



LAUNCESTON CITY COUNCIL

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 25 FEBRUARY 2013**

# LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Monday 25 February 2013

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

Date: 25 February 2013

Time: 1.00 pm

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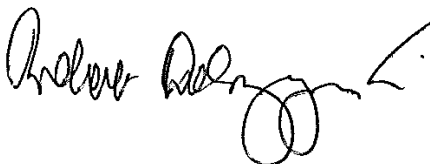
## Section 65 Certificate of Qualified Advice

### 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 agenda items for this meeting.



**Robert Dobrzynski**  
General Manager

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# LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Monday 25 February 2013

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

**2 DECLARATION OF PECUNIARY INTERESTS**

**3 CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

1. That the Minutes of the meeting of the Launceston City Council held on be confirmed as a true and correct record with amendment to page 11 items 8.5 to read:

"Alderman J D Ball reported:

- Upper Tamar Renewal Project Working Group met last Friday, 8 February 2013. It has been 12 months since the committee participants got together. He recognised contributions of NRM North, TIER program, AMC, Launceston Flood Authority, Professor Jenny Davis, Mr Ian Kidd, Mr Jim Guy from Tamar Rowing Club, Mr Peter Newman Tamar Yacht Club who have all given time, skills and knowledge freely."

**4 DEPUTATION**

Nil

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**5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME**

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
11 Feb 2013 9.1	SF0131	<p>Alderman J D Ball asked:</p> <p>1. In relation to the Positive Ageing Strategy is there a timeline of when the strategy will be developed and will a Positive Ageing Reference Group be convened as part of that strategy?</p>	<p>Response provided at meeting:</p> <p>The question was taken on notice.</p> <p>The Positive Ageing Strategy project has now commenced and a Reference Group has been established to provide input and advice on the community engagement plan. The members sitting on the reference group have been nominated by their organisations and provide representation across the following organisations:                      Launceston Older Person's Reference Group (multi-agency), Association of Independent Retirees Northern Tasmania, Launceston School for Seniors, and National Seniors Australia Launceston Branch.</p>	Michael Stretton

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
			<p>Community consultation will incorporate online and hard copy surveys, online and face-to-face forums/facilitated discussions, distribution of information about the project and ways to be involved using print and electronic media, and direct face-to-face contact with relevant organisations. The community consultation will run throughout March and April. Collation of results and drafting of the Strategy will be undertaken in May and June with a view to reporting back to Council by the beginning of July 2013.</p> <p>Initial feedback from the Reference Group is a preference for the project to be re-named as 'Living as a Senior in Launceston', and this or a similar title is likely to become the terminology adopted for the project in place of 'Positive Ageing'.</p>	



Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
11 Feb 2013 9.2		<p>Alderman A C Peck asked:</p> <ol style="list-style-type: none"> <li>Can Council doing anything about the speed in Viewbank Road?</li> </ol>	<p>The question was taken on notice.</p> <p>Response by Harry Galea (Director Infrastructure Services)</p> <p>A reply was provided in the Aldermen's Weekly Bulletin dated 15 February. In summary a speed analysis will be undertaken as well as a local community survey to identify the scale and exact type of problem. Solutions will be developed based on results of the analysis.</p>	Harry Galea
11 Feb 2013 9.3		<p>Alderman J G Cox asked:</p> <ol style="list-style-type: none"> <li>Irate businessmen have made contact regarding the Thistle and Glen Dhu Streets roundabout saying it is not wanted and that they were not consulted. Is it correct that they only had 10 days notice and why is Council pursuing something not wanted?</li> </ol>	<p>Response provided at meeting:</p> <p>The General Manager replied that:</p> <ul style="list-style-type: none"> <li>the matter is under review;</li> <li>the sighting of strategic justification has been requested; and</li> <li>a response will be provided to Aldermen on the outcome.</li> </ul>	Harry Galea

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
			<p>Further response by Harry Galea (Director Infrastructure Services)</p> <p>The project has an estimated value of \$66,000 (of which \$34,000 is a black spot grant) and designed to install a traffic island at the junction of Glen Dhu Street/Connaught Crescent, appropriate line marking and parking signage and roundabout at the corner of Glen Dhu and Thistle Streets which moderates traffic speed along Glen Dhu Street, regulates and improves safety of vehicles entering and exiting Thistle Street and provides a pedestrian refuge in Glen Dhu Street to assist crossing. It seems that there is a claim of insufficient consultation. Below lists the efforts of Infrastructure Services staff:</p> <ul style="list-style-type: none"> <li>• Over 150 titled properties were contacted by post.</li> <li>• An additional 50-100 were letter box dropped to cover tenants in group housing and unit developments.</li> </ul>	

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
			<ul style="list-style-type: none"> <li>• Businesses were door knocked - 25 odd in the old Patons building; 40 businesses in Thistle Street and four senior staff in the "Door of Hope" complex. This included face to face with the shop and also the caravan park (please note that the shop pinned up the plans and information brochure in their window which remained for the months of the consultation process).</li> <li>• Emergency services and industry groups were sent the details seeking comment (as they are for every traffic management project).</li> <li>• The information and plans were posted on the Your Voice Your Launceston site where the drawing was downloaded 123 times.</li> </ul> <p>Conservatively over 300 tenements were contacted seeking their views on the proposal.</p>	

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
			<p>Last week the shop owner sought a meeting with the officers that were handling the project and when they arrived they were <b>greeted</b> by a group of five or six. There were claims amongst this group that all (except the shop keeper) had not been consulted. For some that is plainly incorrect as the ISD Public Liaison Officer, Lisa Brady points out that she personally visited the caravan park and information was personally left at all of the businesses who claimed that they were unaware of the project. The results of the initial consultation produced 16 responses. From the residential community the responses were in favour or neutral, from the business community, businesses requesting more information were visited on site and the drawing discussed in detail. To our knowledge all inputs was taken into consideration, modifications made to the drawing, the outline of a roundabout and kerb lines drawn in the exact location to clearly show its location.</p>	

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
			<p>It should be mentioned that the Tasmanian Truck Owners Association (who are normally vocal where they anticipate an inconvenience to their members) had no objections and face to face discussions with DeBruyn Transport (as one of the principal transport companies) agreed that the roundabout would not unduly effect heavy vehicle operations.</p> <p>As a result of the claim by the businesses at last week's meeting, I was informed of the outcome and decided that the sensible action was not to proceed with the construction but postpone the project and enter into another stage of consultation to allow this group (who claim that they were not consulted) to have adequate time to peruse the plans and proposal and provide comment to allow reassessment. The undertaking of a further consultation period was undertaken as a pragmatic approach to give those who want to be heard a reasonable opportunity. Staff have mentioned that there was a significant level of support for the project from those she spoke to during the door knocking.</p> <p>In my view there is little more that can be done to consult with the broader community and to facilitate for responses so that they can be considered in the finalisation of any design.</p>	

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
11 Feb 2013 9.4		<p>Alderman D H McKenzie asked:</p> <p>1. Is there a process for consultation on projects to be undertaken?</p>	<p>Response provided at meeting:</p> <p>The General Manager replied that:</p> <ul style="list-style-type: none"> <li>• Yes there is a process.</li> <li>• There should be criteria that consultation be held with people in the area.</li> <li>• The process will be documented for SPPC consideration.</li> </ul> <p>Further response by Harry Galea (Director Infrastructure Services)</p> <p>A report will be tabled at the 4 March SPPC meeting. The current Community Engagement Guidelines were endorsed by Council in late 2011.</p>	

**6 PUBLIC QUESTION TIME**

**7 ANNOUNCEMENTS BY THE MAYOR****7.1 Mayoral Announcements****FILE NO:** SF2375

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**Monday 11 February**

Attended Total Car Rentals Launceston Greyhounds Cup Final

**Thursday 14 February**

Attended Magic Millions Event

**Friday 15 February**Attended Australian War Memorial Travelling Exhibition - *Nurses: Zululand to Afghanistan*  
Official Opening (QVMAG)**Sunday 17 February**Attended Lilydale RSL Sub Branch Annual Celebration  
Attended U20 & Ivor Burge Basketball Championships Opening Ceremony**Monday 18 February**

Officiated at UTAS Leaders Retreat Forum

**Thursday 21 February**

Attended NTCA International Rules Match Event

**Friday 22 February**Officiated at Launceston Cup Barrier Draw  
Officiated at Theatre North Farewell for Robin Lohrey & Welcome to General Manager,  
Greg Leong**Saturday 23 February**Officiated at Dedication Ceremony - 2nd/40th Battalion Memorial Garden  
Attended New Horizons Club Awards Evening

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**8 ALDERMEN'S/DELEGATES' REPORTS**

**9 QUESTIONS BY ALDERMEN**



**10 COMMITTEE REPORTS****10.1 QVMAG Museum Governance Advisory Board Meeting 19 December 2012****FILE NO:** SF2244**AUTHOR:** Leila Frohmader (Administration Officer)**DIRECTOR:** Richard Mulvaney

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**DECISION STATEMENT:**

To receive and consider a report from the QVMAG Museum Governance Advisory Board.

**RECOMMENDATION:**

That the report from the QVMAG Museum Governance Advisory Board meeting held on 19 December 2012 be received.

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**REPORT:**

The key points raised by the MGAB were:

Recent major staff vacancies for the Public Programs Coordinator and Library Coordinator positions to be filled shortly.

The appointment of the new LCC Tourism Manager, Eamonn Seddon and working with him on the QVMAG Marketing Plan.

Forthcoming exhibitions, Artrage 2012, John Glover Looking at Landscape, Nurses, From Zululand to Afghanistan and Into the Wild, wilderness photography in Tasmania.

Touring exhibitions and the role of Visions Australia in providing financial assistance for exhibitions to tour regional areas.

New members of the Arts Foundation, Carol Westmore, Janet Tomlinson and Andrew Heap.

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**10.1 QVMAG Museum Governance Advisory Board Meeting 19 December 2012...(Cont'd)**

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**ECONOMIC IMPACT:**

Consideration contained in Report.

**ENVIRONMENTAL IMPACT:**

Consideration contained in Report.

**SOCIAL IMPACT:**

Consideration contained in Report.

**STRATEGIC DOCUMENT REFERENCE:**

Strategic Plan 2008/2013 - Priority Area 4: Cultural Environment

**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Richard Mulvaney: Director Queen Victoria Museum & Art Gallery**

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**10.2 Tender Review Committee Meeting 29 January 2013****FILE NO:** SF0100**AUTHOR:** Raj Pakiarajah (Manager Projects)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Tender Review Committee (a delegated authority committee).

**RECOMMENDATION:**

That the report from the Tender Review meeting held on 29 January 2013 be received.

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**REPORT:**

The Committee held a meeting on 29 January 2013 and determined to award the following contract:

Westbury Road (No. 50 to No. 74) - Drainage Works - CD.038/2012

- The Tender Review Committee accepted the tender submitted by Broxburn Civil Construction for Westbury Road (No. 50 to No. 74) Drainage Works.

**ECONOMIC IMPACT:**

The economic impact has been considered in the development of each project.

**ENVIRONMENTAL IMPACT:**

The environmental impact has been considered in the development of each project.

**SOCIAL IMPACT:**

The social impact has been considered in the development of each project.

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## 10.2 Tender Review Committee Meeting 29 January 2013...(Cont'd)

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### **STRATEGIC DOCUMENT REFERENCE:**

Launceston City Council Budget 2012/2013.

### **BUDGET & FINANCIAL ASPECTS:**

The project is funded in accordance with the approved 2012/2013 Budget.

### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

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**10.3 Audit Committee Meeting - 7 February 2013****FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Audit Committee following the meeting on 7 February 2013.

**RECOMMENDATION:**

That the report from the Audit Committee meeting held on 7 February 2013 be received.

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**REPORT:**

The Audit Committee met for the first time with external independent members present, Mr Mark Scanlon (Chair) and Ms Lyndal Kimpton.

The following is a precis of the substantive agenda items dealt with at the meeting.

**6.2 Internal Audit**

**Details** Mr Steve Herynk and Mrs Stuart Dare from Deloitte attended and discussed the progress of the last visit which covered Cash Receipting and Expenditure processes. No serious issues were identified.

**Action** Director Corporate Services to resolve outstanding issues noted.

**10.3 Audit Committee Meeting - 7 February 2013...(Cont'd)**

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**7.2 External Audit**

**Details** The report from the Auditor General and the management response was noted. There are no areas requiring further action in regard to the financial statements. In regard to the Council's overall financial position the budgeted deficit is the area of focus.

The commencement of the new committee addresses a previous comment regarding the desirability of including independent members.

**Action** Management response to audit recommendations is to be finalised.

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**10.3 Audit Committee Meeting - 7 February 2013...(Cont'd)**

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**9.1 Operations Summary**

Details Reports presented on the Council's operations for the six months to 31 December 2012.

Action Noted that these had been a positive overall result, however further work is to be undertaken in reviewing the projected year end result.

**9.2 - 9.5 Capital Works**

Details Reviewed program status, budget reallocations and adjustments.

Action Noted.

**10 Financial Reports and KPI's**

Details Considered reports on debts and investments.

Action Noted.

The Balance Sheet and Income Statement are included with the Quarterly Financial Report agenda item.

**ECONOMIC IMPACT:**

No economic impact

**ENVIRONMENTAL IMPACT:**

No environmental impact

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## 10.3 Audit Committee Meeting - 7 February 2013...(Cont'd)

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### **SOCIAL IMPACT:**

No social impact

### **STRATEGIC DOCUMENT REFERENCE:**

Priority Area 5: Governance Services

5.1.4 Ensure the city is managed in a financially sustainable manner

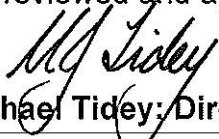
### **BUDGET & FINANCIAL ASPECTS:**

N/A

### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey, Director Corporate Services

**11 PETITIONS**

**11.1 Petition - Connaught Crescent / Thistle Street Black Spot**

**FILE NO:** SF1302

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Petition received from residents / electors in Glen Dhu area regarding the proposed roundabout on Glen Dhu Street and Thistle Street, which reads:

"Seek to overturn Council approval of Glen Dhu Street / Thistle Street roundabout proposal"

There are 125 signatories to the petition.

**RECOMMENDATION:**

That the petition be received and forwarded to officers for report.

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**13 NOTICES OF MOTION - FOR CONSIDERATION****13.1 Notice of Motion - Electronic Digital Information Sign****FILE NO:** SF5547 / SF2240**AUTHOR:** Alderman Peck**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider the following Notice of Motion from Alderman Peck regarding the investigation of an electronic digital information sign in the Mall/Avenue.

**RECOMMENDATION:**

Investigate to place an electronic digital information sign at the corner of the Mall/The Avenue and St John Street.

---

**REPORT:**

The following has been provided by Alderman Peck

The electronic digital information sign to be used to display events in Launceston and any other important information that is deemed necessary to display.

This could be managed under direction from the Launceston City Council by Cityprom and also explore the opportunities on advertising.

*Officer Comments - Harry Galea (Director Infrastructure Services)*

*It is understood that the intent is to provide promotion of activities and events in and around Launceston and particularly the central area.*

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**13.1 Notice of Motion - Electronic Digital Information Sign...(Cont'd)**

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*A more contemporary form to achieve the outcomes sought by Aldermen Peck would be by the installation of an outdoor computer touch screen. In this manner the Council could work with Cityprom to provide a wide range of exposure to the attractions and events of Launceston. In addition to promoting events they are an excellent way of promoting the location of key Council assets and providing important information for visitors such as the location of public toilets and the opening hours of facilities. They can be used to promote events at multiple locations at the same time eg. Aurora Stadium, Princess Theatre, QVMAG and at non Council venues, Central City promotions etc and above all they can direct tourists to Council's Travel Centre. The existing round tourist signage installation in the Mall is well past its use by date and very hard for visitors to use.*

*The Council would also need to meet the requirements of the Interim Planning Scheme which is restrictive regarding the nature of signage (or images) referred to as "third party" signage.*

*The installation of this type of infrastructure would need to be co-ordinated with the master planning of the CBD now underway as a part of the Greater Launceston Plan.*

**STRATEGIC DOCUMENT REFERENCE:**

N/A


**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Robert Dobrzynski: General Manager**

**ATTACHMENTS:**

1. Notice of Motion - Alderman Peck
-

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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FILE NO: SF5547: SF2240  
TP

DATE: 13 February 2013

TO: Robert Dobrzynski                      General Manager

Cc                      Committee Clerks

FROM: Tony Peck                              Alderman

**SUBJECT: Notice of Motion - Electronic Digital Information Sign**

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In accordance with Clause 16 (5) of the Local Government Regulations 2005 (Meeting Procedures) please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 25 February 2013.

#### **Motion**

Investigate to place an electronic digital information sign at the corner of the Mall/The Avenue and St John Street.

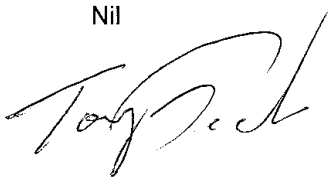
#### **Background**

The electronic digital information sign to be used to display events in Launceston and any other important information that is deemed necessary to display.

This could be managed under direction from the Launceston City Council by Cityprom and also explore the opportunities on advertising.

#### **Attachments**

Nil



**Alderman Tony Peck**

## COUNCIL AGENDA

Monday 25 February 2013

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### 13.2 Notice of Motion - Australia Post Service

**FILE NO:** SF5547 / SF0312

**AUTHOR:** Alderman Soward

**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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#### **DECISION STATEMENT:**

To consider a Notice of Motion from Alderman Soward regarding Australia Post's decision to cease express post next day service to and from Launceston.

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **RECOMMENDATION:**

1. That the Launceston City Council writes to senior management of Australia Post expressing disappointment at the impending decision to cease the express post next day service to and from Launceston; and
  2. Asks Australia Post senior management to reverse its decision.
- 

#### **REPORT:**

##### Background information provided by Alderman Soward:

This impending decision is due to occur in April. It has potential to impact in a major way on a huge array of local businesses who rely on the express post next day service to both buy and sell items, ship documents etc. This in turn also has a major impact on the customers of these businesses who can be severely disadvantaged by the lack of an express post next day service.

Launceston is also a major regional centre in an Australian context and as such relies on this service to a high degree.

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**13.2 Notice of Motion - Australia Post Service...(Cont'd)**

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*Officer Comments - Michael Stretton (Director Development Services)*

*It is agreed that the lack of availability of an express post service for the region would have a detrimental impact on the day-to-day operations of many businesses, including Council. Whilst media such as e-mail and internet provide for the timely delivery of documents, there remains a need for the rapid delivery of hardcopy documents to fulfil many business requirements and indeed the requirements of private individuals.*

*The General Manager is currently undertaking advocacy with Australia Post in order to achieve a change in position regarding the process for delivering Express Post Services in Launceston, which retains the service with amended daily time closures for receipt of mail.*

**STRATEGIC DOCUMENT REFERENCE:**

N/A


**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Robert Dobrzynski: General Manager**

**ATTACHMENTS:**

1. Notice of Motion - Alderman Soward
-

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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FILE NO: SF5547 : SF0312  
RS  
DATE: 14 February 2013

TO: Robert Dobrzynski                      General Manager  
Cc        Committee Clerks

FROM: Rob Soward                              Alderman

**SUBJECT: Notice of Motion - Australia Post Service**

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In accordance with Clause 16 (5) of the Local Government Regulations 2005 (Meeting Procedures) please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 25 February 2013.

#### Motion

1. Launceston City Council writes to senior management of Australia Post expressing disappointment at the impending decision to cease the express post next day service to and from Launceston.
2. Launceston City Council asks Australia Post senior management to reverse its decision.


#### Background

This impending decision is due to occur in April. It has potential to impact in a major way on a huge array of local businesses who rely on the express post next day service to both buy and sell items, ship documents etc. This in turn also has a major impact on the customers of these businesses who can be severely disadvantaged by the lack of an express post next day service.

Launceston is also a major regional centre in an Australian context and as such relies on this service to a high degree.

#### Attachments

Nil



**Alderman Rob Soward**

**DIRECTORATE AGENDA ITEMS****14 DEVELOPMENT SERVICES****14.1 Public Art Policy****FILE NO:** SF0200**AUTHOR:** Wendy Newton**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

That the Council consider and endorse the draft Public Art Policy.

**PREVIOUS COUNCIL CONSIDERATION:**

Recommendation adopted 25 July 2011: That Council adopts the Arts and Cultural Development Policy. Included in the Policy is a commitment by Council to cultural place management, cultural tourism, cultural collections and cultural diversity.

**RECOMMENDATION:**

That the Council adopts the Public Art Policy as follows:

***PURPOSE:***

To provide a framework for how Council will:

- Enable, support and promote public art as a way to interpret, reflect, enhance and celebrate Launceston's unique cultural, natural and built heritage;
- Enable Council to be recognised as a key contributor to the local, regional, state and national culture.

***SCOPE:***

Council commissioned, initiated, managed and facilitated programs and activities that support public art development in the Launceston municipality.

Public art incorporates all art and design practice in the public arena, including indoor and outdoor spaces that are outside traditional gallery spaces.

Public artworks can be ephemeral, seasonal or permanent, and may be of varying scale and scope.

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## 14.1 Public Art Policy...(Cont'd)

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Public art can be:

- Functional i.e. the primary purpose is utilitarian e.g. seating, lighting, etc.
- Decorative i.e. the primary purpose is aesthetic e.g. murals, sculpture, etc.
- Integrated i.e. incorporated into the design of the built or natural environment e.g. hard landscaping, lighting, etc.
- Site-specific i.e. designed or commissioned for a specific location e.g. street art, hard landscaping.
- Iconic i.e. significant, stand-alone work e.g. sculpture, water features, etc.
- Interpretive i.e. the primary purpose is to describe, educate, or comment on issues, events or situations e.g. heritage and natural science interpretation.

### ***POLICY:***

Council will work with the local community and relevant organisations to support and generate public art programs and activities with social, environmental and economic benefits that enrich and enliven creativity, liveability and sense of place for all Launceston community members and visitors.

Council is committed to:

- Fostering accessibility and engagement with public art with a wide audience in order to appreciate the significant benefits provided by a rich and diverse artistic and cultural environment;
  - Providing emerging and established artists the opportunity to showcase the diversity of public arts and design practice in Launceston;
  - Interpreting, promoting and celebrating Launceston's public art collection as a valuable and significant cultural heritage that is professionally managed, documented and conserved;
  - Commissioning, programming, managing and facilitating public art programs and activities in strategic, sustainable and inclusive ways that are integrated with, and supported by, Council's other core activities.
  - Facilitating and encouraging cross-departmental planning and partnerships to ensure a whole-of-Council approach to public art planning and management.
-



## 14.1 Public Art Policy...(Cont'd)

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### **PRINCIPLES:**

In addition to Council's Organisational Values, Council recognises that:

- Public art interprets, reflects, enhances and promotes the traditions, beliefs, attitudes and expressions of culture that create connections between people, and connections between people and place. This connects the past to the present and the future, and contributes to community identity, sense of pride, cohesion, and inclusion, enhancing sense of place.
- Public art contributes to urban design and renewal, landscape design, tourism, heritage conservation and interpretation, place management, safety by design, and liveability.

### **RELATED POLICIES & PROCEDURES:**

Arts and Cultural Development Policy  
Graffiti Prevention and Reduction Policy  
Signs Policy  
26-PI-004 Playground Management Policy  
26-PI-007 Council Halls and Venues Management Policy  
26-PI-002 Cataract Gorge Reserve, First Basin Pool Policy  
07-PI-002 Museum Acquisitions Policy  
07-PI-003 Museum Deaccessioning Policy  
07-PI-004 Friends of the Museum Policy

### **RELATED LEGISLATION:**

Local Government Act 1999

### **REFERENCES:**

Strategic Plan 2008-13  
Vision 2020  
Launceston Community Plan  
Tasmania's Innovation Strategy 2010

### **DEFINITIONS:**

*Aesthetic: Of or concerning the appreciation of beauty or good taste.*

*Ephemeral: Temporary*

*Hard landscaping: Solid construction materials used to design an outdoor area including things such as paving, water features, fences, etc.*

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## 14.1 Public Art Policy...(Cont'd)

### REVIEW:

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

### DOCUMENT INFORMATION:

<b>Reference Number:</b>	<< Enter in the reference number >>
<b>Version:</b>	Draft
<b>Review:</b>	January 2018
<b>Key Function:</b>	Community Development
<b>System:</b>	Management
<b>Document Type:</b>	Policy
<b>Responsible Directorate:</b>	Development Services
<b>Approved by:</b>	Launceston City Council
<b>Action Officer:</b>	Wendy Newton
<b>Text Search Key Words</b>	Public Art, Art, Cultural Development, Graffiti, Design out crime, Street art, Murals, Installations, Landscaping, Sculpture, Lighting, Collections

<b>To be Communicated To:</b> <i>(To be identified by Action Officer or Approver)</i>  (Insert ✓ in relevant row)		Department/Area only
	✓	Directorate via Director and Managers
		Specific Areas:
		•
	✓	Council-wide
	✓	Council Website
	✓	Intranet

<b>Hard Copy Distribution</b>	N/A
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### REPORT:

The Launceston Community Plan under Preferred Future Six: A Creative and Learning Community, PF6.1 Strategy One recommended as one of its actions that the Council develop a Public Art Policy.

## **14.1 Public Art Policy...(Cont'd)**

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The Launceston municipality is an area distinctive for its artistic and cultural diversity. Public art interprets, reflects, enhances, and promotes the traditions, beliefs, attitudes and expressions of culture that create connections between people, and connections between people and place. This connects the past to the present and the future, and contributes to community identity, sense of pride, cohesion and inclusion, enhancing sense of place. Public art also contributes to urban design and renewal, landscape design, tourism, heritage conservation and interpretation, place management and liveability.

Once the draft Public Art Policy has been adopted by Council, Council Officers will draft cross-Directorate Procedures for the Policy. It is intended to focus initially on the development of Procedures for the following two current public art projects:

1. Signal Box Art Project (Infrastructure Services)
2. Off The Wall Street Art Competition (Development Services)

### **DRAFT POLICY**

#### ***PURPOSE:***

To provide a framework for how Council will:

- Enable, support and promote public art as a way to interpret, reflect, enhance and celebrate Launceston's unique cultural, natural and built heritage;
- Enable Council to be recognised as a key contributor to the local, regional, state and national culture.

#### ***SCOPE:***

Council commissioned, initiated, managed and facilitated programs and activities that support public art development in the Launceston municipality.

Public art incorporates all art and design practice in the public arena, including indoor and outdoor spaces that are outside traditional gallery spaces.

Public artworks can be ephemeral, seasonal or permanent, and may be of varying scale and scope.

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## 14.1 Public Art Policy...(Cont'd)

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Public art can be:

- Functional i.e. the primary purpose is utilitarian e.g. seating, lighting, etc.
- Decorative i.e. the primary purpose is aesthetic e.g. murals, sculpture, etc.
- Integrated i.e. incorporated into the design of the built or natural environment e.g. hard landscaping, lighting, etc.
- Site-specific i.e. designed or commissioned for a specific location e.g. street art, hard landscaping.
- Iconic i.e. significant, stand-alone work e.g. sculpture, water features, etc.
- Interpretive i.e. the primary purpose is to describe, educate, or comment on issues, events or situations e.g. heritage and natural science interpretation.

### ***POLICY:***

Council will work with the local community and relevant organisations to support and generate public art programs and activities with social, environmental and economic benefits that enrich and enliven creativity, liveability and sense of place for all Launceston community members and visitors.

Council is committed to:

- Fostering accessibility and engagement with public art with a wide audience in order to appreciate the significant benefits provided by a rich and diverse artistic and cultural environment;
  - Providing emerging and established artists the opportunity to showcase the diversity of public arts and design practice in Launceston;
  - Interpreting, promoting and celebrating Launceston's public art collection as a valuable and significant cultural heritage that is professionally managed, documented and conserved;
  - Commissioning, programming, managing and facilitating public art programs and activities in strategic, sustainable and inclusive ways that are integrated with, and supported by, Council's other core activities.
  - Facilitating and encouraging cross-departmental planning and partnerships to ensure a whole-of-Council approach to public art planning and management.
-

## **14.1 Public Art Policy...(Cont'd)**

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### **PRINCIPLES:**

In addition to Council's Organisational Values, Council recognises that:

- Public art interprets, reflects, enhances and promotes the traditions, beliefs, attitudes and expressions of culture that create connections between people, and connections between people and place. This connects the past to the present and the future, and contributes to community identity, sense of pride, cohesion, and inclusion, enhancing sense of place.
- Public art contributes to urban design and renewal, landscape design, tourism, heritage conservation and interpretation, place management, safety by design, and liveability.

### **RELATED POLICIES & PROCEDURES:**

Arts and Cultural Development Policy

Graffiti Prevention and Reduction Policy

Signs Policy

26-PI-004 Playground Management Policy

26-PI-007 Council Halls and Venues Management Policy

26-PI-002 Cataract Gorge Reserve, First Basin Pool Policy

07-PI-002 Museum Acquisitions Policy

07-PI-003 Museum Deaccessioning Policy

07-PI-004 Friends of the Museum Policy

### **RELATED LEGISLATION:**

Local Government Act 1999

### **REFERENCES:**

Strategic Plan 2008-13

Vision 2020

Launceston Community Plan

Tasmania's Innovation Strategy 2010

### **DEFINITIONS:**

*Aesthetic: Of or concerning the appreciation of beauty or good taste.*

*Ephemeral: Temporary*

*Hard landscaping: Solid construction materials used to design an outdoor area including things such as paving, water features, fences, etc.*

---

**14.1 Public Art Policy...(Cont'd)**

**REVIEW:**

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

**DOCUMENT INFORMATION:**

<b>Reference Number:</b>	<< Enter in the reference number >>
<b>Version:</b>	Draft
<b>Review:</b>	January 2018
<b>Key Function:</b>	Community Development
<b>System:</b>	Management
<b>Document Type:</b>	Policy
<b>Responsible Directorate:</b>	Development Services
<b>Approved by:</b>	Launceston City Council
<b>Action Officer:</b>	Wendy Newton
<b>Text Search Key Words</b>	Public Art, Art, Cultural Development, Graffiti, Design out crime, Street art, Murals, Installations, Landscaping, Sculpture, Lighting, Collections

<b>To be Communicated To:</b> <i>(To be identified by Action Officer or Approver)</i>  (Insert ✓ in relevant row)		Department/Area only
	✓	Directorate via Director and Managers
		Specific Areas:
		•
	✓	Council-wide
	✓	Council Website
	✓	Intranet

<b>Hard Copy Distribution</b>	N/A
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**14.1 Public Art Policy...(Cont'd)**

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**ECONOMIC IMPACT:**

When linked to Council's strategic objectives, a Public Art Policy will enhance Launceston's regional advantage, improving the liveability, sense of place and quality of life for our community members, while helping to promote Launceston to tourists as a city of creativity and innovation.

**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

When linked to Council's strategic objectives, a Public Art Policy will enrich and enliven creativity, liveability and sense of place for all Launceston residents and visitors.

**STRATEGIC DOCUMENT REFERENCE:**Strategic Plan

Arts and cultural development activities can be found in four out of the five Priority Areas defined in Council's Strategic Plan 2008-13, however Priority Area 4: Cultural Environment has a specific Goal: Supporting and developing arts and cultural activities.

This Priority Area includes an Indicative Action "Establish a strategy for the support of community art initiatives in the City".

Community Plan

## Preferred Future Six: A Creative and Learning Community

- PF6.1 Strategy One: Support a series of arts and cultural events (Develop a Public Art Policy)
  - PF6.5 Strategy Five: Identify and foster creative talent (Maintain and improve collaboration between arts and culture groups)
  - PF6.6 Strategy Six: Make spaces available for the arts
-

14.1 Public Art Policy...(Cont'd)

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**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Michael Stretton: Director Development Services**



**14.2 Graffiti Prevention and Reduction Policy****FILE NO:** SF0200**AUTHOR:** Wendy Newton (Youth and Community Officer)**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

That the Council consider and endorse the Graffiti Prevention and Reduction Policy.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That the Council adopts the Graffiti Prevention and Reduction Policy as follows:

***PURPOSE:***

To provide a framework for how Council will work with Tasmania Police, the local community and relevant agencies to prevent and reduce graffiti crime.

***SCOPE:***

Council owned, initiated or commissioned programs and activities that support graffiti prevention and reduction in the Launceston municipality.

***POLICY:***

Council has a zero-tolerance approach to graffiti and will work with Tasmania Police, the local community and relevant agencies to support and generate activities that draw on social and environmental approaches to prevent, reduce and remove graffiti.

Council is committed to:

- Raising community awareness and providing targeted information on the social, health, legal and economic implications of graffiti crime and how to prevent and reduce it.
  - Quick removal of graffiti from Council-owned infrastructure and assets only.
  - Pro-social activities that divert offenders and at-risk youth into positive behaviours that benefit the community.
-

## **14.2 Graffiti Prevention and Reduction Policy...(Cont'd)**

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- Early intervention education that targets young people in order to foster positive attitudes and behaviours so that they understand the difference between art and vandalism.
- Activities that engage graffiti artists in legitimately showcasing their work.
- Incorporating, where possible, Design out Crime principles such as murals, art installations and landscaping in public space and graffiti hot-spots.
- Establishing mechanisms to encourage and facilitate better reporting of graffiti and to increase the amount and quality of information provided to enforcement agencies in order to assist in the detection and apprehension of graffiti writers.

### ***PRINCIPLES:***

In addition to Council's Organisational Values, Council recognises that:

- There is limited international and local research and evaluation to examine the effectiveness of graffiti prevention and reduction strategies. Further research into the nature and prevention of graffiti is required and strategies need to be flexible to reflect current best practice.
- Graffiti requires a whole-of-community and multi-agency approach that incorporates multiple interventions.
- There are different types of graffiti, graffiti writers and motivations for participating in the production of graffiti. Council strategies to prevent and reduce graffiti crime will be based on intelligence relating to the precise nature of the problem in the local context.
- Consultation with graffiti writers and young people, as well as the broader community, is required to ensure that the range of diverse interests and values are reflected in the strategies Council employs to prevent and reduce graffiti crime.
- Graffiti art (also referred to as street art or urban art), a legal version of graffiti, requires skill and involves a strong aesthetic dimension. It is a legitimate form of contemporary art and is associated with professional development such as graphic design, screen-printing, web-design, curatorial design and exhibitions. Street art can add life and character to otherwise uninteresting areas and can be found in gallery collections, as part of mainstream tourist attractions and can be a symbol of urban gentrification.

### ***RELATED POLICIES & PROCEDURES:***

- 07-PI-009 Arts and Cultural Development Policy
- Public Art Policy
- 24-PI-003 Council Property Management Policy

### ***RELATED LEGISLATION:***

- New graffiti and aerosol paint laws, Police Offences Act 1935
-

## 14.2 Graffiti Prevention and Reduction Policy...(Cont'd)

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### **REFERENCES:**

- Australian Institute of Criminology - *Key Issues in Graffiti, Research in Practice no.6*, December 2009.
- *NSW Graffiti Solutions Handbook*, Sydney, 2000.
- *Discussion Paper - Graffiti Prevention*, Review of the Graffiti Control Act 2001 and Graffiti Control Regulations 2002, Government of South Australia.
- *Graffiti Vandalism, The Motivation and Modus Operandi of Persons Who Do Graffiti*, NSW Dept of Justice and Attorney General, October 2009.
- *Designing Out Crime, Designing in People, A guide for safer design*, Launceston City Council 2003.

### **DEFINITIONS:**

Graffiti: *The marking of other people's property without their consent.*

Pro-social activity: *Formal and informal volunteering, civic activity, and individual and group activities that benefit the community.*

Aesthetic: *Of or concerning the appreciation of beauty or good taste.*

### **REVIEW:**

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

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**14.2 Graffiti Prevention and Reduction Policy...(Cont'd)**

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**DOCUMENT INFORMATION:**

<b>Reference Number:</b>	<< Enter in the reference number >>
<b>Version:</b>	Draft
<b>Review:</b>	November 2017
<b>Key Function:</b>	Community Development
<b>System:</b>	Management
<b>Document Type:</b>	Policy
<b>Responsible Directorate:</b>	Development Services
<b>Approved by:</b>	Launceston City Council
<b>Action Officer:</b>	Wendy Newton
<b>Text Search Key Words</b>	Graffiti, Design out crime, Streetart, Public art, Antisocial behaviour, Art, Murals, Installations, Landscaping

<b>To be Communicated To:</b> <i>(To be identified by Action Officer or Approver)</i>  (Insert ✓ in relevant row)		Department/Area only
	✓	Directorate via Director and Managers
		Specific Areas:
		•
	✓	Council-wide
	✓	Council Website
	✓	Intranet

<b>Hard Copy Distribution</b>	N/A
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**REPORT:**

The Launceston City Council has received funding from the Federal Government to implement the graffiti prevention and reduction program, Off the Wall, which will launch in March 2013. The Policy has been drafted to support the implementation of this project and other graffiti prevention and reduction activities currently being undertaken by the Council.

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## **14.2 Graffiti Prevention and Reduction Policy...(Cont'd)**

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The draft Policy reflects current best practice, with a whole-of-community and multi-agency approach that incorporates multiple interventions and cross-Directorate collaboration to prevent and reduce graffiti crime. It also draws upon both social and environmental approaches to graffiti crime prevention.

### **DRAFT POLICY**

#### ***PURPOSE:***

To provide a framework for how Council will work with Tasmania Police, the local community and relevant agencies to prevent and reduce graffiti crime.

#### ***SCOPE:***

Council owned, initiated or commissioned programs and activities that support graffiti prevention and reduction in the Launceston municipality.

#### ***POLICY:***

Council has a zero-tolerance approach to graffiti and will work with Tasmania Police, the local community and relevant agencies to support and generate activities that draw on social and environmental approaches to prevent, reduce and remove graffiti.

Council is committed to:

- Raising community awareness and providing targeted information on the social, health, legal and economic implications of graffiti crime and how to prevent and reduce it.
  - Quick removal of graffiti from Council-owned infrastructure and assets only.
  - Pro-social activities that divert offenders and at-risk youth into positive behaviours that benefit the community.
  - Early intervention education that targets young people in order to foster positive attitudes and behaviours so that they understand the difference between art and vandalism.
  - Activities that engage graffiti artists in legitimately showcasing their work.
  - Incorporating, where possible, Design out Crime principles such as murals, art installations and landscaping in public space and graffiti hot-spots.
  - Establishing mechanisms to encourage and facilitate better reporting of graffiti and to increase the amount and quality of information provided to enforcement agencies in order to assist in the detection and apprehension of graffiti writers.
-

**14.2 Graffiti Prevention and Reduction Policy...(Cont'd)**

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**PRINCIPLES:**

In addition to Council's Organisational Values, Council recognises that:

- There is limited international and local research and evaluation to examine the effectiveness of graffiti prevention and reduction strategies. Further research into the nature and prevention of graffiti is required and strategies need to be flexible to reflect current best practice.
- Graffiti requires a whole-of-community and multi-agency approach that incorporates multiple interventions.
- There are different types of graffiti, graffiti writers and motivations for participating in the production of graffiti. Council strategies to prevent and reduce graffiti crime will be based on intelligence relating to the precise nature of the problem in the local context.
- Consultation with graffiti writers and young people, as well as the broader community, is required to ensure that the range of diverse interests and values are reflected in the strategies Council employs to prevent and reduce graffiti crime.
- Graffiti art (also referred to as street art or urban art), a legal version of graffiti, requires skill and involves a strong aesthetic dimension. It is a legitimate form of contemporary art and is associated with professional development such as graphic design, screen-printing, web-design, curatorial design and exhibitions. Street art can add life and character to otherwise uninteresting areas and can be found in gallery collections, as part of mainstream tourist attractions and can be a symbol of urban gentrification.

**RELATED POLICIES & PROCEDURES:**

- 07-PI-009 Arts and Cultural Development Policy
- Public Art Policy
- 24-PI-003 Council Property Management Policy

**RELATED LEGISLATION:**

- New graffiti and aerosol paint laws, Police Offences Act 1935

**REFERENCES:**

- Australian Institute of Criminology - *Key Issues in Graffiti, Research in Practice no.6*, December 2009.
  - *NSW Graffiti Solutions Handbook*, Sydney, 2000.
  - *Discussion Paper - Graffiti Prevention*, Review of the Graffiti Control Act 2001 and Graffiti Control Regulations 2002, Government of South Australia.
  - *Graffiti Vandalism, The Motivation and Modus Operandi of Persons Who Do Graffiti*, NSW Dept of Justice and Attorney General, October 2009.
  - *Designing Out Crime, Designing in People, A guide for safer design*, Launceston City Council 2003.
-

## 14.2 Graffiti Prevention and Reduction Policy...(Cont'd)

**DEFINITIONS:**

Graffiti: *The marking of other people's property without their consent.*

Pro-social activity: *Formal and informal volunteering, civic activity, and individual and group activities that benefit the community.*

Aesthetic: *Of or concerning the appreciation of beauty or good taste.*

**REVIEW:**

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

**DOCUMENT INFORMATION:**

<b>Reference Number:</b>	<< Enter in the reference number >>
<b>Version:</b>	Draft
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<b>System:</b>	Management
<b>Document Type:</b>	Policy
<b>Responsible Directorate:</b>	Development Services
<b>Approved by:</b>	Launceston City Council
<b>Action Officer:</b>	Wendy Newton
<b>Text Search Key Words</b>	Graffiti, Design out crime, Streetart, Public art, Antisocial behaviour, Art, Murals, Installations, Landscaping

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	✓	Council-wide
	✓	Council Website
	✓	Intranet

<b>Hard Copy Distribution</b>	N/A
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## **14.2 Graffiti Prevention and Reduction Policy...(Cont'd)**

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### **ECONOMIC IMPACT:**

The Council currently spends in excess of \$120,000 per year on graffiti removal from Council-owned properties, and there is significant cost to the community in removing it from non-Council property. When linked to the Council's strategic activities in preventing and reducing graffiti crime, the Graffiti Prevention and Reduction Policy will reduce the cost of graffiti removal to the Council and the community.

### **ENVIRONMENTAL IMPACT:**

Incorporating, where possible, Design out Crime principles such as murals, art installations and landscaping in public space can prevent and reduce graffiti crime at 'hot spots' and add life and character to otherwise uninteresting areas.

### **SOCIAL IMPACT:**

The social costs of graffiti are high, as it undermines community perceptions of safety and is seen by some as a visible sign of social decline and antisocial behaviour. Graffiti is often associated with other antisocial behaviour, including theft, loitering, gang-related activity and property destruction. When linked to the Council's strategic activities in preventing and reducing graffiti crime, the Graffiti Prevention and Reduction Policy will engage the community in education, early intervention and quick removal, and will facilitate better reporting of graffiti crime.

### **STRATEGIC DOCUMENT REFERENCE:**

#### Strategic Plan 2008-13

Provide and Promote Safe City Environments

#### Community Plan

Preferred Future Three: A Safe and Secure Community

- PF3.2 Strategy Two: Make Launceston 'Safer by Design' (Maintaining and enhancing education and activities to reduce vandalism)
  - PF3.4 Strategy Four: Enhance coordination and engagement on crime prevention and safety issues (Foster collaboration between Police and community in a range of crime prevention initiatives)
  - PF3.6 Strategy Six: Promote Launceston as a safe city
-



## 14.2 Graffiti Prevention and Reduction Policy...(Cont'd)

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Preferred Future Four: A Valued Heritage

- Protect heritage buildings, places and precincts (Enhance the protection of heritage streetscapes and buildings from alterations and demolitions that would significantly or adversely affect the integrity of the site)

### **BUDGET & FINANCIAL ASPECTS:**

N/A

### **DISCLOSURE OF INTERESTS:**

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Stretton: Director Development Services

The officer has no conflict of interest in this item.

### **ATTACHMENTS:**

1. Briefing on Off the Wall, Aldermen's Fax July 2012.
-

**Off the Wall: Council's new anti-graffiti project**

Council has been awarded a grant of \$117,460 through the *Proceeds of Crime Act 2002* Graffiti Prevention, Reduction and/or Removal funding round for the "Off the Wall" project over the next two years.

Off the Wall is an innovative way of engaging the whole community and enabling active citizenship in taking ownership of the problem of graffiti crime. It is based on best-practice and comprises the five key elements necessary to effectively combat graffiti crime:

1. An extensive community awareness campaign to highlight the social, health, legal and economic implications of graffiti. Within this campaign:
  - Community will be asked to adopt a graffiti hot-spot and design out crime by designing a mural or other public art installation
  - One design will be chosen for an artist prize and for installation
  - Another nine will be chosen for virtual installation, utilising augmented reality technology eg QR codes
  - On-site storyboards will explain the program and include anti-graffiti messages developed by young people
  - All designs received will be curated online in a virtual gallery
  - A walking trail map will be designed to encourage community engagement and natural surveillance in perceptually unsafe areas
  - Aimed at engaging graffiti artists in positive activities that showcase their art legitimately while carrying the explicit message to respect our buildings
2. Support from mobile CCTV
  - Initially will be set up at five hotspots
  - Can be moved as hot-spots change location
3. Diversionary program for offenders and at-risk youth
4. Early intervention schools' program targeting Grade 8 students
5. Information packs will be developed for residents, schools and businesses with tips on how they can reduce and prevent graffiti crime.

**Benefits**

- **Incorporates multiple interventions** that draw upon both social and environmental approaches that engage the whole community in crime prevention
  - **Uses local intelligence** to identify graffiti hot-spots and targets those areas for intervention
-

- **Utilises multimedia** as an innovative approach to engaging youth as key target group
  - **Targeted information** on how to reduce and prevent graffiti crime;
  - **Early intervention and peer-to-peer education targeting young people** at the age when they are most likely to be positively influenced to understand the difference between art and vandalism, in order to foster positive attitudes and behaviours;
  - **Pro-social activities that divert offenders** and at-risk youth into positive behaviours that benefit the community;
  - **Designing out crime** by creating public art in graffiti hot-spots and supporting these areas with mobile CCTV which can be moved as hot-spots change location.
  - **Establishes mechanisms to facilitate better reporting** of graffiti in order to assist in the detection and apprehension of graffiti writers as well as providing reliable data to measure the impact of graffiti prevention strategies
  - **Multi-agency response:** collaboration between Local Government, State Government agencies, local industry and the community.
-

**15 FACILITY MANAGEMENT AND GOVERNANCE SERVICES****15.1 Parking by-law - Expressing Intention to Make****FILE NO:** SF3530**AUTHOR:** Lynda-Jane Jackson (Legal Officer)**DIRECTOR:** Rod Sweetnam (Director Facility Management and Governance Services)

---

**DECISION STATEMENT:**

To consider the proposed Parking By-law 2 of 2013 and draft Regulatory Impact Statement (RIS) and give notice of Council's intention to make a by-law.

***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.

**RECOMMENDATION:**

1. That Council expresses its intention under Section 156 of the *Local Government Act 1993* to make a by-law, in the following terms, 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*;
-

## 15.1 Parking by-law - Expressing Intention to Make...(Cont'd)

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### 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 4<sup>th</sup> day of June 2003 and By-law Number 7 of 2009 Parking (Amendment) By-law notified in the Tasmanian Government Gazette on the 12<sup>th</sup> 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;

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## 15.1 Parking by-law - Expressing Intention to Make...(Cont'd)

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"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 - Expressing Intention to Make...(Cont'd)

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### 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.

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## **15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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### **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 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.

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## 15.1 Parking by-law - Expressing Intention to Make...(Cont'd)

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### 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.

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**15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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**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.

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**15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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(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.
-

**15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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**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 supply their correct and full name and permanent or present temporary address if requested to do so by an authorised officer or police officer;

(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.

Penalty: a fine not exceeding 2 penalty units

**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.

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**15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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**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.

**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) 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.

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

(5) 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.

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15.1 Parking by-law - Expressing Intention to Make...(Cont'd)

**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:

<b>Column 1</b> <b>Section</b>	<b>Column 2</b> <b>Offence</b>	<b>Column 3</b> <b>Penalty (\$)</b>	<b>Column 4</b> <b>Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice</b>	<b>Column 5</b> <b>Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice</b>
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	\$35
Section 98	Obstructing use of parking space	\$65	-	-
Section 99	Parking whilst space closed	\$65	-	-

## 15.1 Parking by-law - Expressing Intention to Make...(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	\$35	\$50

**15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

Clause	General Description of Offence	Penalty (\$)	Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice	Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice
9	Parking longer than the maximum period	\$65	-	-
10	Parking in a reserved space without authorisation	\$65	-	-
11	Damaging equipment in a parking area	\$65	-	-
12	Unauthorised removal of infringement notice	\$65		
13	Washing, dismantling, repairing motor vehicle without consent	\$65	-	-



**15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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<b>Clause</b>	<b>General Description of Offence</b>	<b>Penalty (\$)</b>	<b>Reduced penalty if paid to Council within 14 days from date of service of Infringement Notice</b>	<b>Reduced penalty if paid to Council after 14 days but within 28 days from date of service of Infringement Notice</b>
14	Skidding of motor vehicles	\$65	-	-
15	Distributing advertising material without consent	\$65	-	-
17	Defacing Council property without consent	\$65	-	-
20	Obstructing vehicle or foot traffic	\$65	-	-
21	Using skates and cycles in a parking area	\$65	-	-

2. That Council endorses the attached Regulatory Impact Statement (ECM Document Number 2871735); and

3. That Council notes the responses received as part of preliminary consultation from Tasmania Police (Hobart and Launceston branches) and DIER (ECM Number 2871727).

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## **15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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### **REPORT:**

Council's current Parking By-law 24 of 2003 is due to expire on 4 June 2013.

To ensure that there is no gap between the old by-law expiring and the new by-law being in force, the renewal process has now started.

The draft Parking By-law 2 of 2013 is essentially the same as the existing Parking by-law. A number of minor changes have been made, such as updating terminology, updating references to legislation, updating wording to reflect current methods and technologies for managing parking, and updating fee amounts.

The fine payment structure has also been revised.

### **Changes to infringement notice discount structure**

At the Strategic Planning and Policy meeting of 17 December 2012, the Manager Parking Operations and Carr Villa Memorial Park recommended removing one stage in the payment process for parking infringements.

Currently there are three discount periods; 0 to 7 days, after 7 days to 14 days, and after 14 days to 28 days.

The typical process for collecting parking infringement revenue is to provide payment at the highest discount for the first fourteen days from the date of the offence. After fourteen days, a final notice is posted and the discount decreases. If the infringement is not paid within twenty eight days, the full cost is attributed to the infringement balance and the outstanding balance is prepared to be forwarded to the Monetary Penalties and Enforcement Service (MPES) for recovery.

Apart from Hobart City Council, the other Tasmanian Councils that provide user pay parking options operate their respective infringement collection processes similar to below:

- The largest discount is available between the day of issue and the fourteenth day;
- A decreased discount amount between fifteen and twenty eight days. A final notice is posted during this period; and
- No discount and preparation for MPES after twenty eight days.

Some private sector organisations use a similar process. However, they do not use Monetary Penalties and Enforcement Service (MPES) to collect outstanding debts; they are required to use the court system.

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## **15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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Council currently provides an extra discount period for the first seven days. It is recommended that the initial period (i.e. 0 to 7 days) is removed and the three stage collection process is reinstated. The basis for this recommendation is that there is no real evidence that the extra step has increased cash flow and by removing the extra stage, there will be productivity benefits.

The change in the discount after fourteen and twenty eight days is common practice across most councils in Tasmania. It also provides our customers with an opportunity to pay a discounted amount if they had no knowledge of the initial infringement notice.

The recommendation in this agenda item is to have three stages because to have two stages will increase complaints to both the Customer Service Centre and the Parking Department, which will decrease productivity, be inconsistent with other councils in Tasmania, and possibly damage the reputation of Council.

### **Preliminary consultation**

The draft by-law and Regulatory Impact Statement (RIS) have been sent to DIER and Tasmania Police (Hobart & Launceston Divisions) for initial comment, prior to taking the by-law to formal public consultation.

Both DIER and Tasmania Police (Hobart) have indicated they are supportive of the draft by-law.

Tasmania Police (Launceston) made some comments regarding one clause (clause 22 - supply of name and address). Those suggestions have been taken on board and the by-law has been amended to address the issue raised.

Copies of the comments are attached to this agenda item (see attachment 2 - responses from DIER & Tasmania Police).

Officers also received some feedback on the by-law and RIS from the Local Government Office. Those changes have been incorporated into the draft by-law and RIS (see the attached RIS and refer to the by-law as set out in the recommendation).

The Local Government Office also raised an issue in relation to infringement notice amounts, and in particular the use of fixed sums versus penalty units.

As such, it is recommended that the penalty amounts in both clause 28 and schedule 1 be set at a fixed sum of \$65, rather than being expressed in penalty units.

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## **15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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A separate item will be presented to Council regarding reviewing the ability of councils to set and amend fees from time to time under by-laws, to be taken to the Local Government Association of Tasmania. It is envisaged the by-law would be reviewed again after that process was completed.

### **Process going forward**

Section 156A of the *Local Government Act* 1993 requires that Council has a Regulatory Impact Statement (RIS) certified by the Director of Local Government. Following consideration at this Council meeting, the draft RIS will be forwarded to the Director of Local Government for certification.

Once Council resolves its intention to make a by-law, by an absolute majority, and the RIS has been certified, we will commence a public consultation period as required by the legislation.

At the expiration of the 21 working day consultation period, the draft by-law will be brought back to a Council meeting for consideration, together with any submissions received, with a recommendation that Council makes a parking by-law.

### **ECONOMIC IMPACT:**

There is no economic impact at this stage of the process.

### **ENVIRONMENTAL IMPACT:**

There is no environmental impact at this stage of the process.

### **SOCIAL IMPACT:**

There will be a positive social impact, as the public will be invited to participate in the consultation process regarding the proposed by-law, and will be able to make submissions to Council regarding the proposed by-law if they wish.

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**15.1 Parking by-law - Expressing Intention to Make...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

Parking and Sustainable Transport Strategy 2009.

**BUDGET & FINANCIAL ASPECTS:**

The by-law provides for fines to be issued. Any revenue from fines will be directed back to the Department administering the by-law.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.	
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 <b>Rod Sweetnam: Director Facility Management &amp; Governance Services</b>	
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**ATTACHMENTS:**

1. Comparisons of Parking Fines with other Tasmanian Councils and Private Sector organisations (ECM document number 2871688)
  2. Responses from DIER, Tasmania Police - Hobart and Tasmania Police - Launceston (ECM Document Number 2871727)
  3. Regulatory Impact Statement (ECM Document Number 2871735)
-

## ATTACHMENT 1

### Comparisons of Parking Fines with other Tasmanian Councils and Private Sector organisations

Council	Initial Fine	After 14 Days	After 18 Days	After 28 days (preparing for Monetary Penalties Enforcement Service)
Launceston	\$25.00	\$40.00	N/A	\$60.00
Devonport	\$15.00	\$30.00	N/A	\$50.00
Hobart	\$32.50		\$42.50	Either 0.7 Penalty Unit (\$91) or 0.8 Penalty Unit (\$104) under HCC by-law (as amended)
Burnie	\$15.00	\$30.00	N/A	\$50.00
Carepark (L'ton)	\$28.00	\$55.00	N/A	N/A
Carepark (Hobart)	\$33.00	\$66.00	N/A	N/A

**ATTACHMENT 2**

**TASMANIA POLICE**

Northern District Commander

PO Box 45, Launceston TAS 7250  
 Phone (03) 6336 3897 Fax (03) 6336 3887  
 Email northern.district.administration@police.tas.gov.au  
 Web www.dpem.tas.gov.au www.police.tas.gov.au



Our ref:  
 Your ref:  
 Enquiries:

FILE No.	SF3530				
EO	<input checked="" type="checkbox"/>	OD	<input type="checkbox"/>	Box	<input checked="" type="checkbox"/>
RCVD		18 JAN 2013		LCC	
Doc No.					
	Action Officer	Noted	Replied		
	L. Jackson				

15 January 2013

Ms Lynda-Jane Jackson  
 Legal Officer  
 Launceston City Council  
 PO Box 397  
 LAUNCESTON TAS 7250

Dear Ms Jackson

**DRAFT PARKING BY-LAW 2 OF 2013 AND REGULATORY IMPACT STATEMENT**

Thank you for the opportunity to provide comment on the draft by-law 2 of 2013 regarding parking in Launceston Council controlled spaces. The Inspector in charge of our Road and Public Order Safety teams has examined the proposal as have I. From a policing perspective the by-law seems thorough and covers any issues that we could envisage arising.

I do draw your attention to clause 22 of the by-law – *Supply of Name and Address*. The provision allows any authorised officer to request a person's name and address and arrest that person if they believe the details are false. I note three issues with this clause. Firstly it does not clearly state that the provision applies to persons within a *parking area* which would be required. Secondly it only allows for a power of arrest for false details, normally such provisions include an arrest provision for refuse name and address, as well as provide false details.

My third concern is the harshness of this section. Many pieces of legislation allow police officers to request names and address of persons and arrest them if they fail to provide, or provide false details, but only, if the officer believes that are committing an offence against the relevant Act or By-Law. I am not aware of any Act or By-Law that allows officers to ask for a person's name without reason and then arrest for a refusal. Whilst, we welcome legislation that allows us to protect Council and private property, I believe Council would receive criticism about this clause being too draconian as it currently stands.

Thank you again for the opportunity to comment on the draft. Should you have any questions please contact Acting Inspector Andrew Keane on phone number (03) 63363811.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Cowling', written in a cursive style.

**R Cowling**  
Commander



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**From:** Burk, Richard (DIER) [mailto:Richard.Burk@dier.tas.gov.au]  
**Sent:** Wednesday, 16 January 2013 2:07 PM  
**To:** Lynda Jackson  
**Subject:** RE: Draft LCC Parking By-Law 2 - 2013

Hello Lynda,

Thank you for the email.

Please accept this email as DIERs response.

DIER has no issues with the draft LCC Parking By-Law 2 – 2013.

*Regards*

*Richard Burk  
Manager Traffic - North  
Department of Infrastructure, Energy and Resources  
287 Wellington Street Launceston*

*Ph 6336 2125  
Mobile 0419 347 332  
PO Box 1906 LAUNCESTON TAS 7250*

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**From:** Lynda Jackson [mailto:Lynda.Jackson@launceston.tas.gov.au]  
**Sent:** Wednesday, 16 January 2013 1:39 PM  
**To:** Burk, Richard (DIER)  
**Subject:** RE: Draft LCC Parking By-Law 2 - 2013

Hello Richard,

Please find attached copy of the current Parking By-law 24 of 2003, which is due to expire 4 June 2013 (under the *Local Government Act* 1993, all council by-laws expire after 10 years).

Essentially this is an administrative exercise to renew the expiring by-law, which has been working effectively. As such, the draft by-law does not significantly depart from the current by-law.

As you can see, the changes have been quite minor:

- Updated terminology and references to legislation
- Removal of some arrest powers
- No new offences have been added
- Infringement notice amounts have been increased

If you have any further queries, please do not hesitate to contact me.

I look forward to receiving your comments on the draft by-law.

---

OFFICE OF THE COMMISSIONER  
47 Liverpool Street Hobart  
[GPO Box 308]  
HOBART TAS 7001  
Phone (03) 6230 2111  
Fax (03) 6230 2117

Our Ref: A13/3863  
Your Ref:  
Enquiries:



22 January 2013

The General Manager  
Launceston City Council  
PO Box 396  
LAUNCESTON TAS 7250

Attention: Ms Lynda-Jane Jackson, Legal Officer

FILE No.	SF3530		
EO	<input checked="" type="checkbox"/>	OD	Box
RCVD		24 JAN 2013	LCC
Doc No.			
Action Officer	Noted	Replied	
L. JACKSON			

Dear Ms Jackson

Thank you for your correspondence dated 8 January 2013 and the opportunity to comment on the draft Council Parking By-law for the Launceston City Council.

It is noted that an "authorised officer" includes a member of Tasmania Police and as an authorised officer, police have the power to issue infringement notices for the 15 scheduled offences. It is also noted that a police officer has a power of arrest for offenders who refuse or fail to provide their name and address, and for failing to leave a parking area.

Some of these powers and functions are contained within other Acts of Parliament and police officers would commonly deal with these matters under the State legislation, rather than local By-laws. That indicated, Tasmania Police has no objection to the By-laws and supports the specific powers it provides to police.

I trust this is of assistance to you and thank you again for the opportunity to comment. It would be appreciated if Tasmania Police could be notified once the By-laws have been implemented.

Yours sincerely

**P L WILKINSON**  
Assistant Commissioner of Police  
Planning and Development

**ATTACHMENT 3**  
**REGULATORY IMPACT STATEMENT**

**LAUNCESTON CITY COUNCIL**  
**PARKING BY-LAW**  
**NUMBER 2 of 2013**

**1. Purpose of Regulatory Impact Statement (RIS)**

The *Local Government Act 1993* requires a Regulatory Impact Statement is prepared when a council seeks to make a by-law. The preparation of an RIS is a rigorous process aimed at analysing the most efficient and effective options available to address a particular issue and avoiding unnecessary regulation.

The RIS identifies whether the benefits of regulation outweigh the costs of a restriction on competition and the impact on business imposed by the by-law. It does so by undertaking an assessment of the direct and indirect social, economic and environmental impacts of the proposed by-law and alternatives considered.

Once the RIS has been prepared, Council must submit it to the Director of Local Government, Department of Premier and Cabinet, for assessment. If the Director is satisfied that the RIS meets the statutory requirements, he or she will issue a certificate to that effect and Council may then commence the public consultation process.

**2. Objects of the By-law**

The objects of Launceston City Council's Parking By-law 2 of 2013 ("the by-law") are to:

- Control and regulate the parking of vehicles in Council's car parks
- Control and regulate or prohibit certain activities in Council's car parks
- Ensure the safety of users in Council's car parks

The above objectives will be achieved by the by-law:

- Providing for infringement notices to be issued where an offence is committed under the by-law; and
- prescribing fine amounts and infringement notice penalties under the *Local Government (Highways) Act 1982*

**3. Background**

The by-law has been developed to replace Council's existing (but expiring) Parking By-law 24 of 2003, made under Section 145 of the *Local Government Act 1993* ("the Act") for the purpose of managing and controlling parking in the municipal area. It will repeal:

- Parking By-law 24 of 2003
- Parking (Amendment) By-law 7 of 2009

The by-law is both necessary and desirable, as it provides for the day to day control and management of the parking of vehicles and other activities on land owned by or under the control of Council and designated as a parking area. It applies only to those people that choose to either utilise or remain in Council owned car parks.

The by-law provides for the safety of those people using the car parks. It develops measures aimed at maintaining the integrity of the facility itself as well as the welfare of those in the car park. It also regulates conduct and ensures that vehicle owners comply with signage and markings for the benefit of all other users of the car park. The by-law is designed to protect users of the car parks and their vehicles from damage due to inappropriate activities and behaviour occurring.

There is no existing State Legislation that appropriately deals with issues relating to multi-storey and employee manned car parks.

Further, the *Local Government (Highways) Act 1982* provides that the prescribed penalties for an infringement notice issued under sections 97, 98 or 99 is the sum specified in the Council's by-law. As such, Council must create a by-law which specifies those sums in order to issue infringement notices under part 7 of that Act.

As such, the by-law is necessary to ensure Council continues to provide its high standard of parking facilities for the benefit of residents, visitors and businesses in the Launceston municipality.

#### **4. A) Does the By-law Restrict Competition?**

Council considers there is minimal restriction on competition.

The by-law prohibits some types of commercial activities occurring in Council car parks such as car washing and distribution of advertising material. Whilst this may impact on business, it is not a restriction on competition as it has a uniform application and does not apply to any one party or individual.

The by-law may also restrict competition with respect to private car park operators located in the municipal area. The pricing strategy of Council's car parks provides for periods of free parking which may impact on competitors' ability to compete for parking. However, Council car parks also have limited opening hours which allows for private operators to provide "out of hours" parking.

As such, the benefits of the restriction placed on competition outweigh the cost.

#### **4. B) Does the By-law Impact on Business?**

Council considers the by-law will impact on business, but not to a significant or unacceptable extent. Prohibiting commercial activity in Council car parks impacts on businesses that may wish to operate in the car parks. Further, competition with private car park operators would certainly impact on those businesses.

However, Council does not compete in all areas of the market. As such, there are other segments of the market that these private operators can operate within without any impact from the by-law (for example, outside the opening hours of Council's facilities).

Council's car parks also provide positive impacts for businesses, as Council's car parks provide a service to businesses located within the CBD through providing easy access to parking for potential customers of these businesses. For example, there is two hours of free parking in the multi-storey car parks between 3.30pm and 5.30pm, Monday to Saturday. This initiative attracts people into the CBD after normal school hours.

The by-law ensures that infringement penalty amounts are contemporary and provide an incentive for motorists to adhere to parking management processes. These processes provide turnover for motorists and create parking availability, ensure availability of loading zones for deliver vehicles, ensure public vehicle zones are available for buses and taxis and provides accessibility for people who are aging and have disabilities. Ultimately, the by-law assists the viability of the city.

As such, Council considers the benefits of the impact on business outweigh the cost.

**5. Assessment of Cost v Benefits of any restriction on competition or business**

Restrictions	Costs	Benefits
<ul style="list-style-type: none"> <li>• Prohibition of commercial activity</li> <li>• Competition with private operators</li> <li>• Provision of services to businesses in municipality</li> </ul>	<ul style="list-style-type: none"> <li>• Limits locations where some commercial activities can be undertaken (but applies uniformly and therefore avoids discrimination)</li> <li>• Reduces customer base for private operators</li> </ul>	<ul style="list-style-type: none"> <li>• Ensures compliance from motorists;</li> <li>• Management of vehicle turnover enhances trading in the CBD;</li> <li>• Improves and maintains safety standards;</li> <li>• Allows accessibility for all;</li> <li>• Assists in minimising the financial burden on ratepayers;</li> <li>• Provides revenue, which allows for continued provision of Council services;</li> <li>• Provides employment and personal development opportunities for employees.</li> </ul>

**6. Assessment of direct or indirect economic, environmental and social impacts**

		Direct	Indirect
Economic	Benefits	<ul style="list-style-type: none"> <li>Revenue provides opportunities for Council to maintain existing facilities and complete projects across the City</li> <li>Creates cheaper parking alternatives</li> <li>Increased access to businesses for shoppers</li> </ul>	<ul style="list-style-type: none"> <li>Launceston is the major hub in the northern region. As such, the economic benefit of this by law reduces the burden on the Launceston ratepayer through implementation of a "user-pays" system.</li> <li>Improves liveability of the city generally</li> </ul>
	Costs	<ul style="list-style-type: none"> <li>Employment costs for LCC employees to manage parking facilities</li> <li>Administration costs associated with implementing the by-law</li> </ul>	
Environmental	Benefits	<ul style="list-style-type: none"> <li>Prohibition of washing cars and distribution of advertising material helps prevent pollution and littering</li> </ul>	<ul style="list-style-type: none"> <li>Healthier community and tidier community facilities</li> </ul>
	Costs	<ul style="list-style-type: none"> <li>Exhaust emissions</li> <li>Waste from public facilities</li> </ul>	<ul style="list-style-type: none"> <li>Waste created from used tickets</li> </ul>

<b>Social</b>	<b>Benefits</b>	<ul style="list-style-type: none"> <li>• Safety for users;</li> <li>• Affordable &amp; accessible parking for everyone</li> <li>• Reduction of incidents of anti-social behaviour and unwanted activities in car parks as fines can be issued</li> </ul>	<ul style="list-style-type: none"> <li>• The community as a whole benefits as the city facilities are safer, affordable to visit and are easy for people with disabilities to access. These benefits make the City more enjoyable to visit.</li> <li>• Assists Council achieve its strategic aims for the city as by-law consistent with future parking strategies</li> </ul>
	<b>Costs</b>	<ul style="list-style-type: none"> <li>• CCTV - privacy</li> </ul>	<ul style="list-style-type: none"> <li>• Minimal additional regulation which must be complied with</li> </ul>

**7. Discussion of Alternatives**

Council considers there are no other comparable options. There is always a continual demand for parking in Launceston. Regulation is essential to provide a consistent service to our customers.

A parking by-law has been in force for a number of years in the Launceston municipality, and it has operated effectively. As such, renewing the parking by-law is in fact maintaining the status quo. The by-law continues to be in the public interest as it will ensure that customers can use car parking facilities in a controlled and orderly manner.

**8. Assessment of Public Benefit**

The public benefit test assesses whether the benefits outweigh the costs and determine whether a by-law is the most effective option for achieving the objectives.

Residents, visitors and businesses in the Launceston municipality will benefit from the implementation of this By-law, as the by-law allows Council to maintain its' excellent conditions regarding car parking.

The user pays system implemented by the by-law ensures that those users utilising the car parks contribute to the costs of having and maintaining such facilities, rather than imposing a charge as part of any rates system.

The by-law will ensure that all users using the car parks are provided with a safe and regulated environment to park their vehicles. This provides a level of confidence in the service provided.



Further, the by-law is the only practical method which allows Council to impose infringement notices for breaches of the by-law. Such infringement notices act as a deterrent for undesirable behaviour and reduce the incidence of such behaviour occurring in Council's car parks.

Regulation is considered the only feasible option to achieve the by-law's objectives and the by-law has been carefully constructed to ensure it imposes the least regulatory burden on the community as possible.

Council believes the by-law serves the public interest as it targets issues that are not otherwise addressed by regulation in a proportionate and effective manner.

### **9. Public Consultation Process**

Prior to commencing formal public consultation in accordance with sections 157-159 of the *Local Government Act 1993*, initial consultation was undertaken with the following bodies:

- Tasmania Police (Hobart & Launceston)
- DIER

Both Tasmania Police and DIER were supportive of the by-law.

Following certification of the RIS, further public consultation will occur:

1. Council will debate a recommendation that it make a by-law on Parking.
2. Council will pass a motion that it intends to make the by-law.
3. It will then publish notice of that resolution:
  - a) once in the Examiner newspaper;
  - b) by displaying the notice on the notice board at the Town Hall from the day when the newspaper advertisement is first published until the end of the submission period which is specified in the notice; and
  - c) on its website.

The notice will state the following:

- (i) the purposes and general effect of the by-law;
- (ii) that a copy of the by-law and of the Regulatory Impact Statement may be inspected at the Council Chambers until the specified day;
- (iii) that a copy of the By-law and Regulatory Impact Statement may be purchased for the cost of \$2.00 at the Town Hall until the specified day;
- (iv) that submissions in respect of the by-law may be made in writing, addressed to and lodged with the General Manager, stating the grounds of the submission and the facts relied upon to support those grounds;
- (v) that a submission must be lodged before the specified day.

The specified day will be no earlier than 21 days after the publication of the notice in the Examiner newspaper.

4. The General Manager will make copies of the proposed by-law and the Regulatory Impact Statement available on the website and for inspection and/or purchase by the public until the day specified in the notice.

5. Council will consider all submissions that have been made to it concerning the by-law and, if it decides to amend it as a result of any of these submissions, it will do so

by absolute majority. Council does not need to give further public notice unless an amendment substantially changes the purpose or effect of the proposed by-law.

6. Council will then pass, by an absolute majority, a resolution to formally make the by-law.

7. The by-law will then be submitted to a legal practitioner for certification, and signed by the General Manager.

8. Council will then cause the by-law to be gazetted within 21 days of being made.

9. Council will also submit the by-law to the Subordinate Legislation Committee within 7 working days of gazettal, and to both Houses of Parliament within 10 sitting days of gazettal.

10. Finally, Council will send to the Director Local Government a signed, sealed and certified original, together with a statement of purpose and effect and the outcome of public consultation.

#### **10. Comments on the By-law**

Submissions about the by-law and Regulatory Impact Statement may be made in writing, addressed to and lodged with the General Manager, stating the reasons for the submission and the facts relied upon to support those reasons.

The submission must be received before the day specified in the advertisement which is no earlier than 21 days after the publication of the advert in the Examiner newspaper.

Council will consider all submissions that have been made to it concerning the by-law and the Regulatory Impact Statement and, if it decides to amend the by-law as a result of any of these submissions it will do so by absolute majority. The Council does not need to give further public notice unless an amendment substantially changes the purpose or effect of the proposed by-law.

If you make a submission you will be notified of Council's decision in writing.

#### **Contact Council**

If you have any questions about any of the above, please contact Council's Legal Officer, Lynda Jackson on (03) 6323 3000 or email Council at [council@launceston.tas.gov.au](mailto:council@launceston.tas.gov.au), marked for the attention of the Legal Officer.

**16 QUEEN VICTORIA MUSEUM AND ART GALLERY****16.1 QVMAG Strategic Plan 2012/13 - 2016/17****FILE NO:** SF5784**AUTHOR:** Richard Mulvaney

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**DECISION STATEMENT:**

To consider the adoption of the QVMAG Strategic Plan 2012/2017.

**PREVIOUS COUNCIL CONSIDERATION:**

Strategic Planning & Policy Committee Meeting date 1/10/2012

**RECOMMENDATION:**

That the Council adopt the QVMAG Strategic Plan 2012/2017.

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**REPORT:**

QVMAG has developed a strategic plan that deals with the contemporary issues facing the Museum and Art Gallery. The five year plan lists key goals, objectives and outcomes for the Directorate.

The Plan has been a collective process involving staff, committees and the Museum Governance Advisory Board. Staff have had the opportunity to contribute to it and there has been two senior staff sessions to facilitate the final copy. It is acknowledged that for the Plan to work it needs to be embraced by the personnel most associated with the activities of QVMAG.

At the previous SPPC meeting 1 October 2012, QVMAG was requested to provide a financial context to the Strategic Plan. This has now been included as has an additional goal (5.2) to reduce the current level of LCC financial contribution to the operations budget by \$800,000 over five years.

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**16.1 QVMAG Strategic Plan 2012/13 - 2016/17...(Cont'd)**

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**ECONOMIC IMPACT:**

As Australia largest regional art gallery QVMAG is a significant tourism draw card for Launceston which has a flow on effect into the local economy.

**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

With three key disciplines of science, history and visual arts QVMAG is a major cultural provider and educator for the Launceston community and northern Tasmania.

**STRATEGIC DOCUMENT REFERENCE:**

Launceston City Council Strategic Plan 2008-2013

**BUDGET & FINANCIAL ASPECTS:**

This strategic plan has been scoped to operate within the current QVMAG operational budget. However one of the key goals is to achieve efficiencies gains that result in an \$800k reduction in Council's contribution over 5 years.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Richard Mulvaney: Director Queen Victoria Museum & Art Gallery**

**ATTACHMENTS:**

1. QVMAG Strategic Plan 2012/2017(distributed separately)
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**17 INFRASTRUCTURE SERVICES****17.1 Lease at Heritage Forest - Dry Slopes Pty Ltd****FILE NO:** SF0830**AUTHOR:** Andrew Smith (Manager Parks & Recreation)**DIRECTOR:** Harry Galea (Director of Infrastructure Services)

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**DECISION STATEMENT:**

To consider the lease terms of leasing land situated at 5A Caswell Street in Heritage Forest as marked on the attached map to Dry Slopes Pty Ltd.

**PREVIOUS COUNCIL CONSIDERATION:**

Item 4.7 - SPPC Meeting 7 February 2011

Discussion on proposal for a Synthetic Slope Ski Facility in Heritage Forest

Item 11.2 - Council Meeting 28 November 2011

Development Application: Heritage Forest 5A Caswell Street and 148 Vermont Road, Mowbray - Construction of a Structure - Ski Slopes; Change of Use - Change of Use of Dwelling to Cafe and Museum; Construction of a Car Park (Invermay/Inveresk Flood Inundation Area)

Item 16.1 - Council Meeting 26 March 2012

Determined to commence the process for leasing land on the public lands register to Dry Slopes Pty Ltd

Item 4.3 - SPPC Meeting 7 May 2012

Discussion on lease terms and financial aspects of leasing the land at Heritage Forest, it was determined that further investigations was required

**RECOMMENDATION:**

That Council lease land at Heritage Forest as shown on the attached plan part Folio 19050/1 and 149998/1 to Dry Slopes Pty Ltd subject to the following terms:

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**17.1 Lease at Heritage Forest - Dry Slopes Pty Ltd...(Cont'd)**

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1. The term shall be five (5) years commencing on 1 June 2013 with one 5 year option
  2. The lease amount shall be \$4,500.00 per annum plus GST linked to CPI. The lease amount shall incrementally increase by an additional \$200 each anniversary during the initial 5 year lease period. Each increment is subject to CPI and GST.
  3. For the term of the lease:
  4. tenant to be responsible for:
    - Government taxes (including land tax on a single holding basis)
    - Council rates as apportioned
    - energy costs
    - volumetric and connection charges for water
    - sewerage charges
  5. tenant shall continuously maintain:
    - any infrastructure or any infrastructure installed by the tenant or council in relation to the tenants occupation
    - building in good and reasonable order
    - property insurance equal to the value of the building
    - public liability insurance of at least \$20 million
- 

**REPORT:**

At the Council meeting, 26 March 2012 Council adopted the following recommendation.

*That Council notifies its intention to lease public land pursuant to Section 178 of the Local Government Act, which requires that the lease of public land that exceeds five years be advertised on at least two separate occasions in a daily newspaper circulating in the municipal area. The advertisement is to advise that objections to the proposed lease may be made to the general manager within 21 days of the date of the first publication. Council is to consider any objection lodged.*

Advertisements were placed in the Examiner Newspaper on Saturday, March 31, 2012 and again on Saturday, April 7, 2012. No correspondence regarding the proposed lease was received by the closing date of April 21, 2012 nor has there been any received subsequently.

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## **17.1 Lease at Heritage Forest - Dry Slopes Pty Ltd...(Cont'd)**

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Council has fulfilled its obligations with regard to the Local Government Act and can now approve the lease of public land at Heritage Forest.

The applicant Mr Russ Jackson was successful in obtaining Planning approval for a synthetic ski slope in Heritage Forest. That proposal has not progressed any further at this stage due to the capital funds that are required to upgrade the Council road and the construction of car parks. More recently Mr Jackson submitted a revised Development Application (DA0402/2012) for a Tube Run project in Heritage Forest adjacent to the area of the earlier proposal but within the same land titles. Development Approval has now been obtained for the Tube Run project and Mr Jackson has now written to Council seeking to establish a lease with Council so that the project can proceed ([Attachment 2](#)).

A revised valuation was obtained for the new proposal which valued the land for the lease between \$4,500 and \$5,500 per annum. A copy of the valuation was circulated previously prior to this Council meeting. As a means to support the business during the establishment phase it is considered appropriate to set the lease at the lowest end of the scale and incrementally increase to the high end over the five year period.

The Tube Run project involves the lease of 5,100m<sup>2</sup> of Council land with the applicant to provide the entire Tube Run infrastructure including the power, sewerage, upgraded pathway and demountable buildings at applicant's expense. Council would contribute approximately \$10,000 towards the expansion of the existing gravel car park off Conway Street as a multi use car park serving both Heritage Forest users and also Tube Run customers.

The project will employ between 10 to 16 people varying from ski instructors, lift attendants and service staff. This will create an exciting new recreational product and experience not currently available in Tasmania.

The Heritage Forest Advisory Committee has considered the proposal and are fully supportive of the project. The eucalypt trees that are within the proposed lease area are required to be retained and the Tube Runs will be integrated within the forest adding to the recreational experience.

### **ECONOMIC IMPACT:**

This will have a positive economic impact on the community as it will generate income for tourism and local businesses in the area. It will also create a number of new jobs in a depressed employment market.

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**17.1 Lease at Heritage Forest - Dry Slopes Pty Ltd...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

There will be no environmental impact with this decision.

**SOCIAL IMPACT:**

This proposal will have a positive impact on the community as it will provide an exciting recreation facility in Launceston, the first of its kind in Tasmania.

**STRATEGIC DOCUMENT REFERENCE:****Parks and Recreation Mission Statement:**

Statement of Purpose:

To encourage and facilitate residents and visitors to the City of Launceston to participate in recreational opportunities.

Aims:

- To provide infrastructure for both active and passive recreation participation.
- To facilitate both active and passive use of infrastructure.
- To plan current and future infrastructure and recreational opportunities in keeping with current trends.

The goal within Council's Strategic Plan (2008-2013) which is considered relevant is:

Priority Area 3: Social and Economic Environment - Promoting a healthy, prosperous and positive community.

**BUDGET & FINANCIAL ASPECTS:**

Income Parks and Recreation \$4,500 per annum in the first year increasing to \$5,500 per annum at the end of the initial lease period. In order to leverage a larger public car park off Conway Street, a Council contribution of \$10,000 is required.

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**17.1 Lease at Heritage Forest - Dry Slopes Pty Ltd...(Cont'd)**

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. Map - Area to be leased by Dry Slopes Pty Ltd and Stage 1 of the development (distributed electronically)
  2. Letter of lease proposal from Mr Russ Jackson
-

**ATTACHMENT 2**

Dry Slopes Pty  
45 Kings Lane  
LAUNCESTON TAS 7250

Mr Andrew Smith  
Manager Parks & Recreation  
Po BOX 396  
LAUNCESTON TAS 7250

12 February 2013

Dear Andrew

Dry Slopes Pty Ltd is keen to progress our Tube Park Development and would like to have the park operational by October this year. This will necessitate a lease agreement between the Council and Dry Slopes Pty Ltd. The previous lease proposal included the house and recommended a split lease fee, a fixed amount of \$10,400.00 plus 5% of the gross turnover.

The latest proposal by Dry Slopes will not require any input from the Council apart from the provision of the land and as such we believe that there should be an appropriate adjustment in the lease fee. We favour the introduction of a flat fee of approx \$4,500pa with a 5 year initial term with one option for a further 5 years and the opportunity to renegotiate the lease term as the ski slopes are developed and the business expands. I would also expect to pay pro rata rates and land tax on the site and believe these calculations are currently underway.

If you could consider the above and let me know as soon as possible it would be greatly appreciated.

Yours Sincerely



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Russ Jackson  
Director Dry Slopes Pty Ltd

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**18 CORPORATE SERVICES**

**18.1 Quarterly Financial Report to Council**

**FILE NO:** SF5724

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider Council's financial performance for the half year ended 31 December 2012.

**PREVIOUS COUNCIL CONSIDERATION:**

Audit Committee 8 November 2012 - *The quarterly financial review for the quarter ended 30 September 2012 was noted.*

Audit Committee 7 February 2013 - *The quarterly financial review for the quarter ended 31 December 2012 was noted.*

**RECOMMENDATION:**

That the Council adopt the financial reports for the half year to 31 December 2012 which discloses:

	<b>2012/13 Actual \$'000</b>	<b>2012/13 Budget \$'000</b>
<b>Operating Summary</b>		
Revenue	43,128	42,311
Less Expenses	44,478	46,287
Operating Deficit	<u>(1,350)</u>	<u>(3,976)</u>
Add Capital Grants	953	839
Comprehensive Result	<u><u>(397)</u></u>	<u><u>(3,137)</u></u>

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## 18.1 Quarterly Financial Report to Council...(Cont'd)

	<b>2012/13 Actual \$'000</b>	<b>2011/12 Actual \$'000</b>
<b>Financial Position</b>		
Equity	<u>1,448,854</u>	<u>1,423,359</u>
Assets		
Current	64,574	67,847
Non-Current	<u>1,432,988</u>	<u>1,401,983</u>
	<u>1,497,562</u>	<u>1,469,830</u>
Liabilities		
Current	16,172	19,471
Non-Current	<u>32,536</u>	<u>27,000</u>
	<u>48,708</u>	<u>46,471</u>
Net Assets	<u>1,448,854</u>	<u>1,423,359</u>

**REPORT:**

Detailed quarterly financial reports have been reviewed in the Audit Committee meeting on 7 February with all Aldermen receiving copies of the agenda and detailed papers. The purpose of this item is for Aldermen to formally review the Council's financial position and the second quarter's performance as a Council.

This report provides an overall summary of the operations for the second quarter of the 2013 financial year. The key issues arising from the quarter to 31 December 2012 are:

Operations

- Overall the Operations result is \$2.7m better than budget after the second quarter.
- The favourable result is principally due to favourable variances across the directorate net expenses, rate and interest revenue.
- The projected year end result, however, is a \$0.1m favourable variance.
- Other variances of note were:
  - \$0.34m unfavourable variance resulting from Financial Assistance Grant allocation for 2012/13 further compounded by the prepayment of 50 per cent of the grant in 2011/12 which has the effect of adding a further \$0.18m to the unfavourable variance making a total of \$0.52m unfavourable.

**18.1 Quarterly Financial Report to Council...(Cont'd)**

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All departments are now reviewing projected 2012/13 spending to identify budget savings that can be achieved in 2012/13.

Capital Works

- Overall - A significant proportion of the Capital Works is in progress at 31 December 2012, careful project management will be required to ensure that the program is completed by 30 June 2013.

Financial Position

- Overall - The Council's balance sheet and cash reserves continue to be in accordance with current and long term budgets.
- Loan balances are in accordance with budget.
- Cash balances remain in accordance with long term strategy and are consistent with budgeted project requirements.

Thus at the end of the second quarter Council is in a positive operating position compared to budget.

**ECONOMIC IMPACT:**

No economic impact

**ENVIRONMENTAL IMPACT:**

No environmental impact

**SOCIAL IMPACT:**

No social impact

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## 18.1 Quarterly Financial Report to Council...(Cont'd)

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### STRATEGIC DOCUMENT REFERENCE:

Priority Area 5: Governance Services

5.1.4 Ensure the city is managed in a financially sustainable manner

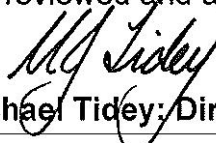
### BUDGET & FINANCIAL ASPECTS:

As per report

### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey, Director Corporate Services

### ATTACHMENTS:

1. Quarterly Income Statement to 31 December 2012
  2. Balance Sheet as at 31 December 2012
-

<b>LAUNCESTON CITY COUNCIL</b> <b>Quarterly Statement of Comprehensive Income</b> <b>For Period ended 31 December 2012</b>		
	<b>2012/13</b> <b>Actual</b> <b>YTD</b> <b>\$</b>	<b>2012/13</b> <b>Budget</b> <b>YTD</b> <b>\$</b>
<b>REVENUES FROM ORDINARY ACTIVITIES</b>		
Rates	28,362,844	27,538,602
Fees and Charges	8,528,032	9,048,353
Grants and Contributions		
- Revenue Purposes	2,167,173	2,280,362
Interest	1,477,612	1,294,500
Interest Committed	187,093	-
Other	2,405,304	2,148,934
	<u>43,128,059</u>	<u>42,310,751</u>
<b>EXPENSES FROM ORDINARY ACTIVITIES</b>		
Maintenance of Facilities and Provision of Services	30,401,208	32,025,066
Borrowing Costs	606,713	606,713
Depreciation and Amortisation	9,914,064	10,154,075
State Government Fire Levy	2,917,872	2,917,872
Rate Remissions and Abatements	637,773	583,555
	<u>44,477,630</u>	<u>46,287,280</u>
<b>OPERATING SURPLUS</b>	(1,349,571)	(3,976,529)
<b>Other Comprehensive Income</b>		
Capital Grants	952,919	839,465
<b>Comprehensive Result</b>	<u>(396,653)</u>	<u>(3,137,064)</u>

UNAUDITED - COUNCIL USE ONLY

<b>LAUNCESTON CITY COUNCIL</b> <b>QUARTERLY STATEMENT OF FINANCIAL POSITION</b> <b>As at 31 December 2012</b>			
	YTD 2012/13	YTD 2011/12	YTD 2010/11
	\$	\$	\$
<b>EQUITY</b>			
Capital Reserves	150,070,241	136,413,132	128,086,782
Revenue Reserves	855,201,796	854,289,519	869,170,516
Asset Revaluation Reserves	442,388,835	416,303,930	273,495,560
Trusts and Bequests	1,590,011	1,504,251	1,404,634
Operating Surplus	(396,653)	7,424,125	6,760,272
<b>TOTAL EQUITY</b>	<b>1,448,854,230</b>	<b>1,423,359,082</b>	<b>1,285,678,036</b>
<i>Represented by:-</i>			
<b>CURRENT ASSETS</b>			
Cash at Bank and on Hand	1,047,206	715,592	2,971,054
Rate and Sundry Receivables	27,151,330	30,691,719	48,475,516
Less Rates not yet Recognised	(27,220,390)	(25,952,230)	(25,034,148)
Short Term Investments	62,902,521	61,751,585	38,058,893
Inventories	692,980	640,705	645,510
	<u>64,573,647</u>	<u>67,847,371</u>	<u>65,116,826</u>
<b>NON-CURRENT ASSETS</b>			
Deferred Receivables	230,639	234,082	257,556
Investments	257,388,000	255,800,000	269,650,000
Employee Benefits	-	-	-
Intangibles	4,432,370	3,827,363	-
Infrastructure and Other Assets	939,024,052	910,207,950	759,170,371
Museum Collection	231,913,206	231,913,206	231,913,206
	<u>1,432,988,268</u>	<u>1,401,982,602</u>	<u>1,260,991,132</u>
<b>TOTAL ASSETS</b>	<b>1,497,561,914</b>	<b>1,469,829,973</b>	<b>1,326,107,958</b>
<b>CURRENT LIABILITIES</b>			
Deposits and Prepayments	2,055,952	7,270,878	2,401,365
Employee Provisions	6,350,560	5,834,960	5,637,470
Interest-bearing Liabilities	2,572,853	2,335,882	1,754,020
Sundry Payables and Accruals	5,192,549	4,029,495	4,177,655
	<u>16,171,913</u>	<u>19,471,215</u>	<u>13,970,511</u>
<b>NON-CURRENT LIABILITIES</b>			
Employee Provisions Non Current	772,082	781,954	734,983
Superannuation Obligation	9,559,664	3,623,027	2,666,955
Interest-bearing Liabilities Non Current	11,500,704	11,862,104	12,553,474
Sundry Provisions	10,703,318	10,732,590	10,504,000
	<u>32,535,767</u>	<u>26,999,675</u>	<u>26,459,412</u>
<b>TOTAL LIABILITIES</b>	<b>48,707,681</b>	<b>46,470,890</b>	<b>40,429,922</b>
<b>NET ASSETS</b>	<b>1,448,854,230</b>	<b>1,423,359,083</b>	<b>1,285,678,036</b>



**18.2 2012/13 Budget Amendments****FILE NO:** SF5724**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To approve budget amendments relating to various expenditure, capital and revenue estimates and thereby amending the Operations budget to a \$6.456m deficit and the Capital budget to \$17.203m for 2012/13.

This decision requires an absolute majority vote of Council in accordance with Section 82(4) of the Local Government Act 1993.

**PREVIOUS COUNCIL CONSIDERATION:**

Item 9.5 - Audit Committee - 7 February 2013 - *It was resolved that the report go to Council for a decision*

**RECOMMENDATION:**

That the Council, pursuant to Sections 82(2) and (4) of the Local Government Act 1993, approve the budget transfers as follows.

1. To reallocate funding relating to accounting treatment changes from Capital to Operations for 2012/13 in the amount of \$80,720.

• Junction Street Driveway	600
• Dundas Street Kerbworks	7,818
• Coles Mowbray Development	1,680
• Invermay/Vermont Intersection	10,000
• Westbury Road	3,500
• Road Assets Transport and Development	57,122
	<u>80,720</u>

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## 18.2 2012/13 Budget Amendments...(Cont'd)

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2. To reallocate funds relating to accounting treatment changes from Operations to Capital for 2012/13 in the amount of \$414,950.

• Earl Arts Storage	75,000
• Pipers Brook Road	18,000
• ISD Unforseen Roads	95,000
• Earl Arts Centre Storage and Lift	20,000
• Glen Dhu Street Blackspot	30,000
• Amy/Penquite Intersection	121,300
• Penquite Road (Dapple - Norwood)	55,650
	<u>414,950</u>

3. To adjust the 2012/13 budget to reflect the net result of external funds not granted partially offset by some additional funds granted in the amount of \$62,800 unfavourable.

• Glen Dhu Road	4,000
• Bacala - Golconda Stage 5	88,200
• Charles Street Lower (Esplanade - Charles Bridge)	(125,000)
• Forster/Holbrook Intersection	(30,000)
Net Grant Reduction	<u>(62,800)</u>

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### REPORT:

The budget amendments are changes to budget estimates that require a Council decision even though most of the items result from a reclassification of projects between capital and operations.

The decision on whether an item of expenditure should be treated as capital (creating an asset) or expensed is quite complex. The final assessment is not always possible until the project is specific in detail. These transfers are necessary to correctly classify projects between operations and capital.

Senior Finance Department staff are currently preparing an Asset Capitalisation Framework that should assist in developing a better understanding of the criteria and a more consistent approach when the budget is being drafted.

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**18.2 2012/13 Budget Amendments...(Cont'd)**

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**ECONOMIC IMPACT:**

Not applicable to this report

**ENVIRONMENTAL IMPACT:**

Not applicable to this report

**SOCIAL IMPACT:**

Not applicable to this report

**STRATEGIC DOCUMENT REFERENCE:**

Not applicable to this report

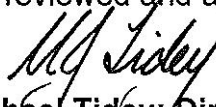
**BUDGET & FINANCIAL ASPECTS:**

The budget adjustment consideration of this item has been approved by the Director Corporate Services.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey, Director Corporate Services

**18.3 Rating Concession Subdivision Development****FILE NO:** SF0525**AUTHOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To consider a request for financial assistance with the rates resulting from a subdivision.

**PREVIOUS COUNCIL CONSIDERATION:**

Item 4.8 SPPC - 18 February 2013 - *It was resolved that the item go to the Council for a decision*

**RECOMMENDATION:**

1. That the Council pursuant to Section 125 of the Local Government Act 1993 provide financial assistance associated with a subdivision development by agreeing to postpone the payment of rates, charges, interest and penalty until:
  - a) the blocks are sold; or
  - b) to 30 June 2014whichever is earlier.
2. That the Council adopt the Property Debt (Subdivision Development) Deferral Policy (23-PI-011) as set out below.

**Property Debt (Subdivision Development) Deferral Policy (23-PI-011)****PURPOSE:**

To define the circumstances under which Council will remit small penalty and interest charges raised in respect to property debts for rates and charges on newly created properties as part of a subdivision development.

**SCOPE:**

Applies to property debts raised following the creation of a new subdivision.

Does not apply to the correction of calculation or processing errors.

**POLICY:****Objectives**

To provide policy parameters under which Council authorises the Director Corporate Services to remit penalty and interest charges.

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**18.3 Rating Concession Subdivision Development...(Cont'd)**

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**General**

Council imposes a penalty on unpaid instalments of rates and interest on outstanding debtor balances. These charges are raised at the start of each month after allowing posting and payment agency transfer times.

The rates and charges (including interest and penalty) that are incurred following a property subdivision development may be deferred for a maximum period of eighteen months or until each new block is sold.

***PRINCIPLES:***

The Director Corporate Services is not permitted to use this authorisation just for the reason that a ratepayer is unhappy with the charges that have been applied.

***RELATED POLICIES & PROCEDURES:***

N/A

***RELATED LEGISLATION:***

Local Government Act 1993, Section 125 (Postponement of Payment)

Local Government Act 1993, Section 129 (Remission of Rates)

***REFERENCES:***

N/A

***DEFINITIONS:******Subdivision Development***

The process of creating a number of new properties from an existing property.

***REVIEW:***

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

3. That the Council amend the Debt Collection - Rates and Charges Policy (23-PI-001) as set out below (changes underlined).
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**18.3 Rating Concession Subdivision Development...(Cont'd)**

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**Collection - Rates and Charges Policy (23-PI-001)*****PURPOSE:***

To set out the framework for the collection of outstanding debts for rates and charges.

***SCOPE:***

This policy applies to debt collection activities undertaken in regard to rates and charges.

This policy does not directly apply to debt collection activities undertaken in regard to other debtors.

***POLICY:***

That Council will attempt to minimise the amount of rates and charges debts that are in arrears through the application of the following processes.

1. Council applies a monthly interest charge on the overdue balance at a rate as determined annually by Council.
  2. Council applies a penalty charge on every unpaid instalment of rates and charges on the first instance of the instalment not being paid, at a rate as determined annually by Council.
  3. Council provides a period of grace of up to 15 days for payments received after the due date before applying the penalty and will allow for normal transaction delays before charging interest after each **instalment** due date.
  4. Council will not enter into long term deferred or postponed arrangements.
  5. Council will enter into payment arrangements only to the extent that the payments made will reduce the debt over a reasonable period of time after allowing for the addition of interest and penalty charges.
  6. Council will remit any penalty charges incurred where a ratepayer consistently meets the terms and conditions of a payment arrangement that results in the debt being paid in full by the end of the current financial year.
  7. Council will lodge outstanding debts with a debt collection agency where other steps have been unsuccessful.
  8. Council will initiate legal action to recover problem debts or where the amount is sufficiently large (greater than \$500).
-

**18.3 Rating Concession Subdivision Development...(Cont'd)**

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9. Council will review all properties eligible for sale under section 137 of the Local Government Act and determine whether to commence the sale process once the 3 year period has been completed.

***PRINCIPLES:***

The following principle applies specifically to the debt collection policy:

- Conduct activities in an ethical, honest and consistent manner free of conflicting interests.

***RELATED POLICIES & PROCEDURES:***

23-HLPr-001 Debt Management Procedure  
23-HLPr-006 Rate Collection Process Flowchart  
23-HLPr-007 Rate Recovery Legal Action Flowchart  
23-HLPr-008 Rate Recovery – Court Process Flowchart  
23-HLPr-009 Debt Recovery Overview Flowchart  
23-HLPr-010 Rate Recovery Sale Process Flowchart  
23-HLPr-015 Rate Penalty Percentage Setting Procedure

***RELATED LEGISLATION:***

Local Government Act 1993.

***REFERENCES:***

N/A.

***DEFINITIONS:***

N/A.

***REVIEW:***

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

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**REPORT:**

The following report has been prepared as a result of a request for assistance with rates and charges following a subdivision.

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## **18.3 Rating Concession Subdivision Development...(Cont'd)**

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### Subdivision Process

The development of a subdivision involves a number of steps.

- 1) Property acquisition
- 2) Concept development and design
- 3) Regulatory approval
- 4) Infrastructure construction
- 5) Title creation
- 6) Property sale

Often it is possible to stage the works such that new properties are being sold to assist in the funding of the subsequent infrastructure construction. This staged approach assists the developer to manage cash flow and minimise finance costs. The progressive creation of new titles also defers the levying of rates as supplementary rates aren't initiated until the title is created.

In circumstances where this staging or phased approach is not possible the earlier (additional) cost of rates and gap between title creation and property sale may be difficult for the developer to finance.

Issues for the Council to consider

- A developer makes a commercial decision, part of that process should be to factor in all the costs and project risks.
  - Does the Council have a responsibility to share those costs or risks?
- Is the distinction between a total development and a staged development significant?
- Where a lessor is unable to let a property (ie is not receiving rent) then the Council rates continue to apply.
  - Market forces should be allowed to effect the changes that need to be made so that the property can be let.

### Options Available

- 1) Decline the request for assistance.
  - 2) Agree to defer all costs (rates, interest and penalty) until
    - a) the blocks are sold; or
    - b) to say 30 June 2014.
  - 3) Agree to defer rates and remit interest and penalty until
    - a) the blocks are sold; or
    - b) to say 30 June 2014.
  - 4) Agree to remit some or all of the rates.
-



## **18.3 Rating Concession Subdivision Development...(Cont'd)**

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The second option is the preferred approach as it doesn't create significant issues with the approach taken in other developments. More importantly the recommended policy retains the application of basic rating principles (equity and consistency) such that it does not aid 'out of sequence' development. Instead it provides assistance with managing cash flows associated with the subdivision process.

### Reasons for the Approach

The Council is seeking to encourage and support economic development within the municipality and the region. This support should not go so far as to advantage one development over another or support developments which aren't commercially viable.

### Other Councils

Glenorchy, Northern Midlands, Burnie, Clarence and Meander Valley were all contacted to check their policies. The general approach is that no rebates or remissions are provided. One Council does occasionally hold interest and penalty but on a case by case basis, another delays raising the rates until the start of the next financial year.

To be equitable to all ratepayers the approach of allowing a short term deferral to assist with cash flow is most appropriate. To do otherwise would advantage a speculative commercial development to be advantaged over an individual who may also be struggling to balance the family budget.

### **ECONOMIC IMPACT:**

Sound development benefits the local economy

### **ENVIRONMENTAL IMPACT:**

Not applicable to this item

### **SOCIAL IMPACT:**

Not applicable to this item

### **STRATEGIC DOCUMENT REFERENCE:**

Priority Area 3: Social and Environment

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## 18.3 Rating Concession Subdivision Development...(Cont'd)

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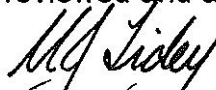
### **BUDGET & FINANCIAL ASPECTS:**

Costs of deferral option are small and within scope of current budgets.

### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey, Director Corporate Services

**19 GENERAL MANAGER****19.1 Launceston Flood Authority - Reappointment as Director****FILE NO:** SF4493**GENERAL MANAGER:** Robert Dobrzynski

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**DECISION STATEMENT:**

Consideration of the reappointment of a Director of the Launceston Flood Authority.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That pursuant to the provisions of Clause 12.1 of the Launceston Flood Authority Rules, the Council appoints Dr Owen Ingles of 28 Foreshore Road, Swan Point Tasmania as a Director of the Launceston Flood Authority for a term of 1 year, which will expire on 30 September 2013.

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**REPORT:**

The provision of the Launceston Flood Authority Rules deal under Part 3 with Directors of the Authority.

More particularly, Clause 12 deals specifically with the appointment of Directors. Clause 12.1 indicates:

*The Directors (individually or en bloc) shall be appointed and removed from office by or at the direction of Council.*

The term of office on Dr Owen Ingles as a Director of the Launceston Flood Authority for a term of four (4) years expired on the 30 September 2012.

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**19.1 Launceston Flood Authority - Reappointment as Director...(Cont'd)**

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The Launceston Flood Authority have now formally written to the Council seeking the reappointment of Dr Ingles for a further 12 month period which will expire on 30 September 2013.

The expertise and knowledge of the work undertaken by the Launceston Flood Authority shown by Dr Ingles has been invaluable over the past 4 year period. Dr Ingles is an acknowledged expert in matters relating to the Flood Authority's function.

The Council's endorsement of the recommendation from the Launceston Food Authority by the reappointment of Dr Ingles for a further term of 12 months is sought.

**ECONOMIC IMPACT:**

N/A

**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

N/A

**STRATEGIC DOCUMENT REFERENCE:**N/A

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19.1 Launceston Flood Authority - Reappointment as Director...(Cont'd)

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**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
**Robert Dobrzynski: General Manager**

**19.2 Launceston Flood Authority Quarterly Report**

**FILE NO:** SF4493

**GENERAL MANAGER:** Robert Dobrzynski

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**DECISION STATEMENT:**

To receive the Launceston Flood Authority Quarterly Report

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council formally receives the Launceston Flood Authority Quarterly Report for the period ending 31 December 2012.

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**REPORT:**

See attached quarterly report

**ECONOMIC IMPACT:**

Consideration contained in the report

**ENVIRONMENTAL IMPACT:**

Consideration contained in the report

**SOCIAL IMPACT:**

Consideration contained in the report

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**19.2 Launceston Flood Authority Quarterly Report...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

Priority Area 2: Built Environment  
Strategy 2.2 Facilitate enhanced flood protection for the Invermay and Inveresk Precinct


**BUDGET & FINANCIAL ASPECTS:**

Consideration contained in the report

**DISCLOSURE OF INTERESTS:**

The officer is a Director of the Launceston Flood Authority Board appointed by Council.

I certify that I have reviewed and approved this advice and recommendation.



**Robert Dobrzynski: General Manager**

**ATTACHMENTS:**

1. Launceston Flood Authority Quarterly Report (Distributed separately)
-

**20 URGENT BUSINESS**

Nil

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**21 WORKSHOP REPORT(S)**

**21.1 Workshop Report**

**FILE NO:** SF4401

**AUTHOR:** Michael Tidey (Director Corporate Services)

**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider a report on any Council workshop held since the last meeting in accordance with Section 8(2)(c) of the Local Government (Meeting Procedures) Regulations 2005.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That Council notes the workshops as outlined in the table below:

Date		Purpose
18 February 2013	Strategic Planning & Policy	<ul style="list-style-type: none"> <li>• Received deputation regarding Scottsdale Irrigation Scheme</li> <li>• Received information on                             <ul style="list-style-type: none"> <li>○ Strategic Planning Approach - River Improvement Proposals</li> <li>○ Intention to make Parking By-law</li> <li>○ Public Art Policy</li> <li>○ Graffiti Prevention and Reduction Policy</li> <li>○ Launceston Aquatic Centre</li> <li>○ QVMAG Strategic Plan 2012/13 - 2016/17</li> <li>○ Rating Concession Subdivision Development</li> <li>○ Council Support for Partnered Activities (Provision of facilities and equipment)</li> </ul> </li> </ul>

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## 21.1 Workshop Report...(Cont'd)

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### REPORT:

There is a legislative requirement to report to the community the date and purpose of any Council workshop held since the last Council meeting.

### ECONOMIC IMPACT:

There is no economic impact on the community.

### ENVIRONMENTAL IMPACT:

There is no environmental impact on the community.

### SOCIAL IMPACT:

There is no social impact on the community.

### STRATEGIC DOCUMENT REFERENCE:

Launceston City Council Strategic Plan 2008-2013 -  
*5.5 Implement enhanced community engagement*

### BUDGET & FINANCIAL ASPECTS:

N/A

### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey, Director Corporate Services

**22 INFORMATION / MATTERS REQUIRING FURTHER ACTION**

**22.1 Information / matters requiring further action**

**FILE NO:** SF3168

**AUTHOR:** Daniel Gray (Committee Clerk / Administration Officer)

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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.

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**ATTACHMENTS:**

1. Information / matters requiring further action - 25 February 2013
-

MATTERS ARISING FROM COUNCIL - REQUIRING FURTHER ACTION - AT 25 FEBRUARY 2013

Meeting Date, Item # & File No.	Outstanding Items & Action Requested	Officer Responsible & Officer Comment	Due Date
27 June 2011 Council 12.1 SF5547 / SF5445	<p><b>Notice of Motion - Rating System Analysis</b> That Council;</p> <ol style="list-style-type: none"> <li>1. Presents modelling undertaken on the implementation of a rating system based on Unimproved Capital Value (Land) and the impacts, positive and negative that this would have on ratepayers;</li> <li>2. Provides written advice on the advantages and disadvantages of the implementation of such a system and presents the advice to the public;</li> <li>3. That, more importantly, Council undertakes a major public review of the current rating system and determines, in consultation with the community, the fairest, most progressive and simplest rating system available in Australia; and</li> <li>4. Implements the system agreed upon, for the rating period beginning 2012-13</li> </ol>	<p>Michael Tidey</p> <p><b>Project will have a number of phases.</b></p> <p><b>First presentation occurred in December 2011.</b></p> <p><b>Further action deferred pending the State Government review.</b></p> <p><b>The preparatory work for the State Government report is currently being finalised with the report expected by the end of August.</b></p> <p><b>It is now expected that the analysis and modelling will be completed during October with a presentation in early November.</b></p> <p><b>State Government report was received on 19 October 2012 and listed for discussion at SPPC on 6 November 2012.</b></p> <p><b>Item listed for discussion at the SPPC meeting on 17 December 2012.</b></p> <p><b>Information will be presented as part of the budget consultation process.</b></p>	<p>April 2012 August 2012</p> <p>Nov 2012</p> <p>April 2013</p>
13 March 2012 Council 14.1 SF0841	<p><b>Duck Reach Redevelopment</b></p> <p><u>Resolution at Council Meeting 13/03/2012: additional point 4</u></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Consider the report outlining recent investigation into a redevelopment of the Duck Reach site.</li> <li>2. Endorse the investigation of third-party investment opportunities for the redevelopment of the Duck Reach Site.</li> <li>3. On finalisation of the</li> </ol>	<p>Rod Sweetnam</p> <p><b>Correspondence has been received from Hydro Tasmania indicating their agreement to enter into a MOU with Council. The MOU is being drafted in consultation with Hydro.</b></p> <p><b>The MOU will be presented to Council for consideration.</b></p> <p><b>Finalisation of the MOU will allow the business case analysis to proceed.</b></p> <p><b>The draft MoU has been sent to Hydro Tasmania for review and comment prior to report to Council.</b></p> <p><b>Awaiting formal response to the draft MoU as presented. This includes a binding agreement on water supply.</b></p>	<p>Nov 2012</p> <p>Dec 2012</p> <p>July 2013</p>

**MATTERS ARISING FROM COUNCIL - REQUIRING FURTHER ACTION - AT 25 FEBRUARY 2013**

Meeting Date, Item # & File No.	Outstanding Items & Action Requested	Officer Responsible & Officer Comment	Due Date
	<p>business case analysis outlined in the report, and identification of potential third party development opportunities, Council review the redevelopment options for the Duck Reach site based on a future report.</p> <p>4. Agree that further investigation by Council is predicated upon Hydro Tasmania formally committing to a minimum base flow of 2.5 cumecs which is the current voluntary release by Hydro Tasmania.</p>		

**23    ADVICE OF FUTURE NOTICES OF MOTION**

**24    REPORTS BY THE MAYOR**

**25    REPORTS BY THE GENERAL MANAGER**

**26    CLOSED COUNCIL ITEM(S)**

Nil

**27    MEETING CLOSURE**

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