



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
WEDNESDAY 25 JANUARY 2023  
1.00PM**

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

Date: 25 January 2023

Time: 1.00pm

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### **Certificate of Qualified Advice**

#### **Background**

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

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

#### **Certification**

I certify that:

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



**Michael Stretton**  
**Chief Executive Officer**

### **AUDIO of COUNCIL MEETINGS**

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

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

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

### **PUBLIC ATTENDANCE AT THE COUNCIL MEETING**

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

### **PUBLIC QUESTION TIME - AGENDA ITEM 8**

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

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

## **PUBLIC COMMENT ON AGENDA ITEMS**

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

## **LEGISLATIVE TERMINOLOGY - GENERAL MANAGER**

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

***Present:***

Councillor D C Gibson (Mayor)  
Councillor M K Garwood (Deputy Mayor)  
Councillor D H McKenzie  
Councillor A E Dawkins  
Councillor A G Harris  
Councillor T G Walker  
Councillor Dr G Razay  
Councillor J J Pentridge  
Councillor A J Palmer  
Councillor L M McMahon  
Councillor S Cai  
Councillor A J Britton

***In Attendance:***

Michael Stretton (Chief Executive Officer)  
Dan Ryan (General Manager Community and Place Network)  
Nathan Williams (Acting General Manager Organisational Services Network)  
Leigh Handley (Acting General Manager Infrastructure and Assets Network)  
Paul Gimpl (Chief Financial Officer)  
Richard Jamieson (Manager City Development) (Agenda Item 9.1)  
Duncan Payton (Town Planner) (Agenda Item 9.1)  
Duncan Campbell (Acting Manager Governance) (Agenda Items 15.1 and 15.2)  
Stephanie Berns (Grants and Sponsorship Officer) (Agenda Item 14.2)  
Simon Tennant (Team Leader Communications)  
Kelsey Hartland (Team Leader Governance)  
Anthea Rooney (Council and Committees Officer)

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

The Mayor, Councillor D C Gibson, opened the Meeting at 1.00pm.

In recognition of our journeying together, the Mayor, Councillor D C Gibson, invited Tasmanian Aboriginal Elder, Aunty Sharon Holbrook, to provide a Welcome to Country.

Aboriginal elder, Aunty Sharon Holbrook, delivered a Welcome to Country.

The Mayor, Councillor D C Gibson, provided an Acknowledgement of Country: In the spirit of reconciliation, we the people of Launceston, recognise that Launceston is situated on country of which the Tasmanian Aboriginal people have been owners for many thousands of years and on which they have performed age-old ceremonies of celebration, initiation and renewal. We acknowledge the Aboriginal Community of today, the living culture and the unique role in the life of this region and offer our deep appreciation of their ongoing contribution to the community.

**2. MAYORAL ACKNOWLEDGEMENTS**

The Mayor, Councillor D C Gibson, thanked those staff who worked and provided community services over the festive season.

**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).*

Councillor A E Dawkins declared an interest in Agenda Item 14.2(3) - Events Sponsorship Program 2023/2024 - 2025-/2026 Invitation List (*RSPCA Million Paws Walk*).

Councillor A J Palmer declared an interest in Agenda Item 14.2(1) - Events Sponsorship Program 2023/2024 - 2025-/2026 Invitation List (*DanceSport Tasmania Open DanceSport Championships*).

Councillor A G Harris declared an interest in Agenda Item 14.2(2) - Events Sponsorship Program 2023/2024 - 2025-/2026 Invitation List (*Rotary Club of Central Launceston Tamar Valley Cycle Challenge*).

**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.

**DECISION: 25 January 2023**

**MOTION**

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

**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.**

**CARRIED 12:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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**

**AGAINST VOTE: Nil**

**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)

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

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**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.*

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**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

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**DECISION: 25 January 2023**

**MOTION**

**Moved Councillor D H McKenzie, seconded Councillor A E Dawkins.**

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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

**AGAINST VOTE:** Nil

**6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS**

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

**No Councillors' Leave of Absence Applications were identified as part of these Minutes.**

**7. COMMUNITY REPORTS**

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

**Jan provided Council with information on the National Book Council Tasmania and explained 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, however, a wide variety of topics are covered in the sessions from a varied author base. The community are welcome to join the organisation.**

**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

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**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 21<sup>st</sup>C 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.*

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**8.2. Public Questions Without Notice**

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

**8.2.1. Public Questions Without Notice - Ron Baines - Birchalls Building, Charles Street Bridge and Disability Parking**

- 1. How does the Council intend to market the real estate they own known locally as Birchalls - will it be by public auction, tender or a recognised real estate firm?**

The Mayor, Councillor D C Gibson, responded by saying that there is an Expression of Interest process currently being undertaken. It will conclude in the coming weeks at which point Council will determine a way forward with regard to the actions required. The determination will then be released to the public and will outline intentions regarding the site.

- 2. Is there any movement on providing a right hand turn arrow from Lindsay Street onto the Charles Street Bridge?**

The Mayor, Councillor D C Gibson, stated that the answer to the question is no, however, Councillors have heard the question and will consider as appropriate and when necessary.

- 3. Has the Council discussed the possibility of supplying Launceston with more disability parking spaces?**

The Mayor, Councillor D C Gibson, responded by saying that when Council endorsed the *Transport Strategy 2020-2024*, it was determined at that time there was a suitable number of access parking spots made available. This does not mean that the Council will not continue to engage and listen when members of the public bring forward particular needs, or identify omissions regarding access parking spots. This issue will be noted and considered in future works programs.



**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, South 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)

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**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.

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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) <<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.*

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**Gary O'Keefe spoke for the Recommendation**  
**Jerome Muir-Wilson spoke for the Recommendation**  
**Sam Tucker spoke for the Recommendation**

**Prior to debate on the Agenda Item, Dan Ryan (General Manager Community and Place Network), clarified changes clarified changes to the wording of the published Recommendation (Conditions 7 and 11), initiated by the Council's officers.**

**DECISION: 25 January 2023**

**MOTION**

**Moved Councillor D H McKenzie, seconded Councillor A J Palmer.**

**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 use, 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. AVAILABLE PARKING SIGNAGE**

Prior to the commencement of the use of the building approved by this Permit, parking sensors must be installed and the number of available car parks displayed at the Cleveland Street Car Park entrances, excluding the Ground Floor Car Park.

## **12. 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.

## **13. 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.

## **14. 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.

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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.

#### **16. 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):

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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.

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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
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  - i. construction of a new vehicle crossing in Cleveland Street and the removal of all redundant crossing within the street.
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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.

## **20. 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.

**21. 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.

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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.

**24. 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.

**25. 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.*

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**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.*

**CARRIED 12:0**

FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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  
AGAINST VOTE: Nil

The Mayor, Councillor D C Gibson, announced that Council no longer sits as a Planning Authority.

## **10. ANNOUNCEMENTS BY THE MAYOR**

### **10.1. Mayor's Announcements**

**FILE NO:** SF2375

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#### **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 12<sup>th</sup> 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).*

**11.1 Councillor A E Dawkins**

- **Attended an on-line forum hosted by Zero Waste Events and Visit Northern Tasmania** which dealt with composting and the use of plastics and future reusables
- **Congratulated the City of Launceston introducing sanitary products in women's bathrooms**

**11.2 Councillor A G Harris**

- **Attended *Big Bash* Cricket at UTAS Stadium**
- **Attended a community meeting at Kings Meadows with TasPolice and community members dealing with local crime in the area**
- **Attended the launch of the third round of the Great Regional City Challenge**

**11.3 Deputy Mayor, Councillor M K Garwood**

- **Attended the Lilydale Pool renovation celebration activities**

**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

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**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.*

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**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

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**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.*

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**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

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**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](http://ccc.tas.gov.au)).*

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**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).*

**12.2.1. Councillor T G Walker - *Building Better Regions Fund* Grant**

- 1. Now that a final decision has been made by the Federal Government to cancel the *Building Better Regions Fund* Grant, will the details of the Deed of Agreement that the Council had with the proponent be made public?**

The Mayor, Councillor D C Gibson, responded that this question would be Taken on Notice and a response provided in the Council Agenda of 9 February 2023.



**13. COMMITTEE REPORTS**

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

**FILE NO:** SF7429

**AUTHOR:** Cathy Williams (Built Environment Officer)

**ACTING GENERAL MANAGER APPROVAL:** Leigh Handley (Infrastructure and Assets Network)

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**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.

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**DECISION:** 25 January 2023

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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  
**AGAINST VOTE:** Nil

**13.2. Access Advisory Committee - 7 December 2022**

**FILE NO:** SF0025

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

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**DECISION STATEMENT:**

To receive a report from the Access Advisory Committee Meeting held on 7 December 2022.

**RECOMMENDATION:**

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

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**DECISION:** 25 January 2023

**MOTION**

Moved Councillor A E Dawkins, seconded Councillor D H McKenzie.

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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  
**AGAINST VOTE:** 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)

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**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.

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**DECISION:** 25 January 2023

**MOTION**

**Moved Councillor T G Walker, seconded Councillor A J Britton.**

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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

**AGAINST VOTE:** 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)

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**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.
- 

**DECISION: 25 January 2023**

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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  
**AGAINST VOTE:** 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)

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**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.

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**DECISION:** 25 January 2023

**MOTION**

Moved Councillor A J Britton, seconded Councillor A J Palmer.

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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

**AGAINST VOTE:** 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)

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#### **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 we are 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
- 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](http://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

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**DECISION: 25 January 2023**

**MOTION**

**Moved Councillor T G Walker, seconded Councillor Dr G Razay.**

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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

**AGAINST VOTE:** Nil

## 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***

<b>Organisation</b>	<b>Event</b>
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***

<b>Organisation</b>	<b>Event</b>
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>

Organisation	Event
Tasmanian Poetry Festival Inc.	<i>Tasmanian Poetry Festival</i>
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>

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Councillor A E Dawkins, Councillor A J Palmer and Councillor A G Harris withdrew from the Meeting at 2.40pm

**DECISION:** 25 January 2023

**MOTION**

Moved Councillor T G Walker, seconded Councillor L M McMahon.

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

**CARRIED 9:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor T G Walker, Councillor Dr G Razay, Councillor J J Pentridge, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton  
**AGAINST VOTE:** Nil

**ABSENT DUE to CONFLICT of INTEREST:** Councillor A E Dawkins, Councillor A G Harris and Councillor A J Palmer

Councillor A E Dawkins, Councillor A J Palmer and Councillor A G Harris re-attended the Meeting at 2.44pm

## **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)

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#### **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](mailto:lgd@dpac.tas.gov.au)  
Web: [www.dpac.tas.gov.au/divisions/local\\_government](http://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](mailto:admin@lgat.tas.gov.au)  
Web: [www.lgat.tas.gov.au](http://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](mailto:integritycommission@integrity.tas.gov.au)  
Web: [www.integrity.tas.gov.au](http://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](mailto:ombudsman@ombudsman.tas.gov.au)  
Web: [www.ombudsman.tas.gov.au](http://www.ombudsman.tas.gov.au)

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**Councillor A J Britton withdrew from the Meeting at 2.50pm**  
**Councillor A J Britton re-attended the Meeting at 2.53pm**

**DECISION: 25 January 2023**

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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**  
**AGAINST VOTE: 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)

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### **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.

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**DECISION: 25 January 2023**

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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  
**AGAINST VOTE:** Nil

**15.3. 2022/2023 Budget - Budget Amendments**

**FILE NO:** SF6817/SF7334

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

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**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.
-

**DECISION: 25 January 2023**

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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**  
**AGAINST VOTE: 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)

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**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

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**DECISION: 25 January 2023**

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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

**AGAINST VOTE:** Nil

**16. CHIEF EXECUTIVE OFFICER NETWORK**

**16.1. 47-67 Lawrence Vale Road, South Launceston**

**FILE NO:** SF1664

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**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 130.22m<sup>2</sup>.
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).
- 

**Theresa Hatton (on behalf of owners) spoke for the Recommendation  
Paul Robin spoke for the Recommendation**

**DECISION: 25 January 2023**

**MOTION**

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

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

**CARRIED BY ABSOLUTE MAJORITY 12:0**

**FOR VOTE: Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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  
AGAINST VOTE: 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.*

**DECISION: 25 January 2023**

**MOTION**

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

That Council moves into Closed Session.

**CARRIED BY ABSOLUTE MAJORITY 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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

**AGAINST VOTE:** Nil

**Council moved into Closed Session at 3.11pm**

**Council returned to Open Session at 3.29pm**

**17.3 End of Closed Session**

**RECOMMENDATION:**

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

Agenda Item	Matter	Brief Description
17.1	<i>Closed Council Minutes - 1 December 2022</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 1 December 2022.</i>
17.2	<i>Lease - 11 Centre Way, Launceston</i>	<i>Councillors endorsed the recommendation to amend lease details for 11 Centre Way, Launceston.</i>

**DECISION: 25 January 2023**

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor D C Gibson, Deputy Mayor Councillor M K Garwood, Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, 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  
**AGAINST VOTE:** Nil

**18. MEETING CLOSURE**

The Mayor, Councillor D C Gibson, closed the Meeting at 3.29pm.

**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.