



City of
LAUNCESTON

COUNCIL AGENDA

COUNCIL MEETING
WEDNESDAY 25 JANUARY 2023
1.00PM

File No: SF
AR

Your Ref: Council 2023

9 January 2023

Mr Michael Stretton
Chief Executive Officer
City of Launceston
P O Box 396
LAUNCESTON TAS 7250

Dear Michael

2023 Council Meeting Schedule

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

4. *Convening council meetings*
(1) *The mayor of a council may convene -*
(a) an ordinary meeting of 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 dates for 2023:

| | | | | |
|------------|-------------|--------------|-------------|------------|
| 25 January | 9 February | 23 February | 9 March | 23 March |
| 6 April | 20 April | 4 May | 18 May | 1 June |
| 15 June | 29 June | 13 July | 27 July | 10 August |
| 24 August | 7 September | 21 September | 5 October | 19 October |
| 2 November | 16 November | 30 November | 14 December | |

Commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall,
St John Street, Launceston.

Yours sincerely



Councillor D C Gibson
MAYOR

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

Date: 25 January 2023

Time: 1.00pm

Certificate of Qualified Advice

Background

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

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

Certification

I certify that:

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



**Michael Stretton
Chief Executive Officer**

AUDIO of COUNCIL MEETINGS

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

This Council Meeting will be streamed live to and can be accessed at:
www.launceston.tas.gov.au/Council/Meetings/Listen .

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.

PUBLIC QUESTION TIME - AGENDA ITEM 8

A limit of three questions received in writing by 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, PO Box 396, Launceston TAS 7250, or Town Hall, St John Street, Launceston.

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

PUBLIC COMMENT ON AGENDA ITEMS

When 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.

ORDER OF BUSINESS

| | |
|--|-----------|
| 1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES..... | 9 |
| 2. MAYORAL ACKNOWLEDGEMENTS | 9 |
| 3. DECLARATIONS OF INTEREST | 9 |
| 4. CONFIRMATION OF MINUTES..... | 9 |
| 5. COUNCIL WORKSHOPS | 10 |
| 5.1. Council Workshop Report - 19 January 2023 | 10 |
| 6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS | 12 |
| 7. COMMUNITY REPORTS | 12 |
| 7.1. Community Report - Jan Foote (President) and Jackie Willis (Secretary) - National Book Council of Tasmania | 12 |
| 8. PUBLIC QUESTION TIME | 12 |
| 8.1. Public Questions on Notice..... | 12 |
| 8.1.1. Public Questions on Notice - Ray Norman - Paterson Street Car Park, Homelessness and Waste Management Strategy | 13 |
| 8.2. Public Questions Without Notice..... | 15 |
| 8.2.2. Public Questions Without Notice 2 - Name - Subject - Date | 15 |
| 9. PLANNING AUTHORITY | 16 |
| 9.1. DA0626/2022 - 243-247 Wellington Street, Launceston - Business and Professional Services - Alterations and Additions to an Existing Building and Consolidation of Three Lots into One..... | 16 |
| 10. ANNOUNCEMENTS BY THE MAYOR..... | 28 |
| 10.1. Mayor's Announcements..... | 28 |
| 11. COUNCILLORS' REPORTS | 30 |
| 12. QUESTIONS BY COUNCILLORS | 30 |
| 12.1. Councillors' Questions on Notice..... | 30 |
| 12.1.1. Councillors' Questions on Notice - Councillor J J Pentridge - 15 December 2022..... | 31 |

| | |
|---|----|
| 12.1.2. Councillors' Questions on Notice - Councillor T G Walker - 15 December 2022..... | 32 |
| 12.1.3. Councillors' Questions on Notice - Councillor Dr G Razay - 23 December 2022..... | 34 |
| 12.2. Councillors' Questions Without Notice..... | 36 |
| 13. COMMITTEE REPORTS..... | 37 |
| 13.1. Transport Committee Meeting - 29 September and 15 December 2022..... | 37 |
| 13.2. Access Advisory Committee - 7 December 2022 | 39 |
| 13.3. Cataract Gorge Reserve Advisory Committee - 13 December 2022..... | 41 |
| 13.4. Tender Review Committee - 15 December 2022..... | 43 |
| 13.5. Sister City Committee Meeting - 15 December 2022..... | 45 |
| 14. COMMUNITY AND PLACE NETWORK..... | 47 |
| 14.1. Terms of Reference - Homelessness Advisory Committee (14-ToR-003)..... | 47 |
| 14.2. Signature Event Sponsorship Program 2023/2024 - 2025/2026 Invitation List | 53 |
| 15. ORGANISATIONAL SERVICES NETWORK..... | 58 |
| 15.1. Code of Conduct for Councillors..... | 58 |
| 15.2. Code of Conduct for Members of Special Committees | 66 |
| 15.3. 2022/2023 Budget - Budget Amendments..... | 71 |
| 15.4. Amendment to Fees - Sections 205 and 207 - <i>Local Government Act 1993</i> (Tas) - Signature Events | 76 |
| 16. CHIEF EXECUTIVE OFFICER NETWORK..... | 78 |
| 16.1. 47-67 Lawrence Vale Road, South Launceston..... | 78 |
| 17. CLOSED COUNCIL | 91 |
| 17.1. Confirmation of Minutes | 90 |
| 15.1. 11 Centre Way, Launceston | 90 |
| 15.1. End of Closed Session | 90 |

| | |
|------------------------------------|----|
| 18. MEETING CLOSURE..... | 91 |
| 19. NEXT COUNCIL MEETING DATE..... | 91 |

1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2. MAYORAL ACKNOWLEDGEMENTS

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).

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 15 December 2022 be confirmed as a true and correct record.

5. COUNCIL WORKSHOPS

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

5.1. Council Workshop Report - 19 January 2023

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING GENERAL MANAGER APPROVAL: Nathan Williams (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council:

1. pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshop conducted on 19 January 2023:

City of Launceston Values

Councillors were provided with an update regarding the City of Launceston values and how Values Champions work to promote them.

Tamar Estuary Briefing - Session 1

Councillors were provided with information on matters related to the management of the kanamaluka/Tamar Estuary.

Launceston Speed Limit Review

Councillors received a presentation of proposals to reduce speed limits in the Launceston CBD, suburban shopping centres and sections of arterial roads.

Budget 2023/2024

Councillors received a briefing on preparation of the 2023/2024 budget.

City Heart Project

Councillors received an update on progress for the City Heart Project.

Development South of Prospect

Councillors received a progress report on the preparation of the masterplan and planning scheme amendments for development south of Prospect.

2. notes attendance at the Workshop conducted on 19 January 2023

In Attendance: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton.

Apologies: Councillor A G Harris

REPORT:

Regulation 8(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.

Attendance is recorded for noting and reporting in the Council's Annual Report.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND 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 AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

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

No Councillors' Leave of Absence Applications have been identified as part of this Agenda

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).

7.1. Community Report - Jan Foote (President) and Jackie Willis (Secretary) - National Book Council of Tasmania

Jan and Jackie will provide Council with information on the National Book Council of Tasmania and explain that it is a small volunteer organisation which coordinates speakers from the world of books from February to November. The organisation's primary focus is the promotion of Tasmanian authors.

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)

8.1.1. Public Questions on Notice - Ray Norman - Paterson Street Car Park, Homelessness and Waste Management Strategy

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to the Council in writing on 12 January 2023 by Ray Norman, have been answered by Michael Stretton (Chief Executive Officer).

Questions:

1. Against the background of the TASCAT determination directing the City of Launceston Council approve the building of the multidimensional project on the site of the Paterson Street Central Carpark and the various legal challenges, in the cause of accountability and transparency and in accord with the Council's stated Vision, Purpose and Values, will the Council now present to the City's residents and ratepayers a full report of all the legal costs, that they have funded via their rates, that are relevant to all the legal cases the Council was a party to in any way relative to this site and this Council's planning initiative?

Response:

The Council has previously provided details in respect to the legal and consultant costs initiatives associated with the Paterson Street Central Carpark (refer to the Council Meeting Agenda of 2 June 2022). In respect to the most recent Development Application and resultant TASCAT process, the Council, to date, has expended legal, professional and valuation costs of \$89,164.

2. Against the background of Launcestonians, Tasmanians and indeed Australians facing housing stress and the paucity of outcomes thus far relative to the Council's establishment of its *Homelessness Action Committee* in April 2022 and community perceptions that the Council is less than empathetic in regard to so-called homeless people experiencing housing stress and the City's housing crisis showing every possibility of expanding in the short to medium term, will the Council now reconsider its past strategies relative to dealing with the City's housing crisis by initiating a Citizen's Assembly/Jury with a randomly appointed membership that reports openly to, and engages with, Council, Government and the wider community?

Response:

Since its establishment the Homelessness Advisory Committee has worked to establish itself and is making a positive contribution by facilitating knowledge transfer, consideration of initiatives as well as providing and supporting direct action to assist Launceston's homeless community. This Committee includes representatives who are providing information and advice to the Council and service providers that operate in this space. It is not proposed to consider an alternative approach at this stage.

3. Against the background of Launceston's Waste Management Centre being a locality where resources are delivered to be undervalued and typically wasted and Launceston's ratepayers funding a loss making cost centre that is not meeting appropriate 21stC performance criteria despite the Council's declaration of a Climate Emergency and Launceston remaining committed to an outmoded and expensive land fill strategy to dispose of what is deemed to be waste, will the Council now reconsider its anarchic and redundant strategic position along with its outdated policy determinations by initiating a Citizen's Assembly/Jury with a randomly selected and appointed membership to address the issue of community based resource management and the circular economy and that is a standalone entity that reports openly to, and engages with, Council, Government and the wider community?

Response:

The Launceston Waste Centre and Transfer station is operated on a cost neutral basis. Accordingly, there is no funding accessed from rates to fund its operation. The Centre is based strongly around the recycling of waste products.

For instance:

- at the facility's Recycling Centre, a wide range of materials can be recycled at no cost to the customer.*
- the Centre includes a second-hand shop, Uptipity, which is tasked with actively seeking to identify and reclaim reusable items for secondhand use.*
- a large Food and Organics (FOGO) composting facility operates which diverts 11,000 tonnes of organic material per annum away from landfill, creating a downstream mulch product for use.*
- The facility captures methane gas from the landfill site, converting to energy.*

The Council has previously offered grant incentives to promote the circular economy within Launceston and is continuing to work as a member of the Northern Waste Management Group to further promote circular economy initiatives. Taking into account the information provided above, it is not considered a Citizens Jury is required at this stage.

ATTACHMENTS:

Nil

8.2. Public Questions Without Notice

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

9. PLANNING AUTHORITY

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.

9.1. DA0626/2022 - 243-247 Wellington Street, Launceston - Business and Professional Services - Alterations and Additions to an Existing Building and Consolidation of Three Lots into One

FILE NO: DA0626/2022

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

| | |
|-------------------------------|---|
| Applicant: | Commercial Project Delivery Pty Ltd |
| Property: | 243-247 Wellington Street, South Launceston |
| Zoning: | Commercial |
| Receipt Date: | 17/10/2022 |
| Validity Date: | 6/12/2022 |
| Further Information Request: | 01/11/2022 |
| Further Information Received: | 06/12/2022 |
| Deemed Approval: | 30/01/2023 |
| Representations: | Three |

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

PREVIOUS COUNCIL CONSIDERATION:

DA0635/2018 provided for the construction of the adjoining Medical Centre for which the current application proposes an extension.

DA0726/2020 provided for the demolition of the *union* building and construction of extensions to the Health Hub - under delegation.

DA0071/2022 provided for the demolition of the *union* building and construction of extensions to the Health Hub building essentially the same as DA0726/2020 but with the replacement of around half of the approved level three car park with additional medical suites - under delegation discretionary.

DA0513/2022 relevantly approved the change of use of 213-215 Wellington Street to Vehicle Parking to provide 34 car parking spaces for staff at the Health Hub under delegation discretionary.

STANDARDS REQUIRING PLANNING DISCRETION:

17.3.1 - Hours of operation
17.3.2 - Discretionary Uses
17.4.1 - Building Height
17.4.6 - Landscaping
C2.5.1 - Car Parking Numbers
C2.5.3 Motorcycle Parking
C2.6.5 Pedestrian Access

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for DA0626/2022 - Business and Professional Services - Alterations and additions to an existing building and consolidation of three lots into one at 237-247 Wellington Street, South Launceston, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Report, prepared by Commercial Project Delivery, Launceston Health Hub Stage 4 - Union Building, Revision 1, dated 14/10/2022.

2. SHARED ZONE SIGNAGE

Shared zone signage, compliant with Australian Standard AS1742.1-2014, must be displayed at each entry and exit to the car parks.

Such signage shall be erected prior to the use of the proposed building commencing and be displayed and maintained in good order to the satisfaction of the Manager City Development.

3. LEGAL TITLE

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

4. HOURS OF CONSTRUCTION

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

7am to 6pm - Monday to Friday

8am to 5pm - Saturday

No works on Sunday or Public Holidays

5. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/01732-LCC, dated 14/12/2022 and attached to the permit.

6. SITE LANDSCAPING PLAN

Prior to the commencement of works, a landscape plan must be submitted for approval by the Manager City Development. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include the following details:

- a. major site features such as building footprints, topography, contours existing vegetation and street boundaries; and
- b. existing and proposed garden areas and plantings (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity); and
- c. any stabilisation works required as a result of tree or vegetation removal; and
- d. all proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
- e. suitable irrigation or a fixed sprinkler system for the watering of all lawns and landscaped areas; and
- f. any screen planting (where required).

Once approved by the Manager City Development, the plan will be endorsed and will form part of the permit. The landscaping must be:

- g. installed in accordance with the endorsed plan; and
- h. completed prior to the use commencing; and
- i. maintained and not be removed, destroyed or lopped without the written consent of the Council.

7. CONSOLIDATION OF TITLES

Prior to the commencement of the construction works, all lots, being Certificates of Title Volume 227180 Folio 1 and Volume 228901 Folio 1 and Volume 70186 Folio 2, must be consolidated into a single lot under the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

8. COVENANTS ON SUBDIVISIONS

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- a. such covenants or controls are expressly authorised by the terms of this permit; or
- b. such covenants or similar controls are expressly authorised by the consent in writing of the Council.
- c. such covenants or similar controls are submitted for and receive written approval by the Council prior to submission of a Plan of Survey and associated title documentation is submitted to the Council for sealing.

9. DRIVEWAY AND PARKING AREA CONSTRUCTION

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. be properly constructed to such levels that they can be used in accordance with the plans;
- b. be surfaced with an impervious all weather seal;
- c. be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. be line-marked or otherwise delineated to indicate each car space and access lanes.

Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

10. STAFF PARKING

The areas set aside for the parking of vehicles shall not be reserved or used, for the parking of practitioners or other staff, without the further written approval of the Manager Planning and Development.

11. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

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

12. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of the General Manager Infrastructure and Assets Network is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

13. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing *TSD-G01 Trench Reinstatement Flexible Pavements* and the Council's Policy *27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service*. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

14. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement).

Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

15. OCCUPATION OF ROAD RESERVE (COMPLEX)

Any works in the road reserve, or requiring the occupation of the road reserve, must be undertaken by, or under the supervision of an appropriately qualified tradesman/contractor.

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the General Manager Infrastructure and Assets Network is required. Application for the occupation of Wellington Street and/or Cleveland Street must be made 14 days prior to date of the scheduled occupation or works and detailing (but not limited to):

- a. the nature, dates and duration of the occupation and/or works,
- b. the contractor/s undertaking the works,
- c. the traffic management works that are employed to provide for the continued safe use of the road reserve by pedestrians and vehicles,
- d. any alternative pedestrian routes to be provided where the existing footpath in Wellington Street and/or Cleveland Street is unavailable for use due to the works and/or occupation,
- e. any temporary works required to maintain the serviceability of the road or footpath.

A permission issued for any occupation and/or works may be subject to conditions specifying or limiting any of the above listed matters.

Inspections must be arranged for prior to the commencement of the occupation and at the completion of the works.

16. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). No such items are to be placed within the road reserve without approval.

17. SUBMISSION AND APPROVAL OF PLANS

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

- a. include all infrastructure works required by the permit or shown in the endorsed plans.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.

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

18. CONSTRUCTION OF WORKS

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

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

- a. Stormwater
 - i. relocation/replacement of the sealed side entry pit located in Cleveland Street to be clear of the proposed new vehicle crossing.
 - ii. all necessary alterations and extensions to the existing combined stormwater main in accordance with the requirements of TasWater as the owner of the pipework outside of the sealed pit.
- b. Roads
 - i. construction of a new vehicle crossing in Cleveland Street and the removal of all redundant crossing within the street.
 - ii. all works within the road reserve including the removal of all redundant vehicle crossings and reshaping of the footpath to accommodate the adjusted kerb levels and all trench reinstatement associated with third party services.

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

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

19. CONSTRUCTION DOCUMENTATION

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

- a. an *as constructed* plan in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure and Assets Network.
- b. a Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. compaction and soil test results for all earthworks or pavement works.
- d. an engineer's certificate that each component of the works comply with the approved engineering plans and the Council's standards.

20. AS CONSTRUCTED PLANS

An *as constructed* plan must be provided in accordance with the Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure and Assets Network.

21. EXTERIOR AND SECURITY LIGHTING

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

22. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (eg. Launceston Waste Centre), reclaimed or recycled.

23. WASTE MATERIALS

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

24. POTENTIAL SITE CONTAMINATION - NEW INFORMATION

Any new information which comes to light during demolition or construction works that has the potential to alter previous conclusions about site contamination must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery. Works on site must immediately cease until the new information has been assessed. Works can only recommence:

- a. once the site has been assessed by a site contamination practitioner certified under the Environment Institute of Australia and New Zealand Inc's Certified Environmental Practitioners (Site Contamination) scheme; and
- b. in accordance with any additional recommended control measures as specified by the site contamination practitioner.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0626/2022. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning Staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. Restrictive Covenants

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

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil and Administrative Tribunal (TASCAT).

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

For more information see the Tasmanian Civil and Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>.

D. Permit Commencement

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

REPORT:

1. THE PROPOSAL

Approval has been granted to demolish the existing building, recently used as professional offices for the CFMEU and more currently used as a vaccination centre, at 237-241 Wellington Street, South Launceston and to construct a six-storey building over that site, integrated with the Launceston Health Hub (LHH) building to the south and the parking structure on the land at the rear.

The approved six-storey building will have a maximum height of 20.5m and include a basement level and five levels above ground. This will include a range of medical suites and consulting rooms and additional car parking on the ground level and level three. Following approval of DA0071/2022 and with rapidly escalating building costs, the proponents now propose a reduced version of essentially the same proposal. The proposed expansion of the medical centre onto the site of the previous CFMEU building will result in:

- demolition of the existing CFMEU building;
- construction of a 20.5m high, five-storey (basement level of previous approval excluded) building to be integrated with the existing LHH building;
- 71 medical practitioners (reduced from previously approved 89) and 119 car parking spaces all dedicated as patient parking;

- decrease in GFA from the approved 4,514m² by 609m² to 3,905m²;
- 119 car parking spaces all dedicated as patient parking (decreased by 38, from previously approved 147);
- decreases previous medical practitioner parking from 48 to 0; and
- staff will be asked to find alternate parking arrangements (including 34 recently approved car parking spaces at 213-215 Wellington Street).

In order to obtain building approval for the proposed extensions to the Health Hub building it is also necessary for the three land titles covering the CFMEU building to be consolidated into a single title. The existing LHH building is to remain on a separate title. Further, it is noted that the proponents have expressed an intention to further develop the car park site at 213-215 Wellington Street to provide additional parking for the Health Hub. Development of that site, beyond the approval of DA0513/2022, is delayed to provide for ongoing consideration of a joint development with the State Government to provide a multi storey car park to assist in addressing the broader parking issues of the health precinct. There is demonstrated capacity for the LHH to provide sufficient parking on this site if current discussions are not successful in developing a multi-storey carpark.

2. LOCATION AND NEIGHBOURHOOD CHARACTER



243-247 Wellington Street, South Launceston (not to scale)

The subject site is made up of four titles (one for the existing Launceston Health Hub development and three forming the site of the previous CFMEU building) with a total area of 5,426m².

The site has frontage to Wellington Street and Cleveland Street, being located on the south eastern corner of the junction of the two streets. The land climbs generally to the east from Wellington Street.

The surrounding uses are dominated by the Metro bus depot across Wellington Street to the west and the Launceston General Hospital to the north and north-east. Other uses include a tyre retailer, residential, open space and other medical facilities, including the two-storey medical centre (eye hospital) currently under construction on the northern side of Cleveland Street.

The area bordered by Wellington Street, Howick Street, Charles Street and Frankland Street has evolved into a medical precinct, with further adjacent development anticipated to improve the functionality of the precinct and to meet the needs and expectations of the greater Launceston community.

3. PLANNING SCHEME REQUIREMENTS

The assessment against the Launceston Interim Planning Scheme 2015 is detailed in Attachment 1.

4. REFERRALS

| REFERRAL | COMMENTS |
|-----------------------------------|---|
| INTERNAL | |
| Infrastructure and Assets Network | Conditions recommended. |
| Environmental Health | Conditions recommended. |
| Heritage/Urban Design | No Objection. |
| Building and Plumbing | Standard notes recommended for the permit. |
| EXTERNAL | |
| TasWater | Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2022/01732-LCC, dated 14/12/2022. |
| State Growth | N/A |
| TasFire | N/A |
| Tas Heritage Council | N/A |
| Crown Land | N/A |
| TasRail | N/A |
| EPA | N/A |
| Aurora | N/A |

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 10 December 2022 to 3 January 2023. Three representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

Issue 1

It is often difficult to find car parking at the LGH and the LHH now. This is likely to make it harder. The expansion should provide more car parking.

Response 1

Parking in the immediate vicinity of hospitals and medical centres can often be difficult, particularly during peak periods. The State Government and the Council are actively pursuing options to improve the provision of parking in the vicinity of this medical precinct the proponents have indicated their intent to further develop the 213-215 Wellington Street site for additional parking if there is a demonstrated need. The Transport Impact assessment, prepared by GHD, concludes: As part of the new expansion proposal, the number of on-site car parking spaces is reduced to 119 spaces with staff parking to be provided at an alternate site at 125 Wellington Street. The proposed parking ratio of 2.23 spaces per FTE exceeds the previously surveyed demand of 2.13 spaces per FTE and the balance of parking allocation is shifted towards more patient parking and is, therefore, considered sufficient to meet the needs of the use.

Issue 2

Having 284 car parking spaces required and only 119 provided is too much of a shortfall and needs to be reconsidered.

Response 2

The requirement for 284 car parking spaces is based on the acceptable solution requiring four car parking spaces per practitioner. This is based on one for the doctor, one for an ancillary employee (ie. nurse or receptionist), one for the current patient and one for the patient just leaving and then used by the next patient. With staff parking not provided on the site, the expectation for parking is therefore halved. Similarly, it is not expected that all practitioners will be on-site and seeing patients at the same time, or work to the same appointment schedule. The TIA, relying on a 2020 survey of actual usage, concludes that the proposed parking levels satisfy the reasonably expected needs of the use.

Issue 3

Staff currently park in most available parking in the surrounding area.

Response 3

Anecdotally, staff from the LGH and other facilities, including the LHH, park in surrounding streets, taking available parking and encroaching into surrounding residential areas. This is likely an inevitable situation for many businesses, be they health services or otherwise, who prioritise customer parking over staff parking. Whilst opportunities to relieve pressure on parking in this precinct continue to be investigated, it is noted that community expectations are indeed changing and placing a greater emphasis on alternative and more sustainable options for the trip to work. To this end, end of trip facilities are provided in the proposed development to encourage staff to walk or ride (cycle or scooter) to work.

Issue 4

There is already traffic congestion in the area and it will only get worse. There is no point expanding services if people cannot easily access them.

Response 4

Traffic congestion, whilst still relatively minor in Launceston, is also an inevitable result of the growth of a successful city. As population grows, there is an inevitable growth in the number of vehicles on the roads.

Despite this, the surrounding roads have not reached their design capacity and the growing popularity of alternative transport options will help to reduce such growth. Whilst there is continued growth in medical centres throughout the greater Launceston area, many services find an improved outcome through co-location with or close to other related medical services. To require the expansion of the LHH to be located on a remote site would likely result, at best in greater inconvenience to patients than minor traffic congestion or difficulty to find a convenient car park or at worst, the services simply not being provided. The Council's Traffic Officers advise: This application represents a de-intensification of the previously approved DA0071/2022 with a reduction of floor area. There are no major transport network concerns with this development with traffic generated less than for the previously approved development.

6. CONCLUSION

Subject to the recommended conditions, it is considered that the proposal complies with the Scheme and it is appropriate to recommend for approval.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such the economic, environmental and social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Land Use Planning and Approvals Act 1993
Launceston Interim Planning Scheme 2015

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

1. DA0626/2022 - 243-247 Wellington Street, South Launceston - Planning Scheme Assessment [9.1.1 - 12 pages]
2. DA0626/2022 - 243-247 Wellington Street, South Launceston - Plans to be Endorsed [9.1.2 - 200 pages]
3. DA0626/2022 - 243-247 Wellington Street, South Launceston - TasWater SPAN [9.1.3 - 3 pages]
4. DA0626/2022 - 243-247 Wellington Street, South Launceston - Representations [9.1.4 - 3 pages]

10. ANNOUNCEMENTS BY THE MAYOR

10.1. Mayor's Announcements

FILE NO: SF2375

Tuesday 13 December 2022

- Presented the City of Launceston Springboard to Higher Education Bursary at Prospect High School [Represented by Councillor A J Palmer]

Wednesday 14 December 2022

- Presented the City of Launceston Springboard to Higher Education Bursary at Riverside High School [Represented by Councillor Dr G Razay]

Thursday 15 December 2022

- Presented plaques to past Councillors Paul Spencer and Krista Preece
- Attended the Sister City Committee Meeting

Friday 16 December 2022

- Presented the City of Launceston Springboard to Higher Education Bursary at Brooks High School
- Attended the launch of Welcome Disability Service at Mowbray

Saturday 17 December 2022

- Attended the National Seniors Australia Christmas luncheon
- Spoke at the 'Bhashalaya' and Tutoring and Mentoring Program Graduation Day (Nepali Society) [Represented by Councillor S Cai]
- Officiated at the opening of ArtRage, Queen Victoria Museum and Art Gallery at Royal Park
- Attended *Elf the Musical* presented by Launceston Musical Society at Princess Theatre

Sunday 18 December 2022

- Attended the 12th Annual Public Menorah Lighting [Represented by Councillor L M McMahon]

Monday 19 December 2022

- Participated in the Town and Gown Procession from Civic Square to UTAS, Inveresk
- Attended the University of Tasmania's Graduation Ceremony at Launceston Conference Centre
- Attended the Big Bash Hurricanes versus Perth Scorchers at UTAS Stadium [Represented by Councillor A G Harris]

Tuesday 20 December 2022

- Presented the City of Launceston Springboard to Higher Education Bursary at Lilydale District School [Represented by Councillor A J Palmer]
 - Attended the Grade 6 Presentation Assembly at Ravenswood Heights Primary School
-

Sunday 25 December 2022

- Officiated at the Launceston Community Christmas Lunch at Door of Hope

Tuesday 27 December 2022

- Attended the Race Start for Launceston to Hobart Yacht Race at Beauty Point

Wednesday 28 December 2022

- Attended the Launceston City Cycling Classic at the Silverdome

Saturday 31 December 2022

- Attended Beerfest at Royal Park

Saturday 7 January 2023

- Dropped by the Oceania Orienteering Championships Carnival at Newnham Campus of University of Tasmania
- Attended the Launceston Summer Series in Civic Square

Monday 9 January 2023

- Attended the Tennis Tasmania Hobart International at the Domain

Thursday 12 January 2023

- Attended 2023 Season Launch at IO Headquarters

Saturday 14 January 2023

- Attended the Launceston Summer Series in Civic Square

Monday 16 January 2023

- Attended the Australian Open

Tuesday 17 January 2023

- Attended the Tasmanian Theatre Awards launch at IO Headquarters

Friday 20 January 2023

- Attended the Lilydale Pool barbeque for reopening after renovations
- Attending the opening of Tatler Lane

Saturday 21 January 2023

- Attended the Launceston Summer Series
-

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).

12. QUESTIONS BY COUNCILLORS

12.1. Councillors' 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 Chief Executive Officer of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be provided in writing).

**12.1.1. Councillors' Questions on Notice - Councillor J J Pentridge -
15 December 2022**

FILE NO: SF6381

AUTHOR: Paul Gimpl (Chief Financial Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 15 December 2022 by Councillor J J Pentridge, has been answered by Paul Gimpl (Chief Financial Officer).

Questions:

1. The City of Launceston's Comprehensive Income Statement for the year ended 30 June 2022 shows a surplus net result for the year of \$17.147m.

With a \$17.147m surplus, why does the Council continually claim there is not enough money to complete projects?

Response:

The \$17.147m surplus includes Capital Non-Monetary Asset revenue of \$15.667m (of which \$13m relates to road assets made up of the Inveresk Bridge \$5m, Northern Inveresk Car Park \$3m and other subdivision asset contributions totaling approximately \$5m) and Capital Grants revenue of \$3.662m.

These capital items are not operational revenues and when excluded from the \$17.147m surplus result in a deficit of \$2.182m.

The 2021/2022 Annual Financial Statements on page 150 of the Annual Report shows an underlying deficit of \$0.993m after allowing for other underlying adjustments detailed on that page and verified by the Tasmanian Audit Office as part of their external audit.

Running continual operating deficits is not sustainable in the long term and as a result budget spending has to be restricted and prioritised to ensure the Council follows the guidelines of Council's approved Long Term Financial Plan to ensure sustainability in the long term.

ATTACHMENTS:

Nil

**12.1.2. Councillors' Questions on Notice - Councillor T G Walker -
15 December 2022**

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 15 December 2022 by Councillor T G Walker, has been answered by Ashley Bird, Senior Curator Visual Art and Design.

Questions:

1. With regard to the commissioning of the Fiona Hall artwork, what is the process around the commissioning and funding sources of artwork in general and how is the final decision made?

Response:

Before a work is commissioned there would need to be a proposed reason for engaging with an artist. This would most commonly be a choice or decision to fit with a need for a work to be included in an exhibition that has a specific theme and focus. A required work would be suggested to target an exhibition rather than acquiring a work that is seen as the difference between a stock item from a less related body of work and a work made specifically for QVMAG.

An example would be suggesting a landscape artist be commissioned to paint a picture of a Launceston scene for an exhibition about the City rather than purchasing a work that is not linked to this community. The process before the commission would be a detailed acquisition proposal that would outline the points of significance to back up the reason to commission a work. There is a raft of assessment criteria including artistic, historic and social significance.

As part of this proposal would be an intended funding source, as some bequests are more relevant and match with what would be commissioned. Bequests have formal stipulations to govern how they can be used. In the case of the Arts Foundation they are an independent body that fund raises through their membership and can have works presented to them for funding. Each proposal is tabled at an internal meeting for QVMAG curatorial and the General Manager. If a proposal is endorsed by this group it then goes to the Museum Governance and Advisory Board for final approval. Regardless of the funding source or the work that is proposed all works commissioned, donated or acquired go through the process of an internal then the Museum Governance Advisory Board process before a work is taken into the collection.

If someone other than the General Manager or the Senior Curator wants to suggest a commission it would undergo a similar process to make sure it is being commissioned for the right reason and it is being supported through a degree of transparency.

ATTACHMENTS:

Nil

**12.1.3. Councillors' Questions on Notice - Councillor Dr G Razay -
23 December 2022**

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to Council on 23 December 2022 by Councillor Dr G Razay, have been answered by Michael Stretton (Chief Executive Officer).

Questions:

1. Understanding that all levels of government have a role to play in the promotion of healthy, happy and active communities, can the Chief Executive Officer please outline the Council's approach to achieving better outcomes in this space?

Response:

The City of Launceston offers a wide range of options for a healthy, happy and active community. Options range from formal undertakings, such as operating the Launceston Aquatic Centre, through to the support of numerous community sporting facilities and Clubs and unstructured, low-cost or free options, such as the provision of recreation trails and the Basin Pool. Many of the City of Launceston's recreational spaces are used for exercise and community gatherings and groups of people performing Tai Chi and yoga in parks, personal trainers running boot camps and people walking their dogs can be seen on a daily basis. Offerings include bushland reserves and formal gardens, parks, gymnasiums, stadiums and pools and support of programs such as Active Launceston, Music in the Park and various community gardens. Through its support of community gardens, Heritage Forest, Punchbowl and Ravenswood Men's Shed, the Council is helping to promote the benefits of growing fresh fruit and vegetables. The Council is working with partners such as the Starting Point Neighbourhood House, Tamar NRM and the Migrant Resource Centre and is looking to expand these programs in order to have a wider reach within the community.

The City of Launceston's approach is to ensure that there are facilities and programs catering to all levels of fitness and activity levels within the municipality, in line with the vision to be one of Australia's most liveable regional cities.

2. If the Council were to consider doing more to promote healthy, happy and active communities, could the Chief Executive Officer please suggest some options for Councillors to consider?

Response:

Launceston is experiencing an exciting time of growth and development. The region has experienced strong growth in mountain biking in recent years. Within the Launceston municipality there are excellent mountain biking facilities at the Trevallyn Nature Recreation Reserve and the Kate Reed Recreation Reserve, as well as many informal mountain biking tracks in smaller local reserves. The Council is currently investigating additional facilities to support this activity, extending and upgrading existing tracks, developing pump tracks and building relationships with the users of the local mountain bike trails.

Projects such as these new proposed facilities will be presented within annual plans and budget papers for Councillors to consider.

Councillors may also be of assistance as the Council seeks to expand and strengthen its community gardens program through active participation in community events and support and promotion of the program.

Councillors could also explore the development of a broader community health and wellbeing strategy such as that delivered last year by the City of Clarence refer: Health & Wellbeing - City of Clarence : City of Clarence (ccc.tas.gov.au).

ATTACHMENTS:

1. Councillors Questions on Notice Councillor Dr G Razay [**12.1.3.1** - 1 page]

12.2. Councillors' 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

13.1. Transport Committee Meeting - 29 September and 15 December 2022

FILE NO: SF7429

AUTHOR: Cathy Williams (Built Environment Officer)

GENERAL MANAGER APPROVAL: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To receive a report from the Transport Committee Meetings held on 29 September and 15 December 2022.

RECOMMENDATION:

That Council receives a report from the Transport Committee Meetings held on 29 September and 15 December 2022.

REPORT:

At its Meeting held on 29 September 2022, members:

- heard from the two proposed community representatives - Adam Sutton and Dale Goldsworthy;
- received a presentation in relation to transport options, promotions and education specifically in relation to a car free day, website content and the educational program *ThinkChange* which was delivered by the Sunshine Coast Council;
- heard about work being done to develop a bus stop program that improves difficult to access bus stops;
- received a presentation on the update and review of the shared micro mobility trial.

At its Meeting held on 15 December 2022, members:

- were provided with an update on the *Ride to Work* breakfast held in Civic Square.
- received an update on the Capital and Operational Works Program for the next three years.
- received a safety presentation on the High/Howick Street intersection.
- received a traffic signals presentation on the Lindsay Street/Invermay Road intersection.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

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

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

Focus Areas:

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

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

13.2. Access Advisory Committee - 7 December 2022

FILE NO: SF0025

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To receive a report from the Access Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Access Advisory Committee Meeting held on 7 December 2022.

REPORT:

Several items on the Agenda provided significant discussion for Committee members. The first presentation was about the project to make all bus stops *Disability Discrimination Act 1992* (DDA) compliant. This will take place over the next four years, across 483 bus stops of which only 100 are DDA compliant. These will be prioritised according to patronage and proximity to health, education, business and core activity, although Agency representatives on the Committee were also asked to provide feedback and input.

The second presentation was about the extension to the Personal Micro Mobility device Trial (also known as e-Scooters). This topic triggered much discussion at this Committee over the past 12 months. The operators remain keen to receive feedback from members of the community, particularly those impacted by the devices. This invitation was to be extended for anyone with lived experience to provide feedback on their experiences prior to Christmas (*it should be noted that at the time this Meeting was held, it was not known that one of the operators, Neuron, would be withdrawing from the trial*).

The Committee was pleased to learn that after two years of advocacy through the Council, the Access Framework for Action has been adopted and the recruitment of a Community Development Officer Inclusion is occurring. One of the three main focus areas of this role is accessibility. The Committee looks forward to this role joining them and conducting planning for the 2023 Action Plan.

It was recognised that the advocacy for the creation of this role was driven largely by the Manager Liveable Communities, Tracey Mallett. Upon learning that Tracey was leaving the Council, the Committee wished to publicly thank her for the dedication and passion she has shown to accessibility and for her outstanding work on this Committee.

Further topics of conversation were around the accessibility issues faced by many Tasmanians during the recent local government elections and that work continues with the Tasmanian Electoral Commission to improve this. There was also discussion on the emergency planning response for natural disasters that Disability Voices Tasmania is undertaking.

In General Business, it was advised that the excellent resource available online with the National Public Toilet Map had been updated and there are now more than 22,000 public toilet facilities across Australia mapped.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

The Access Advisory Committee continues to advocate for greater accessibility for the whole Launceston community to ensure greater inclusion and participation.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
2. To define and communicate our role in promoting social inclusion and equity.
3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

13.3. Cataract Gorge Reserve Advisory Committee - 13 December 2022

FILE NO: SF0839

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING GENERAL MANAGER APPROVAL: Nathan Williams (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Cataract Gorge Reserve Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Cataract Gorge Reserve Advisory Committee Meeting held on 13 December 2022.

REPORT:

The Cataract Gorge Reserve Advisory Committee met on 13 December 2022 and discussed the following topics:

- (a) the Cataract Gorge Reserve Advisory Committee Terms of Reference update.
- (b) the upcoming Expressions of Interest Process for Community Representatives for the Cataract Gorge Reserve Advisory Committee which is to be conducted in January 2023.
- (c) meeting dates for 2023 which will be finalised once the Expression of Interest process is completed and Community Representatives are installed.
- (d) the Cataract Gorge Reserve Advisory Committee 2023 Work Plan.

Members were also provided updates on weed management, zoning in the Cataract Gorge Reserve, the pool's opening and related fencing issues.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND 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 AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

13.4. Tender Review Committee - 15 December 2022

FILE NO: SF0100/CD.030/2022/CD.042/2022

AUTHOR: Anthea Rooney (Council and Committees Officer)

ACTING GENERAL MANAGER APPROVAL: Nathan Williams (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Tender Review Committee Meeting held on 15 December 2022.

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept the tenders submitted by:

1. Crossroads Civil Contracting Pty Ltd for the Cimitiere Street (Tamar Street to George Street) Pavement Rehabilitation, Contract No. CD.030/2022 at a cost of \$586,901.55; and
 2. Contact Electrical Pty Ltd for the Birch Avenue and Churchill Park Lighting Upgrades - Contract No. CD.042/2022 at a cost of \$1,348,600.20.
-

REPORT:

The Tender Review Committee Meeting, held on 15 December 2022, determined the following:

That the tenders submitted by:

1. Crossroads Civil Contracting Pty Ltd for the Cimitiere Street (Tamar Street to George Street) Pavement Rehabilitation, Contract No. CD.030/2022 at a cost of \$586,901.55; and
2. Contact Electrical Pty Ltd for the Birch Avenue and Churchill Park Lighting Upgrades - Contract No. CD.042/2022 at a cost of \$1,348,600.20

be accepted.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND 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:

3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

13.5. Sister City Committee Meeting - 15 December 2022

FILE NO: SF0175

AUTHOR: Elizabeth Clark (Civic Affairs Officer)

ACTING GENERAL MANAGER APPROVAL: Nathan Williams (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Sister City Committee.

RECOMMENDATION:

That Council receives the report from the Sister City Committee Meeting held on 15 December 2022.

REPORT:

The Sister City Committee Meeting was held on Thursday, 15 December 2022 and was attended by the Mayor, Councillor D C Gibson, Councillor J J Pentridge, Councillor A J Palmer, Councillor A J Britton and Civic Affairs Officer Elizabeth Clark.

Councillor A J Britton was elected as Chair of the Sister City Committee.

The Committee reviewed the Terms of Reference and agreed to table the document at a future Council Meeting for approval.

The Committee was provided with a brief overview of the history of the relationships with Ikeda, Napa, Taiyuan and Putian (Friendship City).

The following recent correspondence from the Sister Cities was discussed:

- Letter from Ikeda Mayor, Tomoko Takizawa requesting assistance from Androo Kelly (Trowunna Wildlife Park) to redevelop wombat facility at Satsukiyama Zoo in Ikeda. Ikeda City has made direct contact with Mr Kelly.
- Offer from Josef Chromy to sponsor the Josef Chromy Wine Scholarship to Napa in 2023.
 - The Committee requested that a written commitment of the financial contribution be received from Josef Chromy.
 - Napa City Council will assist with the facilitation of the Scholarship.
 - The City of Launceston Civic Affairs Officer will be responsible for the administration of the Scholarship.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 4: We value our City's unique identity by celebrating our special heritage and culture and building on our competitive advantages to be a place where people choose to live, work and visit.

10-Year Goal: To sustain and promote Launceston as a unique place to live, work, learn and play.

Focus Areas:

1. To promote and enhance Launceston's rich heritage, culture and natural environment.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

14. COMMUNITY AND PLACE NETWORK

14.1. Terms of Reference - Homelessness Advisory Committee (14-ToR-003)

FILE NO: SF7447

AUTHOR: Kath Hawkins (Community Development Officer)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To consider the Homelessness Advisory Committee Terms of Reference (14-ToR-003).

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 16 June 2022 - Agenda Item 13.1 - Homelessness Advisory Committee - Terms of Reference

Workshop - 21 July 2022 - Homelessness Advisory Committee Councillor Nominations

Council - 28 July 2022 - Agenda Item 14.1 - Homelessness Advisory Committee - Terms of Reference

RECOMMENDATION:

That Council amends the existing Homelessness Advisory Committee's Terms of Reference (14-ToR-003) by broadening references to our City to clarify that the City of Launceston is seeking a regional approach to solutions to homelessness.

Homelessness Advisory Committee - Terms of Reference

The Homelessness Advisory Committee is a Special Committee of Council, established pursuant to section 24 of the *Local Government Act 1993 (Tas)*.

PURPOSE:

Homelessness is a complex issue and there are many factors that contribute to a person's homelessness. Many of these factors lie outside the remit of local government, however through an educated, collaborative and needs focussed approach, the City of Launceston is committed to working with community to play a constructive role in the provision of strategies and actions to support the homeless community.

The primary purpose of the Homelessness Advisory Committee is to:

- enable a collaborative approach between key sector service providers, community members and relevant levels of government in addressing the short, medium and long-term needs of Launceston's homeless community.
- identify, support and coordinate achievable actions which will assist in addressing the evolving needs of Launceston's homeless community.
- develop a greater and shared understanding of the roles, responsibilities and priorities within the community in responding to homelessness.

Objectives:

The objectives of the Homelessness Advisory Committee are to:

- provide a communicative link between the Council and relevant stakeholders
- provide advice and make recommendations to the Council on issues and matters relating to homelessness
- facilitate response to issues as raised through the appropriate response agency
- develop a Homelessness Action Plan that will guide a commitment to addressing the needs of Launceston's homeless community
- provide recommendations on methods and techniques to better inform and engage the community on homelessness issues,
- provide advocacy for the needs of Launceston's homeless community; and
- support region wide outcomes through shared learnings and collaboration with other Councils in our region.

MEMBERSHIP:

The Homelessness Advisory Committee will include two City of Launceston Councillors, nominated and endorsed by the Council, one of whom will be the Chair. The Councillors' role will be for a four year period coinciding with Local Government elections, subject to a review after two years.

The Committee will include one representative from each of the following agencies:

- Launceston City Mission
- St Vincent de Paul Society
- Anglicare Tasmania
- CatholicCare Tasmania
- Tasmania Police
- The Salvation Army
- Shekinah House
- Department of Communities Tasmania

The Committee will also include up to six community member representatives considered by the Committee to have appropriate expertise and experience to contribute to the aims of the Committee and appointed by Council.

The Committee will allow for a representative from neighbouring Councils in order to support a region wide approach to addressing the issue of homelessness.

The Committee will be supported by:

- General Manager Community and Place Network;
- Team Leader Community Development; and
- One Council Administration Officer.

The Council's Officers from Liveable Communities will provide advice and/or assistance to the Committee. From time to time advice and support may be sought from other officers within the Council when their expertise is required.

COMMUNITY MEMBER REPRESENTATIVE SELECTION CRITERIA:

Aside from the Councillors' roles and those representing the organisations referenced, community member representatives will be appointed by Council and will be selected with consideration to the following criteria:

- professional experience working in a field such as social and community housing; and/or
- lived experience of homelessness; and
- professional experience in social infrastructure and systemic issues across the homelessness, health and welfare sectors; and
- diversity - in terms of age, culture, religion, disability, gender, sexual preference, health status; and
- ability to attend meetings in keeping with the meeting schedule determined by the Committee from time to time.

COMMUNITY MEMBER REPRESENTATIVE SELECTION PROCESS:

Community Member Representatives will be appointed in keeping with the Council's Community Appointments to Advisory Committees Policy.

TERMS OF APPOINTMENT:

- The term of appointment will be for a two year period.
- Members completing a two year term may re-apply for a further two year term.
- Any member may resign at any time by advising their resignation to the Committee in writing.
- If a Committee member is absent without notification for two consecutive meetings, the Committee may declare the position vacant. When a vacancy occurs, the Chair is to report this to the Chief Executive Officer, who will determine the process for filling the vacancy.
- Members are not remunerated for their service to the Committee.

MEETING ARRANGEMENTS:

- If the Chair is not present at a Meeting, the other Councillor who has been appointed to the Committee shall Chair the Meeting
- The Homelessness Advisory Committee will meet every two months and other times as required according to arrangements agreed to by the Committee. The schedule will be published following this agreement.
- Critical non-scheduled meetings may be convened by the Chair, if the Chair determines the need
- Meetings will not exceed two hours in duration, unless otherwise advised.

- Agendas will be forwarded to members at least four working days prior to each Meeting.
- Minutes of the Meeting will be circulated to all members within 10 working days of each Meeting.

MEETING QUORUM:

An absolute majority, including at least one City of Launceston Councillor, is considered a quorum for Meetings of the Homelessness Advisory Committee.

MEETING NOTICES

Meeting Agendas, Minutes and associated papers will be distributed to all Committee members via email at least four clear days of the scheduled Meeting. Minutes of the Meeting will be made available for public viewing at www.launceston.tas.gov.au.

HOW THE COMMITTEE WILL OPERATE:

The Homelessness Advisory Committee:

- is an advisory body that provides non-binding strategic guidance to the Council. The Committee does not have delegated authority from Council.
- will be coordinated by a Council Officer.
- may establish working groups as needed to address specific projects and may include additional people from the community where there is a specific need.

CODE OF CONDUCT:

Agency and community committee members must adhere to the Code of Conduct for Members of Special Committees. Councillors and the Council's Officers must also adhere to their relevant Codes of Conduct. Members will demonstrate our values in actions. City of Launceston is a values-based organisation and we expect the members of our advisory committees to support our values.

ORGANISATIONAL VALUES:

Our Values



Our people matter

- we value clear and open communication
- we support and encourage each other
- we respect diversity
- we recognise individual needs, experience and strengths



We care about our community

- we take pride in our work and pursue a standard of excellence
- we genuinely listen, and value collaborative relationships
- we strive towards the best outcome for our community
- we make responsible and sustainable decisions



We bring an open mind

- we actively seek opportunities to continuously improve
- we respect and explore different ideas and perspectives
- we embrace change that leads to positive outcomes
- we value innovation and creativity



We go home safe and well

- we show care for people and look out for one another
- we speak up and support others to be healthy and safe
- we take personal responsibility for our own health and wellbeing
- we value work-life fit

CONFLICT OF INTEREST:

If a Committee member has an actual or perceived interest in a matter to be considered by the Committee, they must declare that interest prior to any discussion of the matter. Interests will be managed in a way that respects the Committee member and the operation of the Committee. In some circumstances, this will mean that a Committee member with a declared interest will be required to withdraw from the Meeting during the discussions of the matter.

The declaration of interest will be noted in the report outlining the Committee's Recommendation to Council.

RESOURCES:

The Council will provide an officer to organise meetings, take minutes and distribute follow-up actions to other officers.

REVIEW:

The Terms of Reference, including membership, will be reviewed at least every two years from the date of adoption of this version.

RELATED POLICIES AND PROCEDURES:

14-Plx-032 Code of Conduct for Councillors
14-Plx-033 Code of Conduct for Members of Special Committees
22-PI-030 Code of Conduct Policy
14-Plx-029 Community Appointments to Advisory Committees Policy

REPORT:

The request to change the Homelessness Advisory Committee's Terms of Reference to include a further reference to the region was made by Councillors attending the Committee as representatives from neighbouring local government areas. The addition of a seventh objective mentioning a regional approach was described to, and accepted by, members of the Committee present at a recent Meeting. It is recommended that this minor change be approved in recognition of the City of Launceston's collaborative approach to this issue.

The marked up version of the changes is included in Attachment 1.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

1. Homelessness Advisory Committee Terms of Reference - Marked Up Version
[14.1.1 - 7 pages]

14.2. Signature Event Sponsorship Program 2023/2024 - 2025/2026 Invitation List

FILE NO: SF7507

AUTHOR: Stephanie Berns (Grants and Sponsorship Officer)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To consider the listed events be invited to apply for Signature Event Sponsorship support for events to be held in the 2023/2024, 2024/2025 and 2025/2026 financial years.

RECOMMENDATION:

That Council notes:

1. That the following existing signature events be re-invited to apply for Signature Event Sponsorship:

Existing Major Signature Event

| Organisation | Event |
|--|---|
| The Launceston Festivale Committee Inc. | <i>Festivale</i> |
| Junction Arts Festival Inc. DanceSport Tasmania | <i>Junction Arts Festival and Tasmania Open DanceSport Championship</i> |
| Rally Tasmania Pty Ltd | <i>Launceston Rally</i> |
| Epic Events and Marketing | <i>Tasmanian Running Festival</i> |
| Tasmanian Turf Club Inc. | <i>Launceston Cup Carnival</i> |
| *Tennis Tasmania | <i>*Launceston Tennis International</i> |

**Subject to event being held in the Launceston municipality*

Note: The Launceston Cycling Festival and Symphony Under the Stars have had signature event funding in the past, however, are no longer eligible for invitation into the Signature Event program application process as the Launceston Cycling Festival is no longer operating and Symphony Under the Stars is no longer held in the Launceston municipality.

Existing Small Signature Events

| Organisation | Event |
|---|--|
| Interweave Arts Association | <i>REMADE</i> |
| Migrant Resource Centre (Northern Tas) Inc. | <i>Launceston Community Harmony Day</i> |
| Launceston City Mission Inc. | <i>Launceston City Community Christmas</i> |

Note: Launceston Carols by Candlelight had small signature event funding in the past. However, it is no longer eligible for invitation into the small signature event program application process as it is no longer held in the Launceston municipality and did not apply for funding for the 2022 event.

2. That the following events that have previously received sponsorship funding via the Major Events Sponsorship Program be invited to apply for Major Event Signature Event funding.

New Major Signature Events Applicants

| Organisation | Event |
|--|---|
| Rotary Club of Central Launceston Inc. | <i>Tamar Valley Cycle Challenge</i> |
| GTR Events | <i>Tour of Tasmania</i> |
| Launceston City Cycling Club Inc. | <i>Launceston City Cycling Club Two Day Classic</i> |
| A Festival Called Panama | <i>A Festival Called PANAMA</i> |
| Australian Musical Theatre Festival | <i>Australian Musical Theatre Festival</i> |
| Launceston Competitions Association Inc. | <i>Launceston Competitions</i> |
| Tamar Community Peace Trust | <i>Tamar Valley Peace Festival</i> |
| Vibestown Productions Pty Ltd | <i>Basin Concert</i> |
| Encore Theatre Company Inc. | Two Theatre Productions per Financial Year |
| Thai Association of Tasmania | <i>Thai Food and Culture Festival</i> |
| Jacqueline S Anifandis | <i>Launceston Ukulele Jamboree</i> |

3. That the following events that have previously received sponsorship funding via the Small Events Sponsorship Program be invited to apply for Small Event Signature Event funding:

New Small Signature Events applicants

| Organisation | Event |
|--|---------------------------------------|
| Lions Club City Of Launceston | <i>Launceston Christmas Parade</i> |
| Clifford Craig Foundation Limited | <i>Walk and Run for Your Heart</i> |
| RSPCA Tasmania Incorporated | <i>Million Paws Walk</i> |
| Northern Tasmanian Croquet Centre Inc. | <i>NTCC Easter Croquet Tournament</i> |
| Tasmanian Brick Enthusiasts | <i>Brixhibition Launceston</i> |
| Cancer Council Tasmania | <i>Relay For Life Launceston</i> |
| Tasmanian Poetry Festival Inc. | <i>Tasmanian Poetry Festival</i> |

| Organisation | Event |
|---|--|
| Community Of St Patrick's River District (Tas) Inc. | <i>St Patrick's River Valley Day</i> |
| Launceston Festival Of Dance Inc. | <i>Launceston Festival of Dance</i> |
| Rotary Club of Youngtown | <i>Soggy Bottom Card Board Box Boat Regatta and Family Fun Day</i> |

REPORT:

The Event Sponsorship Policy includes a Signature Event category and states:

Funding will be provided to support established annual events (small and major) that deliver a uniquely memorable experience in the Launceston municipality. Events will deliver an inclusive experience, encouraging community participation, creativity and will foster pride and positivity in our City. The Major Signature Events will, in addition, deliver significant tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest. Major events will also operate under multi-year strategic and marketing plans and epitomise best practice in event delivery.

On a tri-annual basis the City of Launceston will identify established annual events that will be eligible for three years of continuous funding support. Up to four of these will be small events. Events must deliver a unique and memorable experience for the City of Launceston, have received a minimum of three years continuous funding support as a City of Launceston sponsored event and continue to deliver event strategy outcomes to a high standard.

The events listed above have been identified in line with the signature event criteria as being established annual events that have received a minimum of three years' funding support from the City of Launceston through the Event Sponsorship Program.

Due to the timeframe under review (previous three consecutive years), most events who have been involved in the City of Launceston's Event Sponsorship Program from 2020/2021 - 2022/2023 have been adversely affected by COVID-19 pandemic. Based on the broader effects of the pandemic on event organisation, the Council has shown some discretion to include events that may have been cancelled; events that submitted applications but were then withdrawn (due to event cancellation) and events that were approved to roll over funding from previous years (due to cancelled events). Events that have not been included are events that either have not applied for funding within the noted timeframe (or sought approval to roll over funding from previous years), or have been unsuccessful in receiving funding due to scoring lower than 50% on their application.

Traditionally, the Council's officers from within the Tourism and Events team have shortlisted events that would be invited to apply for Signature Events funding based on the criteria referenced above prior to seeking Council endorsement. For future rounds, including the next three-year period of Signature Event funding, all events that meet the criteria to submit applications will be presented to Council for endorsement.

It is intended that by removing the internal shortlisting stage and extending the invitation to submit applications to all events that meet the criteria that a more transparent process with less risk of discretionary decision making will be achieved. This will also result in an increased number of event organisers having the opportunity to prepare applications to the Signature Events program.

The assessment process for any Signature Events funding applications received will remain as is and will be led by the expertise that sits within the Events Sponsorship Assessment Panel (the Panel). Applications received will be assessed by the Panel against the sponsorship levels and the relevant assessment criteria. The Panel will then provide recommendations for sponsorship which will be presented to Council for endorsement.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

The recommendation will have minimal social impacts and minimal impacts on the environment and economy.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 2: We facilitate prosperity by seeking out and responding to opportunities for growth and renewal of our regional economy.

10-Year Goal: To have realised opportunities that grow and sustain our economy and foster creative and innovative people and industries.

Focus Areas:

2. To facilitate direct investment in the local economy to support its growth.
3. To provide an environment that is supportive to business and development within the municipality.
4. To promote tourism and the development of a quality tourism offering for Launceston.
5. To understand and support the establishment and growth of new and creative industries and businesses in Launceston.

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.

Strategic Priority 4: We value our City's unique identity by celebrating our special heritage and culture and building on our competitive advantages to be a place where people choose to live, work and visit.

10-Year Goal: To sustain and promote Launceston as a unique place to live, work, learn and play.

Focus Areas:

1. To promote and enhance Launceston's rich heritage, culture, and natural environment.
3. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar.
4. To support the central business district (CBD) and commercial areas as activity places during day and night.
5. To support sustainable population growth in the Northern Region.

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

Focus Areas:

1. To plan for and provide services and facilities that recognises the changing demographics and needs of our community.
2. To define and communicate our role in promoting social inclusion and equity.
3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.
4. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life.
5. To promote and support active and healthy lifestyles of our community.

BUDGET AND FINANCIAL IMPLICATIONS:

| Category | Pre-Committed Budget |
|--|-----------------------------|
| Signature Event Sponsorship - Major Events | \$225,000 |
| Signature Event Sponsorship - Small Events | \$20,000 |

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

15. ORGANISATIONAL SERVICES NETWORK

15.1. Code of Conduct for Councillors

FILE NO: SF2213

AUTHOR: Leanne Purchase (Manager Governance)

ACTING GENERAL MANAGER APPROVAL: Nathan Williams (Organisational Services Network)

DECISION STATEMENT:

To consider the adoption of the Model Code of Conduct for Councillors.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 7 March 2019 - Agenda Item 19.4 - Code of Conduct for Councillors

Workshop - 19 January 2023 - Code of Conduct for Councillors

RECOMMENDATION:

That Council:

1. pursuant to section 28T of the *Local Government Act 1993* (Tas), adopts the Model Code of Conduct for Councillors as set out in the *Local Government (Model Code of Conduct) Order 2016*, without variation and as set out below:

MODEL CODE OF CONDUCT

Part 1 - Decision Making

1. A Councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of Council's role as a Planning Authority.
 2. A Councillor must make decisions free from personal bias or prejudgement.
 3. In making decisions, a Councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
 4. A Councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.
-

Part 2 - Conflict of Interests that are not Pecuniary

1. When carrying out his or her public duty, a Councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
2. A Councillor must act openly and honestly in the public interest.
3. A Councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of Council and at any Workshop or any meeting of a body to which the Councillor is appointed or nominated by Council.
4. A Councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
5. A Councillor must avoid and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
6. A Councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must:
 - (a) declare the conflict of interest and the nature of the interest before discussion of the matter begins; and
 - (b) act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the Councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by Council.
7. This Part does not apply in relation to a pecuniary interest.

Part 3 - Use of Office

1. The actions of a Councillor must not bring the Council or the office of Councillor into disrepute.
2. A Councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.
3. In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a Councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

Part 4 - Use of Resources

1. A Councillor must use the Council's resources appropriately in the course of his or her public duties.
2. A Councillor must not use the Council's resources for private purposes except as provided by the Council's policies and procedures.

3. A Councillor must not allow the misuse of the Council's resources by any other person or body.
4.

Part 5 - Use of Information

1.
2. A Councillor must only access or use the Council's information needed to perform his or her role and not for personal reasons or non-official purposes.
3.
4. A Councillor must only release the Council's information in accordance with established policies of the Council and procedures and in compliance with relevant legislation.

Part 6 - Gifts and Benefits

1. A Councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the Councillor's public duties and is appropriate in the circumstances and is not in contravention of any relevant legislation.
2. A Councillor must avoid situations in which a reasonable person would consider that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the Councillor or the Council.
3.
4.
5.
6.
7.
8.

Part 7 - Relationships with Community, Councillors and Council Employees

1. A Councillor:
 - (a) must treat all persons fairly; and
 - (b) must not cause any reasonable person offence or embarrassment; and
 - (c) must not bully or harass any person.
2. A Councillor must listen to, and respect, the views of other Councillors in Council and Committee Meetings and any other proceedings of the Council and endeavour to ensure that issues, not personalities, are the focus of debate.
3.
4. A Councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.

5. A Councillor must not contact an employee of the Council in relation to matters of the Council unless authorised by the General Manager of the Council.

Part 8 - Representation

1. When giving information to the community, a Councillor must accurately represent the policies and decisions of the Council.
2. A Councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.
3. A Councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor.
4. A Councillor must clearly indicate when he or she is putting forward his or her personal views.
5. A Councillor's personal views must not be expressed publicly in such a way as to undermine the decisions of Council or bring the Council into disrepute.
6. A Councillor must show respect when expressing personal views publicly.
7. The personal conduct of a Councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.
8. When representing the Council on external bodies, a Councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

Part 9 - Variation of Code of Conduct

1. Any variation of this model Code of Conduct is to be in accordance with section 28T of the *Local Government Act 1993* (Tas).
2. That Council adopts additional information to support the Model Code of Conduct as set out below:

PURPOSE:

The Code of Conduct sets out the standards of behaviour expected of the Councillors of the City of Launceston, with respect to all aspects of their role. As leaders in the community, Councillors acknowledge the importance of high standards of behaviour in maintaining good governance. Good governance supports each Councillor's primary goal of acting in the best interests of the community. Councillors, therefore, agree to conduct themselves in accordance with the standards of behaviour set out in the Model Code of Conduct.

SCOPE:

This Code of Conduct applies to a Councillor whenever they:

- conduct Council business, whether at or outside a meeting;
- conduct the business of their office (which may be that of Mayor, Deputy Mayor or Councillor); and/or
- act as a representative of the Council.

A complaint of failure to comply with the provisions of the Code of Conduct may be made where a Councillor fails to meet the standard of conduct specified in the Model Code of Conduct.

PRINCIPLES:

By adopting the Model Code of Conduct, Councillors commit to the overarching principles of good governance by being:

- Accountable - explain, and be answerable for, the consequences of decisions made on behalf of the community.
- Transparent - ensure decision making processes can be clearly followed and understood by the community.
- Law-abiding - ensure decisions are consistent with relevant legislation or common law, and within the powers of local government.
- Responsive - represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.
- Equitable and inclusive - provide all groups with the opportunity to participate in the decision-making process and treat all groups equally.
- Participatory - ensure that anyone affected by or interested in a decision can participate in the process for making that decision.
- Effective and efficient - implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community.
- Consensus oriented - consider the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community and how it can be achieved.

ADDITIONAL INFORMATION:

Making a Code of Conduct Complaint

A person may make a Code of Conduct complaint against one Councillor in relation to the contravention by the Councillor of the Model Code of Conduct.

A person may make a complaint against more than one Councillor if the complaint relates to the same behaviour and the same Model Code of Conduct contravention.

Code of conduct complaints are lodged with the Chief Executive Officer, City of Launceston and must comply with legislative requirements, as outlined below.

A complaint may not be made by more than two complainants jointly.

A Code of Conduct complaint is to:

- be in writing;
- state the name and address of the complainant;
- state the name of each Councillor against whom the complaint is made;
- state the provisions of the relevant code of conduct that the Councillor has allegedly contravened;
- contain details of the behaviour of each Councillor that constitutes the alleged contravention;
- be lodged with the Chief Executive Officer within six months after the Councillor or Councillors against whom the complaint is made allegedly committed the contravention of the code of conduct;
- be accompanied by a statutory declaration, signed by the complainant or by each complainant, verifying the accuracy of the information contained in the complaint;
- contain details of all efforts made by the complainant to resolve the issue that is the subject of the complaint; and
- be accompanied by the Code of Conduct complaint lodgement fee.

Once satisfied that the Code of Conduct complaint meets prescribed requirements, the Chief Executive Officer will forward the complaint to the Code of Conduct Panel or to the Director of Local Government, as appropriate.

Code of Conduct Complaint Lodgement Fee

The Code of Conduct complaint lodgement fee is prescribed under Schedule 3 (Fees) of the *Local Government (General) Regulations 2015*. The lodgement fee is 50 fee units (\$85 effective 1 July 2022).

FURTHER ASSISTANCE:

Councillor Dispute Resolution

Councillors commit to developing strong and positive working relationships and working effectively together.

Prior to commencing a formal code of conduct complaint, Councillors who are party to any disagreement should endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to act in the best interests of the community.

A Councillor who is party to any disagreement should request the Mayor or the Chief Executive Officer to assist that Councillor in resolving the disagreement informally.

If informal assistance does not resolve the disagreement, the Chief Executive Officer may, with the consent of the parties involved, choose an external mediator to help resolve the disagreement. If an external mediator is appointed, Councillors who are party to the disagreement must strive to cooperate with the mediator and use their best endeavours to assist the mediator and participate in the mediation arranged.

Where a matter cannot be resolved through internal processes, the next step may be to lodge a formal Code of Conduct complaint.

Councillors should only invoke the provisions of the Code of Conduct in good faith, where it is perceived that another Councillor has not complied with the provisions or intent of the Code of Conduct.

Complaints Under the *Local Government Act 1993 (Tas) (the Act)*

Any person can make a complaint to the Director, via the Local Government Division (contact details below), in accordance with section 339E of the Act, where it is genuinely believed that a Council, Councillor or Chief Executive Officer may have committed an offence under the Act or failed to comply with the requirements of the Act.

To make a complaint, it is recommended that you first contact the Local Government Division to discuss whether the matter is something that the Division can assist with.

Public Interest Disclosure

Any instances of suspected corrupt conduct, maladministration and serious and substantial waste of public resources or substantial risk to public health or safety or to the environment should be reported in accordance with the *Public Interest Disclosures Act 2002 (Tas)*. Disclosures may be made to the Tasmanian Ombudsman or the Tasmanian Integrity Commission.

Key Contacts

Department of Premier and Cabinet's Local Government Division
Level 5, 15 Murray Street, HOBART TAS 7000
GPO Box 123, HOBART TAS 7001
Phone: (03) 6232 7022 Fax: (03) 6173 0257
Email: lgd@dpac.tas.gov.au
Web: www.dpac.tas.gov.au/divisions/local_government

Local Government Association of Tasmania
326 Macquarie Street, HOBART TAS 7000
GPO Box 1521, HOBART TAS 7001
Phone: (03) 6233 5966
Email: admin@lgat.tas.gov.au
Web: www.lgat.tas.gov.au

The Tasmanian Integrity Commission
Surrey House, Level 2, 199 Macquarie Street, HOBART TAS 7000
GPO Box 822, HOBART TAS 7001
Phone: 1300 720 289
Email: integritycommission@integrity.tas.gov.au
Web: www.integrity.tas.gov.au

Ombudsman Tasmania
NAB House, Level 6, 86 Collins Street, HOBART TAS 7000
GPO Box 960, HOBART TAS 7001
Phone: 1800 001 170
Email: ombudsman@ombudsman.tas.gov.au
Web: www.ombudsman.tas.gov.au

REPORT:

Section 28T of the *Local Government Act 1993* (Tas) requires Council to review its Code of Conduct within three months after an ordinary election.

The Code of Conduct that Council is being asked to consider at Recommendation 1. is the Model Code of Conduct prescribed by *Local Government (Model Code of Conduct) Order 2016*, which includes amendments made by the *Local Government (Model Code of Conduct) Amendment Order 2018*. Sections of the Model Code of Conduct that have been repealed are indicated by

The Council's current Code of Conduct for Councillors includes *Additional Information to Support the Model Code of Conduct*, listed here at Recommendation 2. This content comes from an early version of the Code of Conduct, based on a template provided by the Local Government Association of Tasmania that pre-dates any version of the legislated Model Code of Conduct. The Principles at Schedule 1 come from the Department of Premier and Cabinet's Good Governance Guide, which is available from *Good-Governance-Guide-4-August-2022.pdf* (dpac.tas.gov.au).

RISK IMPLICATIONS:

Not considered relevant to this report, as Council is legislatively required to review its code of conduct.

ECONOMIC, ENVIRONMENTAL AND 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 AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

15.2. Code of Conduct for Members of Special Committees

FILE NO: SF0977

AUTHOR: Leanne Purchase (Manager Governance)

ACTING GENERAL MANAGER APPROVAL: Nathan Williams (Organisational Services Network)

DECISION STATEMENT:

To consider the Code of Conduct for Members of Special Committees.

PREVIOUS COUNCIL CONSIDERATION:

Council - 22 November 2018 - Agenda Item 19.3 - Code of Conduct for Members of Special Committees (14-Plx-033)

RECOMMENDATION:

That Council approves the following Code of Conduct for Members of Special Committees (14-Plx-033):

Code of Conduct for Members of Special Committees

PURPOSE

A Special Committee is a committee established by Council under section 24 of the *Local Government Act 1993* (Tas). The purpose of a Special Committee is to consider any matter referred to it by Council, within the terms of reference applicable to that committee.

Council determines the membership of a Special Committee, drawing from Councillors and the community.

This Code of Conduct sets out the standards of behaviour expected of members in relation to:

- behaviour in special committee meetings; and
- the performance of work for or in connection with that committee.

SCOPE

This Code of Conduct applies to members of special committees who are not Councillors. Councillors who are members of a Special Committee are not subject to this Code of Conduct. Councillors are subject to the Code of Conduct for Councillors (14-Plx-032).

POLICY

1. A member of a Special Committee, through their participation in the committee and their interaction with other members, employees and the public on matters related to the committee:
 - (a) is to treat all persons with courtesy, fairness, dignity and respect; and
 - (b) is not to intentionally cause any person offence or embarrassment; and
 - (c) is not to bully or harass any person.
2. A member is to listen to, and respect, the views of other participants in committee meetings and any other proceedings of the committee and endeavour to ensure that issues, not personalities, are the focus of debate.
3. When giving information to the community, a member is to accurately represent the decisions of the committee.
4. A member is to clearly indicate when they are putting forward their personal views.
5. A member is to respect the authority of the chairperson in the oversight of the committee meetings.
6. A member is not to influence, or attempt to influence, any of the Council's employees or delegates of the Council, in the exercise of the functions of the employee or delegate.
7. A member is not to contact an employee of the Council in relation to committee matters unless authorised by the chairperson, who will in turn seek the approval of the Chief Executive Officer.
8. A member is not to knowingly misrepresent information that they have obtained in the course of their duties as a member of the committee.
9. A member is not to speak on behalf of the committee, unless specifically authorised or delegated by the chairperson.
10. A member's personal views are not to be expressed in such a way as to undermine the decisions of the committee or bring the committee into disrepute.
11. The personal conduct of a member is not to reflect, or have the potential to reflect, adversely on the reputation of the committee or the Council.

PRINCIPLES

Members are expected to commit to the following principles:

- *Equitable* - provide all members with the opportunity to participate in the decision-making process and treat all members equally.
- *Participatory and inclusive* - ensure that all committee members can participate in making that decision.
- *Effective and efficient* - implement decisions and follow processes that make the best use of the available people, resources, and time, to ensure the best possible results for the community.

- *Consensus oriented* - consider the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community and how it can be achieved.

CONTRAVENING THIS CODE OF CONDUCT

If the chairperson believes a member has contravened this Code of Conduct, they will, in the first instance, raise the matter in a meeting with the member, outlining:

1. the provision in this Code of Conduct that the member is alleged to have contravened; and
2. the details of the behaviour of the member that constitutes the alleged contravention.

There are four likely outcomes that will arise from the meeting and the process for the chairperson to follow for each of these is as follows:

1. If the member accepts that they have contravened the Code of Conduct and this contravention can be resolved without recommending removal from the committee, the chairperson may:
 - issue the member with a formal caution or reprimand; and/or
 - require the member to apologise to any person(s) affected by the contravention.
2. If the member refuses to accept that they have contravened the Code of Conduct and, in the opinion of the chairperson, this contravention may be resolved without recommending dismissal from the committee, the chairperson will seek advice from the Chief Executive Officer on how to proceed.
3. If the member accepts that they have contravened the Code of Conduct and this alleged contravention is such that it warrants removal from the committee, they will be provided the opportunity to resign from the committee.
4. If the alleged contravention is such that it warrants removal from the committee and the member:
 - accepts that they have contravened the Code of Conduct and does not resign from the committee; or
 - refuses to accept that the alleged contravention is such that it warrants removal from the committee.

the chairperson will write to the Chief Executive Officer including in the correspondence:

- the name of the member;
- the provision of the Code of Conduct that the member has allegedly contravened; and
- the details of the behaviour of the member that constitutes the alleged contravention.

Upon receiving the correspondence, the Chief Executive Officer will refer the matter to Council for decision.

RELATIONSHIP BETWEEN THIS POLICY AND A SPECIAL COMMITTEE'S TERMS OF REFERENCE OR CHARTER

If a provision in this Code of Conduct is inconsistent with a provision in any Special Committee's Terms of Reference or Charter, the provision in this Code of Conduct prevails.

RELATED POLICIES AND PROCEDURES

14-HLPr-012 Committee Representation Details
14-Plx-032 Code of Conduct for Councillors
22-PI-030 Code of Conduct Policy

RELATED LEGISLATION

Not applicable.

REFERENCES

Not applicable.

DEFINITIONS

Special Committee: a Special Committee is a committee convened under section 24 of the *Local Government Act 1993* (Tas).

Member: a representative with voting rights on a special committee covered by this Code of Conduct.

REVIEW

This Code of Conduct will be reviewed no more than four years after the date of approval to broadly align with the local government election cycle, or more frequently if required by operational demands and with Council's approval.

REPORT:

The Code of Conduct for Members of Special Committees (14-Plx-033) was last approved by Council on 11 November 2018.

The version of the Code of Conduct for Members of Special Committees (14-Plx-033) that Council is being asked to approve in this Agenda Item includes updated position titles and minor formatting changes. The overall content and intent is unchanged.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND 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 AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

15.3. 2022/2023 Budget - Budget Amendments

FILE NO: SF6817/SF7334

ACTING GENERAL MANAGER APPROVAL: Nathan Williams (Organisational Services Network)

DECISION STATEMENT:

For Council to:

1. consider changes to the Council's 2022/2023 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).

2. consider adjustments made during 1 December to 31 December 2022 by the Chief Executive Officer to the 2022/2023 Budget.

RELEVANT LEGISLATION:

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 2022/2023 Statutory Estimates:
 - (a) Revenue
 - i. the net increase in revenue from external grants and contributions of \$198,000.
 - (b) Expenses
 - i. the net increase in operations expenditure of \$258,000.
 - (c) Capital Works Expenditure
 - i. the decrease in the Council's funded expenditure of \$60,000.
 2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$16,229,816 (including capital grants of \$23,732,793) for 2022/2023.
 - (b) the capital budget being decreased to \$38,550,916 for 2022/2023.
 3. pursuant to section 82(7) of the *Local Government Act 1993* (Tas), receives the Chief Executive Officer's report on adjustments to the 2022/2023 budget for the period 1 December to 31 December 2022.
-

REPORT:

1. Budget Amendments

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.

| | Operations \$'000 | Capital \$'000 |
|--|------------------------------|---------------------------|
| Statutory Budget as 01/07/2022 | (4,931) | 16,737 |
| Adjustments Approved by Council to 30/11/2022 | 21,221 | 21,874 |
| Balance Previously Advised as at 30/11/2022 | 16,290 | 38,611 |
| Amendments | | |
| Additional Council Funds | 0 | 0 |
| Capital to Operations | (60) | (60) |
| Operations to Capital | 0 | 0 |
| Operations | (198) | 0 |
| External Funds | 198 | 0 |
| External Funds Not Received | 0 | 0 |
| Statutory Budget as at 31/12/2022 | 16,230 | 38,551 |
| Deduct Capital Grants and Contributions | (23,733) | |
| Underlying Operating Budget Surplus/(Deficit) | (7,503) | |

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 |
|-----------------------|--|--------------------------------|----------------------|--------------------|--------------------|
| CP24005 | Leachate Rising Main | \$1,100,000 | \$60,000 | \$0 | \$1,040,000 |
| OP25212 | OPM2023 <i>Russells Plains Farm Access</i> | \$0 | \$0 | \$60,000 | \$60,000 |
| | TOTALS | \$1,100,000 | \$60,000 | \$60,000 | \$1,100,000 |

The project scope of works:

Unauthorised access to *Russells Plains Farm* is continuing including parties of a night in an abandoned shed. This project will include the installation of a vandal proof gate, deterrents along the fence line either side of the gate, clearing of the burnt house and the abandoned shed. The budget for this work will come from the Leachate Rising Main Capital Project.

| Capital to Operations | Operations | Capital |
|--|-------------------|-----------------|
| OPM2023 <i>Russells Plains Farm Access</i> | \$60,000 | \$60,000 |
| TOTAL | \$60,000 | \$60,000 |

1(b) The following items have been affected by external funding changes and affect both the External Grants & Contributions and Operations budgets with a net zero affect to the underlying results:

| Project Number | Project Description | Current Approved Amount | Transfer From | Transfer To | New Budget |
|----------------------------|--|--------------------------------|----------------------|--------------------|-------------------|
| GL10.0.1440.10 00.12755 | Building Asset Management Grants Operations Major Federal Other | \$0 | \$243,000 | \$0 | (\$243,000) |
| OP25131 | OPM2023 Painting of CoL Community Buildings | \$0 | \$0 | \$160,000 | \$160,000 |
| OP23000 | OPMMULTI Asbestos Removal Program | \$20,000 | \$0 | \$83,000 | \$103,000 |
| | TOTALS | \$20,000 | \$243,000 | \$243,000 | \$20,000 |

The project scope of works:

City of Launceston has been notified of the Phase 3 Local Roads and Community Infrastructure Grant. This budget amendment is to allocate grant funding to the appropriate projects.

| Project Number | Project Description | Current Approved Amount | Transfer From | Transfer To | New Budget |
|----------------------------|--|--------------------------------|----------------------|--------------------|-------------------|
| GL10.0.6080.10 00.12756 | Roads Federal Grants - Operations | (\$120,000) | \$0 | \$45,000 | (\$75,000) |
| OP25192 | OPM2023 Invermay/Bedford Traffic Calming | \$45,000 | \$45,000 | \$0 | \$0 |
| | TOTALS | (\$75,000) | \$45,000 | \$45,000 | (\$75,000) |

The project scope of works:

Project 25192 Invermay/Bedford Traffic Calming will not meet the Local Roads and Community Infrastructure Grant funding requirements for project completion. This funding will not be claimed and the project will be managed within the current operational budget.

| External Funding | Operations | External Funds |
|---|-------------------|-----------------------|
| OPM2023 Painting of CoL Community Buildings | \$160,000 | (\$160,000) |
| OPMMULTI Asbestos Removal Program | \$83,000 | (\$83,000) |
| OPM2023 Invermay/Bedford Traffic Calming | (\$45,000) | \$45,000 |
| TOTAL | \$198,000 | (\$198,000) |

2. Chief Executive Officer's Report on Adjustments

Pursuant to section 82(6) of the *Local Government Act 1993* (Tas), Council has authorised the General Manager (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 and an explanation of the adjustment at the first Ordinary Meeting of the Council following the adjustment.

| Project Number | Project Description | Budget Before This Adjustment | Adjustment | Revised Budget | Type of Change |
|----------------|--|-------------------------------|-------------|------------------|----------------|
| CP24441 | QVMAG Phenomena Factory Redevelopment | \$800,000 | (\$250,000) | \$550,000 | Decrease |
| CP24454 | QVMAG Gallery LED Spot Lights 2022/2023 | \$51,537 | \$250,000 | \$301,537 | Increase |
| CP24320 | Princess Theatre CCTV and Recorder Upgrade | \$65,000 | (\$15,000) | \$50,000 | Decrease |
| CP24319 | Princess Theatre Neon Sign Replacement | \$15,000 | \$15,000 | \$30,000 | Increase |
| | TOTALS | \$931,537 | \$0 | \$931,537 | |

The following capital project adjustments have occurred in the period 1 December to 31 December 2022:

| Project Number | Project Description | Current Approved Amount | Transfer From | Transfer To | New Budget |
|----------------|--|-------------------------|------------------|------------------|------------------|
| CP24441 | QVMAG <i>Phenomena</i> Factory Redevelopment | \$800,000 | \$250,000 | \$0 | \$550,000 |
| CP24454 | QVMAG Gallery LED Spot Lights 2022/2023 | \$51,537 | \$0 | \$250,000 | \$301,537 |
| | TOTALS | \$851,537 | \$250,000 | \$250,000 | \$851,537 |

The project scope of works:

Work is currently underway to secure grant funding for most of the budget associated with the QVMAG *Phenomena* Factory Redevelopment. It is requested that the Council's budget funds are reallocated from the *Phenomena* Factory Refurbishment project to fund gallery lighting purchases. As the Museum works to attract more exhibitions to both the Inveresk and Royal Park sites, lighting has been identified as a key component to ensure the exhibition spaces are able to be used in a variety of different ways. Current lighting is becoming technically obsolete and not adaptable to the museum's future needs.

| Project Number | Project Description | Current Approved Amount | Transfer From | Transfer To | New Budget |
|----------------|--|-------------------------|-----------------|-----------------|-----------------|
| CP24320 | Princess Theatre CCTV and Recorder Upgrade | \$65,000 | \$15,000 | \$0 | \$50,000 |
| CP24319 | Princess Theatre Neon Sign Replacement | \$15,000 | \$0 | \$15,000 | \$30,000 |
| | TOTALS | \$80,000 | \$15,000 | \$15,000 | \$80,000 |

The project scope of works:

Quotes obtained for the neon sign exceed the current budget amount due to changing environment. Transfer of \$15,000 from the Princess Theatre CCTV and Recorder Upgrade project is required to enable this work to be completed.

ECONOMIC, ENVIRONMENTAL AND 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 AND FINANCIAL ASPECTS:

As per the report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

15.4. Amendment to Fees - Sections 205 and 207 - *Local Government Act 1993* (Tas) - Signature Events

FILE NO: SF2968

AUTHOR: Dan Ryan (General Manager Community and Place)

ACTING GENERAL MANAGER APPROVAL: Nathan Williams (Organisational Services Network)

DECISION STATEMENT:

To consider an amendment to the fees and charges set under sections 205 and 207 of the *Local Government Act 1993* (Tas) in relation to Signature Event Sponsorship.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION:

That Council approves an amendment to the adopted Fees and Charges for 2022-2023 pursuant to sections 205 and 207 of the *Local Government Act 1993* (Tas) by incorporating the new fee as shown below:

| <i>Item</i> | <i>2022-2023 Fee (ex GST)</i> |
|---|-----------------------------------|
| Fees associated with the hiring of City of Launceston owned buildings, venues, facilities and or spaces specifically related to the delivery of events that receive Signature Event Sponsorship | \$0.00 |

REPORT:

The City of Launceston's event sponsorship program provides the opportunity of funding support for events across multiple categories, including Small Events (up to \$5,000), Major Events (\$5,001 - \$20,000), Special Events, New Year's Eve Event and Signature Events.

For all categories, the funding limitations include the ability to receive funding from only one City of Launceston Sponsorship program per financial year and the ineligibility to receive funding support from any other City of Launceston funding program (eg. Community Grants).

Successful applicants who receive Event Sponsorship are still responsible for the payment of all costs involved with the event's delivery, including those associated with City of Launceston, such as permits, licenses and hire fees.

Approved Signature Events are intended to provide social and economic benefits and community connectedness to the municipality over the duration of the three-year program. This three-year program needs to provide event organisers with venue availability and cost certainty. To further support the successful provision of these events, it is proposed that the Council provide an instrument to support the removal of fees that are associated with the hiring of City of Launceston owned buildings, venues, facilities and or spaces. The removal of these fees would be specific to the Signature Event sponsorship category only.

Legislative Power to Establish Fees

Sections 205-207 of the *Local Government Act 1993* (Tas) set out the statutory basis by which Council may establish a fee for the use of any property or facility owned, controlled, managed or maintained by the Council. Section 205(3) provides that such a fee need not be fixed by reference to the actual cost to Council. Section 207 enables Council to remit all or part of a fee.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND 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 AND FINANCIAL IMPLICATIONS:

The total value of hire fees for City of Launceston owned venues for events delivered throughout the 2021/2022 Signature Events program was equivalent to \$15,576.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

16. CHIEF EXECUTIVE OFFICER NETWORK

16.1. 47-67 Lawrence Vale Road, South Launceston

FILE NO: SF1664

CHIEF EXECUTIVE OFFICER APPROVAL: Michael Stretton

DECISION STATEMENT:

To consider the disposal of a portion of public land located at 47-67 Lawrence Vale Road, South Launceston.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

Land Use Planning and Approvals Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 26 May 2022 - Disposals of Interests in Council Land

Workshop - 8 December 2022 - Disposal of a portion of public land located at 47-67 Lawrence Vale Road, South Launceston

RECOMMENDATION:

That Council:

1. notes the valuation advice marked Attachment 1 (ECM Doc Set ID 4613767) concerning the value of the public land comprising certificate of title volume 15631 folio 3.
2. decides, by absolute majority pursuant to section 178 of the *Local Government Act 1993* (Tas), to dispose of a portion of public land (Subject Land) comprising certificate of title volume 15631 folio 3 and totalling approximately 130.22m².
3. permits the Chief Executive Officer to do all things and exercise all functions and/or powers necessary to cause the Subject Land to be transferred to the owners of 43 Lawrence Vale Road, South Launceston by way of private treaty.
4. requests the Chief Executive Officer to determine the exact dimensions of the Subject Land to be transferred together with all other terms and conditions.

5. makes Recommendations 2. and 3. conditional upon the Purchasers:
 - (a) paying \$13,413.00 plus GST to the Council for the subject land referred to Recommendation 2.; and
 - (b) paying all associated costs.
6. 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).

REPORT:

Introduction

The current owners of 43 Lawrence Vale Road, South Launceston (the applicants) have approached the Council seeking to secure access over a section of public land situated at 47-67 Lawrence Vale Road, South Launceston. The applicants would like to construct a garage at the rear boundary of their property and seek to facilitate vehicular access to the location of that future garage.

The public land has been informally utilised by the applicants to access the rear of their property for some time, however, this does not constitute a lawful access to their property.

The applicants approached the Council initially seeking to purchase an easement over the Council's land, which was not supported, due largely to the impact that an encumbrance of this nature would have on any potential future use for the Council's land. The owner has subsequently sought to acquire land from the Council and complete a boundary adjustment to address their access needs.

Title Details

The land at 47-67 Lawrence Vale Road, South Launceston is comprised of a 130.22m² portion of land contained within Certificate of Title Volume 15631 folio 3 (529m²). The Council purchased that land on or about 1 September 1893. An extract from Diagram 15631 is shown below (Figure 1):

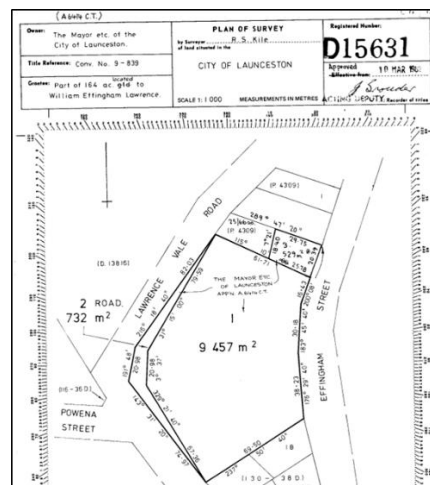


Figure 1. Title for Public Land

Public Land Background

The land at 47-67 Lawrence Vale Road, South Launceston is a large site which previously served as an old City reservoir. It featured a large in-ground water tank that was constructed in 1894. The facility was later decommissioned and left to become overgrown with vegetation. In the mid-1970s, the Launceston Apex Club and the Veteran Car Club of Australia (Northern Tasmania Section) pursued the development of the area into a Transport and Road Safety Centre in the reservoir whereby the water tank from the old reservoir was converted into a pushbike training and recreational facility. A historical photograph is shown below (Figure 2):



Figure 2. Historical Photograph of Transport and Safety Centre

Commonly known as the Road Safety Centre (RSC), the site has remained popular for children's parties and barbecues and is used by families and schools in Launceston. The RSC's surrounding grounds feature a range of mature introduced and native trees. The facility's features include the following:

- accessible playground;
- accessible toilet;
- barbeque;
- beginner's bike track;
- parking;
- picnic tables;
- play space; and
- shelter.

In August 2019, the RSC was closed due to damage to the existing concrete tank structure that the Centre is housed in. Remediation works are currently underway pursuant to Development Application 0130/2021, which includes retaining wall works, an external ramp providing access to inside the tank, new fences and gates, toilets, services and a reconfigured car park. Photographs of the current stage of the works is shown below (Figure 3):



Figure 3 - Photographs of the RSC works (September 2022)

Once complete, the RSC will continue to operate as it did prior to its closure in August 2019.

A lease currently exists at the site to the Veteran Car Club of Tasmania (Tas) Inc. The term of the current lease expires 1 November 2023. A diagram of the leased area and a photograph of the leased facility are shown below (Figure 4):



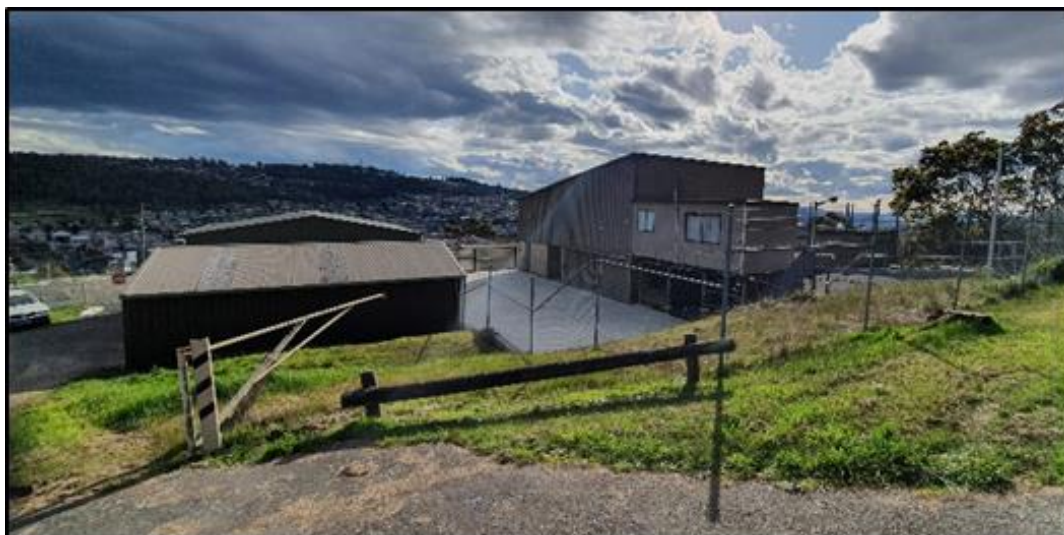


Figure 4 - Diagram and photograph showing leased area and building (September 2022)

Land Status

The RSC exists as public land pursuant to the Council's public land map. An extract of the public land map is provided below (Figure 5):

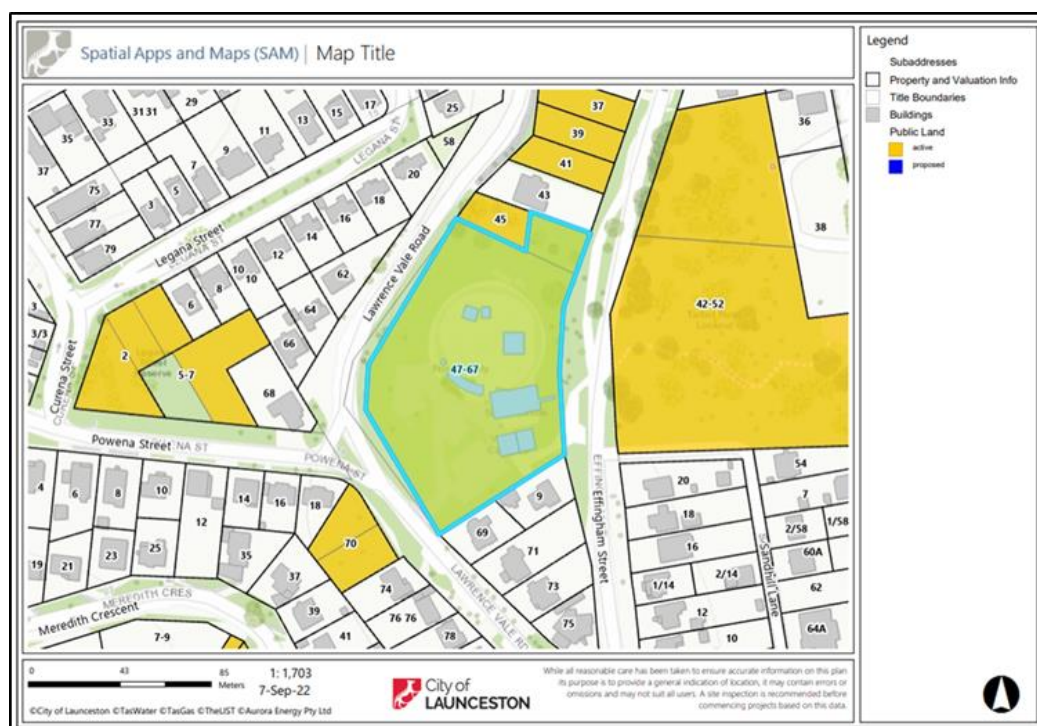
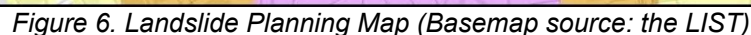


Figure 5. Council Public Land Map Extract (7 September 2022)

It is noted that the public land existed as such when the applicants purchased their property at 43 Lawrence Vale Road, South Launceston in 2012.

The Tasmanian Government's website, *theLIST*, provides landslide planning maps. An extract of the map is shown below (Figure 6):



- there are three recently active landslides shown (violet);
- there are existing houses and buildings in the recently active, low and medium hazard areas; and
- the site of the proposed access is in a recently active landslide area (marked with an x in Figure 6).

Works should be subject to a Landslide Risk Report that guides the form of the development and demonstrates how the development meets a tolerable level of risk.

Page 83

TasWater Infrastructure

Several TasWater stormwater pipes run inside the Council's owned land parallel to the side boundary as shown in Figures 7 and 8:

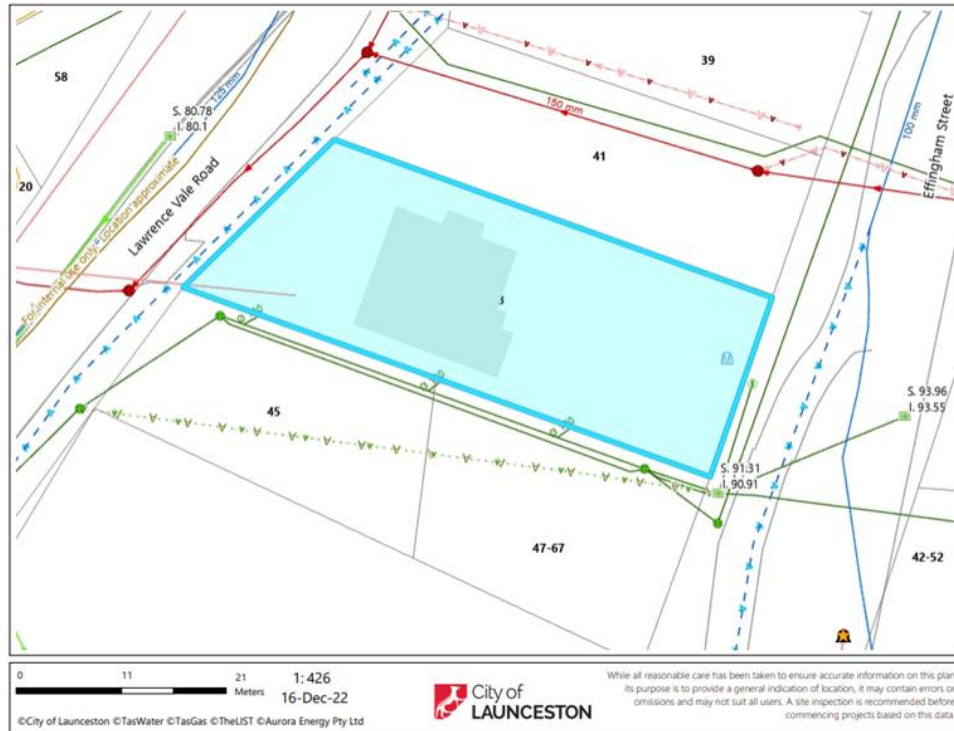


Figure 7: Infrastructure Map



Figure 8: Street view from Lawrence Vale Road showing s/w manhole

43 Lawrence Vale Road, South Launceston

The property at 43 Lawrence Vale Road, South Launceston currently has vehicular access to the front of the property facing Lawrence Vale Road. Photographs showing that access are shown below (Figures 9 and 10):



Figure 9. Photograph showing vehicle parking at front of 43 Lawrence Vale Road, South Launceston (September 2022)



Figure 10. Photograph showing vehicle parking at front of 43 Lawrence Vale Road, South Launceston (September 2022)

Details of Request to Purchase Public Land

A photograph (Figure 11) showing the corner of the public land at 47-67 Lawrence Vale, South Launceston (the subject site) over which an informal access arrangement has been established to the rear yard of the applicant's property is included below:



Figure 11. Photograph of Public Land with informal access highlighted (September 2022)

The Applicants have requested to purchase an area of 130.22m² of the public land as shown in Figure 12. The proposed boundary adjustment would involve the land within a 6m section of the subject site's Effingham Street frontage grading back to 3m at the site's rear boundary with 45 Lawrence Vale Road. The lot configuration would still facilitate a frontage to Effingham Street for 47-67 Lawrence Vale Road which would not unreasonably impede its future development if it is ever desired by the Council. The property at 45 Lawrence Vale Road would not be impacted.

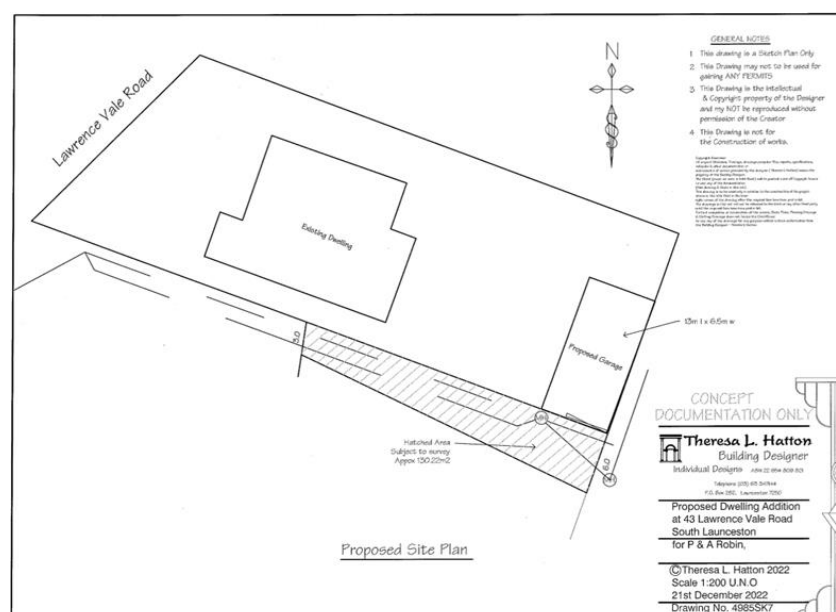


Figure 12 - Requested Purchase Area (Subject Land shown in hatch)

Valuation Advice

The Council's valuation advice (Attachment 1) for this area of land is \$515 per square metre for the free hold title.

However, the land has several stormwater pipes which run in parallel with the boundary and it would, therefore, be necessary to require that a TasWater easement be established over the strip of land.

In this case, the Council would be selling the land free hold burdened by an easement.

The fact that an easement would be required has not been considered in the valuation obtained by the Council, however, the granting an easement is normally calculated at the free hold value less 70%.

Additionally, given the subject site's zoning as Open Space and the fact that the land is located within an area of know landslip, its available future use is severely limited and therefore, it is recommended that the value of the land be calculated at the free hold value less 80%.

Accordingly, the recommended value for the land is:

$$\begin{aligned} \$515/\text{m}^2 \times 130.22\text{m}^2 &= \$67,063 \\ 80\% \text{ of } \$67,063 &= \$53,650 \\ \$67,063 - \$53,650 &= \$13,413 \end{aligned}$$

Therefore, the value of the Subject Land is \$13,413.

Lawrence Vale Landslip Act 1961

Consideration has been given to the applicability of the *Lawrence Vale Landslip Act 1961* (Landslip Act) to the Subject Land. Section 3 of the Landslip Act provides two methods by which land may become subject to the Landslip Act, namely, by inclusion in a Schedule to the Landslip Act (of which the subject site is not listed), or by the proclamation of the Governor.

The Council's Officers have performed an exhaustive search of the Governor's proclamations made pursuant to the Landslip Act. To date there have been 23 proclamations. Only one of those proclamations appears relevant to the subject site, that being the proclamation known as *Jones (1964/125)*. That proclamation relates to historical survey plan 25/66, a copy of which is shown below in Figure 13:

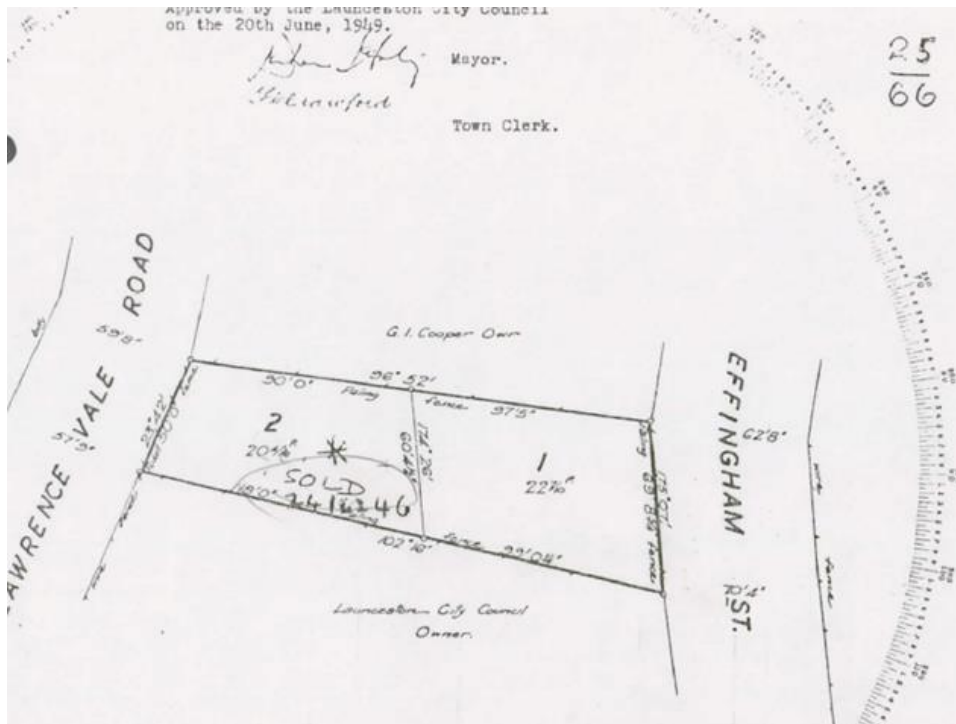


Figure 13

That proclamation only included Lot 2 on the plan shown in Figure 13, otherwise known as 45 Lawrence Vale Road, as land to which the Landslip Act applies. That proclamation did not include the area referred to as Lot 1 on that plan, otherwise known as 47-67 Lawrence Vale Road. As a result, it is reasonable to conclude that the Subject Land is not land to which the Landslip Act applies.

Adjustment of a Boundary

Selling land as proposed would be conditional on a development application being approved to transfer the land from the Council's ownership and consolidate it with the adjoining land in private ownership. The application would be subject to a discretionary assessment under the planning scheme, on the basis that the lot boundary aligns with a zone boundary and not meeting Acceptable Solutions per clause 29.5.1 Lot design (Open Space Zone - 29.5 Development Standards for Subdivision).

The land transferred will require an easement to facilitate access to the drainage infrastructure in line with TasWater specifications. This would be of varying width and may be up to 4.5m wide at the road frontage, tapering back to 3m at the western boundary.

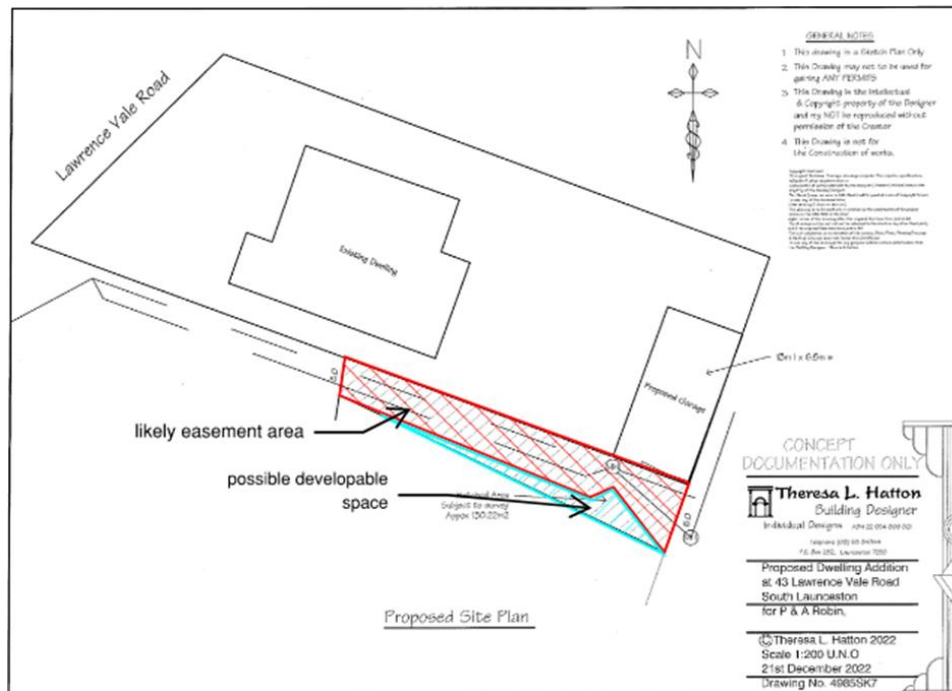


Figure 14

Consideration of access would also form part of the assessment and an application for new crossover(s) will also need to be submitted infrastructure team and denoted on revised site plans.

Conclusion

The Council intends that the predominant use of the public land at 47-67 Lawrence Vale Road, South Launceston will remain as a Transport and Road Safety Centre for the foreseeable future. The proposal to dispose of a 130.22m² portion of the site along its northern boundary will not impact this use and would not unreasonably prevent any future re-development of the site should it be deemed desirable by the Council.

Accordingly, it is recommended that Council agree to the request to dispose of the public land, with all costs, including those costs associated with the subdivision, to be borne by the applicant.

RISK IMPLICATIONS:

Outlined within the report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014 - 2024

Strategic Priority 7: We are a City planning for our future by ensuring our approach to strategic land-use, development and infrastructure is coordinated, progressive and sustainable.

10-Year Goal: To facilitate appropriate development via integrated land-use planning, infrastructure investment and transport solutions within our municipality and region.

Focus Areas:

1. To ensure that our application of the land-use planning system at a local and regional level is effective and efficient.
2. To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.
3. To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.
4. To ensure our suite of strategic planning initiatives are coordinated and representative of our community's needs and aspirations.

BUDGET AND FINANCIAL IMPLICATIONS:

Outlined within the report.

DISCLOSURE OF INTERESTS:

The Author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

Nil

17. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

17.1 Confirmation of the Minutes

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

17.2 11 Centre Way, Launceston

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

- (b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business.

17.3 End of Closed Session

To be determined in Closed Council.

18. MEETING CLOSURE

19. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on
9 February 2023 at the Council Chambers, Town Hall, 18-28 St John Street,
Launceston.