



City of
LAUNCESTON

ANNUAL GENERAL MEETING MINUTES

**THURSDAY 1 DECEMBER 2022
5.30PM**

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

Date: 1 December 2022

Time: 5.30pm

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

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 Agenda Item, you will be invited by the Chair to move to the public microphone at the doors to the Council Chambers and state your name and address.

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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

Present:

Councillor D C Gibson (Mayor)
Councillor M K Garwood (Deputy Mayor)
Councillor D H McKenzie
Councillor A E Dawkins
Councillor A G Harris
Councillor T G Walker
Councillor J J Pentridge
Councillor A J Britton

In Attendance:

Michael Stretton (Chief Executive Officer)
Shane Eberhardt (General Manager Infrastructure and Assets Network)
Paul Gimpl (Chief Financial Officer)
Simon Tennant (Team Leader Communications)
Kelsey Hartland (Team Leader Governance)
Anthea Rooney (Council and Committees Officer)

Apologies:

Councillor Dr G Razay
Councillor A J Palmer
Councillor L M McMahon
Councillor S Cai

ORDER OF BUSINESS

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES	6
2. DECLARATIONS OF INTEREST	6
3. CONFIRMATION OF MINUTES.....	6
4. PUBLIC QUESTION TIME	6
4.1. Public Questions on Notice.....	6
4.2. Public Questions Without Notice.....	7
4.2.1. Public Questions Without Notice - Margot Smart - Issues in Launceston, Flying the Aboriginal Flag and the Brisbane Street Mall ..	
4.2.2. Public Questions Without Notice - Robin Smith - Leaf Blowing in the Central Business District, City Heart Stage 2 Consultation and e- Scooters on Footpaths	9
5. NOTICES OF MOTION	11
6. ANNUAL REPORTS	12
6.1. City of Launceston Annual Reports for the Year Ended 30 June 2022	12
7. MEETING CLOSURE.....	13

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor D C Gibson, opened the Meeting at 5.30pm and noted apologies from Councillor Dr G Razay, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai.

The Mayor provided an Acknowledgement of Country.

2. 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 these Minutes

3. CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Annual General Meeting of the City of Launceston Council held on 2 December 2021 be confirmed as a true and correct record.

DECISION: 1 December 2022

MOTION

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

That the Minutes of the Annual General Meeting of the City of Launceston Council held on 2 December 2021 be confirmed as a true and correct record.

CARRIED

4. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

4.1 Public Questions on Notice

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

No Public Questions on Notice were identified as part of these Minutes

4.2 Public Questions Without Notice

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

4.2.1 Public Questions Without Notice - Margot Smart - Issues in Launceston, Flying the Aboriginal Flag and the Brisbane Street Mall

1. **Is the [Chief Executive Officer] aware that the Launceston Tennis Centre, to which the Council has substantially contributed to over some years - has been sold and given contracts (such as the use of the toilet facilities) abolished meaning the annual Launceston International Tennis event is now to be held in Burnie?**

Michael Stretton (Chief Executive Officer) responded by saying that the Launceston Tennis Centre has not been sold - it is still in the Council's ownership. The reason that the tournament has been shifted for this year is that there was a shortfall in funding to deliver the necessary assets for the tournament - it required toilets, change rooms and other facilities. Tennis Tasmania, in conjunction with Tennis Australia, made the decision to relocate but they are working with the Council and all levels of government to deliver the infrastructure. The infrastructure will still be in the Councils' ownership once it is provided. All assurances are that the tournament will return to Launceston next year.

2. **A subsequent question regarding that is the facilities that were provided under contract no longer exist?**

Michael Stretton noted it was more a policy decision of Tennis Australia. The Council used to provide temporary facilities to accommodate the tournament and Tennis Australia made a determination that temporary facilities were not appropriate moving forward as permanent facilities are required at these tournaments.

3. **Flying the Aboriginal flag on the Council's owned property has been discussed by a previous Council. It is my understanding that once a Council decision is made on this subject, and it was some 20 years ago, with the refurbishment of the Brisbane Street Mall including the flag poles that were put in place then - that original decision should stand unless rescinded. Yet, in the life of the last Council, this subject was once again brought to the Council table and debated. I personally felt aggrieved on behalf of my indigenous friends that it had to come once more to the Council table. Is that a policy of the Council that you regurgitate these things and debate again without a recission?**

The Mayor, Councillor D C Gibson, answered by saying that the refurbishment of the Brisbane Street Mall one of the things that went were the flag poles and so consideration needed to be given regarding the flying of flags in terms of the Council's facilities, including at the QVMAG, Home Point and the Town Hall given the absence of those flag poles in the Mall. That, as part of a review of the Flying the Flags Policy in its totality, was definitely a consideration. The flying of the Aboriginal flag, each and every day, on top of the Town Hall - was a unanimous decision of the most recent Council, but only given the fact that there were no flag poles in the Mall.

4. What is the Council going to do about the Mall generally known around the town as our dead heart? Last time I raised this issue at an Annual General Meeting I was informed that an interstate consultant had been engaged (costing some thousands of dollars) to look at the problem. Well, the problem has worsened and the Mall is devoid of people and something should be done in a positive way.

The Mayor, Councillor D C Gibson, responded by stating the question was appreciated and noted that as the trees and greenery continue to mature, the look and feel of the Mall is certainly improving. It was also suggested that once the Birchalls realisation of that project is fully confirmed that hopefully more people would be seen in the Mall and that space, referenced by you as a dead space, will once again come to life.

Michael Stretton (Chief Executive Officer) also added that activation in the broader Central Business District (CBD) is positive. The public may not be aware, that ground floor level tenancies across central Launceston is running at 93%. Launceston commercial and retail is performing really strongly and a 7% vacancy of shops really indicates that. As the Mayor said, there is always things that can be done to improve civic spaces, but to say that the CBD is dead and dying would be incorrect because current figures indicate a strong and vibrant commercial CBD.

Mrs Smart added that she was not speaking about the general CBD, more specifically, comments and questions related to the Mall. The Mayor noted that Mrs Smart's comments, along with her retail experience that it is the Council's aim to activate the City and ensure that everything that can be done will be done in that space.

4.2.2 Public Questions Without Notice - Robin Smith - Leaf Blowing in the Central Business District, City Heart Stage 2 Consultation and e-Scooters on Footpaths

- 1. I have previously raised this issue at an Annual General Meeting as a Notice of Motion and at an Ordinary Council Meeting as a question with regards to leaf blowing in the Central Business District (CBD) and more specifically the Mall. As the Notice of Motion was defeated I was unable to pursue that any further. However, as the practice appears to have changed, the situation at the moment and more particularly with regard to the Mall, there is no vacuuming of litter conducted any more - it is entirely blown with leaf blowers - from St John Street and all the way through the Mall, where it is collected later in the morning by a street sweeper. This is a new practice but as a result, all the sand and leaf litter ends up going in the shops. Is the Council, at an officer level, prepared to review the current practice in the Brisbane Street Mall?**

The Mayor, Councillor D C Gibson, thanked Mr Smith for his question and noted that it is the same question as has been asked previously. The Mayor noted that he is particularly proud of the way the cleansing crews maintain the Mall and other public spaces. That being said, the Council is always open to continually improving services and listening to retailers. The Mayor asked Shane Eberhardt (General Manager Infrastructure and Assets Network) to respond as to whether there is an opportunity to review that service of cleansing. Shane replied that the process was reviewed after the question was asked last year and the Council is continually reviewing practices. Although it is possible to once again review the issue, the investigation may not be able to change the practice. Shane also offered Mr Smith the opportunity to discuss the matter further in terms of impact to Mr Smith's business.

To ensure that a more substantial reply is provided, the Mayor, Councillor D C Gibson, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 15 December 2022.

- 2. With reference to the City Heart Project Stage 2, would the Council consider undertaking consultation in a different manner this time as it is a substantial project to be undertaken?**

The Mayor, Councillor D C Gibson, responding by saying that the Council would certainly be consulting and would be using a variety of different models to engage in that consultation.

3. I have serious concern regarding the use of e-Scooters on footpaths. Is that something the Council can investigate?

The Mayor, Councillor D C Gibson, noted that legislation passed by the State Government permits e-Scooters to be ridden on footpaths. The initial trial is now extended until March next year so that all formalised elements of feedback can be included into the review whereby elected representatives will consider the findings. This should occur early in 2023. You can input into that review by emailing concerns to the Council so that they can be captured in the review after the trial period concludes. The Mayor also noted that concerns raised today are shared by other members of the community who have also inputted into the review.

5. **NOTICES OF MOTION**

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

No Notices of Motion were identified as part of these Minutes

6. ANNUAL REPORTS

6.1 City of Launceston Annual Reports for the Year Ended 30 June 2022

FILE NO: SF0098

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To receive the City of Launceston's Annual Report for the year ended 30 June 2022 and note the Annual Reports for the following City of Launceston entities and Authorities:

- (a) Queen Victoria Museum and Art Gallery; and
- (b) Launceston Flood Authority.

RECOMMENDATION:

That Council:

1. receives the City of Launceston Annual Report for the year ended 30 June 2022 and pursuant to section 72(2)(a) of the *Local Government Act 1993* (Tas) and submits one copy of the Annual Report to the Director of Local Government and one to the Director of Public Health.
 2. notes the Queen Victoria Museum and Art Gallery Annual Report 2021/2022 was received by the Council at its Meeting on 17 November 2022 and Launceston Flood Authority Annual Report for the period ended 30 June 2022 was received by the Council at its Meeting on 1 December 2022.
-

The Mayor, Councillor D C Gibson, handed the Chair to the Deputy Mayor, Councillor M K Garwood at 6.08pm

The Mayor, Councillor D C Gibson, resumed the Chair at 6.10pm

DECISION: 1 December 2022

MOTION

Moved Councillor A J Britton, seconded Councillor A G Harris.

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

CARRIED

7. MEETING CLOSURE

The Mayor, Councillor D C Gibson, closed the Meeting at 6.10pm.