



LAUNCESTON CITY COUNCIL

A Leader in Community & Government

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 14 JANUARY 2002**

LAUNCESTON CITY COUNCIL

A Leader in Community & Government

COUNCIL MINUTES

Monday 14 January 2002

MEETING HELD AT: Town Hall, Launceston

MEETING COMMENCEMENT: 1.00 pm

Martin Reynolds (Corporate Secretary)

Present: Alderman A L Waddle (Acting Mayor)
A C Peck
G W Beams
R L McKendrick
H G Brookes
I J N Routley
M E Smart
R W Shipp
J Walters
R J Sands
J Dickenson

In Attendance: Mr R G Campbell (General Manager)
Mr M Reynolds (Corporate Secretary)
Ms J Marek (Committee Clerk/Admin Officer)

Apologies: Alderman Nil.

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CHAIRMAN:

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1 OPENING OF MEETING

The Acting Mayor opened the meeting at 1.00 pm.

2 DECLARATION OF PECUNIARY INTERESTS

Alderman J Dickenson declared an interest in Item 8.3.

3 PUBLIC QUESTION TIME

Nil

4 DEPUTATION

Nil

5 CONFIRMATION OF MINUTES**RECOMMENDATION:**

1. That the Minutes of the meeting of the Launceston City Council held on 17 December 2001 be confirmed as a true and correct record.
2. That the Minutes of the meeting of the Launceston City Council held on 17 December 2001 in closed session be confirmed as a true and correct record.

DECISION: 14/01/2002**RESOLUTION:**

Moved Alderman A C Peck, seconded Alderman J Walters.

That the Recommendation be adopted.

CARRIED

6 ANNOUNCEMENTS BY THE MAYOR

NAPA Sister City – Memorial Cup for the late Alderman John Lees, Mayor.

The Acting Mayor Alderman A L Waddle presented Council with a Memorial Cup from Napa Sister City.

The Cup will be placed in the Reception Room.

7 PETITIONS

Nil

DIVISIONAL MINUTES ITEMS**8 BUSINESSES AND OPERATIONS**

Mr R Fisher, Mr P Mickan and Mr M Westaway were in attendance to answer questions of Council in respect of Agenda Items 8.1 – 8.4 inclusive.

8.1 17-33 Cameron Street - Construction Of Conference Function Rooms, Exhibition Area, Associated Facilities And Deck For Car Park (Vary Car Parking)

FILE NO: DA0567/2001

AUTHOR: Mark Westaway (Senior Development Planner)

DECISION STATEMENT:

To consider an application to construct conference function rooms, exhibition area, associated facilities and a deck for car parking; and use building as a Place of Assembly.

PREVIOUS COUNCIL CONSIDERATION:

25 June 2001

RECOMMENDATION:

That Council approve application DA0567/2001 to construct conference function rooms, exhibition area associated facilities, and car park deck (vary car parking) at 17-33 Cameron Street subject to the following conditions:

1. ENDORSED PLANS

The use and development shall be generally in accordance with the endorsed plans.

2. AMENDED PLANS REQUIRED (major amendments only)

Before the use and development commences, the areas coloured red in the endorsed plans shall be amended to show the requirements mentioned below. When approved by the Manager Approvals the plans will be endorsed and will then form part of the permit. The amended plans must be drawn to scale with dimensions and two copies must be provided.

- a) Elevations of the upper storey car park plan, including
 - (i) Relationship to the adjacent building at 13 Cameron Street;

8.1 17-33 Cameron Street - Construction Of Conference Function Rooms, Exhibition Area, Associated Facilities And Deck For Car Park (Vary Car Parking)...(Cont'd)

- (ii) Relationship to Cameron Street; and
 - (iii) Pedestrian access from the upper storey car park deck to ground level.
- b) Elevation of the North east elevation to show the relationship of this building to Cameron Street, and the existing multi storey hotel.

Once endorsed, these plans shall supersede the original endorsed plans.

3. LANDSCAPING PLAN

- (a) A planting plan (including species schedule) is to be provided for approval by Manager Parks & Recreation.
- (b) No existing planting / vegetation to be removed beyond what is required to construct the buildings and deck.
- (c) A proprietary irrigation system to be installed.

4. LANDSCAPING COMPLETION

Landscaping as shown and/or stated on the endorsed plan shall be completed within three months of the completion of the building and the use of the conference building commencing and maintained to the satisfaction of Council.

5. PROTECTION OF PIPELINES

The existing underground Council pipes are to be located prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. Construction over all Council pipelines is to be in accordance with the document "Guidelines for Building Over or Near Pipelines", Launceston City Council Infrastructure Assets Division.

6. CONSTRUCTION OF WORKS

The applicant is to construct works in accordance with detailed construction plans of all proposed works prepared by suitably qualified persons and complying with current Council standards and approved by Council's Infrastructure Assets Manager prior to any works commencing. A fee of 0.35% of the value of the public works is payable for the approval of engineering plans in accordance with Council's fee structure adopted pursuant to Section 205 of the Local Government Act 1993. Such plans and specifications are to include the necessary dimensions for road construction, pavement design where relevant, calculations of flow rates in drains, the pipe sizes for drains and the materials used in construction. The works are to include:

8.1 17-33 Cameron Street - Construction Of Conference Function Rooms, Exhibition Area, Associated Facilities And Deck For Car Park (Vary Car Parking)...(Cont'd)

- a) The relocation of sewer pipes clear of the proposed building works so as to maintain service to the Brisbane Street properties currently served by the existing public 225mm main.
- b) All new public mains are to be clear of buildings to allow for maintenance access.

7. COMPLETION OF WORKS

All works are to be carried out to Council standards and to the satisfaction of Council's Infrastructure Assets Manager and under the direct supervision of a civil engineer engaged by the applicant and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion. Council charges a fee for the inspection of public works in accordance with Council's fee structure adopted pursuant to Section 205 of the Local Government Act 1993. This fee is set at 0.50% of the value of the public works for a final inspection only and an hourly rate for reinspections. A minimum fee of \$50 is charged for minor works. Where an engineer has not been appointed by the applicant, Council's supervision fee is set at 3.0% of the value of the works.

8. CONSTRUCTION PLANS

An "as constructed" plan on transparent polyester film shall be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure Assets Division.

9. EASEMENTS

Easements are required over all services located in private property.

Notes

Use Class

- A. *The use allowed by this permit falls within the use class defined as Place of Assembly.*
- B. *This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act.*
- C. *The applicant is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.*

8.1 17-33 Cameron Street - Construction Of Conference Function Rooms, Exhibition Area, Associated Facilities And Deck For Car Park (Vary Car Parking)...(Cont'd)

Other Approvals

- D. *This permit does not imply that any other approval required under any other by-law or legislation has been granted.*
- E. *Prior to commencement of this development and use, the following are required:*
- a) *Building Approval*
 - b) *Plumbing Approval*
 - c) *Approval from the Chief Environmental Health Officer.*
 - d) *A Place of Assembly licence*
- F. *Separate approval may be required for any signage proposed on the site.*
- G. *This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.*

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman A C Peck, seconded Alderman J Walters.

That the Recommendation be adopted.

CARRIED

8.2 28 Garden Grove - Alterations To Multiple Dwelling (Deletion Of Condition 12 Of DA.01.88.152)**FILE NO:** DA0533/2001**AUTHOR:** Graeme Todd (Development Planner)

DECISION STATEMENT:

To consider an application to delete Condition 12 of D.A.01.88.152 (Removal of a fence on the eastern boundary of the property).

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council refuse DA0533/2001 to delete Condition 12 of Planning Permit D.A.01.88.152 on the following grounds:

1. The removal of Condition 12 (namely a 2 metre high fence along the eastern boundary) would have an adverse impact on the amenity and privacy of the adjoining residence at 26 Garden Grove; and
2. The removal of Condition 12 would be contrary to the provisions of a deed of agreement which provides the owners of 26 Garden Grove with a legal right to retain exclusive possession of a 3.6 metre wide strip of land along the eastern boundary of the property.

DECISION: 14/1/2002**RESOLUTION:****Moved Alderman H G Brookes, seconded Alderman J Walters.****That the Recommendation be adopted.****CARRIED**

8.3 92-94 Peel Street, Launceston West - Adhesion Order

FILE NO: 25327/25328

AUTHOR: Peter Stephens (Approvals Co-Ordinator)

DECISION STATEMENT:

To determine an application for approval of an adhesion of land at 92-94 Peel Street, Launceston West.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council approve the adhesion of land under Section 110 of the Local Government (Building and Miscellaneous Provisions) Act 1993 comprised and described in Certificate of Title Volume 34786 Folio 1 and 34786 Folio 2.

Alderman J Dickenson declared an interest in this Item and left the Council Chambers for the debate.

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman G W Beams, seconded Alderman J Walters.

That the Recommendation be adopted.

CARRIED

Alderman J Dickenson re-attended.

8.4 Brisbane Street - Petition to Amend Sealed Plan No 65471 - JAD Properties Pty Ltd

FILE NO: DA0311/2001

AUTHOR: Peter Stephens (Approvals Co-Ordinator)

DECISION STATEMENT:

To determine an application for approval to amend Sealed Plan No 65471 affecting Lots 1 and 2 Brisbane Street owned by JAD Properties Pty Ltd.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council approve the Petition to amend Sealed Plan No 65471 pursuant to Section 103 of the Local Government (Building and Miscellaneous Provisions) Act 1993 by JAD Properties Pty Ltd the registered proprietors of the land comprised in Folios of the registered Volume 65471 Folio 4 and Certificate of Title Volume 250543 Folio 1 to amend Sealed Plan No 65471 by deleting all rights of carriageway referred to therein.

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman R J Sands, seconded Alderman I J N Routley.

That the Recommendation be adopted.

CARRIED

9 TOTAL WORKFORCE

Mr R Fisher and Mr B Piesse were in attendance to answer questions of Council in respect of Agenda Items 9.1.

9.1 Tasmanian Emergency Services Act (1976)

FILE NO: SF2653

AUTHOR: Rod Sweetnam, LCC SES Coordinator

DECISION STATEMENT:

To seek from Council a position on Emergency Management issues, for referral to the Local Government Association of Tasmania (LGAT), General Meeting of Councils.

PREVIOUS COUNCIL CONSIDERATION:

NIL.

RECOMMENDATION:

That Council request the Local Government Association of Tasmania:

1. To urge the State Government to carry out a full and comprehensive review of the *Emergency Services Act 1976* with full and meaningful representation from Local Government, preferably with direct involvement by Local Government representatives.
2. Request the State Government to review the management and funding structure of the State Emergency Service (SES), to ensure it is best positioned to plan for and respond to emergencies within the Tasmanian community as a whole.

DECISION: 14/1/2002

9.1 Tasmanian Emergency Services Act (1976)...(Cont'd)

RESOLUTION:

Moved Alderman J Dickenson, seconded Alderman J Walters.

That the Recommendation be adopted with the addition of a new point 3 :

3. That Mr R Sweetnam meet with Mr Mike Brown to discuss the potential of the Tasmanian Fire Service adopting interim responsibility for the response to emergencies within the Municipality.

CARRIED

10 STRATEGIC DEVELOPMENT**10.1 Appointment of Community Members - York Park and Inveresk Precinct Authority**

FILE NO: SF3246

AUTHOR: Robert Groenewegen (Inveresk Precinct Manager)

DECISION STATEMENT:

To appoint two additional Community Members to the York Park and Inveresk Precinct Authority.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Jillian Koshin and Robert Dixon be appointed as Community Members until October 2004 to coincide with Local Government elections of that year.

Alderman I Routley withdrew at 2.34 pm

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman R L McKendrick, seconded Alderman G W Beams.

That the Recommendation be adopted.

CARRIED

Alderman I Routley re-attended at 2.34 pm

10.2 NTCA - Rental Agreement and Maintenance Costs**FILE NO:** 18730**AUTHOR:** Jill Lynd (Parks and Recreation)

DECISION STATEMENT:

To obtain agreement on the amount of payment to the NTCA for the next three years for management and maintenance of the grounds.

PREVIOUS COUNCIL CONSIDERATION:

Strategic Planning and Policy Agenda: NTCA – Rental Agreement and Maintenance Costs - December 10, 2001

Council Agenda: NTCA – Rental Agreement and Maintenance Costs – October 15 2001

Council Agenda: NTCA Rental Agreement and Maintenance Costs – June 22 1998

Council Agenda: NTCA Maintenance Costs and Contract Arrangements – July 17 1995

Council Agenda: Rental Agreement – NTCA Ground – June 5 1995

RECOMMENDATION:

1. That for the next three years, payments for the maintenance agreement to the NTCA be increased by movements in CPI.
2. Council's contribution to ground and equipment maintenance for the next three years, after deduction of rental, be \$95,000
3. That a further allowance of \$5,000 per annum be paid annually to the NTCA to cover water charges

DECISION: 14/1/2002**RESOLUTION:**

Moved Alderman G W Beams, seconded Alderman R J Sands.

That the Recommendation be adopted.

CARRIED

11 INFRASTRUCTURE ASSETS

Mr G Brayford and Mr B Piesse were in attendance to answer questions of Council in respect of Agenda Items 11.1 – 11.5 inclusive.

11.1 Budget Adjustment to Include Extra Work in Cambridge Street

FILE NO: SF3145

AUTHOR: Rick Kaminski (Assets Engineer)

DECISION STATEMENT:

To seek Council approval to adjust budget allocations to cover additional road works.

PREVIOUS COUNCIL CONSIDERATION:

2001/2002 Budget approvals

RECOMMENDATION:

That Council approve reallocating of these funds to the following projects as indicated:

Project	Present Allocation	Adjustment	New Allocation
Cambridge St (Georgina – Denison)	\$ 0	\$50,000	\$50,000
Unforeseen	\$328,300	-\$50,000	\$278,300
Budget Allocation	\$328,300	\$0	=\$328,300

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman A C Peck, seconded Alderman J Walters.

That the Recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY

11.2 Budget Adjustment - Bangor Road Bridge 603**FILE NO:** SF3145**AUTHOR:** Rick Kaminski (Assets Engineer)

DECISION STATEMENT:

To seek Council's approval to adjust budget allocations to cover project cost increases.

PREVIOUS COUNCIL CONSIDERATION:

2001/2002 Budget approvals.

RECOMMENDATION:

That Council approve relocation of these funds to the following projects as indicated:

Project	Present Allocation	Adjustment	New Allocation
Bangor Rd – Pipers River Bridge 603	\$160,000	\$80,000	\$240,000
Unforeseen 2001-2002	\$428,300	-\$80,000	\$348,300

DECISION: 14/1/2002**RESOLUTION:**

Moved Alderman G W Beams, seconded Alderman A C Peck.

That the Recommendation be adopted with an adjustment to the figures as follows –

Project	Present Allocation	Adjustment	New Allocation
Unforeseen 2001-2002	\$328,300	-\$80,000	\$248,300

CARRIED BY AN ABSOLUTE MAJORITY

11.3 Modification of the William St / St John St Intersection

FILE NO: SF2011 / SF2163

AUTHOR: Richard Burk (Roads and Traffic Engineer)

DECISION STATEMENT:

To modify the William Street / St John Street Intersection to provide public transport access to the arterial road network from the new Transit Centre in Cimitiere / St John Street.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council

1. Approve the removal of the existing roundabout treatment, adjust the kerb lines and signalise the intersection
2. Approve the provision of \$150,000 of Council funds to enable the completion of the project in the 2001/2002 financial year.

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman G W Beams, seconded Alderman R J Sands.

That the Recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY

In a response to a question, during debate of this item, Mr Brayford confirmed that the funds would require a reallocation from Council's Unforeseen 2001 – 2002 provision.

11.4 Divisional Progress Report

FILE NO: SF2293

AUTHOR: Geoff Brayford (Manager – Infrastructure Assets)

DECISION STATEMENT:

To consider the Divisional Progress Report from Infrastructure Assets Division

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That the information be noted

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman I J N Routley, seconded Alderman A C Peck.

That the Recommendation be adopted.

CARRIED

11.5 Tender Review Committee Meeting 20.12.01

FILE NO: SF0100

AUTHOR: Geoff Brayford (Manager – Infrastructure Assets)

DECISION STATEMENT:

To consider the decisions taken by the Tender Review Committee at the above meeting

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That the information be noted

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman H G Brookes, seconded Alderman R W Shipp.

That the Recommendation be adopted.

CARRIED

The Acting Mayor adjourned the Meeting at 3.28 pm.

The Acting Mayor reconvened the Meeting at 3.48 pm.

12 CORPORATE SERVICES

Mr M Tidey was in attendance to answer questions of Council in respect of Agenda Items 12.1 inclusive.

12.1 Auditor Selection

FILE NO: CD.019/2002 SF0485

AUTHOR: Rod Fraser (Manager Finance)

DECISION STATEMENT:

To select internal and external auditors for the three years ended 30th June 2002, 2003, 2004 in accordance with the decision of the Tender Review Committee.

PREVIOUS COUNCIL CONSIDERATION:

Council December, 1998 – Previous three year appointments.
Tender Review Committee 6th December 2001 - Approved recommended auditors for three years ended 30th June 2002, 2003, 2004.

RECOMMENDATION:

That Council endorse the decision of the Tender Review Committee (as clarified by Auditor General's decision of 11th December, 2001) and appoint the following auditors for the three years ended 30th June 2002, 2003 and 2004:

External audit – Deloitte Touche Tohmatsu (cost includes Auditor General Review fee)	20,700 pa
Internal audit – KPMG (average fee per annum)	<u>14,000 pa</u>
Total	34,700 pa

The Auditor General will perform a review of the Deloitte files each year. The cost to do so is 15% of the auditor's fee and is included in the Deloitte amount noted above.

DECISION: 14/1/2002

12.1 Auditor Selection...(Cont'd)

RESOLUTION:

Moved Alderman A C Peck, seconded Alderman I J N Routley.

That the Recommendation be adopted.

CARRIED

12.2 Retirement Benefits Scheme - Employee No 00384

FILE NO: SF0464 / PF00199

AUTHOR: Michael Tidey (Manager Corporate Services)

DECISION STATEMENT:

To consider payment of benefits to Employee No 00384.

PREVIOUS COUNCIL CONSIDERATION:

Nil.

RECOMMENDATION:

That this item be dealt with in Closed Council as it concerns the health or financial position of any person/company.

This item was dealt with in Closed Session at 4.06 pm.

13 GENERAL MANAGER**13.1 Grant Report - Matthew Johnson**

FILE NO: SF0486

AUTHOR: Gary W Stokes (Manager Civic Affairs)

DECISION STATEMENT:

To receive a report from a community grant.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council note the report from Matthew Johnson regarding the community grant he received.

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman M E Smart, seconded Alderman J Walters.

That the Recommendation be adopted.

CARRIED

13.2 Grant Report - Penny Sproal

FILE NO: SF0486

AUTHOR: Gary W Stokes (Manager Civic Affairs)

DECISION STATEMENT:

To receive a report on a grant.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council note the report from Penny Sproal regarding a grant she received.

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman A C Peck, seconded Alderman J Walters.

That the Recommendation be adopted.

CARRIED

13.3 Grant Report - Andrew Godfrey

FILE NO: SF0486

AUTHOR: Gary W Stokes (Manager Civic Affairs)

DECISION STATEMENT:

To receive a report on a grant.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council note the report from Andrew Godfrey regarding the grant he received to compete in the Under 14 National Club Championships.

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman M E Smart, seconded Alderman J Dickenson.

That the Recommendation be adopted.

CARRIED

13.4 Grant Report - Adam Pitt

FILE NO: SF0486

AUTHOR: Gary W Stokes (Manager Civic Affairs)

DECISION STATEMENT:

To receive a report on a grant.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council note the report from Adam Pitt concerning the grant he received to assist him to participate at the Australian Basketball Under 14 Boys Championships.

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman J Walters, seconded Alderman J Dickenson.

That the Recommendation be adopted.

CARRIED

13.5 Grant Report - Jesse Sellers

FILE NO: SF0486

AUTHOR: Gary W Stokes (Manager Civic Affairs)

DECISION STATEMENT:

To note a report about a grant.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council note the report from Jesse Sellers concerning the grant he received to participate at the Australian Basketball Under 14 Boys Championships.

DECISION: 14/1/2002

RESOLUTION:

Moved Alderman J Dickenson, seconded Alderman R L McKendrick.

That the Recommendation be adopted.

CARRIED

14 NOTICE OF MOTION

Nil

15 REPORTS BY THE MAYOR

Nil

16 REPORTS BY THE GENERAL MANAGER

Nil

17 ALDERMEN'S/DELEGATES' REPORTS**Gateway Tasmania**

Alderman A C Peck reported on statistics and the performance of the Information Centre in Launceston. The sale of services has increased and for the period from 1st January to 11th January 2002 received 5575 visitors.

Naroo Street - Waverley

Alderman H G Brookes commented on a recent incident in Naroo Street caused by excessive speed.

There is one section of the road that has an 80 kph.

He commented that the State Government should be asked to reduce the speed limit to 50 kph for the whole length of the road.

Australia Day Function

Alderman G W Beams advised that the Australia Day Function venue will be at the Tramshed this year as the Albert Hall is booked for another function.

Australia Derby

Alderman G W Beams advised that the Australia Derby (a pacing event) has been offered to Launceston and that the Marketing Department has it under consideration.

QVMAG – Inveresk – Coffee Shop

Alderman M E Smart reported that patrons from outside the Municipality are required to pay the \$10 entrance fee to gain access to the Coffee Shop.

RESOLUTION: (1):

Moved Alderman A C Peck, seconded Alderman G W Beams.

That Council move into Closed Session to discuss those items previously nominated on this Agenda as Closed Session items.

CARRIED BY AN ABSOLUTE MAJORITY

Council moved into Closed Session at 4.06 pm.

RESOLUTION: (2):

Moved Alderman A C Peck, seconded Alderman I J N Routley.

That Council move out of Closed Session and endorse those decisions taken while in Closed Session.

CARRIED

Council moved out of Closed Session at 4.07 pm.

18 MEETING CLOSURE

The Acting Mayor closed the Meeting at 4.07 pm.