



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 4 APRIL 2024
1.00PM**

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

Date: 4 April 2024

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.

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

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, 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 Prof 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)
Chelsea van Riet (General Manager Community and Place)
Louise Foster (General Manager Organisational Services Network)
Michael Newby (Acting General Manager Infrastructure and Assets Network)
Leanne Purchase (Manager Governance)
Zara Dawtrey (Senior Communications Officer)
Kelsey Hartland (Team Leader Governance)
Lorraine Wyatt (Council and Committees Officer)

Apologies:

Nil

ORDER OF BUSINESS

| | |
|--|-----------|
| 1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES..... | 9 |
| 2. MAYORAL ACKNOWLEDGEMENTS | 9 |
| 3. DECLARATIONS OF INTEREST | 9 |
| 4. CONFIRMATION OF MINUTES..... | 10 |
| 5. COUNCIL WORKSHOPS | 11 |
| 5.1. Council Workshop Report - 21 March 2024 and 28 March 2024 | 11 |
| 6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS | 13 |
| 7. COMMUNITY REPORTS | 13 |
| 8. PUBLIC QUESTION TIME | 14 |
| 8.1. Public Questions on Notice..... | 14 |
| 8.1.1. Public Questions on Notice - Ron Baines - Light Angle Rule, Budget for Greening Launceston, Building Developments in Invermay - 21 March 2024 | 14 |
| 8.1.2. Public Questions Without Notice - Noel Christensen - Trees at Talbot Road Lookout - 21 March 2024 | 16 |
| 8.1.3. Public Questions on Notice - Jim Dickenson - Albert Hall - 24 March 2024 | 17 |
| 8.2. Public Questions Without Notice..... | 18 |
| 8.2.1. Public Questions Without Notice - Ron Baines - Birchalls Development, Overshadowed Public Space and Bed and Breakfast Accommodation Approvals - 4 April 2024 | 18 |
| 8.2.2. Public Questions Without Notice - The Honourable Rosemary Armitage MLC - Birchalls/Katies Building Sites and the Bus Interchange - 4 April 2024 | 19 |
| 8.2.3. Public Questions Without Notice - Jim Dickenson - Albert Hall Contract Extension and Council Staff Turnover - 4 April 2024 | 21 |
| 8.2.4. Public Questions Without Notice - Anna Povey - Gorge Chairlift (Agenda Item 14.1) - 4 April 2024..... | 23 |

| | | |
|---------|--|----|
| 8.2.5. | Public Questions Without Notice - Rocelyn Ives - Gorge Chairlift (Agenda Item 14.1)- 4 April 2024..... | 24 |
| 8.2.6. | Public Questions Without Notice - Kirsten Ritchie, Sarah Kubarych, and Laura Bugg, Strike It Out - 56 Frederick Street (Agenda Item 15.2) - 4 April 2024 | 25 |
| 9. | PLANNING AUTHORITY | 26 |
| 9.0. | Planning Statement..... | 26 |
| 9.1. | DA0586/2023 - 11 Spencer Street, East Launceston - Residential - Demolition of a Dwelling and Construction of a New Dwelling and New Crossover..... | 26 |
| 10. | ANNOUNCEMENTS BY THE MAYOR..... | 32 |
| 10.1. | Mayor's Announcements..... | 32 |
| 11. | COUNCILLORS' REPORTS | 33 |
| 12. | QUESTIONS BY COUNCILLORS | 34 |
| 12.1. | Councillors' Questions on Notice..... | 34 |
| 12.2. | Councillors' Questions Without Notice..... | 34 |
| 12.2.1. | Councillors' Questions Without Notice - Councillor T G Walker - Liaison with AFL Tasmania - 4 April 2024 | 35 |
| 12.2.2. | Councillors' Questions Without Notice - Councillor J J Pentridge - Free Parking at Paterson Street Car Park - 4 April 2024 | 36 |
| 13. | COMMITTEE REPORTS..... | 37 |
| 13.1. | Audit Panel Meeting - 6 March 2024 | 37 |
| 14. | INFRASTRUCTURE AND ASSETS NETWORK..... | 38 |
| 14.1. | Gorge Chairlift | 38 |
| 15. | ORGANISATIONAL SERVICES NETWORK | 40 |
| 15.1. | Lease - Punchbowl Community Garden | 40 |
| 15.2. | Next steps in expression of interest process - 56 Frederick Street, Launceston | 44 |
| 15.3. | Fees and Charges 2024/2025 | 46 |

15.4. Proposed 2024/2025 Annual Plan and Statutory Estimates47

16. CLOSED COUNCIL49

17. MEETING CLOSURE53

18. NEXT COUNCIL MEETING DATE.....53

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).

Councillor S Cai declared an interest in item 9.1 DA0586/2023 - 11 Spencer Street, East Launceston - Residential - Demolition of a Dwelling and Construction of a New Dwelling and New Crossover.

Councillor J J Pentridge declared an interest in item 9.1 DA0586/2023 - 11 Spencer Street, East Launceston - Residential - Demolition of a Dwelling and Construction of a New Dwelling and New Crossover.

Councillor D Gibson advised that he was not declaring an interest in Agenda item 15.2.1 Next Steps in Expression of Interest Process - 56 Frederick Street, Launceston, but wanted to note for transparency, that until recently he was the Patron for St Andrew's Caledonian Pipe Band. He advised that this would have no bearing and he would participate in the item.

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 21 March 2024 be confirmed as a true and correct record.

DECISION: 4 April 2024

MOTION

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

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 21 March 2024 be confirmed as a true and correct record.

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 Prof 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 - 21 March 2024 and 28 March 2024

FILE NO: SF4401

AUTHOR: Lorraine Wyatt (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 21 March 2024:

Chief Executive Officer Appointment

Councillors were provided with an opportunity to discuss the ongoing Chief Executive Officer appointment.

In Attendance: Mayor Councillor M K Garwood, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor S Cai.

Apologies: Deputy Mayor Councillor D H McKenzie, Councillor Prof G Razay and Councillor A J Britton.

2. Workshop conducted on 28 March 2024:

Duck Reach Mini Hydro Regeneration Project

Councillors were provided with a presentation on the Duck Reach Mini Hydro Regeneration Project and the next proposed stage of the project.

Residential Demand and Supply Study

Councillors received a Briefing from Nick Byrne, Director REMPLAN on the Northern Tasmanian Regional Demand Supply Study, which is an important element of a future land use strategy.

City Heart Place Plan Urban Design Manual

External consultants presented an information session on place planning.

Part Closure of a Highway and Disposal of Land - Corner of Nairana Street and Forster Street, Invermay

Council considered a previous Council decision (16/21/2021) to close part of a highway at the corner of Nairana and Forster Streets, Invermay, and disposal of land.

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 A J Palmer, and Councillor S Cai.

Apologies: Councillor L M McMahon and Councillor A J Britton

DECISION: 4 April 2024

MOTION

Moved Councillor A G Harris, 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 Prof 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 have been identified as part of this Agenda.

7. COMMUNITY REPORTS

(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on Agenda Items; that opportunity exists when that Agenda Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Councillors).

No Community Reports were registered with Council as part of these Minutes

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 - Ron Baines - Light Angle Rule, Budget for Greening Launceston, Building Developments in Invermay - 21 March 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 21 March 2024 by Ron Baines, have been answered by Richard Jamieson (Manager City Development) and Kathryn Pugh (Manager Parks and Sustainability).

Questions:

1. Why won't this Council initiate a light angle rule to protect the amenities of its ratepayers and residents and ratepayers?

Response:

The Tasmanian Planning Scheme has a number of clauses specifically designed to protect access to sunlight in residential zones. The intent of these clauses is to ensure that the siting and scale of dwellings provide for consistent separation between properties, as well as allowing for reasonable access to daylight and sunlight for habitable rooms and private open spaces. Outside of residential zones the scheme provisions simpler and provide less protection as the primary intent is to facilitate commercial development.

The City of Launceston cannot modify the provisions of the Tasmanian Planning Scheme. Local provisions can be considered in response to a locally specific issue, however it is unlikely that a locally specific light angle rule that varies from the state-wide approach would be supportable.

2. What is the budget for the Greening Launceston Program? Which Streets are to be included in this project?

Response:

The City of Launceston funds the implementation of the Urban Greening Strategy in several ways, including a \$400,000 capital project budget for the current financial year to fund projects within the strategy. Urban greening also forms part of other capital works across the city, such as City Heart, landscaping at the Road Safety Centre and revegetation works at Newnham Creek.

The Strategy was endorsed by the Council on November 30, 2023, and is supported by the Urban Greening Implementation Plan (Rev_01, November 2023), which is available on the Council's website, published alongside the agenda papers for the meeting. The Strategy covers the entire urban footprint of Launceston (within this municipality). Currently, we are in the planning phase to translate this vision into reality, with priority given to areas with the lowest canopy coverage. The Council has appointed an Urban Forester whose dedicated role is to deliver the Strategy through the Implementation Plan.

3. Given the ongoing climate change problem, will council stop any more building developments in Inveresk?

Response:

The City of Launceston has implemented specific planning provision managing appropriate development in the levee protected areas of Inveresk for at least the past 10 years. The approach taken has been more nuanced than simply stopping any more development, and has been tailored to align to the level of risk the community is able to tolerate.

Some sectors of development are tightly controlled for example higher density residential development, community and emergency service facilities as these uses are generally more vulnerable to inundation and less able to manage the risk of flooding. Other sectors such as commercial and industrial development are considered more able to tolerate inundation and manage their own risk as a cost of doing business and so the planning scheme continues to provide opportunities in these area.

All new development in Inveresk is required to develop and maintain a flood response plan to maximise their preparedness and resilience in case of inundation.

8.1.2. Public Questions Without Notice - Noel Christensen - Trees at Talbot Road Lookout - 21 March 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 21 March 2024 by Noel Christensen, have been answered by Kathryn Pugh (Manager Parks and Sustainability).

Questions:

1. Were the trees blocking the view from atop the Talbot Road lookout planted with the intention to negate the effect and purpose of the tower?

Response:

Launceston's street trees were planted to provide shade for pedestrians and amenity in our suburbs.

2. If not, then why are they left in place to effectively negate the purpose of erecting the tower in 1935?

Response:

In previous years Council has investigated the option of extending the height of the Talbot Road lookout tower above the tree line, however this has significant accessibility and engineering constraints, and as such this it is not a feasible option

3. How long does Council intend for this ludicrous situation to continue and so deprive locals and tourists of Launceston's version of viewing platforms equal to the Eiffel Tower (Paris), empire State Building (New York) or Sydney Tower (Centrepont)?

Response:

The eastern and northern view is mostly affected due to the close proximity of the sheaok trees adjacent to the lookout, which provide afternoon shade on the path. The trees would be unsightly if pruned below the view level, and such pruning would decrease the health of the trees causing increased risk to the public. These trees would require removal, rather than pruning. Removal of healthy trees is contrary to the City of Launceston's Urban Greening Strategy, which aims to increase the city's urban forest cover. The south-west and west trees are within a land slip area, and as such pruning that would compromise the trees or tree removal, is not recommended.

8.1.3. Public Questions on Notice - Jim Dickenson - Albert Hall - 24 March 2024

FILE NO: SF6381

AUTHOR: Lorraine Wyatt (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Shane Eberhardt

QUESTIONS AND RESPONSES:

The following questions, submitted to Council on 24 March 2024 by Jim Dickenson, have been answered by Michael Newby (Acting General Manager Infrastructure and Assets Network).

Questions:

1. It can be noticed that demolition of the existing east wing is proceeding carefully almost piece by piece rather than by wrecking ball. While this is a good approach it is very time-consuming and after some 3 months the project is not yet site ready for the rebuild. Is the rebuild still on schedule for a final quarter 2024 completion?

Response:

The Albert Hall Renewal Project program currently lists a contract completion date of 27 March 2025.

2. Ignoring the fact that the TSO will be in Launceston in April playing a special with the Wolfe Brothers, it has been years since a normal orchestral concert has been performed. I would imagine the TSO is at present preparing for its 2025 season. Has Council advised the TSO that the redeveloped Albert Hall, our Concert Hall, will be available in 2025 for the long awaited return of Launceston's concert season?

Response:

Council officers have been in contact with the Tasmanian Symphony Orchestra as recently as the week of Monday 18 March to provide them an update and to advise them of the expected contract completion date, 27 March 2025.

8.2. Public Questions Without Notice

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

8.2.1. Public Questions Without Notice - Ron Baines - Birchalls Development, Overshadowed Public Space and Bed and Breakfast Accommodation Approvals - 4 April 2024

1. Is it true that a lawsuit may be in the offing re the Birchalls fiasco?

The Mayor, Councillor M K Garwood, advised there are no lawsuits pending on the Birchalls development.

2. City of Launceston Council recently issued a warning that a TAFE redevelopment may overshadow a public space, yet when the development does exactly that for a private ratepayer's building they have no sympathy at all. This does seem to be a hypocritical situation that reflects badly on this council. Will Council address this situation in the near future or will as usual some be more equal than others?

The Mayor, Councillor M K Garwood, advised that the Planning Scheme dictates the rules and regulations around overshadowing. As the matter was withdrawn, Council has had more conversation around the issues with that building in particular and will continue to do so. All decisions will be made by Council taking into account those amenities.

3. It seems that Council's Homelessness Committee is being undermined by Council's continual approval of B&B's [Bed and Breakfast Accommodation] in its boundaries, which obviously exacerbates the problem of long term rentals. I ask how many B&B's have been approved in Launceston?

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 18 April 2024.

8.2.2. Public Questions Without Notice - The Honourable Rosemary Armitage MLC - Birchalls/Katies Building Sites and the Bus Interchange - 4 April 2024

- 1. What is the current situation with regard to the contract holder, or the joint contract holder with the Council - has the contract been signed and deposit paid given the Council apparently entered into this contract over 3 years ago?**

The Mayor, Councillor M K Garwood advised that at this time, no deposit being paid to Council from any developer.

- 2. As this project is essentially a public/private partnership with an overall financial interest of almost \$100 million, I believe Launceston ratepayers are entitled to a commensurate level of transparency. Should the contract holder fail to meet its obligations under this partnership, and an educational precinct no longer be on the table, bearing in mind Council is the Planning Authority, can you confirm that Launceston Council has no desire or intent to themselves develop the Birchalls/Katies building sites given it would appear to be a conflict of interest and in direct competition with private enterprise?**

The Mayor, Councillor M K Garwood, advised that he could not confirm that option would be off the table as all options would be developed for the better outcome of the community. Relevant legislation would have clauses in place to deal with those who are looking to develop who may also have influence over the Planning Authority.

- 3. From media reports in The Examiner newspaper on 23 February 2024 it appeared that the modern urban bus interchange in the heart of Launceston, put forward by a majority Liberal Government was proposed for a Park and Go station site in lower St John Street. How does this affect the current proposal with regard to the car park backing onto the Birchalls/Katies buildings given the bus interchange in the Paterson Street car park was an integral part of that development?**

The Mayor, Councillor M K Garwood, stated that as a part of this first term Council, now into its second year, one of our early decisions was to accelerate the process by moving away from any coinciding developments of the Birchall/Katies car park and we are looking to focus purely on the development of Birchalls/Katies building itself. For any further discussion that we are privy to, we would expect the State Government would be seeking input from us about what that terminal may or may not look like.

In respect to the lower St John Street development, it is understood that this is a regional bus development through the State Government and the private sector. If that was to remain the desired outcome for that specific development, it would not have any affect on what the regional buses were doing as this is a metro, urban looking development for Birchalls on the lower floor there of the car park.

4. Is Council likely in the future to put out a media release to actually advise, what is happening with the Birchalls/Katies Building and perhaps look for another developer to do something similar to the Cat and the Fiddle in Hobart and hopefully Council doesn't throw good money after bad by actually looking to develop themselves?

The Mayor, Councillor M K Garwood, advised that he could not speak to putting out a further expression of interest. Commercial in confidence requirements limit what we can say and what we can release. Council is moving as quickly as we can to make informed decisions and advise the public, but events such as the State election are impacting our ability to disclose information because we do not want to get the community excited about precincts and prospects that continually get slowed down by extra elements.

8.2.3. Public Questions Without Notice - Jim Dickenson - Albert Hall Contract Extension and Council Staff Turnover - 4 April 2024

- 1. What reasons has SHAPE [the contractor for the Albert Hall project] given to justify the 3 month extension of time for the contract and why did the Council approve the extension contrary to the contract conditions?**

Shane Eberhardt, Acting Chief Executive Officer, advised that SHAPE have not been given an extension of time and the construction period is consistent with the timeframe tendered. The extension of time has been due to confirming with the Australian Government that they are comfortable with the change in scope that the Council has endorsed.

- 2. Last year I asked, as SHAPE is a mainland contractor where are they getting their workforce? Council responded that the successful construction contractor will be required to demonstrate that it can adequately resource the project. It is now two months in and you have got nowhere with demolition and is the reason why, from my previous question, they want an extension of time because if you can't get the demolition down, you cannot start rebuilding?**

The Mayor, Councillor M K Garwood, responded by saying that there has been an extensive amount of work done inside the building which is not visible from the outside. He noted that the process may be a bit slower as the Council has been seeking to repurpose some of the pieces with nostalgic and historical values.

The renegotiation with the Australian Government has also required an extension of time as mentioned in the response to the last question and it is not a construction extension. Conversations around the workforce getting used in the state and the sub-contractors used have been occurring. There are boxes that need to be ticked around accreditation and who we can tender with for projects where we are using Australian Government funding.

- 3. It is reported that there has been a 16% staff change over for the organisation so obviously morale is pathetic. What are you working on to try and overcome a massive change over in staff?**

The Mayor, Councillor M K Garwood, responded by saying that we have activations and the internal cultural surveys and asked Shane Eberhardt, Acting Chief Executive Officer to provide additional comment.

Shane Eberhardt, Acting Chief Executive Officer, advised that the assumption that high staff turnover in the current environment is linked to culture in the organization, is incorrect. We have benchmarked nationally with other local governments and organisations and the level of turnover we have is consistent with what others are experiencing. We are continually looking at our recruitment processes and retention policies to try and slow the turnover.

There are national shortages in the areas of engineering, planning, environmental health, where there are more people leaving the workforce than joining it.

8.2.4. Public Questions Without Notice - Anna Povey - Gorge Chairlift (Agenda Item 14.1) - 4 April 2024

The Mayor advised that questions asked by members of the public relating to live agenda items, can be asked during Public Question Time for the Councillors and public to hear, however answers to the questions will not be provided. Members of the public were advised they could still speak to the item when listed later in the agenda.

- 1. Is the upgrade proposal for chairs or cablecars? This is essential information before the council makes such an important decision as landholder consent.**
- 2. Could council delay the decision on landholder consent until the proposal is more fully described? The information provided today in the council agenda is too limited for Councillors to make an informed decision about what, in actual fact, is significant new infrastructure.**
- 3. As the whole infrastructure will be new, whether it's cablecars or chairs, will the council use the Unsolicited Proposals to Develop Council Owned Property High Level Procedure?**

8.2.5. Public Questions Without Notice - Rocelyn Ives - Gorge Chairlift (Agenda Item 14.1)- 4 April 2024

The Mayor advised that questions asked by members of the public relating to live agenda items, can be asked during Public Question Time for the Councillors and public to hear, however answers to the questions will not be provided. Members of the public were advised they could still speak to the item when listed later in the agenda.

Ratepayers consider the Cataract Gorge as their bigger backyard. It is the nature of the place that provides our community with a place to meet with others, to explore, swim and play. It is a shared space with visitors from around the world. Council keeps the natural aspects of the Gorge in balance with infrastructure needs and that is its attraction. Today Councillors are being asked to approve landowners consent for the owners of the chairlift to “replace” the ageing chairlift infrastructure.

1. Because the public has been provided with no detail of the plans at this early stage, how confident can they be the DA when presented will be like for like, that is chairlift style seating with minimal visual impact changes in its re routing? It is new infrastructure replacing old so it is indeed different and will appear different.
2. Councillors were made aware of this new proposal in a closed workshop and to my knowledge no one in the public were given any indication of it occurring. Does Council agree that given the past rebuff to the Skyway proposal by the same proponents three to four years ago, it would have been preferred to communicate openly with the public more than 5 days beforehand about this proposal to ensure the community is accepting of any changes?
3. Could there be an extension of time given before this proposal is approved so key elements of the replacement chair lift and infrastructure can be made available to the public?

8.2.6. Public Questions Without Notice - Kirsten Ritchie, Sarah Kubarych, and Laura Bugg, Strike It Out - 56 Frederick Street (Agenda Item 15.2) - 4 April 2024

The Mayor advised that questions asked by members of the public relating to live agenda items, can be asked during Public Question Time for the Councillors and public to hear, however answers to the questions will not be provided. Members of the public were advised they could still speak to the item when listed later in the agenda.

- 1. What do you prioritise - money first or people?**

- 2. If Strike It Out does not get 56 Frederick Street today, can you please provide a list of other council-owned properties that are available for use?**

- 3. How would you feel if you had no place to sleep at night?**

9. PLANNING AUTHORITY

9.1. DA0586/2023 - 11 Spencer Street, East Launceston - Residential - Demolition of a Dwelling and Construction of a New Dwelling and New Crossover

FILE NO: DA0586/2023

AUTHOR: Rachael Huby (Town Planner)

GENERAL MANAGER APPROVAL: Chelsea van Riet (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: | Jac Group |
| Property: | 11 Spencer Street, East Launceston |
| Zoning: | General Residential |
| Receipt Date: | 13/12/2023 |
| Validity Date: | 23/02/2024 |
| Further Information Request: | 03/01/2024 |
| Further Information Received: | 09/02/2024 |
| Deemed Approval: | 5/04/2024 |
| Representations: | Four (4) |

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

N/A

STANDARDS REQUIRING PLANNING DISCRETION:

8.4.2 P3 Setbacks and building envelope for all dwellings
8.4.6 P1 Privacy for all dwellings
C2.6.3 P1 Number of accesses for vehicles

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 DA0586/2023 Residential - Demolition of a dwelling and construction of a new dwelling and new crossover at 11 Spencer Street, East Launceston, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Contents / Index Page, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 01, Dated 19/1/2024
- b. Strata Plans - Proposed And Existing, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 02, Dated 19/1/2024
- c. Proposed Site Plan, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 03, Dated 19/1/2024 **AMENDED PLANS REQUIRED**
- d. Proposed Floor Plans, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 04, Dated 19/1/2024 **AMENDED PLANS REQUIRED**
- e. Proposed Elevations, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 05, Dated 19/1/2024
- f. Shadow Projection Diagrams, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 06, Dated 19/1/2024
- g. Shadow Projection Diagrams, Prepared by DW+A Design, Drawing No. XW CC:1660, Project name Proposed Demolition And New Dwelling 11 Spencer Street East Launceston, Page No: Sheet 07, Dated 19/1/2024
- h. Proposed Driveway Apron and Stormwater House Connection Revision, Prepared by 6ty, Drawing No. C01, Project name: Cocker Residence, Dated 12/02/2024.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work and/or use, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- a. *the nominated waste storage area on the eastern side of the proposed dwelling*
- b. *Privacy Screening: The aluminium framed double glazed walls on the first floor pool and private space area must include fixed obscure glazing extending to a height of not less than 1.7m above the floor level along the western side of the proposed dwelling to ensure reasonable privacy for the adjoining property.*
- c. *Privacy Screening: The glass balustrade height for the pool and deck area is to be raised to a minimum height of 1.7m and have obscure glazing extending to a height of not less than 1.7m above the floor level along the western side of the dwelling OR an additional privacy screen is erected to the height of 1.7m*

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the planning officer.

3. USE OF PARKING AREAS

Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose.

4. LEGAL TITLE

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

5. EXTERIOR AND SECURITY LIGHTING

Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.

6. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/01757-LCC, dated 04/01/2024 and attached to the permit.

7. HOURS OF CONSTRUCTION

- a) Unless otherwise approved in writing by the Manager Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7 am to 6 pm; and
 - ii. Saturday - 8 am to 6 pm.
- b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

8. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

9. NO BURNING OF WASTE

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

10. DEMOLITION

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

11. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0586/2023. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Tasmanian Civil & 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 (2) 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 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 & 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 & Administrative Tribunal (TASCAT) website www.tascat.tas.gov.au <<http://www.tascat.tas.gov.au>>

D. Permit Commencement.

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

E. Demolition

Planning approval is granted for demolition of the existing building/s so indicated on the endorsed plan. However, Building Approval for the demolition is required before demolition can proceed.

F. Recycling and Re-use of demolished building materials

It is recommended that any heritage features and/or other serviceable components i.e. bricks, roof tiles, joinery and decorative architectural elements including windows, doors, floorboards chimney pieces and ceiling roses, are salvaged for re-use on the project, stored for future reuse on the project, and/or recycled in an appropriate manner (i.e. transferred to an established second hand building material dealer for reuse) that contributes to a reduction in landfill and lessens the demand for manufacture of new materials.

Councillor S Cai withdrew from the Meeting at 1:32pm

Councillor J J Pentridge withdrew from the Meeting at 1:32pm

Councillor A J Britton withdrew from the Meeting at 1:33pm

Councillor A J Britton re-attended the Meeting at 1:35pm

Clare Gregg spoke for the recommendation

Dean Cocker spoke for the recommendation

DECISION: 4 April 2024

MOTION

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

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

CARRIED 10:0

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 Prof G Razay, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton

AGAINST VOTE: Nil

Councillor S Cai re-attended the Meeting at 1:50 pm

Councillor J J Pentridge re-attended the Meeting at 1:51 pm

10. ANNOUNCEMENTS BY THE MAYOR

10.1. Mayor's Announcements

FILE NO: SF2375

Thursday 21 March 2024

- Attended the *Tasmania Reads Week* Celebration, Launceston Library
- Attended the Engage for Change, Community Talk Series - Climate Change, Health and Disaster Management

Friday 22 March 2024

- Spoke with Grade 3 and 4 Students at St Thomas Mores, Newstead
- Officiated at the Launceston Ukulele Jaboree 2024 Concert, Earl Art Centre

Sunday 24 March 2024

- Presented Medals at the Tasmanian Open Karate Championships, Scotch Oakburn College

Tuesday 26 March 2024

- Participated in Panel on "Civics and Citizenship", Summerdale Primary School

Thursday 28 March 2024

- Attended the 28th Annual Refresh Civic Leaders' Breakfast, Legana

Friday 29 March 2024

- Attended *Lets Launch Sunshine Coast with Bonza*, Launceston Airport

Saturday 30 March 2024

- Attended the Ladbrokes Easter 2024 Easter Cup race meeting, Mowbray

Monday 1 April 2024

- Welcomed players to the Golf Croquet Easter Tournament, St Leonards

Wednesday 3 April 2024

- Officiated at Private Citizenship Ceremony, Town Hall
-

The Mayor, Councillor M K Garwood, advised that he was unable to attend *Lets Launch Sunshine Coast with Bonza* on 29 March 2024.

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).

Deputy Mayor Councillor D H McKenzie

- **Attended the Lets Launch Sunshine Coast with Bonza**

Councillor S Cai

- **Attended the Northern Cancer Support Centre for Harmony Week**
- **Spoke to a Legal Studies class at Launceston College**

Councillor L M McMahon

- **Attended a Pamper Day organised by Soroptomist International Launceston**

Councillor A G Harris

- **Attended Mind Blown at QVMAG**

Councillor D C Gibson

- **Participated in a Tour of Inveresk - Wetlands Exhibition**
- **Acknowledged the latest Planetarium offering - Dark Side of the Moon: A Pink Floyd Experience**
- **Acknowledged the work of Professor Nigel Forteath, who has published a book on Tasmania's dragonflies, with the Launceston Field Naturalists club**

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).

No Councillors' Questions on Notice were identified as part of the Agenda

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. Councillors' Questions Without Notice - Councillor T G Walker - Liaison with AFL Tasmania - 4 April 2024

- 1. Will the Council directly engage with AFL Tasmania to get a clearer indication for the future of northern football?**

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 18 April 2024.

12.2.2. Councillors' Questions Without Notice - Councillor J J Pentridge - Free Parking at Paterson Street Car Park - 4 April 2024

- 1. At what time does the boom gate at the Patterson Street car park get opened and what time does it close in the evening to allow the public access free of charge?**

The Mayor, Councillor M K Garwood, advised that this question would be Taken on Notice and a response provided in the Council Agenda of 18 April 2024.

13. COMMITTEE REPORTS

13.1. Audit Panel Meeting - 6 March 2024

FILE NO: SF3611

AUTHOR: Nathan Williams (Chief Financial Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Audit Panel Meeting held on 6 March 2024.

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held on 6 March 2024.

DECISION: 4 April 2024

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 Prof 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. Gorge Chairlift

FILE NO: SF0842

AUTHOR: Michael Newby (Acting General Manager Infrastructure and Assets Network)

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

DECISION STATEMENT:

To consider providing consent to the Gorge Chairlift upgrade proponents to lodge the associated Development Application.

Recommendation 1 requires an absolute majority of Council.

RELEVANT LEGISLATION:

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

RECOMMENDATION:

That Council, by absolute majority, authorises the Acting Chief Executive Officer to provide consent to lodge the Development Application associated with the proposed Gorge Chairlift upgrade.

Anna Povey spoke against the recommendation
Paul Throssell spoke against the recommendation
Lu McGinniss spoke against the recommendation
Rocelyn Ives spoke against the recommendation

DECISION: 4 April 2024

MOTION

Moved Councillor T G Walker, seconded Councillor A E Dawkins.

- 1. That Council, by absolute majority, authorises the Acting Chief Executive Officer to provide consent to lodge the Development Application associated with the proposed Gorge Chairlift upgrade, subject to the following conditions:**
 - i. That a social licence for development plans be gained through a suitable public consultation process, allowing public input and influence in the final design, both of the developer, and of council work required to facilitate the development.**
 - ii. That Council's Environmental and Parks Managers, and the Chief Executive Officer, are satisfied that the differences in the new design and location of infrastructure are compatible with existing or future Cataract Gorge needs and amenity, and a council co-design of changes to that infrastructure is developed.**
 - iii. That costs associated with the necessary infrastructure changes to Council assets be negotiated and met between the developer and Council.**
- 2. That the results of these conditions shall be tabled and voted on by Council before a Development Application is accepted and lodged by the developer.**

LOST 4:8

FOR VOTE: Councillor A E Dawkins, Councillor T G Walker, Councillor Prof G Razay and Councillor S Cai

AGAINST VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon and Councillor A J Britton

During debate, Deputy Mayor Councillor D H McKenzie moved that the item lay on the table. The motion was withdrawn by the mover before it was seconded.

After the vote, Shane Eberhardt, Acting Chief Executive Officer, withdrew the item.

15. ORGANISATIONAL SERVICES NETWORK

15.1. Lease - Punchbowl Community Garden

FILE NO: SF0865, SF2967

AUTHOR: Michelle Grey (Properties and Legal Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider leasing an area of land at Punchbowl Reserve (part of PID 2784822) to the Punchbowl Garden Group.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Sections 177A and 179 of the *Local Government Act 1993* (Tas).

PREVIOUS COUNCIL CONSIDERATION:

Council - 26 June 2017 - Agenda Item 18.2 - Licence - Rotary Club of Youngtown Inc.

RECOMMENDATION:

That Council:

1. by absolute majority, in accordance with section 179 of the *Local Government Act 1993*, agrees to lease an area of land situated at Punchbowl Reserve (part of PID 2784822), shown in blue below to the Punchbowl Garden Group Inc. for the purposes of a community access garden.



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:

- a. the term shall be five years commencing on 1 April 2024;
- b. the commencing rent shall be \$323.96 per annum based on 182 fee units;
- c. tenant to be responsible for all outgoing costs such as:
 - i. energy costs;
 - ii. volumetric usage and service charges for water;
 - iii. fire service checks;
 - iv. security monitoring fees; and
 - v. all other service fees and charges associated with maintenance of the building.
- d. tenant shall continuously maintain:
 - i. contents insurance
 - ii. public liability insurance of at least \$20 million.
- e. 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).

DECISION: 4 April 2024

MOTION

Moved Councillor D C Gibson, seconded Councillor A G Harris.

That Council:

1. by absolute majority, in accordance with section 179 of the *Local Government Act 1993*, agrees to lease an area of land situated at Punchbowl Reserve (part of PID 2784822), shown in blue below to the Punchbowl Garden Group Inc. for the purposes of a community access garden.



2. authorises the Chief Executive Officer to enter into a formal lease under the following terms:
 - a. the term shall be five years commencing on 1 April 2024;
 - b. the commencing rent shall be \$323.96 per annum based on 182 fee units;
 - c. tenant to be responsible for all outgoing costs such as:
 - i. energy costs;
 - ii. volumetric usage and service charges for water;
 - iii. fire service checks;
 - iv. security monitoring fees; and
 - v. all other service fees and charges associated with maintenance of the building.
 - d. tenant shall continuously maintain:
 - i. contents insurance
 - ii. public liability insurance of at least \$20 million.
 - e. the exact dimensions of land to be leased and all remaining terms to be determined by the Chief Executive Officer.

- f. recognising that the space and infrastructure is shared with City of Launceston operations, clear expectations be established for how the Council and Punchbowl Garden Group Inc. work together.
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).

CARRIED BY ABSOLUTE MAJORITY 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 Prof 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. Next steps in expression of interest process - 56 Frederick Street, Launceston

FILE NO: CD037/2023

AUTHOR: Leanne Purchase (Manager Governance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the next steps regarding the future use of 56 Frederick Street, Launceston.

PREVIOUS COUNCIL CONSIDERATION:

Council – 14 December 2023 - Agenda Item Number 16.3 - Next steps in Expression of Interest Process – 56 Frederick Street, Launceston

Workshop – 22 February 2024 – Expression of Interest Process – 56 Frederick Street, Launceston

Workshop - 4 May 2023 - Disposal of 56 Frederick Street, Launceston Workshop - 23

November 2023 - Expression of Interest Process - 56 Frederick Street, Launceston

Workshop - 30 November 2023 - 56 Frederick Street, Launceston - Next Steps

RECOMMENDATION:

That Council:

1. Endorses the proposal submitted by the Launceston History Centre Inc. as its preferred proposal for the future use of 56 Frederick Street, Launceston;
2. Authorises the Chief Executive Officer to work with the Launceston History Centre Inc. to progress a lease in alignment with the Council's Lease and Licence Policy 19-Plx-002 for managing the ongoing use of 56 Frederick Street, Launceston; and
3. Notes that the Council will be asked to formally consider granting the lease with appropriate terms at a future meeting of the Council.

Kirsten Ritchie spoke against the Recommendation

Sarah Kubarych spoke against the Recommendation.

John Dent spoke for the Recommendation.

Julian Burgess Launceston History Centre spoke for the Recommendation.

DECISION: 4 April 2024

MOTION

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

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

CARRIED 12:0

FOR VOTE: Mayor Councillor 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 A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

15.3. Fees and Charges 2024/2025

FILE NO: SF2968

AUTHOR: Samuel Kelty (Manager Finance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To determine various Council fees for the 2024/2025 financial year in accordance with the requirements of the Local Government Act 1993 (Tas).

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 7 December 2023 - 2024/2025 Budget

Workshop - 29 February 2024 - 2024/2025 Fees & Charges

RECOMMENDATION:

That Council, pursuant to section 205 of the Local Government Act 1993 (Tas), sets the fees as detailed in ECM Doc Set ID 5046892 which is attachment 1 to this agenda item, for the financial year ending 30 June 2025:

DECISION: 4 April 2024

MOTION

Moved Councillor D C Gibson, seconded Councillor A G Harris.

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

CARRIED 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 Prof G Razay, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Councillor J J Pentridge

15.4. Proposed 2024/2025 Annual Plan and Statutory Estimates

FILE NO: SF6938/SF7153

AUTHOR: Nathan Williams (Chief Financial Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the release of the proposed 2024/2025 Annual Plan and Statutory Estimates for public consultation.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Waste and Resource Recovery Act 2022

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 29 February - Draft Budget and Annual Plan 2024/25

RECOMMENDATION:

That Council:

1. approves the release of the draft 2024/2025 Annual Plan (Doc Set ID 5044344) and proposed Statutory Estimates (Doc Set ID 5046718) including the Capital Projects 2024/2025 (Doc Set ID 5046717) and Major Operational Projects 2024/2025 (Doc Set ID 5046719).
 2. invites submissions from the community on the 2024/2025 Annual Plan and Statutory Estimates.
 3. determines to close the submission period at 5.00pm on Friday, 3 May 2024.
 4. notes that submissions will be discussed at the Workshop to be held on Thursday, May 23, 2024.
 5. notes that the Council Meeting of Thursday, 13 June 2024 is the intended date at which Council will be asked to consider the adoption of the City of Launceston Annual Plan, Statutory Estimates and Rating Resolution for 2024/2025. ^(OBJ)
-

Councillor L M McMahon withdrew from the Meeting at 4:02pm

Councillor L M McMahon re-attended the Meeting at 4:05 pm

Councillor J J Pentridge withdrew from the Meeting at 4:10 pm

Councillor J J Pentridge re-attended the Meeting at 4:11 pm

Councillor A J Britton withdrew from the Meeting at 4:11 pm

Councillor A J Britton re-attended the Meeting at 4:14 pm

DECISION: 4 April 2024

MOTION

Moved Councillor D C Gibson, seconded Councillor A G Harris.

That the Motion, as per the Recommendation to Council, be adopted with a minor amendment to the action on page 14 of the proposed Annual Plan 2024/2025 "Continue work on St Leonards Residential Growth Strategy and Masterplan", that change being to amend the word "developer" to "developers" in the output column.

CARRIED 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 Prof G Razay, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton

AGAINST VOTE: Councillor J J Pentridge

16. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

16.1 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.

16.2 CD031/2023 Bookings and Access Control (Keyless Entry) for Council Facilities, Outdoor Spaces and Sports Fields

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.

16.3 CD020/2023 - Home Point Pontoon Refurbishment - Separable Portion No 2

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.

16.4 End of Closed Session

To be determined in Closed Council.

DECISION: 4 April 2024

MOTION

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

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

Council moved into Closed Session at 4.16pm.

Council returned to Open Session at 5.55pm.

16.5. End of Closed Session

RECOMMENDATION:

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

| Minutes Item | Matter | Brief Description |
|---------------------|---|--|
| 16.1 | <i>Closed Council Minutes – 7 March 2024</i> | <i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 7 March 2024.</i> |
| 16.2 | <i>CD031/2023 - Bookings and Access Control (Keyless Entry) for Council Facilities, Outdoor Spaces and Sports Fields</i> | <i>Councillors approved the appointment of a contractor for CD031/2023 Bookings and Access Control (Keyless Entry) for Council Facilities, Outdoor Spaces and Sports Fields.</i> <i>The name of the successful tenderer will be published to www.launceston.tas.gov.au once both the successful and unsuccessful tenderers have been notified of the decision.</i> |
| 16.3 | <i>CD020/2023 - Home Point Pontoon Refurbishment - Separable Portion No 2</i> | <i>Councillors approved the tender submitted for Refurbishment of the Home Point Pontoon Contract No CD020/2023 (Separable Portion No 2).</i> <i>The name of the successful tenderer will be published to www.launceston.tas.gov.au once both the successful and unsuccessful tenderers have been notified of the decision.</i> |
| 16.4 | <i>Urgent Late Item - Selection and Appointment of City of Launceston's Chief Executive Officer</i> | <i>Councillors considered the next steps in the recruitment of the City of Launceston's Chief Executive Officer.</i> |

DECISION: 4 April 2024

MOTION

Moved Councillor A G Harris, seconded Councillor L M McMahon.

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 Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer, Councillor L M McMahon, Councillor S Cai and Councillor A J Britton
AGAINST VOTE: Nil

17. MEETING CLOSURE

The Mayor, Councillor M K Garwood, closed the Meeting at 5.57pm.

18. NEXT COUNCIL MEETING DATE

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