



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
THURSDAY 8 AUGUST 2019  
1.00pm**

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

Date: 8 August 2019

Time: 1.00pm

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## Certificate of Qualified Advice

### Background

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

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

### Certification

I certify that:

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



**Michael Stretton**  
General Manager

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# City of Launceston

COUNCIL AGENDA

Thursday 8 August 2019

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22 November 2018

Mr Michael Stretton  
General Manager  
City of Launceston  
PO Box 396  
**LAUNCESTON TAS 7250**

Dear Michael

## **COUNCIL MEETING**

In accordance with regulation 4 of the *Local Government (Meeting Regulations) 2015* which states:

### **4. Convening council meetings**

- (1) *The mayor of a council may convene -*
- (a) *an ordinary meeting of the council; and*
  - (b) *a special meeting of council.*

I request that you make the necessary arrangements for the Ordinary Meetings of Council to be convened on the following Thursdays for 2019: 24 January; 7 and 21 February; 7 and 21 March; 4 and 18 April; 2, 16 and 30 May; 13 and 27 June; 11 and 25 July; 8 and 22 August; 5 and 19 September; 3, 17 and 31 October; 14 and 28 November and 12 December commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall, St John Street, Launceston.

Yours sincerely



**Councillor A M van Zetten**  
**MAYOR**

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# City of Launceston

## COUNCIL AGENDA

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COUNCIL AGENDA

Thursday 8 August 2019

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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 25 July 2019 be confirmed as a true and correct record.

**4 DEPUTATIONS**

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

**5 PETITIONS**

*Local Government Act 1993 - sections 57 and 58*

**No Petitions have been identified as part of this Agenda**

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**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 Councillors.)*

**6.1 Ms Melissa Morrison (Member) - Plastic Free Launceston**

**Ms Morrison will provide Council with a summary of events, including a successful community engagement program, of Plastic Free July in Launceston.**

**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.)*

**No Public Questions on Notice have been identified as part of this Agenda**

**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.)*

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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 identified as part of this Agenda**

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## 9 ANNOUNCEMENTS BY THE MAYOR

### 9.1 Mayor's Announcements

FILE NO: SF2375

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#### Thursday 25 July 2019

- Attended the opening of the new Public Trustee Office

#### Friday 26 July 2019

- Officiated at the launch of Drysdale House new food composter

#### Saturday 27 July 2019

- Attended the AFL Hawthorn versus Brisbane game
- Officiated at the Suicide Awareness Walk
- Officiated at the launch of the AFL Under 15s tournament

#### Monday 29 July 2019

- Met with Ikeda teachers and students visiting Launceston

#### Tuesday 30 July 2019

- Met with Kagawa students visiting Launceston

#### Wednesday 31 July 2019

- Officiated at the Chamber of Commerce breakfast
- Officiated at the launch of Multicap's new Community Access Centre

#### Friday 2 August 2019

- Attended the opening night of *We Will Rock You*
- Officiated at the official reception of *We Will Rock You*

#### Monday 5 August 2019

- Attended the *palawa kani* children's book launch
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-

**10 COUNCILLOR'S REPORTS**

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

**11 QUESTIONS BY COUNCILLORS****11.1 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 Councillor's Questions on Notice have been identified 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.)*

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**12 COMMITTEE REPORTS****12.1 Heritage Advisory Committee Meeting - 4 July 2019****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Heritage Advisory Committee Meeting held on 4 July 2019.

**RECOMMENDATION:**

That Council receives the report from the Heritage Advisory Committee Meeting held on 4 July 2019.

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**REPORT:**

The Heritage Advisory Committee, at its Meeting on 4 July 2019:

- Welcomed Wendy Roberts as the new representative for the Launceston Historical Society who replaces Sue McClarron. The Chairman acknowledged Sue's valuable contribution to the Committee over the past four years.
- Welcomed Ian Boersma as the representative for Heritage Tasmania.
- Discussed the update on significant Development Applications involving heritage issues including:
  - a. DA0284/2019 - 113 Canning Street, Launceston - Residential - Construction of alterations and additions to a building.
  - b. DA0270/2019 - 198 Cimitiere Street, Launceston - Business and Professional Services - Change of use to medical centre and install new signs.
  - c. DA0270/2019 - 14-16 St Georges Square, East Launceston - Residential - Demolish and replace the existing dwelling on Lot 1, construction of a dwelling (redesigned) on Lot 2; demolish and replace the existing fence surrounding the frontage and removal of a mulberry tree.

It was reported that the property at 14-16 St Georges Square is not currently heritage listed, however, the front fence is considered to be significant in both its association with the neighbouring property 'Torkington' and the contribution it makes to the streetscape character of St George's Square and the surrounding area.

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**12.1 Heritage Advisory Committee Meeting - 4 July 2019 ...(Cont'd)**

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The Heritage Planner advised the fence is able to be protected under Scenic Management Code under the current planning scheme in the short term, however, with the changes to scenic management imposed by the State Government under the new Tasmanian Planning Scheme, this structure will require listing as a Local Heritage Place to allow for ongoing protection via the Local Historic Heritage Code in the new Scheme.

Discussion resulted in the Committee supporting Council officers in progressing a nomination for listing the brick fence structure as part of the Local Provisions Schedule in the new planning scheme.

The Committee was provided an update on the redevelopment of Macquarie House by the Acting Director of Infrastructure Services. The redevelopment of this highly significant property, being possibly the second oldest non-residential building in Launceston, is practically complete. The project addressed the legislative requirements for any new use with the addition of new toilets, a lift and stairs, bringing the building back to life after being closed to the public for many years.

**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 Corporate Strategic Plan 2014-2024

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

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

Focus Area:

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

12.1 Heritage Advisory Committee Meeting - 4 July 2019 ...(Cont'd)

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**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**

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**12.2 Launceston Access Advisory Committee Report - 5 June 2019****FILE NO:** SF0025**AUTHOR:** Tracey Mallett (Manager Community and Economic Development)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Launceston Access Advisory Committee.

**RECOMMENDATION:**

That Council receives the report from the Launceston Access Advisory Committee Meeting held on 5 June 2019.

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**REPORT:**

The Launceston Access Advisory Committee held its regular Meeting on 5 June 2019.

Membership of the Committee was discussed, as participation is needed from more agencies that provide disability support services. At this Meeting, representatives from VisAbility were welcomed and it is hoped additional agencies can be included for future Meetings. The Committee also committed to increasing the Meeting schedule from twice per year to four times per year, with the next Meeting scheduled for September 2019.

The Committee was updated on the following:

- Access Action Plan Review - The current Access Plan is out of date and due for renewal in 2019. Part of this Meeting was used for a Workshop to determine the strategies and actions that fall under the Council's control that be incorporated into the new Plan. Discussed were the following commitments:
    - Commitment 1: Access to public spaces and buildings
    - Commitment 2: Advocacy for employment and education opportunities
    - Commitment 3: Transport
    - Commitment 4: Access to the arts and events
    - Commitment 5: Our inclusive community
  - The draft Greater Launceston Transport Vision had been circulated and there was a reminder that under *Tomorrow Together*, there is a theme on access, mobility and transport. All members are encouraged to participate.
  - Queen Victoria Museum and Art Gallery's (QVMAG) commitment to making art gallery displays more inclusive. Whilst still at the planning stage, this would enable greater participation at QVMAG exhibitions by a wider audience.
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**12.2 Launceston Access Advisory Committee Report - 5 June 2019 ...(Cont'd)**

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- An overview of the Tiger Bus trial to Cataract Gorge over summer and discussion on the improvements this made to accessibility to one of Launceston's main attractions.
- VisAbility's concerns about the need for upgraded tactile ground surfaces indicators around the CBD and the fact that there is currently no auditing process for this and the required upkeep on these.
- The lack of AUSLAN interpreters in northern Tasmania and the difficulty in arranging local training and accreditation for interpreters.
- The consultation that was open at the time into the proposed changes to the northern bus region. All attendees were encouraged to submit their feedback and encourage their organisations to do the same on behalf of their users.

With this Meeting initiating the consultation for the review of Council's Access Action Plan, all committee members and representatives from a broad range of disability support providers, advocates and facilitators will continue to be invited to consultation sessions over the next six months.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

6.4% of the population of Launceston identify as needing help in their day-to-day lives due to disability. Council's commitment to this Committee, the revised Access Plan and support to agencies that provide this assistance is critical in ensuring that our community is inclusive to all.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Area:

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



**12.2 Launceston Access Advisory Committee Report - 5 June 2019 ...(Cont'd)**

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Strategic Priority 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.

Strategic Priority 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.

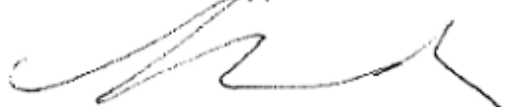
**BUDGET & FINANCIAL ASPECTS:**

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**

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**13 COUNCIL WORKSHOPS****13.1 Council Workshop Report****FILE NO:** SF4401**AUTHOR:** Leanne Viney (Administration Assistant)**DIRECTOR:** Paul Gimpl (Acting Director Corporate Services)

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**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RECOMMENDATION:**

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

Workshop conducted on 8 August 2019:

**Expression of Interest and Evaluation Process for Leasing the Restaurant in Macquarie House**

*Councillors were provided with an overview of the Expression of Interest and evaluation process for the commercial lease of the restaurant in Macquarie House.*

**Greater Launceston Transformation Plan**

*Councillors received an update on the Greater Launceston Transformation Project.*

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**REPORT:**

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

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

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**13.1 Council Workshop Report ...(Cont'd)**

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**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

**BUDGET & 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.



**Paul Gimpl: Acting Director Corporate Services**

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**14 NOTICES OF MOTION**

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

**14.1 Notice of Motion - Councillor N D Daking - Climate Emergency**

**FILE NO:** SF5547

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

**GENERAL MANAGER:** Michael Stretton (General Manager)

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**DECISION STATEMENT:**

To consider a Notice of Motion submitted by Councillor N D Daking regarding Climate Emergency.

**RECOMMENDATION:**

We are facing a rapidly warming climate, requiring urgent action by all levels of government. City of Launceston acknowledges this and joins many jurisdictions around Australia in declaring a climate emergency. In recognition of the climate emergency, need for carbon reduction and action to be taken, the City of Launceston resolves to:

1. Acknowledge the urgency created by climate change that requires immediate and collaborative action across all tiers of government;
  2. Council resolve to write to all State and Federal parliamentarians whose offices lie within the City of Launceston boundaries, and to the Prime Minister, the federal Opposition Leader and the Tasmanian Premier, expressing its position on the climate emergency we are facing;
  3. Immediately conduct an audit of all City of Launceston Operations to obtain current base line Greenhouse gas emission levels;
  4. Complete the Council's Sustainability Strategy by December 2019 for implementation commencing in 2020. The Strategy will need to address the following -
    - a. An implementation action plan for City of Launceston to strive towards achieving 100% neutrality of carbon emissions by 2025;
    - b. A renewable energy action plan for the City of Launceston to move towards 100% renewables as sources of energy by 2025; and
    - c. A plan for engaging and working with the community, business and not-for-profit sectors to reduce community emissions and move towards renewables.
- 
-

**14.1 Notice of Motion - Councillor N D Daking - Climate Emergency ...(Cont'd)**

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**REPORT:**

While the Council has been active in both adapting to and/or mitigating the impacts of Climate Change for many years, there is still much we need to do.

Our strong actions and decision-making around flood mitigation and adaptation for the city over the years are clear for all to see.

The Council owns and manages the City's major landfill site and has acted to capture methane gas from the landfill and minimise the waste which is being deposited in the landfill. The implementation of the free organics collection service for the Launceston community is further reducing the amount of organic waste which is being deposited in the landfill, which is having a significant impact on reducing the amount of greenhouse gas being generated from the landfill. Additionally, the council has invested in reducing energy usage and increasing renewable energy such as \$3m in LED street lighting and investment in solar power energy production together with co-generation technology at the Launceston Leisure & Aquatic Centre to reduce its energy consumption.

The Council has a 12 month program to engage with the community on what matters to them which is based around six themes. The first theme of the Tomorrow Together engagement is A Resilient City which includes how we as a community adapt and mitigate to a changing climate. I encourage you to participate in this program which you can be found at <https://yourvoiceyourlaunceston.com.au/>

The Council is currently preparing its inaugural Sustainability Strategy which will provide a clear direction for further mitigating and/or adapting to the impacts of Climate Change into the future, and this Notice of Motion will lend its political support to champion these efforts into the future.

**OFFICER COMMENTS:**

*(Emma Williams - Sustainability Officer)*

*In context, the Notice of Motion demonstrates fit with current local government approaches to climate change and sustainability. The Australian Local Government Association (ALGA) National General Assembly recently voted in support of a motion calling on the Australian Government to declare a climate emergency, and to establish a fund to help Councils build resilience in climate change-vulnerable communities. Similar motions highlighting the needs and opportunities of Councils undertaking climate change mitigation and adaptation actions were likewise carried by the assembly.*

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**14.1 Notice of Motion - Councillor N D Daking - Climate Emergency ...(Cont'd)**

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*Across Australia, local governments are on the frontline when dealing with the impact of climate change-related events on local communities. North East Tasmania has already experienced a rise in average temperatures of more than 0.5°C since 1950 (Department of Premier and Cabinet, Appendix 1 - Predicted Changes to Tasmania's Climate (Tasmanian Government)). Projected further increases in temperatures and altered rainfall patterns elevate Launceston's vulnerability to flood risks and urban heat island effects, and to the broader impacts of drought, bushfire and storm surge inundation in Northern Tasmania. The predicted negative consequences of this will include impacts on the health, wealth, lifestyle and well-being of Launceston's local community.*

*In response to the threat of a changing climate and the impacts already being experienced by residents, local governments are taking a range of actions. By 2017, one in five Councils had targets for 100% renewable use or zero emissions (Climate Council of Australia, Local Leadership: Tracking Local Government Progress on Climate Change (Climate Council of Australia Ltd, 2017), and since then over 100 Australian Councils have pledged to undertake action on climate change through the Climate Council's Cities Power Partnership. On 22 July 2019, the North Sydney Council became the 30<sup>th</sup> Council in Australia to declare a climate emergency. The statements and targets proposed in the Notice of Motion are therefore consistent with the collective number of other Councils developing strategic plans and actions to work with their communities to address climate change and other decline in the natural capital underpinning those communities.*

*The specific targets expressed in the Notice of Motion are reflective of the reasonable and achievable ambitions of other local government entities, businesses, organisations, schools and universities to achieve carbon neutrality and beyond. Due to the actions already initiated by Council to reduce carbon emissions and energy use, the City of Launceston is well-placed to aim for the targets described.*

*A Sustainability Strategy for the City of Launceston is currently in development, which includes planning to undertake an organisation-wide Carbon footprint audit. An additional collaborative action under consideration may include participating as a member of the Cities Power Partnership to leverage peer support from other local government entities.*

*Council's success in achieving the aims of the Notice of Motion will also require strong partnership with the community to ensure the best outcome, acknowledged in the final point of the Notice of Motion.*

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**14.1 Notice of Motion - Councillor N D Daking - Climate Emergency ...(Cont'd)**

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**ECONOMIC IMPACT:**

*Officer Comments (Emma Williams - Sustainability Officer)*

*The impacts of climate change pose an economic challenge for local communities, including Launceston. Evidence from the property and agricultural industries indicates that unabated climate change impacts are already having negative impacts on production, food security and property values in Australia. A report by the Climate Council has identified Launceston properties being some of the most likely to be affected by climate change-related event damage, loss of value and un-insurability, in the nation (Climate Council, Compound Costs: How Climate Changes is Damaging Australia's Economy (Climate Council, 2019)). In identifying the economic impact of the Notice of Motion, it is therefore significant to note the impact of inaction.*

**ENVIRONMENTAL IMPACT:**

*Officer Comments (Emma Williams - Sustainability Officer)*

*Anthropogenic climate change and limited planning for environmental sustainability have direct negative impacts on the natural capital that provides for our way of life. The Notice of Motion provides recommendations addressing climate change and sustainability, they forming an important foundation for future actions that will be required in order to move Launceston towards the environmental strategic priorities and goals of the City of Launceston's Corporate Strategic Plan 2014-2024. These actions will allow for Council to improve its direct and indirect environmental impact, and facilitate support for our community to participate in this as well.*

**SOCIAL IMPACT:**

*Officer Comments (Emma Williams - Sustainability Officer)*

*Actions undertaken to mitigate against anthropogenic climate change, or to adapt to its impact and build local resilience, are likely to have demonstrated social co-benefits, particularly for health and well-being. In a call for climate action in 2018, the Australian Medical Association described the significant health impacts of failing to respond to climate change-induced conditions (Australian Medicine, Act Now on Climate Change and Health (Australian Medical Association, 2018)). In the Australian Psychological Society's 'The Climate Change Empowerment Handbook' (Australian Psychological Society, The Change Empowerment Handbook: Psychological Strategies to Tackle Climate Change, 2017), the social benefits of leadership in promoting constructive social norms for climate change responses, inspiring positive visions and facilitating collective climate actions are valuable for the well-being of individuals and communities alike. The Notice of Motion includes recommendations for planning and actions that address these social benefits directly.*

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**14.1 Notice of Motion - Councillor N D Daking - Climate Emergency ...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 6: We protect our environment by caring for our unique natural assets and amenity and sensitively managing future development opportunities.

10-Year Goal: To enhance the unique natural character, values and amenity of our City by minimising the impacts of our organisations and our community's activities in the environment.

Focus Areas:

1. To reduce our and the community's impact on the natural environment.
2. To contribute to air and river quality improvements in Launceston.
3. To manage the risks of climate-related events, particularly in the area of stormwater management and riverine flooding.

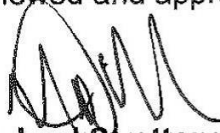
**BUDGET & FINANCIAL ASPECTS:**

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 Stretton: General Manager**

**ATTACHMENTS:**

1. Notice of Motion - Councillor N D Daking - Climate Emergency
-



**Attachment 1 - Notice of Motion - Councillor N D Daking - Climate Emergency****CITY OF LAUNCESTON****MEMORANDUM**

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FILE NO: SF5547 / SF4729  
ND  
DATE: 22 July 2019

**TO:** Michael Stretton                      General Manager  
c.c.    Committee Clerks

**FROM:** Nick Daking                        Councillor

**SUBJECT: Notice of Motion - Climate Emergency**

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In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 8 August 2019.

**Motion**

We are facing a rapidly warming climate, requiring urgent action by all levels of government. City of Launceston acknowledges this and joins many jurisdictions around Australia in declaring a climate emergency. In recognition of the climate emergency, need for carbon reduction and action to be taken, the City of Launceston resolves to:

1. Acknowledge the urgency created by climate change that requires immediate and collaborative action across all tiers of government;
2. Council resolve to write to all State and Federal parliamentarians whose offices lie within the City of Launceston boundaries, and to the Prime Minister, the federal Opposition Leader and the Tasmanian Premier, expressing its position on the climate emergency we are facing;
3. Immediately conduct an audit of all City of Launceston Operations to obtain current base line Greenhouse gas emission levels;
4. Complete the Council's Sustainability Strategy by December 2019 for implementation commencing in 2020. The Strategy will need to address the following -
  - a. An implementation action plan for City of Launceston to strive towards achieving 100% neutrality of carbon emissions by 2025;
  - b. A renewable energy action plan for the City of Launceston to move towards 100% renewables as sources of energy by 2025; and
  - c. A plan for engaging and working with the community, business and not-for-profit sectors to reduce community emissions and move towards renewables.

## CITY OF LAUNCESTON

### **MEMORANDUM**

---

#### **Background**

While the Council has been active in both adapting to and/or mitigating the impacts of Climate Change for many years, there is still much we need to do.

Our strong actions and decision-making around flood mitigation and adaptation for the city over the years are clear for all to see.

The Council owns and manages the City's major landfill site and has acted to capture methane gas from the landfill and minimise the waste which is being deposited in the landfill. The implementation of the free organics collection service for the Launceston community is further reducing the amount of organic waste which is being deposited in the landfill, which is having a significant impact on reducing the amount of greenhouse gas being generated from the landfill. Additionally, the council has invested in reducing energy usage and increasing renewable energy such as \$3m in LED street lighting and investment in solar power energy production together with co-generation technology at the Launceston Leisure & Aquatic Centre to reduce its energy consumption.

Council has a 12 month program to engage with the community on what matters to them which is based around six themes. The first theme of the Tomorrow Together engagement is A Resilient City which includes how we as a community adapt and mitigate to a changing climate. I encourage you to participate in this program which you can be found at <https://yourvoicemyourlaunceston.com.au/>

The Council is currently preparing its inaugural Sustainability Strategy which will provide a clear direction for further mitigating and/or adapting to the impacts of Climate Change into the future, and this Notice of Motion will lend its political support to champion these efforts into the future.

#### **Attachments**

Nil



**Councillor Nick Daking**

**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS****15.1 Council Committee Hearing - Petition to Amend Sealed Plan - SPD15 - 24-26 Queechy Road, Norwood****FILE NO:** 18694/SF6596**AUTHOR:** Abby Osborne (Statutory Services Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

---

**DECISION STATEMENT:**

To receive a report from the Council Committee Hearing Meeting held on 25 July 2019.

**RECOMMENDATION:**

That Council, under section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (Tas), in relation to the petition to amend SPD15 - 24-26 Queechy Road, Norwood, rejects the petition to amend the Memorandum of Covenants to allow more than one main building on lot 31.

---

**REPORT:**

Under the provisions of section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (Tas), a Council Committee Hearing Meeting was held on 25 July 2019 in relation to the petition to amend SPD15 - 24-26 Queechy Road, Norwood (Attachment 1).

Whilst considering the petition, the Committee agreed that:

- Planning issues raised by the representors have been met in the Development Application (DA0708/2018) process.
- If the covenant is removed, then the building of two or more dwellings can occur on the one lot.
- The covenant will still be relevant and applicable if the land is subdivided and will transfer to the new lots created by the subdivision/s.

The Committee, therefore recommends that the covenant remain in place and the petitioner's application to amend the sealed plan be rejected and a recommendation be forwarded to Council for decision.

---

**15.1 Council Committee Hearing - Petition to Amend Sealed Plan - SPD15 - 24-26  
Queechy Road, Norwood ...(Cont'd)**

---

**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 Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
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**

**ATTACHMENTS:**

1. Petition to Amend SPD15 - 24-26 Queechy Road, Norwood
-

**Attachment 1 - Petition to Amend SPD15 - 24-26 Queechy Road, Norwood**

**Abby Osborne**

---

**From:** jckitto@internode.on.net  
**Sent:** Thursday, 18 April 2019 2:01 PM  
**To:** Abby Osborne  
**Subject:** RE: PETITION TO COUNCIL - SEALED PLAN - SPD 15  
**Attachments:** Petition.pdf; Petition - Blank Instrument Form3.docx

Dear Abby,

**RE: PETITION TO COUNCIL – SEALED PLAN - SPD 15**

As discussed, see attached : -

1. Petition to Council;
2. Blank Instrument form

Regards

**J. KITTO**  
Barrister & Solicitor  
6 Cameron Street,  
LAUNCESTON TAS 7250  
Ph: (03) 6331 2555  
Fx: (03) 6331 9600  
Email: [jckitto@internode.on.net](mailto:jckitto@internode.on.net)  
[www.jameskitto.com.au](http://www.jameskitto.com.au)



**WARNING:** This email and any attachments which may accompany it, contains information from the law firm *James C Kitto Barrister & Solicitor* which is intended for the use of the individual or entity to which it is addressed, and which may contain information that is privileged, confidential and/or otherwise exempt from disclosure under the applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for the delivering of the message to the intended recipient, any disclosure, dissemination, distribution, copying or other use of the communication or its substance is prohibited. If you have received this communication in error, please call me to collect or to arrange for destruction of the communication or its return to me at my expense. Thank you.

**JAMES C KITTO**

BARRISTER & SOLICITOR  
ABN 18 668 098 350

6 CAMERON STREET  
LAUNCESTON  
TASMANIA

JAMES KITTO, B.COMM, LLB



POSTAL ADDRESS:  
6 CAMERON STRFET  
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FACSIMILE: (03) 6331 9600

EMAIL: [jckitto@internode.on.net](mailto:jckitto@internode.on.net)

[www.jameskitto.com.au](http://www.jameskitto.com.au)

Our Ref: FILE2019.1      Your Ref:

18 April 2019

Launceston City Council  
Town Hall  
St. John Street,  
LAUNCESTON TAS 7250

By email: [abby.osborne@launceston.tas.gov.au](mailto:abby.osborne@launceston.tas.gov.au)

Attention: *Abby Osborne*

Dear Madam,

**RE: PETITION TO AMEND SEALED PLAN NO. S.P.D. 15**

I refer to the above and confirm that this Firm acts for Mr. Patrick John Graham, the registered proprietor of 24 - 26 Queechy Road, Norwood in Tasmania ("the Land"), in this matter.

Council has approved DA0708.2018 for multiple dwellings in connection with the subject Land.

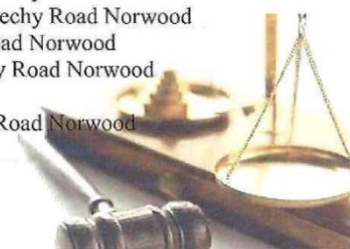
The Applicant now wishes to construct multiple dwellings on the said Land and requires covenant (a) contained in dealing no. A935047 to be removed from Sealed Plan S.P.D. 15, that restricts the construction of one main dwelling on the subject Land.

Please find enclosed completed Blank Instrument Form to be served upon the parties to the affected Sealed Plan.

I advise that it is intended to give Notice to all parties to the sealed plan as required Section 103 – 105 of *Local Government (Building and Miscellaneous Provisions) Act 1993*, who are as follows :-

**Title Ref – Registered Proprietor/Address of Registered Proprietor**

- 32 21308 – [REDACTED] – 22 Queechy Road Norwood
- 33 21308 – [REDACTED] – 20 Queechy Road Norwood
- 34 21308 – [REDACTED] – 16-18 Queechy Road Norwood
- 35 21295 – [REDACTED] – 16-18 Queechy Road Norwood
- 36 21295 – [REDACTED] – 14 Queechy Road Norwood
- 37 21295 – [REDACTED] – 10-12 Queechy Road Norwood
- 38 147275/2 – [REDACTED] – 8 Queechy Road Norwood
- 147275/1 – [REDACTED] – 2 Queechy Road Norwood

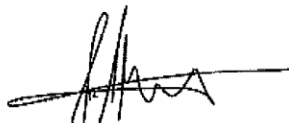


- 39 155821/2 [REDACTED] – 147 Penquite Road Norwood
- 44 21308 – [REDACTED] – 19 Queechy Road Norwood
- 45 21308 – [REDACTED] – 7 Queechy Road Norwood
- 46 21308 – [REDACTED] – 15 Queechy Road Norwood
- 47 21308 – [REDACTED] – 21 Queechy Road Norwood
- 48 156882/1 – [REDACTED] – 23 Queechy Road
- 49 156882/2 [REDACTED] – 25-27 Queechy Road Norwood
- 51 21308 – [REDACTED] – 29 Queechy Road Norwood
- 52 165803/2 [REDACTED] – 29A Queechy Road Norwood
- 165803/1 [REDACTED] – 31 Queechy Road Norwood

Please confirm that the same is in order and the required fee will be paid to Council today.

I await your reply, in due course.

Yours faithfully,  
**JAMES C KITTO**



**J KITTO**

Encl.

TASMANIAN LAND TITLES OFFICE

Blank Instrument Form  
Land Titles Act 1980



DESCRIPTION OF LAND			
Folio of the Register			
Volume	Folio	Volume	Folio
21308	31		

**REQUEST TO AMEND SEALED PLAN NO. S.P.D. 15**

**IN THE MATTER** of Section 103 of  
the *Local Government (Building and  
Miscellaneous Provisions) Act 1993*

To: The Recorder of Titles

The Launceston City Council hereby requests that Sealed Plan No. **S.P.D. 15** be amended in the following terms : -

Delete from **Schedule of Covenants no. A935047** relative to Sealed Plan No. **S.P.D. 15** the following covenant : -

- (a) That not more than one main building shall be erected on the Covenantor's lot

<p>Land Titles Office Use Only</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Stamp Duty</p>
------------------------------------	---

Version 1

**THE BACK OF THIS FORM MUST NOT BE USED**



Page 2 of 2 Pages  
Vol. 21308 Fol. 31

And that **Folio 31** of the Register issued pursuant to Sealed Plan No. **S.P.D. 15** be amended accordingly and that all consequential amendments necessary to give effect to this request be made.

IN WITNESS thereof THE COMMON )  
SEAL of the LAUNCESTON CITY )  
COUNCIL has been hereunto affixed )  
this      day of                      2019 )

.....  
**General Manager**

JAMES KITTO, B.COMM, LLB



**JAMES C KITTO**

BARRISTER & SOLICITOR  
ABN 18 668 098 350

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[www.jameskitto.com.au](http://www.jameskitto.com.au)

Our Ref: FILE2019.1      Your Ref:

18 April 2019



*By Hand*

Dear Sir,

**RE: PETITION TO COUNCIL – REQUEST TO AMEND SEALED PLAN: SPD 15**

I refer to the above and confirm that this Firm acts for Mr. Patrick Graham, the registered proprietor of the property situate at 24 - 26 Queechy Road, Norwood in Tasmania 7250.

I advise the following : -

1. Mr. Graham has petitioned Council to amend Sealed Plan no. S.P.D 15;  
[see copy of the Request to Amend Sealed Plan no. SPD 15 lodged with Council this afternoon, for your easy reference]
2. Mr. Graham is required to give you notice of his Petition pursuant to Section 103 – 105 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*;
3. If you wish to object to the Petition please contact Council on **(03) 6323 3000**;
4. If you do not wish to object to the Petition please email this Firm at [jckitto@internode.on.net](mailto:jckitto@internode.on.net) and simply state - No objection is taken to the Petition.

Finally, please do not hesitate to contact the writer on **(03) 6331 2555**, if you have any questions concerning the above.

Yours faithfully,  
**JAMES C KITTO**

**J KITTO**

Encl.



**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS****16.1 Assignment of Lease - Blue Cafe****FILE NO:** SF3253**AUTHOR:** Robert Groenewegen (Manager Inveresk Precinct)**DIRECTOR:** Shane Eberhardt (Acting Director Facilities Management)

---

**DECISION STATEMENT:**

To consider an Assignment of Lease for the Blue Café, Inveresk.

**RECOMMENDATION:**

That Council agrees to the request from the University of Tasmania to the assignment of the sub lease for Blue Café from KJ and CM Smith to Lemongrass One Pty Ltd (Cameron Family Trust No.2).

---

**REPORT:**

The Powerhouse building, which includes Blue Café, is owned by the City of Launceston (CoL) and leased to the University of Tasmania (UTAS). UTAS sub-lease the operation of Blue Café. Due to personal circumstances the sub lessees KJ and CM Smith have been unable to open Blue Café for a considerable period of time. A commercial arrangement has now been made between the sub lessees KJ and CM Smith and Lemongrass One Pty Ltd (Cameron Family Trust No.2) for the balance of the sub-lease period. The CoL has been requested by the tenant (UTAS) to consent to this Assignment.

Section 4(b)(i) of the Head lease states as follows:

*If the tenant wishes to assign the lease, the Tenant must make a written request to the Property Owner whose consent shall not be unreasonable withheld, but may be withheld in the circumstances provided in Regulation 28(7) of the Regulations'*

*Regulation 28(7) of the Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998 states:*

*A property owner may reject the assignment of a lease if –*

- (a) the proposed assignee intends to change the use of the premises; or*
  - (b) the proposed assignee does not have the financial standing to conduct the business; or*
-

**16.1 Assignment of Lease - Blue Cafe ...(Cont'd)**

---

- (c) *the proposed assignee does not have the necessary business skills to conduct the business;*
- (d) *the proposed assignee does not enter into a written agreement with the property owner in accordance with some or all of the terms of the lease or as otherwise reasonably requested by the property owner.'*

The General Manager and the Manager Inveresk have had a number of conversations with Don Cameron of Lemongrass One Pty Ltd (Cameron Family Trust No.2). The clear intention is to continue to operate the premises as a Café. The proponents have considerable experience in the business as the current operators of MUD at Seaport and former operators of Black Cow Restaurant. Mr Cameron has the skills and expertise required to conduct the business successfully. Considering the above, there is no reason for the CoL not to agree to the assignment of the lease.

**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 Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

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**16.1 Assignment of Lease - Blue Cafe ...(Cont'd)**

---

**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.



**Shane Eberhardt: Acting Director Facilities Management**

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**17 CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS****17.1 Lease of Princess Theatre and Earl Arts Centre****FILE NO:** SF0371**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)**DIRECTOR:** Tracy Puklowski (Director Creative Arts and Cultural Services)

---

**DECISION STATEMENT:**

To consider the leasing of the Princess Theatre and Earl Arts Centre to Theatre North Inc.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 5 March 2007 - Agenda Item 16.1 - Princess Theatre Lease

Council - 10 September 2007 - Agenda Item 16.1 - Princess Theatre - Lease

Closed Council - 8 October 2007 - Agenda Item 17.3 - Princess Theatre Lease Terms

Council - 30 October 2017 - Agenda Item 17.2 - Princess Theatre Lease Renewal

**RECOMMENDATION:**

That Council:

1. pursuant to section 178(4) of the *Local Government Act 1993* (Tas), resolves that it intends to lease the Princess Theatre and Earl Arts Centre to Theatre North Inc. for a period of five years.
  2. instructs the General Manager to publish and display Council's intention to lease the property in accordance with the requirements of section 178(4) of the *Local Government Act 1993* (Tas).
  3. notes that the terms of the lease will be determined at a future meeting of Council, once the publishing and objection requirements of section 178 of the *Local Government Act 1993* (Tas) have been met.
- 
-

**17.1 Lease of Princess Theatre and Earl Arts Centre ...(Cont'd)**

---

**REPORT:**

The Princess Theatre and Earl Arts Centre is currently leased to Theatre North Inc. by reason of a lease dated 12 March 2008. That lease was extended and is currently operating on a month to month tenancy by reason of Clause 8.8 of the Agreement.

Theatre North Inc. has requested a new lease which will provide certainty and allow it to continue providing shows to the public through its ticketing service and by allowing community groups to utilise the facilities.

Theatre North Inc. provides a public benefit by offering its facilities for the use of various community groups and members of the public. It facilitates a number of national touring artists and large productions on a regular basis. Over 80,000 people attend events annually at The Princess Theatre and Earl Arts Centre.

Council has recently sourced legal advice as to legislative implications for disposals of public land. The advice also considered that the Princess Theatre and Earl Arts Centre sits on public land.

The public land status of the property requires that s 178 of the *Local Government Act 1993* (Tas) must be complied with. Relevantly, Council's intention to lease the property must be published twice in the local newspaper and copies of the notice so published are to be placed against the relevant property. Members of the public are able to object to the disposal within 21 days of the first advertisement.

If objections are received, Council must consider such objections before it can proceed with its intention. If an appeal is made to the Appeal Tribunal, Council may not proceed with its intention unless that appeal has been determined in Council's favour.

If no objections are received, Council is able to lease the property in accordance with its published intention.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

---

## 17.1 Lease of Princess Theatre and Earl Arts Centre ...(Cont'd)

---

### STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Priority Area 3 - We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-year Goal -To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Area -

2. To fairly and equitably discharge our statutory and governance obligations.

### BUDGET & FINANCIAL ASPECTS:

Council will need to budget for the change in circumstances in ongoing operational budgets.

### 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.



Tracy Puklowski: Director Creative Arts and Cultural Services

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**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS**

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

---

## 19 CORPORATE SERVICES DIRECTORATE ITEMS

### 19.1 Annual Remissions Rates and Charges - Year Ended 30 June 2019

**FILE NO:** SF0523

**DIRECTOR:** Paul Gimpl (Acting Director Corporate Services)

#### DECISION STATEMENT:

To consider the approval of the Schedule of Rate Remissions for 2018/2019.

*This decision, pursuant to sections 129(3) and 129(4) of the Local Government Act 1993 (Tas), requires an absolute majority.*

#### PREVIOUS COUNCIL CONSIDERATION:

Considered annually.

#### RECOMMENDATION:

That Council, pursuant to section 129 of the *Local Government Act 1993* (Tas) and by absolute majority, in accordance with its policies, approves the schedule of Rates Remissions for 2018/2019, totalling \$1,000,989.33 and indicated in the table hereunder.

Description	Penalty and Interest	General Rate	General Charge	Service Rates	Amount of Remission
General Rates Foregone on Charitable Organisations	-	\$197,486.20	\$33,302.45	-	<b>\$230,788.65</b>
General Rates Foregone on Manses, Church Owned Vacant Land	-	\$5,026.62	\$1,413.50	-	<b>\$6,440.12</b>
Approved by Council - Aged Care	-	\$555,934.75	\$180,187.00	-	<b>\$736,121.75</b>
CBD Levy Foregone on Private Residences	-	\$2,579.33	-	-	<b>\$2,579.33</b>
Individually Approved by Council	-	\$766.00	\$4,523.20	\$440.82	<b>\$5,730.02</b>
Other	\$2,042.24	\$4,258.34	\$6,892.46	\$6,136.42	<b>\$19,329.46</b>
<b>Totals</b>	<b>\$2,042.24</b>	<b>\$766,051.24</b>	<b>\$226,318.61</b>	<b>\$6,577.24</b>	<b>\$1,000,989.33</b>

**19.1 Annual Remissions Rates and Charges - Year Ended 30 June 2019 ...(Cont'd)**

---

**REPORT:**

The schedule, as presented, is based on the application of Council's current rating remissions practices and specific remissions policies.

- (a) Rating Exemptions and Remissions for Crown Lease Jetties and Slipways Policy (23-PI-008)
- (b) Property Debt (Small Charge) Remission Policy (23-PI-006)
- (c) Rating Exemption for Properties Owned and Occupied by Charitable Organisations

The remissions have been based on written application as per section 129(2) of the *Local Government Act 1993* (Tas) except in limited circumstances where a verbal request is considered appropriate.

**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 Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

- 2. To fairly and equitably discharge our statutory and governance obligations.
  - 3. To ensure decisions are made on the basis of accurate and relevant information.
  - 5. To maintain a financially sustainable organisation.
-

**19.1 Annual Remissions Rates and Charges - Year Ended 30 June 2019 ...(Cont'd)**

---

**BUDGET & FINANCIAL ASPECTS:**

Remission of rates and charges of:

	<b>Actual</b>	<b>Budget</b>	<b>Variance</b>
Total	\$1,000,989	\$940,193	(\$60,796)


The key drivers of the variance are an increase in the amount of general rate remissions and aged care remissions.

The Council's revenue includes these amounts as rate revenue with an offsetting expense for the same amount. Were these remissions not provided, either in part or in full, the expense would be reduced and the rates required to be levied could also be reduced.

**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.



**Paul Gimpl: Acting Director Corporate Services**

**ATTACHMENTS:**

1. Annual Rate Remissions - Section 129 - *Local Government Act 1993* (Tas) - Financial Year 2018/2019 (*electronically distributed*)
-

**20 GENERAL MANAGER'S DIRECTORATE ITEMS****19.1 Delegation from Council to General Manager - *Monetary Penalties Enforcement Act 2005 (Tas)*****FILE NO:** SF5004/SF0113**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)**DIRECTOR:** Paul Gimpl (Acting Director Corporate Services)

---

**DECISION STATEMENT:**

To consider the delegation from Council to General Manager of all powers and functions under the *Monetary Penalties Enforcement Act 2005 (Tas)*.

**RECOMMENDATION:**

That Council:

1. pursuant to section 22(1) of the *Local Government Act 1993 (Tas)*, delegates all of its functions and powers under the *Monetary Penalties Enforcement Act 2005 (Tas)* to the holder of the position of General Manager.
  2. pursuant to section 64(1)(b) of the *Local Government Act 1993 (Tas)*, authorises the holder of the position of General Manager to delegate any or all of the functions and powers delegated at Recommendation 1. to an employee or employees of Council.
  3. subject to Recommendation 1. being resolved in the affirmative, and pursuant to section 22(1) of the *Local Government Act 1993 (Tas)*, revokes any delegation(s) under the *Monetary Penalties Enforcement Act 2005 (Tas)* made prior to the Recommendations under consideration.
  4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
- 

**REPORT:**

Council officers have the power to issue infringement notices under various acts of parliament. The *Monetary Penalties Enforcement Act 2005 (Tas)* (the Act) sets out how such notices are enforced and collected.

---

**19.1 Delegation from Council to General Manager - *Monetary Penalties Enforcement Act 2005 (Tas) ... (Cont'd)***

---

Section 17 of the Act sets out the options available to a person issued with an infringement notice. The section provides Council with the ability to withdraw a notice or vary the payment conditions of such a notice.

Section 18 allows Council to refer an infringement notice to the Director of the Monetary Penalties Enforcement Service.

Section 21 makes Council responsible for the prosecution of an alleged offender and specifies when notice must be provided to that person.

Section 23 sets out the circumstances in which a withdrawal is permitted and the requirements in doing so.

Section 25 requires Council to repay any money paid if an infringement notice is withdrawn.

Section 28 provides a person served with an infringement notice the ability to apply to Council to vary the payment conditions thereof, and requires Council to consider any representations included with that application.

Section 39 allows Council to initiate Court proceedings where an alleged offender has elected to have the alleged offences set out in the infringement notice heard and determined by a Court. Where a person who has been taken to be convicted of an offence by reason of section 20(1)(c) and applies to a court to have a conviction set aside, section 40 allows Council to consent to the setting aside of that conviction.

Section 45 allows the Director to require Council to pay any prescribed fee before the director issues an enforcement order.

Section 53 allows an enforcement debtor to apply to Council to withdraw the underlying infringement notice.

A formal decision to delegate the functions and powers contained within the Act will ensure that the powers Council officers are permitted to perform are clear to the public.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

---

**19.1 Delegation from Council to General Manager - *Monetary Penalties Enforcement Act 2005 (Tas) ...*(Cont'd)**

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**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
4. To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.

**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.



**Paul Gimpl: Acting Director Corporate Services**

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## 19.2 Amendment to Minutes of Council Meeting Held on 27 June 2019

**FILE NO:** SF2346/SF6299

**AUTHOR:** Leanne Purchase (Acting Manager Corporate Strategy)

**DIRECTOR:** Paul Gimpl (Acting Director Corporate Services)

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### **DECISION STATEMENT:**

To consider a discrepancy between the minutes and the audio recording of the Council Meeting held on 27 June 2019.

### **RECOMMENDATION:**

That, pursuant to Regulation 33(3) of the *Local Government (Meeting Procedures) Regulations 2015*, Council:

1. Amends the minutes for the Council Meeting of 27 June 2019 at 7.2.1 to reflect the audio recording of that part of the meeting, being -

#### **7.2.1 Mr Gus Green - Recognition of Peace Deal of the Great War**

1. ***Some 100 years ago on the 29<sup>th</sup> of June a significant event occurs in this very chamber. That is the peace deal of the Great War is signed, the news is received in the City in the early hours of 29<sup>th</sup> June 1919. Mr Mayor I feel it is appropriate today that we recognise that event in these Council Chambers where it was recognised 100 years ago.***

***The Mayor, Councillor A M van Zetten, thanked Mr Green for raising this matter.***

2. Confirms the minutes for the Council Meeting of 27 June 2019, as amended at Recommendation 1, to be a true record.
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### **REPORT:**

At the Council Meeting on 27 June 2019, the following question was minuted and attributed to Mr Christopher (Gus) Green:

*Can we recognise in the Council Minutes that 100 years ago, on the 29 June 1919, the document recognising the peace deal of the Great War was signed here in the Council Chambers?*

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**19.2 Amendment to Minutes of Council Meeting Held on 27 June 2019 ...(Cont'd)**

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On 30 July 2019, Mr Green advised Council that his question:

*Should read as I advised and would have been live at the **time that news had been received in the city that a peace deal had been signed the mayor of the time advised alderman of such in these Council Chambers, its fitting that we recognise this event in the history of our city.***

Regulation 33(3) of the *Local Government (Meeting Procedures) Regulations 2015* says that -

*If after the minutes of a meeting have been confirmed as a true record a discrepancy between the minutes and an audio recording of that meeting or part of that meeting is noticed, the council, at the next appropriate meeting, is to review the audio recording and either confirm that the minutes are a true record or amend the minutes to reflect the audio recording and then confirm the minutes as amended to be a true record.*

With this in mind, Council Officers have transcribed that part of the audio recording that relates to the question at issue:

*Some 100 years ago on the 29<sup>th</sup> of June a significant event occurs in this very chamber. That is the peace deal of the Great War is signed and it arrives in the City early on the 29<sup>th</sup> June 1919. Mr Mayor I feel it is appropriate today that we recognise that event in Council and in this Chambers of where it was recognised 100 years ago and the peace of our city is under challenge again, the whole peace of the world and it is rather ironical that the G20 meet this week to see if we can solve the world's problems.*

As there is a discrepancy between Mr Green's question as minuted and Mr Green's question as transcribed from the audio recording, consultation has occurred with Mr Green to propose an amendment to the Minutes that will reflect the intent of Mr Green's question to Council. We respectfully request that Council determines to amend the Minutes for the Council Meeting of 27 June 2019 at 7.2.1 to read:

**7.2.1 Mr Christopher (Gus) Green - Recognition of Peace Deal of the Great War**

- 1. Some 100 years ago on the 29<sup>th</sup> of June a significant event occurs in this very chamber. That is the peace deal of the Great War is signed, the news is received in the City in the early hours of 29<sup>th</sup> June 1919. Mr Mayor I feel it is appropriate today that we recognise that event in these Council Chambers where it was recognised 100 years ago.***

***The Mayor, Councillor A M van Zetten, thanked Mr Green for raising this matter.***

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**19.2 Amendment to Minutes of Council Meeting Held on 27 June 2019 ...(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 Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
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.



**Paul Gimpl: Acting Director Corporate Services**

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**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.*

**22 CLOSED COUNCIL**

**No Closed Items have been identified as part of this Agenda**

**23 MEETING CLOSURE**

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