible for:
 - Government taxes
 - energy costs
 - volumetric and connection charges for water
 - sewerage charges
 - building and contents insurance
 - and other service charges if any
 - tenant shall continuously maintain:
 - any infrastructure or any infrastructure installed by the tenant or council in relation to the tenants occupation
 - building in good and reasonable order
 - public liability insurance of at least \$10 million

Mr S Eberhardt (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

18.1 Lease - Lilydale Football Club ...(Cont'd)

DECISION: 7 May 2018**MOTION****Moved Alderman R L McKendrick, seconded Alderman J Finlay.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 10:0****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

18.2 Lease - Ravenswood Over 50's Club Association Inc**FILE NO:** SF0396/98210**AUTHOR:** Barry Pickett (Natural Environment Manager)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider leasing an area of land situated at 49 Lambert Street, Ravenswood to the Ravenswood Over 50's Club Association Inc as marked on the attached plan.

Under section 178(3) of the Local Government Act 1993 this decision is required to be passed by an absolute majority of Council.

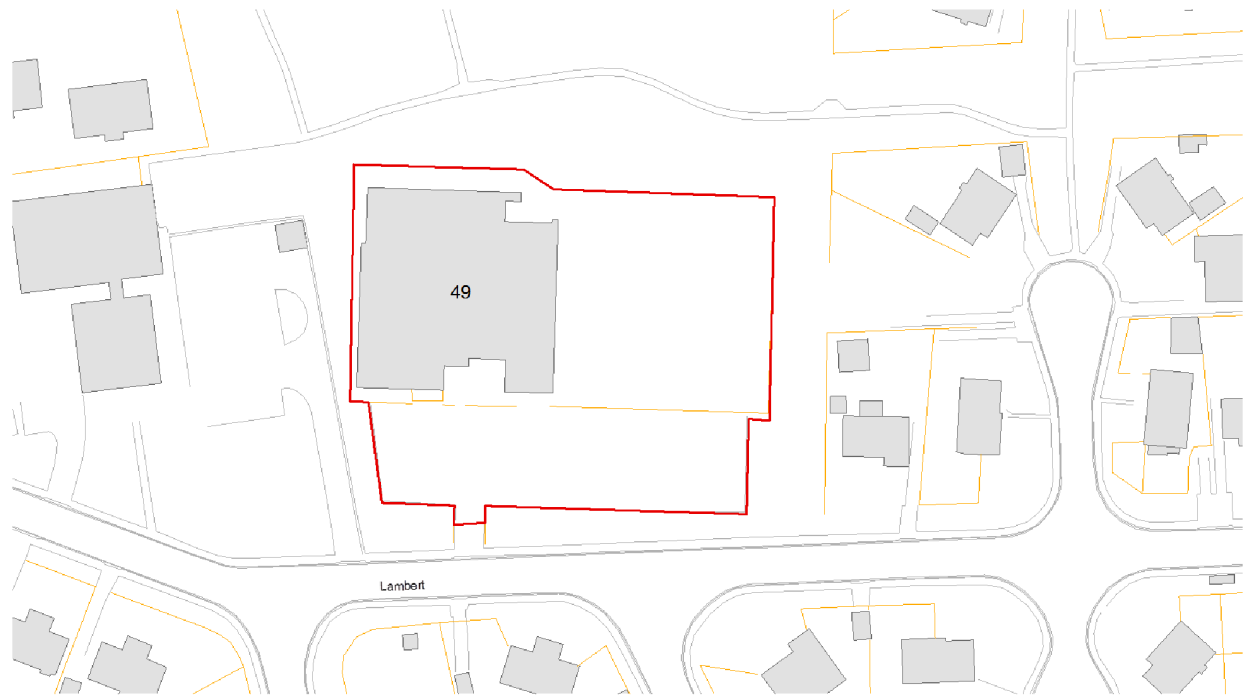
PREVIOUS COUNCIL CONSIDERATION:

Council - 17 December 2007 - Agenda Item 17.1 - Ravenswood Over 50's Club - Lease approved

RECOMMENDATION:

1. That Council, by absolute majority, in accordance with section 179 of the *Local Government Act 1993*, agrees to lease part of 49 Lambert Street, Ravenswood (CT142150/1) to the Ravenswood Over 50's Club Association Inc as indicated on the plan below, for the purposes of a community recreational area.
 2. The General Manager is authorised to enter into a formal lease under the following terms:
 - the term shall be five years commencing on 1 July 2018
 - the lease amount shall be \$1pa if demanded
 - tenant to be responsible for:
 - Government taxes;
 - energy costs;
 - volumetric and connection charges for water;
 - sewerage charges;
 - building and contents insurance; and
 - all other service fees and charges associated with maintenance of the building.
 - tenant shall continuously maintain:
 - any infrastructure or any infrastructure installed by the tenant or council in relation to the tenants occupation;
 - building in good and reasonable order; and
 - public liability insurance of at least \$10 million.
-

18.2 Lease - Ravenswood Over 50's Club Association Inc ...(Cont'd)



Mr S Eberhardt (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 7 May 2018

MOTION

Moved Alderman R L McKendrick, seconded Alderman R I Soward.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

19 MAJOR PROJECTS DIRECTORATE ITEMS

No Items were identified as part of these Minutes

20 CORPORATE SERVICES DIRECTORATE ITEMS**20.1 Budget Amendments (for Council)****FILE NO:** SF7024**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider changes to the Council's 2017/2018 Statutory Estimates.

RECOMMENDATION:

That Council:

1. Approves the following changes to the 2017/2018 Statutory Estimates:
 - (a) Capital Works Expenditure
 - (i) the increase in expenditure resulting from the costs to complete the relocation of properties under the Launceston Flood Risk Management Deed of \$3,935,000.
 - (ii) the increase in expenditure resulting from the costs to complete additional flood levee stabilisation works of \$800,000.
 - (iii) the increase in expenditure resulting from the costs to complete the Newstead Flood Levee of \$500,000.
 2. Notes that amendments from item 1 result in:
 - (a) the operating surplus remaining unchanged at \$29.693m (including capital grants of \$28,013m) for 2017/2018.
 - (b) the capital budget being increased to \$49.926m for 2017/2018.
-

Ms L Foster (Director Corporate Services) and Mr P Gimpl (Manager Finance) were in attendance to answer questions of Council in respect of this Agenda Item.

20.1 Budget Amendments (For Council) ...(Cont'd)

DECISION: 7 May 2018**MOTION****Moved Alderman D H McKenzie, seconded Alderman J Finlay.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 10:0****FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

21 GENERAL MANAGER'S DIRECTORATE ITEMS

No Items were identified as part of these Minutes

22 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 Minutes.

No Urgent Items were identified as part of these Minutes

23 CLOSED COUNCIL

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

No Closed Items were identified as part of these Minutes

24 MEETING CLOSURE

The Mayor, Alderman A M van Zetten, closed the Meeting at 1:28pm.
