



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
THURSDAY 25 JUNE 2020  
1.00pm**

Notice is hereby given that the Ordinary Meeting of the City of Launceston Council will be held by video conference:

Date: 25 June 2020

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**  
Chief Executive Officer

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## 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 will be streamed live to:  
[www.launceston.tas.gov.au/Council/Meetings/Listen](http://www.launceston.tas.gov.au/Council/Meetings/Listen) .

## PUBLIC ATTENDANCE AT THE COUNCIL MEETING.

It is important for you to stay at home to slow the spread of COVID-19. For this reason, public attendance at this Council Meeting is not permitted.

Do you wish to speak to an item in the Agenda of the Council Meeting?

- You are invited to speak to an item on the Agenda by e-mailing a statement of no more than 300 words. Your statement will be read aloud at the Meeting.
- Your statement is not to be defamatory, inappropriate or abusive, or be intended to embarrass any person, including Councillors or Council Officers.

Do you have a question to ask during Public Question Time?

- You are invited to email up to three questions. If accepted, your questions will be read aloud at the Meeting and either answered or Taken on Notice. If your questions are not accepted, reasons will be given.

Questions or statements must be e-mailed to [contactus@launceston.tas.gov.au](mailto:contactus@launceston.tas.gov.au) by 11.00am, Thursday, 25 June 2020 and must include your name and a contact telephone number. If you cannot e-mail your questions or statement, please call our Customer Service Centre on 6323 3000 for assistance.

## 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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9 April 2020

Mr Michael Stretton  
Chief Executive Officer  
City of Launceston  
PO Box 396  
**LAUNCESTON TAS 7250**

Dear Michael

### **COUNCIL MEETING**

In accordance with regulation 4 of the *Local Government (Meeting Procedures) Regulations 2015* (Tas) 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 2020:

16 April	30 April	14 May	28 May
11 June	25 June	9 July	23 July
6 August	20 August	3 September	17 September
1 October	15 October	29 October	12 November
26 November	10 December		

commencing at 1.00pm and delivered by electronic communication in the same or similar manner to the meeting conducted on 2 April 2020.

These alternate arrangements are required as a result of the COVID-19 pandemic and associated developments.

Yours sincerely



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

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

**2 MAYORAL ACKNOWLEDGEMENTS**

**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.)*

**4 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 11 June 2020 be confirmed as a true and correct record.

**5 DEPUTATIONS**

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

**6 PETITIONS**

*Local Government Act 1993 - sections 57 and 58*

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

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**7 COMMUNITY REPORTS**

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

**No Community Reports have been registered with Council as part of this Agenda**

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**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.)*

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**8.1.1 Public Questions on Notice - Mr Leigh Murrell - Council Meeting - 25 June 2020****FILE NO:** SF6381**AUTHOR:** Lee Viney (Administration Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton (Chief Executive Officer)

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**QUESTION and RESPONSE:**

The following question, submitted to Council on 14 June 2020 by Mr Leigh Murrell for Council Meeting 25 June 2020, has been answered by Mr P Gimpl (Chief Financial Officer).

**Question:**

1. Given the ever fragile economic situation both in Australia and internationally, does the Launceston City Council have any involvement/exposure at all with these CLO's [Collateralized Loan Obligation] and the serious risk they pose to the City's finances?

**Note:**

Mr Murrell provided background information on Collateralized Loan Obligations which cannot be reproduced by the Council without the permission of the copyright holder. The information was sourced from the following websites:

- [https://www.investopedia.com/terms/c/clo.asp#:~:text=A%20collateralized%20loan%20obligation%20\(CLO\)%20is%20a%20single%20security%20backed,by%20a%20pool%20of%20debt.&text=With%20a%20CLO%2C%20the%20investor,the%20event%20that%20borrowers%20default](https://www.investopedia.com/terms/c/clo.asp#:~:text=A%20collateralized%20loan%20obligation%20(CLO)%20is%20a%20single%20security%20backed,by%20a%20pool%20of%20debt.&text=With%20a%20CLO%2C%20the%20investor,the%20event%20that%20borrowers%20default)
- <https://www.smh.com.au/business/banking-and-finance/the-three-letters-sparking-fears-of-another-global-financial-crisis-20190522-p51pyk.html>.

**Response:**

*The Council is not involved or exposed to Collateralized Loan Obligations (CLO's).*

*Council strictly complies with its Investment Strategy and Investment Policy approved by the Council.*

*The Council's Investment Strategy stipulates "...to invest only in first ranked deposits with Australian Authorised Deposit Taking Institution's rated Long Term AA".*

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**8.1.1 Public Questions on Notice - Mr Leigh Murrell - Council Meeting - 25 June 2020 ... (Cont'd)**

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*Currently Council only invests in term deposits with the major four banks (CBA, WBC, ANZ and NAB).*

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**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.)*

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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 9 - Planning Authority.

## **9 PLANNING AUTHORITY**

### **9.1 Launceston Interim Planning Scheme 2015 - Amendment 63 - Add Clause 9.5 - Access Across Land in Another Zone**

**FILE NO:** SF7105

**AUTHOR:** Catherine Mainsbridge (Senior Town Planner)

**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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#### **DECISION STATEMENT:**

To consider a statement to the Tasmanian Planning Commission, subsequent to the public exhibition period, for an amendment to the Launceston Interim Planning Scheme 2015.

#### **PLANNING APPLICATION INFORMATION:**

Applicant: City of Launceston  
Property: Clause 9 - Text amendment  
Zoning: All zones

#### **PREVIOUS COUNCIL CONSIDERATION:**

Council - 19 March 2020 - 9.3 - Amendment 63 - Add Clause 9.5 - Access Across Land in Another zone - Launceston Interim Planning Scheme 2015 - Council resolved to initiate and certify Amendment 63 to add Clause 9.5 - Access Across Land In Another Zone to Part C Special Provisions of the Launceston Interim Planning Scheme 2015.

#### **RECOMMENDATION:**

That Council:

1. in accordance with section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Amendment 63; and
  2. provides advice to the Tasmanian Planning Commission that it is the view of the Council that Amendment 63 be approved as exhibited.
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## **9.1 Launceston Interim Planning Scheme 2015 - Amendment 63 - Add Clause 9.5 - Access Across Land in Another Zone ...(Cont'd)**

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### Note

Councillors are advised that under Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the *former provisions* remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.

### **REPORT:**

#### **1. Purpose of Report**

An application was made under section 34(1)(b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, to initiate:

Amendment 63 to the Launceston Interim Planning Scheme 2015 to insert an additional Special Provision to Part C Special Provisions with Clause 9.5 - Access Across Land In Another Zone

Council initiated the planning scheme amendment at a Council Meeting on 19 March 2020. The amendment was then placed on public exhibition from 2 May 2020 to 1 June 2020. The amendment appeared in *The Examiner* on two separate occasions; 2 May 2020 and 6 May 2020. No representations were received during this period.

In accordance with section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council must, within 35 days of the close of the exhibition period, send a report to the Tasmanian Planning Commission of its opinion of the merits of any representation received in relation to the amendment.

#### **2. Conclusion**

As no representations were received there are no reasons for Council to not proceed with the amendment as initiated. The amendment should be forwarded to the Tasmanian Planning Commission with a recommendation that it be approved without change.

### **ECONOMIC IMPACT:**

No significant economic impacts have been identified.

### **ENVIRONMENTAL IMPACT:**

No significant environmental impacts have been identified.

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**9.1 Launceston Interim Planning Scheme 2015 - Amendment 63 - Add Clause 9.5 - Access Across Land in Another Zone ...(Cont'd)**

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**SOCIAL IMPACT:**

No significant social impacts have been identified.

**STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2015  
*Land Use Planning and Approvals Act 1993*  
City of Launceston Strategic Plan 2014-2024  
Northern Regional Land Use Strategy

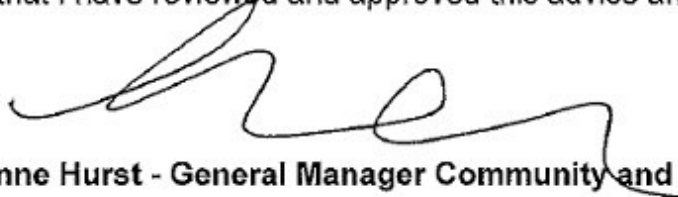
**BUDGET & FINANCIAL ASPECTS:**

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 - General Manager Community and Place Network**

**ATTACHMENTS:**

1. Amendment 63 to the Launceston Interim Planning Scheme 2015 to insert an additional Special Provision to Part C Special Provisions with Clause 9.5 - Access Across Land In Another Zone
-



***Attachment 1 - Amendment 63 to the Launceston Interim Planning Scheme 2015 to insert an additional Special Provision to Part C Special Provisions with Clause 9.5 - Access Across Land In Another Zone***

## **Launceston Interim Planning Scheme 2015**

### **AMENDMENT 63**

Add Clause 9.5 - Access Across Land In Another Zone to Part C Special Provisions.

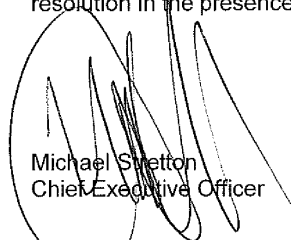
#### **9.5 Access and Provision of Infrastructure Across Land in Another Zone**

If an application for use or development includes access or provision of infrastructure across land that is in a different zone to that in which the main part of the use or development is located, and the access or infrastructure is prohibited by the provisions of the different zone, the planning authority may at its discretion approve an application for access or provision of infrastructure over the land in the other zone, having regard to:

- (a) whether there is no practical and reasonable alternative for providing the access or infrastructure to the site;
- (b) the purpose and provisions of the zone and any applicable code for the land over which the access or provision of infrastructure is to occur; and
- (c) the potential for land use conflict with the use or development permissible under the planning scheme for any adjoining properties and for the land over which the access or provision of infrastructure is to occur.

The City of Launceston resolved at its meeting on 20 March 2020 that Amendment 41 to the Launceston Interim Planning Scheme 2015 meets the requirements specified in the former section 35(1) of the Land Use Planning and Approvals Act 1993.

THE COMMON SEAL of the City of Launceston is affixed, pursuant to the Council's resolution in the presence of:-

  
Michael Swetton  
Chief Executive Officer

Date: 27.03.2020



**10 ANNOUNCEMENTS BY THE MAYOR**

**10.1 Mayor's Announcements**

**FILE NO:** SF2375

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**Monday 15 June 2020**

- Officiated at traditional welcome to acknowledge reopening of QVMAG Inveresk
- Officiated at Talk Against Elder Abuse via Zoom

**Wednesday 17 June 2020**

- Conducted individual Citizenship Ceremonies

**Sunday 21 June 2020**

- Laid a wreath at Boer War Commemorative Day Ceremony
-

**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.)*

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**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.)*

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**12.1.1 Councillors' Question on Notice - Councillor T G Walker - Reconciliation Action Plan - 11 June 2020****FILE NO:** SF2375**AUTHOR:** Lee Viney (Administration Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following question, asked at Council on 11 June 2020 by Councillor T G Walker, has been answered by Michael Stretton (Chief Executive Officer).

**Questions:**

1. In delaying the Reconciliation Action Plan, the Council agreed to commence a broad consultation with the Aboriginal Community of Launceston. Has that process commenced?

**Response:**

*In framing up a revised proposal to deliver a Reconciliation Action Plan, Council officers have held meetings with representatives of the Aboriginal Land Council (ALC) as well as the Chief Executive of the Aboriginal Land Council and have received recommendations in respect to the manner in which the Council could progress this important work. Staff have also engaged with various Councils and institutions to learn about how they have successfully developed Reconciliation Action Plans, 'Aboriginal Partnership Plans' or 'Aboriginal Commitment & Action Plans' which is the terminology being utilised by some Councils.*

*The Councillors are aware that a proposal had been developed to work with Reconciliation Tasmania to develop a plan for the City of Launceston as this organisation has the necessary experience and resources to assist the Council in its delivery. Without this external resource, the process has been slowed as it is being completed off the side of officer desks and has obviously been impacted by the COVID-19 pandemic. A revised proposal to deliver a Plan will be presented to the Council as soon as resources allow.*

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**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.)*

**13 COMMITTEE REPORTS**

**No Committee Reports have been identified as part of this Agenda**

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**14 COUNCIL WORKSHOPS**

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

**14.1 Council Workshop Report**

**FILE NO:** SF4401

**AUTHOR:** Lee Viney (Administration Officer)

**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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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:

Workshops conducted on 18 June 2020:

**Riverbend Park Project Management**

*Councillors received information on Project Management Performance review.*

**Discussion on Draft Access Framework**

*Councillors considered and provided feedback on the draft Access Framework.*

**Mowbray ABCDE Learning Site Report 2019/2020**

*Councillors received a presentation of the Mowbray ABCDE Learning Site Report.*

**Tasmanian Cricket Association Season Closure Report -  
WBBL/BBL 2019-20**

*Councillors received the Season Closure Report for Season 2019-20 for the WBBL and BBL games played in Launceston.*

**University of Tasmania Development Update**

*Councillors were briefed on the University of Tasmania Newnham Master Plan and were presented with building plans for the Inveresk development.*

**QVMAG Collection Update**

*Councillors were updated on the QVMAG Audit.*

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

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**Partnership with the Australian Wine Research Institute (AWRI)**

*Councillors received a briefing on the next use of the Sydney Cove yeast strain.*

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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.

**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.

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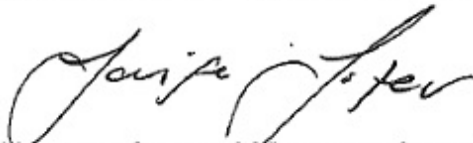
14.1 Council Workshop Report ...(Cont'd)

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Louise Foster - General Manager Organisational Services Network**

**15 NOTICES OF MOTION**

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

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

**16 COMMUNITY AND PLACE NETWORK ITEMS**

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

**17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS**

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

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## 18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS

### 18.1 Policy for Phasing Out Single Use Plastics on Council Managed / Owned Land and Council Sponsored Events

**FILE NO:** SF1048 / SF0630

**AUTHOR:** Michelle Ogulin (Team Leader Environmental Health) and Michael Attard (Team Leader Sustainability)

**GENERAL MANAGER:** Shane Eberhardt (General Manager Infrastructure and Assets Network)

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#### **DECISION STATEMENT:**

To consider the draft Policy for Phasing Out Single Use (Disposable) Plastics at Events, Markets and Other Activities on Council Managed / Owned Land and Council Sponsored Events.

#### **PREVIOUS COUNCIL CONSIDERATION:**

Council - 21 March 2019 - 14.1 - Notice of Motion - Councillor A E Dawkins - Investigation of Single Use Plastics

Workshop - 4 June 2020 - Presented draft Single Use Plastic Policy

#### **RECOMMENDATION:**

That Council adopts the Policy for Phasing Out Single Use (Disposable) Plastics at Events, Markets and Other Activities on Council Managed / Owned Land and Council Sponsored Events (33-Pix-006, ECM Doc Set ID 4314656) as follows:

***Phasing out Single Use (Disposable) Plastics at Events, Markets and Other Activities on Council Managed/Owned Land and Council Sponsored Events***

#### **PURPOSE**

*To outline the procedures to phase out single use (disposable) plastics at events (sponsored and non-sponsored), markets and other activities on council controlled land, by 2022.*

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## **18.1 Policy for Phasing Out Single Use Plastics on Council Managed / Owned Land and Council Sponsored Events ...(Cont'd)**

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### **OBJECTIVES**

*To provide a framework to phase out the use of single use plastic packaging within the City of Launceston to:*

- *Minimise the negative impacts of plastic litter on river, estuarine and marine environments, and to reduce the incidence of litter on land.*
- *Support sustainable procurement, along with economic, environmental and social initiatives within Launceston.*
- *Help Council take a leadership role through using only compostable or reusable packaging in all its occupied buildings, including when ordering catering.*
- *Ensure all Council leases where the lessee provides take away food/beverages include a clause prohibiting the use of single use plastic packaging on council controlled land.*
- *Ensure all events, markets and other activities on council controlled land, whether sponsored or not, are prohibited from using single use plastic packaging.*

### **SCOPE**

*This policy applies to:*

- *Council controlled buildings including:*
  - *Carr Villa*
  - *Launceston Aquatic Centre*
  - *Launceston Information Centre*
  - *Launceston Waste Centre*
  - *Premises that may be leased by Council (i.e. for Council use) for time to time*
  - *QVMAG*
  - *Remount Road Depot*
  - *Town Hall and Annex*
  - *UTAS Stadium*
- *Council leases where the lessee is operating a take away food and/or beverage service.*
- *Events, markets and other activities (including food vans) on council controlled land, whether sponsored by council or not.*

*This policy initially does not apply to the following, but may be considered in the future:*

- *Incidental bookings of Council-owned/managed halls and venues*
  - *Other leases managed by council*
  - *Vending machines*
  - *Bottled Beverages (glass/plastic/metal)*
  - *Plastic pre-wrapped chocolate bars/lollies/biscuits/chips/ice creams*
-

## **18.1 Policy for Phasing Out Single Use Plastics on Council Managed / Owned Land and Council Sponsored Events ...(Cont'd)**

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*Plastics to be phased out under this policy include single use plastic:*

- *plates, bowls and other plastic dishes*
- *cups and lids*
- *cutlery*
- *stirrers*
- *straws*
- *food and beverage packaging including, but not limited to, bottled water and polystyrene containers.*

*There are some circumstances where single use plastics might not be avoidable. Such circumstances include the following:*

- *a person with a disability may require a single use plastic straw. The use of a single use plastic straw in this circumstance is permitted.*
- *in an emergency situation.*
- *where public health risks are possible, i.e. the need to use plastic cling wrap to cover food.*

### **POLICY**

- *The Council will cease purchasing single use plastics by 1 July 2020 at all Council operated buildings as listed in the scope.*
  - *The council will stipulate to caterers that all catering brought onto council occupied premises must be in reusable or compostable packaging by 1 January 2022.*
  - *The Council will, as leases expire, update leases where the lessee offers take away food/beverages to include the following clause: "single use plastics are not to be used on the premises and are to be substituted with approved compostable or reusable packaging alternatives".*
  - *The Council will mandate that no single use plastics are used at both sponsored and non-sponsored events from 1 January 2022 onwards. Approved single use compostable packaging or reusable packaging will be permitted. All sponsorship agreements from 1 January 2022 will include the following clause: "single use plastics are not to be used during the event and are to be substituted with approved compostable or reusable packaging alternatives".*
  - *The Council will, after 2022, work with event holders to transition to more sustainable event management, specifically facilitating the move away from compostable single use packaging to reusable packaging.*
  - *The Council will encourage food vans operating on council land to move away from using single use plastics. The council will ask all food van operators to join into a memorandum of understanding which will ask that, when operating on council land or public roads, single use plastics not be used and are instead substituted with compostable or reusable packaging alternatives.*
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**18.1 Policy for Phasing Out Single Use Plastics on Council Managed / Owned Land and Council Sponsored Events ...(Cont'd)**

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- *The Council will stipulate that the public bars at UTAS stadium will no longer be able to use disposable alcohol beverage packaging. The following clause will be inserted into the agreement with the public bar operator: "single use plastics are not to be used and are to be substituted with approved reusable packaging alternatives by 1 January 2022."*
- *All general managers and senior leaders will support and implement appropriate processes to ensure operation and compliance to this policy and associated procedures.*

**PRINCIPLES**

*Single use plastics are a staple at many events and activities within the municipality due to their cheap cost and ease of disposal. It is estimated there will be more plastics than fish in the world's oceans by 2050. This policy will minimise the impact of single use plastics on our marine environments, especially the iconic kanamaluka/River Tamar and Cataract Gorge.*

*Council's Organisational Values apply to all activities.*

**RELATED POLICIES & PROCEDURES**

*11-Plx-004 Code for Tenders and Contracts*

*05-PI-012 Event Sponsorship Policy*

*32-Plx-005 Mobile Food Vendors Operating on Public Roads Policy*

*11-Plx-001 Procurement Policy*

*11-HLPr-001 Purchasing (Non-Tendered) Procedure*

*05-Rfx-020 Signature Event Sponsorship Guidelines*

*11-Rf-011 Standard Terms and Conditions of Purchase Orders*

**RELATED LEGISLATION**

*Public Health Act 1997*

**REFERENCES**

*Revised Regulatory Impact Statement: Single-use Plastics By-law, City of Hobart, 2019*

**DEFINITIONS****Single use plastics**

*Single use plastics are plastic items used for food and beverages which are not designed or intended for multiple use or to be returned to the retailer for refill or reuse for the same purposes for which it was conceived. The following single use plastic items are covered by this policy:*

- a) crockery (plates, bowls, other plastic dishes)*
  - b) cups and lids (including non-compostable plastic lined coffee cups)*
  - c) cutlery*
-

## **18.1 Policy for Phasing Out Single Use Plastics on Council Managed / Owned Land and Council Sponsored Events ...(Cont'd)**

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- d) *stirrers*
- e) *straws*
- f) *food and beverage packaging including, but not limited to, bottled water and polystyrene containers.*

### **Compostable packaging**

*Compostable packaging (when used in relation to bioplastic) means, when treated in an industrial composting facility, the following requirements are met:*

- a) *60% decomposition (aerobic) within 180 days*
- b) *90% disintegration to less than 2mm in 84 days, and*
- c) *is non-toxic.*

### **REVIEW**

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

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### **REPORT:**

Single use plastics are a staple at many events and activities within the municipality due to their cheap cost and ease of disposal. However, plastic pollution is a well understood environmental problem.

Action is being taken globally and locally to eradicate the impact of single use plastics on the environment. The European Union has passed a directive that will ban single use plastics across the Union by 2021. Locally, the City of Hobart has recently introduced a single use plastics by-law. This by-law will ban businesses who sell take away food/beverages from selling food/beverages in single use plastic packaging. The ban will require food retailers to provide take-away food/beverages in compostable or reusable packaging and applies to all food retailers within the Hobart municipality.

The City of Launceston passed a motion in March 2019 signalling its intent to phase out single use plastics at events, markets and other activities on council owned/managed land. The intention of Launceston's policy is to minimise the impact of single use plastics on our marine environments, especially the iconic kanamaluka/River Tamar and Cataract Gorge.

The policy is intended to apply from 1 January 2022 to the following premises/activities within Launceston:

- all Council occupied buildings;
  - Council leases where the lessee is operating a take away food and/or beverage service. There are eight such leases within the municipality;
  - all events, whether sponsored or non-sponsored, occurring on Council controlled land;
  - food vans; and
  - UTAS stadium's public bars and food retailers.
-

## **18.1 Policy for Phasing Out Single Use Plastics on Council Managed / Owned Land and Council Sponsored Events ...(Cont'd)**

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The proposed approach for phasing out single use plastic packaging is as follows:

### **Council occupied buildings**

The single use plastics policy will specify that all catering brought onsite must be in reusable or compostable packaging by 2022. Once the policy is adopted, a communiqué will be sent to all catering suppliers in the Council's system to advise them of the upcoming change to allow time for caterers to change their packaging.

The changes to catering packaging are on top of changes already made to the Council's internal purchasing system whereby single use plastic packaging, including polystyrene coffee cups, are no longer available for purchase as a stock requisition. Further, the Council will be adopting a procurement policy that will encourage adherence to sustainable procurement objectives.

### **Council leases where the lessees offers a takeaway food/beverage service**

There are eight lessees that offer takeaway food and/or beverage services. Following adoption of the policy, each lease will have a clause inserted to prohibit the use of single use plastics as follows: 'single use plastics are not to be used on the premises and are to be substituted with approved compostable or reusable packaging alternatives.'

This clause is currently in use in the lease agreement with the Gorge Restaurant and Basin Café.

Of the eight leases that offer takeaway food and/or beverages, four expire before 2022 and can therefore have the new clause inserted as part of normal lease negotiations. The remaining four leases all expire between 2022 and 2024 and can have their leases amended through a deed of variation.

At this point it is not envisaged to include all lease agreements within this policy (122 leases in total) or hire agreements as it will be difficult to enforce a single use plastics ban in many of these situations (halls, community/social clubs). However, the Council can provide information with each lease and hire agreement promoting the benefits of compostable or reusable packaging and the associated costs of using such packaging to encourage a shift to better packaging.

### **Food vans**

All food vans with a permit in Launceston will be required to use compostable or reusable packaging from 2022. The following will be inserted as a permit condition: 'single use plastics are not to be used and are to be substituted with approved compostable or reusable packaging alternatives.'

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## **18.1 Policy for Phasing Out Single Use Plastics on Council Managed / Owned Land and Council Sponsored Events ...(Cont'd)**

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### **Council sponsored events**

The Council provided sponsorship to a range of events totalling over \$500,000 in 2018/2019. There is significant scope to influence the purchasing decisions of sponsored events to shift them towards both compostable and reusable packaging.

Following adoption of this policy, all sponsored events will be advised that their events must be single use plastic free by 1 January 2022. A clause will be included in the sponsorship agreements and sponsorship guidelines as follows: 'single use plastics are not to be used during the event and are to be substituted with approved compostable or reusable packaging alternatives.'

All event holders will be given advice and guidance on suitable packaging alternatives to help them transition to sustainable packaging, particularly around single use plastic bottles. A set of frequently asked questions about packaging options will be prepared and distributed to all event holders.

Following the ban on single use plastics, the Sustainability team will work with the event organisers to help sponsored events transition to best practice reusable packaging, as occurs at both Panama and Mona Foma.

### **Council supported events**

The Council supports a number of events on Council owned land each year, including the Night Markets, Harvest market and Fiesta on George. While these events receive no financial sponsorship from the Council, they are still required to sign an agreement to host an event on Council land. From 1 January 2022, the events agreement will include the following clause: 'single use plastics are not to be used during the event and are to be substituted with approved compostable or reusable packaging alternatives.'

Non-sponsored events will receive advice and information about sustainable packaging as per signature event holders.

### **UTAS Stadium**

There are eight public bars at UTAS Stadium along with food vendors that currently use disposable plastic packaging for food and beverages. The corporate bars already use reusable glassware. The food vendors are required to sign an annual agreement to sell food. Food vendors have already been asked to use compostable packaging for the 2020 AFL season. It is anticipated that the following clause will be inserted into stadium vendor agreements this year: 'single use plastics are not to be used at UTAS Stadium and are to be substituted with approved compostable or reusable packaging alternatives.'

The contract for the public bar operator ends in 2021. In recent discussions with UTAS Stadium staff, it was agreed that the public bars should transition to reusable beer cups. This would require patrons to purchase a reusable cup with their first beer, with the deposit refunded at the end of the game. In addition to avoiding the use of single use plastics, this

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## **18.1 Policy for Phasing Out Single Use Plastics on Council Managed / Owned Land and Council Sponsored Events ...(Cont'd)**

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would also significantly reduce post-game clean-up costs (single use plastic cups and other food packaging), which typically costs \$5,000 per game.

The Sydney Showgrounds stadium, which hosts AFL games, is the only other stadium in Australia to use reusable cups. The Sustainability team will work with UTAS Stadium to seek funding to support the transition to reusable cups by 2022. At contract renewal, the following clause will be inserted into the bar operator contract: 'single use plastic cups are not to be used at UTAS Stadium public bars and are to be substituted with approved reusable packaging alternatives'.

### **Advocating the single use plastics policy**

Leases, food vans and events found not complying with the policy would be issued with a letter noting the breach of the policy and steps required to rectify the breach. If steps do not rectify the breach- leases, food vans and events risk losing council support.

### **ECONOMIC IMPACT:**

This policy will require single use plastic packaging to be substituted for compostable or reusable packaging and will likely result in a higher cost for food and beverage retailers.

The City of Launceston has not undertaken an economic assessment of switching to compostable packaging and instead is relying on the information presented in the City of Hobart's *Revised Regulatory Impact Statement (RIS): Single Use Plastic By-Law*. The City of Hobart RIS indicates that the cost to food retailers by switching to compostable packaging will be approximately \$700 per annum, with take away food retailers and bakeries found to have the highest average increase in packaging costs. Food stalls and food vehicles are likely to be impacted significantly less than \$700 with average annual costs expected to be less than \$200.

As noted earlier, the switch to reusable beer cups at UTAS Stadium will also likely reduce the post-game litter clean-up costs, which are currently in the order of \$5,000 per game. With the transition to reusable cups a significant part of the litter stream will be eliminated, thereby reducing clean-up costs.

### **ENVIRONMENTAL IMPACT:**

The move to compostable and reusable packaging is expected to result in reductions in litter in and around Launceston and in our marine environments. According to the *Keep Australia Beautiful National Litter Index 2017–18 Tasmanian Results*, takeaway packaging is the second largest litter stream in Tasmania after cigarette butts. Of the takeaway packaging littered, 80% is expected to end up in a marine environment according to the UN Environment Program.

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**18.1 Policy for Phasing Out Single Use Plastics on Council Managed / Owned Land and Council Sponsored Events ...(Cont'd)**

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By adopting a single use plastics policy, it is likely there will be a reduction in single use plastic land-based and marine litter. Compostable packaging that is littered will also break down faster in the environment than non-compostable packaging.

**SOCIAL IMPACT:**

The move to compostable and reusable packaging may lead to a reduction in the number of volunteer hours required to clean up litter. This may mean those volunteer hours could be diverted to other worthy causes that lead to social and environmental improvements for the Launceston community.

**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.



**Shane Eberhardt - General Manager Infrastructure and Assets Network**

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**18.2 Concessional Entry to Council's Waste Disposal Facilities****FILE NO:** SF0628**AUTHOR:** Jess Nesbit (Waste and Environment Officer)**GENERAL MANAGER:** Shane Eberhardt (General Manager Infrastructure and Assets)

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**DECISION STATEMENT:**

To determine the value of concessions to approved charitable organisations for waste disposal to the Launceston Waste Centre for the 2020/2021 financial year.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 27 June 2019 - Agenda 18.2 Concessional Entry to Council's Waste Disposal Facilities 2019/2020

**RECOMMENDATION:**

That Council, in respect of clause 4(e) of the '*Concessional Entry to Council's Waste Disposal Facilities*' policy (12-Plx-014), approves the organisations and concessional entry values for the financial year 2020/2021, as shown below:

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## 18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

**Table 1: Recommended concessional entry values, 2020/2021**

Organisation Name	2020/2021 recommendation \$
Connections Op Shop Inc	314.94
Door of Hope Christian Church	618.62
Launceston Benevolent Society Inc	326.46
Launceston City Mission	15,508.16
Launceston Legacy Inc	19.34
Lions Club of Kings Meadows	65.30
New Horizons Club Inc	43.13
Northern Occupational Support Service - Bluegum	728.94
PCYC	120.95
Salvos Store	482.89
Self Help Workplace	2,654.29
St Michaels Association	445.94
St Vincent de Paul Society	4,893.64
Veterans Support Group	432.68
Shekinah House	91.24
Veterans & Community Wood Centre Inc	25.14
Dogs Home of Tasmania	250.00
Starting Point Neighbourhood House	150.08
Just Cats Tasmania	250.00
Community Housing	5,500.00
Community Care Tasmania	1,250.00
<b>TOTAL</b>	<b>\$34,171.74</b>

### REPORT:

#### Introduction

This is the eleventh year that the Council has advertised and received applications for *Concessional Entry to Waste Disposal Facilities*. Increased advertising was undertaken for this year's program to account for the current Covid-19 pandemic, resulting in some organisations being closed. To ensure equity and to encourage new organisations to apply, this year's campaign included newspaper and radio advertising, along with social media posts and website banners. Previous applicants received an email noting the link to the electronic application form and advising of their previous year's expenditure to help determine the financial value the organisation wished to seek in 2020/2021. The application period was open for four weeks, opening 25 April and closing 26 May 2020.

**18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)**

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The budget amount for 2020/2021 is \$30,215. This has decreased from \$41,638 in 2019/2020 based on a budget forecast which included an underspend in the 2018/2019 financial year. This budgeted amount reflects that not all concessionary funds on offer are utilised within the 12 month period. A budget amendment to allow for the additional \$3,956.74 will be considered if the usage of the funds increase from current forecast.

**Policy Details**

The policy requires organisations to meet tests in order to be deemed 'charitable' and to be considered for a subsidy to offset their waste disposal charges at the Launceston Waste Centre by up to 80%. The 'charitable' test can be satisfied in one of two ways – either by providing an ATO Exemption Certificate, or by proving community and charitable benefit. Table 2 (Attachment 1) shows the applications received together with their nominated subsidy. Each of the charities listed meets the 'charitable' test required by the Council.

The assessment, completed by the Council's Team Leader Sustainability and Waste Management Officer, was endorsed by the Community Grants Committee on 2 June 2020. For committee members unable to attend the meeting, the recommendation was endorsed out of session.

**Application Assessment**

The first step in the assessment process was to ensure all previous years' applicants had submitted their end of financial year waste report. Applicants were asked to provide a brief report on the effectiveness of the organisation's waste reduction activities since receiving their subsidy. Previous applicants were contacted in March 2020 to submit the end of financial year waste reports and all applicants submitted their plans on time prior to the application process for 2020/2021 opening. This process helps officers to evaluate the waste streams being sent to the landfill and identify any emerging waste stream trends that can be looked at for recycling/reuse opportunities i.e. FOGO. It also assists officers to engage with these community organisations. Officers have noticed over the past few years that the regular organisations that apply are comfortable with the officers and will quite happily call or email for advice or to talk through waste reduction ideas.

The second step in the assessment was confirming each organisation's 'charitable' status against the two 'tests'. The policy automatically accepts organisations where an *ATO Exemption Certificate* is provided. This certificate also has to comply with the 'public benevolent institution' classification. Organisations claiming the alternative test are required to provide proof of community good and community benefit. All organisations must be non-government. Additionally, the Australian Charities and Not-for-profits Commission ([www.acnc.gov.au](http://www.acnc.gov.au)) was used to verify the status of several organisations.

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## **18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)**

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The Committee then considered the reasonableness of the claims for the financial year 2020/2021 based on the previous history of the organisation and the percentage of the approved claim used in 2019/2020. All applicants must have submitted a detailed waste reduction plan to be considered for a subsidy. In this section a written statement addressing what measures are already being used to prevent waste going into landfill and what plans there are to improve in the next 12 months was required. This criterion was assessed by two staff from waste management and given a rating out of four; this rating helped determine the recommendation and identified which charities the Council was able to assist with helping to reduce waste to landfill further.

As per the Council's Policy, *Concessional Entry to the Council's Waste Disposal Facilities Policy* (12-PI-014), subsidies shall not exceed 80% of the organisations 2019/2020 spend, which means that the amount recommended in this report is mathematical with the exception to the following that required additional deliberation:

- Dogs Home of Tasmania - did not activate their account in 2019/2020
- Just Cats - did not utilise their subsidy due to oversight in 2019/2020
- Community Housing Limited - New applicant
- Community Care Tasmania - New applicant

For fairness with the Dogs Home and Just Cats, the committee is recommending both organisations receive \$250.00 for 2020/2021, with the condition that they meet with waste management officers to broaden their waste reduction plans.

Community Housing have an account with the Council, so the recommended figure is based on the organisation's spend for 2019/2020. Community Care Tasmania is a new applicant and the committee was unable to base their recommendation on previous expenditure. The committee is recommending the organisation receive half of the \$2,500 they requested, with the condition they meet with waste management officers to broaden their waste reduction plan.

There are still ongoing issues with organisations copying and pasting the same generic waste reduction plans year after year which shows that some of these organisations are still seeing this program as an entitlement rather than a waste reduction program. The committee also identified a gap in the policy relating to new organisations applying, given that the committee cannot base the recommendation on the previous year's spend. Since the policy was last updated, significant improvement has occurred. The grant committee has suggested to workshop the Policy before next year's program for continuous improvement purposes.

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**18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)**

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**ECONOMIC IMPACT:**

There is an economic benefit to the charitable organisations, as money is saved on waste fees and the organisations have more funds to support their community programs.

**ENVIRONMENTAL IMPACT:**

By encouraging people to reduce their waste, the Council is extending landfill life, reducing harmful methane gas entering the atmosphere and reducing the creation of landfill leachate which is harmful to the environment, resulting in reduced operational costs. Council is also saving valuable resources such as precious metals being lost to landfill.

**SOCIAL IMPACT:**

The policy treats concessions to charitable organisations as a community service obligation. The fabric of the community is enhanced by the charitable and benevolent work of these organisations.

**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.

**BUDGET & FINANCIAL ASPECTS:**

The draft budget for 2020/2021 provides an allowance of \$30,215.

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## 18.2 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

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### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



**Shane Eberhardt - General Manager Infrastructure and Assets Network**

### ATTACHMENTS:

1. Table 2 Applicant's Historical Usage of the Concessional Study (*distributed electronically*)
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**19 ORGANISATIONAL SERVICES NETWORK ITEMS****19.1 2019/2020 Budget - Chief Executive Officer's Report on Adjustments 1 May 2020 to 31 May 2020****FILE NO:** SF3611**AUTHOR:** Nathan Williams (Manager Finance)**GENERAL MANAGER:** Louise Foster (General Manager Organisational Services)**DECISION STATEMENT:**

To consider adjustments made by the Chief Executive Officer to the 2019/2020 Budget.

**RECOMMENDATION:**

That, pursuant to section 82(7) of the Local Government Act 1993 (Tas), Council receives the Chief Executive Officer's report on adjustments to the 2019/2020 budget for the period 1 May 2020 to 31 May 2020.

**REPORT:**

Pursuant to section 82(6) of the *Local Government Act 1993* (Tas), Council has authorised the Chief Executive Officer to adjust budgets up to \$500,000 so long as the adjustments do not alter revenue, expenditure, borrowings or capital works estimates in total. The Budget Management Policy (12-PI-001) adopted by Council on 13 October 2014 refers to Section 82(7) of the *Local Government Act 1993* (Tas) which requires the Chief Executive Officer to report any adjustment along with an explanation of the adjustment at the first Ordinary Meeting of Council following the adjustment.

The following capital project adjustments have occurred in the period 1 May 2020 to 31 May 2020:

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
23977	Inveresk Workshop/Storage Upgrade	\$70,000	\$3,114	\$0	\$66,886
24063	QVM IT Minor Capital Expenditure 2019/2020	\$0	\$0	\$3,114	\$3,114
	<b>TOTAL</b>	<b>\$70,000</b>	<b>\$3,114</b>	<b>\$3,114</b>	<b>\$70,000</b>

**19.1 2019/2020 Budget - Chief Executive Officer's Report on Adjustments 1 May 2020 to 31 May 2020 ...(Cont'd)**

**The project scope of works:**

Available funds have been identified within the Inveresk Workshop/Storage Upgrade project which can be utilised to upgrade a number of projectors which are no longer fit for purpose within the exhibitions area.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
24030	56 Frederick Street Stormwater Improvements	\$7,000	\$7,000	\$0	\$0
24079	Macquarie House Redevelopment 2019/2020	\$60,877	\$0	\$7,000	\$67,877
	<b>TOTAL</b>	<b>\$67,877</b>	<b>\$7,000</b>	<b>\$7,000</b>	<b>\$67,877</b>

**The project scope of works:**

A decision has been made to defer stormwater work at 56 Frederick Street. The budget associated with this project is to be transferred to the Macquarie House Redevelopment project which will better utilise this funding. It is anticipated that project funding will occur in a future year.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
24037	Carr Villa Burial Site Preparation	\$5,500	\$5,500	\$0	\$0
24036	Carr Villa Road Surface Renewal	\$39,000	\$0	\$3,560	\$42,560
23905	Carr Villa Weather Proof Storage	\$10,000	\$0	\$1,940	\$11,940
	<b>TOTAL</b>	<b>\$54,500</b>	<b>\$5,500</b>	<b>\$5,500</b>	<b>\$54,500</b>

**The project scope of works:**

Works on the Carr Villa Burial Site Preparation project do not meet capitalisation requirements. Expenditure of \$4,500 is to be transferred to operations with the corresponding budget.

The remaining budget will go towards overspends on the Carr Villa Road Surface Renewal and Carr Villa Weather Proof Storage projects.

**19.1 2019/2020 Budget - Chief Executive Officer's Report on Adjustments 1 May 2020 to 31 May 2020 ...(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.
5. To maintain a financially sustainable organisation.

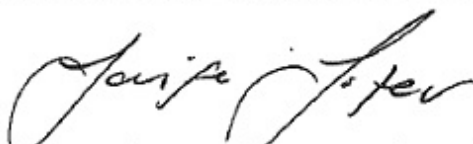
**BUDGET & FINANCIAL ASPECTS:**

As per the Agenda Item.

**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.



**Louise Foster - General Manager Organisational Services Network**

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## 19.2 Budget Amendments 2019/2020

**FILE NO:** SF6641

**AUTHOR:** Nathan Williams (Manager Finance)

**GENERAL MANAGER:** Louise Foster (General Manager Organisations Services)

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### DECISION STATEMENT:

To consider changes to the Council's 2019/2020 Statutory Estimates.

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

### RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993* (Tas) and by an absolute majority, approves the following changes to the 2019/20 Statutory Estimates:
    - a. Expenses
      - i. the net increase in operations expenditure of \$16,939.
    - b. Capital Works Expenditure
      - i. the decrease in Council funded expenditure of \$16,939.
  2. notes that amendments from Recommendation 1 result in:
    - a. the operating surplus being amended to \$6,205,236 (including capital grants of \$8,257,145) for 2019/2020.
    - b. the capital budget being decreased to \$29,532,876 for 2019/2020.
- 

### REPORT:

The budget amendments are changes to the Statutory Estimates which require a Council decision. The changes relate to external grant revenue and transfers between Operations and Capital projects.

	<b>Operations</b>	<b>Capital</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>Statutory Budget as at 1/07/2019</b>	3,826	25,379
Adjustments approved by Council to 30/04/2020	2,396	4,171
Balance Previously Advised as at 30/04/2020	6,222	29,550

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	Operations \$'000	Capital \$'000
<u>Amendments</u>		
Capital to Operations	(17)	(17)
Operations to Capital	0	0
External Funds	0	0
<b>Statutory Budget as at 31/05/2020</b>	<b><u>6,205</u></b>	<b><u>29,533</u></b>
Deduct Capital Grants and Contributions	(8,257)	
<b>Underlying Operating Budget Surplus</b>	<b><u>(2,052)</u></b>	

The table summarises all other budget agenda items and includes reconciliations of the budgeted operating result and capital expenditure. Details of the amendments are as follows:

**1 a) The following items need to be reallocated from Capital to Operations.**

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP23977	Inveresk Workshop/Storage Upgrade	\$66,886	\$7,000	\$0	\$59,886
OPM22945	HVAC Compressor Unit for Inveresk	\$0	\$0	\$7,000	\$7,000
	<b>Totals</b>	<b>\$66,886</b>	<b>\$7,000</b>	<b>\$7,000</b>	<b>\$66,886</b>

**The project scope of works:**

Replacement of the failed compressor unit at Inveresk was not budgeted and will be funded in-part from savings in the Inveresk Workshop/Storage Upgrade project. The remaining funds are to be covered by savings in the QVMAG Building Maintenance budget.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP23911	Safe Area for Exhibition Furniture	\$15,000	\$5,439	\$0	\$9,561
OP49781	Inveresk Museum Site Building Maintenance	\$203,446	\$0	\$5,439	\$208,885
	<b>Totals</b>	<b>\$218,446</b>	<b>\$5,439</b>	<b>\$5,439</b>	<b>\$218,446</b>

**The project scope of works:**

There was expenditure on the capital project to the value of \$5,438.31 that was operational in nature. This budget amendment is to transfer the budget attributable to this operational expenditure from capital to operations.

**19.2 Budget Amendments 2019/2020 ...(Cont'd)**

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24037	Carr Villa Burial Site Preparation	\$10,000	\$4,500	\$0	\$5,500
OP49946	Carr Villa Cemetery Maintenance	\$148,955	\$0	\$4,500	\$153,455
	<b>Totals</b>	<b>\$158,955</b>	<b>\$4,500</b>	<b>\$4,500</b>	<b>\$158,955</b>

**The project scope of works:**

Works on the Carr Villa Burial Site Preparation project do not meet capitalisation requirements. Expenditure of \$4,500 is to be transferred to operations with the corresponding budget.

**Summary Table**

Capital to Operations	Operations	Capital
Inveresk Workshop/Storage Upgrade	\$7,000	(\$7,000)
Safe Area for Exhibition Furniture	\$5,439	(\$5,439)
Carr Villa Burial Site Preparation	\$4,500	(\$4,500)
<b>TOTAL</b>	<b>\$16,939</b>	<b>(\$16,939)</b>

**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:**

**BUDGET & FINANCIAL ASPECTS:**

As per the Agenda Item.

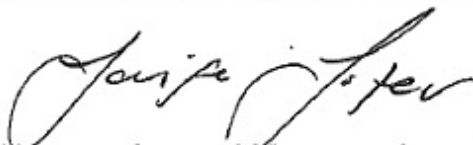
**19.2 Budget Amendments 2019/2020 ...(Cont'd)**

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Louise Foster - General Manager Organisational Services Network**



**20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS****20.1 Community Care and Recovery Package - Venue and Ground Hire Fees****FILE NO:** SF7108 / SF3805 / SF0811**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**DECISION STATEMENT:**

To consider the waiver of hire fees for local community and sporting groups to utilise Council controlled grounds and public halls until 2 October 2020.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 19 March 2020 - Agenda Item 21.1 - Notice of Motion A M van Zetten  
Community Care and Recovery Package  
Workshop - 26 March - Community Care and Recovery Package  
Council - 2 April 2020 - Agenda item 7.1 -Community Care and Recovery Package -  
COVID-19 Pandemic

**RECOMMENDATION:**

That Council:

1. Waive the venue and ground hire fees for Council managed grounds and public halls for local community and sporting groups until 2 October 2020, consistent with the intent of the Council's Community Care and Recovery Package approved on 2 April 2020;
  2. Not apply the fee waiver to:
    - Council owned buildings that are managed via committee or lease arrangements;
    - use of the Launceston Aquatic Centre;
    - activities that are commercial in nature i.e profit making;
    - ad hoc and/or non regular user groups.
  3. Any additional costs associated with hirers of facilities complying with Covid-19 restrictions will be at the hirer's expense.
- 

**REPORT:**

In response to a Notice of Motion from the Mayor at its meeting on 19 March 2020 the Council resolved to:

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**20.1 Community Care and Recovery Package - Venue and Ground Hire Fees  
...(Cont'd)**

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*'Request the Chief Executive Officer to work with Council staff, General Managers from the Northern Tasmania Councils and CEO of the Northern Tasmania Development Corporation, to prepare a Community Care and Recovery Package, which should include the consideration of the following elements:*

- *provision of rates relief for businesses impacted by closure as a result of the pandemic;*
- *development of a Rates Hardship Policy;*
- *provision of fees and charges relief for businesses, community groups, sporting clubs and the like, to assist in managing their response to and recovery to the pandemic;*
- *early payment of creditors by Council and negotiable terms of payment for debtors;*
- *the development of a framework and provision of a one-off special grant round to support business innovation which would include a focus on the development of digital capability (i.e. on-line services) as well as to facilitate opportunities for developing circular economy initiatives;*
- *support for sporting and cultural groups to develop alternate approaches to their activities;*
- *supporting the more vulnerable members of our community;*
- *develop a framework to strengthen the resilience of our community;*
- *negotiated rent relief for the use of Council facilities;*
- *support for cancelled events to retain grant funding and re-plan events...'*

Following that Council decision, considerable work was undertaken to prepare a suitable Community Care and Recovery Package to assist our community to both manage and recover from the impacts of the COVID-19 pandemic. This was approved by Council on 2 April 2020.

In the haste to develop the package for the Council's consideration, the recommendation to waive the venue and ground hire fees for local community and sporting groups to utilise Council controlled grounds and public halls was missed from the report's recommendation. This said however, the report included the following discussion:

***'...Provision of fees and charges relief for businesses, community groups, sporting clubs and the like, to assist in managing their response to and recovery to the pandemic.***

*It is proposed to provide fee relief to aid in the recovery of individuals and businesses and to provide a stimulus for economic growth in the short term. Fee relief such as for Food Business Registrations, public health risk activities, on-street dining, food vendors (mobile vans) will assist businesses to commence trading after the emergency, while fee relief for venue and ground hire will assist community and sporting groups to re-commence their operations...'*

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## **20.1 Community Care and Recovery Package - Venue and Ground Hire Fees ...(Cont'd)**

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Now that community groups and sporting clubs are starting to resume their use of Council facilities, it is timely that this matter be addressed. Therefore, in accordance with the original intent of the Community Care and Recovery Package, it is recommended that the Council agree to waive the venue and ground hire fees for local community and sporting groups to utilise Council managed grounds and public halls until 2 October 2020, which is the date that the agreed six month waiver period for the overall Community Care and Recovery package will conclude. Users that would have access to the fee waiver, if adopted, would include churches, playgroups, sports clubs and bridge clubs.

It should be noted that this decision would not apply to the hire and use of:

- Council owned buildings that are managed via committee or lease arrangements;
- use of the Launceston Aquatic Centre
- activities that are commercial in nature i.e. profit making;
- ad hoc user groups.

Council has limited capacity to require lease holders or management committees of halls to implement a similar fee waiver approach as the lease holders and committees establish their own terms of use for these venues, however if the recommendation is adopted by Council we will write to those entities and ask that they consider adopting a similar approach. Council owned buildings that are managed via committee or lease arrangements include the Albert Hall, all rural halls such as Blessington Hall, Lilydale Memorial Hall, Myrtle Park Memorial Hall, Rocherlea Memorial Hall, Dilston Memorial Hall. Council owned sports grounds that are managed via committee include the NTCA Ground, and the Northern Athletics Centre.

The Launceston Leisure and Aquatic Centre is a business activity and the fee waiver is not intended to apply to hire or usage of those facilities.

Activities that are commercial in nature are not proposed to have access to the fee waiver - these include activities such as dance schools and fitness classes.

Ad hoc user groups include a singular use or hire that is not consistent with past hires of the facility by that user group. These would include social gatherings such as birthday parties and fundraising activities by any user including sports clubs.

There will likely be conflicts with sports facility usage which will be managed with consideration of historical use and turf capacity.

### **ECONOMIC IMPACT:**

The Community Care and Recovery Package is a clear, considered and targeted response to the economic impacts of the pandemic which will assist our community to both manage and recover from the impacts.

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**20.1 Community Care and Recovery Package - Venue and Ground Hire Fees  
...(Cont'd)**

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There will likely be conflicts with sports facility usage which will be managed with consideration of historical use and turf capacity.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

The decision will assist community and sporting groups to re-commence their operations.

**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:

1. To provide for the health, safety and welfare of the community.
3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

**BUDGET & FINANCIAL ASPECTS:**

The waiver of public hall and ground hire fees for local community and sporting groups for the recommended period would amount to approximately \$6,000. It should be noted that this figure was included in the financial consideration for the overall Community Care and Recover package and this was despite the fact that it was not included in the recommendation.

**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 - Chief Executive Officer

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania****FILE NO:** SF6660**AUTHOR:** Duncan Campbell (Team Leader Legal Services)**CHIEF EXECUTIVE OFFICER:** Michael Stretton (Chief Executive Officer)

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**DECISION STATEMENT:**

To consider objections received in relation to land intended to be leased at 2 Invermay Road, Invermay.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 19 March 2020 - Agenda Item 20.1 - Lease Surrender - Royal National Agricultural and Pastoral Society of Tasmania Limited

**RECOMMENDATION:**

That Council

1. Notes its decision on 19 March 2020 that it intended to lease or licence public land located at 2 Invermay Road, Invermay TAS 7248 to University of Tasmania (UTAS) for a period of twenty plus twenty years.
  2. Considers each of the five attached objections that were received against the leasing of part of 2 Invermay Road, Invermay TAS 7248 to UTAS as advertised in the Examiner newspaper on 13 May 2020 and 18 May 2020.
  3. Endorses the assessment of each of those objections as contained in the report.
  4. Requests the Chief Executive Officer to enter the lease of the public land in accordance with the decision of Council on 19 March 2020 and the consequent published and displaced notices, but only when the relevant restrictions on taking action applying by reason of s 178(7) of the *Local Government Act 1993* (Tas) are no longer applicable.
  5. 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)
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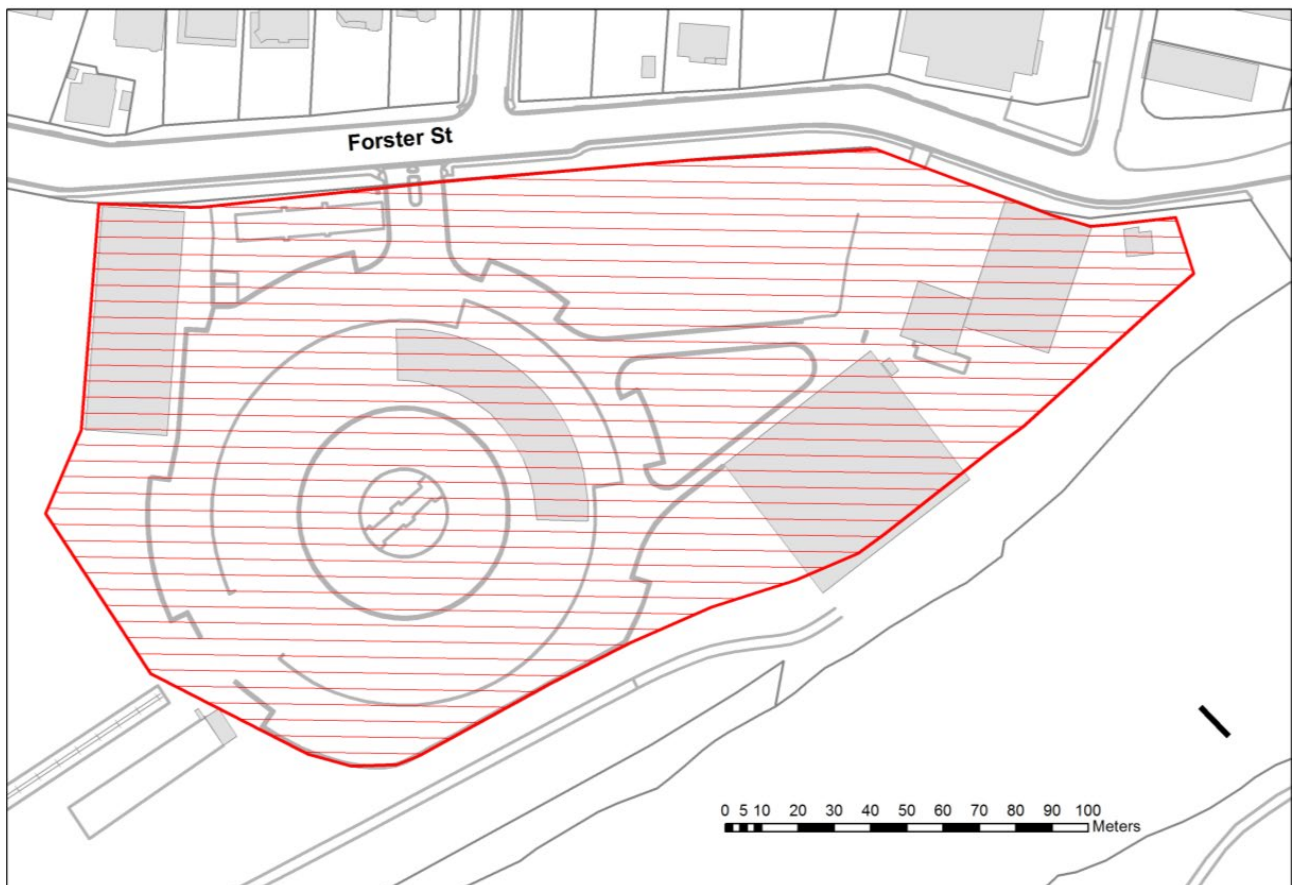
**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(Cont'd)**

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**REPORT:**

This item purely considers the legislative requirements related to the lease of public land and does not consider commercial lease negotiations which are ongoing.

On 19 March 2020, Council passed a resolution that it intended to lease or licence land at 2 Invermay, Invermay TAS 7248 to the University of Tasmania (UTAS). The land is identified in the minutes of that meeting and broadly encompasses land that has been leased to the Royal National Agricultural and Pastoral Society (RNAPS). A map of the relevant land is presented below and encompasses part of certificate of title CT174633/2, and all of CT 41309/1 and CT41309/2.



Following the resolution of Council, Council officers arranged for notice of the intention to lease the public land to be advertised in the Examiner newspaper on 13 and 18 May 2020. Notices were also placed around the boundaries of the land intended to be leased, including those boundaries that abut a highway.

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(Cont'd)**

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Council received five objections against the intended leasing of the land. Council is legislatively required by s 178 of the *Local Government Act* (Tas) to consider any objection before proceeding to lease the land as intended.

The key question whether an intention to lease of public land can be implemented is answered by ensuring that the intended lease is not contrary to the public interest in that

- a. the community will suffer undue hardship due to loss of access to or use of the public land; or
- b. that there is no similar facility available to users of the facility.

A summary of each of the objections are listed below, including Council officer responses to the relevant objection. Names of individuals have been removed to protect their privacy.

**1. Objection 1 (Tasbreeders)**

Tasbreeders' objection to the intended lease centres on its inability to use the site for its Tasmanian Magic Millions Yearling Sales (TMMYS) on 21 February 2021. Attempts have been made by Council officers to accommodate the TMMYS by identifying alternative access or sites within the remaining areas of 2 Invermay Road.

Council officers have, with consent, provided the details of Tasbreeders to UTAS with a view to UTAS allowing the event to occur in 2021 as planned.

It is appreciated that the site is of value to conduct the TMMYS and there would be no objection to the TMMYS continuing if the site was available. There is, however, commercial sites and rural properties within northern Tasmania that would be appropriate to conduct an auction sale such as TMMYS.

Council officers are willing to work with Tasbreeders to identify potential alternate sites on Council owned land.

In summary, it cannot reasonably be argued that there is no similar site available, and Tasbreeders, its invitees and the community more generally will not suffer undue hardship by being required to travel to another location in northern Tasmania if secured.

**2. Objection 2 (name removed)**

Each of the aspects of this objection are addressed under the headings below.

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(Cont'd)**

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**2.1 Public notification requirements**

Concern was raised that the notice of intention to lease the public land was not published on Council's "All Public Notices", see:

<https://onlineservice.launceston.tas.gov.au/eProperty/P1/PublicNotices/AllPublicNotices.aspx?r=P1.LCC.WEBGUEST&f=%24P1.ESB.PUBNOTAL.ENQ>

The All Public Notices is a page maintained for advertised development applications received under the *Land Use Planning and Approvals Act 1993* (Tas). The page does not display public notices required to be made by reason of s 178 of the *Local Government Act 1993* (Tas).

The public notice requirements are set by s 178 of the *Local Government Act 1993* (Tas). That section requires the intention to lease public land to be advertised in a local newspaper twice, and requires Council to display such a notice on any boundary of the land intended to be leased that abuts a highway. The notice must also invite members of the public to make objections within 21 days of the first publication of the notice. These requirements have been met in this situation.

Regarding the information provided in the public notice, there are space limitations in the amount of information that can be included in the notice. Further information was provided to a number of members of the public during the relevant statutory period that is allowed for objections.

**2.2 Development application issues**

The objection as it relates to the development application and associated parking issues is addressed by the fact that at the time that Council made its decision and the public notices were published and displayed, no development application had been received. Parking issues, if relevant, will be assessed as part of the development application assessment process, and are not in themselves relevant to a disposal of public land.

**2.3 Alternate uses and existing facilities**

The objection did not provide specific alternate projects for the site.

Efforts are being made to protect aspects of railway heritage on the site. UTAS' concepts show the railway turntable will remain intact. Any demolition will need to occur pursuant to a planning permit, a process which allows the public to make representations.

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(Cont'd)**

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The public will continue to have access to the pathway along the flood levee connecting Launceston to Churchill Park. Almost half of the intended parking spaces will be available to the public at all times, with most of the remaining parks also being available during events.

It is noted that other current uses operating under the current lease of the site - for example weekly markets - can operate at other locations in Launceston and the greater region.

**2.4 Objection 2 summary**

This objection does not establish that it would be contrary to the public interest to lease the land as intended.

**3. Objection 3 (Tasmanian Ratepayers Association Incorporated)**

An objection was made by Tasmanian Ratepayers Association Incorporated ("TRA") and is summarised and addressed under the following four headings.

**3.1 Alleged inadequacy of the public land disposal process;**

TRA submits that the information provided is "completely inadequate".

The decision of Council on 19 March 2020 identified the land intended to be leased by physical address and with a map. The broad terms of the intended lease were also made public at that time. The public notice identifies the land in question by address, as this is the most easily understood method for the public to understand the physical location of the property. The use of an address avoids the use of potentially confusing technical land title information.

Further information, including land title information, was available and was provided as part of the public notification process.

The extent of public land to be leased has been identified throughout the process using a number of means, including by physical address, maps, and land title information. The submission that the information provided is "completely inadequate" is without reasonable basis.

**3.2 That the public land is subject to an implied trust or other restriction on the land preventing the leasing thereof**

The land in question was transferred to Council in fee simple under the *Crown Lands Act 1976* (Tas) with no relevant restrictions on title.

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(Cont'd)**

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During discussions with a member of the public, a suggestion was made that there was an agreement existing between the Commonwealth and Council restricting use of the site. Searching has revealed that the agreement was between the Commonwealth and the State of Tasmania and related to development of the site. The agreement expired before the land was transferred to Council and in any event contains no restrictions on Council's use of the site.

Searches of Council records reveals no evidence of an implied trust that prevents leasing the land as intended.

**3.3 The site is not fit for purpose for large scale car parking and will attract a liability**

The site has been identified by UTAS as an appropriate site for car parking, and indeed is currently used in part for that purpose. Whilst the intended leasing will see an increase in numbers of car parking spaces at the site, this is a change in degree not kind. Concerns as to the appropriateness of "large scale" car parking will be dealt with as part of the development application process.

Council has gone to significant lengths to ensure that that the flood levees are fit for purpose. Council works with the Launceston Flood Authority to maintain those levees and ensure that flood prone areas are adequately protected.

**3.4 The "Zone Purpose Statements" do not support subdivision for leasing to UTAS for carparking**

A lease of the surface of land for a period exceeding ten years amounts to a subdivision for the purposes of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (Tas), and accordingly requires a planning permit.

Further, the construction of the carpark itself will require a planning permit.

The decision of Council on 19 March 2020 and the relevant public notices make clear that the leasing of the land is subject to a planning permit being issued.

Issues relating to zone purpose statements and subdivision will be dealt with as part of the planning assessment process.

For the avoidance of doubt, UTAS will not be able to construct the carpark or otherwise occupy the land unless all relevant permits are obtained.

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(Cont'd)**

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**3.5 Objection 3 summary**

TRAI's objection does not establish that it is contrary to the public interest for Council to lease the public land as intended. The objection fails to establish that the public will suffer undue hardship as a result of the lease, nor does it explain the community facilities that the site currently offers that cannot be accessed at another location.

**4. Objection 4 (Northern Tasmanian Network Partners & Associates)**

Northern Tasmanian Network Partners & Associates ("NTNPA") have lodged an objection based on five grounds. Each of those grounds are addressed under the corresponding heading below.

**4.1 Public scrutiny**

The legislative requirements in s 178 have been met, which relevantly require Council to publish and display its intention to lease public land and invite objections within 21 days of the first publication of that notice. This has occurred. There were no efforts to avoid public scrutiny and the requests from the public for further information have been diligently and appropriately responded to.

**4.2 Unsustainable development**

The appropriateness of the development of the carpark, including consideration of environmental impacts and other factors and risks, will be addressed as part of the development application process.

If such considerations are deemed material and contrary to the planning scheme, the permit will be denied and UTAS will not be permitted to occupy the land.

**4.3 Relevance of the UTAS plan and media reports**

The objection refers to a number of public representations that may have been made by parties external to Council, and over which Council has no control.

Council officers have worked with UTAS and members of the public involved in the leasing process to ensure the best result is achieved in the circumstances. The intended lease will provide a path toward development on the site, providing financial and other benefits to Council, its ratepayers and the community more generally.

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(Cont'd)**

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**4.4 Table references**

The objection includes a table covering issues external to the leasing of the public land for the purpose of the carpark. The relevance of the matters raised in the table relate to the relocation of UTAS from Newnham to Inveresk more generally and not specifically to the issue of whether leasing of the carpark is contrary to the public interest.

The matters raised in the table do not address how the community may suffer undue hardship due to lack of access to the land, nor do they address whether the public land in question is the only facility of its kind available to users of it.

**4.5 Support to RNAPS**

RNAPS' are in the process of voluntarily surrendering their lease at the site.

**4.6 Evaluative review**

The evaluative review attached to objection 4 does not address the intended lease or how such leasing would be contrary to the public interest. It does not address how the public may suffer undue hardship by reason of the lease compared to the status quo, nor does it address whether there are other facilities available to current users of the public land under consideration.

The review is written in the broader context of UTAS' relocation from Newnham to Inveresk and contains matters which may be relevant to the appropriateness of a planning permit. The comments at point 4.2 apply equally to the evaluative report in its application to the intended lease - if relevant planning permits are not issued, UTAS is unable to occupy the land.

**4.7 Objection 4 summary**

NTNPA's objection fails to establish that it would be contrary to the public interest to enter the lease as intended.

**5. Objection 5 (name removed)**

It is noted that page two of the objection contained an extract from a Crikey.com report that Council is unable to reproduce without permission of the copyright holder. Councillors and readers are referred to the online location where the relevant extract is available for viewing by the public, with the permission of the copyright holder:

<https://go.pardot.com/webmail/272522/621047059/2c74a4c0e871ff76c3ad8277efe0ef6005c8aeda5cc5f789ab9262f5f0cfcf60>

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(Cont'd)**

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Each of the aspects of this objection are addressed under the following five headings.

**5.1 Lease has not been finalised**

It is the nature of commercial leasing that negotiations may continue up until the time of execution of the agreement.

Council's position on the broad terms of such lease have been made public in the minutes of the Council meeting on 19 March 2020. Relevantly, the land is intended to be leased on a twenty year lease, with an option for a further twenty years, with both public and UTAS only car parking spaces. UTAS will be responsible for funding and constructing the carpark. Further details can be located in the agenda and minutes for the meeting of 19 March 2020.

**5.2 Traffic**

Traffic management and potential impacts on traffic flow in the greater Inveresk/Invermay area will be addressed as part of the development application assessment process. These issues may only become relevant to a public land disposal if the consequent interference would amount to unjust hardship due to impact on access to, or use of, the public land, or render the facility unusable in light of there being no similar site available to users of the public land.

There is no evidence in the objection supporting the suggestion that interference resulting from the intended leasing will be to such an extent that it would be contrary to the public interest to proceed.

**5.3 Changing plans/land grab**

The land is intended to be leased to UTAS for the purpose of constructing and operating a carpark. The intended lease is for such purposes and not for a general commercial purpose.

**5.4 The relocation process has changed**

The issue under consideration is whether Council's intention to lease the public land, for the purpose of the construction and operation, is sound. Wider issues of changed relocation plans are not relevant to whether the land should be leased to UTAS for the purpose of a carpark as intended.

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(Cont'd)**

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**5.5 Better and viable benefit for the land**

The objection raises the prospect of an alternate development that would benefit a wider cross section of the community. No specific alternative was proposed.

It is of importance that the intended leasing will see an increase in the number of publicly available car parking spaces at the site. Council will be entitled to the revenue generated from these public parking spaces which can be used to fund other projects and initiatives.

Whilst the carpark is likely to provide financial and other benefits to UTAS, it will also provide benefits to Council, its ratepayers and the wider community.

**5.6 Objection 5 summary**

Objection 5 does not establish that it would be contrary to the public interest to lease the land as intended.

**Summary of objections**

In summary, none of the objections establish that the leasing of public land as intended would be contrary to the public interest.

Council is prevented from deciding to take any action to lease the land if

- (a) an objection is being considered;
- (b) any appeal made under s 178A has not yet been determined; or
- (c) the Appeal Tribunal (RMPAT) has set aside Council's decision, or set aside Council's decision and either substituted another decision or refers the matter back to Council.

Following consideration of this matter, each of the objections will have been considered by Council but it is necessary that relevant timeframes allow for appeals to RMPAT to be made, and if received, determined.

As such, it is recommended that the Chief Executive Officer is authorised to enter the lease only when the above conditions have been met.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

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**20.2 Lease of Land at 2 Invermay Road to University of Tasmania ...(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.



Michael Stretton - Chief Executive Officer

**ATTACHMENTS:**

The following attachments have been *distributed electronically*:

1. Objection 1. Land Lease Proposal 2 Invermay Road - 25 June 2020
  2. Objection 2. Land Lease Proposal 2 Invermay Road - 25 June 2020
  3. Objection 3. Land Lease Proposal 2 Invermay Rd Invermay - 25 June 2020
  4. Objection 4. Land Lease Proposal 2 Invermay Road - 25 June 2020
  5. Objection 4. Attachment - Evaluative-Review\_UTas-Inveresk\_V3-Mar201957 - 2 Invermay Road - 25 June 2020
  6. Council Meeting - Agenda Item 20.1 - Attachment 5 - Objection 5. Land Lease Proposal 2 Invermay Road - 25 June 2020
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**21 CLOSED COUNCIL**

No Closed Items have been identified as part of this Agenda

**22 MEETING CLOSURE**