



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

**COUNCIL MEETING  
THURSDAY 25 JANUARY 2024  
1.00PM**

File No: SF2346  
KH

Your Ref:

2 January 2024

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

Dear Michael

**COUNCIL MEETINGS**

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

4. *Convening council meetings*  
(1) *The mayor of a council may convene -*  
(a) *an ordinary meeting of the council; and*  
(b) *a special meeting of council.*

I request that you make the necessary arrangements for the Ordinary Meetings of Council to be convened on the following dates for 2024:

25 January	8 February	22 February	7 March
21 March	4 April	18 April	2 May
16 May	30 May	13 June	27 June
11 July	25 July	8 August	22 August
5 September	19 September	3 October	17 October
31 October	14 November	28 November	12 December

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

Yours sincerely



Councillor M K Garwood  
MAYOR

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

Date: 25 January 2024

Time: 1.00pm

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### Certificate of Qualified Advice

#### Background

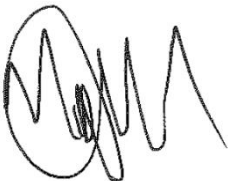
To comply with section 65 of the *Local Government Act 1993* (Tas):

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.



**Michael Stretton**  
Chief Executive Officer

### AUDIO of COUNCIL MEETINGS

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

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

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

### PUBLIC QUESTION TIME - AGENDA ITEM 8

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

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

### PUBLIC COMMENT ON AGENDA ITEMS

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

Please note the following important information:

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

Your respectful contribution is welcome and appreciated.

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## 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**  
**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:***

**Michael Stretton (Chief Executive Officer)**  
**Michelle Ogulin (Acting General Manager Community and Place Network)**  
**Louise Foster (General Manager Organisational Services Network)**  
**Shane Eberhardt (General Manager Infrastructure and Assets Network)**  
**Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)**  
**Michael Newby (Chief Infrastructure Officer)**  
**Catherine Mainsbridge (Senior Town Planner - Development) (Agenda Item 9.1)**  
**Rachael Huby (Town Planner) (Agenda Item 9.2)**  
**Samuel Kelty (Manager Finance) (Agenda Item 14.1)**  
**Michelle Grey (Properties and Legal Officer) (Agenda Items 14.2 and 14.3)**  
**Zara Dawtrey (Digital Marketing Officer)**  
**Esther Counsel (Team Leader Governance)**  
**Kelsey Hartland (Risk and Insurance Officer)**

***Apologies:***

**Deputy Mayor Councillor D H McKenzie**

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

The Mayor, Councillor M K Garwood, opened the Meeting at 1.00pm with an Acknowledgement of Country and noted an apology from Deputy Mayor Councillor D H McKenzie.

The Mayor also advised that Agenda Item 15.1 Transfer of York Park to Stadiums Tasmania had been withdrawn from the meeting agenda. The reason for the withdrawal is that subsequent to the agenda being prepared, we received a request from Infrastructure Tasmania and Stadiums Tasmania to provide a presentation on the planned upgrades to UTAS Stadium. This presentation will occur on Thursday 1 February 2024 and the item will be relisted on the agenda for the next Council meeting on Thursday 8 February 2024 to enable this presentation to occur prior to the decision being made by the Council.

**2. MAYORAL ACKNOWLEDGEMENTS**

There were no Mayoral Acknowledgements for this Meeting

**3. DECLARATIONS OF INTEREST**

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

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

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

**4. CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 14 December 2023 be confirmed as a true and correct record.

**DECISION: 25 January 2024**

**MOTION**

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

**That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 14 December 2023 be confirmed as a true and correct record.**

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor M K Garwood, 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 - 18 January 2024**

**FILE NO:** SF4401

**AUTHOR:** Kelsey Hartland (Risk and Insurance 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 Workshop conducted and attended since the last Council Meeting, for the purposes described:

**Workshop conducted on 18 January 2024:**

**UTAS Boland Street Update**

*Councillors were provided with an update on the Boland Street road closures.*

**Homelessness Strategy**

*Councillors received a summary presentation on the Homelessness Strategy, the feedback received and discussed the recommended changes to the plan.*

**Revised Greater Launceston Plan - Update**

*Councillors received an update on the project to deliver a revised Greater Launceston Plan.*

**Development Assessment Panel Framework**

*Councillors discussed and provided guidance for the City of Launceston submission on the Development Assessment Panel framework.*

**York Park/UTAS Stadium Update**

*Councillors were provided with an update on the outcomes of the advertising process for the transfer of UTAS Stadium as well as next steps.*

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

*Apologies:* Councillor A G Harris

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**DECISION: 25 January 2024**

**MOTION**

**Moved Councillor D C Gibson, seconded Councillor A E Dawkins.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor M K Garwood, 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 these Minutes**

**7. COMMUNITY REPORTS**

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

**No Community Reports were registered with Council as part of this Meeting**

**8. PUBLIC QUESTION TIME**

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

**8.1. Public Questions on Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(1)*

**8.1.1. Public Questions on Notice - Ray Norman - Mural - Paterson Street East Car Park - 30 December 2023 and 12 January 2024**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Risk and Insurance Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 30 December 2023 and 12 January 2024 by Ray Norman, have been answered by Phillipa Lees (Acting General Manager Community and Place Network).

**Questions:**

1. Will the Mayor in concert with all Councillors please explain to Council's constituents et al, his, and by extension all Councillors', implementation of the Paterson Street East Carpark Public Art Project without it being deliberated upon and approved in Open Council and without providing Council's constituency an opportunity to make representations?

**Response:**

*The Paterson Street East Carpark Mural and other art installations around the City are the first major operational elements of the City of Launceston Public Art Strategy 2023 - 2031, which encourages collaborative, place-based creative practice for temporal and permanent outcomes to create accessible and inspiring artwork in Launceston's public places and provide opportunities for artists in Launceston.*

*The Public Art Strategy was produced through broad community consultation and endorsed by Council unanimously at the Council Meeting held on March 9, 2023. The Cultural Advisory Committee provides advice and support for cultural development within the municipal area, consistent with the Council's strategies and policies, including the implementation of City of Launceston's Cultural Strategy 2020-2030 and Public Art Strategy 2023-2031.*

*City of Launceston collaborated with Vibrance to complete an Expression of Interest to generate a pool of Tasmanian artists for this work, and ultimately select the artists based on a range of criteria.*

*While Elected Members are not required to endorse the proposed artwork they will be presented with a concept of the mural artwork(s) in Late February before the artists begin.*

2. Will the Mayor and/or whoever he nominates please explain to the city's citizenry the rationale that drives the Paterson Street East Carpark Project without there being a community consultation process and/or the need for the endorsement of the elected representatives?

**Response:**

*The Council endorsed the Public Art Strategy (the Strategy) in 2023 which was developed in consultation with City staff, the arts, and general community. The Strategy includes approved public art commission models and processes, which have been followed by Council officers.*

*Council officers collaborated with Vibrance and the City's Cultural Advisory Committee (CAC) to identify sites suitable to display public art, develop an Expression of Interest for Tasmanian artists for this project, and assemble a selection panel to select the artists. The CAC has a specific role, as outlined in the Public Art Strategy, to advise on matters relating to public art and they have fulfilled that role through the commissioning of this mural.*

*As outlined in the Strategy, detailed design of the commissioned artwork does not require assessment from the CAC and approval to proceed can be made at a senior management level. In addition, it mentions that informing, consulting, and/or engaging the community should be considered on a case-by-case basis and that information may take the form of an artist talk at a public launch marking the end of a project, which will be considered at the time of finalisation of the Paterson Street Car Park mural.*

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**8.1.2. Public Question on Notice - Malcolm Cowan - Clean Air Strategy - 2 January 2024**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Risk and Insurance Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 2 January 2024 by Malcolm Cowan, has been answered by David Mullenger (Manager Health and Compliance).

**Questions:**

1. When can we expect the completion of the Clean air Strategy and when will the draft be open to public consultation?

**Response:**

*The City of Launceston has conducted research on contemporary Clean Air Strategies and have held conversations with the Environment Protection Authority (EPA) and internal stakeholders in the development of a draft plan. It is intended that the draft plan will be completed by July 2024 and will undergo a public engagement process thereafter.*

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**8.1.3. Public Questions on Notice - Robin Smith - Meeting Disruption Procedures - 17 January 2024**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Risk and Insurance Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 17 January 2024 by Robin Smith, has been answered by Louise Foster (General Manager Organisational Service Network).

**Questions:**

1. Are there guidelines available to the council covering the physical removal of a member of the public from a public meeting where they cannot be ignored and are considered to be committing an offence under the foregoing provisions of *the Local Government [(Meeting Procedures)] Regulations 2015* s.41, short of requesting the assistance of a police officer?

**Response:**

*Section 41 of the Local Government (Meeting Procedures) Regulations 2015 notes that the chairperson may take reasonable steps to remove a person from a meeting or closed meeting, including requesting the assistance of a police officer in removing the person.*

*The City of Launceston's Unreasonable Customer/Complainant Conduct Policy (05-P1x-021) notes some behaviours that maybe seen as unreasonable and the actions that may be made taken by City of Launceston staff regarding unreasonable conduct. This policy does not specifically note Council Meetings and a procedure to support the chairperson and Council Officers in this situation is being developed for continuous improvement.*

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**8.1.4. Public Questions on Notice - Robin Smith - Offensive Graffiti - 17 January 2024**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Risk and Insurance Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 17 January 2024 by Robin Smith, has been answered by Leigh Handley (Manager Operations - Infrastructure and Assets Network).

**Questions:**

1. I asked at Council's General Meeting on Thursday 14 December 2023 about council officers refusing the removal of graffiti swastikas on the basis the council guidelines only extend to an offensive 'word' and not a 'symbol' as indeed a swastika is. I thought I was at pains to clarify that point in the meeting during the question time but the answer appears to have missed that point. Might I have a word in reply on this matter again please?

**Response:**

*Our current graffiti management practice includes our cleansing teams undertaking daily inspections across the CBD in order to identify graffiti sites. In the instance that the graffiti is of an offensive nature, our teams will prioritise and aim to remove this immediately. This includes racism based comments or symbols.*

*Where the graffiti occurs on private property, it is the responsibility of the property owner to remove it. As you can perhaps appreciate, the level of urgency that is applied to the removal process by private property owners varies, and City of Launceston has limited influence in regard to this. Our teams are proactive in notifying owners of these occurrences when they are observed and City of Launceston will intervene if necessary if the content is offensive to ensure timely removal.*

*To support effective management of graffiti by the community, we have developed a suite of resources that are designed to both educate and support best practice, including targeted brochures for businesses, schools and residents. We also encourage the reporting of graffiti by our community and our Snap Send Solve phone app is well used to report such instances.*

*City of Launceston works very closely with community on graffiti management and through participation in groups such as the Launceston Safer Communities Partnership, and our own Youth Advisory Group we actively seek and contribute feedback to discussions on how more positive outcomes can be achieved.*

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*Council has recently endorsed City of Launceston's Public Art Strategy, which will also positively contribute to a reduction in graffiti across the city with several tagging hot spots already identified as potential sites for installation of public art.*

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**8.1.5. Public Questions on Notice - Ray Norman - Council Delegations - 17 January 2024**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Risk and Insurance Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 17 January 2024 by Ray Norman, has been answered by Louise Foster (General Manager Organisational Services Network).

**Questions:**

1. Will Council now expeditiously to remove all of Council's Delegated Authorities forthwith and when/if required in the future, only grant Delegated Authorities to personnel with the demonstrable qualifications, substantial experience relevant to the authority, and in possession of relevant competencies?

**Response:**

*At this point in time there is no intention to alter the current practice of assigning or administering Delegated Authorities to the Chief Executive Officer role or within the Council.*

*The response provided in the Council Agenda of 15 December 2022 provides clear details of the functioning of the Council's Delegations Register. It has been reproduced for reference.*

*... Delegations enhance efficiency at the City of Launceston by devolving the execution of administrative matters and functions to appropriate levels within the organisation. The City of Launceston's Delegations Register is publicly available via [www.launceston.tas.gov.au](http://www.launceston.tas.gov.au). The Delegations Register clearly indicates the functions and powers that have been delegated by a decision of Council. Decisions of Council are frequently sought in relation to the review of delegations, or to respond to changes in legislation.*

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**8.2. Public Questions Without Notice**

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

**8.2.1. Public Questions Without Notice - The Honourable Rosemary Armitage MLC - Tree Assessments and Birchalls Building - 25 January 2024**

1. **[After the tree failure in City Park on 14 December 2023] I was advised on 21 December 2023 that Council uses Quantified Tree Risk Assessment (QTRA) to determine the risk associated with large trees and the arborists undertake the scheduled QTRA inspections and apply this risk assessment on a quarterly basis with an additional check prior to major events. It is my understanding that trees only receive a QTRA inspection if they have already been determined to have a problem and so I am concerned and would like Council to do better. Will the Council in the future pay more attention to the large trees, particularly in our parks?**

**The Mayor, Councillor M K Garwood, responded by acknowledging the concerns raised and stating that yes, with the integration of our Urban Greening Strategy the trees will have an assessment undertaken and a reassessment when we are looking to where we put trees, where those trees are currently and the hazards they present to our community.**

**Our experts here at Council have over 40 years of experience in arboristry. The visual inspection and QTRA practices will be reviewed as part of an assessment into our processes and as a part of the Urban Greening Strategy. If the recommendation from Officers is that something needs to be done more proactively, then that assessment will come back to the Councillors.**

**Michael Stretton, Chief Executive Officer, also noted that we can look at specific trees, do a report and have our people look into the concerns being raised.**

2. I would also like an update on what is happening with the Birchalls and Katies buildings given I was advised at a Council meeting back in April 2023 that 'a preferred candidate has been shortlisted and council is currently assessing the draft development proposal with this to be finalised and considered by the Council in the next few weeks. These buildings have been empty for a considerable amount of time and I receive many questions from our community about what is happening.

The Mayor, Councillor M K Garwood, advised that the information provided in April remains accurate and noted that Council didn't own or didn't take ownership of the building for the whole entirety of the time that has been empty. The previous Council stepped in and took ownership and leadership in that development and this Council, in its term, has acted proactively and has accelerated that process.

As of Friday [19 January 2024] negotiations have progressed and a contract is to be signed in the next fortnight. The next stage is where Birchalls will be reimagined.

**8.2.2. Public Questions Without Notice - Ron Baines - Tree Identification in City Park, Birchalls Building and Victorias Cafe - 25 January 2024**

- 1. I think it would be most helpful if the old trees in City Park had a plaque on them which explained what sort of tree it was, how old it was and that would give some information about it. Perhaps the schools would bring their children around and have a look at the trees and it would feed them some information and maybe push their interest in the trees generally. Can this be considered?**

**The Mayor, Councillor M K Garwood, responded by saying that we have been working with Graham Ross from Better Homes and Gardens, who is very interested in our City Park and this is one of the recommendations that he has brought to us.**

**We have been working with our Officers and General Managers around, perhaps not a physical plugging system, but a mapping system where a QR code can be used by the kids and it tells you about the individual trees. Graham advised this week that he would be interested in coming down and being part of the media release and initiative because he is very worried that the information accumulated over decades will go missing as people are perhaps not taking up horticultural interests like they did in his generation.**

- 2. Will Council put up the Birchalls Building for public auction?**

**The Mayor, Councillor M K Garwood, responded by saying that there is a contract on the building that will be signed in the next fortnight.**

- 3. Why did Council pay the former tenants of Victoria's Cafe to vacate Albert Hall early when virtually no work has been done in that area quite some time? How much was paid in this transaction?**

**The Mayor, Councillor M K Garwood advised that there has been a lot of work happening internally and understands that the community hasn't been able to see that. There is a big black fence around it now and the external work is starting. An important part of the redevelopment is the foyer area that was occupied by the tenants.**

**With regard to the financial contribution, the Mayor advised that this part of the question would be Taken on Notice and answered in the Agenda of the 8 February Council Meeting so that accurate information can be provided.**



**9. PLANNING AUTHORITY**

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 9 - Planning Authority.

**9.1. DA0505/2023 - 22 Stone Street, West Launceston - Subdivision - Subdivide One Lot into two; Residential - Construction of a Dwelling on Proposed Lot 2**

**FILE NO:** DA0505/2023

**AUTHOR:** Catherine Mainsbridge (Senior Town Planner Development)

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Design To Live Pty Ltd
Property:	22 Stone Street, West Launceston
Zoning:	General Residential
Receipt Date:	27/10/2023
Validity Date:	13/11/2023
Further Information Request:	03/11/2023
Further Information Received:	15/11/2023
Deemed Approval (extension granted):	25/01/2024
Representations:	3

**RELEVANT LEGISLATION:**

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

**STANDARDS REQUIRING PLANNING DISCRETION:**

8.4.2 P1 & P3 - Setbacks and building envelope for all dwellings  
8.4.3 P1 & P2 - Site coverage and private open space for all dwellings  
8.4.6 P1 - Privacy for all dwellings  
8.6.1 P1 - Lot design

**RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, DA0505/2023 Subdivision - Subdivide one lot into two; Residential - Construction of a dwelling on proposed lot 2 at 22 Stone Street, West Launceston, pursuant to a delegation from Council, be refused on the following grounds:

1. The proposed subdivision of Lot 2 fails to meet the Performance Criteria P1 (a), (b), (c), (e), and (f) of Clause 8.6.1, as the lot does not have sufficient useable area and dimensions suitable for development of a dwelling and the provision of private open space, given the existing topography. Proposed Lot 2 is also inconsistent with the pattern of development existing on established properties in the surrounding area.
2. The proposed dwelling does not meet the Performance Criteria P1 (a) (iv) and (b) of Clause 8.4.2 as the proposal does not have a frontage setback compatible with the streetscape.
3. The proposed dwelling does not meet the Performance Criteria P3 (a) (iv) of Clause 8.4.2, as the dwelling will cause a visual impact in respect to its apparent scale, bulk and proportion, when viewed from an adjoining property.
4. The proposed dwelling does not meet the Performance Criteria of P1, P2 and P3 of Clause 8.4.3 as the dwelling is not compatible with the amenity and character of the area and does not provide for sufficient area for outdoor recreation, planting of gardens and landscaping and private open space.

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**Philippa Dawson spoke for the Recommendation**

**Phil Reynolds spoke for the Recommendation**

**Denika McDonald (Design to Live) spoke against the Recommendation**

**DECISION: 25 January 2024**

**MOTION**

**Moved Councillor D C Gibson, seconded Councillor A E Dawkins.**

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor M K Garwood, 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**

**9.2. DA0479/2023 - 12 Queen Street, Invermay - Residential - Demolition of Two Outbuildings and Construction of a Secondary Residence**

**FILE NO:** DA0479/2023

**AUTHOR:** Rachael Huby (Town Planner)

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

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**DECISION STATEMENT:**

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

**PLANNING APPLICATION INFORMATION:**

Applicant:	Alsocan Architects
Property:	12 Queen Street, Invermay
Zoning:	General Residential
Receipt Date:	17/10/2023
Validity Date:	19/10/2023
Further Information Request:	22/11/2023
Further Information Received:	06/12/2023
Deemed Approval (extension granted):	25/01/2024
Representations:	3

**RELEVANT LEGISLATION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

**D270/97 - Proposed Garage with Office above for Home Occupation**

Planning permit granted under delegation.

The plans denote a similar design and size of building to those that are currently being proposed. An overall building height equating to approximately 5m was approved.

A building application was submitted and amended plans endorsed for *only* the garage component (no office above) construction at the time (1997).

**STANDARDS REQUIRING PLANNING DISCRETION:**

8.4.2 Setbacks and building envelope for all dwellings P1, P3

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**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 Residential - Demolition of two outbuildings and construction of a secondary residence at 12 Queen Street, Invermay, 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 Manager City Development unless modified by a condition of the Permit:

- a. Application Letter prepared by alsoCAN Architects dated 17/10/2023.
- b. Existing Site Plan, Prepared by alsoCAN Architects, Drawing TP01, Project No. 2304, Dated 17/10/2023
- c. Existing Streetscape Photos, Prepared by alsoCAN Architects, Drawing TP02, Project No. 2304, Dated 17/10/2023
- d. Existing Ground Plan 1:200, Prepared by alsoCAN Architects, Drawing TP03, Project No. 2304, Dated 17/10/2023
- e. Existing First Plan 1:200, Prepared by alsoCAN Architects, Drawing TP04, Project No. 2304, Dated 17/10/2023
- f. Existing Ground Plan 1:100, Prepared by alsoCAN Architects, Drawing TP05, Project No. 2304, Dated 17/10/2023
- g. Existing First Plan 1:100, Prepared by alsoCAN Architects, Drawing TP06, Project No. 2304, Dated 17/10/2023
- h. Existing Roof Plan 1:100, Prepared by alsoCAN Architects, Drawing TP07, Project No. 2304, Dated 17/10/2023
- i. Existing Elevations 1:100, Prepared by alsoCAN Architects, Drawing TP08, Project No. 2304, Dated 17/10/2023
- j. Proposed Site Plan 1:250, Prepared by alsoCAN Architects, Drawing TP09, Project No. 2304, Dated 17/10/2023
- k. Proposed Ground Plan 1:200, Prepared by alsoCAN Architects, Drawing TP10, Project No. 2304, Dated 17/10/2023
- l. Proposed First Plan 1:200, Prepared by alsoCAN Architects, Drawing TP11, Project No. 2304, Dated 17/10/2023
- m. Proposed Ground Plan, Prepared by alsoCAN Architects, Drawing TP08 (2), Project No. 2304, Dated 17/10/2023
- n. Proposed First Plan, Prepared by alsoCAN Architects, Drawing TP09 (2), Project No. 2304, Dated 17/10/2023
- o. Proposed Roof Plan, Prepared by alsoCAN Architects, Drawing TP10 (2), Project No. 2304, Dated 17/10/2023
- p. Proposed Elevations, Prepared by alsoCAN Architects, Drawing TP09 (3), Project No. 2304, Dated 17/10/2023
- q. Proposed Perspective Views, Prepared by alsoCAN Architects, Drawing TP12, Project No. 2304, Dated 17/10/2023
- r. Proposed Roof Plan, Prepared by alsoCAN Architects, Drawing TP14, Project No. 2304, Revision A, Dated 23/11/2023
- s. Proposed Elevations, Prepared by alsoCAN Architects, Drawing TP14, Project No. 2304, Revision A, Dated 23/11/2023
- t. Proposed Perspective Views, Prepared by alsoCAN Architects, Drawing TP16, Project No. 2304, Revision A, Dated 23/11/2023

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- u. Proposed Carport Dwelling Elevations and Perspectives, Prepared by alsoCAN Architects, Drawing TP17, Project No. 2304, Revision A, Dated 23/11/2023
  - v. Proposed Ground Plan, Prepared by alsoCAN Architects, Drawing TP12, Project No. 2304, Revision A, Dated 21/11/2023
  - w. Proposed Shadow 9am 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHP09, Project No. 2304, Dated 17/10/2023
  - x. Proposed Shadow 10am 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHP010, Project No. 2304, Dated 17/10/2023
  - y. Proposed Shadow 11am 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHP11, Project No. 2304, Dated 17/10/2023
  - z. Proposed Shadow 12pm 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHP12, Project No. 2304, Dated 17/10/2023
  - aa. Proposed Shadow 1pm 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHP13, Project No. 2304, Dated 17/10/2023
  - ab. Proposed Shadow 2pm 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHP14, Project No. 2304, Dated 17/10/2023
  - ac. Proposed Shadow 3pm 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHP15, Project No. 2304, Dated 17/10/2023
  - ad. Existing Shadow 9am 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHX09, Project No. 2304, Dated 17/10/2023
  - ae. Existing Shadow 10am 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHX10, Project No. 2304, Dated 17/10/2023
  - af. Existing Shadow 11am 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHX11, Project No. 2304, Dated 17/10/2023
  - ag. Existing Shadow 12pm 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHX12, Project No. 2304, Dated 17/10/2023
  - ah. Existing Shadow 1pm 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHX13, Project No. 2304, Dated 17/10/2023
  - ai. Existing Shadow 2pm 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHX14, Project No. 2304, Dated 17/10/2023
  - aj. Existing Shadow 3pm 21 Jun Winter, Prepared by alsoCAN Architects, Drawing SHX15, Project No. 2304, Dated 17/10/2023
  - ak. Proposed Shadow 9am 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHP09, Project No. 2304, Dated 17/10/2023
  - al. Proposed Shadow 10am 21 Jun Winter including boundary trees,, Prepared by alsoCAN Architects, Drawing SHP010, Project No. 2304, Dated 17/10/2023
  - am. Proposed Shadow 11am 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHP11, Project No. 2304, Dated 17/10/2023
  - an. Proposed Shadow 12pm 21 Jun Winter including boundary trees,, Prepared by alsoCAN Architects, Drawing SHP12, Project No. 2304, Dated 17/10/2023
  - ao. Proposed Shadow 1pm 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHP13, Project No. 2304, Dated 17/10/2023
  - ap. Proposed Shadow 2pm 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHP14, Project No. 2304, Dated 17/10/2023
  - aq. Proposed Shadow 3pm 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHP15, Project No. 2304, Dated 17/10/2023
  - ar. Existing Shadow 9am 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHX09, Project No. 2304, Dated 17/10/2023
  - as. Existing Shadow 10am 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHX10, Project No. 2304, Dated 17/10/2023
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- at. Existing Shadow 11am 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHX11, Project No. 2304, Dated 17/10/2023
- au. Existing Shadow 12pm 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHX12, Project No. 2304, Dated 17/10/2023
- av. Existing Shadow 1pm 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHX13, Project No. 2304, Dated 17/10/2023
- aw. Existing Shadow 2pm 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHX14, Project No. 2304, Dated 17/10/2023
- ax. Existing Shadow 3pm 21 Jun Winter including boundary trees, Prepared by alsoCAN Architects, Drawing SHX15, Project No. 2304, Dated 17/10/2023
- ay. Planning Report prepared by alsoCAN Architects.

## **2. LEGAL TITLE**

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

## **3. NON REFLECTIVE EXTERIOR FINISH**

All external boundary walls cladding and roofing of the building must be of a non-reflective nature and must be finished in dark muted colours to the satisfaction to the Council.

## **4. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2023/01489-LCC, dated 06/12/2023 and attached to the permit.

## **5. 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).

## **6. ON-SITE DETENTION (TASWATER ADVICE TO DRAINAGE AUTHORITY)**

Where required as a result of Advice to the Drainage Authority provided on a TasWater Submission to Planning Authority Notice (SPAN), issued for the development, On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of 1 hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development.

Prior to the commencement of works, the plans and calculations must be submitted to the General Manager, Infrastructure & Assets Network for approval. On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

## **7. DAMAGE TO COUNCIL INFRASTRUCTURE**

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

## **8. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

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

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

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

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

## **9. APPLICATION TO ALTER A STORMWATER SERVICE**

An application must be made using the Council's eServices web portal, or on the approved form, and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with Council standards. All costs associated with these contractors are to be borne by the applicant.

## **10. SOIL AND WATER MANAGEMENT PLAN**

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

## **11. FACILITIES AND HIGHWAYS BY-LAW**

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No.

1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

## 12. 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.

## 13. 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.

## 14. 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

## Notes

### A. General

*This permit was issued based on the proposal documents submitted for DA0479/2023. 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) <<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. Fixed Equipment Use**

*Use of fixed equipment (e.g. heat pumps, water pumps, swimming pool pumps) is subject of the Environmental Management and Pollution Control (Noise) Regulations 2016 or any subsequent versions of this regulation.*

**F. No Approval for alterations to Driveway Crossover**

*No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.*

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**Jane McDougall (Alsocan Architects) spoke for the Recommendation**

**DECISION: 25 January 2024**

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor M K Garwood, 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**

**The Mayor, Councillor M K Garwood, announced that Council no longer sits as a Planning Authority.**

## 10. ANNOUNCEMENTS BY THE MAYOR

### 10.1. Mayor's Announcements

FILE NO: SF2375

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#### Friday 15 December 2023

- Attended 2023 School Presentation Assembly, Brooks High School
- Attended 2023 End of Year Expo, Big Picture School
- Attended Women in Trades Expo, Brisbane Street Mall

#### Saturday 16 December 2023

- Launched ArtRage 2023, Queen Victoria Museum and Art Gallery, Royal Park

#### Monday 18 December 2023

- Attended Celebrate Christmas - Liberal Party Drinks, The Boathouse

#### Tuesday 19 December 2023

- Attended 2023 End of Year Awards, Lilydale District School
- Visited Calvary Riverside to judge Christmas Door Decoration competition, Riverside
- Attended Farewell 2023, S. Group

#### Wednesday 20 December 2023

- Attended 2023 Grade 6 Presentations, Ravenswood Heights Primary School

#### Monday 25 December 2023

- Officiated at the Launceston City Community Christmas, Door of Hope

#### Wednesday 27 December 2023

- Officiated at the start of the Launceston to Hobart Yacht Race, Beauty Point

#### Thursday 28 December 2023

- Officiated at the Launceston Cycling Classic Carnival, Silverdome

#### Sunday 31 December 2023

- Attended Beerfest, Riverbend Park

#### Wednesday 4 January 2024

- Attended VIP 2024 Season Launch, IO Headquarters

#### Friday 12 January 2024

- Attended Twilight Session Hobart International, Domain Tennis Centre
-

**Tuesday 16 January 2024**

- Attended Australian Open, John Cain Arena

**Wednesday 24 January 2024**

- Officiated at Citizenship Ceremony, Tramsheds
-

**11. COUNCILLORS' REPORTS**

*(This item provides an opportunity for Councillors to briefly report on the activities that have been undertaken in their capacity as a representative of the Council. It is not necessary to list social functions that have been attended).*

**11.1 Councillor S Cai**

- Attended the Nepalese Society of Northern Tasmania Bhashalaya Graduation Ceremony
- Officially launched the Connected Women's Multicultural Cookbook
- Attended the Citizenship Ceremony

**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).*

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**12.1.1. Councillors' Questions on Notice - Councillor J J Pentridge - Tasmanian Civil and Administrative Tribunal (TASCAT) Appeals - 15 January 2023**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Risk and Insurance Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following questions, submitted to Council on 15 January 2024 by Councillor J J Pentridge, have been answered by Michelle Ogulin (Acting General Manager Community and Place Network).

**Questions:**

1. TASCAT has rejected the Council's position on 112 Tamar Street. Has the Tribunal allocated costs against the Council in this action and how much has Council spent in defending its position?

**Response:**

*While the application was ultimately approved by Tascat on 21 December 2023, it is important to note that the design of the project was modified to reduce impacts as part of the process. The Tascat order advised that a costs application could be made within 21 days. No party has applied for or been awarded costs as a result of the appeal at the present time.*

*Council's expenses have been consistent with usual costs associated with Tascat appeals. The amount spent was \$31,949.58.*

2. How many cases involving Launceston City Council planning decisions have been taken to TASCAT in the last 24 months? What has been the cost of each hearing?

**Response:**

*Over last 24 months 18 planning decisions have been taken to Tascat. The costs of each hearing are shown in the table below. Of those 18 decisions taken to Tascat, three were council decisions contrary to council officer recommendations.*

*Over the same 24 month period, a total of 1,267 development applications (DAs) were approved by council. The number of appeals taken to Tascat (18) as a proportion of approved DAs (1,267) over 2022 and 2023 was 1.4% of all approved DAs.*

*Note that there is no longer discretion with Tascat appeals regarding legal representation. It is now a requirement of every Tascat appeal that Council has legal representation. Historically legal representation was not a requirement.*

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*Further, the costs associated with appeals are higher in cases where the council decision differs from the council officer recommendation. In these cases, council has an obligation to hire external expert advice to support the council decision as the testimony of council's officers cannot be relied upon as their recommendation differs from the ultimate council decision.*

<b>DA number</b>	<b>Address</b>	<b>Proposal</b>	<b>Lodged by</b>	<b>Officer</b>	<b>Decision</b>	<b>Cost</b>
DA0416/2021	23 Lytton St, Invermay	Additional Dwelling	Third party	Recommended approval	Refused by Council, Upheld by TASCAT	\$25,913.80
DA0722/2021	41-55 Paterson St, Launceston	General Retail and Hire, Residential and Vehicle Parking	Applicant	Recommended refusal	Refused by Council, Approved by TASCAT	\$23,054.38
DA0753/2021	13-15 Russell, Invermay	Partial demolition of the shed and construction of a dwelling	Third party	Recommended approval	Likely consent	\$13,840.75
DA0123/2022	108 Elphin Road, Launceston	Medical Centre	Applicant	Recommended approval	Refused by Council, Consented to grant a permit	\$21,259.37
DA0356/2022	5 Penicola Place, Newnham	Multiple Dwellings	Third party	Recommended approval	Approved by Council; Consent reached with amended plans	\$11,827.75
DA0377/2022	228 Golconda Road, Golconda	Rail Trail x 2	Third party	Recommended approval	Approved by Council, Upheld by TASCAT with altered conditions	\$68,942.60
DA0390/2022	123, 125-133 Paterson Street, 16 Margaret Street, also known as 270 Brisbane Street, Launceston	Gorge Hotel	Third party	Recommended approval	Council decision to approve upheld but now subject to Supreme Court determination	\$34,239.74
DA0403/2022	99 Abels Hill Road, St Leonards	Subdivision	Third party	Recommended approval	Approved by Council - Under consideration at TASCAT	Awaiting invoice(s)
DA0494/2022	14 Audrey Avenue, St Leonards	Outbuilding	Third party	Recommended approval	Approved by Council, Refused by TASCAT	\$10,272.90

<b>DA number</b>	<b>Address</b>	<b>Proposal</b>	<b>Lodged by</b>	<b>Officer</b>	<b>Decision</b>	<b>Cost</b>
DA0524/2022	22 Margaret St, Launceston	Change the use of part of the ground floor to residential & Restaurant to Take away food	Third party	Approved under delegation	Likely consent	\$5,127.38
DA0580/2022	112 Tamar St, Launceston	Construction of two dwellings	Applicant	Recommended approval	Refused by Council, Approved by Tribunal with amended plans	\$31,949.58
DA0646/2022	53 Balfour St, Launceston	Change of use to visitor accommodation	Third party	Approved under delegation	Approved by Council. Consent reached.	\$4,292.09
DA0331/2023	23 Lytton St, Invermay	Additional Dwelling	Third party	Recommended approval	Approved by Council - Under consideration at TASCAT	\$12,394.58
DA0397/2023	20 Solis Rise, Swan Bay	Construction of a dwelling and an outbuilding and vegetation removal	Applicant	Approved under delegation	Consent likely	\$19,547.33
DA0098/2022	2A My Street	Demolish two outbuildings & construction of a dwelling	Third party	Recommended for approval	Third party withdrew after all preparation for the appeal had been undertaken	\$3053.60
DA0622/2021	24-26 Strahan Road	Residential - Construction of two additional dwellings and an additional crossover	Third party	Recommended for approval	Third party withdrew after all preparations for the appeal had been undertaken.	\$2,789.60
DA0044/2022	47 Blaydon Street	Residential - Construction of an additional dwelling	Third party	Recommended for approval	Approved by Council. Consent reached.	\$4,328.50
DA0644/2022	157 St John Street	Community meeting and entertainment - Construction of alterations and additions to a church (Re-advertised)	Third party	Approved under delegation	Limited procedures occurred	\$1,963.50
					<b>TOTAL</b>	<b>\$294,797.45</b>



**12.1.2. Councillors' Questions on Notice - Councillor J J Pentridge - Gilmore Street Flooding - 15 January 2023**

**FILE NO:** SF6381

**AUTHOR:** Kelsey Hartland (Risk and Insurance Officer)

**CHIEF EXECUTIVE OFFICER:** Michael Stretton

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**QUESTIONS AND RESPONSES:**

The following question, submitted to Council on 15 January 2024 by Councillor J J Pentridge, has been answered by Michael Newby (Acting General Manager Infrastructure and Assets Network).

**Questions:**

1. It has been six months since Council officers inspected the flooding at Gilmore Street opposite the sewage treatment plant. What assessments were made and what remediation has been planned?

**Response:**

*City of Launceston officers have investigated concerns related to flooding associated with the stormwater open drain along Gilmore Street. Due to the low lying nature of this area and local surface levels in the area, and the need for the drain to discharge into the Tamar Estuary, the available fall in the drain is minimal. This reduces the capacity of the drain to discharge stormwater away from the area, and in storm events with rainfall exceeding the capacity of the drain, localised inundation may occur.*

*Given the topographical constraints of the area, there is very little that can be reasonably done to improve this situation. The City of Launceston continue to manage vegetation in the drain to maintain flow rates, and have recently shifted the drain further away from the adjacent property boundary to reduce the impact to the adjacent property. No further actions are proposed at this time however routine maintenance of the drain will continue.*

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**12.2. Councillors' Questions Without Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 29*

*(Questions Without Notice, and any answers to those questions, are not required to be recorded in the Minutes of the Meeting).*

**No Councillors' Questions Without Notice were identified as part of these Minutes**

**Councillor A J Britton withdrew from the Meeting at 1:53pm**

**13. COMMITTEE REPORTS**

**13.1. Homelessness Advisory Committee Report - 28 November 2023**

**FILE NO:** SF7447

**AUTHOR:** Nindarra Wheatley (Community Development Officer Inclusion)

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

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**DECISION STATEMENT:**

To receive a report from the Homelessness Advisory Committee.

**RECOMMENDATION:**

That Council receives the report from the Homelessness Advisory Committee Meeting held on 28 November 2023.

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**Councillor A J Britton re-attended the Meeting at 1.59pm**

**DECISION: 25 January 2024**

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE:** Mayor Councillor M K Garwood, 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

**13.2. Access Advisory Committee Report - 6 December 2023**

**FILE NO:** SF0025

**AUTHOR:** Nindarra Wheatley (Community Development Officer Inclusion)

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

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**DECISION STATEMENT:**

To receive a report from the Access Advisory Committee.

**RECOMMENDATION:**

That Council receives the report from the Access Advisory Committee held on 6 December 2023.

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**DECISION:** 25 January 2024

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE:** Mayor Councillor M K Garwood, 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

**13.3. Tender Review Committee Meeting - 14 December 2023**

**FILE NO:** SF0100/CD.040/2023

**AUTHOR:** Kelsey Hartland (Risk and Insurance Officer)

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

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**DECISION STATEMENT:**

To receive a report from the Tender Review Committee.

**RECOMMENDATION:**

That Council notes the decision of the Tender Review Committee to accept the tender submitted by Gradco Pty Ltd. for the Launceston Waste Centre Borrow Pit Rehabilitation, Contract No. CD.040/2023 at a cost of \$1,261,769.06.

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**DECISION: 25 January 2024**

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE:** Mayor Councillor M K Garwood, 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

**13.4. Transport Committee Meeting - 14 December 2023**

**FILE NO:** SF7429

**AUTHOR:** Cathy Williams (Roads and Traffic Officer)

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

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**DECISION STATEMENT:**

To receive a report from the Transport Committee.

**RECOMMENDATION:**

That Council receives the report from the Transport Committee Meeting held on Thursday, 14 December 2023.

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**DECISION:** 25 January 2024

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE:** Mayor Councillor M K Garwood, 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

**13.5. Cultural Advisory Committee Meeting - 6 December 2023**

**FILE NO:** SF3547

**AUTHOR:** Mengda Liu (Cultural Development Officer)

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

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**DECISION STATEMENT:**

To receive a report from the Cultural Advisory Committee Meeting held 6 December 2023.

**RECOMMENDATION:**

That Council receives the report from the City of Launceston Cultural Advisory Committee Meeting held on 6 December 2023.

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**DECISION:** 25 January 2024

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE:** Mayor Councillor M K Garwood, 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. ORGANISATIONAL SERVICES NETWORK

### 14.1. 2023/2024 Budget - Budget Amendments

**FILE NO:** SF6940/SF7558

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

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

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#### **DECISION STATEMENT:**

For Council to:

1. consider changes to the Council's 2023/2024 Statutory Estimates.

*A decision for Recommendation 1. requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).*

2. consider adjustments made during 1 November to 31 December 2023 by the Chief Executive Officer to the 2023/2024 Budget.

#### **RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

#### **RECOMMENDATION:**

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993 (Tas)* and by an absolute majority, approves the following changes to the 2023/2024 Statutory Estimates:
    - (a) Revenue
      - i. the net decrease in revenue from external grants and contributions of \$8,587.
    - (b) Expenses
      - i. the net increase in operations expenditure of \$195,321.
    - (c) Capital Works Expenditure
      - i. the net decrease in expenditure from external funds of \$8,587.
      - ii. the decrease in the Council's funded expenditure of \$195,321.
  2. notes that amendments from Recommendation 1. result in:
    - (a) the operating surplus being amended to \$13,359,794 (including capital grants of \$18,381,404) for 2023/2024.
    - (b) the capital budget being decreased to \$43,116,696 for 2023/2024.
  3. pursuant to section 82(7) of the *Local Government Act 1993 (Tas)*, receives the Chief Executive Officer's report on adjustments to the 2023/2024 budget for the period 1 November to 31 December 2023.
-



**DECISION: 25 January 2024**

**MOTION**

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

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

**CARRIED BY ABSOLUTE MAJORITY 10:1**

**FOR VOTE: Mayor Councillor M K Garwood, 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**

**ABSTAINED FROM VOTE: Councillor J J Pentridge**

**14.2. Lease - Veteran Car Club of Australia (Tasmania) Inc.**

**FILE NO:** SF0905, SF9892, 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 situated at 47-67 Lawrence Vale Road, South Launceston (CT15631/1) to the Veteran Car Club of Australia (Tasmania) Inc as marked on the attached plan.

*Under section 179 of the Local Government Act 1993, a Council may lease public land for a period not exceeding five years without complying with section 178.*

**RELEVANT LEGISLATION:**

Section 179 *Local Government Act 1993* (Tas)

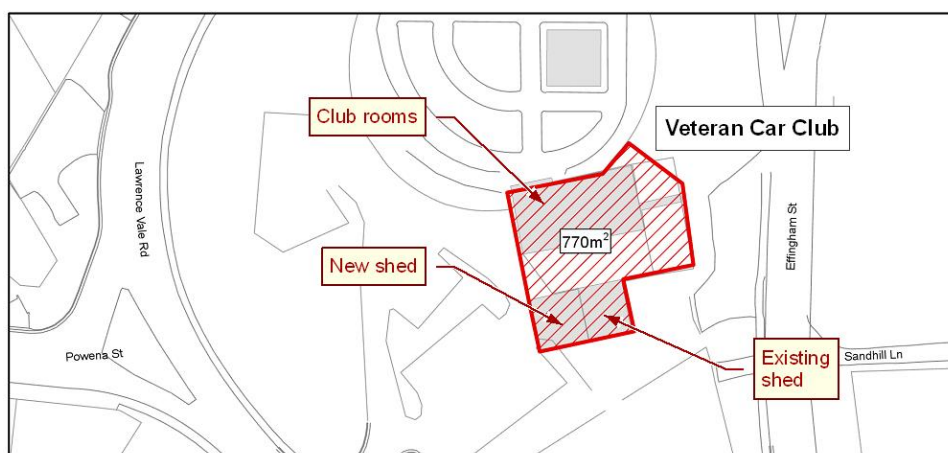
**PREVIOUS COUNCIL CONSIDERATION:**

Council – 24 September 2018 - Agenda Item 18.2 - The Veteran Car Club of Australia (Tasmania) 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 47-67 Lawrence Vale Road, South Launceston (CT15631/1) known as the Transport & Safety Centre to the Veteran Car Club of Australia (Tasmania) Inc as indicated on the plan below, for the purposes of a community recreational area (car restoration) and meeting rooms.



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 November 2023;
    - (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: 25 January 2024**

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor M K Garwood, 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**

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**14.3. Disposal of Interest in Land - 18A High Street, East Launceston - Electricity Infrastructure Easement**

**FILE NO:** SF0873

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

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

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**DECISION STATEMENT:**

To consider the disposal of an interest in land at 18A High Street, East Launceston.

**RELEVANT LEGISLATION:**

Sections 177 and 178 *Local Government Act 1993*

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 2 November 2023 - Agenda Item 13.5 - Tender Review Committee Meeting - 19 October 2023

**RECOMMENDATION:**

That Council:

1. pursuant to section 178 of the *Local Government Act 1993* (Tas), forms an intention to dispose of an interest in land by granting an easement over part of 18A High Street, East Launceston to TasNetworks for nominal consideration with such easement to total approximately 250m<sup>2</sup> over Certificate of Title 246404/1 and as generally indicated in the aerial photo below;



2. requests the Chief Executive Officer to publish Council's intention to dispose of an interest in public land.
  3. notes that the transfer of the easement, as a result of forming the intention at Recommendation 1, will not occur until each of the following events has occurred:
-

- (a) completion of the 21 day public objection period as required by subsection 178(4) of the *Local Government Act 1993* (Tas);
  - (b) any objection received as part of that objection process has been formally considered by Council; and
  - (c) where an appeal is made to the Tasmanian Civil and Administrative Appeals Tribunal, the determination of such appeal.
4. requests the Chief Executive Officer to determine the exact dimensions and parameters of the easement to be created and to exercise Council's powers in respect of the *Local Government Act 1993* (Tas) in order to carry through with the intention formed at Recommendation 1 subject to the satisfaction of the requirement of Recommendation 2.
  5. permits the Chief Executive Officer to do all things and exercise all functions and/or powers necessary to cause the easement to be granted in accordance with these recommendations.
  6. notes, for the avoidance of doubt Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).

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**DECISION: 25 January 2024**

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE: Mayor Councillor M K Garwood, 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. CHIEF EXECUTIVE OFFICER NETWORK**

**15.1. Transfer of York Park to Stadiums Tasmania**

**FILE NO:** SF7455

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**DECISION STATEMENT:**

To consider the approval of transfer of York Park to Stadiums Tasmania.

*The decision for Recommendation 3. requires an absolute majority of Council.*

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)  
Stadiums Tasmania Act 2022 (Tas)*

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 15 December 2022 - Item 16.3 - Intention to Dispose of York Park and Associated Land to Stadiums Tasmania

**RECOMMENDATION:**

That Council:

1. notes the intention that it formed on 15 December 2022 to transfer York Park and associated land and assets at 2 Invermay Road, Invermay to Stadiums Tasmania for nominal consideration.
2. considers each of the three objections appearing at Attachments 1, 2 and 3, received as part of the public advertising process commencing on 18 November 2023, noting the officer response to each of the three objections as documented as part of the report to this agenda item.
3. by absolute majority, pursuant to section 178 of the Local Government Act 1993, approves the transfer of York Park and associated land and assets at 2 Invermay Road, Invermay to Stadiums Tasmania for nominal consideration, with the dimensions of that land being set out at Attachment 4 and the following plan.



4. notes that the transfer of the land pursuant to these Recommendations, will not occur until each of the following events has occurred:
  - a) where an appeal is made by an objector to the Tasmanian Civil and Administrative Appeals Tribunal, the determination of such appeal; and,
  - b) a planning permit has been issued by the Council in its capacity as Planning Authority to subdivide the relevant land; and,
  - c) the exact dimensions of the land have been confirmed by way of final survey.
5. requests the Chief Executive Officer to determine the exact dimensions and parameters of the land and assets to be transferred and to exercise Council's powers in respect of *the Local Government Act 1993* and the *Stadiums Tasmania Act 2022* in order to facilitate the transfer to Stadiums Tasmania.
6. notes that the term 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*.

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**Agenda Item 15.1 Transfer of York Park to Stadiums Tasmania was withdrawn from the meeting agenda.**

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**15.2. Appointment - Acting Chief Executive Officer**

**FILE NO:** SF5695

**CHIEF EXECUTIVE OFFICER APPROVAL:** Michael Stretton

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**DECISION STATEMENT:**

To confirm the appointment of Shane Eberhardt as Acting Chief Executive Officer until the commencement of a new Chief Executive Officer.

**RELEVANT LEGISLATION:**

*Local Government Act 1993 (Tas)*

**RECOMMENDATION:**

That Council:

1. pursuant to section 61B of the *Local Government Act 1993 (Tas)* appoints Shane Eberhardt as the Acting Chief Executive Officer from 3 February 2024 until Council determines the appointment of a new Chief Executive Officer.
  2. 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: 25 January 2024**

**MOTION**

**Moved Councillor D C Gibson, seconded Councillor A E Dawkins.**

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

**CARRIED 10:1**

**FOR VOTE:** Mayor Councillor M K Garwood, 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 Edinburgh Street (Nunamina Avenue to Quarantine Road) - Pavement Rehabilitation - CD.029/2023**

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 End of Closed Session**

*To be determined in Closed Council.*

**DECISION: 25 January 2024**

**MOTION**

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

That Council moves into Closed Session.

**CARRIED BY ABSOLUTE MAJORITY 11:0**

**FOR VOTE:** Mayor Councillor M K Garwood, 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 2.31pm.**

**Council returned to Open Session at 2.39pm.**

16.3 End of Closed Session

**RECOMMENDATION:**

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

Agenda Item	Matter	Brief Description
16.1	<i>Closed Council Minutes - 14 December 2023.</i>	<i>Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 14 December 2023.</i>
16.2	<i>Edinburgh Street (Nunamina Avenue to Quarantine Road) - Pavement Rehabilitation – CD.029/2023</i>	<i>Council considered options regarding Edinburgh Street (Nunamina Avenue to Quarantine Road) - Pavement Rehabilitation – CD.029/2023 and rescinded the decision made at the Council Meeting on 7 September 2023 to appoint The Baker Group as the successful applicant as they are unable to complete the work in the required timeframe.</i>  <i>Councillors voted to accept the tender submission from Prokerb Tasmania in the amount of \$463,397.02 for the work to be completed by 30 April 2024.</i>

**DECISION:** 25 January 2024

**MOTION**

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

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

**CARRIED 11:0**

**FOR VOTE:** Mayor Councillor M K Garwood, 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 McMahan, Councillor S Cai and Councillor A J Britton

**AGAINST VOTE:** Nil

**17. MEETING CLOSURE**

The Mayor, Councillor M K Garwood, closed the Meeting at 2.40pm.

**18. NEXT COUNCIL MEETING DATE**

The next Ordinary Meeting of Council will be held at 1.00pm on 8 February 2024 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.