



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
15 OCTOBER 2020
1.00pm**

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

Date: 15 October 2020

Time: 1.00pm

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 minutes item.



Louise Foster
Acting Chief Executive Officer

AUDIO of COUNCIL MEETINGS

An audio recording of this Council Meeting, except for any part held in Closed Session, will be made in accordance with our Council Meetings - Audio Recording Policy - 14-Plx-008.

This Council Meeting was streamed live and can be accessed from:
www.launceston.tas.gov.au/Council/Meetings/Listen .

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

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

To help keep you safe, a maximum of 20 members of the public are permitted to attend a Council Meeting. You must register your attendance in advance by telephoning 6323 3145 and leaving a message, or emailing us at invitation@launceston.tas.gov.au by 11.00am on the morning of the Council Meeting. A Council Officer will contact you to confirm the details of your attendance.

At the Council Meeting, please take care to follow signage and the directions of Council Officers to ensure that physical distancing and other COVID-19 safe behaviour is observed.

PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

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Present: Councillor A M van Zetten (Mayor)
D C Gibson (Deputy Mayor)
J Finlay
D H McKenzie
J G Cox
K P Stojansek
A E Dawkins
N D Daking
P S Spencer
A G Harris
T G Walker

In Attendance: Mr M Stretton (Chief Executive Officer)
Ms L Foster (Organisational Services Network)
Mr S Eberhardt (Infrastructure and Assets Network)
Mr S Tennant (Team Leader Communications)
Mrs K Hartland (Team Leader Governance)
Mrs A Rooney (Council and Committees Officer)

Apologies: Councillor R I Soward

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm and noted an apology from Councillor R I Soward.

2 MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements for this Meeting

3 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

4 CONFIRMATION OF MINUTES

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

RECOMMENDATION:

1. *That the Minutes (as circulated) of the Ordinary Meeting of the City of Launceston Council held on 1 October 2020 are amended to note Councillor N D Daking's apology in the Attendance records at the beginning of the Minutes.*

2. *That the Minutes (as circulated) of the Ordinary Meeting of the City of Launceston Council held on 1 October 2020 are amended at item 1 to read:*

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

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm and noted an apology from Councillor K P Stojansek.

[Please note that an apology from Councillor N D Daking was not announced at the meeting. His absence is recorded on the attendance list of these Minutes before the Table of Contents page only.]

3. *That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 1 October 2020, as amended by Recommendation 1. and 2. above, be confirmed as a true and correct record.*

DECISION: 15 October 2020

MOTION

Moved Councillor J G Cox, seconded Councillor A E Dawkins.

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

CARRIED 11:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker

5 DEPUTATIONS

No Deputations were identified as part of these Minutes

6 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions were identified as part of these Minutes

7 COMMUNITY REPORTS

(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on 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 Councillors.)

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

8 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

(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.)

8.1.1 Public Questions on Notice - Mr Jim Dickenson - 23 September 2020**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following question, submitted in writing on 23 September 2020 by Mr Jim Dickenson, has been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Some time back I enquired during Question Time Without Notice what was to happen to the original Mall roof, a structure of excellent and quite unique design. Council advised placing it in the then under construction Riverbend Park was one consideration. Other sites were also being considered.

Where has the roof been re-erected? It would be extremely disappointing to be advised it is still in storage or has been trashed.

Response:

The canopy was removed in April 2018 as part the Brisbane Street Mall reconstruction and was stored near the Charles Street Bridge whilst the Council explored potential future uses for the structure.

On inspection it was determined that the structure was at the end of its life, mostly due to the low quality mild steel used in construction and that redeploying it for another use was neither a safe nor a cost effective option.

The structure was dismantled in October 2019 with all steel being recycled.

*The Council announced the recycling of the structure via its website:
<https://www.launceston.tas.gov.au/News-Media/Roof-structure-recycled>*

*The Council also publicised the recycling of the roof structure on its City of Launceston Official Facebook page. The archived post can be read via:
<https://www.facebook.com/668302109935633/videos/521210551766440>*

8.2 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.)

8.2.1 Ms Helen Tait - DA0427/2020 - 65A Bourke Street, Launceston

- 1. Regarding sunlight provisions - what is it in the administrative demand of the Planning Scheme that gives defining dominance to the application of the spurious test for allowing four hours of mid-winter sun? This stipulation oddly arises above the more meaningful test of reasonable or unreasonable impact on liveability, warmth, solar amenity, outlook, ambience, overwhelming height, interference with local character and conflict with established uses, etc. which are all in the Planning Scheme, but it seems the four hour one is the defining one?**
- 2. Would you give consideration for a review of this dominating provision that is causing so much angst and distress amongst all of us? Might Councillors move to instigate an immediate review of the voracity of the power of that clause?**
- 3. Is there any one on Council who would follow up with me on this issue?**

Mr M Stretton (Chief Executive Officer) responded by saying that the Council, as are all Councils around Tasmania, is in the process of implementing the provisions of the Tasmanian Planning Scheme. We have developed local provisions which are awaiting confirmation from the Planning Commission in order for us to be able to advertise and seek public submissions on those provisions. Most sunlight and shading provisions are common around the State and are therefore best addressed through the public consultation process as any changes are now required to be undertaken across the whole State.

8.2.2 Mr Jim Dickenson - Verge Hotel

1. **Back in May, that's five months ago, I asked how could it be allowed that highly visible air conditioning equipment be installed on the roof of the brand new Verge Hotel. Your reply to my question was that my question was premature as the building was still under construction. You added further, and I quote, *the endorsed plans for the Verge Hotel show the plant and equipment screened from view*. It is now five months later, the building is now finished, but the plant and equipment is not screened from view. So, when will this work be carried out as required?**

Mr M Stretton (Chief Executive Officer), responded by saying that the matter would be followed up, however, it is the responsibility of the owner to comply with the endorsed plans, both planning and building.

2. **As a supplementary question to the one I just asked, a month ago I wrote to the Council on the same question and I received the same answer I just go, and another month has gone past, so when will it be screened as it is on the endorsed plans?**

The Mayor, Councillor A M van Zetten, responded by saying that the matter would be followed up.

8.2.3 Mr Jim Dickenson - 14-16 St Georges Square, East Launceston

1. Also back in May, I raised the matter of the unacceptable, grossly untidy state of the unfinished project at 14-16 St Georges Square. This square and its surroundings, its amenity and its lovely housing is truly one of the more pleasant environments in this City. It should be cared for and respected, not allowed to fall by the wayside. The answer back in May was *all required planning permits have been issued*. Nevertheless, I wrote to the Council four weeks ago stating that the property is still untidy and unacceptable have they been complied with? Nevertheless, I again wrote to the Council four weeks ago stating that the property is still untidy and unacceptable and this time I suggested the Council should at least require the developer to take the fence off the footpath and put it behind the site boundary. At least that would be a step in the right direction of tidying it up. I had a reply then that it was being looked in to. What is happening with that one?

The Mayor, Councillor A M van Zetten, responded by saying that this question would be Taken on Notice and a response provided in the Council Agenda of 29 October 2020.

The Mayor, Councillor A M van Zetten, announced that under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 9 - Planning Authority.

9 PLANNING AUTHORITY

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park

FILE NO: DA0503/2020

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

DA0261/2018 approved the creation of the lot and the ongoing development of public stormwater infrastructure.

DA0535/2018 approved the development of a helipad and associated car parking.

STANDARDS REQUIRING COUNCIL DISCRETION

23.4.2 Streetscape

E2.5 Use Standards

E2.6.2 Excavation

E4.5.1 Existing road accesses and junctions

E4.6.2 Road accesses and junctions

E4.6.4 Sight distance at accesses, junctions and level crossings

RECOMMENDATION:

In accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0503/2020 Vehicle Parking - construction of a car park at 86 Lindsay Street, Invermay, subject to the following conditions:

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site Plan, prepared by Artas Architects, drawing A001, Lot 5 Lindsay Street Development, revision Sk14, dated 02/09/2020.
- b. Letter, prepared by Rare, ref. 211026, Goderich-Lindsay Street site subdivision - combined sewer & stormwater strategy, dated 04/09/2020.
- c. Letter, prepared by GHD, ref. 12539273-56507-11, 86 Lindsay Street - proposed car park preliminary traffic review, dated 07/09/2020.

2. LEGAL TITLE

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

3. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays.

4. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans and calculations must be submitted to show:

- a. Revised On-Site Detention Storage calculations that determine the quantity of on-site storage required for this stage of the site development to satisfy the requirements of the Combined Sewer and Stormwater Strategy approved under DA0261/2018.
- b. Amended plans showing the location and details of the detention storage as calculated above.

Once approved by the Manager City Development, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans. It is noted that future developments on the site may require additional on-site detention storage to be designed and constructed.

5. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

6. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)

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

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

All new works must be constructed to the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg, TasWater, Telstra and TasNetworks, etc.). All redundant crossovers and driveways must be removed prior to the occupation of the development. The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

7. SOIL AND WATER MANAGEMENT PLAN

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

8. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the General Manager Infrastructure and Assets Network for approval. Such plans and specifications must:

- a. include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. electricity infrastructure including street lighting.
 - ii. communications infrastructure and evidence of compliance with the *fibre-ready* requirements of National Broadband Network.
 - iii. evidence of assessment by TasGas Networks re provision of reticulated gas network.
 - b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
-

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

9. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager Infrastructure and Assets Network.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Roads
 - i. Provision of two 1500mm wide footpaths as shown on the proposal plan and all necessary pedestrian kerb ramps,
 - ii. Provision of a two vehicular crossings for lot and removal of all redundant vehicle crossovers,
 - iii. Removal of sealed pavement from the nature strip and placement of 150mm (minimum) screened top soil, sown to grass with a grass seed approved by City of Launceston,
 - iv. All necessary line marking, signage and other traffic control devices.
- b. On-Site Detention Storage
 - i. On-site detention storage constructed in accordance with the calculations required under the amended plan condition.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- a. Construction requirements,
- b. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange the Council's Audit inspections and other responsibilities,
- c. Construction Audit inspections,
- d. Practical Completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

10. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide the Council with construction documentation sufficient to show that the works are completed in accordance with the Council's standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

- a. Compaction and soil test results for all earthworks or pavement works.
- b. An engineer's certificate that each component of the works comply with the approved engineering plans and the Council's standards.

11. EASEMENTS

Easements are required over all the Council's and third party services located in private property. The minimum width of any easement must be 3m for the Council's (public) mains. A greater width will be required in line with the LCC document '*How close can I build to a Council Service?*' where the internal diameter of the pipe is greater than 475mm or where the depth of the pipe exceeds 2.1m. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

12. COMPLETION OF PUBLIC WORKS

Public works shall be taken over by the Council once the following matters have been completed to the satisfaction of the General Manager Infrastructure and Assets Network:

- a. The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council requirements.
- b. The subsequent issue of a Certificate of Practical Completion by the General Manager Infrastructure and Assets Network.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

13. COMPLETION OF WORKS

All works must be carried out to the Council's standards and to the satisfaction of the General Manager Infrastructure and Assets Network and under the direct supervision of a civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to the Council's standards will be required prior to issue of the Certificate of Practical Completion.

14. AMENITY - COMMERCIAL/INDUSTRIAL USE

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

15. SWALE DRAIN

Maintain a vegetated swale drain to prevent the release of gross pollutants and waste items from the car park, from entering the stormwater system and any receiving water bodies or watercourses.

16. EXTERIOR AND SECURITY LIGHTING PLANNING

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting* or any subsequent versions of the document.

17. WASTE MATERIALS

All waste materials generated by the activity are to be disposed of at an approved refuse disposal facility or reclaimed/recycled if possible.

18. PROTECTION OF STREET TREES

Existing street trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970: Protection of Trees on Development Sites*. The protection works are to be installed prior to the commencement of any other works on the site and are to remain in place until the completion of all other works.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0503/2020. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

B. Restrictive Covenants

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

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.

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

For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au <<http://www.rmpat.tas.gov.au>>

D. Permit Commencement

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

Mr R Jamieson (Manager City Development) and Mr D Payton (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

9.1 86 Lindsay Street, Invermay - Vehicle Parking - Construction and Use of a Car Park ...(Cont'd)

DECISION: 15 October 2020

MOTION

Moved Councillor D H McKenzie, seconded Councillor P S Spencer.

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

CARRIED 11:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Friday 2 October 2020

- Presented awards at the *Enterprize GovHack* Tasmania State Awards

Saturday 3 October 2020

- Attended the YMCA belated 140th Birthday Celebrations

Sunday 4 October 2020

- Participated in the Clifford Craig 5km *Run and Walk*

Sunday 11 October 2020

- Officiated at the annual Probus District Church Parade

Tuesday 13 October 2020

- Chaired the Launceston Competitions Association Annual General Meeting
-

11 COUNCILLORS' REPORTS

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

11.1 Councillor D C Gibson

- **Announced that the Waverley community, through the recently announced Tasmanian Community Fund, has been awarded a grant of \$30,000 via the Waverley School Association for its *Kitchen Capers* program**
- **Noted that the Tasmanian Young Achiever Awards conducted last week, announced that Gabby Dewsbury (a member of the Council's Youth Advisory Group) was successful in the leadership section of the awards**
- **Launceston's 2020 *Carols by Candlelight* will not go ahead this year due to the COVID-19 pandemic restrictions, however, it is encouraging to note community interest in associated fundraising events**

11.2 Councillor N D Daking

- **Noted that this Sunday, 18 October 2020, the St Giles *Balfour Street Burn* will be conducted to raise money for St Giles**

12 QUESTIONS BY COUNCILLORS**12.1 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.)

12.1.1 Councillors' Questions on Notice - Councillor P S Spencer - Paterson Street Car Park - Council Meeting - 1 October 2020**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**ACTING CHIEF EXECUTIVE OFFICER:** Louise Foster

QUESTIONS and RESPONSES:

The following questions, asked at the Council Meeting on 1 October 2020 by Councillor P S Spencer, have been answered by Louise Foster (Acting Chief Executive Officer).

Questions:

1. [With regards to the Paterson Street Central Car Park and the reported \$6m purchase price] How many square metres will the Council own?

Response:

At this stage, the details of the commercial negotiations that flow from the decision of Council made in closed session are of a confidential nature and not appropriate for publication in the open Agenda of a Council Meeting. Councillors will be informed, independent to the Council Agenda process and details made public, at the appropriate stage.

2. Who in the Council is dealing with buying the property and is that purchase agreement ready for Councillors to review?

Response:

The Chief Executive Officer is managing the process on behalf of the Council with the support of an external solicitor. The details of any Contract of Sale are an operational matter not usually referred to Council for final decision.

12.1.2 Councillors' Questions on Notice - Councillor D C Gibson - Homelessness in Launceston - Council Meeting - 1 October 2020**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**ACTING CHIEF EXECUTIVE OFFICER:** Louise Foster

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 1 October 2020 by Councillor D C Gibson, has been answered by Leanne Hurst (General Manager Community and Place Network).

Questions:

1. A number of months ago, Councillors were briefed on the progress being made by a group formed regarding the ever-prevalent issue of homelessness within our community. We asked, and were told, that we would be informed of Meeting outcomes and strategies. What is happening in this space from a Council perspective currently?

Response:

There has not been a Meeting of the working group since the last Council briefing. The next Meeting is scheduled for the first week in November.

The Council's officers have noticed a marked reduction in people who are sleeping rough and also in the number of public requests for assistance being referred through Customer Service. This has also been observed by the service providers that the Council's officers work with, likely due to the increased government support of homelessness initiatives during the COVID-19 pandemic such as the Launceston City Mission Night Space program and support for vulnerable people who live in rented accommodation.

The next Meeting of the working group (scheduled for November) will be looking specifically at the likely impacts when the government eases or removes its support of its COVID-19 pandemic specific programs and the implications that this will have on the services being offered by the housing providers. It will also be an opportunity to reaffirm the partnerships that have been established between the Council and service providers as we enter the warmer months.

12.1.3 Councillors' Questions on Notice - Councillor R I Soward - Smart Cities Project - Council Meeting - 1 October 2020

FILE NO: SF2375

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING CHIEF EXECUTIVE OFFICER: Louise Foster

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 1 October 2020 by Councillor R I Soward, has been answered by Louise Foster (General Manager Organisational Services Network).

Questions:

1. Recently, around the City, green posts with solar panel type looking arrangements on them are springing up - is that associated with the Smart Cities Project?

Response:

The Department of State Growth, in partnership with the City of Launceston and the Federal Government, are in the process of delivering a \$3.4 million project that includes installing a City-wide network of sensors to monitor the performance of the traffic network, the AddInsight Travel Time Information System (TTIS). TTIS was developed by the South Australian Government and is used across several larger cities across the country, including Hobart.

TTIS provides real-time, anonymous road traffic data using Bluetooth and WiFi technology. The system consists of a network of roadside devices - known as detection stations - that detect wireless signals (typically Bluetooth or WiFi) in vehicles as they pass by one of the devices. These detection stations are what Councillor Soward is referring to.

The signal is given a unique code or address, which is encrypted and made anonymous by the system before it is processed.

The detection stations then allow TTIS to evaluate actual travel times around the road network. This allows the department to better understand travel conditions, patterns and identify when traffic is not moving as expected.

By analysing this data, traffic patterns and conditions can be determined and used by the Department of State Growth to make improvements in the system.

12.2 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 Councillor's Questions Without Notice were identified as part of these Minutes

13 COMMITTEE REPORTS**13.1 Cataract Gorge Reserve Advisory Committee Meeting - 24 September 2020****FILE NO:** SF0839**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive and consider a report from the Cataract Gorge Reserve Advisory Committee Meeting held on 24 September 2020.

RECOMMENDATION:

That Council receives a report from the Cataract Gorge Reserve Advisory Committee Meeting held on 24 September 2020.

Ms L Foster (General Manager Organisational Services Network) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 15 October 2020**MOTION**

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

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

CARRIED 11:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker

14 COUNCIL WORKSHOPS

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

14.1 Council Workshop Report - 15 October 2020

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

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:

Workshops conducted on 15 October 2020:

Birchalls and Katies Building - Update on Expression of Interest Process

Councillors received a presentation regarding progress to date on an Expression of Interest process for future use of the Birchalls and Katies building sites.

Scholarships and Bursaries Policy Review

Councillors received a presentation regarding the outcomes of a review of the Scholarships and Bursaries Policy.

Ms L Foster (General Manager Organisational Services Network) was in attendance to answer questions of Council in respect of this Agenda Item.

14.1 Council Workshop Report - 15 October 2020 ...(Cont'd)

DECISION: 15 October 2020**MOTION****Moved Councillor J Finlay, seconded Councillor D C Gibson.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

15 NOTICES OF MOTION

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

No Notices of Motion were identified as part of these Minutes

16 COMMUNITY AND PLACE NETWORK ITEMS

No Items were identified as part of these Minutes

17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS

No Items were identified as part of these Minutes

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS**18.1 403 Glenwood Road, Relbia****FILE NO:** 26526/92920**AUTHOR:** Kathryn Pugh (Acting Manager Infrastructure and Engineering)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To accept the recommendation regarding the open drain at 403 Glenwood Road, Relbia.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 12 March 2020 - 403 Glenwood Road, Relbia

RECOMMENDATION:

That Council receives the report on drainage issues at 403 Glenwood Road, Relbia and accepts the recommendation that no further works are planned or constructed on the open drain at 403 Glenwood Road, Relbia, other than necessary erosion works at the culvert headwall.

Mr S Eberhardt (General Manager Infrastructure and Assets Network) and Ms K Pugh (Acting Manager Infrastructure and Engineering) were in attendance to answer questions of Council in respect of this Agenda Item.

Mr Ted Sands (on behalf of Mr Gordon Badcock) spoke against the Recommendation

18.1 403 Glenwood Road, Relbia ...(Cont'd)

DECISION: 15 October 2020

MOTION

Moved Councillor D H McKenzie, seconded Councillor J Finlay.

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

CARRIED 7:4

FOR VOTE: Mayor Councillor A M van Zetten, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor N D Daking, Councillor A G Harris and Councillor T G Walker

AGAINST VOTE: Deputy Mayor Councillor D C Gibson, Councillor K P Stojansek, Councillor A E Dawkins and Councillor P S Spencer

19 ORGANISATIONAL SERVICES NETWORK ITEMS**19.1 Licence - Northern Inveresk Car Park to the University of Tasmania****FILE NO:** SF0376**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider licencing an area of land situated at 2-4 Invermay Road, Invermay (Certificate of Title, Volume 41309 folios 1 and Volume 174633 folio 2 and Volume 169278 folio 3) which will be developed into an 852 space car park for use by the public (368 spaces) and University of Tasmania staff and students (484 spaces).

PREVIOUS COUNCIL CONSIDERATION:

Council - 19 March 2020 - Agenda Item 20.1 - Lease Surrender - Royal National Agricultural and Pastoral Society of Tasmania Limited - this item noted the parking arrangements proposed by the University of Tasmania and accepted the proposed surrender of the lease currently existing between the Council and the Royal National Agricultural and Pastoral Society of Tasmania over land at Inveresk

Council - 25 June 2020 - Agenda Item 20.2 - Lease of Land at 2 Invermay Road, Invermay to University of Tasmania - this item considered the objections raised concerning the public land intended to be leased or licenced to University of Tasmania at 2 Invermay Road, Invermay

Council - 3 September 2020 - Agenda Item 9.1 - 2-4 Invermay Road, Invermay - Vehicle Parking - Extension of Existing Car Park - approved that a permit be granted for development application DA0241/2020

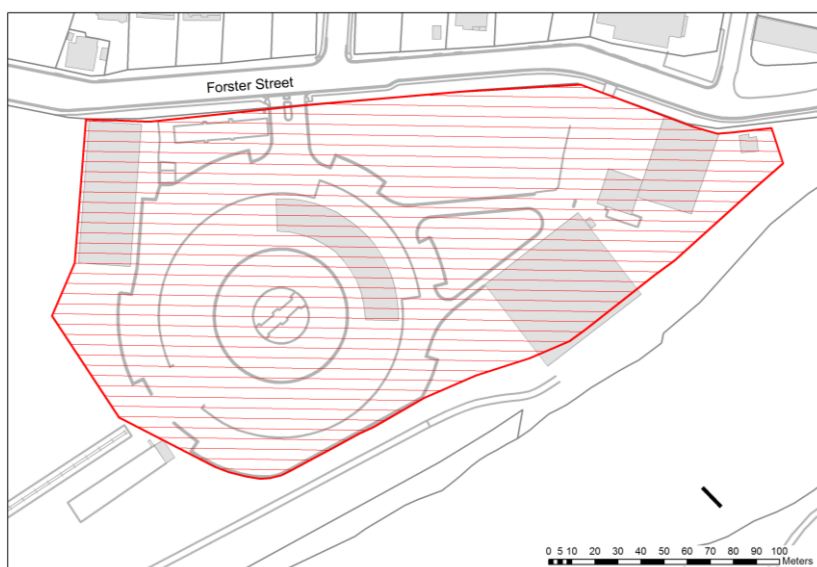
Workshop - 24 September 2020 - Proposed Northern Inveresk Car Park Licence to the University of Tasmania - presentation to Councillors explaining the details of the proposed licence to the Univeristy of Tasmania for the Northern Inveresk Car Park

19.1 Licence - Northern Inveresk Car Park to the University of Tasmania ...(Cont'd)

RECOMMENDATION:

That Council:

1. agrees to licence an area of land situated at 2-4 Invermay Road, Invermay (Certificate of Title Volume 41309 folios 1 and Volume 174633 folio 2 and Volume 169278 folio 3) which will be developed into an 852 space car park for use by the public (368 spaces) and University of Tasmania staff and students (484 spaces).



2. requests the Chief Executive Officer to enter into a formal licence under the following terms:
 - the licence term shall be 20 years commencing on the date the Royal National Agricultural and Pastoral Society of Tasmania surrenders the existing lease to the Council or other date as determined by the Chief Executive Officer, with an option for a further 20 years;
 - the licence amount shall be \$1 per annum if demanded;
 - licensee to be responsible for:
 - funding and constructing the 852 space car park and associated infrastructure as per the approved development application (excludes parking management system);
 - contents insurance;
 - proportion of energy costs;
 - proportion of volumetric and connection charges for water;
 - proportion of sewerage charges;
 - proportion of land tax;

19.1 Licence - Northern Inveresk Car Park to the University of Tasmania ...(Cont'd)

- proportion of boom gate and pump station maintenance; and
 - other service charges if any.
 - licensee shall continuously maintain:
 - any infrastructure installed by the licensee in relation to the licensee's occupation of the horse pavilion;
 - the building in good and reasonable order; and
 - public liability insurance of at least \$20 million.
 - the licensor will receive all revenue for the 368 public car spaces.
 - the licensor will receive revenue on the available private car spaces on special event days (eg, AFL and Big Bash League Cricket).
 - the licensor is responsible for funding the installation of the parking management system (boom gates, licence plate recognition cameras, CCTV and payment stations estimated to be approximately \$300,000).
 - the licensor will be responsible for the reasonable maintenance of the car park.
 - following the completion of the car park the entire car park will be the property of the Council.
 - all remaining terms to be determined by the Chief Executive Officer.
 - any right, option or discretion exercisable by the Council under the licence may be exercised by the Chief Executive Officer.
3. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

Ms L Foster (General Manager Organisational Services Network) and Mr P Gimpl (Chief Financial Officer) were in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 15 October 2020**MOTION**

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

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

CARRIED 9:2

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor A G Harris
AGAINST VOTE: Councillor P S Spencer and Councillor T G Walker

19.2 Lease of Land at 2 Invermay Road, Inveresk to the University of Tasmania**FILE NO:** SF6660**AUTHOR:** Duncan Campbell (Team Leader Legal Services)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

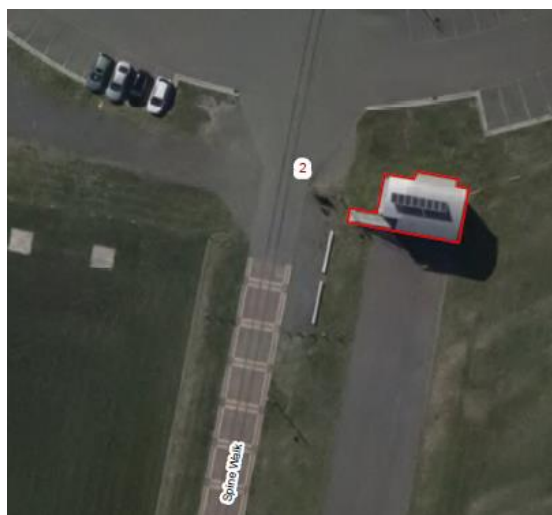
To consider the leasing of the chopping arena land at 2 Invermay Road, Invermay.

This decision requires an absolute majority of Council.

RECOMMENDATION:

That Council:

1. decides, by absolute majority, in accordance with section 179 of *Local Government Act 1993* (Tas), to lease the land identified at Recommendation 3. to the University of Tasmania for a period of five years on the following terms:
 - a. rent is to be \$1 if demanded;
 - b. no option or further term is available;
 - c. all remaining terms and conditions are to be determined by the Chief Executive Officer; and,
 - d. any right or remedy to exist under the lease so entered may be exercised or waived by the Chief Executive Officer.
2. notes that the land mentioned at Recommendation 1. is part of the land described in Certificate of Title 174633 Folio 2, being the land under the chopping pavilion building appearing in the map below:



**19.2 Lease of Land at 2 Invermay Road, Inveresk to the University of Tasmania
...(Cont'd)**

3. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

Ms L Foster (General Manager Organisational Services Network) and Mr D Campbell (Team Leader Legal Services) were in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 15 October 2020

MOTION

Moved Councillor J Finlay, seconded Councillor D H McKenzie.

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

CARRIED BY ABSOLUTE MAJORITY 11:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker

19.3 Lease - West Launceston Bowls and Community Club Inc.

FILE NO: 219797/72700

AUTHOR: Tricia De Leon-Hillier (Lease and Licencing Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing part of an area of land situated at 5 Merrys Lane, West Launceston (PID 6646996) known as the West Launceston Bowls and Community Club Inc. as marked on the plan adjoining Merrys Lane Park.

This decision requires an absolute majority of Council.

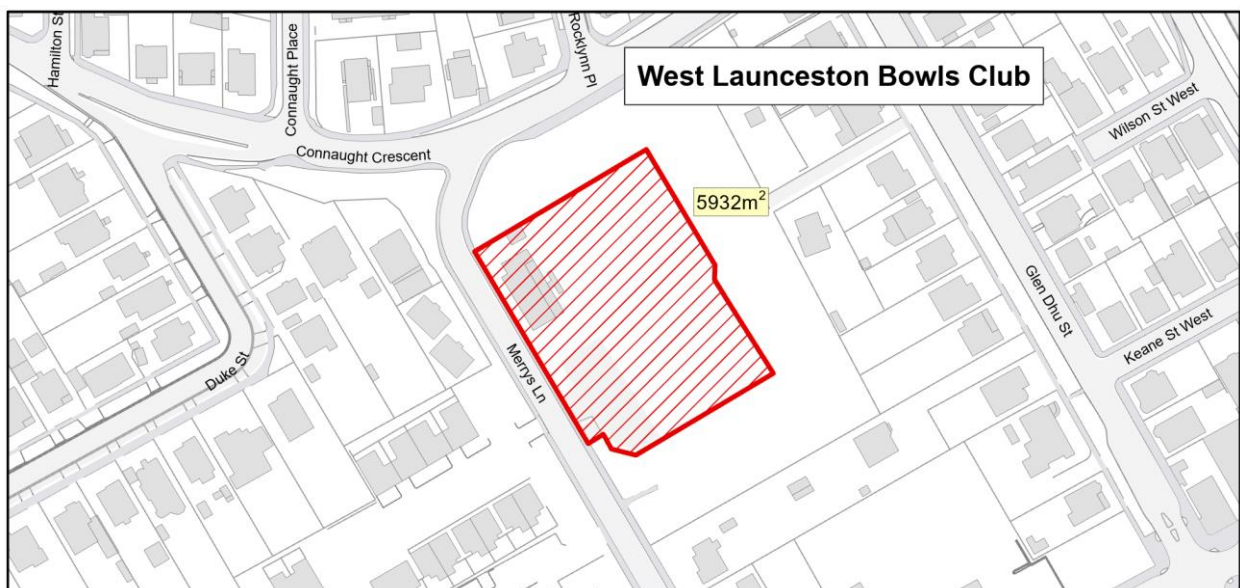
PREVIOUS COUNCIL CONSIDERATION:

Council - 9 November 2015 - Agenda Item 18.1 - Lease West Launceston Bowls Club

RECOMMENDATION:

That Council, by absolute majority, pursuant to section 179 of the *Local Government Act 1993* (Tas):

1. leases a parcel of land situated at 5 Merrys Lane, West Launceston (PID 6646996) known as Merrys Lane Park to the West Launceston Bowls and Community Club Inc. as indicated on the plan below:



19.3 Lease - West Launceston Bowls and Community Club Inc. ...(Cont'd)

2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - the term shall be five years commencing on 1 December 2020 or as determined by the Chief Executive Officer.
 - the lease amount shall be \$1 per annum if demanded.
 - tenant to be responsible for:
 - building and contents insurance;
 - energy costs;
 - volumetric and connection charges for water;
 - sewerage charges; and
 - 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;
 - and keep clear all noxious growth from premises;
 - building in good and reasonable order; and
 - public liability insurance of at least \$20 million.
 - the tenant shall retain ownership of the improvements and fixtures at the premises for the term of the proposed new lease.
 - all remaining terms to be determined by the Chief Executive Officer.
 - any right, option or discretion exercisable by Council under the lease may be exercised by the Chief Executive Officer.

 3. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

Ms L Foster (General Manager Organisational Services Network) and Mr D Campbell (Team Leader Legal Services) were in attendance to answer questions of Council in respect of this Agenda Item.

19.3 Lease - West Launceston Bowls and Community Club Inc. ...(Cont'd)

DECISION: 15 October 2020**MOTION****Moved Councillor D C Gibson, seconded Councillor J G Cox.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED BY ABSOLUTE MAJORITY 11:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

19.4 Lease - Royal Park Croquet Club Inc.**FILE NO:** SF0866/SF2683**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing part of an area of land situated at 78 Paterson Street, Launceston (CT138979/10) known as Royal Park to the Royal Park Croquet Club.

This decision requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

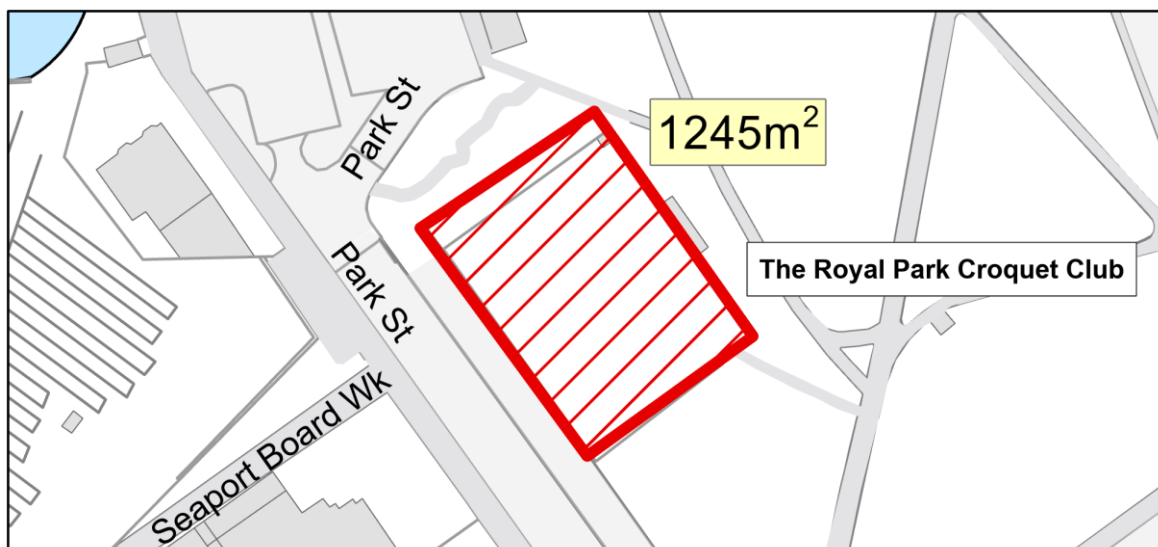
Council - 5 October 2009 - Agenda Item 12.3 - Royal Park Croquet Club

Strategic Planning and Policy Committee - 28 September 2009 - Agenda Item 3.5 - Royal Park Croquet Club

RECOMMENDATION:

That Council, by absolute majority pursuant to section 179 of the *Local Government Act 1993* (Tas):

1. leases a parcel of land situated at 78 Paterson Street, Launceston (CT138979/10) known as Royal Park to the Royal Park Croquet Club Inc. as indicated on the plan below:



19.4 Lease - Royal Park Croquet Club Inc. ...(Cont'd)

2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - the term shall be five years commencing on 1 October 2020 or as determined by the Chief Executive Officer;
 - the lease amount shall be \$1 per annum if demanded;
 - tenant to be responsible for:
 - building and contents insurance;
 - energy costs;
 - volumetric and connection charges for water;
 - sewerage charges;
 - and other service charges if any.
 - tenant shall continuously maintain:
 - any infrastructure or any infrastructure installed by the tenant or the Council in relation to the tenant's occupation;
 - and keep clear all noxious growth from premises;
 - building in good and reasonable order; and
 - public liability insurance of at least \$20 million.
 - the tenant shall retain ownership of the improvements and fixtures at the premises for the term of the proposed new lease.
 - all remaining terms to be determined by the Chief Executive Officer.
 - any right, option or discretion exercised by Council under the lease may be waived or exercised by the Chief Executive Officer.

 3. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

Ms L Foster (General Manager Organisational Services Network) and Mr D Campbell (Team Leader Legal Services) were in attendance to answer questions of Council in respect of this Agenda Item.

19.4 Lease - Royal Park Croquet Club Inc. ...(Cont'd)

DECISION: 15 October 2020

MOTION

Moved Councillor D C Gibson, seconded Councillor J G Cox.

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

CARRIED BY ABSOLUTE MAJORITY 11:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker

19.5 Cataract Gorge Reserve Advisory Committee - Terms of Reference**FILE NO:** SF0839**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the Cataract Gorge Reserve Advisory Committee Terms of Reference.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 12 March 2020 - Community Appointments to Advisory Committees Policy and terms of Reference - Cataract Gorge Reserve Advisory Committee

RECOMMENDATION:

That Council:

1. revokes the existing Cataract Gorge Reserve Advisory Committee Terms of Reference (26-Rf-012); and
2. adopts the Cataract Gorge Reserve Advisory Committee Terms of Reference (14-ToR-001) as listed below:

Cataract Gorge Reserve Advisory Committee - Terms of Reference

The Cataract Gorge Reserve Advisory Committee is a Special Committee of Council as defined under section 24 of the *Local Government Act 1993 (Tas)*.

PURPOSE:

The primary purpose of the Cataract Gorge Reserve Advisory Committee is to assist the Council in achieving the 2030 vision for the Cataract Gorge Reserve and Trevallyn Nature Recreation area as outlined in the *Re-imagining the Cataract Gorge Final Plan* endorsed by Council on 14 December 2015.

OBJECTIVES:

Objectives of the Cataract Gorge Reserve Advisory Committee are to:

- provide input into the strategic direction and opportunities for the Cataract Gorge Reserve;
 - participate in the review of management actions to achieve the endorsed strategic outcomes; and
-

19.5 Cataract Gorge Reserve Advisory Committee - Terms of Reference ...(Cont'd)

- strengthen the connection between reserve managers and the community.

MEMBERSHIP:

The Cataract Gorge Reserve Advisory Committee will consist of the following positions:

- two City of Launceston Councillors (one to be Chair), nominated and endorsed by Council;
- one representative from the Parks and Wildlife Service;
- one representative each from the Meander Valley and West Tamar Councils; and
- up to four community representatives.

Council Officers from City Development and Parks and Sustainability will provide advice and/or assistance to the Committee as required.

Members are elected via a publicly advertised Expressions of Interest process. Staggered terms of membership may be utilised to avoid *all in all out* terms of office.

The Councillors' role will be for a four year period to coincide with Local Government Council elections, subject to a review after two years.

MEETING ARRANGEMENTS:

The Cataract Gorge Reserve Advisory Committee will meet, at a minimum of once every three months on a Thursday, according to determinations agreed to by the Committee at the first Meeting of the year. The schedule will be published following this agreement. Additional meetings can be called if there is a perceived need.

MEETING QUORUM:

A quorum for the Cataract Gorge Reserve Advisory Committee is a majority of Committee Members including at least one Councillor and two community representatives. If a quorum cannot be achieved, the meeting is to be postponed and reconvened at a later date.

MEETING NOTICES

Meeting agendas, meeting papers and minutes will be distributed to all Committee Members via email at least four clear working days of the scheduled meeting. A Committee Member may request an item to be included on the agenda by advising the Chair at least eight working days prior to a meeting. Minutes of the meeting will be circulated to Committee Members following the Meeting. The Agenda and Minutes will be approved by the Chair prior to distribution. Following each meeting, key outcomes of the meeting will be reported to Council via the Committee reporting process included in the Council Agenda.

19.5 Cataract Gorge Reserve Advisory Committee - Terms of Reference ...(Cont'd)

HOW THE COMMITTEE WILL OPERATE:

The Cataract Gorge Reserve Advisory Committee:

- will be coordinated by the Council and Committees Officer.
- is an advisory body only. An Advisory Committee is a Committee (group of individuals) comprised of knowledgeable and credible members in their field of expertise from within or outside the Council, that provides non-binding strategic guidance Council.

CODE OF CONDUCT:

All Committee Members must adhere to the Code of Conduct for Committees. Councillors and Council Officers must also adhere to their own relevant Code of Conduct.

CONFLICT OF INTEREST:

If a Committee Member has a declared interest in any matter to be discussed in the meeting, they must declare a conflict of interest in it at the commencement of the meeting.

RESOURCES:

The Council and Committees Officer will organise meetings, take minutes and distribute follow-up actions.

HONORARIUMS:

Council will not pay any honorariums or expenses to any member on the Cataract Gorge Reserve Advisory Committee.

REVIEW:

The Terms of Reference, including membership, will be reviewed in conjunction with the review of the Cataract Gorge Reserve Advisory Committee, no more than five years after the date of approval or more frequently, if dictated by operational demands and with Council's approval.

RELATED POLICIES AND PROCEDURES:

14-Plx-032 - Code of Conduct for Councillors

14-Plx-033 - Code of Conduct for Members of Special Committees

22-PI-030 - Code of Conduct Policy

14-Plx-029 - Community Appointments to Advisory Committees Policy

RELATED DOCUMENTATION

Re-imagining the Gorge Final Plan (endorsed by Council 14 December 2015)

Ms L Foster (General Manager Organisational Services Network) was in attendance to answer questions of Council in respect of this Agenda Item.

19.5 Cataract Gorge Reserve Advisory Committee - Terms of Reference ...(Cont'd)

DECISION: 15 October 2020**MOTION****Moved Councillor T G Walker, seconded Councillor A G Harris.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor D H McKenzie, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker**

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

No Items were identified as part of these Minutes

21 CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

That Council moves into Closed Session to consider the following matters:

21.1 Confirmation of the Minutes

Regulation 35(6) of the *Local Government (Meeting Procedures) Regulations 2015* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

21.2 Disposal of Unit Entitlements

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

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

DECISION: 15 October 2020

MOTION

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

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 11:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

Council moved into Closed Session at 2.13pm.
Council returned to Open Session at 2.20pm.

21.3 End of Closed Session

RECOMMENDATION:

That, pursuant to Regulation 34(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, resolves to report in Open Session that it has considered the following matters in Closed Session.

Minutes Item	Matter	Brief Description
21.1	<i>Closed Council Minutes - 1 October 2020</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 1 October 2020.</i>
21.2	<i>Disposal of Unit Entitlement</i>	<i>Councillors discussed options for disposing of unit entitlements at the CH Smith Centre.</i>

DECISION: 15 October 2020

MOTION

Moved Councillor K P Stojansek, seconded Councillor N D Daking.

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

CARRIED 11:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

22 MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 2.21pm.