



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 9 SEPTEMBER 2021  
1.00pm**

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

Date: 9 September 2021

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 minutes 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 was streamed live to and can be accessed at:  
[www.launceston.tas.gov.au/Council/Meetings/Listen](http://www.launceston.tas.gov.au/Council/Meetings/Listen) .

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

## PUBLIC ATTENDANCE AT THE COUNCIL MEETING

At the Council Meeting, please take care to follow signage and the directions of Council Officers to ensure that physical distancing and other COVID-19 safe behaviour is observed. Members of the public will be required to check in on arrival via the *Check In Tas App* as per the Direction Under Section 16 - Contact Tracing - No. 8 - *Public Health Act 1997*.

## PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

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## PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

## LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

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# City of Launceston

**COUNCIL MINUTES**

**Thursday 9 September 2021**

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**Present: Councillor**    **A M van Zetten (Mayor)**  
**D C Gibson (Deputy Mayor)**  
**R I Soward**  
**D H McKenzie**  
**K P Stojansek**  
**A E Dawkins**  
**N D Daking**  
**P S Spencer**  
**A G Harris**  
**T G Walker**  
**K M Preece**

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

**Apologies: Councillor**    **J G Cox**

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### ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - ATTENDANCE AND APOLOGIES	1
2	MAYORAL ACKNOWLEDGEMENTS	1
3	DECLARATIONS OF INTEREST	1
4	CONFIRMATION OF MINUTES	2
5	DEPUTATIONS	2
	No Deputations were identified as part of these Minutes	2
6	PETITIONS	2
	No Petitions were identified as part of these Minutes	2
7	COMMUNITY REPORTS	3
7.1	Ms Susannah Koch (Northern Regional Coordinator) - Families Tasmania	3
8	PUBLIC QUESTION TIME	3
8.1	Public Questions on Notice	3
8.1.1	Public Questions on Notice - Ms Susan Rafferty - 26 August 2021	4
8.1.2	Public Questions on Notice - Ms Susan Rafferty - Council Meeting - 26 August 2021	6
8.1.3	Public Questions on Notice - Mr Lionel Morrell - 1 September 2021	7
8.2	Public Questions Without Notice	11
8.2.1	Mr Paul Bullock - Traffic Issues	11
8.2.2	Ms Susan Rafferty - Veolia Site	12

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# City of Launceston

## COUNCIL MINUTES

Thursday 9 September 2021

---

Item No	Item	Page No
8.2.3	Ms Jane Whyte - Veolia Site	13
8.2.4	Mr Robin Smith - Christmas Tree in the Brisbane Street Mall	14
9	<b>PLANNING AUTHORITY</b>	15
	No Development Applications were identified as part of these Minutes	15
10	<b>ANNOUNCEMENTS BY THE MAYOR</b>	16
10.1	Mayor's Announcements	16
11	<b>COUNCILLORS' REPORTS</b>	17
12	<b>QUESTIONS BY COUNCILLORS</b>	18
12.1	Questions on Notice	18
	No Councillor's Questions on Notice were identified as part of these Minutes	18
12.2	Questions Without Notice	18
12.2.1	Councillor P S Spencer - York Park 100 Year Celebration	18
13	<b>COMMITTEE REPORTS</b>	19
13.1	Heritage Advisory Committee Meeting - 19 August 2021	19
13.2	Tender Review Committee Meeting - 19 August 2021	20
14	<b>COUNCIL WORKSHOPS</b>	21
14.1	Council Workshop Report	21
15	<b>NOTICES OF MOTION</b>	23
	No Notices of Motion were identified as part of these Minutes	23

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# City of Launceston

## COUNCIL MINUTES

Thursday 9 September 2021

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Item No	Item	Page No
16	<b>COMMUNITY AND PLACE NETWORK ITEMS</b>	23
	No Items were identified as part of these Minutes	23
17	<b>CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS</b>	23
	No Items were identified as part of these Minutes	23
18	<b>INFRASTRUCTURE AND ASSETS NETWORK ITEMS</b>	23
	No Items were identified as part of these Minutes	23
19	<b>ORGANISATIONAL SERVICES NETWORK ITEMS</b>	24
19.1	Delegation from Council to the Chief Executive Officer - Section 175 of the <i>Local Government Act 1993 (Tas)</i> - Transfer of Road Lots to Council	24
19.2	New Fee - Disposal of an Interest in Council Land or Public Land	26
19.3	Lease - Tasmanian Family History Society Inc.	28
20	<b>CHIEF EXECUTIVE OFFICER NETWORK ITEMS</b>	31
20.1	City of Launceston Recognition of Ariane Titmus	31
20.2	Appointment of Acting Chief Executive Officer	33
21	<b>CLOSED COUNCIL</b>	34
	No Closed Items were identified as part of these Minutes	34
22	<b>MEETING CLOSURE</b>	34

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

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm and noted an apology from Councillor J G Cox.

**2 MAYORAL ACKNOWLEDGEMENTS**

There were no Mayoral Acknowledgements for this Meeting

**3 DECLARATIONS OF INTEREST**

*Local Government Act 1993 (Tas) - section 48*

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

**No Declarations of Interest were identified as part of this Minutes**

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**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 26 August 2021 be confirmed as a true and correct record.

**DECISION: 9 September 2021**

**MOTION**

**Moved Councillor N D Daking, seconded Councillor A G Harris.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

**5 DEPUTATIONS**

**No Deputations were identified as part of these Minutes**

**6 PETITIONS**

*Local Government Act 1993 (Tas) - sections 57 and 58*

**No Petitions were identified as part of these Minutes**

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

**7.1 Ms Susannah Koch (Northern Regional Coordinator) - Families Tasmania**

**Ms Koch provided an overview of *Families Tasmania* which has operated since 1917. *Families Tasmania* is a universally accessible organisation that focuses on providing a range of evidenced based services that support and empower Tasmanian families to build their health and wellbeing running programs and services such as *Family Food Patch*, the welfare Tasmania food truck and evidence-based parenting programs.**

**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 - Ms Susan Rafferty - 26 August 2021****FILE NO:** SF6381**AUTHOR:** Kelsey Hartland (Team Leader Governance)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following questions, submitted to Council on 26 August 2021 by Ms Susan Rafferty, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

**Questions:**

[With reference to the Environmental Impact and Attenuation Code concerns raised at the Council Meeting on 26 August 2021].

1. I did not understand your response regard the 100 metre buffer from sensitive uses. Would you please explain this to me, in writing, as the RMPAT document seems clear that it is a requirement?

**Response:**

*As referenced in the RMPAT decision, Clause 24.3.2 of the Launceston Interim Planning Scheme provides for emissions from uses which may impact on sensitive uses. As explained in the RMPAT decision, the acceptable solution (A1) requires the use to be set back from the site of a sensitive use a distance of no less than 100m. However, when the Acceptable Solution in a Planning Scheme is not met, the Performance Criteria is instead used to assess the application against that standard. In this case, P1 requires that the use must not adversely impact on the amenity of nearby sensitive uses, having regard to a number of considerations which are listed in the Scheme. The Tribunal's finding was that, with some additional mitigation measures agreed to by the expert witnesses for both parties to the appeal, and included as conditions to the permit, P1 is met.*

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## 8.1.1 Public Questions on Notice - Ms Susan Rafferty - 26 August 2021 ...(Cont'd)

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2. Would you please provide me with the particular section of the document which clearly shows the recourse available to residents in the event of a breach in operation when, and if, this development goes ahead?

**Response:**

*Where a resident believes that either there has been a breach of a planning or building permit condition, or that a nuisance has been caused (odour, smoke, dust, overspray, noise, or light) they can either contact the Council's Customer Service Centre on telephone 63233000, or lodge a request online at: <https://onlineservice.launceston.tas.gov.au/>.*

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**8.1.2 Public Questions on Notice - Ms Susan Rafferty - Council Meeting - 26 August 2021****FILE NO:** SF6381**AUTHOR:** Kelsey Hartland (Team Leader Governance)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following question, asked at the Council Meeting on 26 August 2021 by Ms Susan Rafferty, has been answered by Mr Michael Stretton (Chief Executive Officer).

**Questions:**

1. [With reference to Mr M Stretton's comments at the Council Meeting held on 12 August 2021 regarding the contract with Veolia]. If council voted against the proposal and haven't signed contract with Veolia, why are some senior Councillors so adamant to me it is going ahead?

**Response:**

*To clarify, at the Meeting on 12 August 2021 I indicated that the Council did not have a contract with Veolia which required it to locate its operations on any particular site. I was not referring to the Council's contract with Veolia to provide services to Municipal Area. I am not able to answer this question on behalf of the Councillors other than to observe that the development has a valid Planning Permit and as such, it is considered likely to proceed.*

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**8.1.3 Public Questions on Notice - Mr Lionel Morrell - 1 September 2021****FILE NO:** SF6381**AUTHOR:** Kelsey Hartland (Team Leader Governance)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS and RESPONSES:**

The following questions, submitted to Council in writing on 1 September 2021 by Lionel Morrell (on behalf of the Tasmanian Ratepayers' Association Inc.), have been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

**Questions:**

1. Is this pedestrian bridge safe for public use?

**Response:**

*Yes. The pedestrian bridge has been designed in accordance with Australian Standard AS5100 Bridge Design. A UTAS engaged consultant Bridge Engineer was involved in proof checking the design and conducting inspections during construction. The bridge was independently checked by a consultant Engineering firm engaged by the City of Launceston.*

2. Furthermore, it is our understanding that the works were undertaken by University of Tasmania, and that on completion, the structure is to be handed over to the City of Launceston Council, who would thereafter assume responsibility for its maintenance as a council asset.

Is our understanding correct, and has council accepted liability for the footbridge and its on-going maintenance?

**Response:**

*Subject to a transfer process including a defects liability period, the City of Launceston intends to take on ownership and maintenance responsibility for the pedestrian bridge.*

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## 8.1.3 Public Questions on Notice - Mr Lionel Morrell - 1 September 2021 ...(Cont'd)

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3. Does the design of the metal balustrading system comply with the provisions of the Building Code of Australia, and has the installation been appropriately certified on completion?

**Response:**

*The bridge and its components are required to comply with Australian Standard AS5100 Bridge Design, not the Building Code of Australia. The handrail achieves compliance with AS5100. The handrail has been inspected as part of the contract administration process.*

4. Is the height of the pedestrian bridge, as constructed, high enough to be continued in the same form over Boland Street, and if not, will it be necessary to potentially destabilise the old earth levee by excavating the roadway, potentially undermining and impacting the stability of the levee and potentially increasing the safety risk of the whole Cimitiere Street precinct?

**Response:**

*Yes, the new bridge height has been designed to allow for appropriate clearance for a future bridge construction spanning Boland Street. There is no intent to alter roadway levels on Boland Street.*

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## ATTACHMENTS:

1. Public Questions on Notice - Mr Lionel Morrell - 1 September 2021
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*Attachment 1 - Public Questions on Notice - Mr Lionel Morrell - 1 September 2021*

**Tasmanian Ratepayers' Association Inc.**

P.O. Box 1035,  
LAUNCESTON TAS 7250  
03 6331 6144

1<sup>st</sup> September 2021

Mayor and Councillors  
City of Launceston Council  
And General Manager Mr Michael Stretton

QUESTIONS WITH NOTICE - COUNCIL MEETING 9<sup>th</sup> September 2021

Dear Councillors,

For some months we have been observing progress with the construction of the pedestrian bridge over the North Esk River by, University of Tasmania.

We note that the bridge was in public use last Saturday, 28<sup>th</sup> August.

Our fundamental question is :

**Is this pedestrian bridge safe for public use?**

Furthermore, it is our understanding that the works were undertaken by University of Tasmania, and that on completion, the structure is to be handed over to the City of Launceston Council, who would thereafter assume responsibility for its maintenance as a council asset.

**Is our understanding correct, and has council accepted liability for the footbridge and its on-going maintenance?**

During the course of the past year, members of our association have been observing the construction works, and taken photographs, and noted the following :

1. The top of northern pylon cracked, and some sort of rectification work has been undertaken, resulting in a concrete capitol encasement being built and wrapped up in a fabric 'bandage' which is overpainted with an epoxy-type coating to apparently disguise or camouflage the repair.
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Questions ON NOTICE to City of Launceston Council Meeting 1 September 2021

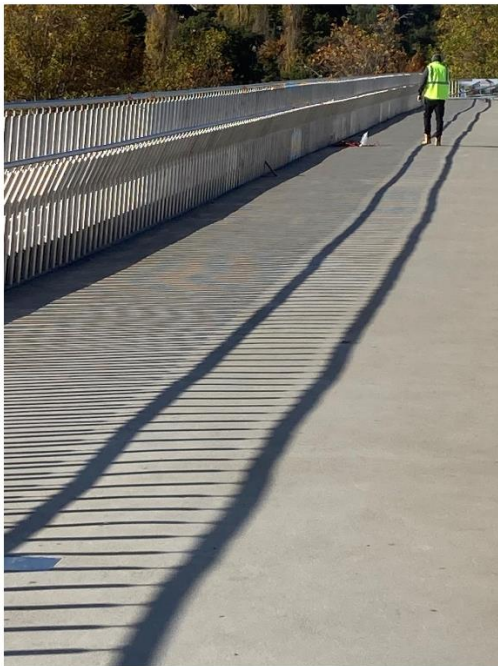


PHOTOGRAPH OF NORTHERN PYLON SHOWING SEMI-PATCHED CRACKING, BEFORE INSTALLATION OF STEEL PLATE AND BEFORE 'BANDAGING' AND COATING WITH EPOXY

2. The principal steel beams supporting the concrete deck show deflection (sagging) and was apparently subject to movement. A very substantial steel web-plate was installed on the northern end to apparently strengthen the design (apparently this was not fully coated against corrosion), and the visible deflection of the beams/deck edge was apparently disguised by the addition of a metal facing or fascia piece.

Questions ON NOTICE to City of Launceston Council Meeting 1 September 2021

apparently to improve the visual deflections that transmitted to the railing system and made the structural deflections visually apparent.



PHOTOGRAPH SHOWING SHADOW OF DEFLECTION OF BALUSTRADES & OF THE BRIDGE PAVEMENT SLAB - TAKEN BEFORE REPLACEMENT/STRAIGHTENING OF BALUSTRADES

We query whether the design of the metal handrail system can actually comply with the provisions of the Building Code of Australia, because the spacing of the 'baluster' members, particularly above the lower level handrail has excessive spacing that could enable a person (particularly a small child) to clamber through and fall to their peril

Questions ON NOTICE to City of Launceston Council Meeting 1 September 2021



PHOTOGRAPH OF ADDITIONAL STEEL WEBPLATE AT TOP OF NORTHERN SIDE PYLON BEFORE CONCEALMENT BY CONCRETE CAPITAL AND 'BANDAGING' COATED OVER WITH EPOXY-TYPE COATING

3. The surface of the concrete deck apparently exhibited surface shrinkage/stress cracks, and this was disguised/sealed over with epoxy-type paint coating.
4. Extensive replacement/straightening of the metal handrail system was apparently undertaken (the original railing was 'thrown away') and this was

Questions ON NOTICE to City of Launceston Council Meeting 1 September 2021

into the water or ground below. It also appears that it is possible to pass a sphere of nom. 120mm diameter (the size of a typical child's head) on a diagonal trajectory through the lower section of the balustrade, given the angular offset of the two-height balusters.

Accordingly we ask:

5. Does the design of the metal balustrading system comply with the provisions of the Building Code of Australia, and has the installation been appropriately certified on completion?

We also query the likely height of the pedestrian bridge span yet to be constructed over the traffic lanes in Boland Street to reach the UTas Willis Street development site. There is presently no development permit to construct an overpass span of the pedestrian bridge over Boland Street [Ref. pers. com. John Ayres of GHD, Council's consultant planning assessor for the Pedestrian Bridge and UTas Willis Street Campus] and that a future bridge span over Boland Street

Accordingly we ask:

6. Is the height of the pedestrian bridge, as constructed, high enough to be continued in the same form over Boland Street, and if not, will it be necessary to potentially destabilise the old earth levee by excavating the roadway, potentially undermining and impacting the stability of the levee and potentially increasing the safety risk of the whole Cimitiere Street precinct?

We look forward to receiving your unambiguous replies.

Yours faithfully,

*Lionel Morrell*

Tasmanian Ratepayers Association Inc.  
Per President, L.J.Morrell, 41 High Street Launceston 7250

FOOTNOTE : We are able to supply more photographs if necessary.

**8.2 Public Questions Without Notice**

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

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

**8.2.1 Mr Paul Bullock - Traffic Issues**

- 1. Is there any thought to fixing follow-on problems to address traffic issues resulting from the recent closure of the right-hand turn into and out of The Esplanade.**

**The Mayor, Councillor A M van Zetten, responded by saying that the concerns will be addressed in the very near future as the Council is aware of the issue.**

- 2. Mr Paul Bullock - Future Road Usage in the Launceston Area**

**Will the Council reconsider the recently distributed traffic plan to include consideration of motorcycles?**

**The Mayor, Councillor A M van Zetten, responded by saying that this question would be Taken on Notice and a response provided in the Council Agenda of 23 September 2021.**

- 3. Mr Paul Bullock - Traffic Island - Invermay Road**

**Can the traffic island outside of the Retreat Hotel on Invermay Road be moved or removed to assist traffic flow in the afternoons?**

**The Mayor, Councillor A M van Zetten, responded by saying that this question would be Taken on Notice and a response provided in the Council Agenda of 23 September 2021.**

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**8.2.2 Ms Susan Rafferty - Veolia Site**

- 1. In light of the expert witnesses' belief that the 100m buffer can be ignored, what decibel readings would the facility in Churchill Park Drive generate during glass smashing activities and how far would this noise impact the nearby surrounds?**

**The Chief Executive Officer, Mr M Stretton, responded by saying that information was included in the development application submitted by the proponent and included acoustic reports provided by an appropriately qualified professional. That information was subsequently considered by the Resource Management Planning Appeal Tribunal who determined that the acceptable solution was not met, therefore compliance was required with performance criteria.**

- 2. What action will the Council take if there are more than two valid complaints a year against the site operation as required by the Resource Management Planning Appeal Tribunal?**

**The Mayor, Councillor A M van Zetten, responded by saying that the Council would take appropriate action by speaking with the site operators during operational hours and if the criteria was not met appropriate action would be taken.**

- 3. With regard to the nearby J J Richards site in McKenzie Street, was the existence of the JJ Richards plant considered during the tender process process and if so why did the Council see fit to give the tender to Veolia who have to duplicate a facility which already exists?**

**The Chief Executive Officer, Mr M Stretton, responded by saying that multiple proponents lodged submissions during the tender process and they were considered during the assessment process. It was subsequently considered that Veolia was the preferred provider with the proposal put forward by them. This proposal was forwarded to Council and subsequently endorsed. So, the existence or otherwise of the J J Richards current site was determined through that process - they were not successful in the tender process.**

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**8.2.3 Ms Jane Whyte - Veolia Site**

1. **Why would the Council force residents, who have damage done to their homes by the constant vibrations of the new heavy traffic, to undertake civil action?**

The Chief Executive Officer, Mr M Stretton, responded by stating that it is not the Council's choice. The Council obviously determined the application pursuant to its obligations under the Land Use Planning and Approvals Act and that was subsequently appealed to the Resource Management Planning Appeal Tribunal which issued a permit. It is a lawful activity in terms of the use of the road and the development of the Veolia plant on that site. The system of law in Tasmania requires that if there is damage that people allege or can be proven is caused by the use of a road by a private use of a road, then it is a civil matter in order for that to be resolved. It is not a matter for the Council. It is possible for the Council to provide you with further information outside of this Council Meeting should you require a better explanation of how those matters are dealt with.

2. **Once a complaint has been lodged with the Council, what procedures are undertaken to address the complaint; what mitigation will take place and in what space of time?**

The Chief Executive Officer, Mr M Stretton, responded by that the Council receives complaints of various natures - be it noise, odour or different activities. The complaints are all investigated. It is hard to be able to definitively say, without understanding the particular circumstances of the complaint, but what can be said is that the Council in receiving a complaint would investigate through the Council's environmental health officers or regulations officers and depending on the nature of the complaint it is really dependent upon what is found in respect of those investigations as to what the potential actions might be. It may well be that the complaint is not valid and the matter would end there. If it is valid, there are a multitude of different that can be undertaken to remedy that. It really depends upon the particular situation.

3. **Why does the Council support this operation on known flood plain when it is internationally recognised that sites such as this need to be located in areas which allow for emergency operations and also ignoring local professional advice?**

The Mayor, Councillor A M van Zetten, responded by saying Council did not support the application and voted against that. The Resource Management Planning Appeal Tribunal made the final decision taking it out of the Council's control.

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**8.2.4 Mr Robin Smith - Christmas Tree in the Brisbane Street Mall**

1. **As the Council is planning to install the Christmas tree as it has previously [including the fence], has the Council considered modifications to the fence or guard patrols?**

**The Mayor, Councillor A M van Zetten, responded by saying that, as the Council collaborates closely with Cityprom on this issue, this question would be Taken on Notice and a response will be provided in the Council Agenda of 23 September 2021.**

2. **[With regard to relocating the St John Street bus stops to the Birchalls site], would the Council reconsider that proposal and look again at putting those current bus stops around the Civic Square area?**

**The Chief Executive Officer, Mr M Stretton, responded by saying that the extensive study undertaken by the Council to determine the best location for the relocation of the bus stops has been provided publicly. The Civic Square location was not identified as one of the top three preferred sites, so the Council would not reconsider this option.**

3. **Would the Council then consider on street locations within the City as opposed to that Dechaineux Way site?**

**The Mayor, Councillor A M van Zetten, responded by saying that all possible options had been investigated over many years and the current proposed site is considered the best option.**

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**9 PLANNING AUTHORITY**

**No Development Applications were identified as part of these Minutes**

## 10 ANNOUNCEMENTS BY THE MAYOR

### 10.1 Mayor's Announcements

FILE NO: SF2375

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#### Thursday 26 August 2021

- Officiated at the *Friends of the Library* Annual General Meeting

#### Saturday 28 August 2021

- Attended the *Open Launceston Volunteer* briefing breakfast
- Attended the *City Park Radio* Annual General Meeting

#### Sunday 29 August 2021

- Attended the Western Bulldogs versus Essendon AFL match at UTAS Stadium

#### Monday 30 August 2021

- Hosted a reception for *the Centenary of The Royal Society of Tasmania*

#### Tuesday 31 August 2021

- Attended the *International Overdose Awareness Day* function

#### Wednesday 1 September 2021

- Welcomed delegates to the *Artlands 2021* conference
- Attended the *Artlands Welcome Ceremony* with First Nations Custodians *palawa* people
- Officiated at the *Junction 2021* opening night

#### Sunday 5 September 2021

- Attended the *Supporting Afghanistan* Rally
- 
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## 11 COUNCILLORS' REPORTS

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

### 11.1 Councillor D C Gibson

- Highlighted the work of the Junction Art 2021 Committee and noted the variety of activities on offer in the community utilising local artists. Commendation was afforded to outgoing officers Frith Loone and Greg Clarke for their work with the festival.
- Noted the outstanding work of Cityprom within the CBD, especially the branding campaign *Love Launnie*.

### 11.2 Councillor D H McKenzie

- Noted that the number of occupied shops in the CBD is gradually increasing.
- Attended *Junction Arts 2021*.
- Highlighted the recent commencement and welcome to the Launceston Airport of direct flights from Adelaide to Launceston.

### 11.3 Councillor T G Walker

- Attended the *Supporting Afghanistan* Rally and extended thanks to Jeff McKinnon for his organisational efforts.

### 11.4 Councillor K M Preece

- Attended the reception for the Centenary of the *Royal Society of Tasmania*.
- Attended the *International Overdose Awareness Day* function.
- Attended the *Junction Arts 2021* festival.

### 11.5 Councillor A G Harris

- Attended the *Junction Arts 2021* festival.
  - Participated in the *Tweed Ride*.
  - Attended the reception for the Centenary of the *Royal Society of Tasmania*.
  - Attended the Seniors morning tea.
-

**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.)*

**No Councillor's Questions on Notice were identified as part of these Minutes**

**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.)*

**12.2.1 Councillor P S Spencer - York Park 100 Year Celebration****1. Will the Council be acknowledging this milestone in some way?**

**The Mayor, Councillor A M van Zetten, responded by saying that this question will be Taken on Notice and a response provided in the Council Agenda of 23 September 2021.**

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## 13 COMMITTEE REPORTS

### 13.1 Heritage Advisory Committee Meeting - 19 August 2021

**FILE NO:** SF2965

**AUTHOR:** Fiona Ranson (Place and Heritage Officer)

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

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#### **DECISION STATEMENT:**

To receive and consider a report from the Heritage Advisory Committee Meeting held on 19 August 2021.

#### **RECOMMENDATION:**

That Council receives the report from the Heritage Advisory Committee Meeting held on 19 August 2021.

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**Mrs L Hurst (General Manager Community and Place Network) and Ms F Ranson (Place and Heritage Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 9 September 2021**

#### **MOTION**

**Moved Councillor D H McKenzie, seconded Councillor T G Walker.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

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**13.2 Tender Review Committee Meeting - 19 August 2021****FILE NO:** SF0100/CD.003/2021**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

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**DECISION STATEMENT:**

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

**RECOMMENDATION:**

That Council notes the decision of the Tender Review Committee to accept the tender submitted by Zanetto Civil Pty Ltd for the Road Safety Centre - Stage 2 Construction Works, Contract Number CD.003/2021 for \$802,088.00 (exclusive of GST).

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

**DECISION: 9 September 2021****MOTION**

**Moved Councillor D H McKenzie, seconded Councillor N D Daking.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

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**14 COUNCIL WORKSHOPS**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)*

**14.1 Council Workshop Report**

**FILE NO:** SF4401

**AUTHOR:** Anthea Rooney (Council and Committees 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 8(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 2 and 9 September 2021:

**Information Session on the *palawa kani* Language**

*Councillors received background information on Tasmanian Aboriginal languages - particularly palawa kani.*

**Reconciliation Action Plan**

*Councillors discussed the various approaches available to develop a Council Aboriginal Partnership Plan.*

**Proposed Approach for Upcoming Strategic Planning Session (AKA Blue Sky Session)**

*Councillors received an outline of the approach for the upcoming Strategic Planning Session.*

**Planning for the Future of Relbia - Community Consultation Findings and Recommendations**

*Councillors received a briefing on the community consultation and project recommendations.*

**Bathurst Street Car Park**

*Councillors considered and discussed the draft Bathurst Street Carpark Highest and Best Use findings.*

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

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

**DECISION: 9 September 2021**

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

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**15 NOTICES OF MOTION**

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

**No Notices of Motion were identified as part of these Minutes**

**16 COMMUNITY AND PLACE NETWORK ITEMS**

**No Items were identified as part of these Minutes**

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

**No Items were identified as part of these Minutes**

**18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS**

**No Items were identified as part of these Minutes**

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## 19 ORGANISATIONAL SERVICES NETWORK ITEMS

### 19.1 Delegation from Council to the Chief Executive Officer - Section 175 of the Local Government Act 1993 (Tas) - Transfer of Road Lots to Council

**FILE NO:** SF0113

**AUTHOR:** Robert Bujnowski (Properties and Legal Officer)

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

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#### **DECISION STATEMENT:**

To consider a delegation from Council to the Chief Executive Officer of powers contained in section 175 of the *Local Government Act 1993* (Tas) limited to instances involving the transfer of a road lot to Council where that road lot comprises a highway currently maintainable by Council.

#### **RECOMMENDATION:**

That Council:

1. pursuant to section 22(1) of the *Local Government Act 1993* (Tas), delegates its power under section 175 of the *Local Government Act 1993* (Tas) to the position of Chief Executive Officer limited to instances involving the transfer of a road lot to Council where that road lot comprises a highway currently maintainable by the Council.
  2. pursuant to section 64(1)(b) of the *Local Government Act 1993* (Tas), authorises the Chief Executive Officer to delegate those functions and powers to an employee or employees of the Council.
  3. notes, for the avoidance of doubt, *Chief Executive Officer* is a term of reference used for the *General Manager* as appointed under section 61 of the *Local Government Act 1993* (Tas).
  4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas), authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
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**Ms L Foster (General Manager Organisational Services Network) and Mr D Campbell (Team Leader Legal Services) were in attendance to answer questions of Council in respect of this Agenda Item.**

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**19.1 Delegation From Council To The Chief Executive Officer - Section 175 of the *Local Government Act 1993 (Tas)* - Transfer of Road Lots to Council  
...(Cont'd)**

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**DECISION: 9 September 2021**

**MOTION**

**Moved Councillor D H McKenzie, seconded Councillor D C Gibson.**

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

**CARRIED 10:1**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris and Councillor K M Preece**

**AGAINST VOTE: Councillor T G Walker**

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## 19.2 New Fee - Disposal of an Interest in Council Land or Public Land

**FILE NO:** SF2968

**AUTHOR:** Robert Bujnowski (Properties and Legal Officer)

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

### DECISION STATEMENT:

To consider amendments to the adopted Fees and Charges for 2021/2022 by establishing fees in relation to requests involving a disposal of an interest in Council land or Public land.

### PREVIOUS COUNCIL CONSIDERATION:

Workshop - 12 August 2021

### RECOMMENDATION:

That Council approves the amendments to the adopted Fees and Charges for 2021/2022, pursuant to section 205 of the *Local Government Act 1993* (Tas), by incorporating the new fees as shown below:

#### 1. Building Assets and Investigations:

<b>Item</b>	<b>Tier</b>	<b>Unit</b>	<b>2021/2022 Fee (ex GST)</b>
<i>Ordinary request for the sale, exchange or disposal of an interest in council land or public land (including easements) pursuant to section 177 and 178 of the Local Government Act 1993 (Tas). Applications containing more than one easement will be charged an extra \$100 for each additional easement within that application.</i>	<i>Tier 1</i>	<i>Per sale, exchange or disposal</i>	<i>\$1,350.00 +\$100.00 for each additional easement within that application</i>
<i>Complex request for the sale, exchange or disposal of an interest in council land or public land (including easements) pursuant to section 177 and 178 of the Local Government Act 1993 (Tas). Applications containing more than one easement will be charged an extra \$100 for each additional easement within that application.</i>	<i>Tier 2</i>	<i>Per sale, exchange or disposal</i>	<i>\$2,700.00 +\$100.00 for each additional easement within that application</i>

**19.2 New Fee - Disposal of an Interest in Council Land or Public Land ...(Cont'd)**

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

**DECISION: 9 September 2021**

**MOTION**

**Moved Councillor D H McKenzie, seconded Councillor R I Soward.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

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**19.3 Lease - Tasmanian Family History Society Inc.**

**FILE NO:** SF2337

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

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

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**DECISION STATEMENT:**

To consider leasing an area of land situated at 45-51 Tamar Street, Launceston (CT50902/1) known as the City Park Stables to the Tasmanian Family History Society Inc.

*This decision requires an absolute majority of Council.*

**PREVIOUS COUNCIL CONSIDERATION:**

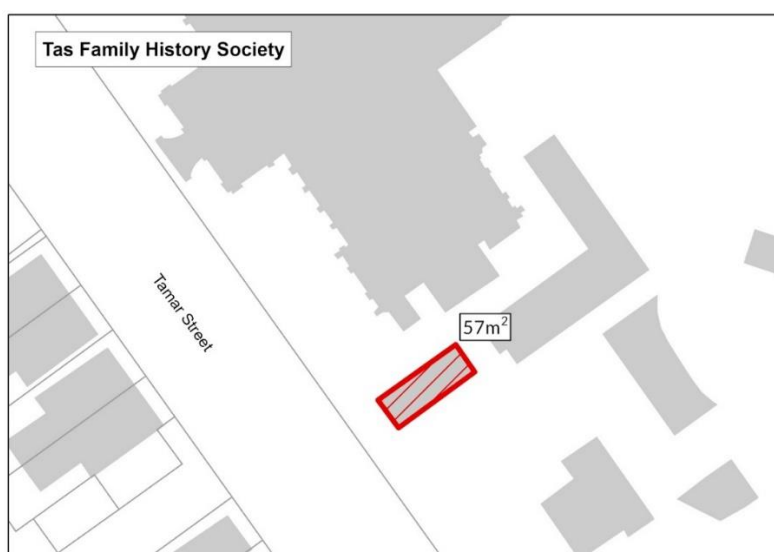
Council - 10 October 2016 - Agenda Item 18.3 - Lease Tasmanian Family History Society

Council - 24 October 2011 - Agenda Item 16.3 - Lease Tasmanian Family History Society

**RECOMMENDATION:**

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

1. leases a parcel of land situated at 45-51 Tamar Street, Launceston (CT50902/1) known as the City Park Stables to the Tasmanian Family History Society Inc. as marked on the plan below:



**19.3 Lease - Tasmanian Family History Society Inc. ...(Cont'd)**

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2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
    - the term shall be two years commencing on 1 November 2021 or as determined by the Chief Executive Officer;
    - the lease amount shall be \$1 per annum if demanded;
    - tenant to be responsible for:
      - energy costs;
      - volumetric and connection charges for water;
      - sewerage charges;
      - contents insurance; and
      - other service charges if any.
    - tenant shall continuously maintain:
      - any infrastructure or any infrastructure installed by the tenant or council in relation to the tenants occupation;
      - building in good and reasonable order; and
      - public liability insurance of at least \$20 million.
    - the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.
  3. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the lease.
  4. 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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**Ms L Foster (General Manager Organisational Services Network) and Ms T De Leon-Hillier (Lease and Licencing Officer) were in attendance to answer questions of Council in respect of this Agenda Item.**

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**19.3 Lease - Tasmanian Family History Society Inc. ...(Cont'd)**

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**DECISION: 9 September 2021**

**MOTION**

**Moved Councillor D C Gibson, seconded Councillor A E Dawkins.**

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

**CARRIED BY ABSOLUTE MAJORITY 11:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

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**20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS****20.1 City of Launceston Recognition of Ariane Titmus****FILE NO:** SF0202**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**DECISION STATEMENT:**

To consider civic recognition of Ariane Titmus.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 12 August 2021 - Notice of Motion - Councillor D C Gibson - City of Launceston Recognition - Ariarne Titmus

Council - 26 August 2021 - Urgent Late Item - Civic Recognition Options

**RECOMMENDATION:**

That Council notes the progress of civic recognition of Ariarne Titmus, being:

1. a Key to the City ceremony is proposed for Friday, 17 September 2021, commencing at 12pm in Civic Square, to be followed by a civic reception in the Town Hall Reception Room; and
  2. the 50m competition pool at the Launceston Leisure and Aquatic Centre will be named in honour of Ariarne Titmus. The form of this honour will be investigated by the Council's officers and presented to Council at a future Council Meeting for consideration; and
  3. an annual Ariarne Titmus Swimming Scholarship at the Launceston Leisure and Aquatic Centre will be established. Details of the scholarship will be presented to Council at a future Council Meeting for consideration.
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**Mr M Stretton (Chief Executive Officer) was in attendance to answer questions of Council in respect of this Agenda Item.**

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**20.1 City of Launceston Recognition of Ariane Titmus ...(Cont'd)**

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**DECISION: 9 September 2021****MOTION****Moved Councillor D C Gibson, seconded Councillor R I Soward.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 11:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

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**20.2 Appointment of Acting Chief Executive Officer****FILE NO:** SF0113**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**DECISION STATEMENT:**

To consider the appointment of an Acting Chief Executive Officer.

**RECOMMENDATION:**

That, in accordance with section 61B of the *Local Government Act 1993* (Tas), Council appoints General Manager Community and Place Network, Leanne Hurst, as the Acting Chief Executive Officer during the period of 25 September to 11 October 2021 inclusive.

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**Mr M Stretton (Chief Executive Officer) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 9 September 2021****MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor R I Soward, Councillor D H McKenzie, Councillor K P Stojansek, Councillor A E Dawkins, Councillor N D Daking, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece**

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**21 CLOSED COUNCIL**

**No Closed Items were identified as part of these Minutes**

**22 MEETING CLOSURE**

**The Mayor, Councillor A M van Zetten, closed the Meeting at 2.10pm.**