



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
THURSDAY 2 MAY 2024  
1.00PM**

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

Date: 2 May 2024

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.



**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 will be 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).

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

A limit of three questions received in writing by Wednesday of the week prior to the Council Meeting are treated as Questions on Notice. Your question and an answer will be published in the Agenda of the Council Meeting. Questions may be submitted to the Chief Executive Officer at [contactus@launceston.tas.gov.au](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.

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

**2. MAYORAL ACKNOWLEDGEMENTS**

**3. DECLARATIONS OF INTEREST**

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

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

**4. CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 18 April 2024 be confirmed as a true and correct record.

**5. COUNCIL WORKSHOPS**

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

**5.1. Council Workshop 18 April 2024**

**FILE NO:** SF4401

**AUTHOR:** Lorraine Wyatt (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, 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 18 April 2024:

**Events Strategy**

*Councillors received an overview of the draft Events Strategy and provided feedback on the new pillars.*

**124 Brisbane Street**

*Councillors received an update about this project.*

*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 T G Walker, Councillor Prof G Razay, Councillor J J Pentridge, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

*Apologies:* Councillor A J Palmer

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**REPORT:**

Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015* says that the Agenda of an Ordinary Council Meeting is to include the date and purpose of any Council Workshops held since the last Meeting.

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

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**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil

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

**Councillors' Leave of Absence Applications will be considered in Closed Council at Agenda Item 15.3 - Councillors' Leave of Absence.**

**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).*

**No Community Reports have been identified as part of this Agenda**

**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 - Andrew Whitehead - The Mayors Cap - 17 April 2024**

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**ACTING CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 17 April 2024 by Andrew Whitehead, has been answered by Leanne Purchase (Manager Governance).

**Questions:**

1. Can I ask why the mayor appears on television wearing a NYC (New York City) cap?  
Can he not afford a Launceston one?

**Response:**

*This is not a matter on which it is appropriate for Council Officers to comment.*

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**8.1.2. Public Questions on Notice - Ray Norman - Officers Answering Questions on Behalf of Council - 17 April 2024**

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**ACTING CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

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**QUESTIONS AND RESPONSES:**

The following question, as submitted to Council on 17 April 2024 by Ray Norman, has been answered by Leanne Purchase (Manager Governance).

**Question:**

QUESTION 1

CONTEXT NOTE

Given that when a question related to a 'strategic and policy' matter is put to the Mayor & ALL Councillors on notice.

- Demonstrably, it is answered by a Council Officer (*AKA The hired help & functionaries*) and thus by definitions by people to whom the question is NOT being addressed to and who do not have the domain knowledge nor the DELEGATED *authority* to provide an authoritative answer; and
- Reportedly, are not addressed in any way at Council's questionable pe-meeting workshops; and
- That do not get any attention in an Open Council Meeting; and thus.

Anyone asking their '*representatives*' for an explanation relative to a POLICY *determination*, because of management's BUREAUCRATIC *Cobfuscation* the issue is downplayed for BUREAUCRATIC *convenience* and comfort. An extraordinary situation relative to accountability and transparency in governance.

THE QUESTION

Given that Councillors have serially ignored the circumstance where Council Officers answer questions on their behalf which goes to their accountability will Council please advise their constituency how they can present their questions and submissions to Council and have them openly and appropriately addressed and considered by their elected representatives?

**Response:**

*Regulation 8(1) of the Local Government (Meeting Procedures) Regulations 2015 requires the Chief Executive Officer to prepare an agenda for each Council meeting. Regulation 8(2) requires that there is a public question time item on each agenda.*

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*Regulation 31 provides that a member of the public may give written notice of a question to be asked at a meeting. The City of Launceston lists such questions on notice at item 8.1 of the meeting agenda.*

*Regulation 31(2) provides that the Mayor (as the meeting's chairperson) may address a question on notice. This is consistent with the Mayor's function as the spokesperson of the Council by reason of section 27(1)(e) of the Local Government Act 1993 (Tas).*

*In practice, the Mayor can address a question on notice in several ways, including by referring to any management response in the corresponding agenda, or by adding to it, or by otherwise providing a response in place of the management response. Management responses are provided under the authority of the Chief Executive Officer, who is responsible for preparing the agenda by reason of regulation 8(1).*

*Regulation 31(4) prohibits debate on a question asked and the answer provided. It is therefore not possible for Councillors to answer questions as part of the public question time process.*

*Members of the community who wish to have questions answered by Councillors should engage with Councillors outside of the public question time process. Members of the community who wish to present questions and submissions to Council have various avenues available to them, depending on the matter to which their questions and submissions relate.*

*An initial approach to Council by phone, email or in person is always welcome in the first instance, so advice tailored to specific circumstances may be provided.*

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**8.1.3. Public Questions on Notice - Jeff Mitchell - Launceston Tool Library - 18 April 2024**

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**ACTING CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 18 April 2024 by Jeff Mitchell, has been answered by Rachel Eberhardt (Waste and Environment Officer - Operations).

**Questions:**

1. A library could be run by Volunteers (myself included) in conjunction with the Repair Cafe and "How to" classes (for example, how to lay tiles; make a picture frame) Launceston Tool Library. Will the Council Place all items of the library into storage until a new iteration can be established?

**Response:**

*The Tool Library was funded by the Tasmanian Community Funds. Council gifted some tools that were found by a Council employee.*

*A number of items were collected from the Tool Library for the first Repair Café Launceston that was held on 20 April 2024. The volunteer repairers will identify any additional tools required which will then be collected for the next repair café on the 18 May 2024. The remaining tools will be placed into council storage after 1 June 2024 until a decision is made moving forward.*

*The City of Launceston is keen to see the Tool Library reestablished at an appropriate location.*

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**8.1.4. Public Questions on Notice - Robin Smith - Parking Infringements - 24 April 2024**

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**ACTING CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 24 April 2024 by Robin Smith, has been answered by David Mullenger (Manager Health and Compliance).

**Questions:**

1. Following my question asked at the Council general meeting on 22 February 2024, the answer was that the 14 day payment window commences the next calendar day after issue of infringement.

Council has subsequently advised by saying that option listed HOW TO PAY online on the infringement cannot be made until as I mentioned in the initial question, it has been loaded at a later date. Therefore my question remains unanswered being:- "Can the time for making a payment start from the time when it can be paid rather than when it is issued?" This would ensure there is a full 14 days before it increases.

**Response:**

*Infringements are required to be paid within 14 days of the date of issue as outlined on the back of the infringement notice. For example if an infringement was issued on the 12 February, the final date on which payment could be made is 26 February.*

*There is four payment options available including:*

- Online
- Pay By Phone
- In Person
- By Mail

*After 28 days, unpaid fines are referred to the Monetary Penalty Enforcement Service under the Monetary Penalties Enforcement Act 2005.*

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**8.2. Public Questions Without Notice**

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



## 9. ANNOUNCEMENTS BY THE MAYOR

### 9.1. Mayor's Announcements

FILE NO: SF2375

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#### Friday 19 April 2024

- Met with Honorary Consular Representatives together with Launceston Chamber of Commerce, Town Hall

#### Saturday 20 April 2024

- Participated in welcome for the Australian DrillDance Championships 2024, Silverdome
- Joined Honorary Consular Representatives for a Winery Tour, Pipers Brook Vineyard
- Attended Tasmanian Symphony Orchestra and Wolfe Brothers concert, Princess Theatre

#### Sunday 21 April 2024

- Attended the 2024 Men's and Women's Tasmanian Open and Inclusive Championships presentation ceremony, Launceston Golf Club
- Officiated at the Brixhibition presentations, Launceston Conference Centre

#### Wednesday 24 April 2024

- Attended opening night of *The Pillowman*, Earl Arts Centre

#### Thursday 25 April 2024

- Officiated at the ANZAC Day Service, Launceston Cenotaph
- Laid a wreath at Nunamara ANZAC Day Service, Nunamara

#### Friday 26 April 2024

- Attended the Presentation Night dinner, Trevallyn Bowls and Community Club

#### Sunday 28 April 2024

- Attended International Workers' Day Memorial, Elizabeth Gardens

#### Tuesday 30 April 2024

- Attended the opening of Engaged Support Services, Punchbowl Road
- Spoke with students about Local Government, Riverside Primary School Grade 5

#### Wednesday 1 May 2024

- Participated in the Joint Standing Committee Public Hearing on Education and Tourism, Launceston
-

**10. 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. QUESTIONS BY COUNCILLORS

### 11.1. 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).*

#### 11.1.1. Councillors' Questions on Notice - Councillor D G Gibson - Short-Term Accommodation - 11 April 2024

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**ACTING CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

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#### QUESTIONS AND RESPONSES:

The following question, submitted to Council by Councillor D C Gibson, has been answered by Nathan Williams (Chief Financial Officer).

#### **Questions:**

1. I note the latest media interest in short-term accommodation and also the work of the former CEO, as part of the Tasmanian Housing Reference Group. Noting the considerations from the Working Group were noted in a report at the Local Government Association Meeting held on 14 March, what is Council doing in this space and in consideration of the five Sector Positions?

#### **Response:**

*The City of Launceston through its former Chief Executive Officer, and current Chief Financial Officer, have been engaged as part the Working Group and provided input into the positions formed by the Local Government Association of Tasmania (LGAT). Council will continue to form part of the Working Group and advocate for each of the five sectoral positions, with more specific detail provided below for each position where relevant.*

*Council considered the Review of the Impacts of Short Stay Accommodation on the Rental Market in the City of Launceston at its Ordinary Meeting on 23 March 2023; this has formed much of the basis of the sectoral position adopted by LGAT.*

- **Proposed Sector Position (1): that measures to manage the impacts of short stay accommodation on housing should:**
  - **Target the impacts of commercially let residences on residential areas.**
  - **Avoid targeting short stay accommodation in non-residential areas, and true home sharing.**

*Council acknowledges the difference between home sharing/short term accommodation in non-residential areas and the issues around short-term accommodation in predominantly residential areas.*

*Much of this detail was provided in the report to Council on 23 March 2023, which showed that approximately 600-650 or 2% of private dwellings were listed as short-term accommodation. For context, the report found that 8,743 properties were rental properties. There was a total of 31,274 private dwellings as part of the Launceston Local Government Area in the 2021 census.*

*Per this report, the majority of short-term accommodation offerings were in, or close to, the Central Business District or surrounding suburbs.*

- **Proposed Sector Position (2): that the Tasmanian Government:**
  - **properly enforce the data reporting requirements of the Short Stay Accommodation Act 2019 and resolve gaps in the data collection to support better management of the impacts of residential short stay accommodation.**
  - **develop a consolidated dashboard of housing related data for Tasmania to assist planning and housing responses.**

*Data is provided by the Tasmanian Government to Councils on a quarterly basis. Currently, there are shortcomings within the data, which make the practical application of any potential changes such as differential rating challenging. Having a consolidated dashboard would assist greatly in enabling Council to make better informed decisions with respect to initiatives it can pursue from a planning, rating and (dis)incentivisation perspective.*

- **Proposed Sector Position (3): that councils monitor the outcome of the City of Hobart's LPS and, if successful, utilise it as a model for managing commercially let residences.**

*City of Launceston continues to monitor and have discussions with the City of Hobart on this matter.*

- ***Proposed Sector Position (4): that to support the conversion of existing lawful commercially let residences back to residential use, councils implement, where appropriate, and advocate for economic measures, such as a coordinated incentivisation and disincentivisation regime, such as land tax, stamp duty, capital gains tax, and negative gearing. LGAT Position Paper – Managing the Impacts of Short Stay Accommodation – February 2024 16***

*City of Launceston supports the sectoral position on this matter, noting that much of the relevant legislation will need to be applied by the State and Australian Government.*

- ***Proposed Sector Position (5): that councils investigate and, where appropriate, apply a differential rating regime for commercially let residences in residential areas.***

*Preliminary work and discussions have occurred on modelling a differential rate, however issues with the data provided presents some challenges regarding the potential application.*

*The Valuer-General is required to reclassify a property as R7 - Short Stay Visitor Accommodation following notification by Council, before a differential rate can be applied by Council. This presents a challenge if a property is not used for short-term accommodation permanently, as the property type classification therefore cannot be applied. Only truly permanent short-term accommodation properties can be reclassified as R7 property types.*

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**11.1.2. Councillors' Questions Without Notice - Councillor S Cai - Paul Davies Report - 18 April 2024**

**FILE NO:** SF6381

**AUTHOR:** Lorraine Wyatt (Council and Committees Officer)

**ACTING CHIEF EXECUTIVE OFFICER:** Shane Eberhardt

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 18 April 2024 by Councillor S Cai, has been answered by Shane Eberhardt (Acting Chief Executive Officer).

**Questions:**

1. Is there a way of fast tracking to adapt the Paul Davies Report so we could encourage developers to design in sympathy with the streetscapes or surrounding areas?

**Response:**

*Council officers are working through engagement of a consultant to finalise the building bulk and massing study.*

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**11.2. 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. INFRASTRUCTURE AND ASSETS NETWORK

### 12.1. Launceston Flood Authority Report

**FILE NO:** SF4493

**AUTHOR:** Debbie Pickett (Personal Assistant Infrastructure and Assets Network)

**ACTING GENERAL MANAGER APPROVAL:** Michael Newby (Infrastructure and Assets Network)

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#### **DECISION STATEMENT:**

To receive the Launceston Flood Authority Report - October 2023 to March 2024.

#### **RELEVANT LEGISLATION:**

*Launceston Flood Authority Rules, April 2020*

#### **RECOMMENDATION:**

That Council, in accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, receives the Launceston Flood Authority Report, October 2023 to March 2024 (ECM Document Set ID 5056630).

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#### **REPORT:**

In accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, the Authority must submit a quarterly report to the Council for the periods ending March, June, September and December.

The report for the period ending 31 March 2024 provides an overview of the Launceston Flood Authority's operational activities, financial position and key priorities for the next quarter (Attachment 1).

#### **RISK IMPLICATIONS:**

Not considered relevant to this report.

#### **ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

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**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

3. To ensure decisions are made on the basis of accurate and relevant information.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

1. Launceston Flood Authority - Report October 2023 to March 2024 [12.1.1 - 4 pages]



## LFA Report - 1 October 2023 - 31 March 2024

In accordance with the Rule 26 of the *Launceston Flood Authority Rules, April 2020* the Authority must submit a report to Council for the periods ending March, June, September and December. This report is for the period ending 31 March 2024.

### **Key priorities for the coming quarter**

- Finalise Invermay Levee Reinstatement and EG2/EG3 Railway Floodgate Upgrade.
- Undertake five yearly comprehensive inspections and associated reporting.
- Ensure damage to City Levee near Willis Street is repaired.
- Progress implementation of the Disaster Ready Fund Project improving flood intelligence and early warning detection.
- Progress Scoping of Flood Mitigation Strategy.

### **Operational and Compliance Activities**

- Quarterly inspections were delayed due to staffing shortages. Inspections are being conducted on a reactive basis, with defects being rectified. Recruitment was completed in March 2024, with the new staff member commencing 3 April. Full inspections will be scheduled and undertaken.
- Current Works - A detailed update was provided to the Board at the meeting on 5 March 2024 regarding the current status of the two major construction projects - Invermay Levee Reinstatement and Railway Floodgate Upgrades (East Launceston Levee). Both projects are nearing completion.

### **Invermay Levee Reinstatement Project**

The Invermay Levee Reinstatement project involved reinstating the design height of the Invermay Levee between Charles Street Bridge and Tamar Street Bridge. This section of levee had seen significant settlement. The clay placement, compaction and top soiling works were completed by the end of March, with hydroseeding of the levee as well as asphalt placement on the pathways to be completed during April.





## LFA Report - 1 October 2023 - 31 March 2024

### ***Railway Floodgate Upgrades (EG2/EG3)***

The railway floodgate upgrade project includes installation of Edilon Sedra slabtrack solutions to improve response time during flood events. The project was completed for both East Launceston Gate 2 (EG2) and 3 (EG3). The slabtracks were installed during March 2024. It was necessary to remove and modify the floodgates as part of these works. By the end of March, one of the gates has been replaced and tested, with the other to be installed in early April.



### ***Tamar Estuary River Health Action Plan (TERHAP)***

Construction is currently underway on the Western Rising Main project and the Margaret Street Sewage Pump Station upgrade. Prior to the Board meeting on 5 March, TasWater conducted a site tour for the LFA Board to provide an update on the TERHAP project.







## LFA Report - 1 October 2023 - 31 March 2024

### ***Flood Emergency Preparedness Planning***

In conjunction with the State Emergency Service (SES) and Tas Police, the City of Launceston has completed a review and updated the Launceston Levee Protected Areas Evacuation Response Plan. The plan has now been approved by all parties.

### ***Disaster Ready Fund - Flood Intelligence and Early Warning Detection***

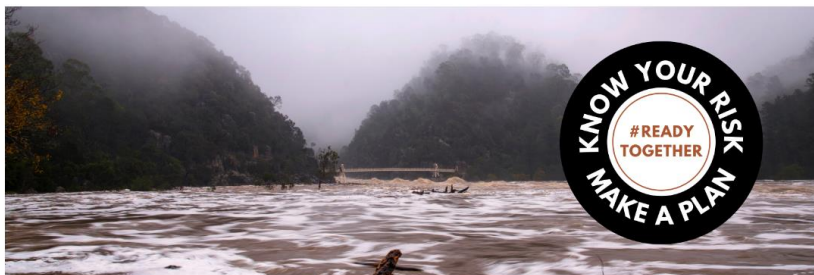
This project is progressing well, specifically the installation of additional CCTV to monitor flood conditions across the floodplain and upgrades to the river level sensors to minimise outages during a flood event. Three cameras have been installed during the reporting period, two atop light poles at UTAS Stadium and the third on the West Tamar Highway Bridge.

### ***Emergency Management Hub***

The Emergency Management Team has created a new online portal, the Emergency Management Hub. This has been launched online and there will also be a dedicated space in the City of Launceston's Customer Service centre.

[Home](#) / [Emergency Management Hub](#)

## Emergency Management Hub



The City of Launceston is dedicated to ensuring its residents are well prepared in times of emergency and natural disasters.

The City of Launceston plays an important role in managing the impacts of disasters within our municipality. We work closely with emergency services, state government and community organisations before, during and after disasters to share important information. While the City of Launceston is not responsible for responding to most emergencies, we are responsible for ensuring that our community has access to information and resources to help prepare for and recover from a disaster.

Preparing for a disaster is everyone's responsibility and our Emergency Management Hub has important information to help you understand your risks and how you can efficiently prepare for emergency events.

Our Emergency Management Hub will help you and your family prepare and plan for different types of emergencies before they occur. The first step is to understand your risk, then make your plan.

Screenshot from Website - <https://www.launceston.tas.gov.au/Emergency-Management-Hub>

### ***Municipal Emergency Management Plan***

The Municipal Emergency Management Plan has been updated and was endorsed by the State Controller on the 29 January 2024.

### ***Hydro Tasmania - Trevallyn Dam Break Review***

Hydro Tasmania are undertaking a routine review of dam break analysis and impacts for the Trevallyn Dam. This exercise is undertaken approximately every 20 years. A workshop was held in early February and included City of Launceston staff as well as emergency services, the dam regulator, staff from Hydro Tasmania and consultants from Entura.



## LFA Report - 1 October 2023 - 31 March 2024

The purposes of the workshop were to:

- provide an overview of the review,
- provide an overview of the updates to the hydrologic and hydraulic modelling, and associated possible impacts, and
- understand local considerations, including assumptions to feed into the loss of life estimation models.

Hydro Tasmania intends to hold a desktop based dam safety exercise with relevant stakeholders in May 2024 to test the revised dam safety emergency plan.

### ***Financial Position as at 31 March 2024***

- Revenue for the period is \$11,485 favourable, as a result of additional grant revenue received.
- Expenditure for the period is \$328,383 favourable as a result of:
  - Labour favourable variance of \$4,901.
  - Materials and Services favourable variance of \$323,482 due to the Sediment and Levee Management Projects being under budget.
  - The Sediment Management project will remain underspent by EOFY as Sediment Management does not serve a flood mitigation purpose. Discussions are ongoing as to whether funds can be reallocated to relevant capital projects.
  - The Levee Management project is forecast to have expenditure of approximately \$185,000 - \$200,000 by EOFY.
- Including depreciation and full cost attribution, the overall favourable variance is 356,848

A handwritten signature in black ink, appearing to read "Greg Preece", with a long horizontal line extending to the right.

***Greg Preece, Chair  
Launceston Flood Authority***

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**13. ORGANISATIONAL SERVICES NETWORK**

**13.1. Lease - East Launceston Croquet Club**

**FILE NO:** SF2967/SF0879

**AUTHOR:** Michelle Grey (Properties and Legal Officer)

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

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**DECISION STATEMENT:**

To consider leasing an area of land at 22-28 Adelaide Street, East Launceston (part of C/T 246404/1) to the East Launceston Croquet Club Inc. as marked on the plan below.

*This decision requires an absolute majority of Council.*

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 2 May 2019 - Agenda Item 18.2 - Lease - East Launceston Croquet Club

**RECOMMENDATION:**

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

1. agrees to lease an area of land situated at 22-28 Adelaide Street, East Launceston (part of C/T 246404/1) to the East Launceston Croquet Club Inc. as marked on the plan below, for the purposes of community recreation.



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
  - the term shall be five (5) years commencing 1 May 2024 or as determined by the Chief Executive Officer.
  - the lease amount for the first year shall be \$323.96 per annum (as per the Lease and Licence Policy);
  - tenant to be responsible for:
    - energy costs;
    - volumetric and connection charges for water;
    - contents insurance; and
    - other service charges if any.
  - tenant shall continuously maintain:
    - building in good and reasonable order;
    - and keep clear all noxious growth from premises;
    - hold public liability insurance of at least \$20 million.
  - the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.
3. authorises the Chief Executive Officer to exercise any right, option or discretion exercisable by Council under the lease.
4. notes, for the avoidance of doubt, Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).

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**REPORT:**

The East Launceston Croquet Club (ELCC) is located at the area known as Windmill Hill, adjacent to land leased from Council by the East Launceston Bowls Club (ELBC).

The ELCC has been established in this location since 1960. The most recent five-year lease expired on 30 April 2024.

Council officers met with the Lessee to discuss a new Lease. Included in the discussion was reference to Council's Lease and Licence Policy which was adopted in 2022.

The Lessee has requested the continuation of an arrangement through which Council provides parking permits to Club members to park on Adelaide Street for longer than the 3-hour parking limit that applies in that location. This request will be assessed by Council Officers against the City of Launceston Central Activities District Parking Implementation Plan 2021 and does not form part of the lease.

The Lessee has been looking after the property, including installation of garden beds and new shed, plus a low barrier between the croquet greens and the ELBC lawns.

Section 179 of the *Local Government Act 1993* (Tas) provides that the Council may lease public land for a period not exceeding five years without requiring the need for advertising.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

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

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

Focus Areas:

3. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.
4. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life.
5. To promote and support active and healthy lifestyles of our community.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

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

**ATTACHMENTS:**

Nil



**14. CHIEF EXECUTIVE OFFICER NETWORK**

**14.1. Cataract Gorge Chairlift Renewal Request**

**FILE NO:** SF0842

**ACTING CHIEF EXECUTIVE OFFICER APPROVAL:** Shane Eberhardt

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**DECISION STATEMENT:**

To provide in principle support for the renewal of the Gorge Chairlift.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*  
*Land Use and Approvals Act 1993*

**RECOMMENDATION:**

That Council:

1. Provides in principle support for the renewal of the Gorge Chairlift and welcomes the proponents to work with the Council to obtain:
    - a. Disposal of an interest in land under section 178 of the *Local Government Act 1993*.
    - b. A new licence or easement for operation of the site.
    - c. Provision of consent under section 52(1B)(b) of the *Land Use Planning and Approval Act 1993* to lodge a development application on Council managed land.
  2. Notes the land owner consent, disposal of an interest in land and licence all require separate decisions of Council.
- 

**REPORT:**

The Cataract Gorge Reserve is an area of 192 hectares with a further 440 hectares in the Trevallyn Nature Recreation Area. The combined area of 632 hectares of public parkland in close proximity to the city centre of Launceston which provides an astounding discovery for visitors and for many residents is the emotional centre of the city.

In 2015 the Council endorsed the *Cataract Gorge Reserve & Trevallyn Nature Recreation Area, Re-Imagining the Cataract Gorge 2030*. This Plan establishes the values statement for how the area should be managed and maintained.

*In the future management of the Greater Cataract Gorge we will:*

- *Respect each other and the natural integrity of the Reserve*
  - *Understand each other's views; do today with yesterday and tomorrow in mind*
  - *We will do "as much as is necessary and as little as possible"*
  - *Secure the cultural and natural values of the Reserve*
  - *Collaborate and work together*
  - *To realise our opportunities and tackle our challenges*
-

- *Be open, confident and resourceful*
- *It's up to us, as a community, to be confident and resourceful and make the most of the future*

It is these values that the Council will consider in progressing the new potential chairlift development.

Tasmanian Chairlifts has advised that the chairlift requires renewal and request the Council to provide consent to lodge a development application.

The existing chairlift was constructed in 1972. At the time of construction, the chairlift conformed to accepted standards and best design practices. These standards and practices have shifted over time and the existing chairlift no longer conforms to more modern expectations; including accessibility expectations.

It is typical for proposals such as this to be assessed under Council's - *Unsolicited Proposals to Develop Council Owned Property High Level Procedure*. It is not viewed that this procedure applies in this case due to the existing chairlift infrastructure having reached the end of its design life.

In order to proceed the development requires a valid planning permit and a new licence.

There will be three decisions required by the Council for development to occur. These are:

1. The Cataract Gorge is Public Land under section 177A of the *Local Government Act 1993* and entering into a long-term lease or licence is considered as disposal of an interest in public land (i.e. Council is disposing of our rights to use the land). To dispose of land, under section 178 of the *Local Government Act 1993*, Council is required to make a decision to initiate a public process for disposal which includes an opportunity for the community to provide objections and section 178A of the *Local Government Act 1993* provides objectors a mechanism to lodge an appeal to the Appeal Tribunal.
2. Once Council has satisfied the requirements of section 178 of the *Local Government Act 1993* and received a positive outcome from any potential appeals, Council can then make a decision to enter into a licence or lease. Based on our preliminary understanding that the renewed chairlift is new infrastructure on a new alignment the existing licence will be terminated and a new licence or lease will be required.
3. The proposed use will require a development application. To submit this application on Council managed land the proponent will require consent to be provided section 52(1B)(b) of the *Land Use Planning and Approval Act 1993*.

The Council, acting as the Planning Authority, under the provisions of the *Land Use Planning and Approval Act 1993*, will then consider the application based on its merits against the *Tasmanian Planning Scheme* and applicable *Launceston Local Provisions Schedule* including the *Cataract Gorge Management Specific Area Plan Local Area Objective*.

It is suggested the first step in the process would be to consider a disposal of land, under section 178 of the *Local Government Act 1993*. This would require the proponents to provide the exact dimensions and location of the infrastructure, with relevant graphics, details and information.

**RISK IMPLICATIONS:**

This report outlines the process required to support renewal of the chairlift. Risks will be considered further in future reports. Ultimately the Gorge belongs to Launceston and must be treated with care and due diligence.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

The Gorge Chairlift has been providing visitation attraction since 1972 and is an integral part of the experience of the First Basin. Environmental and social impacts will be considered through the approval processes.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Acting Chief Executive Officer has no interests to declare in this matter.

**ATTACHMENTS:**

Nil

**15. CLOSED COUNCIL**

*This decision requires an absolute majority of Council*

**RECOMMENDATION:**

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

**15.1 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.

**15.2 CD045/2023 - Gatehouse Weighbridge Operator**

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:

(d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

**15.3 Councillor Leave of Absence**

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:

(h) applications by councillors for a leave of absence.

**15.4 End of Closed Session**

*To be determined in Closed Council.*

**16. MEETING CLOSURE**

**17. NEXT COUNCIL MEETING DATE**

**The next Ordinary Meeting of Council will be held at 1.00pm on 16 May 2024 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.**