



LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 24 JUNE 2013**

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 24 June 2013

Notice is hereby given that the Ordinary Meeting of the Launceston City Council will be held at the Council Chambers -

Date: 24 June 2013

Time: 1.00 pm

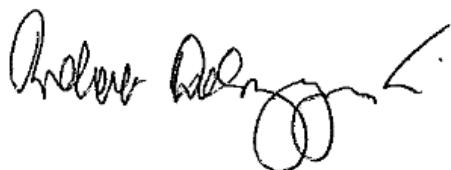
Section 65 Certificate of Qualified Advice

Background

Section 65 of the Local Government Act 1993 requires the General Manager to certify that any advice, information or recommendation given to council is provided by a person with appropriate qualifications or experience.

Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the minutes items for this meeting.



Robert Dobrzynski
General Manager

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 24 June 2013

ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES	1
2	DECLARATION OF PECUNIARY INTERESTS	1
3	CONFIRMATION OF MINUTES	1
4	DEPUTATION	1
5	ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME	2
6	PUBLIC QUESTION TIME	3
7	ANNOUNCEMENTS BY THE MAYOR	4
7.1	Mayor's Announcements	4
8	ALDERMEN'S/DELEGATES' REPORTS	6
8.1	Alderman Soward - Local Government Conference	6
8.2	Alderman Waddle - Heritage Forest Advisory Committee	7
8.3	Alderman Gibson - Unique States Exhibition at QVMAG	8
8.4	Alderman Ball - Vandemonian Lags - Dark Mofo	9
8.5	Alderman Armitage - Royal Carriage Restoration	10
8.6	Alderman McKenzie - Moonbeam Children's Committee Function	11
8.7	Alderman Norton - Cataract Gorge Advisory Committee	12
8.8	Alderman Peck - Cityprom Awards	13

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 24 June 2013

9	QUESTIONS BY ALDERMEN	14
9.1	Alderman Ball - Meet The Street	14
9.2	Alderman Sands - State of Tamar River	15
10	COMMITTEE REPORTS	16
10.1	Strategic Planning and Policy Committee Meeting - 17 June 2013	16
11	PETITIONS	17
12	PLANNING AUTHORITY	17
12.1	9/2 Prossers Forest Road, Ravenswood - change of use to a bottle shop	17
13	NOTICES OF MOTION - FOR CONSIDERATION (No Reports)	
14	DEVELOPMENT SERVICES (No Reports)	
15	FACILITY MANAGEMENT AND GOVERNANCE SERVICES	21
15.1	Parking by-law 2 of 2013 - Resolution to Make a By-law	21
15.2	CBD Promotional Service Grant Agreement 2013/2016	35
15.3	Cityprom Budget 2013/2014	36
16	QUEEN VICTORIA MUSEUM & ART GALLERY (No Reports)	
17	INFRASTRUCTURE SERVICES	37
17.1	Funding Commitments for the North Eastern Mountain Bike Development Project	37
17.2	Concessional Entry to Council's Waste Disposal Facilities	41
18	CORPORATE SERVICES	43

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 24 June 2013

18.1	Budget 2013/14 - Community Consultation and Submissions	43
18.2	Budget 2013/14 - Statutory Estimates	58
18.3	Budget 2013/14 - Rating Framework	60
19	GENERAL MANAGER	66
19.1	Launceston City Council Annual Plan 2013/14	66
20	URGENT BUSINESS	67
21	WORKSHOP REPORT(S)	67
22	INFORMATION / MATTERS REQUIRING FURTHER ACTION	68
22.1	Information / matters requiring further action	68
23	ADVICE OF FUTURE NOTICES OF MOTION	69
24	REPORTS BY THE MAYOR	69
25	REPORTS BY THE GENERAL MANAGER	69
26	CLOSED COUNCIL ITEM(S)	69

1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES

The Mayor opened the meeting at 1pm.

2 DECLARATION OF PECUNIARY INTERESTS

Alderman D H McKenzie declared a pecuniary interest in Agenda Item 15.1.

3 CONFIRMATION OF MINUTES

RECOMMENDATION:

1. That the Minutes of the meeting of the Launceston City Council held on 11 June 2013 be confirmed as a true and correct record.

DECISION: 24/06/2013

RESOLUTION: (1):

Moved Alderman D H McKenzie, seconded Alderman R I Soward.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

4 DEPUTATION

Nil

5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
11 June 2013	6.1	<p>Mr Denis Barker - 70 Lilydale Road, Rocherlea</p> <p>On the 15th of April I wrote to the Environmental Health Officer seeking information on Council policy on concrete batching plants and then on the 12th of May I wrote another letter about the noise and dust at the concrete batching plant located at 77-79 Lilydale Road. I have not received a reply to either of my letters. When can I expect a reply?</p>	<p>This question was taken on notice.</p> <p>A response has been provided to Mr Barker. Unfortunately there had been some confusion between two departments with each believing the other was responding to Mr Barker's correspondence.</p>	Michael Stretton
11 June 2013	9.1	<p>Aldermen's Question: Alderman J D Ball asked:</p> <p>Regarding Mr Baker's previous question on the concrete batching plant, was there a subsequent DA submitted regarding the concrete batching plant on Lilydale Road? If so what are the details for it? If not, can we check that all conditions have been complied with particularly where the bays are currently situated and what the initial noise levels are?</p>	<p>This question was taken on notice</p> <p>Further Reply:: I can advise that there was no subsequent DA to the Planning Permit that was issued by the Resource Management and Planning Appeals Tribunal on 27 July 2009.</p> <p>The orientation and construction of the concrete batching plant has been altered from that which was approved by the Planning Permit.</p>	Michael Stretton

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
			<p>The reason for the re-orientation is condition 8 of the planning permit which required that the pre-cast concrete aggregate bins be moved to a location clear of the sewer rising main that runs through the site.</p> <p>In assessing compliance with this condition it was determined that the Building Plans satisfied the amended plan condition. Whilst the aggregate bin area is larger than the area that was originally approved, the increase is not considered to be significant and the orientation represents an improvement in terms of wind protection. At this stage the Council has not undertaken any noise monitoring of the site.</p> <p>Condition 14 of the Planning Permit prescribes that “noise emissions from the activity, when measured at any domestic premises within 100m of either extent of the frontage along the Lilydale Road frontage, and expressed as the adjusted time average, A-Weighted sound pressure level, must not exceed: 40dB(A) between 6:30am and 7:30am; 45dB(A) between 7.30am and 6.00pm.</p>	

6 PUBLIC QUESTION TIME

Nil

7 ANNOUNCEMENTS BY THE MAYOR

7.1 Mayor's Announcements

FILE NO: SF2375

Tuesday 11 June

- Attended Ceremonial Sitting of the Magistrates Court upon Mr Simon Brown taking his seat as a Magistrate

Thursday 13 June

- Attended Brooks High School - Beacon Foundation 19th Annual Positive Futures Charter Signing

Friday 14 June

- Attended Premiere Performance of Sundowner at Princess Theatre

Saturday 15 June

- Officially opened Cedar Creek Lifestyle Village
- Attended Reunion "Back to North" Day 120 Year Celebrations at Aurora
- Attended Launceston Ten Pre-Race Function

Sunday 16 June - Wednesday 19 June

- Attended National General Assembly of Local Government Conference - Canberra

Thursday 20 June

- Attended Local Government Financial Assistance Grants Review - Canberra

Friday 21 June

- Officiated at Civic Reception to mark the 50th Anniversary of the 18th Launceston /1st Tamar Sea Scouts at Town Hall

Saturday 22 June

- Attended Moonbeam Childrens' Committee Gala Function

The Mayor further added

- **Congratulated Ricky Ponting on his retirement. Acknowledged Mr Ponting's achievements and indicated that talks are underway with Mr Ponting's management team to discuss how we can recognise his achievements within the city.**
-

7.1 Mayor's Announcements...(Cont'd)

- **Attended the Local Government Conference in Canberra with the General Manager and Alderman Soward. Noted the strong focus of the Conference was on the YES campaign. Praised the incredible job of the speakers, in particular, Peter Fitsimmons whose presentation was both exciting and moving.**
 - **Attended the Financial Assistance Grant Review in Canberra along with the General Manager and Director of Corporate Services, Mike Tidey. Noted the Review as a worthwhile and positive experience and thanked the General Manager and Mr Mike Tidey for their attendance and participation.**
 - **Friday attended the launch of the Meet The Neighbours Campaign sponsored by IGA. Praised it as a worthwhile and great initiative and encouraged its success.**
 - **Friday night attended the Civic Reception to mark the 50th Anniversary of the 18th Launceston/1st Tamar Sea Scouts.**
 - **Sunday attended the open day for the 18th Launceston/1st Tamar Sea Scouts. Mr Mayor passed on his thanks to the Launceston City Council from the Sea Scouts for all the support they have received.**
 - **Attended the Northern Suburbs Concert and noted its large number of attendees. Mr Mayor also participated in the harmony walk and was impressed with support given.**
 - **Attended the local Netball on Sunday to present trophies. Noted Alderman Armitage was also in attendance. Acknowledged the day as a success with a large amount of community support from all over the state. Estimated the participation of around 2000 people.**
-

8 ALDERMEN'S/DELEGATES' REPORTS

Ald J D Ball withdrew from the meeting at 1:08pm.
Ald J D Ball returned to the meeting at 1:08 pm.

8.1 Alderman Soward - Local Government Conference

Alderman R I Soward reported:

- Attended the Local Government Conference in Canberra. Noted the biggest theme that stood out was the Referendum - YES Campaign, particularly the fact that a lot of things within the community would not be built, maintained or available without the funds provided through the Federal Government.
 - Attended the State Wide Independent School Sports Finals at St Patrick's Oval. Noted attendance in excess of 500-600 community supporters.
-

8.2 Alderman Waddle - Heritage Forest Advisory Committee

Alderman A L Waddle reported:

- Attended the Heritage Forest Committee meeting on 12 June where discussions on the opening of the time capsule on 2 November 2013 took place. A special meeting is to be held on 17 July 2013 to do more work on the time capsule.
-

8.3 Alderman Gibson - Unique States Exhibition at QVMAG

Alderman D C Gibson reported:

- Thanked the Mayor for launching the Meet the Neighbours Campaign, a campaign that Launceston Safer Communities Partnership believes in and supports. Alderman Gibson also acknowledged and praised the work of Nathalie Servant (Community Safety Development Officer) regarding the Launceston Safer Communities Partnership.
 - Thanked all the community members who volunteered to operate the Sky Whale at the Mofo Festival at Royal Park.
 - Friday evening attended the 'Unique States' Exhibition at QVMAG Wellington Street featuring the works of Raymond Arnold. The exhibition runs until August 25th and encourages all Alderman to promote and attend the exhibition. Alderman Armitage was also in attendance.
-

8.4 Alderman Ball - Vandemonian Lags - Dark Mofo

Alderman J D Ball reported:

- **Wednesday June 12 - attended the World Premier of Vandemonian Lags at the Princess Theatre as part of Dark Mofo. Alderman McKenzie was also in attendance. Consisted of 17 convict tales as researched by Hamish Maxwell Thomas from UTAS. Acknowledged involvement from special guests Mick Thomas from Weddings Parties Anything, who wrote most of the musical tracks, Tim Rogers of You Am I, Jeff Lang and Brian Nankervis, co-host of SBS's Rockwiz. Praised it as a truly phenomenal concert and a great achievement to the Princess Theatre. Thanked Director Richard Mulvaney for his work in bringing Dark Mofo to Launceston.**
 - **Wednesday 19 June - attended the unveiling of the Don Rivers restored Royal Carriage. Praised the efforts of the volunteers who did a phenomenal job at restoring such a project. Noted the attendance of Alderman Armitage, Alderman Gibson and Alderman McKenzie.**
 - **Attended the DIER Catchment Report Card, the first Esk River program to have a report card on catchments done completely by volunteers. Acknowledged the efforts of the volunteers who collected and collated base line data and carried out water testing.**
 - **The Pedestrian Bike Committee met and reports that Fiona Ranson will be moving on with Stally Britton stepping into the new role. Acknowledged it was Aaron Mullins first meeting as the new Recreation Planning Officer.**
-

8.5 Alderman Armitage - Royal Carriage Restoration

Alderman R L Armitage reported:

- Reminded all that the restored Royal Carriage at Don River is still opened in Inveresk and encouraged all to take advantage of the free entry and take a look at a wonderful restoration.
 - Attended a dinner on Saturday night for the Launceston Ten.
 - 16 June - attended the start of the Launceston Ten at Civic Square. Noted 2000 or so people who came out to wait for the clock to chime the start of the race. Acknowledged the support and work of the volunteers and credited as a wonderful event for Launceston.
 - 16 June - attended the National Masters Weightlifting Championships. Received a framed medal which was passed on to the Mayor. Noted how wonderful it was to see so many participants with the support from Launceston City Council being acknowledged.
 - Attended a Festivale Committee Meeting. The committee is already getting organized for next year's event. Applications have already been received. Acknowledged the time and effort and attendance to regular meetings for all those involved with Festivale.
 - Appreciated the opportunity to ride in the Sky Whale at Mofo while it was in Launceston.
-

8.6 Alderman McKenzie - Moonbeam Children's Committee Function

Alderman D H McKenzie reported:

- **Thanked the Mayor, Alderman Armitage and Alderman Gibson for attending the Moonbeam Children's Committee Function on Saturday night. Acknowledged and praised all attendees and supporters. Noted over \$30,000 in charitable funds were raised.**
-

8.7 Alderman Norton - Cataract Gorge Advisory Committee

Alderman I S Norton reported:

- **The Cataract Gorge Committee will hold an exhibition at the Gorge cottage of photographs taken from the Launceston Walking Clubs scenic walks. Noted it as a spectacular display and encouraged all to attend.**
-

8.8 Alderman Peck - Cityprom Awards

Alderman A C Peck reported:

- **Launceston Airport advised that Council received \$165,205.00 as dividend due to their investment made many years ago in Launceston Airport.**
 - **Pamela Graham moving on as General Manager of Launceston Airport. Paul Hodgen will be taking the position of General Manager as of 1 January 2014.**
 - **Reminded Council that the Cityprom Awards are on Saturday 24 August, which is considered a major event for Cityprom. A proposal has been submitted for an Ambassador Kiosk in the Mall and discussions are taking place with the Travel Information Centre regarding the relocation of the base of the Kiosk to the Travel and Information Centre.**
-

Ald J D Ball withdrew from the meeting at 1:23 pm.

Ald J D Ball returned to the meeting at 1.24pm.

9 QUESTIONS BY ALDERMEN

9.1 Alderman Ball - Meet The Street

Aldermen's Question: Alderman J D Ball asked:

- As part of Meet the Neighbours campaign, is it envisaged that we move to allow Meet The Streets and can we investigate what insurance cover is needed to implement that?**

This question was taken on notice.

9.2 Alderman Sands - State of Tamar River

Aldermen's Question: Alderman R J Sands asked:

- Why are TasWater pumping a combined sewer and stormwater outlet at the junction of Esplanade and Tamar Street into the Tamar River?

This question was taken on notice.

10 COMMITTEE REPORTS**10.1 Strategic Planning and Policy Committee Meeting - 17 June 2013****FILE NO:** SF4401**AUTHOR:** Daniel Gray (Committee Clerk / Administration Officer)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To receive and consider a report from the Strategic Planning and Policy Committee.

RECOMMENDATION:

That the report from the Strategic Planning and Policy Committee meeting held on 17 June 2013 be received.

Mr R Dobrzynski (General Manager) was in attendance to answer questions of Council in respect of this Item.

DECISION: 24/06/2013**RESOLUTION: (1):****Moved Alderman J D Ball, seconded Alderman J G Cox.****That the Recommendation be adopted.****CARRIED UNANIMOUSLY 12:0**

11 PETITIONS

Nil

Under the provisions of the Land Use Planning and Approvals Act 1993, Council acts as a Planning Authority in regard to item 12.1.

12 PLANNING AUTHORITY**12.1 9/2 Prossers Forest Road, Ravenswood - change of use to a bottle shop**

FILE NO: DA0098/2013

AUTHOR: Maria Chledowska (Town Planner)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider an application for a change of use from a general retail and hire premises to a bottle shop (Hotel Industry) at 9/2 Prossers Forest Road, Ravenswood

PLANNING APPLICATION INFORMATION:

Applicant: Planning Development Services
Property: 9/2 Prossers Forest Road, Ravenswood
Area of Site: 4552m²
Zoning: Local Business
Existing Uses: Hotel Industry
Classification: Change of use
Date Received: 19/03/2013
Further information request: 27/03/2013
Further information received: 16/05/2012
Deemed Approval: 17/06/2013 - Extension until 24/06/2013
Representations: Three

PREVIOUS COUNCIL CONSIDERATION:

N/A

12.1 9/2 Prossers Forest Road, Ravenswood - change of use to a bottle shop...(Cont'd)

RECOMMENDATION:

That Council approves DA0098/2013 for the change of use from a general retail and hire premises to the bottle shop (Hotel Industry) at 9/2 Prossers Forest Road, Ravenswood subject to the following:

1. ENDORSED PLANS

The development and use must be carried out as shown on the Endorsed Plans to the satisfaction of the Planning Authority.

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.

3. NUISANCE

During operation of this use, the best practicable means shall be taken to prevent nuisance or annoyance to any person not associated with the use. Air, noise and water pollution matters may be subject to provisions of the *Environmental Management & Pollution Control Act 1994 and Regulations* there under.

4. AMENITY

The use 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.

5. LAPSING OF PERMIT

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.

Notes

Restrictive Covenants

- A. Council does not enforce restrictive covenants that contradict the Interim Launceston Planning Scheme 2012. However, 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.
-

12.1 9/2 Prossers Forest Road, Ravenswood - change of use to a bottle shop...(Cont'd)

Other Approvals

- B. *This permit does not imply that any other approval required under any other by-law or legislation has been granted.*

Registration of Food Business

- C. *If the applicant wishes to prepare or sell food (including alcohol) at the premises an application must be made to Council to register as a Food Business as per the Food Act 2003.*

Representations to Proposal

- D. *This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource Management and Planning Appeal Tribunal.*

Appeal Provisions

- E. *Attention is directed to Sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:*

A planning appeal shall be instituted by lodging a notice of appeal with the Clerk of the Resource Management and Planning Appeal Tribunal.

A planning appeal shall be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.

Permit Commencement

- F. *This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 53(1b) 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.*
-

The Mayor announced that Council was acting as a Planning Authority.

Mr M Stretton (Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.

12.1 9/2 Prossers Forest Road, Ravenswood - change of use to a bottle shop...(Cont'd)

DECISION: 24/06/2013

RESOLUTION: (1):

Moved Alderman D H McKenzie, seconded Alderman A C Peck.

FOR VOTE - Ald A M van Zetten, Ald J D Ball, Ald A C Peck, Ald D H McKenzie, Ald I S Norton, Ald R J Sands, Ald J G Cox, Ald D C Gibson, Ald R L Armitage.

AGAINST VOTE - Ald A L Waddle, Ald R L McKendrick, Ald R I Soward.

CARRIED 9:3

The Mayor announced that Council was no longer acting as a Planning Authority.

15 FACILITY MANAGEMENT AND GOVERNANCE SERVICES

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law

FILE NO: SF3530

AUTHOR: Lynda-Jane Jackson (Legal Officer)

DIRECTOR: Matthew Skirving (Acting Director Facility Management and Governance Services)

DECISION STATEMENT:

To make a by-law on parking under sections 145 and 170 of the Local Government Act 1993.

This recommendation requires a decision by an absolute majority.

PREVIOUS COUNCIL CONSIDERATION:

SPPC - 17 December 2012 - The proposed Parking by-law 2 of 2013 and Regulatory Impact Statement (RIS) were discussed.

SPPC - 18 February 2013 - The proposed Parking by-law 2 of 2013 (specifically penalty structures and penalty amounts) were discussed.

Council - 25 February 2013 - Item 15.1 - Parking by-law - Council expressed intention to make a by-law in the proposed terms and endorsed the Regulatory Impact Statement.

RECOMMENDATION:

1. That Council makes a by-law in accordance with sections 145 and 170 of the Local Government Act 1993 to control the parking of vehicles and other activities on land which is used for off street parking and is owned by, or under the control of Council, and to prescribe fine amounts under the *Local Government (Highways) Act 1982*, in the following terms:

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

LAUNCESTON CITY COUNCIL

PARKING BY-LAW

BY-LAW NO. 2 of 2013

A By-Law made under Section 145 and Section 170 of the *Local Government Act 1993*, in respect of the parking of vehicles and other activities on land owned by or under the control of the Launceston City Council and designated a parking area within the municipal area of the Launceston City Council and for the purpose of prescribing infringement notice penalties pursuant to Section 100 of the *Local Government (Highways) Act 1982*.

PART 1 – PRELIMINARY

1. Short title

This by-law may be cited as the Parking By-Law Number 2/2013.

2. Repeal

By-law Number 24 of 2003, Parking By-law notified in the Tasmanian Government Gazette on the 4th day of June 2003 and By-law Number 7 of 2009 Parking (Amendment) By-law notified in the Tasmanian Government Gazette on the 12th day of August 2009 are repealed.

3. Interpretation

In this by-law, unless the contrary intention appears:

"authorised officer" means a person employed by the Council as a Parking Officer, a person appointed by the Council to control a parking area, any person authorised in writing by the General Manager and a police officer of Tasmania Police;

"Council" means the Launceston City Council;

"drive" has the same meaning as under the Dictionary in the *Road Rules 2009*;

"General Manager" means the general manager of the Council;

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

"highway" means a highway maintainable by the Council pursuant to the *Local Government (Highways) Act 1982*;

"liquor" has the same meaning as under the *Liquor Licensing Act 1990*;

"registered operator" has the same meaning as under the *Vehicle and Traffic Act 1999*;

"park" means to leave a vehicle in a stationary position whether attended or not;

"parking area" includes any area owned by or under the control of the Council and designated by public notice for the parking of vehicles, but does not include a highway;

"Manager Parking" means the person holding the position of Manager Parking with the Council, or a person acting in that position;

"parking meter" means a device installed by or for the Council for measuring time on the insertion of coin, note or other accepted payment method, of the name or value shown on the device;

"parking space" means a space within a parking area or a space controlled by a parking meter, indicated by lines or other marks on the ground or indicated by any other method, of sufficient clear space to accommodate a vehicle within that space;

"parking voucher" means a document issued by a voucher machine;

"penalty unit" means a sum prescribed under the provisions of the *Penalty Units and Other Penalties Act 1987*;

"motor vehicle" has the same meaning as in the *Vehicle and Traffic Act 1999*;

"voucher machine" means a device that is installed by or for Council that issues a parking voucher after the correct coin, note or other accepted payment method, has been inserted and: -

- (a) indicates that the holder may park a vehicle in a space in the parking area where the voucher was purchased; and
 - (b) bears the date and time of issue.
-

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

PART 2 - DRIVING OF VEHICLES

4. Entry and exit of parking areas

(1) A person driving a motor vehicle must not enter or leave a parking area except by an access point designated by Council signs.

Penalty: a fine not exceeding 1.5 penalty units.

5. Driving of motor vehicles

(1) A person must not drive a motor vehicle in a parking area at more than twenty kilometres an hour.

Penalty: a fine not exceeding 2 penalty units.

PART 3 - PARKING

6. Parking of motor vehicles

(1) A person must not park a motor vehicle which is: -

- (a) not wholly within one parking space or parked otherwise than as directed by an authorised officer; or
- (b) in a position where it obstructs the entry or exit of a vehicle to another parking space.

Penalty: a fine not exceeding 1.5 penalty units.

(2) An authorised officer may remove, or permit an agent of the Council to remove, a motor vehicle if it is parked in contravention of this clause.

7. Payment of fee

(1) A person must not park a motor vehicle in a parking area without payment of the fee required by the conditions of entry to that parking area, as are indicated by signs displayed in the parking area.

Penalty: a fine not exceeding 1.5 penalty units.

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

8. Parking vouchers

(1) A person must not park a motor vehicle in a parking area controlled by a voucher machine unless that person has displayed on the driver's side of the motor vehicle's dashboard an unexpired voucher.

Penalty: a fine not exceeding 1.5 penalty units.

(2) A voucher must be displayed so that the date and time of issue are clearly visible from outside the motor vehicle.

Penalty: a fine not exceeding 1.5 penalty units.

9. Parking longer than maximum period

(1) A person must not allow a motor vehicle to remain parked in a parking area for a longer period than is allowed by the conditions of entry to that parking area, as are indicated by signs displayed in the parking area.

Penalty: a fine not exceeding 1.5 penalty units.

10. Reserved spaces

(1) The Manager Parking is to decide on the location of, and the conditions applicable to, reserved parking areas and spaces.

(2) A person must not park or leave a motor vehicle in a parking space or parking area which is designated "Reserved" unless authorised to do so.

Penalty: a fine not exceeding 1.5 penalty units.

(3) An authorised officer may remove or, permit an agent of the Council to remove, a motor vehicle if it is parked in contravention of this clause.

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

PART 4 - PROHIBITED ACTIVITIES

11. Damage to Equipment

(1) A person must not in any way damage equipment used or connected in any way with a parking area or parking space nor use anything other than the type of notes or coins or payment method indicated on the outside of the equipment as acceptable for that purpose.

Penalty: a fine not exceeding 2 penalty units.

12. Unauthorised Removal of Infringement Notice

(1) A person other than the registered operator or person in charge of the motor vehicle must not remove or cause to be removed an infringement notice affixed to a motor vehicle.

Penalty: a fine not exceeding 2 penalty unit

13. Washing, dismantling and repair of motor vehicles

(1) A person must not dismantle or repair any motor vehicle in a parking area without the consent of the Council unless it is necessary to enable the motor vehicle to be moved from the parking area.

Penalty: a fine not exceeding 2 penalty units.

(2) A person must not paint or wash any motor vehicle in a parking area without the consent of the Manager Parking.

Penalty: a fine not exceeding 1 penalty units.

14. Skidding of motor vehicles

(1) A person must not intentionally drive a motor vehicle so : -

- (a) it skids; or
- (b) it leaves rubber marks from its tyres on the surface of a parking area.

Penalty: a fine not exceeding 2 penalty units.

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

15. Distribution of advertisements

(1) A person must not distribute, or cause to be distributed, any advertisement, book, card, handbill, notice, pamphlet, print, paper or placard within a parking area without the consent of the Manager Parking.

Penalty: a fine not exceeding 2 penalty units.

16. Damage to Council property

(1) A person must not remove or damage Council property in any parking area.

Penalty: a fine not exceeding 5 penalty units.

17. Graffiti

(1) Except as provided for in subclause (2) a person must not mark, write on or in any other way deface Council property.

Penalty: a fine not exceeding 2 penalty units.

(2) The Manager Parking may give written approval for painting or a similar activity to occur in a parking area.

18. Liquor

(1) A person must not:

(a) possess an open container of liquor within a parking area; or

(b) sell liquor within a parking area.

Penalty: a fine not exceeding 2 penalty units.

(3) It is a defence to a prosecution pursuant to this clause for the person charged with the offence to establish that they did not have an open container of liquor in their possession for the purpose of drinking it in the parking area.

(4) A police officer may remove a person from the parking area if they believe the person is offending under this clause.

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

(5) A police officer may remove and retain an open or unsealed container of liquor from a person they believe is offending under this clause.

19. Prohibited conduct

- (1) A person must not in a parking area :-
- (a) spit; or
 - (b) use threatening or offensive language; or
 - (c) act in a disorderly or indecent manner.

Penalty: a fine not exceeding 2 penalty units.

20. Obstruction

- (1) A person must not cause any obstruction to motor vehicle or foot traffic in a parking area.

Penalty: a fine not exceeding 2 penalty units.

21. Use of skates and cycles

- (1) Except as otherwise provided in subclause (2), a person must not to ride a vehicle or machine propelled by human power which includes a skateboard, scooter, bicycle, in-line skates and roller skates, in a parking area.

Penalty: a fine not exceeding 2 penalty units.

- (2) A person may ride a bicycle in a parking area for the purpose of parking it in an area designated for parking or storing bicycles.

PART 5 - MISCELLANEOUS

22. Supply of name and address

- (1) An authorised officer or a police officer who reasonably believes that a person has committed or is committing an offence against this by-law may request that person to supply their full name and permanent or present temporary address;

- (2) A person must not refuse to supply their correct and full name and permanent or present temporary address if requested to do so by an authorised officer or police officer;
-

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

Penalty: a fine not exceeding 2 penalty units

(3) A police officer may arrest a person if the police officer or an authorised officer finds the person refuses to provide their full name and present address or reasonably believes the details provided are false.

23. Request to leave an area

(1) A police officer or authorised officer may ask a person whom they reasonably believe is offending against this by-law to leave a parking area.

(2) A person who does not obey the directions of an authorised officer is guilty of an offence.

Penalty: a fine not exceeding 2 penalty units.

(3) A police officer may remove any person from the parking area who is offending under this clause.

(4) A police officer may arrest a person found offending under this clause.

24. Closure of parking areas

The Manager Parking may close any parking area or portion of a parking area.

25. Use of parking areas for other purposes

The Manager Parking may give written approval for a parking area to be used for any purpose and impose conditions for its use.

26. Recovery of Expenses

In addition to a penalty imposed in relation to a failure to comply with or a contravention of clauses 6, 10, 11, 13, 14, 16 and 17 of this by-law, an expense incurred by Council in consequence of that failure or contravention is recoverable by Council as a debt payable by the person so failing to comply or in contravention.

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

PART 6 - INFRINGEMENT NOTICES

27. Infringement notices

(1) In this clause –

"specified offence" means an offence against the clause specified in column 1 of Schedule 1 and generally described in column 2 of Schedule 1.

(2) An infringement notice may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3, 4 or 5 (as applicable) of Schedule 1 is the penalty payable under the infringement notice for that offence.

(3) Payment of an infringement notice issued under this by-law must be made to the General Manager within 28 days of the issue of the infringement notice to avoid the infringement notice being referred to the Director, Monetary Penalties Enforcement Service.

(4) An authorised officer may–

(a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and

(b) issue one infringement notice in respect of more than one specified offence.

(5) The Monetary Penalties Enforcement Act 2005 applies to an infringement notice issued under this by-law.

(6) In addition to any other method of service, an infringement notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.

PART 7

SECTION 100 OF THE LOCAL GOVERNMENT (HIGHWAYS) ACT 1982

28. Prescribed penalties for parking offences under the Local Government (Highways) Act 1982

For the purposes of section 100(4) of the *Local Government (Highways) Act 1982*, the prescribed penalty for an infringement notice issued for an offence under section 97, 98 or 99 of that Act is the applicable sum specified adjacent to the offence in the following table:

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

Column 1 Section	Column 2 Offence	Column 3 Penalty (\$)	Column 4 Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice	Column 5 Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice
Section 97(1)(a)(i)	Remaining parked whilst meter not running	\$65	\$25	\$40
Section 97(1)(a)(ii)	Exceeding maximum period on parking meter	\$65	\$35	\$50
Section 97(1)(b)(i)	Parking without parking voucher displayed	\$65	\$25	\$40
Section 97(1)(b)(ii)	Parking longer than authorised by a parking voucher	\$65	\$35	\$50
Section 97(1)(c)	Parking more than one motor vehicle in a space	\$65	\$35	\$50
Section 97(1)(d)	Parking a motor vehicle partly inside and outside a space	\$65	\$25	\$40
Section 98	Obstructing use of parking space	\$65	-	-
Section 99	Parking whilst space closed	\$65	-	-

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

Schedule 1 - Infringement Notice Offences

Column 1 Clause	Column 2 General Description of Offence	Column 3 Penalty (\$)	Column 4 Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice	Column 5 Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice
4	Failure to use designated access point to parking area	\$65	\$25	\$40
5	Exceeding speed limit in parking area	\$65	-	-
6	Not parking within designated area	\$65	\$25	\$40
7	Failure to pay parking fee	\$65	\$35	\$50
8	Failure to display current parking voucher	\$65	\$25	\$40
9	Parking longer than the maximum period	\$65	\$35	\$50
10	Parking in a reserved space without authorisation	\$65	-	-

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

Column 1 Clause	Column 2 General Description of Offence	Column 3 Penalty (\$)	Column 4 Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice	Column 5 Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice
11	Damaging equipment in a parking area	\$65	-	-
12	Unauthorised removal of infringement notice	\$65		
13	Washing, dismantling, repairing motor vehicle without consent	\$65	-	-
14	Skidding of motor vehicles	\$65	-	-
15	Distributing advertising material without consent	\$65	-	-
17	Defacing Council property	\$65	-	-
20	Obstructing vehicle or foot traffic	\$65	-	-
21	Using skates and cycles in a parking area	\$65	-	-

15.1 Parking by-law 2 of 2013 - Resolution to Make a By-law...(Cont'd)

2. That Council notes the attached Certificate of Approval for Regulatory Impact Statement; and

3. That Council notes no written submissions were received in response to public consultation undertaken in accordance with section 157 of the Local Government Act 1993.

Mr R Sweetnam (Director Facility Management and Governance Services) was in attendance to answer questions of Council in respect of Agenda Items 15.1 - 15.3.

Ald D H McKenzie declared a pecuniary interest in this item and withdrew from the meeting at 1:44 pm.

DECISION: 24/06/2013

RESOLUTION: (1):

Moved Alderman J D Ball, seconded Alderman I S Norton.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 11:0

15.2 CBD Promotional Service Grant Agreement 2013/2016**FILE NO:** SF0016/SF0526**AUTHOR:** Bruce Williams, Economic Development Officer**DIRECTOR:** Rod Sweetnam, Director Facility Management and Governance Services

DECISION STATEMENT:

To obtain Council approval for renewal of the CBD Promotional Grant Agreement.

PREVIOUS COUNCIL CONSIDERATION:

Item 11.2, Council Meeting, 12 July, 2010 - resolved Cityprom agreement for period 2010-2013

RECOMMENDATION:

That Council adopts the CBD Promotional Grant Agreement for the period 1st July 2013 to 30th June 2016, subject to annual review, for signing by both Council and Cityprom.

Ald D H McKenzie re-attended the meeting at 1:45 pm.

DECISION: 24/06/2013

RESOLUTION: (1):

Moved Alderman A C Peck, seconded Alderman R I Soward.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

15.3 Cityprom Budget 2013/2014**FILE NO:** SF0016/SF0526**AUTHOR:** Bruce Williams, Economic Development Officer**DIRECTOR:** Rod Sweetnam, Director Facility Management and Governance Services

DECISION STATEMENT:

To obtain Council approval for the Cityprom 2013/14 Budget.

PREVIOUS COUNCIL CONSIDERATION:

Item 11.2, Council Meeting, 12 July, 2010 - resolved Cityprom agreement for period 2010-2013

RECOMMENDATION:

That Council adopt a Cityprom budget for 2013/14 that reflects a 3% increase on the 2012/2013 Cityprom budget and levy a rate on the defined area in the Launceston City Council CBD area to fund this budget.

DECISION: 24/06/2013**RESOLUTION: (1):**

Moved Alderman A C Peck, seconded Alderman R I Soward.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

17 INFRASTRUCTURE SERVICES**17.1 Funding Commitments for the North Eastern Mountain Bike Development Project****FILE NO:** SF3532**AUTHOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider the provision of both financial and in-kind commitment to the North Eastern Mountain Bike Development Project.

PREVIOUS COUNCIL CONSIDERATION:

Item 4.3 - SPPC Meeting 17 June 2013

Report on providing financial support to the North Eastern Mountain Bike Development Project.

Item 4.3 - SPPC Meeting 20 May 2013

Report on providing financial support to the North Eastern Mountain Bike Development Project was deferred by SPPC.

Item 17.4 - Council Meeting 15 April 2013

Council deferred decision seeking further information from NTD.

Item 4.4 - SPPC Meeting 8 April 2013

Project discussed particularly cost/benefit analysis and on-going management and responsibilities.

Item 4.1 - SPPC Meeting 6 November 2012

NTD submission on project seeking support to lodge a Regional Development Fund (RDA) Expression of Interest.

RECOMMENDATION:

That Council support the NTD North Eastern Mountain Bike Trail Project in the following context and subject to the following conditions:

- Council continue as a participant in the project jointly with Dorset Council, Break O'Day Council and Northern Tasmania Development.
 - Council make no capital contribution to the project.
-

17.1 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)

- The project is considered as a Tourism Development project for northern Tasmania.
 - The Council contribution to the project be:
 - Actively participate in the Oversight Group and Implementation Group and any ongoing management group
 - In-kind support for contract preparation and administration of the Hollybank trail project and expert assistance in future maintenance actions and
 - A maximum amount of \$30,000 per annum beginning FY2014/15 for a five year period toward a joint contract undertaking inspection and maintenance services.
 - Prior to any insitu construction works, that NTD and sponsoring Councils enter into an agreement with Forestry Tasmania (FT) on FT accepting responsibility for maintenance and risk assessments following the 5 year period and continuing provision of the McNeil public toilet facility.
 - That the risk management issues be managed by ensuring track risk assessments and maintenance intervention works are undertaken by an accredited contractor and where due diligence is undertaken by both the Council sponsoring the contract and by the proposed Oversight Committee for the 5 year term.
 - The project participants enter into an agreement to specify joint and individual responsibilities during the 5 year maintenance period.
-

Mr H Galea (Director Infrastructure Services) was in attendance to answer questions of Council in respect of Agenda items 17.1 - 17.2.

DECISION: 24/06/2013

RESOLUTION: (1):

Moved Alderman J D Ball, seconded Alderman D H McKenzie.

That the Recommendation be adopted.

RESOLUTION: (2):

Moved Alderman R I Soward, seconded Alderman R L McKendrick.

That an extension of time of 3 minutes be granted to Alderman J D Ball.

CARRIED UNANIMOUSLY 12:0

17.1 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)

Ald R I Soward withdrew from the meeting at 2:11pm.

Ald R I Soward re-attended the meeting at 2:12pm.

Ald R J Sands withdrew from the meeting at 2:17pm.

RESOLUTION: (3):

Moved Alderman R L McKendrick, seconded Alderman R I Soward.

That an extension of time of 3 minutes be granted to Alderman D H McKenzie.

CARRIED UNANIMOUSLY 11:0

Ald R J Sands re-attended the meeting at 2:27pm.

The Motion was amended with consent of Mover and Seconder, to read:

That Council support the NTD North Eastern Mountain Bike Trail Project in the following context and subject to the following conditions:

- Council continue as a participant in the project jointly with Dorset Council, Break O'Day Council and Northern Tasmania Development.
 - Council make no capital contribution to the project.
 - The project is considered as a Tourism Development project for northern Tasmania.
 - The Council contribution to the project be:
 - Actively participate in the Oversight Group and Implementation Group and any ongoing management group
 - In-kind support for contract preparation and administration of the Hollybank trail project and expert assistance in future maintenance actions and
 - An equal contribution to that made by other participating Councils, to a maximum amount of \$30,000 per annum beginning FY2014/15 for a five year period toward a joint contract undertaking inspection and maintenance services.
-

17.1 Funding Commitments for the North Eastern Mountain Bike Development Project...(Cont'd)

- Prior to any insitu construction works, that NTD and sponsoring Councils enter into an agreement with Forestry Tasmania (FT) on FT accepting responsibility for maintenance and risk assessments following the 5 year period and continuing provision and maintenance of the McNeil public toilet facility.
- That the risk management issues be managed by ensuring track risk assessments and maintenance intervention works are undertaken by an accredited contractor and where due diligence is undertaken by both the Council sponsoring the contract and by the proposed Oversight Committee for the 5 year term.
- The project participants enter into an agreement to specify joint and individual responsibilities during the 5 year maintenance period.

RESOLUTION: (5):

Moved Alderman R L Armitage, seconded Alderman R L McKendrick.

That an extension of time of 3 minutes be granted to Alderman R I Soward.

CARRIED UNANIMOUSLY 12:0

The Deputy Mayor took the Chair at 2:48pm.

The Mayor resumed the Chair at 2:50pm.

FOR VOTE - Ald A M van Zetten, Ald J D Ball, Ald A C Peck, Ald D H McKenzie

AGAINST VOTE - Ald A L Waddle, Ald R L McKendrick, Ald R L Armitage, Ald R I Soward, Ald I S Norton, Ald R J Sands, Ald J G Cox, Ald D C Gibson.

THE SUBSTANTIVE MOTION WAS PUT AND LOST 4:8

The Mayor adjourned the meeting at 3:00pm.

The Mayor resumed the meeting at 3:14pm.

17.2 Concessional Entry to Council's Waste Disposal Facilities**FILE NO:** SF0628**AUTHOR:** Matthew Millwood (Manager Infrastructure Operations)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To determine the value of concessions to approved charitable organisations for disposal of refuse at the Launceston Waste Centre for 2013/14 financial year.

PREVIOUS COUNCIL CONSIDERATION:

Item 14.1 - Council meeting 31 March 2010 - to determine the value of concessions for 2010/11.

Item 16.1 - Council meeting 14 June 2011 - to determine the value of concessions for 2011/12.

Item 17.3 - Council meeting 12 June 2012 - to determine the value of concessions for 2012/2013.

RECOMMENDATION:

That in respect to clause 4(e) of the Policy 'Concessional Entry to Council's Waste Disposal Facilities' (12-P1x-014) the Council approve the organisations and concession values for FY 2013/14 as shown in Table 1.

Table 1

Organisation Name	Recommended Concession Value FY 2013/14
Anglicare	\$900
Cancer Council Tasmania	\$200
Connections Op Shop Inc	\$400
Door of Hope Christian Church	\$350
Fusion Australia Ltd (Home Support)	\$800
Launceston Benevolent Society	\$700
Launceston City Mission	\$18,000
Launceston Legacy Inc	\$150
Launceston PCYC	\$100
Lions Club of Kings Meadows	\$120
Many Hands (Door of Hope Christian Church)	\$300
New Horizons Club Inc	\$100

17.2 Concessional Entry to Council's Waste Disposal Facilities...(Cont'd)

Organisation Name	Recommended Concession Value FY 2013/14
Northern Occupational Support service - Blue Gum	\$2,000
RSPCA Northern Tasmania	\$1,200
Salvation Army Launceston	\$200
Salvo Stores	\$3,200
Second Bite	\$500
Self Help Workplace	\$3,800
St Michael's Association Inc	\$1,000
St Vincent De Paul Society	\$4,500
Veterans Support Group	\$500
Worldview Centre (WEC College)	\$150
Zions Hill Church -Community Care	\$300
Total	\$39,470

DECISION: 24/06/2013

RESOLUTION: (1):

Moved Alderman R L McKendrick, seconded Alderman J G Cox.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

18 CORPORATE SERVICES

18.1 Budget 2013/14 - Community Consultation and Submissions

FILE NO: SF5899 / SF5669

AUTHOR: Paul Gimpl (Manager Finance)

DIRECTOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the results of the community consultation process and to determine any action from the submissions.

PREVIOUS COUNCIL CONSIDERATION:

SPPC 17 June 2013 - Item 4.4 - *SPPC resolved that the item would go to the Council for decision*

RECOMMENDATION:

1. That the Council receive the submissions on the budget as summarised after recommendation 3 and included in full in Attachment 1.
 2. That the Council note that there were no submissions received by the cut off time following the community information session.
 3. That the Council endorse the comments made in response to the summary of the submissions.
-

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

No.	Date Received	Author
1		Budget Consultation Research Report
Submission Key points to note from the survey response are: <ul style="list-style-type: none"> • 189 survey responses. • 52% of responses were happy to very happy with the Council's services with a further 32% neutral. • Responses and comments are across the range of the Council's services with the 15% of unhappy respondents highlighting the following concerns: <ul style="list-style-type: none"> ○ roads and footpath 36% ○ waste disposal 14% ○ promote development 14% ○ improve parks 14% ○ rates too high 14% 		Comments Noted the summary of the survey.
No.	Date Received	Author
2	15/02/2013	Tasmanian Ratepayers' Association
Submission 2.1 <i>...we observe that LCC senior management and aldermen continue to be blissfully unaware of the dramatic collapse of the Tasmanian economy...</i>		Comments The TRA are not correct in this comment. The Council has a different view to the best way that it can contribute to the growth of the local economy to the TRA. In addition the Council has commenced work on the Greater Launceston Plan, a comprehensive strategic plan for the region that is being prepared based on extensive research and consultation.

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

Submission	Comments
<p>2.2 <i>It seems that LCC's assumptions about the capacity of ratepayers to pay are never questioned. Last year's estimates stated it had only revised two underlying assumptions...</i></p>	<p>The TRA have not correctly understood the information provided. Clearly the Council has in recent years not sought to increase rates beyond reasonable parameters given the range of services provided.</p> <p>The comment about two assumptions was intended to focus on the two unusual changes in the budget it was not, nor should it have been understood to be, a complete list of every assumption or parameter on which a \$90m budget is based.</p>
<p>2.3 <i>Once again, promises by aldermen to present rates modelling based on a land valuation method, have failed to materialise in the public arena...</i></p>	<p>The State Government has had the Review of Valuation and Local Government Rating underway for some time. For the Council to run its own process at the same time had the potential to confuse rather than inform. The State Government process has taken longer than expected. The Council has now determined to present information on the effect of using either the land, capital or assessed annual value valuation base through the budget consultation process.</p> <p>In regard to the legal advice related to the use of an alternative valuation base the issues are:</p> <ul style="list-style-type: none"> a) Tenancy records; and b) Differential rates. <p>The Council relies on tenancy records as part of the application of charges (not based on property values), these records are not currently available at the required (property/tenancy) level for either capital or land value.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

	<p>To implement a rating structure based on land or capital value will require property usage information to support differential rates. The legislation and the available data are not adequate to support a reliable and effective differential structure.</p> <p>The Council has, for a number of years, been actively pursuing the legislative changes necessary to resolve these issues.</p>
<p>2.4 <i>Waste Centre charges should (be raised to) include</i></p> <ul style="list-style-type: none"> a) <i>capital funding</i> b) <i>long term costs</i> 	<p>The general tenure of the submission is supported and work is being undertaken in this regard. The work includes consideration of the possible effect of the carbon tax and changes to the recycling activities at the Waste Centre.</p> <p>It is important to note that operations of the Waste Centre has contributed a cash surplus over a number of years which has reduced the general rates that would have otherwise applied. The funding of the current Waste Centre upgrade and expansion program reflects a repayment of these 'cash surpluses'. Thus the outcome sought by the submission has in fact been delivered over the long term.</p> <p>The accumulated operating surplus for the Waste Centre for the ten years 2003 - 2012 (inclusive) is \$16.2m. The 2014 budget is based on an estimated net income of \$1.6m.</p> <p>The current capital program is currently underway and is spanning many years and to be completed in 2023 (11 years x \$1.6m + \$16.2m = \$33.8m).</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

	<p>The overall figures show that the funding from operations over the period offset the capital expenditure requirements.</p> <p>Changes will be made to make this funding process for the Waste Centre more easily understood.</p>
<p>2.5 <i>Carr Villa should not require a subsidy from rates.</i></p>	<p>Increases in the fees charged are planned to address, over time, the net operating cost of Carr Villa.</p>
<p>2.6 <i>Rating subsidies for the operation of facilities that provide what is essentially a private good; for example Launceston Aquatic, St Leonards Athletics Centre, Carr Villa, Princess Theatre, Tiger Bus, should be</i></p> <ul style="list-style-type: none"> <i>a) divided equally among all ratepayers</i> <i>b) identified in the rates notice</i> 	<p>The Council has and continues to provide details of the cost of operating the major facilities, through the budget papers. The provision of this type of information on a rate notice has not been considered the most appropriate way of informing the community, particularly given the very specific legal requirements for rate notices.</p> <p>There are a mix of private and public benefits from the facilities and services listed in the submission. Where part of the cost of the provision of these benefits is funded from taxation revenue then it is reasonable for the normal taxation principles to be applied. Funding exclusively through a flat or fixed charge would be regressive and fail to recognise the wider social benefits that result from the provision of these facilities and services.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

<p>2.7 <i>The low number of people using the Aquatic Centre bears witness to the fact that a majority of ratepayers never use it...encourage them to use it.</i></p>	<p>The TRA is incorrect in its continued misrepresentation of the level of attendance at the Aquatic Centre.</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <td style="text-align: right;">2011/12</td> </tr> <tr> <td>Actual attendances</td> <td style="text-align: right;">326,855</td> </tr> <tr> <td>Benchmark (CERM)</td> <td style="text-align: right;">311,139</td> </tr> </table> <p>Launceston Aquatic Centre attendance exceeds the CERM.</p> <p>The recent Council decision to proceed with a dry program area will further reduce the net operating costs.</p>		2011/12	Actual attendances	326,855	Benchmark (CERM)	311,139									
	2011/12															
Actual attendances	326,855															
Benchmark (CERM)	311,139															
<p>2.8 <i>Retirement villages should not receive a rate remission.</i></p>	<p>The Council decision was made after a period of consultation.</p>															
<p>2.9 <i>University of Tasmania should pay rates.</i></p>	<p>The University is exempt from rates under legislation, this is not a discretionary concession.</p> <p>Fire rates are collected on the direction of the Tasmanian Fire Service and are then paid to the Fire Service. Exemptions are determined by the Service consistent with the legislation.</p>															
<p>2.10 <i>Travel and Information Centre should be made to be self-funded or closed forthwith.</i></p> <p><i>There has to come a time when tourism becomes like any other industry...able to look after itself.</i></p>	<p>Significant changes have been made to the Travel and Visitor Information Centre budget.</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <td style="text-align: right;">2014</td> <td style="text-align: right;">2013</td> </tr> <tr> <td></td> <td style="text-align: right;">\$'000</td> <td style="text-align: right;">\$'000</td> </tr> <tr> <td>Income</td> <td style="text-align: right;">261</td> <td style="text-align: right;">290</td> </tr> <tr> <td>Expenses</td> <td style="text-align: right;">572</td> <td style="text-align: right;">686</td> </tr> <tr> <td>Net Expenses</td> <td style="text-align: right;"><u>(311)</u></td> <td style="text-align: right;"><u>(396)</u></td> </tr> </table> <p>The budgeted savings are the first part of the ongoing review of the business case for the Centre.</p>		2014	2013		\$'000	\$'000	Income	261	290	Expenses	572	686	Net Expenses	<u>(311)</u>	<u>(396)</u>
	2014	2013														
	\$'000	\$'000														
Income	261	290														
Expenses	572	686														
Net Expenses	<u>(311)</u>	<u>(396)</u>														

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

<p>2.11 <i>Albert Hall (4.1.1)</i></p>	<p>Victoria's Café has recently been licensed to commercial operation. This will see the Café open year round and a net return to Council.</p>
<p>2.12 <i>Inveresk (3.1.1)</i></p>	<p>The development of the draft Inveresk Precinct Plan is important in the context of review and updating of the existing 2005 Strategy, especially with the Flood Levee redevelopment and the potential UTAS Student Accommodation project.</p> <p>As Council owns Inveresk and the Willis Street sites there is no reason to wait until there is any feedback from other associations as the proposals will not conflict but rather support previous planning.</p>
<p>2.13 <i>Aquatic Centre (3.1.5)</i></p>	<p>A comprehensive energy audit of the Launceston Aquatic Centre was undertaken on 17 August 2011, a number of incentives were identified and a number of these have been put in place.</p> <p>The Cogeneration project has had further scrutiny and analysis by technical experts to verify cost benefits before the project was commenced.</p> <p>This project is due for completion before the end of this financial year.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

<p>2.14 <i>Rates Analysis</i> <i>Request for comprehensive data on residential valuations. LCC should develop an economic, social and spatial analysis...as this is the best way to understand equity in rating and develop a fairer basis.</i></p>	<p>The comments are noted. The Council has and continues to apply appropriate taxation principles in the allocation of rates and charges across the municipality.</p> <p>The Council has committed to provide further information on rates and valuation alternatives. This process has been delayed by the State processes. It is expected that the information will be presented as part of the proposed budget consultation process.</p>
<p>2.15 <i>Conclusion</i> <i>Launceston City Council rates must be curtailed and restrained so as to reflect the negative growth of local wealth.</i></p> <p><i>It is ridiculous to put a cost impost on property owners that no-one can pay.</i></p>	<p>The submission of the TRA is noted. The Council position is that it must implement strategies and provide services that make the City and the municipality attractive and sustainable. The Council does not believe that the broad approach submitted by the TRA will deliver the optimal outcomes for the whole of the Launceston municipality.</p> <p>The Council is acutely aware of the need to maintain Council rates at an affordable level.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

No.	Date Received	Author
3	13/01/2013 05/02/2013	Pat and Alan Atkins
<p>Submission <i>Critical Issue: Combined Pipe System and Sewerage Treatment</i></p> <p><i>...I remain strongly of the view that the likelihood of correction of the combined drainage and the upgrade of sewerage treatment facilities lies directly with...Aldermen...</i></p> <p><i>...it seems incumbent on Council to prepare a case and apply for funding (for system separation), in conjunction with...the new Corporation.</i></p> <p><i>...with the Tamar upper reaches little more than an open sewer.</i></p> <p><i>The current gastroenteritis outbreak in Northern Tasmania is proof enough to act urgently.</i></p>		<p>Comments</p> <p>The investigation of the possible separation of the combined system concluded that:</p> <ul style="list-style-type: none"> a) it was not cost effective to separate the system; and b) that there were environmental benefits from the treatment of stormwater flows. c) that the direct discharge of sewerage in significant rain events was so diluted as to not cause significant issues. <p>The responsibility for the sewerage system, which includes the combined system rests with the Water Corporation and its Board.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

No.	Date Received	Author
4	18/02/2013	Dennis Camplin
<p>Submission 4.1. Eastern Bypass</p>		<p>Comments</p> <p>It is correct that in 2008 the then Minister of Infrastructure, Energy & Resources abandoned the concept of a full eastern bypass after considering the outcomes of a traffic modelling report jointly commissioned by DIER and Council. The Minister indicated that a full bypass from Breadalbane to north of Rocherlea, at a cost of well over \$300m, could not be justified given the relatively small volumes of traffic that would use the road. However Council recognise that new road links referred as eastern link roads are required to address internal circulation network issues such as those raised in your letter. DIER and Council are currently undertaking further modelling on road options where one of the options includes a new link road from Quarantine Road to St Leonards Road and Hoblers Bridge Road/St Leonards Road to McKenzie Street as a heavy vehicle bypass.</p> <p>In mid 2012 DIER and Council released a report for public consultation on the priority traffic problems/conflicts that affected congestion and conflicts with heavy vehicles. This resulted in significant community feedback fundamentally confirming the priority issues listed in the report.</p> <p>It is expected around mid 2013 that the results of the Launceston Traffic Study will be released for a second round of public comment and at that time your input would be most welcome on the routes that are considered feasible and also the priority order of implementation. It is clear that any new road option will be expensive and that Council will need to source federal and state government funds to facilitate their construction. Major road works inherently take 3-10 years to realise implementation.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

<p>4.2. Road Funding</p>	<p>The system of road responsibilities adopted since Federation of the Australian government is that the federal government is responsible for the national highway; state government is responsible for state roads and local government responsible for all other public roads. Over the past decade or so councils across Australia have received special funding from the federal government called "Roads2Recovery" which, in Launceston's case, we receive \$800,000 p.a. In addition the freight industry pay very high registration fees of which 2% is redistributed to local government (from the state) to assist in the maintenance of roads. Ultimately it is the council which needs to determine the level of service (i.e. maintenance and reconstruction cycles) and fund this level of service appropriately. Certainly there is a consistent and vocal campaign from local government in seeking increased road funding from the state and particularly federal government.</p>
<p>4.3. Line Marking</p>	<p>The two matters you raised regarding the line marking at Abbott Street and Howick Street are not typical candidates that are listed in the budget but instead recorded as customer service requests to be dealt with appropriately by operational and technical staff. These have been listed as customer service requests and will be dealt with separately. At the appropriate time please expect to be informed on the outcomes of any investigation.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

<p>4.4. Howick / High Street Intersection</p>	<p>The point concerning that the community has not been informed on the outcome of restricting traffic at the intersection during the operational period of the school crossing is noted and valid. The earlier option has been fundamentally abandoned due to the negative input received during the consultation period. Other options are being considered and a preferred option is likely to be tabled with council in the next 6-8 weeks and then released for public information prior to implementation.</p>
<p>4.5. Weed control in Ravenswood Streets</p>	<p>Council contractors undertake cyclic spraying of weeds in all Launceston streets at a predetermined frequency. The concern and streets listed in your letter will be posted as a customer service request and operational staff will inform you in due course of the outcome.</p>
<p>4.6. Paperbark trees</p>	<p>The matter has also been listed as a customer service request and you will be informed in due course of the outcome of any investigation.</p>
<p>4.7. Crowing Roosters</p>	<p>The Council does currently actively investigate complaints concerning roosters crowing in the early morning, particularly in residential areas. If you are able to identify the properties which house the roosters in your area, the Council would be happy to investigate and appropriately action the matter.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

<p>4.8. Planning Controls - Industry and Freight Depots</p>	<p>In respect to your concerns with the perceived lack of controls over industry and freight depots being located next to road and rail infrastructure and requiring access from residential areas, the Launceston Interim Planning Scheme's Road and Rail Code now provides protection for road and rail infrastructure and includes an ability to protect transport corridors. Additionally, the Scheme places controls on the allowable uses within the different zones which effectively prevent industry and freight depots from being able to be established in areas which require access from residential streets.</p>
<p>4.9. Approval of supermarkets</p>	<p>In respect to the issue raised concerning the approval of supermarkets in Launceston, the Council has assessed each supermarket development application on their relative planning merit under the Council's Planning Schemes. The applicant for a development application is not a relevant consideration in determining whether or not to approve a supermarket development.</p>
<p>4.10. Air quality monitoring</p>	<p>The State Government undertakes air quality particulate monitoring on an ongoing basis in Launceston. The results of this monitoring can be accessed at http://epa.tas.gov.au/epa/real-time-air-quality-data-for-tasmania. Additionally, the Council actively investigates complaints of dust nuisance when they are identified and, where necessary, takes appropriate action to mitigate dust problems under the <i>Environmental Management and Pollution Control Act 1994</i>.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

4.11. Willis Street	All community submissions will be considered in our report to Council.
4.12. QVMAG	<p>With regard to the collection 'locked away', although the vast bulk of the collection is in store, it is accessible to interested visitors if they make an appointment with the history section to view the material, as many members of the public already do. The main issue here is not display space, but collections management. The collection requires extensive sorting, research, registration and culling to get it to the point of suitability for display. At present the plans for the Plant Shop building are in place, and a number of possible options will result from this.</p> <p>Like all Australian museums only a small percentage of our collection is on display at any one time. We change our exhibitions to rotate collections and we also lend items to other museums. We are conscious of the importance of our industrial heritage and do plan a major exhibition on Launceston's history, which will include the industrial collection, within the next five years funding permitting.</p> <p>In the interim we are planning to hold occasional open days in the Plant Shop building, which will allow the public access to the museum's Industrial Heritage collections on regular and publicised occasions.</p> <p>We support the suggestion of an interpretation board which highlights the industrial history of the Willis St site and are happy to assist with the writing of the text and graphics if requested.</p>

18.1 Budget 2013/14 - Community Consultation and Submissions...(Cont'd)

Mr M Tidey (Director Corporate Services) was in attendance to answer questions of Council in respect of Agenda Items 18.1-18.3.

DECISION: 24/06/2013

RESOLUTION: (1):

Moved Alderman R L McKendrick, seconded Alderman R I Soward.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY 12:0

18.2 Budget 2013/14 - Statutory Estimates**FILE NO:** SF5899**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the adoption of Council's Statutory Estimates for the financial year ending 30 June 2014.

This decision, pursuant to Section 82(3)(a) of the Local Government Act 1993, must be adopted by absolute majority.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

1. That Council pursuant to Section 82 of the Local Government Act 1993 adopts the Statutory Estimates for the financial year ending 30 June 2014. The Statutory Estimates are set out in full in attachment 1.
 2. That the Council approves the adjustment to the proposed operating budget of \$2.036m to reflect the prepayment of 50 percent of the Financial Assistance Grant by the Australian Government.
 3. That Council pursuant to Section 82(2) of the Local Government Act 1993 adopts:
 - a) Estimated revenue \$ 89.26m
 - b) Estimated expenditure
 - Operating \$ 96.35m
 - Capital \$ 14.50m
 - c) Estimated borrowing
 - Loans \$ -
 - Repayments \$ 2.09m
 - d) Estimated capital works
 - Council funded \$ 13.55m
 - Grant funded \$ 0.94m
-

18.2 Budget 2013/14 - Statutory Estimates...(Cont'd)

DECISION: 24/06/2013

RESOLUTION: (1):

Moved Alderman D H McKenzie, seconded Alderman R J Sands.

That the Recommendation be adopted, subject to the following amendment in 3. c) to read:

e) Estimated borrowing		
- Loans	\$	-
- Repayments	\$	2.90m

FOR VOTE - Ald A M van Zetten, Ald A L Waddle, Ald R L McKendrick, Ald R L Armitage, Ald R I Soward, Ald I S Norton, Ald R J Sands, Ald J G Cox, Ald A C Peck, Ald D H McKenzie, Ald D C Gibson
AGAINST VOTE - Ald J D Ball.

CARRIED BY ABSOLUTE MAJORITY 11:1

18.3 Budget 2013/14 - Rating Framework

FILE NO: SF5899 / SF0521

AUTHOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the adoption of the Council's Rating Framework for the financial year ending 30 June 2014.

This decision, pursuant to Part 9 of the Local Government Act 1993, must be adopted by absolute majority.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That Council pursuant to Part 9 of the Local Government Act 1993 adopts the following Rating Framework for the financial year ending 30 June 2014.

Resolutions:

1. General Rate:

1.1 Pursuant to Sections 90 and 91 of the Local Government Act 1993, the Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the municipal area of Launceston for the period commencing 1 July, 2013 and ending 30 June, 2014, which consists of two components as follows:

- (a) A rate of **7.8800** cents in the dollar on the assessed annual value of the land; and
- (b) A fixed charge of **\$135.00**.

1.2 That pursuant to Section 107(1)(c) of the Local Government Act 1993, by reason of the location of any land which is within the following parts of the municipal area, namely:

- (a) That portion of the City of Launceston as is bounded by Wellington, Cameron, George and York Streets;
 - (b) Those properties having a frontage on the Eastern side of George Street from numbers 37 to 115 (both inclusive);
-

18.3 Budget 2013/14 - Rating Framework...(Cont'd)

- (c) Those properties having a frontage on the Southern side of York Street from numbers 45 to 123 (both inclusive);
- (d) Those properties having a frontage on the Northern side of Cameron Street from numbers 44 to 70 (both inclusive) and on the Southern side of that Street from numbers 41 to 93 (both inclusive);
- (e) Those properties having a frontage on the Eastern side of St John Street from numbers 119 to 153 (both inclusive) and on the Western side of that Street from numbers 116 to 128 (both inclusive);
- (f) Those properties having a frontage on the Eastern side of Charles Street from numbers 179 to 205 (both inclusive) and on the Western side of that Street from numbers 126 to 156 (both inclusive); and
- (g) Those properties having a frontage on the Northern side of Brisbane Street from numbers 36 to 60 (both inclusive) and those having a frontage on the Southern side of that Street from numbers 43 to 65 (both inclusive),

the Council declares, by absolute majority, that component (a) of the general rate in clause 1.1 is varied in respect of such land by increasing it by **1.5000** cents in the dollar of assessed annual value to **9.3800** cents in the dollar of assessed annual value of the land.

1.3 Pursuant to Section 129(4) of the Act, the Council, by absolute majority, grants a remission to the class of ratepayers liable to pay the general rate as varied in accordance with clause 1.2 by reducing the general rate payable by **1.5000** cents in the dollar of the assessed annual value to **7.8800** cents in the dollar of assessed annual value of the land where the land in respect of which the general rate is payable;

- (a) Is predominantly used for private residential purposes; or
- (b) Is owned and occupied as a private member's club.

1.4 Pursuant to section 88A of the Act, the Council, by absolute majority:

- a) Sets the following maximum percentage increase in component (a) of the general rate in clause 1.1 of 200% and then declares by absolute majority that the maximum percentage is varied under section 107 of the Act according to the use or predominate use of land, by decreasing the maximum percentage to **20%** for all land which is used or is predominately used for residential purposes; and
 - b) Determines that the maximum percentage increase does not apply in respect of any supplementary land valuation.
-

18.3 Budget 2013/14 - Rating Framework...(Cont'd)

2. Service Charges – Onsite Disposal System Services:

Pursuant to Section 94 of the Local Government Act 1993, the Council makes a service charge for the period commencing 1 July, 2013 and ending on 30 June, 2014, as follows:

- (a) For the supply by the Council of a service which comprises the management, maintenance, monitoring and auditing of each on-site waste water management system within the meaning of the Building Act 2000;
- (b) Which is installed on rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which the Council does not supply this service):
- (c) Of:
 - (i) **\$600.00** for a system designed to cater for up to 10 people;
 - (ii) **\$620.00** for a system designed to cater for 11 to 15 people; and
 - (iii) **\$660.00** for a system designed to cater for 16 or more people.

3. Service Charges – Waste Management Service:

Pursuant to Section 94, of the Local Government Act 1993, the Council makes the following service charges on all rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which the Council does not supply any of the following services) for the period commencing 1 July, 2013 and ending on 30 June, 2014, namely:

3.1 Service charges for waste management in respect of all land to which the Council supplies different waste management services comprising:

- (i) The supply of mobile garbage bins;
- (ii) The supply of a recycling service;
- (iii) The collection of garbage bags purchased by owners or occupiers of land from the Council

as follows:

- (a)
 - (i) **\$107.00** for an 85 litre mobile garbage bin and 1 recycle bin;
 - (ii) **\$136.00** for a 140 litre mobile garbage bin and 1 recycle bin;
 - (iii) **\$225.00** for a 240 litre mobile garbage bin and 1 recycle bin; and
 - (b) **\$2.30** per bag for the collection of prepaid garbage bags purchased by owners or occupiers from the Council for collection within the area that this service is supplied to.
-

18.3 Budget 2013/14 - Rating Framework...(Cont'd)

3.2 Pursuant to Section 94(3) of the Local Government Act 1993, and by absolute majority, the Council varies each of the charges at clause 3.1(a) within different parts of the municipal area for land used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreational facilities and/or quarrying and mining purposes as follows:

- (i) **\$107.00** for a 85 litre mobile garbage bin;
- (ii) **\$136.00** for a 140 litre mobile garbage bin;
- (iii) **\$225.00** for a 240 litre mobile garbage bin.

3.3 In respect of the service charges for waste management:

- (a) If any land to which the waste management service is supplied is the subject of separate rights of occupation which are separately valued in the valuation list prepared under the Valuation of Land Act 2001, then the charge applies to each such separate occupation;
 - (b) Pursuant to Section 94(3) of the Local Government Act 1993 and by absolute majority, the Council declares that the service charge varies within different parts of the municipal area by reference to the use or predominant use of land as follows:
 - (i) For all land used for residential purposes where there is more than 1 separate right of occupation which is separately valued in the valuation list prepared under the Valuation of Land Act 2001 and where the rate payer has elected by notice in writing delivered to the General Manager on or before the 1st day of July 2013 not to have a waste management service, then the service charge is varied to **Nil**;
 - (ii) For all land which is used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities and where the rate payer in respect of that land elects by notice in writing delivered to the General Manager on or before the 1st day of July 2013 not to have a waste management service, then the service charge is varied to **Nil**;
-

18.3 Budget 2013/14 - Rating Framework...(Cont'd)

4. Service Rates - Fire Service:

- 4.1 Pursuant to Section 93A of the Local Government Act 1993 the Council makes the following service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the municipal area for the period commencing 1 July, 2013 and ending on 30 June, 2014, as follows:

District	Cents in the dollar of Assessed Annual Value
Launceston Permanent Brigade Rating District	1.2540
Lilydale Volunteer Brigade Rating District	0.3700
General Land	0.3100

- 4.2 Pursuant to Section 93(3) of the Local Government Act 1993, the Council sets a minimum amount payable in respect of this service rate of **\$36.00**.

5. Separate Land:

- 5.1 Except where it is expressly provided to the contrary, for the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

6. Adjusted Values:

- 6.1 For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Sections 89 and 89A of the Local Government Act 1993.

7. Instalment Payment:

- 7.1 Pursuant to Section 124 of the Local Government Act 1993, the Council:

- (a) Decides that all rates are payable by all rate payers by four instalments which must be of approximately equal amounts.
 - (b) Determines that the dates by which instalments are to be paid shall be as follows:
 - (i) The first instalment on or before 31 August, 2013;
 - (ii) The second instalment on or before 30 November, 2013;
 - (iii) The third instalment on or before 31 January, 2014; and
-

18.3 Budget 2013/14 - Rating Framework...(Cont'd)

- (iv) The fourth instalment on or before 30 April, 2014.
- (c) If a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

8. Penalty and Interest:

- 8.1 Pursuant to Section 128 of the Local Government Act 1993, if any rate or instalment is not paid on or before the date it falls due then:
- (a) There is payable a penalty of **3.0%** of the unpaid rate or instalment; and
 - (b) There is payable a daily interest charge of **0.02054795%** (**7.5%** per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

9. Words and Expressions:

Words and expressions used both in these resolutions and in the Local Government Act 1993 or the Fire Service Act 1979 have in these resolutions the same respective meanings as they have in those Acts.

DECISION: 24/06/2013

RESOLUTION: (1):

Moved Alderman R L McKendrick, seconded Alderman R I Soward.

That the Recommendation be adopted.

FOR VOTE - Ald A M van Zetten, Ald J D Ball, Ald A C Peck, Ald D H McKenzie, Ald R L McKendrick, Ald R L Armitage, Ald R I Soward, Ald I S Norton, Ald R J Sands, Ald J G Cox, Ald D C Gibson.

AGAINST VOTE - Ald A L Waddle.

CARRIED BY ABSOLUTE MAJORITY 11:1

19 GENERAL MANAGER**19.1 Launceston City Council Annual Plan 2013/14****FILE NO:** SF5910**AUTHOR:** Louise Foster (Manager Corporate Strategy)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider the Launceston City Council Annual Plan 2013/14.

PREVIOUS COUNCIL CONSIDERATION:

Item 4.4 - Strategic Planning and Policy Committee - 4 March 2013 - *proposed Annual Plan 2013/14 Actions considered and agreed that the item to go to Council for a decision.*

Item 15.1 - Council - 27 May 2013 - *approved the release of the Proposed Annual Plan 2013/14 for public information, in conjunction with the 2013/14 Proposed Statutory Estimates including the proposed budget.*

RECOMMENDATION:

That the Launceston City Council Annual Plan 2013/14 be approved.

Mr R Dobrzynski (General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 24/06/2013**RESOLUTION:** (1):

Moved Alderman J D Ball, seconded Alderman R L McKendrick.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 12:0

20 URGENT BUSINESS

That Council pursuant to Clause 8(6) of the Local Government (Meeting Procedures) Regulations 2005,

Nil

21 WORKSHOP REPORT(S)

Nil

19.1 Launceston City Council Annual Plan 2013/14...(Cont'd)

22 INFORMATION / MATTERS REQUIRING FURTHER ACTION

22.1 Information / matters requiring further action

FILE NO: SF3168

AUTHOR: Daniel Gray (Committee Clerk / Administration Officer)

This report outlines requests for information by Aldermen when a report or agenda item will be put before Council or a memorandum circulated to Aldermen.

It will be updated each Agenda, with items removed when a report has been given.

The report was noted.

23 ADVICE OF FUTURE NOTICES OF MOTION

Nil

24 REPORTS BY THE MAYOR

Nil

25 REPORTS BY THE GENERAL MANAGER

Nil

26 CLOSED COUNCIL ITEM(S)

Alderman R I Soward withdrew from the meeting at 3:56pm.

RECOMMENDATION:

That pursuant to the provisions of Regulation 15(2) of the Local Government (Meeting Procedures) Regulations 2005, Council move into Closed Session to discuss those items nominated as Closed Session Items for the following reasons:

15(2)(c) as it concerns contracts for the supply and purchase of goods and services.

15(2)(h) as it concerns matters relating to actual or possible litigation taken by or involving Council or an employee of Council.

15(2)(j) as it concerns application by an elected member for leave of absence.

DECISION: 24/06/2013**RESOLUTION: (1):**

Moved Alderman R L McKendrick, seconded Alderman A C Peck.

CARRIED UNANIMOUSLY AND BY AN ABSOLUTE MAJORITY 11:0

Alderman R I Soward returned to the meeting at 3:57pm.

Council moved into Closed Session at 3.58pm.

Council moved out of Closed Session at 4:26pm.

27 MEETING CLOSURE

The Mayor closed the meeting at 4:27pm.
