



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 30 NOVEMBER 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: 30 November 2023

Time: 1.00pm

---

### Certificate of Qualified Advice

#### Background

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

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

#### Certification

I certify that:

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



**Shane Eberhardt**  
Acting 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:***

**Mayor Councillor M K Garwood**  
**Deputy Mayor Councillor D H McKenzie**  
**Councillor D C Gibson**  
**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:***

**Shane Eberhardt (Acting Chief Executive Officer)**  
**Louise Foster (General Manager Organisational Services Network)**  
**Michelle Ogulin (Acting General Manager Community and Place Network)**  
**Kathryn Pugh (Acting General Manager Infrastructure and Assets Network)**  
**Nathan Williams (Chief Financial Officer)**  
**Michael Attard (Acting Manager Parks and Sustainability) (Agenda Item 14.1)**  
**Emma van Lint (Urban Forester) (Agenda Item 14.1)**  
**Samuel Kelty (Manager Finance) (Agenda Item 15.2)**  
**Phillipa Lees (Manager Community Relations)**  
**Duncan Payton (Town Planner) (Agenda Item 9.1)**  
**Richard Jamieson (Manager City Development) (Agenda Item 9.1)**  
**Luke Scott (Acting Team Leader Communications)**  
**Kelsey Hartland (Risk Officer)**  
**Esther Counsel (Acting Team Leader Governance)**  
**Anthea Rooney (Council and Committees Officer)**

---

**ORDER OF BUSINESS**

<b>1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES.....</b>	<b>9</b>
<b>2. MAYORAL ACKNOWLEDGEMENTS .....</b>	<b>9</b>
<b>3. DECLARATIONS OF INTEREST .....</b>	<b>9</b>
<b>4. CONFIRMATION OF MINUTES.....</b>	<b>9</b>
<b>5. COUNCIL WORKSHOPS .....</b>	<b>10</b>
<b>5.1. Council Workshop Report - 16 and 23 November 2023.....</b>	<b>10</b>
<b>6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS .....</b>	<b>13</b>
<b>7. COMMUNITY REPORTS .....</b>	<b>13</b>
<b>7.1. Community Report - Kim Schneiders (Creative Director) and         Edwina Blush (Artist and Board Member) - Interweave Arts Association ....</b>	<b>14</b>
<b>8. PUBLIC QUESTION TIME .....</b>	<b>15</b>
<b>8.1. Public Questions on Notice.....</b>	<b>15</b>
<b>8.1.1. Public Questions on Notice - Ray Norman - Committee Review and                 Waste Management Centre .....</b>	<b>15</b>
<b>8.1.2. Public Question on Notice - Carol Fuller - Unsuccessful                 Community Grant Bid - Zonta/WR Prevention of Violence                 Towards Women Metro Bus Campaign .....</b>	<b>18</b>
<b>8.1.3. Public Questions on Notice - Reon Johns - Councillors'                 Pecuniary Interest Listing .....</b>	<b>20</b>
<b>8.2. Public Questions Without Notice.....</b>	<b>21</b>
<b>8.2.1. Public Questions Without Notice - Kirsten Ritchie                 (Strike It Out Inc.) - Portable Toilet at Brickfields .....</b>	<b>21</b>
<b>8.2.2. Public Questions Without Notice - Ian Goninon - Homelessness                 in Launceston.....</b>	<b>22</b>
<b>8.2.3. Public Questions Without Notice - Robin Smith - Brisbane                 Street Mall Issues.....</b>	<b>23</b>
<b>8.2.4. Public Questions Without Notice - Rocelyn Ives - Defibrillators                 at the Cataract Gorge .....</b>	<b>24</b>

---

<b>9. PLANNING AUTHORITY .....</b>	<b>25</b>
<b>9.1. Retrospective DA0182/2022 - 83-93 Lilydale Road, Rocherlea - Storage -         Change of Use to Contractor's Depot to Store Vehicles and Excess         Materials and Carparking .....</b>	<b>25</b>
<b>10. ANNOUNCEMENTS BY THE MAYOR.....</b>	<b>32</b>
<b>10.1. Mayor's Announcements.....</b>	<b>32</b>
<b>11. COUNCILLORS' REPORTS .....</b>	<b>34</b>
<b>12. QUESTIONS BY COUNCILLORS .....</b>	<b>35</b>
<b>12.1. Councillors' Questions on Notice.....</b>	<b>35</b>
<b>12.1.1. Councillors' Questions on Notice - Councillor D C Gibson -                 Pump Track .....</b>	<b>36</b>
<b>12.1.2. Councillor Questions on Notice - Councillor L M McMahon -                 Volunteer Parking Permit - Horticultural Society.....</b>	<b>37</b>
<b>12.2. Councillors' Questions Without Notice.....</b>	<b>38</b>
<b>13. COMMITTEE REPORTS.....</b>	<b>39</b>
<b>13.1. Cataract Gorge Reserve Advisory Committee Meeting - 14 August 2023 ....</b>	<b>39</b>
<b>13.2. Audit Panel Meeting - 31 October 2023 .....</b>	<b>40</b>
<b>13.3. Cultural Advisory Committee Meeting - 5 October 2023 .....</b>	<b>41</b>
<b>14. INFRASTRUCTURE AND ASSETS NETWORK.....</b>	<b>42</b>
<b>14.1. Urban Greening Strategy.....</b>	<b>42</b>
<b>14.2. Cataract Gorge Walkway .....</b>	<b>44</b>
<b>14.3. Request to Waive Road Occupation Fee - Max Jago - SunSmart         Light Show - Alanvale Road, Newnham .....</b>	<b>45</b>
<b>15. ORGANISATIONAL SERVICES NETWORK .....</b>	<b>47</b>
<b>15.1. Tasmania Fire and Emergency Services Bill - City of Launceston         Feedback Submission .....</b>	<b>47</b>
<b>15.2. Financial Report to Council to 30 September 2023.....</b>	<b>49</b>

**16. MEETING CLOSURE.....50**

**17. NEXT COUNCIL MEETING DATE.....50**



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

The Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm

**2. MAYORAL ACKNOWLEDGEMENTS**

There were no Mayoral Acknowledgements for this Meeting

**3. DECLARATIONS OF INTEREST**

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

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

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

**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 16 November 2023 be confirmed as a true and correct record.

**DECISION: 30 November 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 M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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 - 16 and 23 November 2023**

**FILE NO:** SF4401

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

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

---

**DECISION STATEMENT:**

To consider Council Workshops conducted since the last Council Meeting.

**RELEVANT LEGISLATION:**

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

**RECOMMENDATION:**

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

1. pre-Council Workshop conducted on 16 November 2023:

**YMCA Presentation**

*Councillors were provided with an update on the review of the potential future use of the old YMCA site at 8A Blaydon Street, Kings Meadows.*

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

*Absent:* Councillor T G Walker

2. Workshop conducted on 23 November 2023:

**Draft Annual Plan 2024/2025**

*Councillors workshopped actions for the draft 2024/2025 Annual Plan.*

**Expression of Interest Process - 56 Frederick Street, Launceston**

*Councillors discussed the Expressions of Interest received in relation to the future use of 56 Frederick Street, Launceston.*

**Road Occupation Fee**

*Councillors discussed the development of a road occupation fee policy.*

---

**Northern Gateway Project**

*Councillors were provided with information on projects to improve Launceston's gateways.*

**Northern Tasmanian Cricket Association Site Visit**

*Councillors toured the Northern Tasmanian Cricket Association facilities.*

**Carr Villa Site Visit**

*Councillors toured facilities at Carr Villa.*

*In Attendance:* Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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  
*Apologies:* Mayor Councillor M K Garwood

---

**DECISION: 30 November 2023**

**MOTION**

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

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

1. pre-Council Workshop conducted on 16 November 2023:

**YMCA Presentation**

*Councillors were provided with an update on the review of the potential future use of the old YMCA site at 8A Blaydon Street, Kings Meadows.*

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

2. Workshop conducted on 23 November 2023:

**Draft Annual Plan 2024/2025**

*Councillors workshopped actions for the draft 2024/2025 Annual Plan.*

**Expression of Interest Process - 56 Frederick Street, Launceston**

*Councillors discussed the Expressions of Interest received in relation to the future use of 56 Frederick Street, Launceston.*

**Road Occupation Fee**

*Councillors discussed the development of a road occupation fee policy.*

**Northern Gateway Project**

*Councillors were provided with information on projects to improve Launceston's gateways.*

**Northern Tasmanian Cricket Association Site Visit**

*Councillors toured the Northern Tasmanian Cricket Association facilities.*

*In Attendance:* Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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

*Apologies:* Mayor Councillor M K Garwood

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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**

**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 - Kim Schneiders (Creative Director) and Edwina Blush (Artist and Board Member) - Interweave Arts Association**

**FILE NO:** SF6368

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

---

**SUMMARY OF PRESENTATION**

Kim and Edwina provided information to Council on who and what the Interweave Arts Association is and also their creative input into the Inveresk Cultural Precinct.

**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 - Committee Review and Waste Management Centre**

**FILE NO:** SF6381

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**ACTING CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

---

**QUESTIONS AND RESPONSES:**

The following questions [included as received], submitted to the Council in writing on 8 November 2023 by Ray Norman have been answered by Michelle Ogulin (Acting General Manager Community and Place Network), Louise Foster (General Manager Organisational Services Network) and Kathryn Pugh (Acting General Manager Infrastructure and Assets Network).

**Questions:**

1. Will Council that is the elected representatives proactively initiate a review of the Council's advisory committee strategy and immediately revise protocols in acknowledgement of the dysfunctionality and the disconnects built into advisory committee protocols do so on the grounds of nonperformance and as a consequence immediately disband the so-called Homeless Action Committee along with others over time and put in place a standalone independent expert housing advisory forum that tasks the proposed haf to provide citizens and ratepayers with a permanent voice in the process of decision making relative to 21<sup>st</sup>C housing opportunities in the municipality?

**Response:**

*The City of Launceston disagrees with the suggestion that its Advisory Committees are dysfunctional and believes that they play an important role in providing the Council with alternative perspectives, access to expertise, advice and/or the insight that comes from lived experience as well as increased access to community sentiment in order to support the decision making process. There are currently no plans to disband the Homelessness Advisory Committee.*

*However, a rolling review of the Council's Committees will be conducted throughout 2024 as part of a continuous improvement approach. Outcomes of the rolling review program will be considered formally as required.*

2. Will Council's elected representatives proactively initiate a review of the Council's advisory committee strategy and revise its planning protocols given the State Government flagged changes to the State's planning regulations and put in place housing initiatives like those being implemented by local governance elsewhere and do so in ways relevant to the growing disquiet within the community of place makers and planners and do so being mindful of community voicelessness in civic place making and planning matters and taking account of underlying mediocrity invested the Mcburbian development syndrome that effectively delivers a class of cultural landscaping that pays no attention to the cultural realities and the places geography and then put in place an expert housing action and advisory council with ostbelgien in mind?

**Response:**

*See response provided in Question 1.*

3. Will Council that is the elected representatives proactively initiate a performance review of the Council's waste management centre as a Council cost centre with an aim to restructuring the operation towards corporatising it as a standalone community enterprise or as a community owned cooperative that pays returns dividends to its community ownership as either a social dividend or a direct fiscal dividend commensurate with their fiscal and social investments in the operation over time and tied to property ownership?

**Response:**

*The resale shop and recycling centre is operated by a not for profit, Launceston City Mission (LCM). The primary objective in operating the resale shop and recycling centre is to maximise the diversion of materials from landfill through retail, recycling and value adding activities. The secondary objective is for the operator to train and employ people from disadvantaged backgrounds, or those who are long term unemployed or unskilled, at the resale shop to achieve social benefits. This arrangement provides services to operate the recycling centre, resale shop and recover resources from the walking floor at the Launceston Waste Centre (LWC).*

*LCM completed year two of their five year contract to operate the recycling centre and resale shop facilities. Recovery volumes have remained consistent or slightly decreased in comparison to the previous year. Statistics for 2022/2023 are as follows:*

- Over 51,000 vehicles visited the Recycling Centre, 5,000 more visitations than last year.*
- 1,635 tonnes of cardboard, comingled, tyres, e-waste, batteries, paint, soft plastics and metals were recycled, which is slightly more than 2021/2022 volumes.*
- 12 tonnes of polystyrene were recycled which is equivalent to 2,160m<sup>3</sup> being diverted from landfill.*
- 4,353 mattresses were stripped and the inner springs recycled. This is approximately 6,800m<sup>3</sup> of waste diverted from landfill.*
- Walking floor resource recovery diverted an additional 195 tonnes (3,050m<sup>3</sup>) from landfill for the 2022/2023 reporting year.*



- *Over 4,700m<sup>3</sup> was diverted from landfill through sales at the resale shop. This is equivalent to diverting 4.7% of waste from landfill.*
- *There were over 61,600 customers at the resale shop during 2022/2023 - an increase of 5,600 customers from last year.*
- *The resale shop had an income of \$748,500 - an increase of about \$150,000 from last year. A total of \$270,000 was invested into social enterprises for youth and children's programs operated by Launceston City Mission.*
- *The contract employed 12 workers or 9.95 Full Time Equivalent positions. Eight volunteers worked in the recycling centre and resale shop amounting to 4,500 volunteer hours.*

*The LWC, including the shop and recovery centre, has an operational cost in excess of \$7m a year and requires capital investment in excess of \$30m over the next decade. To support the operations of the LWC there is specialised plant and professional services to manage landfill development and environmental compliance. A community owned cooperative is not considered a suitable management structure for these operations.*

**8.1.2. Public Question on Notice - Carol Fuller - Unsuccessful Community Grant Bid - Zonta/WR Prevention of Violence Towards Women Metro Bus Campaign**

**FILE NO:** SF6381

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**ACTING CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

---

**QUESTIONS AND RESPONSES:**

The following question, submitted to Council in writing on 16 November 2023 by Carol Fuller, has been answered by Michelle Ogulin (Acting General Manager Community and Place Network).

**Questions:**

1. In light of our unsuccessful bid to secure a Community Grant for our Zonta/WR *Prevention of Violence Towards Women*, metro bus campaign and considering the growing violence towards women: 43 women and 11 children murdered in family violence so far this year (six women killed in the last two weeks), what role does/could/should the City of Launceston Council have in raising awareness and educating the community in order to provide social justice and visible action to bring cultural and attitudinal change in the issue of violence against women and children?

**Response:**

*The City of Launceston community grants program is designed to fund projects which directly benefit the Launceston community through social connections and community participation. Similar public education campaigns on metro buses, such as the QUIT campaign and the recent Give Autism A Go campaign, were not funded via the Council's Community Grants Program. It is unlikely they would be funded if they did apply due to the nature of the project (marketing). Whilst the significance of the domestic violence message and the community need is recognised, community grant projects need to have a more direct impact on those immediately in need, rather than a broader approach such as a proposed marketing campaign.*

*With respect to what the Council is undertaking, it is participating in the 16 Days of Activism Walk. This walk is important for raising awareness about family and domestic violence in the community. The City of Launceston is also committed to providing a safe and supportive workplace for its 500 employees should any of them experience family violence. This includes 15 days' paid family violence leave, financial assistance of up to \$5,000 and changes to work patterns, amongst other support items.*

*The Council also runs the Launceston Safer Communities Partnership (LSCP) which is currently under review. However, family and domestic violence has been a frequent topic of discussion at the partnership meetings, especially around practical measures that can be provided, such as the current investigation into DV Safe Phones for the community. The City of Launceston will continue to work with the LSCP around ways it can improve family and domestic violence and education to the community.*

---

**8.1.3. Public Questions on Notice - Reon Johns - Councillors' Pecuniary Interest Listing**

**FILE NO:** SF6381

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**ACTING CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

---

**QUESTIONS AND RESPONSES:**

The following question, submitted to Council in writing on 22 November 2023 by Reon Johns, has been answered by Louise Foster (General Manager Organisational Services Network).

**Questions:**

1. Is there a list of Councillor's pecuniary interests? If so, how can a resident gain a copy of this list?

**Response:**

*Pecuniary interests are declared at Council Meetings and a register is maintained of these. They are also recorded in the Minutes of the Meeting when declared.*

*The Local Government Act 1993 (Tas), Part 5 - Pecuniary Interests (54) states that:*

- (2) A person, by notice in writing to the General Manager, may apply to inspect the register of interests.*
  - (3) On receipt of an application, the General Manager is to allow the applicant to inspect the register of interests.*
-

**8.2. Public Questions Without Notice**

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

**8.2.1. Public Questions Without Notice - Kirsten Ritchie (Strike It Out Inc.) - Portable Toilet at the Brickfields**

**1. Will the Council install portable toilets at the Brickfields?**

**The Mayor, Councillor M K Garwood, responded by saying that the issue would be followed up.**

**8.2.2. Public Questions Without Notice - Ian Goninon - Homelessness in Launceston**

- 1. Have any risk management processes been undertaken to assess tent and camp sites occupied by the homeless in Launceston?**
- 2. With regard to campsites in the Brickfields, is there a cost associated with securing a site, can anyone erect a tent, what are the rules and regulations regarding control of the site, how is the site maintained and has the Council got a risk management policy in place for the new camping site at the Brickfields?**
- 3. How do you qualify to erect a tent at this site?**

**The Mayor, Councillor M K Garwood, responded by saying the Council has a policy of not moving those affected by homelessness, as it has been identified there are limited suitable sites to where affected community members can be moved too. The reasons people become homeless are complex and range from mental health issues, fleeing domestic violence and cost of living. The Council has an inclusive approach to these complex issues, however, they are difficult to solve. The Council does not have a fee structure, it [the Brickfields] is not noted on the Council's web-site as a location where a site can be booked.**

**As to qualifying for a site at the Brickfields, the Mayor, responded by saying that being homeless and doing it tough would be the major factors for needing to sleep rough. The Council's Inclusion Officer and the Community and Place Network General Manager are constantly working on improving situations for the homeless by working actively with service providers, however, it is not an easy situation to solve.**

**The Council has risk management in place for all situations when it comes to the community and as situations arise, they will be addressed and a solution to remedy will be worked towards.**

**8.2.3. Public Questions Without Notice - Robin Smith - Brisbane Street Mall Issues**

- 1. With regard to the Christmas tree in the Brisbane Street Mall, can the Council assure the public that the lights will not go black and the baubles will not be taken or destroyed like they were last year?**

The Mayor, Councillor M K Garwood, noted that the Council's staff were not aware of, nor had they been advised of, any problems regarding the issues referred to in the question and as such it would require a little more investigation.

- 2. With reference to disruptions experienced in the Brisbane Street Mall, who should we discuss trading issues with regarding impacts on Brisbane Street Mall businesses and traders, eg. during the Christmas tree installation, the use of food vans, etc?**

The Mayor, Councillor M K Garwood, responded by saying that Launceston Central Marketing Inc. is the current governing body. With regard to road closures and food vendors, the Council will continue to have further discussions during the upcoming debrief session and the Council welcomes any feedback from those who are impacted by CBD matters. The Mayor also noted that the Council hopes that the event becomes bigger and more popular so any impact to the community or traders will be considered.

- 3. Now that the thylacine statues have been removed from the Brisbane Street Mall, what will replace them and can we have an update on that activity?**

The Mayor, Councillor M K Garwood, stated that now the thylacines have been moved to Civic Square, there are a number of canopies being grown by the Council's staff and once they are developed enough to be transferred to the Mall, that will occur. There is also a great deal of community input regarding reinvigoration of the space so they will also be considered in upcoming discussions. The Mayor also added that he is impressed with the work by the Council's Community and Place team regarding the current installations in the Brisbane Street Mall and advised that Mr Smith's feedback will be included in discussions for 2024.

**8.2.4. Public Questions Without Notice - Rocelyn Ives - Defibrillators at the Cataract Gorge**

- 1. Will the Council consider the provision of two defibrillators at the Cataract Gorge before the current summer season transpires?**
- 2. Would the Council also seek advice about the updates now available for safe and secure location placement of defibrillators?**

**The Mayor, Councillor M K Garwood, responded by saying that these questions would be Taken on Notice and a response provided in the Council Agenda of 14 December 2023.**



## 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. Retrospective DA0182/2022 - 83-93 Lilydale Road, Rocherlea - Storage - Change of Use to Contractor's Depot to Store Vehicles and Excess Materials and Carparking

**FILE NO:** DA0182/2022

**AUTHOR:** Duncan Payton (Town Planner)

**ACTING GENERAL MANAGER APPROVAL:** Michelle Ogulin (Community and Place Network)

---

#### **DECISION STATEMENT:**

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

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

Applicant:	Hazell Bros Investments Pty Ltd
Property:	83-93 Lilydale Road, Rocherlea
Zoning:	Light Industrial
Receipt Date:	6/04/2022
Validity Date:	14/09/2023
Further Information Request:	14/04/2022
Further Information Received:	26/04/2023
Deemed Approval:	1/12/2023
Representations:	Five

#### **RELEVANT LEGISLATION:**

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

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

Council - 2 November 2023 - Agenda Item 9.1 - DA0182/2022 - 83-93 Lilydale Road, Rocherlea - Storage - Change of Use to Contractor's Depot to Store Vehicles and Excess Materials and Carparking - Item was Laid on the Table

Council - 12 October 2015 - Agenda Item 8.1 - DA0176/2015 - 69, 73-75 and 77-79 Lilydale Road, Rocherlea - Manufacturing and Processing - batching plant subdivision and consolidation of three lots with no new lots created, extension of batching plant to proposed Lot 1a and Crown land (CT125392/1) and Service Industry - change of use to automotive mechanic (CT16756/2)

---

DA0516/2018 - 83-93 Lilydale Road Rocherlea - Storage - Construction of earthworks to fill and level site - provided for the construction of earth works to fill and level the site. This included capping of existing unapproved fill and included a condition requiring further planning approval before the site was used for storage of goods or materials. Under delegated report - 14 December 2018

PLE0006/2022 - enforcement notice issued regarding the use and development of the site for vehicle parking and storage of materials without approval

### **STANDARDS REQUIRING PLANNING DISCRETION:**

- 18.3.1 P1 - All uses - Hours of operation
- 18.3.1 P3 - All uses - Commercial vehicle movements
- 18.4.4 P1 - Outdoor storage areas
- C2.5.1 P1 - Car parking numbers
- C2.6.1 P1 - Construction of parking areas

### **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 DA0182/2022 - Storage - change of use to contractor's depot to store vehicles and excess materials and car parking at 83-93 Lilydale Road, Rocherlea, 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 Manager City Development unless modified by a condition of the Permit:

- a. Site Plan, 83-93 Lilydale Road, version 2, dated 18/09/2023.
- b. Locality Plan, 83-93 Lilydale Road, version 2, dated 18/09/2023.
- c. Rising Main GIS Locality, prepared by PDA, 83-93 Lilydale Road, dated 15/11/2022.
- d. Marked up image of areas to be sealed, undated.

#### **2. 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 adjoining Crown land.

#### **3. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

#### **4. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/00528-LCC, dated 09/01/2023 and attached to the permit.

## 5. HOURS OF OPERATION

1. The operation of the car park must be confined to:
  - a. 6.00am and 6.00pm - Monday to Friday;
  - b. 6:30am and 1:30pm - Saturdays; and
  - c. Closed Sunday and Public Holidays.
2. The operation of vehicles within the storage area must be confined to:
  - a. 6:30am and 5:30pm - Monday to Friday;
  - b. 7.00am and 1.00pm - Saturdays; and
  - c. Closed Sunday and Public Holidays.

## 6. SITE LANDSCAPING PLAN

Within six weeks of the date of the coming into effect of this permit, a landscape plan must be submitted for approval by the Manager City Development. The plan must be prepared by a suitably qualified person, drawn to scale and include the following details:

- a. screen fencing to a height of 2.1m along the full length of the frontage boundary with Lilydale Road;
- b. landscaping, to provide a dense screen buffer, not less than 5m wide, of trees and shrubs able to attain a height of between 1m and 5m in front of the screen fence for the full length of the frontage (including a schedule of all proposed trees, shrubs and groundcover including common name and size at maturity);
- c. a. and b. may be incorporated into a landscaped earthen mound achieving not less than 2.1m high solid screening and 5m high landscape screen; and
- d. suitable irrigation or a fixed sprinkler system for the watering of landscaped areas.

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

- e. completed within three months of its endorsement by the Manager City Development; and
- f. maintained and not removed, destroyed or lopped without the written consent of the Council.

## 7. 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 - including the loop road in addition to the area shown on the endorsed marked up image;
- 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.
- e. include two motorcycle parking bays; and
- f. include delineated safe pedestrian pathways in accordance with the applicable Australian Standard.

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

## **8. USE OF CAR PARK**

- a. Use of the car park must not commence prior to the sealing of the car park, manoeuvring areas and loop road as required by condition 7.
- b. The use of the car park is limited to light vehicles and must not be used for the parking or storage of trucks or trailers.

## **9. 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.

## **10. 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.

## **11. CONTROL OF DUST EMISSIONS**

Dust emissions from the land must be controlled to the extent necessary to prevent environmental nuisance beyond the boundary of the land during development and use.

Such control must include, but not be limited to:

- automated watering of material storage bays; and
  - regular watering of roadways or sealing of roadways
- and be to the satisfaction of the Manager City Development.

## **12. COVERING OF VEHICLES**

Vehicles carrying loads containing material which may blow, or spill must be equipped with effective control measures to prevent the escape of the materials from the vehicles when they leave the land or travel on public roads. Effective control measures may include tarpaulins or load dampening.

## **13. CONTROL OF NOISE EMISSIONS**

Where human sleep disturbance may be caused by the noise from the activity or transport movements from the activity, such noise emissions must be controlled to the extent necessary to prevent environmental nuisance. This may include restricting operating hours.

## **14. EXTERIOR AND SECURITY LIGHTING**

Exterior lighting and security lighting must be baffled to contain direct light to the site and comply with the Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting* or any subsequent versions.

## 15. SPILL COLLECTION BUND

Any and all environmentally hazardous materials including all chemicals, fuels and oils, held on the land must be stored and handled within a spill collection bund or spill trays which are designed to contain at least 110% of the volume of the largest storage vessel. The spill containment system must be constructed with materials that will prevent contamination of ground water and soil.

## 16. STORMWATER

No liquids, other than unpolluted rainwater, are to be allowed to discharge or drain to the Council's stormwater system or receiving water bodies or watercourses.

### Notes

#### A. General

*This permit was issued based on the proposal documents submitted for DA0182/2022. 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.*

E. Shared Access

*It is noted that the access to the site is over Crown land and that TasRail also has access to its land over this Crown land and the land must be kept clear for that purpose.*

F. TasRail Standard Notes

- 1. Where a building or other development is proposed to be located at a setback distance less than 50m from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time.*
- 2. Landowners, builders/developers and prospective residents should undertake appropriate due diligence to ensure they are aware of potential exposure to train horn noise and vibration, particularly in relation to building design, material specifications and lifestyle. The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.*
- 3. Using or creating an unlicensed railway crossing or stock crossing is unsafe and strictly prohibited. Rail Safety National Law requires all private crossings to be subject to an interface agreement (licence). Where a privately owned property interfaces with a rail crossing and/or State Rail Network land please contact [property@tasrail.com.au](mailto:property@tasrail.com.au) to discuss the necessary authorisations and licencing process.*
- 4. Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting [property@tasrail.com.au](mailto:property@tasrail.com.au).*
- 5. Any excavation within 3m of the rail boundary line requires a separate TasRail Permit from [property@tasrail.com.au](mailto:property@tasrail.com.au) in accordance with section 44 of the Rail Infrastructure Act 2009. A minimum of seven business day's notice is required, but earlier engagement is recommended.*
- 6. Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.*

7. *No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.*
  8. *As per the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.*
  9. *No persons should enter rail land without formal authorisation from TasRail in the form of a TasRail Permit issued by property@tasrail.com.au.*
  10. *Rail Corridors are exempt from the Boundary Fences Act meaning that TasRail is not required to contribute to the cost of boundary fencing.*
- G. *Storage of Dangerous Goods*  
*Dangerous goods/materials must be stored in accordance with the Work Health and Safety Regulations 2012 or any subsequent versions of the document.*

---

**Scott Miller (obo Crossroads Civil Contracting) spoke for the Recommendation**

**DECISION: 30 November 2023**

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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 McMahan, Councillor S Cai and Councillor A J Britton**  
**AGAINST VOTE: Nil**

## 10. ANNOUNCEMENTS BY THE MAYOR

### 10.1. Mayor's Announcements

FILE NO: SF2375

---

#### Thursday 16 November 2023

- Officiated at the Theatre North Season launch, Princess Theatre
- Attended Jack Jumpers versus New Zealand Breakers, Silverdome

#### Friday 17 November 2023

- Presented the Ariarne Titmus Scholarship, Launceston Aquatic Centre

#### Saturday 18 November 2023

- Opened the Launceston Gem and Mineral Show, Elphin Sports Centre
- Attended the launch of the Summer Racing Festival, Hobart

#### Monday 20 November 2023

- Spoke to members of the Rotary Club of Youngtown, Launceston Golf Club

#### Tuesday 21 November 2023

- Attended Bonza Airline launch, Launceston Airport

#### Thursday 23 November 2023

- Met with Gold Coast Mayor, Tom Tate, Civic Chambers, Gold Coast

#### Friday 24 November 2023

- Officiated at the Lighting of the Christmas Tree, Brisbane Street Mall

#### Saturday 25 November 2023

- Unveiled a plaque for the Centenary Celebrations for Patons and Baldwins Launceston Spinning Mill, Door of Hope

#### Sunday 26 November 2023

- Officiated at the Thai Food and Cultural Festival 2023, Civic Square
- Attended Launceston City Football Club tribute to Club Legend - Peter Mies, Clubrooms
- Attended *One Day 20* for Mudlark Theatre, Earl Art Centre

#### Monday 27 November 2023

- Officiated at the opening of the Self-Help Green House, Youngtown



**Wednesday 29 November 2023**

- Attended the opening of Migrant Resource Centre Tasmania's new office, Elizabeth Street
- Attended the National Trust Tasmania Christmas Party, *Clairville*

**Thursday 30 November 2023**

- Attended the Children's University Tasmania Graduations, Sir Raymond Ferrall Centre
- 

**In addition to the published events, the Mayor, Councillor M K Garwood also attended the following events not listed in the Mayor's Announcements:**

- **Sunday, 26 November 2023 - officiated at the start of *Sally's Ride* 10km and 20km events at the Launceston Rugby Union Club**
- **Wednesday, 29 November 2023 - met with the Hon Luke Edmunds MLC whilst visiting the north of the State**

## 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. Deputy Mayor Councillor D H McKenzie

- **Attended the Country Club Christmas Party**
- **Attended the Bonza airline launch at the Launceston Airport**
- **Attended the Tamar Natural Resources Management 25 year celebration event and noted the significant work undertaken by this group**
- **Attended the Northern Tasmania Development Corporation Management Group Meeting and Annual General Meeting**
- **Attended the opening of the *Mudlark One Day* launch**
- **Attended the Vietnam Veterans' Christmas dinner**
- **Attended the 100 Year celebration event of Patons and Baldwins**
- **Attended the Migrant Resource Centre opening**
- **Attended the opening of Virgin Cargo at the Launceston Airport**
- **Attended the 40th anniversary celebrations of the Northern Suburbs Community Centre**

### 11.2. Councillor A G Harris

- **Attended the Tamar Valley Leaders' luncheon at the Hotel Grand Chancellor**
- **Attended Tasmanian Council's Supporting Climate Healthy and Resilient Communities event**
- **Attended Sally's Ride, sponsored by the Council and thanked the Council's staff for their dedication and work preparing the Rail Trail which received excellent feedback from the community who participated in the event**

### 11.3. Councillor S Cai

- **Attended the presentation to Abbie King of the Ariarne Swimming Scholarship at the Launceston Leisure and Aquatic Centre**
- **Participated in one of the *Walk to End Violence Against Women* events for 16 Days of Activism**
- **Attended the official opening of the Migrant Resource Centre's new facilities at 53 Elizabeth Street, Launceston**

### 11.4. Councillor A J Palmer

- **Attended the presentation to Abbie King of the Ariarne Swimming Scholarship at the Launceston Leisure and Aquatic Centre**
- **Attended the local Duali Festival**
- **Participated in one of the *Walk to End Violence Against Women* events for 16 Days of Activism**
- **Attended the Vietnam Veterans' Christmas dinner**

**11.5. Councillor Dr G Razay**

- Presented at the Australian Medical and Dental Association's Annual General Meeting
- Attended the local Duali Festival
- Attended the Theatrical Dance Centre's End of Year show
- Noted that the annual Christmas Parade will be held on Saturday, 2 December 2023

**11.6. Councillor D C Gibson**

- Congratulated the Council's staff on Christmas 2023 experiences in the City
- Advised receipt of the Launceston Marketing Inc. Annual Report 2022/2023 which is to be considered at an upcoming Council Meeting

**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 D C Gibson - Pump Track**

**FILE NO:** SF6381

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

---

**QUESTIONS AND RESPONSES:**

The following question, submitted to the Council in writing on 15 November 2023 by Councillor D C Gibson, has been answered by Shane Eberhardt (Acting Chief Executive Officer).

**Questions:**

1. Following Council's decision to support my Notice of Motion on 5 May 2022, there is much excitement about Launceston's first Pump Track. I was thrilled to receive unanimous support and then the budget allocation for this important infrastructure.

Can the community receive an update on this exciting initiative, please?

**Response:**

*The Council is intending to call for tenders for design and construction of a pump track between the North Esk Rowing Facility and Charles St Bridge in coming weeks. Construction is intended to occur in the first half of 2024.*

---

**12.1.2. Councillor Questions on Notice - Councillor L M McMahon - Volunteer Parking Permit - Horticultural Society**

**FILE NO:** SF6381

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

---

**QUESTIONS AND RESPONSES:**

The following question submitted to Council on 16 November 2023 by Councillor L M McMahon, has been answered by Michelle Ogulin (Acting General Manager Community and Place Network).

**Questions:**

1. Is there an opportunity for the City of Launceston to issue parking permits for horticulture volunteers who work at City Park?

**Response:**

*There are many volunteers who work with the City of Launceston in various capacities including serving on Council Committees, at the Gorge and in this case, the horticulture volunteers at City Park.*

*Due to the number of volunteers offering their services to the Council and in order for the Council to consider offering parking permits to volunteers, the Council's Officers would need to:*

- *undertake a review of how many permits would need to be issued (for equity all City of Launceston volunteers should have access to such permits).*
- *determine how such a permit system would work and be reviewed.*
- *determine the annual financial cost to the Council to allow for necessary parking revenue adjustments.*
- *formulate how the permit system would be regulated to enable adequate oversight (ie. would permits be for specific dates and times, or for set weeks/months).*
- *determine the impact on the wider community's access to on-street parking spaces.*

*With respect to the City Park horticulturalist volunteers, the parking around City Park is currently free, although time limited to three hours.*

---

**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 - Traffic Issue and Brisbane Street Mall Christmas Tree Security**

**1. What is the Council's definition of an oversized vehicle?**

The Acting Chief Executive Officer, Shane Eberhardt, indicated that this question would be Taken on Notice and a response provided in the Council Agenda of 14 December 2023.

**2. Is there anything further that can be done to safeguard the Brisbane Street Mall Christmas tree?**

The Mayor, Councillor M K Garwood, noted that this question would be Taken on Notice and a response provided in the Council Agenda of 14 December 2023.

**13. COMMITTEE REPORTS**

**13.1. Cataract Gorge Reserve Advisory Committee Meeting - 14 August 2023**

**FILE NO:** SF0839

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

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

---

**DECISION STATEMENT:**

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

**RECOMMENDATION:**

That Council receives the report from the Cataract Gorge Reserve Advisory Committee Meeting held on 14 August 2023.

---

**DECISION: 30 November 2023**

**MOTION**

**Moved Councillor T G Walker, seconded Councillor S Cai.**

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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. Audit Panel Meeting - 31 October 2023**

**FILE NO:** SF3611

**AUTHOR:** Anthea Rooney (Council and Committees Officer)

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

---

**DECISION STATEMENT:**

To receive a report from the Audit Panel Meeting held on 31 October 2023.

**RECOMMENDATION:**

That Council receives the report from the Audit Panel Meeting held on 31 October 2023.

---

**DECISION: 30 November 2023**

**MOTION**

Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor T G Walker.

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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. Cultural Advisory Committee Meeting - 5 October 2023**

**FILE NO:** SF7357

**AUTHOR:** Marcus Grantham (Team Leader Place Making)

**ACTING GENERAL MANAGER APPROVAL:** Michelle Ogulin (Community and Place Network)

---

**DECISION STATEMENT:**

To receive a report from the Cultural Advisory Committee.

**RECOMMENDATION:**

That Council receives the report from the Cultural Advisory Committee Meeting held on 4 October 2023.

---

**DECISION:** 30 November 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 M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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. INFRASTRUCTURE AND ASSETS NETWORK

### 14.1. Urban Greening Strategy

**FILE NO:** SF0808

**AUTHOR:** Kathryn Pugh (Manager Parks and Sustainability)

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

---

#### **DECISION STATEMENT:**

To consider the City of Launceston Urban Greening Strategy 2023-2040 for endorsement and adoption.

#### **RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

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

Workshop - 16 February 2023 - Urban Greening Plan

#### **RECOMMENDATION:**

That Council:

1. endorses the *City of Launceston Urban Greening Strategy 2023-2040* (ECM Doc Set ID 4989278); and
  2. if Recommendation 1 is resolved in the affirmative, makes the *Launceston Street Tree Strategy 2012* (ECM Doc Set ID 2327406) redundant as it will be superseded by the *City of Launceston Urban Greening Strategy 2023-2040*.
- 

#### **DECISION: 30 November 2023**

#### **MOTION**

**Moved Councillor A E Dawkins, seconded Councillor A G Harris.**

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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. Cataract Gorge Walkway

**FILE NO:** SF7577

**AUTHOR:** Michael Newby (Chief Infrastructure Officer)

**ACTING GENERAL MANAGER APPROVAL:** Kathryn Pugh (Infrastructure and Assets Network)

---

### **DECISION STATEMENT:**

To consider the appointment of a contractor for the reconstruction of two sections of retaining wall located at the western end of Cataract Walk.

*Recommendation 1 requires an absolute majority of Council.*

### **RELEVANT LEGISLATION:**

*Local Government (Meeting Procedures) Regulations 2015*  
*Local Government Act 1993 (Tas)*

### **PREVIOUS COUNCIL CONSIDERATION:**

pre-Council Workshop - 16 November 2023 - Cataract Gorge Walkway

### **RECOMMENDATION:**

That Council:

1. pursuant to Regulation 27(i)(i) of the *Local Government (General) Regulations 2015*, resolves by absolute majority:
    - (a) to accept a tender submitted by Invision Developments Pty Ltd for the Retaining Wall Emergency Removal, Contract No: CD.046/2023, the anticipated cost for the contract being \$375,000 (exclusive of GST).
    - (b) determines that the public tender process has not been applied to this matter as there is an immediate need to remediate the retaining wall and re-open the Cataract Walkway for visitors and local recreational users; a satisfactory result would not be achieved by inviting tenders because of extenuating circumstances and time constraints associated with the current closure.
  2. authorises the Chief Executive Officer to release, where appropriate, to agents of Council relevant information that relates to the consideration and determination of this matter.
-

**DECISION: 30 November 2023**

**MOTION**

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

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

**CARRIED BY ABSOLUTE MAJORITY 11:1**

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

**14.3. Request to Waive Road Occupation Fee - Max Jago - SunSmart Light Show - Alanvale Road, Newnham**

**FILE NO:** SF1077

**AUTHOR:** Nick Browne (Manager Infrastructure and Engineering)

**ACTING GENERAL MANAGER APPROVAL:** Kathryn Pugh (Infrastructure and Assets Network)

---

**DECISION STATEMENT:**

To consider an application to waive the fee for the proposed occupation of Alanvale Road for the SunSmart Light Show Christmas Display.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 23 November 2023 - Road Occupation Fee

**RECOMMENDATION:**

That Council:

1. notes the proposal by Max Jago to close and occupy Alanvale Road, Newnham to hold the SunSmart Light Show event on 24 December 2023; and
  2. agrees to remit 100% of the fee associated with the occupation in the amount of \$8,800.
- 

**The Mayor, Councillor M K Garwood, handed the Chair to the Deputy Mayor, Councillor D H McKenzie at 2.58pm**

**The Mayor, Councillor M K Garwood, resumed the Chair at 3.00pm**

**DECISION: 30 November 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 M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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. ORGANISATIONAL SERVICES NETWORK**

**15.1. Tasmania Fire and Emergency Services Bill - City of Launceston Feedback Submission**

**FILE NO:** SF2189

**AUTHOR:** Nathan Williams (Chief Financial Officer)

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

---

**DECISION STATEMENT:**

To consider and make a submission on the proposed new Tasmanian Fire and Emergency Service Bill.

**RELEVANT LEGISLATION:**

*Fire Service Act 1979*

*Local Government Act 1993 (Tas)*

*Proposed new Tasmania Fire and Emergency Services Bill*

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 27 October 2023 - Long Term Financial Plan

Workshop - 9 November 2023

**RECOMMENDATION:**

That Council provides the following submission to the Minister for Police, Fire and Emergency Management in respect of the proposed new Tasmania Fire and Emergency Services Bill (the Bill), noting that the funding options are currently being reconsidered:

1. the proposed changes to the Bill are not supported due to a lack of community consultation, particularly with those in rural areas, inadequate timeframes allowed for Councils and the public to consider the proposal and an overall lack of information provided in a timely manner.
  2. any changes to the Bill that adversely affect a certain property type classification or properties in certain parts of Tasmania, are phased in over a period of at least five years to assist those properties in managing any potential increases to their levy payable.
  3. consultation be ongoing between the relevant State Government authorities and Councils on the new legislation and funding arrangements by way of the proposed working group to be established and that there be appropriate Local Government representation in this group and/or by directly engaging with each Council.
-

4. the State Government communicates changes effectively and clearly to the public, so as to reduce both the burden and any potential backlash on frontline Council staff. Clarity needs to be provided that is a State Government levy, collected by Councils.
  5. more clarity be provided on what the charitable concessions are, and that the proposed concession rate threshold to be reconsidered from 30% to assist with properties that will experience significant increases under the proposed new funding models and that the exemption criteria be broadened.
- 

**Councillor A J Britton withdrew from the Meeting at 3:00pm  
Councillor A J Britton re-attended the Meeting at 3:02pm**

**DECISION: 30 November 2023**

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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. Financial Report to Council to 30 September 2023**

**FILE NO:** SF3611

**AUTHOR:** Samuel Kelty (Manager Finance)

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

---

**DECISION STATEMENT:**

To consider the Council's financial performance for the period ended 30 September 2023.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**PREVIOUS COUNCIL CONSIDERATION:**

Audit Panel - 31 October 2023 - Agenda Item 8.1 - Capital Report

Audit Panel - 31 October 2023 - Agenda Item 8.3 - Financial Statements (Analysis and Commentary)

**RECOMMENDATION:**

That Council receives the operational and capital financial reports for the period ended 30 September 2023, noting the operational report discloses an underlying deficit of \$1.061m as compared to the budgeted underlying deficit of \$3.295m, comprising of a \$0.855m favourable revenue variance and a \$1.376m favourable expenditure variance.

---

**DECISION: 30 November 2023**

**MOTION**

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

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

**CARRIED 12:0**

**FOR VOTE:** Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, 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 McMahan, Councillor S Cai and Councillor A J Britton  
**AGAINST VOTE:** Nil

**16. MEETING CLOSURE**

**The Mayor, Councillor M K Garwood, closed the Meeting at 3.18pm.**

**17. NEXT COUNCIL MEETING DATE**

**The next Ordinary Meeting of Council will be held at 1.00pm on 14 December 2023 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.**