



City of
LAUNCESTON

LATE COUNCIL ITEM AGENDA

**COUNCIL MEETING
THURSDAY 16 APRIL 2026
AT AGENDA ITEM 22 OF THE
ORDINARY COUNCIL MEETING**

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

Date: 16 April 2026

Time: At the Agenda Item 22 in the Ordinary Council Meeting Agenda

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.



Sam Johnson
Chief Executive Officer

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

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.

ORDER OF BUSINESS

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22. LATE ITEMS

22.1. Acceptance of a Late and Urgent Item - Princess Theatre Redevelopment Project - Electricity Infrastructure Easement

AUTHOR: Kelsey Hartland (Team Leader Governance and Information Services)

APPROVER: Sam Johnson OAM (Chief Executive Officer)

DECISION STATEMENT:

To consider accepting a late and urgent item regarding the Princess Theatre Redevelopment Project - Electricity Infrastructure Easement.

RELEVANT LEGISLATION:

Local Government (Meeting Procedures) Regulations 2025

RECOMMENDATION(S):

That Council:

1. by absolute majority and pursuant to Regulation 10(7) of the *Local Government (Meeting Procedures) Regulations 2025* (Tas), determines to deal with this matter, being one that was not included in the published Agenda; and
 2. notes the advice from the Chief Executive Officer in respect of the reason it was not possible to include this matter in the Agenda and that the matter is urgent, that advice having been provided to Councillors by email on 15 April 2026 and in the report attached to this Agenda Item.
 3. notes, for the avoidance of doubt, that Chief Executive Officer is a term of reference for the General Manager within the meaning of the *Local Government Act 1993*.
-

REPORT:

Late Council Meeting Agenda Item

Regulation 10(7) of the *Local Government (Meeting Procedures) Regulations 2025* (the Regulation) provides that a council by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the agenda if -

- (a) the general manager has reported the reason for which it was not possible to include the matter on the agenda; and
 - (b) the general manager has reported that the matter is urgent; and
 - (c) in a case where the matter requires the advice of a qualified person, the general manager has certified under section 65 of the Act that the advice has been obtained and taken into account in providing general advice to the council.
-

A late and urgent item has been submitted by Council officers to consider accepting a late and urgent item regarding the Princess Theatre Redevelopment Project - Electricity Infrastructure Easement.

The reason for this late and urgent item is because the substation for the Princess Theatre Redevelopment is a critical path item, and the execution of the offer and easement deed will ensure that the project is not delayed. Legal advice obtained on this matter was not received prior to the Council agenda for the 16 April 2026 being published.

Qualified advice has been obtained and taken into account.

Should the late item not be accepted, it will be tabled for the next ordinary meeting of Council on 30 April 2026.

RISK IMPLICATIONS:

Should this item not be accepted as a late and urgent item, the Princess Theatre Redevelopment Project may be delayed impacting timeframes and costs.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2025-2035

Not applicable:

Council's consideration of this matter meets a legislative requirement.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

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

ATTACHMENTS:

Nil

22.2. Princess Theatre Redevelopment Project - Electricity Infrastructure Easement

FILE NO: SF0371

AUTHOR: Duncan Campbell (Team Leader Legal Services)

APPROVER: Nathan Williams (Executive Leader Delivery and Performance)

DECISION STATEMENT:

To consider granting an electrical easement in favour of TasNetworks

This decision requires an absolute majority of Council.

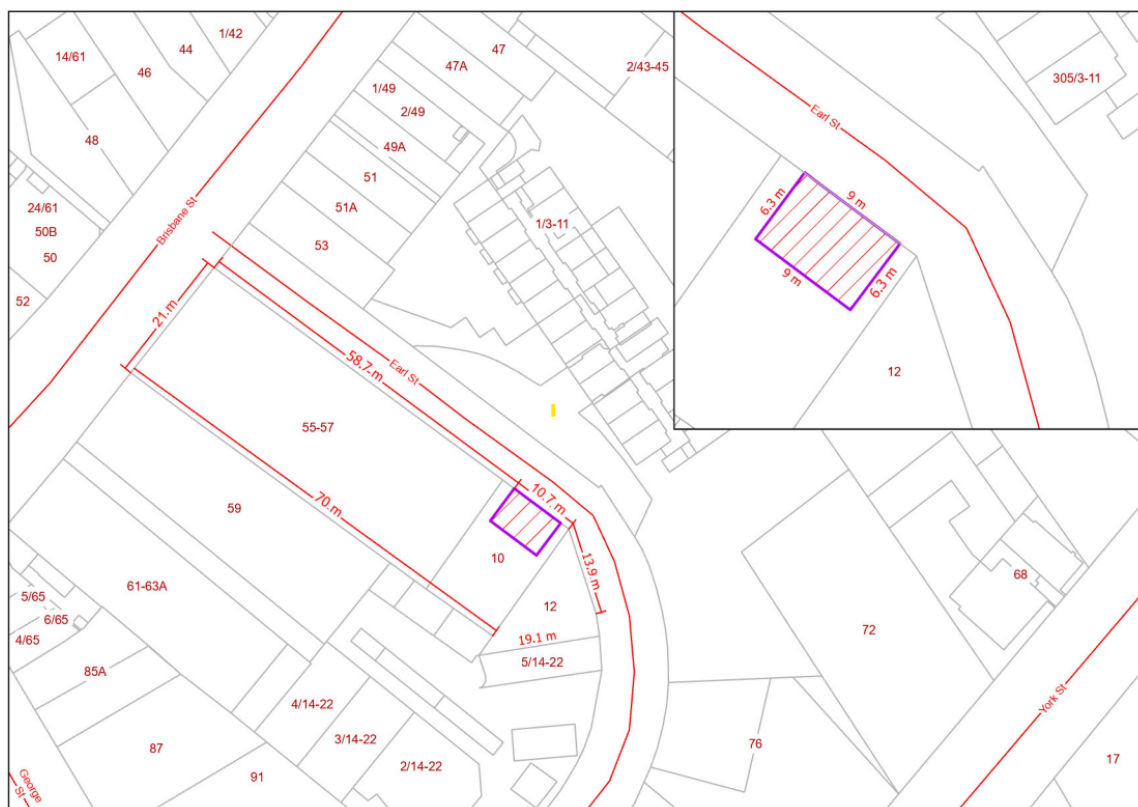
RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

RECOMMENDATION(S):

That Council:

1. forms an intention to grant an electricity infrastructure easement over 10 Earl Street, Launceston in favour of Tasmanian Networks Pty Ltd (TasNetworks), as generally indicated in purple in the plan below:



2. requires that notice of the intention to grant the easement is provided as required by section 178(4) of the *Local Government Act 1993* (Tas) (LGA).
3. subject to any objection being received during the public notification period, requires that the exact location and extent of the easement be confirmed at the time of final survey and then registered against the title to the land.

REPORT:

As part of the Princess Theatre redevelopment project, a new electrical substation is required to be installed under the upgraded auditorium seating of the new Earl Street Theatre. The new substation works are to be undertaken by TasNetworks.

TasNetworks' letter of offer and associated documentation detailing its requirements were provided to the Council on 31 March 2026, enabling the matter to be put to Council for formal consideration.

To commence the works, TasNetworks require certainty that the Council will grant an easement in its favour. The easement will ensure that the operator can safely and reliably utilise and service the asset over its life.

Without certainty that the easement will be created, TasNetworks will not proceed with the works. Therefore, it is recommended that Council approves the creation of the easement as described at Recommendation 1.

Legislative requirements

The substation is to be located at 10 Earl Street, Launceston TAS 7250 (Certificate of Title Volume 46819 Folio 1), which is public land within the meaning of the LGA. Creating an easement over such land triggers the requirements of section 178 of the LGA, as follows.

178. Sale, exchange and disposal of public land

...

- (4) *If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to—*
 - (a) *publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and*
 - (ab) *display a copy of the notice on any boundary of the public land that abuts a highway; and*
 - (b) *notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.*

...

If the Recommendations are carried, Council officers will ensure that notice of the intention to create the easement is given in accordance with legislative requirements.

If no objections are received to the proposal, the easement can be created and then registered against the title to 10 Earl Street, at the direction of the Chief Executive Officer.

If an objection is received, the matter will return to Council for formal consideration.

If an objector subsequently lodges an appeal with the Tasmanian Civil and Administrative Appeals Tribunal (TASCAT), the Council is further prevented from proceeding until that matter has been finalised.

Easement location and extent

Indicative easement terms are set out at page 4 of the proposed easement deed provided at Attachment 1.

The exact location and extent of the easement will be confirmed at the time of way of final survey, following the completion of the underlying electrical works.

RISK IMPLICATIONS:

The creation of the easement is a necessary step to ensure that the substation can be created under the redevelopment project, as previously approved by Council.

There is sufficient information for Council to proceed with forming an intention to create the proposed easement, with the exact location and extent of the easement to be confirmed following the completion of the relevant work. If there is a substantive deviation from the proposed easement, the matter can return to Council for further decision making.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2025-2035

Not applicable:

Council's consideration of this matter supports delivery of a core service or function.

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and Chief Executive Officer have no interests to declare in this matter.

ATTACHMENTS:

1. C N 24-83971 Easement Deed - Company or Council Princess Theatre 55 Brisbane St LAUNCESTON TAS 7250 [22.2.1 - 4 pages]

EASEMENT DEED



Tasmanian Networks Pty Ltd
ABN 24 167 357 299

**Customer Project: N/010967 Launceston City Council Princess Theatre 55 Brisbane Street
LAUNCESTON CN24-83971**

Tasmanian Networks Pty Ltd ("TasNetworks") requires an easement to ensure it can operate and maintain its electricity infrastructure on private land.

This form is a legal document used to obtain your consent as owner of the property below to granting an easement to TasNetworks so that it can install, operate and maintain its electricity infrastructure on your property.

Please ensure all the relevant grey shaded boxes are completed.

An Electricity Easement is required on the following property title(s):

Name of Owner(s) on Title	Launceston City Council		
Certificate of Title(s)	46819	Folio(s)	1
Property Address	10 Earl Street Launceston Tas 7250		
Property Name (if applicable)			
Where is the Property Title held? (Name of the Bank or Solicitor)			

Company Owner Information (complete if Owner(s) company)

Name of the Company	
Country of Incorporation or formation	
ACN and ABN	
Overseas entity registration number (for foreign companies)	

Primary Contact Person for the Property Title:

Surname:	Other Names
Title	
Daytime Phone No	Mobile No
Email:	Fax No:
Current Postal Address	
Future Postal Address	

Is the Owner acting as a Trustee? **Yes** **No**

If 'yes' complete boxes below.

Trust Name	
Type of Trust	

Electricity Infrastructure to be Installed

Subject to you completing and returning this form, TasNetworks plans to install new electricity infrastructure on your property as shown on attached plan AS -33470.

Easement

An infrastructure easement is required to be registered on your property's title as shown on the attached plan.

Conditions and restrictions applicable to the infrastructure easement are enclosed for your reference as Attachment B.

Final Transfer of Easement

At the completion of the work, the electricity infrastructure installed on the properties will be surveyed. Our legal representative will then contact you, to organise the completion of formal documents and the registration of the easement on the affected property title(s)

If you have any questions please contact the Negotiated Connections Team at TasNetworks:
Phone 1300 137 008 or email negotiated.connections@tasnetworks.com.au

Signatures: Local Council

EASEMENT DEED

Page 2 of 4

All signatories must initial each page

Initial here:

To Provide your Consent:

Please complete and sign the following boxes to provide your consent to the Work and the granting of the Easement to TasNetworks over your property.

Authority to Sign:

Where a property owner is a Local Council, please execute this Easement Deed by placing the Council Seal in the box below and signing by an Authorised person.

By signing this Easement Deed, you acknowledge that:

1. You warrant that the Council is the owner of the property identified on page 1 of this Deed.
2. You consent to TasNetworks doing the Work.
3. You warrant that you have read and understood the enclosed electricity infrastructure easement or wayleave easement conditions and restrictions and agree to grant TasNetworks the easement on these terms.
4. You agree to enter into, and execute all documentation necessary to enable the registration of an electricity infrastructure easement or wayleave easement, whichever is necessary in the opinion of TasNetworks, on the property's certificate of title(s).
5. In the event that you fail to sign the formal documentation sent after completion of the work and survey, you irrevocably appoint the TasNetworks Company Secretary to be your power of attorney pursuant to the Powers of Attorney Act 2000, to do on your behalf the following:
 - (a) to execute memorandum of transfer(s) pursuant to section 58 of the Land Titles Act;
 - (a) to grant the easement(s) referred to in this Easement Deed; and
 - (b) to execute conveyances to grant and convey the easement(s) referred to in this Easement Deed.
6. Until the easement is registered, prior to transferring ownership of the property you will obtain from the transferee a signed easement deed on the same terms and conditions as this Deed.

(c)

Executed as a Deed

The COMMON SEAL of LAUNCESTON CITY COUNCIL has been hereunto affixed in accordance with Section 19(3 & (5) of the <i>local Government Act 1993 (Tas)</i>	
Authorise Signature	Authorise Signature
Date	Date
Name	Name
Position:	Position:

Please return completed forms to the Landowner requesting the work who will forward them to TasNetworks.

Attachment B

ELECTRICITY INFRASTRUCTURE EASEMENT

(Example only. Do not sign) – This is an example of the formal documentation that will be sent for signing after construction and survey to allow registration of an electricity infrastructure easement).

Electricity Infrastructure Easement with the benefit of a restriction as to user of land means:

FIRSTLY all the full and free right and liberty for Tasmanian Networks Pty Ltd and its successors and its and their servants' agents and contractors (hereinafter called "TasNetworks") at all times hereafter:

- a) **TO** maintain, lay, erect and install anything used for, or in connection with the generation, transmission or distribution of electricity including powerlines (overhead or underground), substations for converting electricity, substations for transforming or controlling electricity and equipment for metering, monitoring or controlling electricity (hereinafter called "electricity infrastructure") of such materials and type as TasNetworks may determine above, on or under the land respectively marked "Electricity Infrastructure Easement" on the Plan annexed hereto (hereinafter called the "servient land");
- b) **TO** enter into and upon the servient land for the purpose of examining, operating, maintaining, repairing, modifying, adding to or replacing electricity infrastructure without doing unnecessary damage to the said servient land and making good all damage occasioned thereby;
- c) **TO** erect fencing, signs, barriers or other protective structures upon the servient land if in the opinion of TasNetworks these are necessary for reasons of safety;
- d) **TO** cause or permit electrical energy to flow or be transmitted or distributed through the said electricity infrastructure;
- e) **TO** enter into and upon the servient land for all or any of the above purposes with or without all necessary plant equipment and machinery and the means of transporting the same and if necessary to cross the remainder of the said land in consultation with the registered proprietor/s for the purpose of access and regress to and from the servient land;
- f) **NOTHING** herein contained shall prevent the registered proprietor/s for themselves and their successors in title from using the servient land **PROVIDED THAT** such use does not derogate from this grant or, in the opinion of TasNetworks compromise the safe operation of TasNetworks electricity infrastructure located on, above or under the servient land.

SECONDLY the benefit of a covenant for TasNetworks and its successors with the registered proprietor/s for themselves and their successors in title of the servient land not to erect any buildings or place any structures, objects, or vegetation within the said easement without the prior written consent of TasNetworks to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement hereinbefore described.

SIGNED by the Transferor

NOTE:- Every annexed page shall be signed by the parties to the dealing, or where the party is a corporate body, be signed by the persons who have attested the affixing of the seal of that body to the dealing.

EASEMENT DEED
