



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 11 JULY 2016  
1.00pm**

# City of Launceston

COUNCIL AGENDA

Monday 11 July 2016

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

Date: 11 July 2016

Time: 1.00pm

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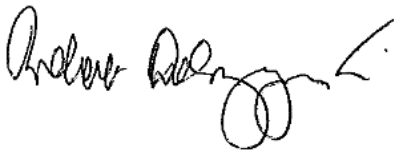
## Section 65 Certificate of Qualified Advice

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

**2 DECLARATIONS OF INTEREST**

*Local Government Act 1993 - Section 48*

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

**No Declarations of Interest were identified as part of this Agenda**

**3 CONFIRMATION OF MINUTES**

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

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 27 June 2016 be confirmed as a true and correct record.

**4 DEPUTATIONS**

**No Deputations have been identified as part of this Agenda**

**5 PETITIONS**

*Local Government Act 1993 - Sections 57 and 58*

**No Petitions have been identified as part of this Agenda**

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**6 COMMUNITY REPORTS**

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

**No Community Reports have been registered with Council as part of this Agenda**

**7 PUBLIC QUESTION TIME**

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

**7.1 Public Questions on Notice**

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

*(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)*

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**7.1.1 Public Questions on Notice - Mr Raymond Norman - 11 July 2016****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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**DECISION STATEMENT:**

The following questions were submitted to Council on 1 July 2016 by Mr Raymond Norman and have been answered by Mr Shane Eberhardt (Acting Director Infrastructure Services).

**Background:**

*(Officer Comment - Mr Shane Eberhardt)*

Repair work was required to the 300mm concrete stormwater main in Bald Hill Road. Due to high intensity rainfall early in 2016 and tree root intrusion, the stormwater main has been over capacity and not able to cope with the amount of water flow it experienced. This has resulted in the joints of each section of stormwater main blowing out, creating large voids around the pipe and damaging the footpath, kerb, manholes and road surface, leaving a number of sink holes.

To repair the damage to the stormwater infrastructure, three gum trees located over the stormwater pipe have been removed. Removal of the current damaged pipe will be required to allow for the installation of a larger stormwater pipe (375mm diameter) and new manholes to elevate the capacity issues and damage caused by this. Alternative options of directional drilling or lining the existing pipe have been considered but due to the voids around the pipe, it needs to be removed.

There is a significant safety issue with works required immediately to rectify the damage. If delay to the repair work were to occur, there is a high risk of major failure of the stormwater infrastructure, resulting in possible landslips and closure of this section of Bald Hill Road for months in order to undertake the repair. Bald Hill Road is in close proximity to the Trevallyn Primary School and is also a school bus route.

Answers to the specific questions raised by Mr Raymond Norman are shown below.

**Questions (typed as received):**

As a consequence of council management's action in order to facilitate the installation of a stormwater drain and in regard to the removal of three healthy trees that were **50 plus years old**, all of which had local significance, a number of questions arise.

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**7.1.1 Public Questions on Notice - Mr Raymond Norman - 11 July 2016 ...(Cont'd)**

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In regard to council's fundamental requirement of accountability and it's obligation to be accountable to its constituents for decisions made on their behalf:

1. Why did council management proceed with only the most superficial commitment to notifying constituents of management's intention to remove three trees from a cultural landscape? Indeed, in accord with responsible, participatory and inclusive governance why weren't the constituents in the immediately adjoining jurisdiction – *and who would suffer a loss of amenity along with Launcestonians* – given an opportunity to present their objections to council in the same way as Launceston Council constituents?

***Response:***

The works were considered urgent due to risk to public safety and advertised in the Examiner which is consistent with all Council works. Neighbours have been consulted as part of construction planning.

2. Given that Bald Hill Road exists at the very edge of the municipality, at the edge of a designated tourist route, within a scenic protection area and within a cultural landscape, why hasn't much more careful planning consideration been given to landscape protection in the carrying out of this project given the intended and absolutely anticipatable outcomes?

***Response:***

The area where the construction work is required to repair the stormwater pipe is not in the scenic protection area and landscaping has been considered as part of the project. Once the new pipe has been installed and the voids underground filled, the bank will be re-vegetated with more suitable plants/trees.

3. Given the anticipatable community concerns, and the reported budget of **\$160,000** for the project, why wasn't the project and its budget referred to the aldermen for their consideration and/or endorsement given the intended outcomes and anticipatable community concerns?

***Response:***

The project was prioritised over other projects within the stormwater program because the road and stormwater pipe had failed and if not repaired in a timely manner could have the potential to be catastrophic on surrounding infrastructure, private property and pedestrians. This area is in close proximity of the Trevallyn Primary School and Bald Hill Road is a school bus route. Aldermen were advised of the works.

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**7.1.1 Public Questions on Notice - Mr Raymond Norman - 11 July 2016 ...(Cont'd)**

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4. Given the reported significance of the project, and the range of sensitivities it confronts, why hasn't management placed a **Development Application** before the people who use and traverse the landscape in order to have the project considered at an open council meeting?

**Response:**

A Development Application was not required.

5. Given that trees that exist within urban landscapes – *cultural landscapes* – are routinely given a monetary value, what value/s has/have been attributed to these three trees? If in fact no dollar value has been attributed to these trees, why not? Furthermore, what was **the total cost of removing these trees** from this landscape and what percentage of the project budget does it represent?

**Response:**

The trees required removal as they sit above the stormwater pipe. The trees will be replaced with a more suitable variety as part of the bank re-establishment once the repair work has been completed.

6. Given the expectation that council needs to be representative of, and sensitive to, the needs of the entire community why hasn't a more diligent effort been made to fulfil this expectation in order to be consistent with council's planning provisions and policies in regard to the sensitive management of this cultural landscape; this area of implied scenic protection; and this significant urban precinct?

**Response:**

The works are not in the scenic protection area and are permitted under the Launceston Planning Scheme.

7. Can council demonstrate in any way that its actions relative to this project, and the decision making that has led to it, represents effective and efficient management, indeed best practice, in regard to appropriate 21st Century urban stormwater management given the current state of the Tamar estuary?

**Response:**

The works are to repair a stormwater pipe that has failed and if left without Council intervention would result in significant failure of Bald Hill Road and flooding of properties.

8. Upon what expert advice did council rely in the planning of this project and upon what evidence did council management, in concert with the aldermen, rely upon to ensure that the stormwater management proposal was the most effective; the most cost effective; and the most appropriate within council's budget constraints?
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**7.1.1 Public Questions on Notice - Mr Raymond Norman - 11 July 2016 ...(Cont'd)**

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***Response:***

The Council has appropriate stormwater and infrastructure management knowledge.

9. Given that the stormwater being managed originates almost entirely in the adjoining jurisdiction of West Tamar Council, why didn't the project managers engage with that council towards finding a shared and equitable solution; a cooperative/collaborative strategy; and more environmentally sensitive outcome in regard to this project?

***Response:***

The stormwater pipe that has failed is a City of Launceston asset, therefore is the responsibility of the City of Launceston to repair along with all other affected assets including the road surface, kerb and channel and the footpath.

10. Given council management's overt commitment to engage with its constituency and the wider community via '**social media**', why hasn't council employed this relatively inexpensive and cost effective communication technique in regard to this project given the benefits social media has to offer in regard to engaging with the community – *and especially so in regard to this project* – towards seeking an inclusive win-win outcome?

***Response:***

The Council has communicated this project consistent with other capital works and the work is not being undertaken for the sake of improving the aesthetic amenity of Bald Hill Road but to carry out emergency repair work to the underground infrastructure that has failed.

11. What does this project represent in regard to appropriate town planning, administrative transparency and accountable governance towards engendering consensus in both the project's immediate area and the wider community more generally?

***Response:***

The project is permitted under the Launceston Planning Scheme and was not a long term planned project. The work that is needed to be carried out is emergency repair work and if not undertaken exposes the community to significant risks.

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**ATTACHMENT:**

1. Questions on Notice - Mr Raymond Norman
-

Dear Robert,

As a consequence of council management's action in order to facilitate the installation of a stormwater drain and in regard to the removal of three healthy trees that were **50 plus years old**, all of which had local significance, a number of questions arise.

In regard to council's fundament requirement of accountability and it's obligation to be accountable to its constituents for decisions made on their behalf:

1. Why did council management proceed with only the most superficial commitment to notifying constituents of management's intention to remove three trees from a cultural landscape? Indeed, in accord with responsible, participatory and inclusive governance why weren't the constituents in the immediately adjoining jurisdiction – *and who would suffer a loss of amenity along with Launcestonians* – given an opportunity to present their objections to council in the same way as Launceston Council constituents?
  2. Given that Bald Hill Road exists at the very edge of the municipality, at the edge of a designated tourist route, within a scenic protection area and within a cultural landscape, why hasn't much more careful planning consideration been given to landscape protection in the carrying out of this project given the intended and absolutely anticipatable outcomes?
  3. Given the anticipatable community concerns, and the reported budget of **\$160,000** for the project, why wasn't the project and it's budget referred to the aldermen for their consideration and/or endorsement given the intended outcomes and anticipatable community concerns?
  4. Given the reported significance of the project, and the range of sensitivities it confronts, why hasn't management placed a **Development Application** before the people who use and traverse the landscape in order to have the project considered at an open council meeting?
  5. Given that trees that exist within urban landscapes – *cultural landscapes* – are routinely given a monetary value, what value/s has/have been attributed to these three trees? If in fact no dollar value has been attributed to these trees, why not? Furthermore, what was **the total cost of removing these trees** from this landscape and what percentage of the project budget does it represent?
  6. Given the expectation that council needs to be representative of, and sensitive to, the needs of the entire community why hasn't a more diligent effort been made to fulfill this expectation in order to be consistent with council's planning provisions and policies in regard to the sensitive management of this cultural landscape; this area of implied scenic protection; and this significant urban precinct?
  7. Can council demonstrate in any way that its actions relative to this project, and the decision making that has led to it, represents effective and efficient management, indeed best practice, in regard to appropriate 21st Century urban stormwater management given the current state of the Tamar estuary?
  8. Upon what expert advice did council rely in the planning of this project and upon what evidence did council management, in concert with the aldermen, rely upon to ensure that the stormwater management proposal was the most effective; the most cost effective; and the most appropriate within council's budget constraints?
  9. Given that the stormwater being managed originates almost entirely in the adjoining jurisdiction of West Tamar Council, why didn't the project managers engage with that council towards finding a shared and equitable solution; a cooperative/collaborative strategy; and more environmentally sensitive outcome in regard to this project?
  10. Given council management's overt commitment to engage with its constituency and the wider community via '*social media*', why hasn't council employed this relatively inexpensive and cost effective
-

communication technique in regard to this project given the benefits social media has to offer in regard to engaging with the community – *and especially so in regard to this project* – towards seeking an inclusive win-win outcome?

**11.** What does this project represent in regard to appropriate town planning, administrative transparency and accountable governance towards engendering consensus in both the project's immediate area and the wider community more generally?

While there are other questions that would flow from those above I look forward with interest to receiving council's responses to the questions presented here.

Regards,

Ray

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**7.2 Public Questions without Notice**

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

*(Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)*

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Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

## **8 PLANNING AUTHORITY**

### **8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

**FILE NO:** DA0196/2016

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

**DIRECTOR:** Leanne Hurst (Director Development Services)

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#### **DECISION STATEMENT:**

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

#### **PLANNING APPLICATION INFORMATION:**

Applicant:	Honed Architecture & Design
Property:	63A Tamar Street, Launceston
Zoning:	Urban Mixed Use
Receipt Date:	11/05/2016
Validity Date:	11/05/2016
Further Information Request:	14/05/2016
Further Information Received:	23/05/2016
Deemed Approval:	11/07/2016
Representations:	4

#### **RECOMMENDATION:**

That Council in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted by Council, for Residential - multiple dwellings; construction of three additional dwellings and alterations to existing dwellings at 63A Tamar Street, Launceston subject to the following conditions:

##### **1. ENDORSED PLANS & DOCUMENTS**

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Council unless modified by a condition of the Permit:

- a. Existing Land Survey Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-02, Rev A, Scale NTS @ A3, Dated April 2016.
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**8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

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- b. Existing Site Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-03, Rev A, Scale 1:200 @ A3, Dated April 2016.
- c. Existing Level 1 Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-04, Rev A, Scale 1:100 @ A3, Dated April 2016.
- d. Existing Level 2 Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-05, Rev A, Scale 1:100 @ A3, Dated April 2016.
- e. Existing Elevations, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-07, Rev A, Scale 1:100 @ A3, Dated April 2016.
- f. Existing Elevations, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-08, Rev A, Scale 1:100 @ A3, Dated April 2016.
- g. Proposed Site Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-09, Rev A, Scale 1:200 @ A3, Dated April 2016.
- h. Proposed Level 1 Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-10, Rev A, Scale 1:100 @ A3, Dated April 2016.
- i. Proposed Level 2 Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-11, Rev A, Scale 1:100 @ A3, Dated April 2016.
- j. Proposed Level 3 Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-12, Rev A, Scale 1:100 @ A3, Dated April 2016.
- k. Proposed Elevations, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-14, Rev A, Scale 1:100 @ A3, Dated April 2016.
- l. Proposed Elevations, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-15, Rev A, Scale 1:100 @ A3, Dated April 2016.
- m. Proposed Landscape Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-15, Rev A, Scale 1:100 @ A3, Dated April 2016.
- n. Common Property Plan, Prepared by Honed Architecture + Design, Project number 1532, Drawing No. A-DA-20, Rev A, Scale 1:200 @ A3, Dated April 2016.

**2. CAR PARKING**

Prior to the commencement of the use, areas set aside for parking vehicles and access lanes must be constructed as shown on the endorsed plans.

**3. LEGAL TITLE**

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

**4. USE LIMITATION**

This permit allows the use of the multiple dwellings as defined in the Launceston Interim Planning Scheme 2015. Any change in use is subject to further application to council in accordance with the scheme effective at that time.

**5. HOURS OF CONSTRUCTION**

Construction works must only be carried out between the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 5.00pm Saturday and no works on Sunday or Public Holidays.

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**8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

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**6. EXTERNAL FINISHES**

All external materials, finishes and colours must be in accordance with the endorsed Schedule of Materials/Colours.

**7. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2016/00638-LCC) (attached).

**8. SITE LANDSCAPING**

The landscaping must be:

- a. Installed in accordance with the endorsed plan; and
- b. Completed prior to the use commencing / issue of any strata title; and
- c. Maintained and not removed, destroyed or lopped without the written consent of the Manager Planning Services.

**9. FENCING**

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (i.e. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of at least:

- a. 1.2m within 4.5m of the frontage; and
- b. 1.8m elsewhere when measured from the highest finished level on either side of the common boundaries.

**10. MULTIPLE DWELLINGS - SERVICE FACILITIES**

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. Each multiple dwelling must be provided with a minimum 6m exterior waterproof, lockable storage area or similar easily accessible area within the building.
- c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Manager Planning.

**11. DRIVEWAY CONSTRUCTION**

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must;

- a. Be properly constructed to such levels that they can be used in accordance with the plans,
  - b. Be surfaced with an impervious all weather seal,
  - c. Be adequately drained to prevent stormwater being discharged to neighbouring property,
  - d. Be line-marked or otherwise delineated to indicate each car space and access lanes,
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**8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

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Parking areas and access lanes must be kept available for these purposes at all times.

**12. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

**13. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

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

The explicit permission of Council's Roads & Hydraulics Department is required prior to undertaking works where the works:

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

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

**14. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

**15. AMENITY**

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

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**8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

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*Notes***A. Building Permit Required**

*Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

**B. Occupancy Permit Required**

*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2000. Section 93. A copy of this planning permit should be given to your Building Surveyor.*

**C. Plumbing Permit Required**

*Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

**D. General**

*This permit was issued based on the proposal documents submitted for DA0196/2016. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.*

*This permit takes effect after:*

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or*
- c. Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. Any other required approvals under this or any other Act are granted.*

*This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.*

**E. Restrictive Covenants**

*The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is effected, restricted or prohibited by any such covenant.*

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**8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

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*If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.*

**F. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.*

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

*For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au) <<http://www.rmpat.tas.gov.au>>*

**G. Permit Commencement**

*If an applicant is the only person with a right of appeal pursuant to Section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.*

**H. Street addresses for Multiple Dwellings**

*Residential addressing is undertaken in accordance with Australian Standard AS4819. The development has been assessed according to the standard and the following addresses allocated:*

<i>Dwelling No</i>	<i>Street Address</i>
<i>Apartment 1</i>	<i>1/63A Tamar Street</i>
<i>Apartment 2</i>	<i>2/63A Tamar Street</i>
<i>Apartment 3</i>	<i>3/63A Tamar Street</i>
<i>Apartment 4</i>	<i>4/63A Tamar Street</i>
<i>Apartment 5</i>	<i>5/63A Tamar Street</i>
<i>Apartment 6</i>	<i>6/63A Tamar Street</i>

*The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.*

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## **8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

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### **REPORT:**

#### **1. THE PROPOSAL**

The applicant is seeking planning approval for the addition of a third storey on an existing two storey residential development to enable the addition of three, single bedroom dwellings. The existing multiple dwellings (three) will be internally renovated so that all six multiple dwellings are of the same internal design. Details of the proposed works can be summarised as follows:

- Removal of existing stairs providing access to the second storey, located on the northern, eastern and western facades;
- Construction of external stairwells on both the eastern and western elevations providing access from the ground level up to both level two and three apartments;
- Construction of external, covered walkways along the southern elevations of level two and three to provide access from the stairwells to the middle apartments on each level;
- Construction of a third storey containing three, single bedroom multiple dwellings, with balconies on the northern elevation and entry via the southern elevation;
- Construction of a new roof which falls to the south;
- Renovation of existing level two multiple dwellings such that the layout is consistent with the new level three dwellings. New balconies will be constructed on the northern elevation of these multiple dwellings;
- Installation of glazed sliding doors to provide access to the balconies from each dwelling on level two and three;
- Construction of three new car parking spaces in the north-eastern corner of the lot. The ground floor car garages will remain;
- Installation of landscaping around the perimeter of the lot;
- Construction of a rubbish bin storage area directly to the south of the new car parking spaces;
- Installation of new letterboxes at the Tamar Street frontage.

Each of the six multiple dwellings will have one bedroom, bathroom and open plan kitchen/living and dining.

The development includes the provision of a passing bay in the driveway adjacent the entrance and three car parking spaces in the rear north eastern corner of the lot.

#### **2. LOCATION AND NEIGHBOURHOOD CHARACTER**

##### Site Description

The site is located on the eastern side of Tamar Street, between Brisbane and York Streets, five minute walk from the CBD and therefore within easy access of the services offered by

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## **8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

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the central city. It is a battle-axe, internal allotment with an irregular shape and an overall area of 693m<sup>2</sup>. There are not any uses in the area that may cause environmental harm to the residential properties

Existing access to the site is via a bitumen internal driveway accessed off Tamar Street. The access is burdened by a right of way for use by the property at 63 Tamar Street.

### Surrounds

The neighbouring lot to the north contains the Launceston Club, with the adjacent lot to the south-west containing a brick construction building possibly originally a residence but long since an architects' office. The property to the rear (east) also contains office premises. The property to the south is development with a multi storey motel. The surrounding area could be characterised as mixed use as reflected in the zoning.

### Slope

The site falls to the north with an approximate slope of 12.5%. The site is not considered to be within a landslip area

### Vegetation

The site has established vegetation around its perimeter.

### Buildings

The site is currently developed with a two storey multi-dwelling development containing, three single bedroom dwellings on the upper floor with associated garages on the lower floor.

The existing building has a footprint of 154m<sup>2</sup> and is setback 1.8m from the southern boundary, 7.4m to the northern boundary, 3.87m to the eastern boundary and 2.91m to the western boundary with 65 Tamar Street.

### Site Services

The street is sealed and drained to Council standard.

The site is connected to all reticulated services.

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**8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

**3. PLANNING SCHEME REQUIREMENTS**

**3.1 Zone Purpose**

15.0 Urban Mixed Use Zone

15.1.1 Zone Purpose Statements

15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.

15.1.1.2 To provide for a diverse range of urban uses and increased intensity of development including residential densities that support the role of activity centres.

15.1.1.3 To encourage residential, visitor accommodation and tourist operation uses as a means of increasing activity outside normal business hours.

15.1.1.4 To create:

- (a) activity at pedestrian levels, with active road frontages offering interest and engagement to shoppers; and
- (b) appropriate provision for car parking, pedestrian access and traffic circulation.

**Consistent**

The proposed use and development is consistent with the purpose of the zone in that it:

- Provides for an increase in residential density on a site that is already developed for residential purposes and is within close proximity to the Central Business District.
- Provides adequate car parking for residents given the proximity to the Central Business District.

15.4 Development Standards

15.4.1 Building height, setback and siting

**Objective:**

To ensure that building bulk and form, and siting:

- (a) is compatible with the streetscape and character of the surrounding area;
- (b) protects the amenity of adjoining lots; and
- (c) promotes and maintains high levels of public interaction and amenity.

A1 Building height must be no greater than:

- (a) 12m; or
- (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.

**Complies**

The building will range in height of 6.8m to 8.7m and is therefore compliant.

A3 Setback from a side boundary:

- (a) must be built to the side boundaries at ground level; or
- (b) be setback a distance that is not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.

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**Complies**

The proposed works will marginally decrease the existing side boundary setbacks as follows:

- Southern side from 1.84m to 0.4m;
- Western side from 1.9m to 0.4m;
- Northern side from 7.4m to 6.1m.

The works therefore bring the building into greater conformity with the setback standard. The side boundary setback for 65 Tamar Street ranges from zero to approximately 2.02m. The side boundary setback for 61-63 Tamar Street ranges from zero to approximately 9m. It is evident that the proposed minor reduction in side boundary setback is consistent with the range of side boundary setbacks on adjacent properties.

15.4.2 Location of car parking

**Objective:**

To ensure that car parking:

- (a) does not detract from the streetscape; and
- (b) provides for vehicle and pedestrian safety.

**Consistent**

The proposed development adequately provides for car parking for the proposed development.

A1 Car parking must be located:

- (a) within the building structure; or
- (b) behind the building.

**Relies on Performance Criteria**

The car parks for the proposed dwellings 1-3 are located to the rear of the building but not behind it and the car parks for dwellings 4-6 are within the building structure. Therefore, discretion is sought in relation to car parks 1-3.

P1 Car parking must be located to minimise its visibility from a road, mall, laneway or arcade, having regard to:

- (a) the existing streetscape;
- (b) the location of the car parking;
- (c) vehicle and pedestrian traffic safety;
- (d) measures to screen parking; and
- (e) any landscaping proposed.

**Complies**

The location of car parks for apartments 1-3 is considered acceptable taking into account the matters to be considered under the Performance Criteria as follows:

- (a) (b) The extent of landscaping proposed, the length of the access driveway and the angle of the driveway means that the car parking will not be visible from Tamar Street and will not have an impact on the streetscape.



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- (c) The location of the car parks will not impede vehicle or pedestrian safety. The plans submitted have demonstrated that vehicles can exit the site in a forward direction.
- (d) The landscaping proposed around the perimeter will screen the car parking from adjoining sites. As stated in response to (a) (b), the car parking will not be highly visible from the street.

15.4.3 Active ground floors

**Objective:**  
To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.

A3 The building must:

- (a) provide a direct access for pedestrians from the road or publicly accessible areas; and
- (b) be orientated to face a road, mall, laneway or arcade, except where the development is not visible from these locations.

**Complies**

The building is not visible from publicly accessible areas.

15.4.4 Pedestrian access to dwellings

**Objective:**  
To ensure pedestrian access to residential development is safe and convenient.

**Consistent**

Access for pedestrians is considered to be satisfactory for the subject development.

A1.1 New dwellings or residential developments must be provided with a pedestrian access independent of the access to any ground floor use in the building, or tenancies on the same site or within the same building; and

A1.2 Pedestrian access directly onto a road frontage must be no wider than 4m.

**Complies**

The building will be provided with pedestrian access to levels two and three via external stairways not connected to the ground floor garage.

A1.2 is not applicable.

15.4.5 Daylight to windows

**Objective:**  
To allow adequate daylight into habitable room windows.

**Consistent**

The proposed development has a northern orientation to ensure ample daylight of dwellings.

A1 Where the minimum distance between:

- (a) a new window in a habitable room and an existing building; or
- (b) a new building constructed directly opposite an existing habitable room window, is less than 3m, a light court with an area of no less than 3m<sup>2</sup> and dimension of no less than 1m clear to the sky must be provided.

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**Complies**

There is only the subject building on the site. The building is 8.7m from the northern boundary and 1.8m from the rear boundary where the building adjoins a driveway.

15.4.6 Private open space

**Objective:**

To provide adequate and useable private open space for the needs of residents.

**Consistent**

A suitable area of open space will be provided for each dwelling.

A1 Dwellings must have an area of private open space with direct access from a habitable room other than a bedroom, comprising:

- (a) on the ground floor, 24m<sup>2</sup> with a horizontal dimension of no less than 3m; or
- (b) wholly above ground floor, 8m<sup>2</sup> with a minimum horizontal dimension of 2m; or
- (c) a roof-top area, 10m<sup>2</sup> with a minimum horizontal dimension of 2m.

**Relies on Performance Criteria**

Each of the six dwellings (all upper level) will be provided with a 7m<sup>2</sup> north facing balcony with a minimum horizontal dimension of 1.2m, located directly off the living area. The private open space therefore does not meet the requirements of (b) and must be assessed against the performance criteria.

P1 Dwellings must be provided with sufficient private open space to meet the reasonable needs of the residents having regard to:

- (a) the size and useability of the private open spaces;
- (b) the accessibility of the private open space;
- (c) the availability of common open space;
- (d) the availability of and access to public open space;
- (e) the orientation of the lot to the road; and
- (f) the ability of the private open space to receive adequate solar access.

**Complies**

The proposed private open space is considered acceptable having regard to the matters to be considered under the Performance Criteria as follows:

- (a) the depth of the balconies, whilst non-conforming will still enable a chair to be located on the balcony. The addition of 0.8m in depth which would make it compliant with the standard would not necessarily make the balcony more useable as it would not be large enough for a table to be located on it. Given the apartments are single bedroom, it is considered the size of the private open space reflects the demand that will be placed upon it.
- (b) The private open space is very accessible from the living area, being located directly off it and in full view/access via glass sliding doors.
- (c) There are no usable common areas for the purposes of private open space.

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(d) The site is located within easy walking distance (105m) of City Park to the north and the Aquatic Centre facilities and grounds to the south (120m). Its inner city location and accessibility to public open space areas, coupled with the fact that the apartments area single bedroom, means that it is likely that residents will utilise the facilities within the surrounds for recreational needs.

(e) The location of the building with respect to the road means the private open space is not visible from the road.

(f) The private open space is north facing and afforded excellent solar access.

A2 Private open space must receive a minimum of four hours of direct sunlight on 21 June to 50% of the designated private open space area.

**Complies**

Complies. The private open space is north facing and separated from buildings to the north by a minimum distance of 10m, coupled with the fact it is elevated from the buildings to the north.

15.4.7 Overshadowing private open space

Objective:

To ensure new buildings do not unreasonably overshadow existing private open space.

**Consistent**

The proposed development will not cause overshadowing of adjoining open space areas or buildings.

A1.1 Where new buildings reduce sunlight to the private open space of an existing dwelling, at least 75% of the private open space must receive no less than four hours of sunlight on 21 June; and

A1.2 Where less than 75% of the existing private open space receives four hours of sunlight on 21 June, new buildings must not further reduce the amount of sunlight.

**Complies**

The provision only applies to the additional level of the building. None of the immediately adjoining lots are used for residential purposes therefore compliance is achieved.

15.4.8 Storage

Objective:

To provide adequate storage facilities for each dwelling.

**Consistent**

Each dwelling can be provided with storage facilities.

A1 Each dwelling must have access to 6m<sup>3</sup> of dedicated, secure storage space not located between the primary frontage and the facade of a dwelling.

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**Complies**

The application includes a plan that indicates that storage areas meeting the requirements of A1 will be located within the garages on level 1. It is proposed that the occupiers of apartments 4-6 would have access to a storage area within one of the garages which are allocated to apartments 1-3.

15.4.9 Common property

**Objective:**

To ensure that common areas are easily identified.

A1 Site drawings must clearly delineate private and common areas, including:

- (a) driveways;
- (b) parking spaces, including visitor parking spaces;
- (c) landscaping and gardens;
- (d) mailboxes; and
- (e) storage for waste and recycling bins.

**Complies**

The site plan indicates each of the elements required except for visitor parking, the provision of which is addressed under the Car Parking and Access Code. Bin storage area is provided to the rear of the building and letterboxes at the Tamar Street frontage.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of parking facilities are provided to service use and development;
- (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
- (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;
- (d) ensure that parking does not adversely impact on the amenity of a locality;
- (e) ensure that parking spaces and accesses meet appropriate standards; and
- (f) provide for the implementation of parking precinct plans.

**Consistent**

Whilst no visitor parking spaces are provided, the inner city location coupled with the fact that the dwellings are single bedroom, means that parking demand may vary and can be satisfied via on-street spaces for visitors. Access to the car parking spaces and garage is considered to be safe and whilst exit from the car parking spaces requires many turns, it can be achieved in a forward direction.

**E6.5 Use Standards**

E6.5.1 Car parking numbers

**Objective:**

To ensure that an appropriate level of car parking is provided to meet the needs of the use.

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<p><b>Consistent</b> The proposed development provides a suitable level of car parking.</p>
<p>A1 The number of car parking spaces must:</p> <ul style="list-style-type: none"> <li>(a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or</li> <li>(b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</li> <li>(c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or</li> <li>(d) be in accordance with an acceptable solution contained within a parking precinct plan.</li> </ul>
<p><b>Relies on Performance Criteria</b> Table E6.1 requires one space per bedroom and one visitor space for every five dwellings. The proposed dwellings will be provided with six car parking spaces, meaning it will not be afforded the single visitor space required. A1(a) allows car parking provision to be at 90% of the requirements of Table E6.1, which means that 6.3 spaces are required, which if rounded up still equates to seven spaces.</p>
<p>P1.1 The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the availability of off-road public car parking spaces within reasonable walking distance;</li> <li>(b) the ability of multiple users to share spaces because of:             <ul style="list-style-type: none"> <li>(i) variations in car parking demand over time; or</li> <li>(ii) efficiencies gained by consolidation of car parking spaces;</li> </ul> </li> <li>(c) the availability and frequency of public transport within reasonable walking distance of the site;</li> <li>(d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</li> <li>(e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</li> <li>(f) an assessment of the actual car parking demand determined in light of the nature of the use and development;</li> <li>(g) the effect on streetscape; and</li> <li>(h) the recommendations of any traffic impact assessment prepared for the proposal; or</li> </ul> <p>P1.2 The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the intensity of the use and car parking required;</li> <li>(b) the size of the dwelling and the number of bedrooms; and</li> <li>(c) the pattern of parking in the locality; or</li> </ul> <p>P1.3 The number of car parking spaces complies with any relevant parking precinct plan.</p>

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**Complies**

P1.1 is not applicable.

Taking account the matters to be considered under P1.2, the proposed car parking arrangements are considered appropriate to meet the reasonable needs of the use as follows:

- The lack of a visitor car park is considered to be acceptable given the availability of metered on-street car parking.
- Each of the apartments has a single bedroom so the provision of one car parking space is commensurate with their size. The small size of each apartment (50m<sup>2</sup>) means that it is unlikely that occupiers of them would regularly entertain large numbers of people and therefore generate large demand for residential spaces. The location of the site within easy walking distance of the CBD and its cafes means that it is likely that residents would socialise at venues outside of their apartments.

**E6.6 Development Standards**

**E6.6.1 Construction of parking areas**

Objective:

To ensure that parking areas are constructed to an appropriate standard.

**Consistent**

Car parking and access will be appropriately developed in conjunction with the development of the dwellings.

A1 All parking, access ways, manoeuvring and circulation spaces must:

- (a) have a gradient of 10% or less;
- (b) be formed and paved;
- (c) be drained to the public stormwater system, or contain stormwater on the site;
- (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and
- (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.

**Complies**

In this instance, the proposed driveway including all parking, access ways, manoeuvring and circulation spaces will:

- have a gradient of equal to or less than 10%;
- be formed and paved with an impervious all weather seal; and
- will be clearly delineated.
- Therefore the acceptable solution has been met.

**E6.6.2 Design and layout of parking areas**

Objective:

To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.

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**Consistent**

The proposed development has been assessed by an engineer on behalf of the applicant as compliant.

A1.1 Car parking, access ways, manoeuvring and circulation spaces must:

- (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;
- (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;
- (c) have parking space dimensions in accordance with the requirements in Table E6.3;
- (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and
- (e) have a vertical clearance of not less than 2.1m above the parking surface level.

A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.

A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.

A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.

**Complies**

The plans submitted with application demonstrate that vehicles can enter and exit the site in a forward direction (albeit requiring several turns to achieve it for some of the car parking spaces).

Table E6.2 requires a minimum width of 4.5m for the first 7m from the road carriageway and 3m thereafter. The internal driveway has a width of 5.2m for the first 5.1m and 3.2m thereafter, therefore complying with the requirements of (b).

The car parks for the garage are at 90 degrees to the circulation space and therefore require a car park width of 2.6m and length of 5.4m. The garages are 5m by 8.2m therefore in compliance. The required combined access and manoeuvring width has a minimum of 7.4m, therefore in compliance with the requirements of Table E6.3 in that regard.

The car parks for apartments 4-6 located directly off the circulation space and not covered by a location described in Table E6.3. Their dimensions are 5.2m by 2.2m and the combined access and manoeuvring width is 8.6m.

The required vertical clearance is achieved for all car parks.

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**4. REFERRALS**

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Roads and Hydraulics	Conditional consent provided. Conditions recommended.
Environmental Health	Conditional consent provided. Conditions recommended.
Parks and Recreation	N/A
Heritage/Urban Design	N/A
Building and Plumbing	N/A
<b>EXTERNAL</b>	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 201/00638-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

**5. REPRESENTATIONS**

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 25 May to 7 June 2016. Four representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

The accessibility issue listed is a matter for consideration under the Building Act rather than planning controls. This was raised directly with the applicant. The professional advice of the applicant is that the proposal can comply.

ISSUE	COMMENTS
The survey lodged with the DA cannot be relied on to identify boundaries. These should be checked.	The applicant has had the boundaries verified.



**8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

<b>ISSUE</b>	<b>COMMENTS</b>
The development will look directly into the back of the Launceston Club and impact on the privacy of members and guests.	Given the following points;- the extension is the third elevation of the building;- there is a differences in elevation between properties;- the minimal setback of 8.5m of the development from the common boundary; and;- the view from the new dwellings being over the roof of the neighbouring property; it is unlikely that the residents will overlook into the adjoining property.
Concerns that rights of way access will be encumbered.	The proposal includes a pull over bay at the entrance to the site to reduce any conflict of traffic flow over the right of way.
Car parking not believed to be adequate.	A variation of one car space is sought. Given that the site is on the opposite side of the street to which the car parking exemption area applies, existence of metered car spaces in the street and the proximity of the site to the services the city offers this is not considered to present any significant issues for the area.
The development does not provide an accessible sole occupancy unit as required by the BCA.	Planning requirements do not require accessibility consideration. The development in a Class 2 building under the BCA and does require that the common areas be accessible. The applicant has been contacted as to a solution for this matter.
Concerns of how common areas will be managed particularly if use alters to short term accommodation.	While such areas are identified their use is not a planning matter. This application is for long term residency. A further application would be necessary to change the use.
Vehicular access during construction.	The development both during and after construction must be contained within the title boundaries. Often inner city developments require buildings to have extended use of metered spaces which is possible.

**8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

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**6. CONCLUSION**

Subject to the recommended conditions, it is considered that the proposal complies with the Scheme and it is appropriate to recommend for approval.

**ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

**ENVIRONMENTAL IMPACT:**

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

**SOCIAL IMPACT:**

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

**STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2015.

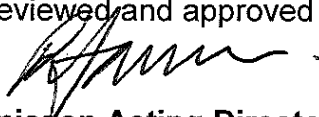
**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this item.

**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 Jamieson Acting Director Development Services**

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**8.1 63A Tamar Street, Launceston - Residential Multiple Dwellings; Construction of Three Additional Dwellings and Alteration to the Existing Dwellings**

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**ATTACHMENTS:**

1. Locality Map (distributed electronically)
  2. Plans to be endorsed (distributed electronically)
  3. Representations (distributed electronically)
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**9 ANNOUNCEMENTS BY THE MAYOR****9.1 Mayor's Announcements****FILE NO:** SF2375

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**Monday 27 June 2016**

- Attended the Rotary Club of Tasmania Changeover Dinner at the Boathouse on Northbank

**Tuesday 28 June 2016**

- Meet and greet Brazilian Exchange Students from Launceston and Newstead Colleges at the Town Hall

**Wednesday 29 June 2016**

- Attended the Launch of Crime Stoppers - "Dob in a Dealer" at the Town Hall
- Officiated at the Choir of Hopes performance as part of the Festival of Voices in the Quadrant Mall
- Officiated at the City of Launceston's Employee Recognition Event at the Town Hall
- Attended the 21<sup>st</sup> subscription season presentation at the Princess Theatre

**Thursday 30 June 2016**

- Attended Deborah Conway performance as part of Festival of Voices at the Launceston Synagogue
- Officiated and attended at the Launceston Musical Society's production of Dusty at the Country Club Casino

**Friday 1 July 2016**

- Officiated at a Public Citizenship Ceremony at the Albert Hall
- Officiated at Winterlight - as part of the launch of Festival of Voices in the City Park

**Sunday 3 July**

- Officiated with the Deputy Lord Mayor of Hobart at the unveiling of a special plaque commemorating the departure of the first 1,000 Tasmanian volunteers for WWI at the Cenotaph in Hobart

**Monday 4 July 2016**

- Officiated at the NAIDOC Flag Raising Ceremony in the Brisbane Street Mall
-

**9.1 Mayor's Announcements ...(Cont'd)**

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**DEPUTY MAYOR ALDERMEN ROB SOWARD PERFORMING ROLE OF ACTING  
MAYOR - 5 July 2016 - 20 July 2016 inclusive**

**Thursday 7 July 2016**

- Officiate at the Seniors Morning Tea at the Town Hall
-

**10 ALDERMEN'S REPORTS**

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

**11 QUESTIONS BY ALDERMEN**

**11.1 Questions on Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 30*

*(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)*

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## 11.1.1 Aldermen's Question on Notice - Council Meeting - 27 June 2016

**FILE NO:** SF2375

**AUTHOR:** Anthea Rooney (Committee Clerk)

**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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### **QUESTION and RESPONSE:**

Deputy Mayor Alderman R I Soward asked the following question:

1. *Are there changes envisaged to collection of rubbish within the CBD and what is the time-frame for these intended changes?*

**Response:**

*(Mr Shane Eberhardt - Acting Director Infrastructure Services)*

CBD businesses have historically preferred garbage bags as they offer greater storage flexibility. Garbage bags present workplace health and safety issues for manual handling and sharps injuries for the collection contractor plus garbage bags can be damaged prior to collection resulting in litter issues. In 2016/2017, the Infrastructure Services Department will commence development of a new waste strategy in which kerbside services to the CBD will be considered.

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**11.2 Questions without Notice**

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

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

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**12 COMMITTEE REPORTS****12.1 Heritage Advisory Committee Meeting - 23 June 2016****FILE NO:** SF2965**DIRECTOR:** Richard Jamieson (Acting Director Development Services)

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**DECISION STATEMENT:**

To receive and consider a report from the Heritage Advisory Committee Meeting held on 23 June 2016.

**RECOMMENDATION:**

That Council receives the report from the Heritage Advisory Committee Meeting held on 23 June 2016.

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**REPORT:**

The Heritage Advisory Committee met on Thursday, 23 June 2016.

At its Meeting the Committee noted the following items:

- Heritage List Review - an update was provided on the progress of the Review.

The following items were discussed:

**Proposed Development in City Park**

The City of Launceston's Parks Planner and City Arborist attended the meeting and gave a presentation to the Committee on proposed future works in City Park.

**Launceston's City Heart Project**

The Project Manager Design and Investigation Major Projects, and Project Officer Urban Design, provided an update on the progress of the Launceston City Heart Heritage Trail Pilot, and the Interpretation Strategy.

**Launceston Heritage Awards 2016, Heritage Snap!**

Committee members agreed the Awards had been very successful, and congratulated all winners and participants, in particular the young people who submitted outstanding entries for Heritage Snap! Preliminary planning for the 2017 Awards was also discussed.

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## 12.1 Heritage Advisory Committee Meeting - 23 June 2016 ...(Cont'd)

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### **ECONOMIC IMPACT:**

Not considered relevant to this report.

### **ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

### **SOCIAL IMPACT:**

Not considered relevant to this report.

### **STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation  
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders  
Key Direction -  
1. To develop and consistently use community engagement processes.

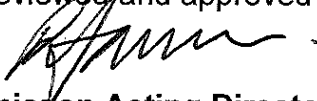
### **BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this 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.



**Richard Jamieson Acting Director Development Services**

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**12.2 Tender Review Committee Meeting - 20 June 2016****FILE NO:** SF0100**AUTHOR:** Raj Pakiarajah (Projects Manager)**DIRECTOR:** Shane Eberhardt (Acting 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 Council receive the report from the Tender Review Committee Meeting held on 20 June 2016.

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**REPORT:**

The Tender Review Committee Meeting held on 20 June 2016 determined the following:

**City of Launceston - Natural Gas Supply - CD.013/2016**

The Tender Review Committee accepted the tender submitted by Aurora Energy for the supply of Natural Gas to the sites below for a period of 1½ years from 1 July 2016 to 31 December 2017, at the schedule of rates provided by Aurora Energy.

The sites are:

Launceston Aquatic (Site 1)	High Street, East Launceston
Carr Villa (Site 2)	36 Nunamina Street, Kings Meadows
QV Art Gallery (Site 3)	2A Wellington Street, Launceston
QV Museum (Site 4)	6A Invermay Road, Inveresk

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

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## 12.2 Tender Review Committee Meeting - 20 June 2016 ...(Cont'd)

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### **SOCIAL IMPACT:**

Not considered relevant to this report.

### **STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To ensure decisions are made in a transparent and accountable way and to continue to ensure the long-term sustainability of our Organisation

Key Directions -

1. To develop and consistently use community engagement processes
2. To lead the implementation of the Greater Launceston Plan by collaborating on relevant initiatives

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

These projects are funded in accordance with the approved 2015/2016 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.



**Shane Eberhardt: Acting Director Infrastructure Services**

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## 13 COUNCIL WORKSHOPS

Council Workshops conducted on 4 July 2016 were:

- ALGA Joint Infrastructure Statement
- General Rates - Independent Living Units (Retirement Homes)
- Fire Service Rates - Retirement Homes
- Scenic Management Code - Launceston Interim Planning Scheme
- LGAT General and Annual General Meetings

## 14 NOTICES OF MOTION

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 16(5)*

**No Notices of Motion have been identified as part of this Agenda**

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**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**

**15.1 Community Grants (Round 1) 2016/2017**

**FILE NO:** SF6438

**AUTHOR:** Eve Gibbons (Grants and Sponsorship Officer)

**DIRECTOR:** Richard Jamieson (Acting Director Development Services)

**DECISION STATEMENT:**

To consider requests for Community Grants received in Round 1 2016-17

**RECOMMENDATION:**

1. That the following grant applications receive the recommended grant amounts.

No	Request	Details	Score	Requested	Recommend	Page #
1	New Horizons*	'Picture Us All - Inclusive Portraiture Project' August - November 2016	93%	\$5,000	\$5,000	3-17
2	Mast Films	'Script to Screen Sci-Fi Filmmaking Workshop' 14 - 22 October 2016	80%	\$5,000	\$3,750	30-42
3	Tamar Bicycle Users Group**	'Launceston Area Bicycle Trails Map Project' 2016 -2018	64%	\$3,000	\$2,250	18-29
4	Tasmanian Acquired Brain Injury Service	'Co-morbidity Information and Awareness Workshop' 11 October 2016	54%	\$1,752	\$876	43-53
			<b>TOTAL</b>	<b>\$14,752</b>	<b>\$11,876</b>	

\* Alderman Williams declared an interest in the application received from New Horizons and withdrew from the assessment meeting whilst scoring took place.

## 15.1 Community Grants (Round 1) 2016/2017 ...(Cont'd)

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\*\* That the Tamar Bicycle Users Group ensures the Launceston Area Bicycle Trails Map content is reviewed and approved by the City of Launceston Bike and Pedestrian Committee prior to production.

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### **REPORT:**

The total eligible requests received for Community Grants Round 1 2016-2017 (including organisations/individuals/teams/groups) is \$15,252.

Based on the assessment results, the recommended allocation of funds for Round 1 2016-2017 is \$12,376 (including \$500 for teams/groups).

The Community Grants Assessment Panel assessed each application against the assessment criteria (detailed below). The full details of each request are set out in a separate report which has been distributed to Aldermen, together with an analysis of the projects/activities and their respective scores.

The normal distribution of funds (according to score) is as follows:

81 - 100%	=	100% of requested funds
61 - 80%	=	75% of requested funds
50- 60%	=	50% of requested funds
< 50%	=	No funding provided

All applications have been assessed using the following criteria:

### **Individual/Team/Group Applications**

Individual/team/group grants will be provided if you are a young person 18 years or under living in the Launceston Municipal area, who have been selected to represent Australia, Tasmania or Northern Tasmania.

In accordance with the Community Grants (Individual/Team/Group) Policy the following teams/groups have been approved for funding:

U12 Tasmanian Schoolboys Football Team (four members)	\$200
U11 NTJSA Gold Launceston Representative Team (eight members)	\$300
<b>Total</b>	<b>\$500</b>

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**15.1 Community Grants (Round 1) 2016/2017 ...(Cont'd)**

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**Organisation Applications****Mandatory Requirements:**

- Community benefit must be the primary purpose of the project/activity
- Project/activity is held within the Launceston Municipal area
- Must respond to one or more priorities identified in the City of Launceston Strategic Plan 2014-2024
- A detailed budget must be included with the application
- A risk management plan (for the project/activity) must be included with the application

**Assessment Points**

- Aims and outcomes that benefit the Launceston community and are achievable
- Project plan demonstrates good organisational planning for the project/activity
- Budget for project/activity is realistic and includes evidence of self-support (i.e. fundraising, sponsorship, use of volunteers, in-kind support, etc.)
- Merits of the project/activity for the Launceston community

\*\* The Community Grants Assessment Panel recommends an additional funding condition be included for the Tamar Bicycle Users Group (TBUG) project 'Launceston Area Bicycle Trails Map'. The panel agreed unanimously that Council has a role in ensuring the map's content is accurate and reflects Council's identified safe bicycle pathways. Therefore, the panel requests the Tamar Bicycle Users Group ensures the map content is reviewed and approved by the City of Launceston Bike and Pedestrian Committee prior to production. City of Launceston Grants and Sponsorship Officer has liaised with the Coordinator of the project, and TBUG have confirmed if funding is approved they will meet the additional funding condition.

**ECONOMIC IMPACT:**

Approval of the recommended grants will result in a positive economic impact to those individuals/teams/groups and organisations by providing funds that will enable them to undertake their project or activity.

**ENVIRONMENTAL IMPACT:**

Approval of the recommended grants will have minimal impact on the environment.

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**15.1 Community Grants (Round 1) 2016/2017 ...(Cont'd)**

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**SOCIAL IMPACT:**

Approval of the recommended grants will provide a number of valuable social benefits to our community. It will encourage physical activity for young people, community arts and personal development programs as well as providing educational opportunities.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

Ten-year goal - To foster creative and innovative people and industries

Key Directions -

2. To understand and support the establishment and growth of creative industries in Launceston
5. To promote the wide variety of learning opportunities within Launceston
6. To contribute towards artistic, cultural and heritage outcomes

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Directions -

3. To contribute to enhanced public health and amenity to promote a safe and secure environment
6. To promote active and healthy lifestyles

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Directions -

1. To understand the needs and requirements of key community service providers and stakeholders
  3. To define and communicate our role in promoting social inclusion and equity
  6. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life
-

**15.1 Community Grants (Round 1) 2016/2017 ...(Cont'd)**

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**BUDGET & FINANCIAL ASPECTS:**

Available Funds \$60,000

Amount recommended this Round

- Individuals/Teams/Groups - \$500
- Organisations - \$11,876 \$12,376

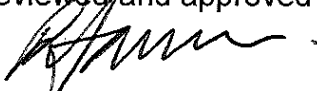
**Balance \$47,624**

Remaining Rounds 2016/2017 2

**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 Jamieson Acting Director Development Services**

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## 15.2 Event Sponsorship (Round 1) 2016/2017

**FILE NO:** SF6437

**AUTHOR:** Eve Gibbons (Grants and Sponsorship Officer)

**DIRECTOR:** Richard Jamieson (Acting Director Development Services)

### DECISION STATEMENT:

To respond to requests for event sponsorship received in Round 1 2016/2017 (for events 1 August 2016 - 31 December 2016)

### RECOMMENDATION:

1. That the following event sponsorship applications receive the recommended sponsorship amounts.

No.	Request	Details	Score	Requested	Recommend	SPL	Page
1	Interweave Arts Association	REMADE 2016 Sustainable Wearable Art Show - 12 November 2016	98%	\$5,000	\$5,000	1	75-88
2	BOFA	Tasmanian Breath of Fresh Air Film Festival - 10 - 13 November 2016	92%	\$20,000	\$20,000	4	163 - 180
3	Launceston City Cycling Club	Launceston City Cycling Club Christmas Sports Carnival - 28 December 2016	86%	\$10,000	\$10,000	2	138 - 149
4	Rotary Club of Central Launceston	Sally's Ride Tamar Valley Cycle Challenge 2016 - 20 November 2016	84%	\$10,000	\$10,000	2	125 - 137
5	GTR Events	Tour of Tasmania - 5 - 9 October 2016	82%	\$20,000	\$15,000	3	150 - 162
6	DanceSport Tasmania	2016 Tasmanian Open DanceSport Championships 11 - 13 August 2016	82%	\$20,000	\$15,000	3	193 - 207
7	S & S Professional Services Pty Ltd	Kid-I-Am - 19 November 2016	79%	\$5,000	\$3,750	1	51-62

No.	Request	Details	Score	Requested	Recommend	SPL	Page
8	Downs Syndrome Tasmania	Step Up for Downs Syndrome - 16 October 2016	77%	\$2,000	\$1,500	1	3-13
9	Tasmanian Poetry Festival Inc.	Tasmanian Poetry Festival - 26 September - 2 October 2016	71%	\$5,000	\$3,750	1	89 - 100
10	Launceston Art Society	125 <sup>th</sup> Retrospective Exhibition 30 September - 19 February 2016	71%	\$2,000	\$1,000	1	14 - 25

2. That the following event sponsorship applications not be funded by Council as a result of the Round 1 2016/2017 budget allocation (i.e. \$85,000) being fully expended.

No.	Request	Details	Score	Requested	Recommend	Page
11	Clifford Craig Medical Research Trust	Run and Walk for your Heart - 2 October 2016	68%	\$5,000	\$0 Round 1 budget allocation expended	38-50
12	Make a Wish Australia	Run for a Wish - 15 October 2016	66%	\$7,500	\$0 Round 1 budget allocation expended	112 - 124
13	Tamar Canoe Club*	Ben Lomond Descent 7 August 2016	55%	\$5,000	\$0 Round 1 budget allocation expended	101 - 111

\*Alderman Williams declared an interest in the application received from Tamar Canoe Club and withdrew from the assessment meeting whilst scoring took place.

## 15.2 Event Sponsorship (Round 1) 2016/2017 ...(Cont'd)

3. That the following event sponsorship applications not be funded by Council as they each received a score less than the recommended level for funding (i.e. < 50%).

No.	Request	Details	Score	Requested	Recommend	Page
14	Launceston Tramway Museum	The Tramways 21 <sup>st</sup> Birthday	46%	\$5,000	Not supported \$0	63-74
15	Foxx and Hound	Winter Fest	42%	\$20,000	Not supported \$0	181 - 192
16	Launceston Model Railway Group	Launceston Model Railway Show	40%	\$3,000	Not supported \$0	26-37

### REPORT:

The total eligible requests received for Event Sponsorship Round 1 2016/2017 is \$144,500.

Promotion of the program through City of Launceston social media channels, through e-news, direct mail, external stakeholder e-news and the implementation of one-on-one information sessions resulted in an 18% increase compared to \$121,800 in Round 1 2015/2016.

The available event sponsorship budget for the 2016/2017 financial year is \$170,000 with funds distributed evenly across Rounds 1 and 2 (i.e. \$85,000 per round).

Based on the scores received the recommended allocation of funds for Round 1 2015/2016 is \$85,000.

The normal distribution of funds (according to score) is as follows:

81 - 100%	=	100% of requested funds	or agreed SPL if different
61 - 80%	=	75% of requested funds	or agreed SPL if different
50- 60%	=	50% of requested funds	or agreed SPL if different
< 50%	=	No funding provided	or agreed SPL if different

## **15.2 Event Sponsorship (Round 1) 2016/2017 ...(Cont'd)**

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Whilst it is acknowledged that three events will not receive funding due to sponsorship funds being exhausted (under recommendation 2), in order to maintain an even distribution of funds for Event Sponsorship for the 2016/2017 financial year, it is considered by the Assessment Panel to be a fair and equitable distribution. It is noted that four new events are recommended to receive funding for the first time (under recommendation 1).

All applications for funding were assessed against the sponsorship package level (SPL) unanimously agreed upon by the Assessment Panel for the particular event and using the assessment criteria (detailed below). The full details of each request are set out in a separate report which has been distributed to Aldermen together with an analysis of the events and their respective scores.

### Mandatory Criteria

- Community benefit must be the primary purpose of the event
- Event is held within the Launceston Municipal area
- Responds to at least one of the goals contained in either the City of Launceston Strategic Plan 2014-2024 or Events Strategy
- A detailed budget must be included with the application
- A risk management plan (for the event) must be included with the application
- The applicant has not received event sponsorship funding from the City of Launceston within the same financial year (excludes organisations who have received Signature & Signature Celebration Event funding) - note: this is not applicable to Round 1 applicants

### Assessment Criteria

- Alignment with Launceston brand (only applies to SPL 2 - 4)
  - Event complements, diversifies and does not clash or conflict with the events calendar
  - Project plan for the event demonstrates planning relevant to scale of event
  - Budget for the event is realistic and includes evidence of other support? (i.e. fundraising, sponsorship, use of volunteers, in-kind support, etc.)
  - Environmentally sustainable practices for the event have been adequately addressed
  - Do the aims and outcomes benefit (social and/or economic) the Launceston community and are they achievable?
-

**15.2 Event Sponsorship (Round 1) 2016/2017 ...(Cont'd)**

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Sponsorship Package LevelsSPL1 - up to \$5,000.00

Would typically be an event, held in the Launceston Municipal Area, that is primarily for the local community and attracting predominately local or regional audience and/or has a relatively small budget, or where a smaller contribution from CoL is sought.

SPL2 - up to \$10,000.00

Would typically be an event, held in the Launceston Municipal Area, that attracts a larger audience, including from outside the region, and/or would have a demonstrable economic benefit to the community, for example by increasing visitor numbers and accommodation bookings.

It may also include significant events that have a community benefit and that may attract additional infrastructure or venue hire costs.

SPL3 - up to \$15,000.00

Would typically be an event, held in the Launceston Municipal Area, that would have state or national appeal, attracting larger audiences and accommodation nights sold, and potentially significant exposure. It may also include significant events that have a positive economic or tourism impact and may attract additional infrastructure or venue hire costs.

SPL4 - up to \$20,000.00

Would typically be an event, held in the Launceston Municipal Area, for the region and/or state, attracting significant numbers of patrons from intra and interstate, providing demonstrable economic and tourism benefits for Launceston and the region. Sponsorship at this level would be restricted to existing proven events that are able to demonstrate attendance figures and impact on the local economy.

**ECONOMIC IMPACT:**

Approval of the recommended event sponsorship will result in a positive economic impact to the Launceston community.

**ENVIRONMENTAL IMPACT:**

Approval of the recommended event sponsorship will have minimal impact on the environment.

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**15.2 Event Sponsorship (Round 1) 2016/2017 ...(Cont'd)**

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**SOCIAL IMPACT:**

Approval of the recommended event sponsorship will provide a number of valuable social impacts for our community.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

Ten-year goal - To foster creative and innovative people and industries

Key Direction -

6. To contribute towards artistic, cultural and heritage outcomes

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Directions -

4. To promote Launceston's rich heritage and natural environment

6. To promote active and healthy lifestyles

Priority Area 7 - A city that stimulates economic activity and vibrancy

Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston

Key Directions -

1. To actively market the City and Region and pursue investment

3. To promote tourism and a quality Launceston tourism offering

6. To facilitate direct investment in the local economy to support its growth

City of Launceston Event Strategy 2012-2015

Goal 1 - Lifestyle

Launceston has a vibrant and diverse calendar of events that strengthen Launceston's position as a highly desirable place to live, visit and invest.

Goal 2 - Tourism

Launceston has a portfolio of events that increases interstate visitation, national profile and contributes to the Launceston economy.

Goal 3 - Economic

Events held within the region provide optimum economic benefit to the Launceston municipality, through partnerships and business planning.

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## 15.2 Event Sponsorship (Round 1) 2016/2017 ...(Cont'd)

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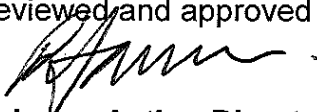
### BUDGET & FINANCIAL ASPECTS:

Available Funds	\$170,000
Amount recommended this Round	\$85,000
<b>Balance</b>	<b>\$85,000</b>
Remaining Rounds 2016/2017	1

### 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 Jamieson Acting Director Development Services**

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## 16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

### 16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre

**FILE NO:** SF5674

**AUTHOR:** Ben Davis (Manager Leisure & Aquatic Centre)

**DIRECTOR:** Rod Sweetnam (Director Facilities Management)

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#### **DECISION STATEMENT:**

To consider a proposal from Launceston Aquatic Club, with support from other swim clubs, regarding a reduction in lane hire fees.

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

SPPC - Workshop - 4 April 2016

SPPC - Workshop - 6 June 2016

#### **RECOMMENDATION:**

That the Council maintains current adopted hire rates in light of:

- The current rates are comparable with generally accepted aquatic centre practice;
  - Existing subsidisation of commercial hire rates;
  - Significant revenue will be foregone if rates are further discounted.
- 

#### **REPORT:**

##### **Summary**

In 2008 an Expression of Interest process was undertaken for lane hire at the Launceston Aquatic Centre, now known as City of Launceston Leisure & Aquatic Centre (LAC). Six expressions of interest were received and four organisations became hirers of the Centre.

- Currently there are four swimming clubs training at LAC. Their numbers and coaching arrangements as at March 2016 were:
    - Launceston Aquatic Club (LAClub) - 40 swimmers and employs a paid professional coach.
    - South Esk Swimming Club - 140 members (100 swimmers) and have a paid amateur coach and volunteer assistant coaches.
    - Aussi Masters - 100 swimmers and a paid amateur coach.
    - Launceston Triathlon Club - 100 members
-

## 16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre ...(Cont'd)

- Weeknights between 3.30pm - 6.30pm the 50m competition pool is at capacity. While it varies day to day, on a typical day the pool use is divided between three user groups:
  - Swim School use 35% (six lanes) of lane space
  - Swim Clubs use 45% (seven lanes) of lane space
  - Public Lap and Recreation Space use 20% (three lanes) of lane space
- Swim School continues to grow and currently has future growth impacted by water space capacity during peak times.

Currently the lanes are hired to the swimming clubs on a per hour, per lane basis. All swimming clubs receive a discount of 30% off the standard lane hire rates during off peak times, and 25% off the standard lane hire rates during peak times. For club members; and associated parents, guardians and friends, there is no entry fee charge. In addition, LAClub has received a further 15% discount on 3-hour block bookings, which is proposed to be withdrawn at the end of the winter season 2016.

The off-peak rate was given to swim clubs, to encourage training in the mornings or late evenings (from 6.30pm) when there is more water space available. While this has been successful it has not taken pressure off the peak time of 3.30pm - 6.30pm weekday afternoons.

All four clubs have expressed support for a reduction in lane hire rates, with each club detailing a variety of pressures that the current fee structure places on their clubs. The swim club proposal is for a lane hire reduction to:

- \$17 per hour for indoor 25m lane space (51% discount off LAC full hire rate)
- \$30 per hour for indoor 50m lane space (57% discount off LAC full hire rate)

This proposal is based on information sourced from a December 2014 Swimming Australia report. Swim clubs have taken an average lane hire charge across Victorian aquatic centres for 25m pricing to arrive at proposed lane figures. This average price includes a range of aquatic centres and a range of entry fee models making it difficult for a direct comparison to LAC when looking solely at lane hire fee charges.

After further discussion, LAClub have submitted a second request to freeze their current lane hire fees (15% additional discount to adopted fees) for the 2016/2017 financial year allowing them to grow membership to 50 members. Current approved lane hire rates for the 2016/2017 financial year are:

Product Type	Pricing Formula	Current 50m Fee (per hour)	Current 25m Fee (per hour)
Standard	Full Price	\$71	\$36
Annual User - Peak	25% discount on Full Price	\$54	\$27
Annual User - Off Peak	30% discount on Full Price	\$50	\$26

## 16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre ...(Cont'd)

LAClub 2015/2016 rates

LAClub (3 hour block booking)	15% additional discount off annual user rates.	(as above)	\$22.10
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A change in fee structure would have a financial impact on LAC; in determining the recommendation several options were considered including:

1. Initial Swim Club Proposal (25m = \$17, 50m = \$30)
2. Twelve month fee freeze on LAClub lane hire rate (25m = \$22.10, 50m = \$53) plus the Ongoing 50% reduction in off peak rates (25m = \$18, 50m = \$35.50).

Note: proposal would need to be applied to all swim clubs.

The estimated financial impact of each option (applied to all swim clubs) is as follows:

	Year 1 Revenue	Variance	Year 2 Revenue	Variance	Year 3 Revenue	Variance	3 Year Total	Variance 3 Year Total
Base Line	\$202,000		\$206,040		\$210,161		\$618,201	
Option 1	\$125,000	-\$77,000	\$127,500	-\$78,540	\$130,050	-\$80,111	\$382,550	-\$235,651
Option 2	\$167,000	-\$35,000	\$195,000	-\$11,040	\$198,900	-\$11,261	\$560,900	-\$57,301

Base Line = 2% fee increase per year based on adopted fees and charges (note: this total includes LAClub moving to the adopted lane rate fees for the 2016/2017 financial year)

### History

In August 2001, the Council adopted the Regional Aquatic Leisure Centre strategy as the preferred future aquatic facility development. This was due to its:

- Higher user attractions, ie. children, schools, adults, social groups, older adults;
- Ability to share management costs across a range of activity areas and revenue sources;
- Provision of a total leisure centre that promotes active and healthy lifestyles;
- Providing more aquatic areas allowing for closure of high cost, outdated pools;
- Higher users spend generated due to a large range of activities

In the following years LAC was developed and built to meet these strategic objectives. However most of the planning was for a full service facility, which wasn't fully completed until the opening of LAfit in 2014.

## **16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre ...(Cont'd)**

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LAC has long been the subject of public discussion. Since opening in 2009 the strategic direction and focus has been to minimise the recurrent deficit, through both revenue generation and expenditure control. Fees and charges and operational strategies have been developed with the aim to achieve this goal. Through these measures the operating deficit of the Centre has been reducing year on year.

In October 2008, the City of Launceston called for Expressions of Interest (EOI) for Hire of Pool Lane Space. The purpose of the EOI was to *'market test prospective Clubs and other Organisations who wish to hire pool lane space at the Regional Aquatic Centre. Potential clubs and Organisation will be required to register with Council initially and further negotiations will be undertaken regarding hire times and pool spaces'*.

Following this process discussions were held with the applicants. Four of the six groups that submitted EOIs became hirers of the centre. The EOI did not indicate or allude to exclusive use of facilities or feeder relationships with the LAC Swim School, or any other business unit of LAC.

Currently there are four swimming clubs training at LAC. Their numbers and coaching arrangements as at March 2016 were:

- Launceston Aquatic Club (LA Club) - 40 swimmers and employs a paid professional coach.
- South Esk Swimming Club - 140 members (100 swimmers) and have a paid amateur coach and volunteer assistant coaches.
- Aussi Masters - 100 swimmers and a paid amateur coach.
- Launceston Triathlon Club - 100 members

### **Lane Hire Arrangements**

In 2014, Swimming Australia completed comparative benchmarking into water space pricing at Council owned swimming facilities (Attachment 1 - Swimming Australia Research). Different arrangements included:

- Free agreed lane space, club swimmers pay public entry rate
- Per lane, per hour charge, with no entry fee for club swimmers\*
- Per lane, per hour charge (with free morning hire), club swimmers pay public entry rate
- Per lane, per hour charge, with an annual "club swimmer membership"
- Flat rate per head for agreed lane space

*\*LAC operates under this arrangement, where there is no entry fee for club swimmers or supervising parents, during the lane hire time.*

From this research Swimming Australia found that *"all clubs using indoor water-spaces (25m or 50m) in Tasmania are currently charged a lane hire fee. Over 40% of clubs pay more than \$20 per lane per hour (30% of respondents did not disclose hire fee rates)"*.

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**16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre ...(Cont'd)**

In comparison, Hobart Aquatic Centre’s approved FY 2016/2017 hire rates offer a 20% discount (off full rate) for not for profit user groups, and are as follows:

50m Pool Lane Hire	\$64 excluding GST
25m Pool Lane Hire	\$49.60 excluding GST
Boom movement \$40 one way plus spectator \$2 per non swimming person	

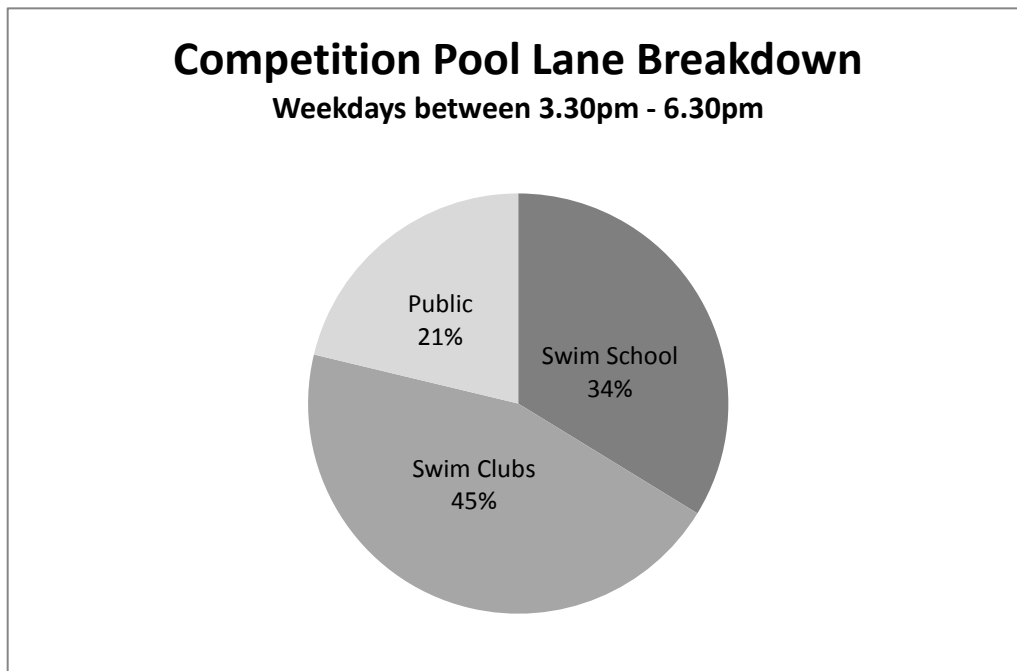
Note: any user group on a current hire agreement at Hobart Aquatic will be transitioned to this pricing structure over three years.

**Competition Pool Use and Revenue Sources**

The peak use time for LAC is between 3.30pm - 6.30pm on weeknights, during this time the Competition Pool is at maximum capacity.

Currently there is capacity to accommodate further bookings for swimming clubs at other times, outside of peak, including mornings, late evenings and weekends.

Currently swim clubs occupy the majority of peak lane space at LAC. The chart below shows a typical weekday evening breakdown of lane allocation between LAC Swim School, swim clubs and public during the peak time.



Reduction in swim club lane hire rates would further impact water capacity concerns during peak time and place additional pressure on the LAC operating deficit.

## 16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre ...(Cont'd)

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### **Key Issues raised in Request for Reduction of Lane Hire Charges - Aquatic Centre**

All four clubs - LAClub, South Esk, Masters Swimming and Launceston Triathlon Club are supporting a reduction in lane hire charges (Attachments 2, 3 and 4 - Swimming Club Letters of Support).

### **Swim Club comments and LAC response**

#### ***There is currently vacant lane space in both peak and off peak times***

There is regularly vacant lane space available in off peak times and discussions have been had with clubs to encourage them to take up more off peak time slots and build new membership base in these times.

The present challenge with peak time vacant lane space is frequent and late booking changes by hirers, making it extremely difficult to manage water space and book other user groups in at short notice. Long term hire agreements would assist in reducing this challenge.

#### ***There is sufficient lane space to accommodate the anticipated growth of Learn to Swim (LTS)***

Learn to Swim has grown significantly over the past few years from approximately 600 members to a peak of approximately 2,100 in March 2016. These growth rates have now slowed considerably due to water space capacity during peak times. A modest growth of 100 students year on year has been forecast due to water capacity challenges, however, this growth could be significantly higher (total LTS membership 2,500 - 3,000) if more, consistent water space was available. This would significantly reduce the operating deficit of LAC.

#### ***The lane hire charges to club impacts fairness and equity and the community's ability to pay***

All fees are Council approved, and based on developed strategies and formulas. Discounts are provided to those issued with government issued concession cards, other discounts are applied after the completion of a business case and approved by Council.

The hire times required by swimming clubs are during the peak period for the Centre, between 3.30pm and 6.30pm on weeknights. At this time the Centre is at capacity with not only swimming clubs, but also swim school classes, after work lap swimmers and after school recreation swimmers. During winter, when the outdoor pools are unavailable, the Centre finds it difficult, and at times impossible, to appropriately accommodate other sporting teams, such as football and soccer teams, who request lane space when inclement weather closes their training grounds.

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## 16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre ...(Cont'd)

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LAC is a regional, community facility, and is focused on maximising use for all user groups, while minimising ongoing costs to ratepayers. The Centre adequately supports community and regional level competition, but the main focus is regular and ongoing community use. There can be over 30 different user groups utilising LAC per month, with regular usage by schools, swim school students and disability groups. This leads to the requirement for compromise among all user groups.

***Price Structure has created a cap on participation rate due to affordability, frequently have 10-15 children in a lane***

Lane hire is not the only cost involved in the sport of swimming. Other costs include coaching fees, registration, competition entry and equipment. These fees are set by either the individual swimming club or Swimming Tasmania. Different clubs have different coaching arrangements with amateur and paid professional coaches.

LAC management held several meetings with LAClub representative in an attempt to work through a cost neutral solution that allowed for discounted lane rates, in exchange for additional peak water space; however, there was no solution that offered a satisfactory outcome for both parties.

In addition, LAC management has discussed alternative options with swim clubs to help reduce capacity and fee concerns including - additional bookings in off peak times, competition pool in 25m mode more frequently, narrower lanes.

***Many members hold LAC memberships and are price sensitive to incurring additional costs to swim with club.***

LAC has no control over club members taking out LAC memberships.

***Outside of peak there is regularly water space available for additional lanes***

There is regularly lane space availability in off peak times. Management at LAC has discussed with clubs the opportunity to hire additional lanes in off peak times reducing pressure on the 3.30pm - 6.30pm weekday timeslot.

***Equity concerns between users of Aquatic Centre versus users of other Council facilities eg. QVMAG***

All Council facilities are operated as the result of Council decisions, to align with strategic directions. The range of services and facilities offered by Council is diverse, and all facilities have a unique purpose, along with strong community support.

The three major facilities, LAC, Aurora Stadium and QVMAG run at a budgeted operating deficit, however their continued operation has substantial and varied community benefit.

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**16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre ...(Cont'd)**

**Current LAC Fee Structure (approved 2016/17 fees and charges)**

Product Type	Pricing Formula	Current 50m Fee (per hour)	Current 25m Fee (per hour)
Standard	Full Price	\$71	\$36
Annual User - Peak	25% discount on Full Price	\$54	\$27
Annual User - Off Peak	30% discount on Full Price	\$50	\$26

**Swim Club Proposal**

Two requests for reduction of lane hire charges have been received:

1. An ongoing reduction in lane hire rates (25m = \$17, 50m = \$30)
2. A 12 month fee freeze on LAClub lane hire rate (25m = \$22.10, 50m = \$53) plus an ongoing 50% reduction for off peak rates (25m = \$18, 50m = \$35.50)

LAC notes regarding swim club proposal:

- There are a range of different lane rate charging methods available, any analysis needs to take into consideration whether entry fee is also being charged
- There are a range of levels of aquatic centres in Victoria, it is important to consider the quality of centre and service provided to swim clubs here in Launceston
- A reduction in swim club fees would most likely increase demand for swim club participation which would put increasing pressure on water capacity at LAC
- An increase in participation in swim clubs during peak hours would adversely affect the growth of LTS and therefore the operating deficit of the Centre.
- The majority of aquatic centres manage their water space to maximise their ability to deliver a strong financial result, but still deliver a service to the broader community and all user groups.

The projected annual revenue from lane hire by swimming clubs in 2016/2017 based on current usage and approved fees and charges is \$202,000. A change in fee structure would have a financial impact on LAC; in determining the recommendation two proposals have been considered.

Base Line	2% CPI on approved fees and charges based on current usage
Option 1	Swim Club Proposal (25M=\$17, 50M=\$30)
Option 2	12 month fee freeze on LAClub 25M lane hire rate + 50% reduction in off peak rates (peak - 25M = \$22.10, 50M = \$53; off peak 25M = \$18, 50M = \$35.50) Ongoing 50% reduction in off peak rates (25M = \$18, 50M = \$35.50)

## 16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre ...(Cont'd)

The financial impact of each option, calculated on current usage, is as follows:

	Year 1 Revenue	Variance	Year 2 Revenue	Variance	Year 3 Revenue	Variance	3 Year Total	Variance 3 Year Total
Base Line	\$202,000		\$206,040		\$210,161		\$618,201	
Option 1	\$125,000	-\$77,000	\$127,500	-\$78,540	\$130,050	-\$80,111	\$382,550	-\$235,651
Option 2	\$167,000	-\$35,000	\$195,000	-\$11,040	\$198,900	-\$11,261	\$560,900	-\$57,301

### ECONOMIC IMPACT:

Not considered relevant to this report.

### ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

### SOCIAL IMPACT:

LAC aims to provide healthy exercise for all members of the community on an equitable basis.

### STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024  
 Priority Area 2 - A city where people choose to live  
 Ten-year goal - To promote Launceston as a unique place to live, work, study and play  
 Key Direction -  
 6. To promote active and healthy lifestyles

### BUDGET & FINANCIAL ASPECTS:

No impact on budget if resolution adopted.


16.1 Swim Club Hire at Launceston Leisure & Aquatic Centre ...(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.



Rod Sweetnam: Director Facilities Management

**ATTACHMENTS:**

1. Research from Swimming Australia
  2. Letter of Support - Launceston Masters Swimming Club Inc
  3. Letter of Support - Launceston Triathlon Club Inc
  4. Letter of Support - South Esk Swimming Club Inc
-



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### Comparative Benchmark Information

#### Water Space Pricing at Council owed Swimming Facilities

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This data has been compiled as a sample for comparing the cost of indoor 50m water space across Victoria, South Australia or Tasmania. In each example the pool is relatively new or has had major renovations undertaken which provide consistency in standard. All pools are Council owned, however, there is a mixture of Council operated and contractor operated facilities. Pool name and associated swimming club are listed.

#### **Casey ARC and Casey RACE: Casey Tigersharks (VIC)**

##### **Operator: YMCA**

Casey Tigersharks Swimming Club is one of 14 podium centre's supported by Swimming Australia as part of their high performance athlete program. The Tigersharks currently train out of two 50 metre indoor Council owed facilities; Casey ARC and Casey RACE in Melbourne's outer south-eastern fringe. These pools are 20 years and 6 years old respectively. Whilst the YMCA operates the facilities, the swimming club have a facility access agreement with Council, with the terms of this agreement stipulating that the pool operator must support the provisions of the agreement when they tender for the facilities. As a community based club the Tigersharks have access to free water space. Swimmers instead pay pool entry at the same rate as the public, generally in monthly packages to cover each visit to the pool. Council consider youth engagement in sport as an important element of community building.

#### **Kingston Waves: Cheltenham Swimming Club (VIC)**

##### **Operator: Kingston Council**

Kingston 'Waves' is a 50 metre indoor pool approximately 20 years old. Cheltenham Swimming Club is the local swimming club and have a squad structure from an entry level through to national level operating from the facility. The City of Kingston manage and operate Waves and levy a fee of \$26 per hour per lane to the club with no entry fee for swimmers. This fee is invoiced to the club at the end of each month.

#### **Aquazone Aquatic Leisure Centre : Warrnambool Swimming Club (VIC)**

##### **Operator: Warrnambool City Council**

Warrnambool Swimming Club is a successful country swimming club in regional Victoria. Aquazone Aquatic Leisure Centre has a 50m outdoor pool and a 25 m indoor pool which were re-developed in 2008. The outdoor 50m is open from October to April while the indoor 25m is open all year round. The Club pays \$3 per hour per lane for each afternoon and evening session. There is no cost for morning sessions. In addition each swimmer pays entry for access to the pool. Club Swimmers are encouraged to take out membership with the centre. The Council in Warrnambool have a strong relationship with the swimming club, being actively involved in an annual swim that brings people into the city. The facility serves a regional population of about 34,000.

**Echuca War Memorial Pool: Echuca Swimming Club (VIC)****Operator: Campaspe Shire Council**

Renovated in 1996, the Echuca War Memorial Pool is a 50metre indoor pool which is the premium swimming facility in the Campaspe and surrounding region. Situation in northern Victoria this venue is one of the first to return to in-house Council management after a long term contractor operation. An agreed amount of lane space is free to the Echuca Swimming Club, but members must pay entry or take out aquatic membership. Until recently the club also has free use of the pool twice a year to run swim meets. An appropriate carnival fee is currently in negotiation. It also has free use of clubroom and storage area.

**Boroondara Sporting Complex: Kew Swimming Club (VIC)****Operator: YMCA**

Situated in Melbourne's eastern suburbs Boroondara Sporting Complex was renovated in 2006 and has an outdoor 50m facility that operates year round. Kew Swimming Club and MLC Swimming Club pay \$31.20 an hour per lane. Swimmers do not pay an additional free entry.

**Watermarc Greensborough: DVE Aquatic (VIC)****Operator: Belgravia**

New facility in Melbourne's northern suburbs Watermarc was opened in September 2012. DV Aquatic Swimming Club was initially charged \$36 per hour per lane to use the 50m indoor swimming pool when this facility opened, in addition to athletes paying pool entry. This put significant financial strain on the club and it was clear after 12 months that this was not sustainable. After a negotiation with Council they are now paying \$18.70 per lane per hour for 50m space and \$16.87 per hour per lane for 25m access. Athletes still pay pool entry which they are undertaking through an annual swimmer facility membership.

**Knox Leisure Works: Boronia Swimming Club (VIC)****Operator: YMCA**

Renovated in 2008, Knox Leisure Works is a 50 metre indoor pool used by Boronia Swimming Club in Melbourne's east. The Club is charged by the facility at a rate of \$3.50 per head. This includes lane hire and athlete entry. The Club has increased numbers since the 2008 renovation and the nature of the agreement with the YMCA provides an incentive to both parties to 'grow' the program.

**Noarlunga Leisure Centre: Fleurieu Swimming Club and South Coast Swimming Club (SA)****Operator: Belgravia Leisure**

Located in South Adelaide, Noarlunga Leisure Centre has a 50m indoor water space. Neither the Fleurieu Swimming Club nor the South Coast Swimming Club pay lane hire, however, all swimmers pay pool entry (most take out membership with Belgravia). Belgravia have attempted to instigate a lane hire fee over the years. However, the clubs have demonstrated that as the pool is within a low socio economic area where aquatic programs would not survive if lane hire was charged on top of entry fees.

**Tasmanian Swimming Clubs**

Results drawn from the findings of the 2014 Swimming Australia Water Space Access Survey. (72% of Tasmanian Swimming Clubs participated in the survey but responses were often limited due to perceived commercial in confidence.)

All clubs using indoor water-space (25m or 50m) in Tasmania are currently charged a lane hire fee. Over 40% of clubs pay more than \$20 per lane per hour (30% of respondents did not disclose lane hire fee rates). Clarence Swimming Club (YMCA operated pool) pay \$28 per lane per hour for 50m water space with no entry fee. Other water space agreements, such as Hobart Aquatic and Riverside, are tied up in coaching right agreements. Only Club's operating out of Devonport Aquatic (indoor 25m) pay both lane hire and pool entry, however, this situation is also appearing to be unsustainable as Clubs are now looking to move away from this new facility due to cost.

**National Data**

National data suggests that most clubs pay less than \$20 per hour per lane. However, many facilities are outdoor and/or 25m in length. Victorian data, which probably offers the best comparison to Tasmania, suggests that clubs can expect to pay somewhere between \$10 and \$40 per hour per lane for indoor 50m space (average \$22) and between \$5 and \$35 (average \$17) an hour for indoor 25m space.

Ultimately there is no 'one size fits all' best arrangement for facilities agreements. Some facilities and Clubs prefer a lane fee with no entry, whilst others prefer a no lane hire with an entry fee approach. Sometimes, when squads are popular, it is cheaper to pay lane hire per hour (if it a reasonable rate) rather than pool entry. However pool entry only agreements do encourage centres to actively promote swimming club membership as the more bodies they have through the gate the greater revenue they make.

The best way for clubs to ensure that they are getting a fair deal at their local pool is to establish a carefully negotiated MOU agreement with the owner of the facility that considers capacity for the swimming community to pay. The MOU should also consider the benefits provided by the Clubs volunteers and the environment that it creates for its members.

Attachment 2 - Letter of Support - Launceston Masters Swimming Club Inc



Launceston Masters Swimming Inc.



8<sup>th</sup> March 2016

Mr Tim Watson  
LAC Swimming Club

Dear Tim

Launceston Masters Swimming Club fully supports the LAC proposal for reduced lane hire fees at the Launceston Aquatic Centre.

Lane hire is by far the largest expense for our swimming club and a reduction in lane hire fees will help us encourage more Launceston adults to participate in our swimming activities.

On behalf of the Launceston Masters Swimming Club, I would be happy to offer any additional support to this proposal.

Yours sincerely,

**Bill Woodworth**  
President

Launceston Masters Swimming Inc  
Incorporation no: 01583C  
launcestonmastersswimming.com

Attachment 3 - Letter of Support - Launceston Triathlon Club Inc



LAUNCESTON TRIATHLON CLUB INC.  
[REDACTED]

09 March 2016

Mr Tim Watson  
Launceston Aquatic Club  
[REDACTED]

Dear Tim,

### REDUCTION OF LANE HIRE CHARGES AT LAUNCESTON AQUATIC CENTRE

Launceston Triathlon Club is fully supportive of LAC's proposal for reduced lane hire fees at Launceston Aquatic Centre.

As outlined in your presentation, many members find the cost of club swimming sessions to be prohibitively expensive, in part due to the cost of lane hire but also because many of our members hold memberships of the Aquatic Centre and are therefore wary of incurring any further costs for the use of facilities, to which they already have access.

Any action that can be taken that would help make club swimming sessions more affordable, would assist us in encouraging more children and adults to participate in our swimming activities.

Yours sincerely

A handwritten signature in black ink that reads "M Simpson". The signature is fluid and cursive, with the first name "M" being particularly large and stylized.

**Martin Simpson**  
Vice President  
[REDACTED]



Attachment 4 - Letter of Support - South Esk Swimming Club Inc



### South Esk Swimming Club Inc. Est. 1910

6 March 2016

**Mr Kevin French**  
President Launceston Aquatic Club  
By e-mail

Dear Kevin

As you are aware, the South Esk Swimming Club executive has had several meetings this week. I am pleased to confirm that the executive supports a reduction in lane hire fees for all swimming clubs using the Launceston Aquatic Centre.

Kindly keep us informed of your discussions with the Launceston City Council.

Kind regards,



**Jayne Shepherd**  
President

[Redacted contact information]

c.c Rob Sweetnam - Launceston City Council

**South Esk Amateur Swimming Club**  
**2015 Swimming Australia Swimming Club of the Year**

[Redacted contact information]

ABN 78 315 337 803

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**17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS**

**No Items have been identified as part of this Agenda**

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## 18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

### 18.1 Proposed Street Name - Parkdale Court

**FILE NO:** SF0621; DA0497/2013

**AUTHOR:** Sonia Smith (Engineering Officer - Development)

**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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#### **DECISION STATEMENT:**

To consider approving a new street name for a cul de sac constructed off Lakeside Drive

#### **RECOMMENDATION:**

That, pursuant to the provisions of Section 54 of the *Local Government (Highways) Act 1982* and Section 20E of the *Survey Co-ordination Act 1944*, Council approves the name Parkdale Court for the new cul de sac between No 41 and No 43 Lakeside Drive.

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#### **REPORT:**

The developer has proposed the name 'Parkdale Court' for the new cul de sac between No 41 and No 43 Lakeside Drive.

There are no instances of this name 'Parkdale' being used in the north of the state with the only instance recorded being Parkdale Drive located in Leslie Vale, west of Kingston.

No objections to the proposed name have been received from the neighbouring municipalities of Northern Midlands, Meander Valley, West Tamar or George Town.

#### **ECONOMIC IMPACT:**

Not considered relevant to this report.

#### **ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

#### **SOCIAL IMPACT:**

Not considered relevant to this report.

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**18.1 Proposed Street Name - Parkdale Court ...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 3 - A city in touch with its region

Ten-year goal - To ensure Launceston is accessible and connected through efficient transport and digital networks

Key Direction -

2. To improve and maintain accessibility within the City of Launceston area, including its rural areas.

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this 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.



**Shane Eberhardt: Acting Director Infrastructure Services**

**ATTACHMENTS:**

1. Location Plan - Proposed 'Parkdale Court'
-

Attachment 1.  
Location Plan - Parkdale Court



**18.2 Disposal of Vermeer Avenue Walkway****FILE NO:** SF2724 /28781**AUTHOR:** Robert Holmes (Property Coordinator)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider the disposal of a disused walkway.

A decision, pursuant to Section 178(3) of the *Local Government Act 1993*, to sell public land requires an absolute majority of Council.

**RECOMMENDATION:**

That Council:

1. In accordance with Section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, decides to:
    - amend Sealed Plan SP23392 by deleting from the face of the plan the notation "Set Apart for Public Recreation Space" from Lot 307;
    - to serve notice on the parties that have an estate or interest law affected by the proposed amendment; and
    - to register the amendment with the Land Titles Office.
  2. Upon completion of the amendment to SP 23392, by an absolute majority, decides to sell Lot 307 Vermeer Avenue.
  3. Agrees the sale price is to be the sum of \$6,000 plus GST with the purchaser paying the Council's out of pocket expenses, including valuation fee, application for amendment of a Sealed Plan fee, adhesion order fee and Land Titles Office registration fees. Each party is to pay for their own legal advice.
  4. Agrees the transfer is subject to the requirement that, pursuant to Section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, that Lot 307 is to be adhered to Lot 216.
- 

**REPORT:**

The Council owns a narrow strip of land in Vermeer Avenue shown as Lot 307 on Registered Plan SP23392, which is located between 15 and 17 Vermeer Avenue. The Lot also adjoins the rear of 8 Monet Place.

Lot 307 was originally created in 1984 by Sealed Plan SP23392 and is recorded as being "Set Apart for Public Recreation Space". The original subdivision concept indicated an intention to provide pedestrian connection between two recreation areas now known as Vermeer Avenue Reserve and the section of Newnham Reserve off Franmaree Road.

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## **18.2 Disposal of Vermeer Avenue Walkway ...(Cont'd)**

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Circumstances changed in 2002 when there was a decision not to provide a pedestrian link and to allow a developer to construct Monet Place as a cul-de-sac. The walkway, while annotated as 'Set Apart for Public Recreation Space', is only 3m wide and 31m long. In a practical sense it does not function as a recreation space due to size limitations. While the adjacent owners undertake occasional mowing of the grass on the either side of the path, the area continues to be a potential maintenance liability for the Council.

The owners of an adjacent property have expressed an interest in purchasing the walkway in the event the Council was to decide to dispose of the Lot.

While this is a small parcel of land, the administrative task associated with its disposal is disproportionately large because of the number of interrelated statutory processes.

Essentially now that circumstances have changed the questions arise as to whether Lot 307 should be regarded as "public land", "public highway" or just "land"?

The concept that Lot 307 might be regarded as public land stems from Section 177A of the *Local Government Act 1993*. In 2003 the Council made a decision to add to the public land list the Vermeer Avenue Reserve (Lot 309) however, did not include in that decision the requirement to include Lot 307.

Ordinarily land on a "Sealed Plan" owned by the Council which is burdened by the notation "Set Apart for Public Recreation Space" should be regarded as "public land".

Due to the change in circumstances, it may be appropriate for the Council to seek to remove such notation from the plan in accordance with the procedures set out under Division 5 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. This process will provide notification to the 24 owners potentially affected by such change. Once the notation is removed from the Sealed Plan, it will obviate the requirement to advertise the proposed sale in accordance with the requirements of Section 178 of the *Local Government Act 1993*.

In terms of consultation in anticipation of the decision to sell Lot 307 and of the associated statutory requirement to amend Sealed Plan (SP 23392), the 24 affected owners have been contacted to establish if there is likely to be any objection to the proposal to remove the "Set Apart for Public Recreation Space" notation from the plan. Further consultation has also been undertaken with the three owners directly adjacent to the walkway to establish if there is more than one party interested in purchasing the Lot. No objections have been received and only one party has expressed an interest in purchasing the Lot.

Valuation advice has been obtained which indicates that land is valued at \$6,000 plus GST. This advice was on the basis that the Lot should be adhered to the adjacent land. This can be achieved by way of an adhesion order pursuant to Section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

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## 18.2 Disposal of Vermeer Avenue Walkway ...(Cont'd)

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In this circumstance the purchaser should, in addition to the valuation price, meet the Council's out of pocket expenses which include valuation fees of \$220.00, statutory planning application fees - petition to amend a Sealed Plan \$438.00 and application for an adhesion order \$137.00 and Land Titles office registration fee of \$130.81.

A plan indicating the location of Lot 307 is attached ([Attachment A](#)).

A copy of the associated legislation is attached ([Attachment B](#)).

### **ECONOMIC IMPACT:**

The asset is being disposed of at valuation and will mean the Council is relieved of a potential maintenance obligation.

### **ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

### **SOCIAL IMPACT:**

Not considered relevant to this report.

### **STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation  
Ten-year goal - To continue to ensure the long-term sustainability of our Organisation  
Key Directions -  
5. To strategically manage our assets, facilities and services.  
6. To maintain a financially sustainable organisation.

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

Not considered relevant to this report.

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**18.2 Disposal of Vermeer Avenue Walkway ...(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.




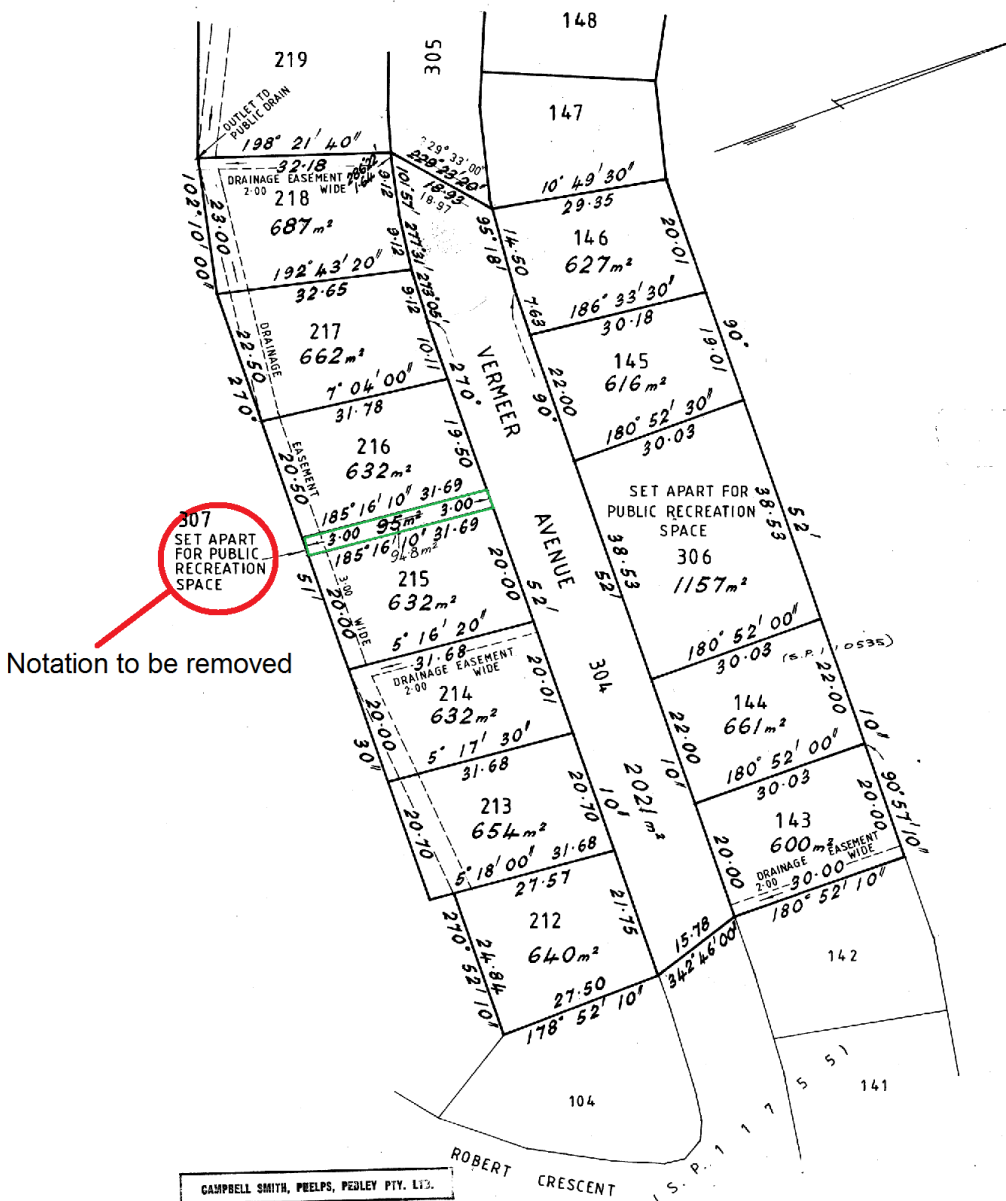
**Shane Eberhardt: Acting Director Infrastructure Services**

**ATTACHMENTS:**

1. Attachment A - Plan indicating Lot 307 and proposed amendment
  2. Attachment B - Associated legislation
-

Attachment A

ANNEXURE SHEET No. 1 (of 2 annexures) to plan by Surveyor <i>John William Dent</i>	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 2-3-2016 and that certificate extends to the detail shown on this sheet.	Registered Number: <b>S.P23392</b>
Signed for the purposes of identification  Council Clerk: (A.N. van der Heek)	Surveyor: <i>John Dent</i> Owner: Hillview Estates Pty. Ltd. Title Reference: Conv. 52/1597	Scale 1: 500 Measurements in Metres



Notation to be removed

## Attachment B -

### **Local Government Act 1993**

#### **177. Sale and disposal of land**

(1) A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.

(2) Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under section 4 of the *Land Valuers Act 2001*.

(3) A council may sell –

(a) any land by auction or tender; or

(b) any specific land by any other method it approves.

(4) A council may exchange land for other land –

(a) if the valuations of each land are comparable in value; or

(b) in any other case, as it considers appropriate.

(5) A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.

(6) A decision by a council under this section must be made by absolute majority.

#### **177A. Public land**

(1) The following land owned by a council is public land:

(a) a public pier or public jetty;

(b) any land that provides health, recreation, amusement or sporting facilities for public use;

(c) any public park or garden;

(d) any land acquired under section 176 for the purpose of establishing or extending public land;

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(e) any land shown on a subdivision plan as public open space that is acquired by a council under the *Local Government (Building and Miscellaneous Provisions) Act 1993*;

(f) any other land that the council determines is public land;

(g) any other prescribed land or class of land.

(2) The general manager is to –

(a) keep lists or maps of all public land within the municipal area; and

(b) make the lists and maps available for public inspection at any time during normal business hours.

## **178. Sale, exchange and disposal of public land**

(1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.

(2) Public land that is leased for any period by a council remains public land during that period.

(3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.

(4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to–

(a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and

(ab) display a copy of the notice on any boundary of the public land that abuts a highway; and

(b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.

(5) If the general manager does not receive any objection under subsection (4) and an appeal is not made under section 178A, the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under subsection (4).

(6) The council must –

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- (a) consider any objection lodged; and
  - (b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –
    - (i) that decision; and
    - (ii) the right to appeal against that decision under section 178A.
- (7) The council must not decide to take any action under this section if –
- (a) any objection lodged under this section is being considered; or
  - (b) an appeal made under section 178A has not yet been determined; or
  - (c) the Appeal Tribunal has made a determination under section 178B(b) or (c).

## **178A. Appeal**

- (1) Any person who lodged an objection under section 178 may appeal to the Appeal Tribunal against the decision of a council under section 178(6) within 14 days after receipt of notice of that decision under section 178(6)(b).
  - (2) An appeal must be made in accordance with the Resource Management and Planning Appeal Tribunal Act 1993.
  - (3) An appeal may only be made on the ground that the decision of the council is not in the public interest in that –
    - (a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or
    - (b) there is no similar facility available to the users of that facility.
  - (4) The Appeal Tribunal is to hear and determine an appeal in accordance with the Resource Management and Planning Appeal Tribunal Act 1993.
  - (5) The decision of the Appeal Tribunal on hearing an appeal is final and section 25 of the Resource Management and Planning Appeal Tribunal Act 1993 does not apply.
-

## Local Government (Building and Miscellaneous Provisions) Act 1993

### 103. Amendment of sealed plans

(1) When a plan has taken effect, it may be amended by the council –

(a) of its own motion –

(i) to do anything that the council could do under any other power subject to any conditions precedent to the exercise of the power relied on; or

(ii) to bring the plan into conformity with any change in the rights and duties of land owners made under a statutory power; or

(b) on the application of any person having an interest in land subject to the plan.

(2) If a council acts on its own motion, it is to serve a notice in writing to all persons appearing by the registers under the *Land Titles Act 1980* and the *Registration of Deeds Act 1935* to have an estate or interest at law affected by the proposed amendment.

(3) A person is to –

(a) make an application under subsection (1) by petition; and

(b) serve a copy of the petition on all persons appearing by the registers under the *Land Titles Act 1980* and the *Registration of Deeds Act 1935* to have an estate or interest at law affected by the proposed amendment.

(4) Any person affected by the proposed amendment may ask to be heard in support or opposition.

(5) If a notice is not given or a petition is not served as required by this section, subsequent proceedings are not void.

### 104. Hearing in respect of amendment of plans

(1) At the end of 28 days after the last notice is served or the last petition is served as required by section 103(2) or (3), the council –

(a) may, if no person has asked to be heard in opposition, cause the amendment to be made; or

(b) if a person has asked to be heard, is to appoint a day for hearing any petitioner and those persons who have asked to be heard.

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(2) A hearing is to be by the council or a council committee who may –

(a) hear persons who have asked to be heard after the period referred to in subsection (1); and

(b) obtain the assistance of legal practitioners, architects, engineers and surveyors.

(3) On the conclusion of the hearing, the council may –

(a) cause the amendment to be made with or without modification; and

(b) require as a condition of so doing that any person who benefits the amendment is to make compensation in money or land to a person who is injured by it.

(4) The council may, with the consent of all persons concerned, act as provided in subsection (3).

(5) The Recorder of Titles may call in and cancel or correct any certificate of title affected by amendments.

### **105. Compensation in respect of amendments**

(1) Subject to subsection (2), a person adversely affected by an amendment is entitled to compensation by the council if –

(a) having asked to be heard under section 103(4), the person gave the council notice of the claim at or before the hearing; or

(b) within 60 days of having been served a notice or petition under section 103(2) or (3), the person gave the council notice of the claim; or

(c) not having been given notice or served a petition, the person gave the council notice of the claim within 60 days of learning that he or she was affected by the amendment.

(2) If compensation is payable under subsection (1), the council may recover against the petitioner and any person heard or asking to be heard in support of the amendment to the extent to which they benefited by the amendment.

### **105A. Amendments to sealed plans sealed under *Local Government Act 1962***

Sections 103 and 104 apply to sealed plans that have taken effect under section 464 of the *Local Government Act 1962* as if they were sealed plans made under this Act.

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## 105B. Validation of amendments to certain sealed plans

Amendments made in accordance with sections 103 and 104 to plans sealed under the *Local Government Act 1962* are valid and effectual only to the extent that the amendments were made in accordance with the powers conferred on a council under those sections in respect of plans sealed under this Act.

## 110. Adhesion orders

(1) Except as provided in subsection (2), the council may make an adhesion order if a block –

- (a) has the qualities of a minimum lot; and
- (b) comprises 2 parcels or more that may, without the approval of any plan by the council, lawfully be sold separately so as to create a block which –
  - (i) would not have the qualities of a minimum lot; and
  - (ii) is, or in the opinion of the council is likely to be, built on or bought for building.

(2) Subsection (1) does not apply to a block the parcels in which –

- (a) are the sites and grounds of buildings designed for separate occupation; or
- (b) have at any time been owned separately by persons who did not then own adjoining land.

(3) If an owner of a block referred to in subsection (1) seeks approval for building on that block which could be refused because a parcel in that block was owned by another person, the council after notifying the owner, may make an adhesion order if the approval is given.

(4) An adhesion order is an order of the council that the parcels comprised in the block subject to the order are not to be dealt with so that they come into the possession of different persons for an estate of freehold at law or in equity or for a term at law or in equity of 3 years or more.

(5) An adhesion order made under subsection (1) or (3) is to be –

- (a) served by the council on all persons appearing from the records in the Registry of Deeds or the Land Titles Office to have a legal estate in, or power of sale over, the land subject to the order; and
  - (b) registered –
-



(i) under the *Land Titles Act 1980*; or

(ii) in the Registry of Deeds as if it were a judgment.

(6) A contravention of subsection (5)(a) may give rise to an action for damages but does not alter the effect of the order.

(7) If an adhesion order is made under subsection (1) or (3), the Recorder of Titles is to –

(a) bring under the provisions of the *Land Titles Act 1980* that part of the land subject to the order that is not under that Act; and

(b) for that purpose is to as far as possible proceed as if an application to bring that land under that Act had been made under section 11 of that Act with all necessary consents by a person competent to make an application for that purpose; and

(c) register one folio of the Register for all the land and record the adhesion order on the folio; and

(d) call in and cancel certificates of title to parts of the land.

(8) Until land has been brought under *Land Titles Act 1980*, the registration of an adhesion order in the Registry of Deeds operates to deprive of all effect any subsequent agreement or assurance except as provided in subsection (10).

(9) In creating a folio of the Register which is supported by a plan of any land, the Recorder of Titles is not to indicate on that plan the boundaries of the parcels which the land formerly comprised.

(10) An adhesion order does not affect rights under an instrument registered before the adhesion order, even though by the exercise of a power of sale or right of purchase, or otherwise, the lands subject to the order may be separated in ownership.

(11) The council may discharge or modify any adhesion order by an order registered under the *Land Titles Act 1980*.

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**18.3 Kerbside Organics Collection and Organics Processing Facility****FILE NO:** SF0638**AUTHOR:** Rachael Eberhardt (Waste Management Officer)**DIRECTOR:** Shane Eberhardt (Acting Director Infrastructure Services)

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**DECISION STATEMENT:**

To approve the establishment of a commercial organics processing facility at the Launceston Waste Centre (LWC) and the establishment of a new kerbside food organics and garden organics service (FOGO).

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 10 December 2012 - Agenda Item 17.6 - Approval of Waste Management Interim Strategy which includes five actions to improve resource recovery in Launceston, with the second action being diversion of organics.

SPPC Presentation - 15 September 2014 - Presentation on kerbside organics and compost facility establishment, including financial aspects and environmental licence requirements.

SPPC Presentation - 1 September 2015 - Update on progress with the business case on kerbside organics and compost facility. Obtain approval to commence DPEMP process and undertake a study tour to Adelaide.

SPPC Workshop - 30 November 2015 - Presented results of study tour and recommended service level for kerbside collection.

Council - 14 December 2015 - Agenda Item 18.5 - Approval to proceed with community engagement and preparation of the development proposal and environmental management plan for the establishment of a composting facility for approval by the Environment Protection Authority.

**RECOMMENDATION:**

That the Council, in respect to the diversion of organics from landfill and the processing of organics into a reusable compost material at the Launceston Waste Centre, approves:

1. The introduction of a voluntary food organics and garden organics third bin fortnightly collection service for the urban residential area of Launceston and Lilydale.
-

**18.3 Kerbside Organics Collection and Organics Processing Facility ...(Cont'd)**

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- (a) A service which involves:
    - i. Residents being provided with a 240 litre wheelie bin from the Council at a one-off registration fee of \$65.00.
    - ii. On registering residents will receive a registration pack consisting of kitchen caddy, identification sticker and comprehensive educational material.
  
  - (b) The service will be funded by the existing waste management charge.
- 

**REPORT:****1. Background**

- A.** At the 9 August 2010 Council Meeting, Council resolved to note support for the recent report titled the 'Launceston Waste Centre Resource Recovery Review' and also the 'Future of Waste, Community Workshop' evening held on Monday 19 July 2010.

As a result a consultancy report prepared by Blue Environment recommended to Council strategies and opportunities to achieve the goals. Following a community consultation period, Infrastructure Services staff prepared the *Launceston Resource Recovery and Waste Management Interim Strategy and Action Plan* [ISAP].

- B.** At the 10 December 2012 Council Meeting, Council, in respect to the development of strategies to improve resource recovery and waste diversion from landfill, resolved to:
    - 1. *"Adopt the Launceston Resource Recovery and Waste Management Interim Strategy and Action Plan [ISAP] as the interim strategy to guide Council's waste management activities for the following 2 years*
    - 2. *Approve calling for expressions of interest to find a suitably qualified operator for a resale shop. A future report will seek Council approval of the scale of infrastructure and cost to action a resource recovery centre and resale shop.*
    - 3. *Develop, over the next 18 months, an education campaign to raise awareness about recycling, waste avoidance, reuse and the importance of source separation*
    - 4. *Commence preparation of a long term strategy for Launceston within two years of this interim strategy being adopted by Council*
    - 5. *Consider incentives to encourage better source separation and recycling by the community, and*
    - 6. *Undertake work into considering home composting options and a kerbside organics collection service for households in Launceston."*
-

**18.3 Kerbside Organics Collection and Organics Processing Facility ...(Cont'd)**

The five main areas of work from the adopted ISAP include:

- Action 1: understanding and setting full cost waste disposal fees and charges
- Action 2: establishing composting facility and a kerbside organics collection
- Action 3: establishing a resale shop and redesigning the transfer station to improve recycling
- Action 4: improve staffing levels for waste strategy and planning
- Action 5: developing a long term waste strategy.

Actions 1, 3 and 4 have been implemented. Action 5 will be further considered once Action 2 has progressed.

**This report provides approval for Action 2 for the proposed kerbside food organics and garden organics (FOGO) collection service and the establishment of an organics processing facility at the Launceston Waste Centre.**

**C.** The Council currently provides kerbside services, including:

1. Weekly waste collection, using a 140 litre mobile garbage bin (MGB) as the standard size (other sizes are available on request);
2. Fortnightly recyclables collection, using a 240 litre MGB as a standard size.

The above services exclude the Central Business District (CBD) and some remote rural areas. The CBD is provided a weekly alternative waste collection scheme.

**D.** Food organics represents 52% of the waste placed in the kerbside waste bin (results as part of the *Residential Kerbside Bin Audit, 2014*) which ends up in landfill. As well as this material, all the green waste that is taken to the transfer station is mulched and used within the landfill as daily and interim cover, eventually ending up in landfill too.

**E.** Previous consultation has been undertaken in the form of *Your Voice, Your Launceston (YVYL)* in August 2013. The questions provided to 211 registered participants were "If a kerbside green and food waste wheelie bin was provided, how quickly do you think you would fill it?" The Council received 153 responses with the below Table 1 providing the results.

**Table 1: Results from YVYL Question**

Duration	Response (%)
Less than 1 week	6
1 week	14
2 weeks	33
3 weeks	9
4 weeks	19
More than 4 weeks	19

**18.3 Kerbside Organics Collection and Organics Processing Facility ...(Cont'd)**

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F. The benefits of a FOGO collection service and composting is:

- Reducing the cost and the space of landfilling by diverting:
  - 12% of total waste to landfill; and
  - 32% of City of Launceston (transfer station + kerbside) waste to landfill.  
Assumes 35% of kerbside organics diverted.
- Reducing greenhouse gases generated by putrescible waste in landfill (estimated at 15,000 tonnes per annum out of 40-50,000 tonnes produced per annum).
- Providing a reliable and affordable source of compost and mulch to the CoL uses including landscaping and landfill rehabilitation.
- Is an improvement in service and reduces the need to visit the Launceston Waste Centre.
- Capturing the resource of organics to produce compost; which:
  - Improves soil structure (water holding capacity, erosivity, beneficial microbes and fungi).
  - Captures carbon with increased organic matter.
  - Replenishes organic matter in agricultural soils, which improves production and maintains productivity in the future.
  - Decreases the use of synthetic fertilisers which reduces cost and negative environmental impacts.

## **2. The Proposed Service**

Numerous collection models have been reviewed and costed with the proposal for a new food organics and garden organics collection service undertaken fortnightly. There is no change proposed to existing garbage and recycling kerbside collection services.

The proposed service includes:

- fortnightly FOGO collection on the alternate week to recycling
  - opt-in service where residents register to participate
  - a one off registration fee of \$65.00 which includes the cost of a mobile garbage bin (\$55.00) and the delivery (\$10.00), a kitchen caddy and education material (NTWVG).
-

## **18.3 Kerbside Organics Collection and Organics Processing Facility ...(Cont'd)**

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At start-up it is intended the Council will develop and operate the compost facility. The facility will be at the Launceston Waste Centre. While the volumes collected are small, an in-house operation provides opportunities for efficiencies to be achieved by sharing resources (mostly plant but also back-up labour) with the LWC, thereby reducing the financial risk. There is also a lack of composting operators in Tasmania and the City of Launceston currently employs two officers who have previously developed the largest composting operation in Tasmania.

The following sections of this report detail why this is considered the most appropriate service.

### **3. Key Risks and their Management**

The key risks to the service are provided below:

- *Contamination of collected materials.* This is the single greatest risk as the market will be very sensitive to contamination in the final product. Broken glass is one of the greatest risks because it cannot be removed. This risk is driving the proposal for a voluntary service as demonstrated in South Australia and will deliver significantly lower contamination rates.
- *Uncertainty around inputs and market development.* Although FOGO services are widely offered throughout Australia, Tasmania's climate and average block size will influence the quantity and quality collected. Nationally a number of facilities do not succeed due to a perception that there is an easily accessible market. It takes time to develop a quality product and to develop markets for new products.

To manage these risks the Council will operate the compost facility with day labour which will improve utilisation of LWC plant and compost will be utilised for landfill rehabilitation with some potential trial projects to be undertaken on sports fields and parks to demonstrate its value. This arrangement will need to be reviewed after 2-3 years of operations. At that time prioritising/contracting the operations will be considered as we will have confidence in quantity, quality and timing, for when produce needs to be disposed of commercially.

- *Odour.* The greater the investment in technology generally the reduced risk of odour. Open windrow piles are not acceptable technology for composting at the LWC as it does not sufficiently control oxygen level. Odour is created when the compost goes anaerobic due to a lack of oxygen. The most appropriate technology is static windrows which involves aerating the compost from below. This is proven technology and is low cost.
  - *Poor participation.* This will be managed as part of community engagement.
-

**18.3 Kerbside Organics Collection and Organics Processing Facility ...(Cont'd)**

**4. Community Consultation**

A survey was undertaken through Your Voice Your Launceston for four weeks from 7 March 2016 to 8 April 2016. A summary of the survey is attached in Attachment 1. The survey asked a number of questions listed below:

**Question 1:** Do you support the City of Launceston providing a FOGO kerbside service? It is a voluntary service which means you choose whether you participate or not.

**Question 2:** Participation in the FOGO service within the urban area of Launceston and Lilydale will be voluntary. Would you participate in this service?

- If you have answered no to this question would you like to tell us why?

**Question 3:** There should be no change to the existing collection schedule. Garbage collection will be weekly and recycling fortnightly. The FOGO will be collected on the opposite week to recycling. Do you support this proposal?

- If you support this service, please tell us your primary reasons for doing so.
- If you do not support this service, please tell us you primary reasons why.

The survey had 897 visits and 384 people undertook the survey although some did not answer all questions.

The results are tabled below:

**Table 2: Results from YVYL Question**

	Yes		No		No opinion	
<b>Question 1</b>	360	96.8%	11	3%	1	0.2%
<b>Question 2</b>	362	94%	22	6%	-	-
<b>Question 3</b>	300	79%	30	8%	51	13%

In addition the City of Launceston Official Facebook site posted a description of the service being offered and directed people to the Your Voice Your Launceston site to complete the survey. This post received 511 likes, 140 shares and received 103 comments making it one of the more popular posts to date.

A quick analysis of the 103 comments, 77 comments reflected opinions for and against the proposal. 92% were in favour of the service and 8% were against the service.

**18.3 Kerbside Organics Collection and Organics Processing Facility ...(Cont'd)**

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The majority of comments from the survey and Facebook focused on issues such as:

- Not wanting to pay for the bin
- What happens if the bin gets stolen or vandalised?
- Worried that this will lead to a reduction in the collection frequency for general waste.
- The bin will smell
- Will there be an increase in rates to fund the service?
- How will renters participate?

Responses to the questions and other questions asked regarding the service can be found in Attachment 2.

One of the main concerns expressed through social media and during the survey was around the purchase and ownership of the bin. If the resident owns the bin then they are responsible for purchasing a replacement if the bin is stolen or vandalised.

It is proposed that the Council maintains ownership of the bin. The bin will be registered to the resident via a serial number or microchip to assist with locating if lost or stolen. However, this system only works if the bin is located. FOGO collections will only be made from a registered address not because there is a bin located at the kerb.

If the Council were to take the responsibility of bin ownership it would add a cost of approximately \$2.00 per participant to cover bin replacements due to stolen or vandalised bins.

Currently 180 recycle bins are stolen or vandalised per annum based on 23,000 tenements. If the final participation rate is around 15,000 tenements then an estimated 120 bins will be stolen or vandalised per annum.

A bin costs \$55 for replacement which is approximately \$6,600 per annum. There are four years left on the current kerbside collection contract at which stage the complete kerbside service will be tendered. This means that over the remaining four years an estimated \$26,400 will be spent on replacing stolen or vandalised bins. If there are 15,000 participants then to cover this bin replacement fee it would be approximately \$2.00 each for the FOGO service.

**ECONOMIC IMPACT:**

Research undertaken on other commercial operations state that 4.1 FTE positions are created per 10,000 tonnes of organic waste composted compared to 2.8 FTE's for landfill disposal. These FTE positions would be a product of an end to end processor.

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**18.3 Kerbside Organics Collection and Organics Processing Facility ...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

The diversion of organics from landfill will have a positive environmental impact on the landfill. Through less volume of organic waste being landfilled, there will be less methane, carbon and leachate emissions produced, resulting in a reduction in operating costs and reduced potential of carbon liability. In addition the use of compost improves soil health.

The production of organic compost materials will also provide a benefit to the community and agriculture and horticulture industries.

**SOCIAL IMPACT:**

Organics processing and the creation of composting facility will employ local people in the operation of equipment, technical monitoring and contamination removal.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 5 - A city that values its environment

Ten-year goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards

Key Direction -

5. To reduce our and the community's impact on the natural environment

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To continue to ensure the long-term sustainability of our Organisation

Key Direction -

6. To maintain a financially sustainable organisation

**BUDGET & FINANCIAL ASPECTS:**

The operational and capital budgets for the financial year 2016/2017 provide an allowance of \$200,000 for the implementation of a food organics and gardens organics collection service. In addition \$500,000 will be included in the 2017/2018 financial year (Attachment 3).

Diversion of organics from landfill will prolong the life of the landfill, saving on decommissioning and rehabilitation costs and allowing for construction of new cells to substantially be deferred. At an optimum operational level this service will extend the life of a "normal" landfill cell from three years to four years, adding an additional four years to the life of the landfill. In financial terms, this is an annual saving of \$245,500 (diversion of 10,647 tonne pa @ \$23/tonne [ $\$23/\text{tonne} = \text{cell construction and capping}$ ]).

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**18.3 Kerbside Organics Collection and Organics Processing Facility ...(Cont'd)**

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A kerbside organics collection service provides residents with an easy and affordable solution to the consistent removal of vegetation prunings and grass clippings.

The reduction in landfill gas emissions will reduce council's exposure to any future carbon pricing mechanisms/tax.

West Tamar Council and Meander Valley Council have indicated that they are also considering introduction of an organics collection. This will make the business more favourable.

**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.



**Shane Eberhardt: Acting Director Infrastructure Services**

**ATTACHMENTS:**

1. Summary Report of Your Voice Your Launceston
  2. Response to questions and answers from social media and the survey
  3. Detailed Financial Analysis
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Attachment 1

# Summary Report


Date Range

## Your Voice Your Launceston

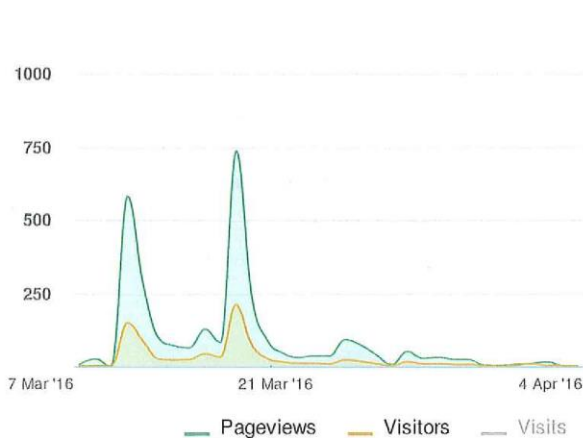
PROJECTS SELECTED: 1

Introducing a Food Organics and Garden Organics (FOGO) waste collection

FULL LIST AT THE END OF THE REPORT



Visitors Summary



Highlights

TOTAL VISITS	897	MAXIMUM SINGLE DAY VISITORS	218
ENGAGED VISITORS	380	INFORMED VISITORS	641
		AWARE VISITORS	819

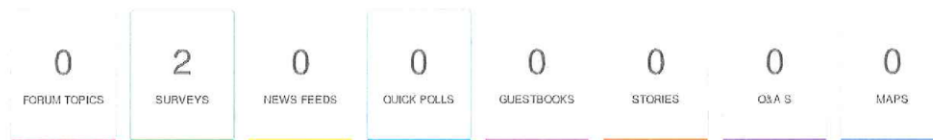
Header Text

**PARTICIPANT SUMMARY**

ENGAGED		380 ENGAGED PARTICIPANTS			TOP PROJECTS	
		Registered	Unverified	Anonymous	Participants (%)	
INFORMED	Contributed on Forums	0	0	0	Introducing a Food Organic...	380 (46.4%)
	Participated in Surveys	380	0	0		
	Contributed to Newsfeeds	0	0	0		
	Participated in Quick Polls	0	0	0		
AWARE	Posted on Guestbooks	0	0	0		
	Contributed to Stories	0	0	0		
	Asked Questions	0	0	0		
	Placed Pins on Maps	0	0	0		
	Contributed to Brainstormers	0	0	0		
		<i>* A single engaged participant can perform multiple actions</i>			<i>* Calculated as a percentage of total visits to the Project</i>	
ENGAGED		641 INFORMED PARTICIPANTS			TOP PROJECTS	
		Participants			Participants (%)	
INFORMED	Viewed a video	0			Introducing a Food Organic...	641 (78.3%)
	Viewed a photo	38				
	Downloaded a document	0				
	Visited the Key Dates page	8				
AWARE	Visited an FAQ list Page	187				
	Visited Instagram Page	0				
	Visited Multiple Project Pages	258				
	Contributed to a tool (engaged)	380				
		<i>* A single informed participant can perform multiple actions</i>			<i>* Calculated as a percentage of total visits to the Project</i>	
ENGAGED		819 AWARE PARTICIPANTS			TOP PROJECTS	
		Participants			Participants	
INFORMED	Visited at least one Page	819			Introducing a Food Organic...	819
AWARE						
		<i>* Aware user could have also performed an Informed or Engaged Action</i>			<i>* Total list of unique visitors to the project</i>	

Header Text

### ENGAGEMENT TOOLS SUMMARY

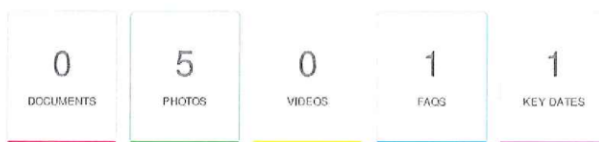


SURVEYS SUMMARY	
2	Surveys
380	Contributors
382	Submissions

TOP 3 SURVEYS BASED ON CONTRIBUTORS	
380	0
Contributors to Your feedback	Contributors to FOGO Survey

Header Text

## INFORMATION WIDGET SUMMARY



PHOTOS	
5	Photos
38	Visitors
88	Views

TOP 3 PHOTOS BASED ON VIEWS		
27	18	17
Views	Views	Views
Organic Waste Collection Lime Green	From Caddy to Bin	The new wheelie bin

FAQS	
1	Faqs
187	Visitors
196	Views

TOP 3 FAQS BASED ON VIEWS	
196	Views
Introducing a Food Organics and Garden Organics (FOGO) waste collection	

KEY DATES	
1	Key Dates
8	Visitors
8	Views

TOP 3 KEY DATES BASED ON VIEWS	
8	Views
Introducing a Food Organics and Garden Organics (FOGO) waste collection	

Header Text

**TRAFFIC SOURCES OVERVIEW**

REFERRER URL	COUNT
<a href="http://www.launceston.tas.gov.au/lcc/index.php?c=839">http://www.launceston.tas.gov.au/lcc/index.php?c=839</a>	45
<a href="https://www.facebook.com/">https://www.facebook.com/</a>	23
<a href="https://www.google.com.au/">https://www.google.com.au/</a>	22
<a href="http://m.facebook.com">http://m.facebook.com</a>	21
<a href="http://m.facebook.com/">http://m.facebook.com/</a>	21
<a href="http://www.launceston.tas.gov.au/lcc/index.php?c=839&amp;langID=1">http://www.launceston.tas.gov.au/lcc/index.php?c=839&amp;langID=1</a>	18
<a href="https://www.facebook.com">https://www.facebook.com</a>	11
<a href="https://www.bing.com/">https://www.bing.com/</a>	4
<a href="https://www.google.com.au">https://www.google.com.au</a>	4
<a href="https://m.facebook.com/">https://m.facebook.com/</a>	3
<a href="http://www.bing.com/search?q=fogo+waste&amp;form=MSNH14&amp;sc=8-4&amp;sp=-1&amp;qs=n&amp;sk=">http://www.bing.com/search?q=fogo+waste&amp;form=MSNH14&amp;sc=8-4&amp;sp=-1&amp;qs=n&amp;sk=</a>	2
<a href="http://wm41.inbox.com/Lib/141013/mod_email.html">http://wm41.inbox.com/Lib/141013/mod_email.html</a>	1
<a href="http://www.bing.com/search?q=fogo+waste&amp;src=IE-SearchBox&amp;FORM=IESR02">http://www.bing.com/search?q=fogo+waste&amp;src=IE-SearchBox&amp;FORM=IESR02</a>	1
<a href="http://www.bing.com/search?q=FOGO+collection&amp;src=IE-TopResult&amp;FORM=IETR02&amp;conversationid=">http://www.bing.com/search?q=FOGO+collection&amp;src=IE-TopResult&amp;FORM=IETR02&amp;conversationid=</a>	1
<a href="http://www.bing.com/search?q=EPA+Fogo&amp;form=PRAUEN&amp;refig=4c66868a1b5845b9ba10f0d980d7b&amp;pq=epa+fogo&amp;sc=8-8&amp;sp=-1&amp;qs=n&amp;sk=">http://www.bing.com/search?q=EPA+Fogo&amp;form=PRAUEN&amp;refig=4c66868a1b5845b9ba10f0d980d7b&amp;pq=epa+fogo&amp;sc=8-8&amp;sp=-1&amp;qs=n&amp;sk=</a>	1

Header Text

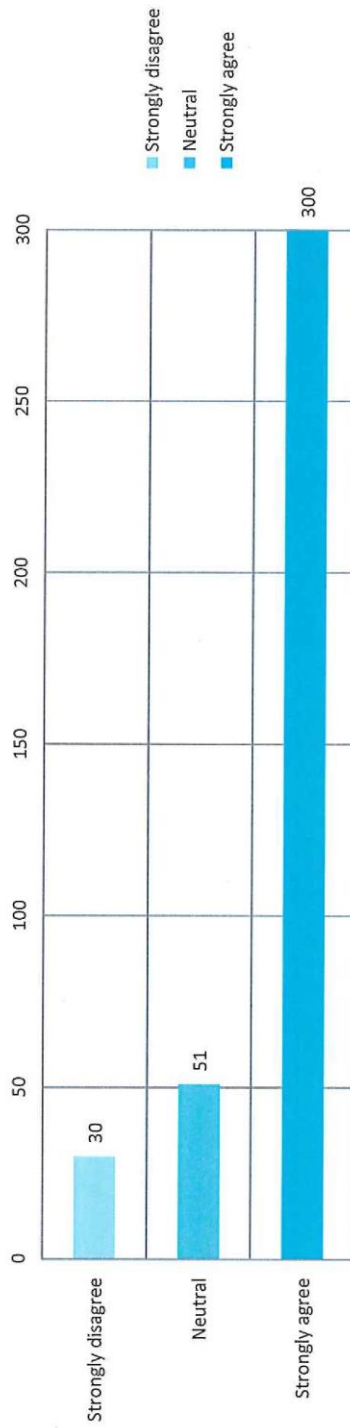
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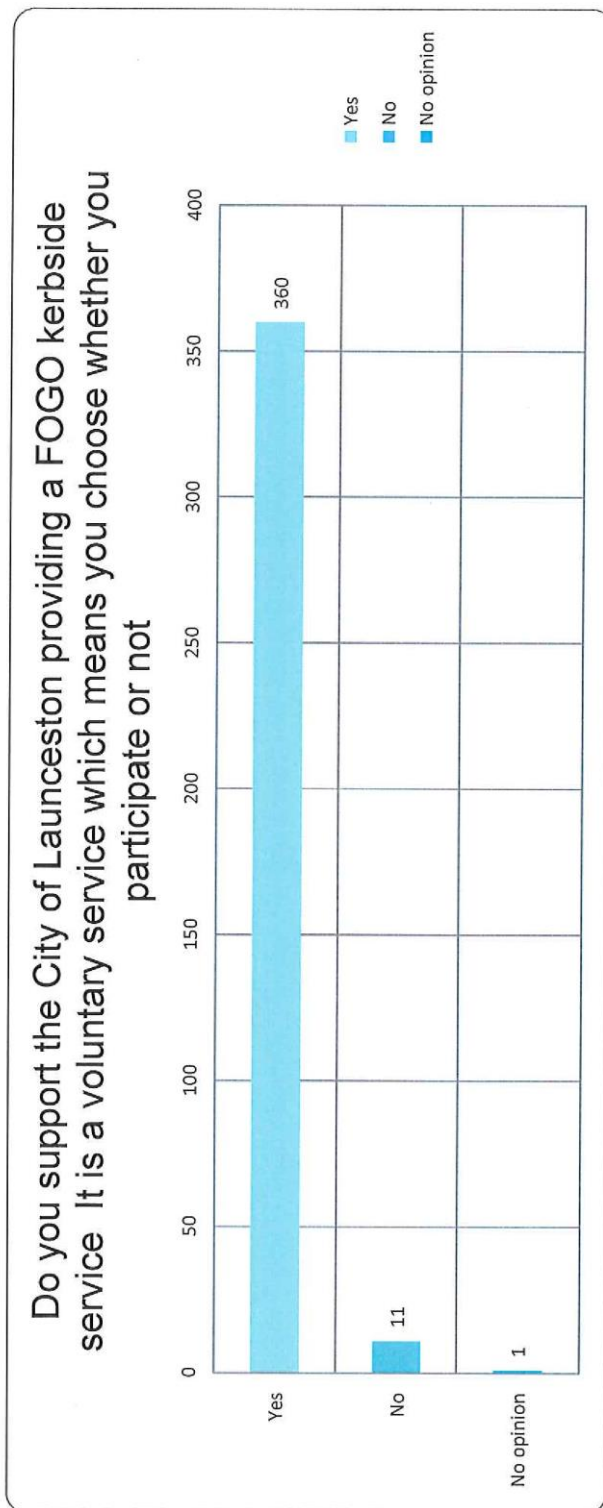
## SELECTED PROJECTS - FULL LIST

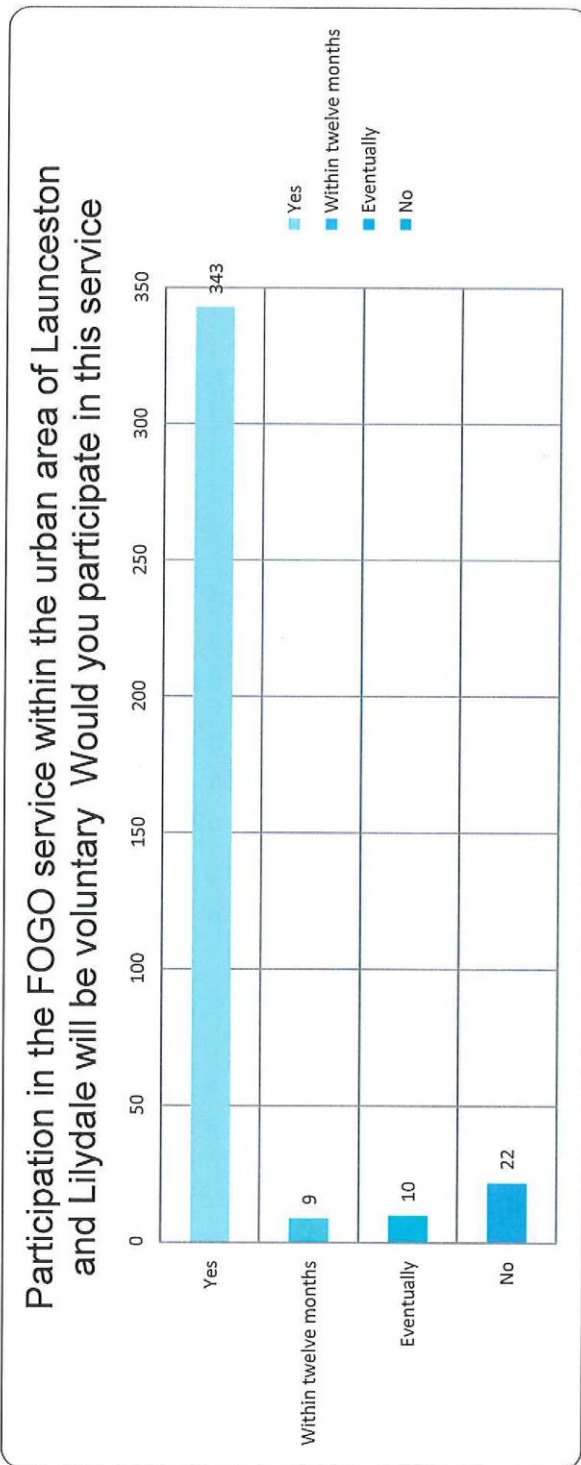
PROJECT TITLE	AWARE	INFORMED	ENGAGED
Introducing a Food Organics and Garden Organics (FOGO) waste collection	819	641	380



There should be no change to the existing collection schedule  
garbage collection will be weekly and recycling fortnightly The FOGO  
will be collected on the opposite week to recycling Do you support this  
proposal







**Questions & Answers on the service from the consultation - Attachment 2**

<p><b>1. Will there be sufficient bin space for three mobile garbage bins at the property and on the kerb?</b> As the service is an opt-in service, it is up to the resident to decide whether they want to participate or not. In addition the FOGO bin will be collected on the alternate week to recycling which means that there will only ever be two bins at the kerb. However, after investigating other council's in Australia that have introduced the third wheelie bin for organic waste there seems to be little evidence of complaints about the space the third bin requires.</p>
<p><b>2. Where will I put the new bin?</b> The new bin can be stored with your other wheelie bins - against the building, in the garage or in the yard.</p>
<p><b>3. What will the bin sizes be for garbage, recycling and organics?</b> The standard bin sizes will be:</p> <ul style="list-style-type: none"> <li>• General waste - 140 litres</li> <li>• Recycling - 240 litres</li> <li>• FOGO - 240 litres</li> <li>•</li> </ul>
<p><b>4. The FOGO collection is fortnightly - won't it smell?</b> Generally, no. But in the warmer weather if you are concerned those prawn peelings will stink up your bin if you put them in a week before collection, try putting them in the freezer and then into the FOGO bin closer to collection day.</p>
<p><b>5. Will this lead to a reduction in the frequency of the general garbage collection?</b> At this stage no. There are no plans to reduce the frequency of the general garbage collection. However, residents that take up the FOGO bin may decide that they do not need to put their general waste bin out as regularly.</p>
<p><b>6. Will there be an increase in rates to fund the service?</b> No, there will be no rate increase. The cost of the bin is covered in the participation fee and the service is estimated at a net cost to the Council of \$0.5 million per year. The service will be paid for by the existing waste management charge.</p>
<p><b>7. How will renters participate?</b> Renters can participate by registering for the service. The bin can go wherever they live provided they contact the Council to update their address for collection purposes.</p>
<p><b>8. I don't want to pay for a bin but I want to participate in the service.</b> Unfortunately to keep costs down and not increase rates to cover the service, a participation fee is required. When you register you will receive a 240 litre green wheelie bin with a lime green lid, a kitchen caddy to store and transport your food organics to the bin and education material on how to use the service. The caddy and education material will be funded by the Northern Tasmanian Waste Management Group. There will be no additional costs to the participant.</p>

**9. What happens if my bin gets stolen?**

If a bin is stolen or vandalised then a replacement bin will be processed as per the current kerbside bin arrangement. If the bin is damaged by the contractor then the contractor will need to either fix or replace the bin.

**10. How will contamination of the organics bin be controlled?**

A number of measures can be introduced to control contamination in the organic wheelie bin, including:

- cameras installed on the kerbside collection truck which show footage of what is in the bin prior to disposal
- community education program about the organics kerbside collection and processing, highlighting what can and cannot be put in the organics bin.
- penalty system for those that continue to not do the right thing.

In addition information from around Australia indicates that there is less contamination when a service is voluntary as the people signing up want to participate rather than being forced to.

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**DETAILED FINANCIAL ANALYSIS**

**Attachment 3**

**Kerbside FOGO Service**

Organics input is as follows:

Kerbside collection service	29,675 tenements
Participation rate	40%
No of participants	11,684 tenements
Quantity / participant	0.40 tonne/year
Total annual quantity	4,674 tonnes

Source separated organics already collected at the LWC are around 6,000 tonnes per year.

Additional kerbside collection costs \$17 per tenement which comprises:

<b>Establishment</b>	<b>\$</b>
Education (NTWVG contribution approved 27/11/2015)	100,000
Bin caddies (NTWVG contribution approved 27/11/2015)	128,000
<b>Operational Expense</b>	
Collection expense (11,684 tenements @ \$0.9/lift)	273,400
Composting expense (4674 tonnes @ \$50/tonne)	233,700
<b>Total operational expense</b>	<b>507,100</b>

**Compost Facility**

Development and depreciation expense for the compost facility is summarised below:

<b>COMPOSTING OPERATION: SITE WORKS</b>	<b>Rate</b>	<b>Qty</b>	<b>Cost (\$)</b>	<b>Life (yrs)</b>	<b>Depreciation</b>
Electricity 3phase power conduit underground	25	142	3,550	15	237
Electricity 3phase power box & switches	700	1	700	10	70
Electricity mains 240v - conduit underground	25	142	3,550	15	237
Electricity mains 240v - power box & switches	700	1	700	10	70
Trenching (electricity)	92	142	13,064	100	131

Potable water line	25	550	13,750	20	688
Irrigation equipment	1	20000	20,000	10	2,000
Large capacity loader bucket	1	20000	20,000	7	2,857
Aerated compost system	1	100000	100,000	7	14,286
Site electric fencing and gates	247	400	98,800	50	1,976
Fire water hose	1	5000	5,000	10	500
DPEMP	1	20000	20,000	100	200
<b>Total</b>			<b>299,114</b>		<b>23,250</b>

A summary of the composting facility financial operating summary is provided below:

Item	Rate	Units	Qty	Cost (\$)
<b>Income</b>				
Kerbside organics	50	\$/t	4,674	233,688
Source separated green waste	50	\$/t	6,000	300,000
Compost sales	30	\$/t	1,921	57,638
<b>Total</b>				<b>591,326</b>
<b>Expense</b>				
Depreciation	23,250	item	1	23,250
Front end loader hire - use existing LWC loader	20,000	item	1	20,000
Screening of final product	50,000	item	1	50,000
Shredding /chipping costs (external contractor) - addition expense over current mulching costs	200,000	item	1	200,000
Electricity - Aerator Fans	0.25	/kWh	40,000	10,000
Water - Composting operations	0.9474	/ kL	10,000	9,474
Operational Staff	100,000	/FTE	1	100,000
Maintenance	10,000	item	1	10,000
Testing regime	10,000	item	1	10,000
Additional leachate quantity	3.35	/ kL	5,000	16,750
Contingency	150,000	item	1	140,000
<b>Total</b>				<b>589,474</b>

The above figures are based on processing organics material from the City of Launceston.

## 19 CORPORATE SERVICES DIRECTORATE ITEMS

### 19.1 General Rates - Independent Living Units (Retirement Homes)

**FILE NO:** SF0521/SF0523/SF5547/SF0991

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

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

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#### **DECISION STATEMENT:**

To consider a phased reduction in the remission of General Rates provided to Independent Living Units (ILU) owned by charitable organisations.

*A decision, pursuant to section 129 of the Local Government Act 1993, to provide a rate remission requires an absolute majority of Council.*

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

Council - 18 October 2010 - Agenda Item 12.1 - Notice of Motion Remission of Rates for Residents of Retirement Homes

Council - 23 May 2016 - Agenda Item 14.2 - Notice of Motion Rating of Residential Properties Owned by Charities

Workshop - 6 June 2016

#### **RECOMMENDATION:**

1. That Council, pursuant to Section 129 of the *Local Government Act 1993*, resolves to provide a remission of 100 percent of the General Rate (including the General Charge) for Independent Living Units which are not exempt pursuant to Section 87(1) of the *Local Government Act 1993* for the year ending 30 June 2017.
  2. That Council notes that the adoption of the first recommendation provides a 12 month notice of the change to the General Rate remission.
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**19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)**

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3. That Council resolves to transition further changes in the amount of the remission of the General Rate within the following time frame:

<b>Financial Year</b>	<b>Remission %</b>	<b>General Rate %</b>
2016/2017	100	-
2017/2018	70	30
2018/2019	60	40
2019/2020	50	50
2020/2021	40	60
2021/2022	30	70
2022/2023	20	80
2023/2024	10	90
2024/2025	-	100

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**REPORT:**Background

For many years the organisational practice had been to treat retirement homes as exempt from rates. This practice was not in accord with Section 87 of the *Local Government Act 1993*, which determines when exemptions apply. To give effect to a direction of Council a decision was made to provide a discretionary remission pursuant to Section 129 of the *Local Government Act 1993*.

At a recent meeting of the Local Government Association of Tasmania, all the Council's passed a motion supporting the application of rates to Independent Living Units within Retirement Villages. As noted in this report the rating of Independent Living Units is now common practice with Hobart and Clarence resolving to apply the full general rate from 1 July 2016.

Policy Considerations

There are important policy matters for Council to address in the consideration of this Agenda Item.

**(i) Equity and Fairness**

Fundamental to delivering equitable outcomes to all members of the community is a rating structure that produces similar outcomes for similar situations. For example, properties with the same value and use pay the same rates. The current approach of providing a 100 percent remission to one ratepayer at the expense of other ratepayers is contrary to this principle on two grounds. Firstly, the rates paid in respect of properties with the same residential use and value are different, in fact there are no rates paid in respect of one property. Secondly, by providing the remission to some, the rates that must be levied on and paid by others is increased.

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## 19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)

(ii) Rate Revenue for the City of Launceston

The premise of the proposed change is that the reduction in the amount of the rate remission would be used to reduce the general rates that would otherwise apply to the remaining properties in the City of Launceston. The incremental change in the remission and the resultant rate requirement under the recommended transitional arrangement will mean the application of this principle will have less impact than it would be if the remission were completely removed in one year. This does not mean it would not occur, just that it is not as apparent as it might otherwise be. The following simplified example illustrates this principle.

A municipality comprises two identical properties, the total rate revenue for the municipality is \$1,000. If rates are applied on an equitable basis then each resident will pay \$500. If a 100 percent rate remission is provided to one then the other will pay \$1,000, the Council's revenue does not increase.

Analysis

This analysis provides further illustration of the inconsistencies that the recommendation addresses. Consider the following scenario.

Two neighbours the same age, same income (including pension), live in identical units of the same capital and assessed annual value. The only difference is that one lives in a retirement village (under a residential agreement) with the unit owned by a charitable organisation, the other owns the unit (or the unit is owned by a private organisation). The next table shows the costs that are currently incurred by each person (albeit through different processes):

	Person A (ILU)	Person B (Own)
Expenses		
Maintenance		
Building	✓	✓
Grounds	✓	✓
Utilities		
Electricity	✓	✓
Telephone	✓	✓
Water and Sewerage	✓	✓
Garbage Collection	✓	✓
General Rates	X	✓
Fire Service Rate	X	✓
Residential Administration Fee	✓	X

## 19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)

The majority of the costs are the same for both people. The illustrative rates that would apply for the 2016/2017 financial year are:

	<b>Capital Value \$250,000 AAV \$12,500</b>		
	<b>Private Unit (100%)</b>	<b>2017 ILU (0%)</b>	<b>2018 ILU (30%)</b>
General Rate @ 7.4750	934	-	280
General Charge	250	-	75
Waste Management	102	-	-
	1,286	-	355
Fire Service Rate @ 1.3730	172	-	52
Total Rate	1,458	-	407
Less Pensioner Remission	326	-	132
	<b>\$1,132</b>	-	<b>\$275</b>

The rate estimate assumes each unit has a capital value (CV) of \$250,000 and an assessed annual value (AAV) of \$12,500. These values are for illustrative purposes and are actually higher than the values of the Independent Living Units in the municipality.

Note:

- 1) Pensioner Remissions are 30 percent of the total rate (subject to a maximum amount of \$292) plus an additional 20 percent of the Fire Service Rate. The Pensioner Remission is provided by the State Government.
- 2) The estimate for 2017/2018 assumes the same rate as in 2016/2017, in recent years rates have increased broadly in line with the local government and consumer price indexes.

The above calculation provides an example of the total rate, however the final amount that applies will be determined by:

- a) the amount that the owner body is able to pass on to the resident under their agreement;
- b) the values of the properties as determined by the Office of the Valuer General; and
- c) the pensioner status of the resident.

If we consider some further similarities of the neighbours.

- Both are provided with access to Council funded pensioner concession (for parking and the waste centre). One person pays rates that fund these concession the other does not. These concessions are funded by general rates and should be provided to the City's ratepayers.

**19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)**

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- They are friends with the same interests, they like to:
  - drive on Council roads;
  - go to the football at Aurora Stadium;
  - see a show at the Princess Theatre;
  - have a swim at the Launceston Aquatic;
  - visit the Museum; and
  - take a walk in the Gorge.

All of these services are provided by the Council through the expenditure of rates levied on residents and the neighbours have a similar capacity to contribute through general rates to the pool of funds that is required to provide these services.

Under the current policy one person pays 100 percent and the other pays Nil percent, the recommendation (under the illustrative example provided) would see one person pay \$1,132 and the other \$294 in 2017.

### Demographic Trends and Intergenerational Equity

Consider a scenario where:

- a) the proportion of older (aged) people in the population increases; and
- b) the proportion of the older people living in independent living units (not paying any rate) increases.

The choices a Council facing such a scenario would have to make are between:

- a) reducing services, and/or
- b) increasing rates to those who don't live in the independent living units.

Council should consider if such a scenario is fair to others, be they current or future ratepayers.

A community should support all its residents, especially those with the greatest need. A change in the Council policy that continues to support those in 'hostel' care and provides exemption where there is a charitable use and occupation and requires some contribution from other residents with residential use is appropriate.

### Transition Alternatives

It would be unfair to propose a change with a retrospective effect. However some people who have entered a facility based on a consideration of their budget may consider that a change that may increase their future costs has a retrospective effect.

The recommendation provides for a progressive reduction in the existing 100 percent remission over nine years.

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## 19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)

This alternative provides equity between residents of the Independent Living Units by applying the same percentage remission to each unit. It also improves the equity across the community, a consistent approach and allows residents time to transition.

The rate amounts are before the effect of the pensioner rate remissions for eligible pensioner residents is taken into account. The Commissioner of State Revenue has advised:

*I confirm that where a resident of an ILU or similar establishment, is an eligible pensioner and has entered into an agreement that requires the pensioner to make payment of rates, then that resident is deemed to be eligible to receive a rates remission under the provisions of Section 4 (1) of the Act.*

The example provided earlier in the report illustrates the amounts on a notional property before and after pensioner remission in the 2017-2018 financial year.

### Approach Used by Other Councils

Staff contacted ten Tasmanian Councils and were advised that 9 rate or intended to rate Independent Living Units.

In Victorian regional cities such as Ballarat and Greater Bendigo both apply that full general rate to units that are 'capable of separate occupation'.

### Retirement Facilities in Launceston

There are three categories of properties in the current policy.

- properties that don't pay rates
- properties that pay rates; and
- properties that are exempt from rates.

This report focuses on those properties that don't pay rates. The implementation of the recommendation would involve consultation with the owners and or operators of the property and the Office of the Valuer-General to confirm the details of the independent living units so that the changes only apply to this category.

	<b>General Rates</b>
Properties that don't pay rates	\$546,040
Properties that pay rates (includes 4 privately owned facilities)	\$222,080
Exempt Properties	\$151,104

Is it equitable to privately owned facilities to pay \$204,137 in General Rates while others have rates remitted?

**19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)**

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Payment Terms

It is proposed that the payment of rates would be delayed until 30 April 2017. A 25 percent charge is equivalent to one quarter's instalment for other ratepayers which is due in each of the four instalments. Delaying the instalment until this date would ensure that there is sufficient time to liaise with the various operators to confirm the details of the tenancies and resolve any implementation issues including pensioner remissions.

Legal Basis

Section 87 of the *Local Government Act 1993* states:

- (1) *All land is rateable except that the following are exempt...*
  - (d) *land or part of land owned and occupied exclusively for charitable purposes;*

Section 129 of the *Local Government Act 1993* states:

- (1) *A ratepayer may apply to the council for remission of all or part of any rates...*
- (2) *An application is to be -*
  - (a) *Made in writing; and*
  - (b) *Lodged with the general manager.*
- (3) *A council, by absolute majority, may grant a remission of all or part of any rates...*
- (4) *A council, by absolute majority, may grant a remission of any rates...by a class of ratepayers.*
- (5) *The general manager is to keep a record of the details of any remission granted under this section.*

It is now accepted as the legal position that independent living units within a retirement village do not meet the second test, under Section 87(1)(d), of 'occupied exclusively for charitable purposes'.

The ongoing application of rates by other Councils evidences the legal power and an expectation that rates would apply in this circumstance.

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**19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)**

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**Submissions and Questions Raised****Southern Cross Care (Tas) - Dr Tony McCormack (President Glenara Lakes Residents Association)**

1. Estimated cost of \$1,000 per unit per annum.

*Response:*

The recommendation is for a transitional arrangement starting at 25 percent of the rate. The Council may choose a policy position of retaining a part remission. Pensioner remissions will reduce the amount for eligible residents.

2. An exemption (actually a remission) has applied, why the change?

*Response:*

The current arrangement is unfair to those paying rates.

3. Current economic environment decreasing income of self-funded retirees.

*Response:*

Acknowledge the concerns, there are financial challenges facing other sectors of the rate paying community as well.

The proposal is for a transition that would see residents paying 25 percent of a pensioner or a self-funded retiree living in their own unit. This provides the opportunity to adapt to the change.

4. Volunteer Contribution.

*Response:*

The Council seeks an equitable outcome such that all of the aged residents of the City are able to maintain a good standard of lifestyle in their twilight years.

5. Employment.

*Response:*

Noted.

6. Apply to all Aged facilities

*Response:*

Agreed. The proposal is intended to address the inequity that currently exists between facilities.

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**19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)**

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## 7. Amenities provided to by Glenara.

*Response:*

## Garbage Collection

This is subject to a separate service charge that would not apply to Glenara Lakes, while ever the service is provided by Southern Cross Care.

## Maintenance of streets, signage, street lights and footpath

The access to these public facilities is provided to all aged (and other) residents of the City on the same basis.

## Nature strips

Nature strips are generally maintained by the owner of the adjoining property, not by the Council.

## Private footpath

The responsibility for a private drive or footpath rests with the private owner.

Consideration of this type of facility infrastructure may mean that some part of the remission of rates remains.

Mr Allan Miller

1. There appears to be a perception that an inequitable situation exists. On the face of it this would appear to be a fair and reasonable perception.

*Response:*

Noted and agree with the comment.

2. No resident made the decision to sell their home and move into a retirement village because they could see that by so doing they would avoid having to pay their fair share of Council rates.

*Response:*

Accept the comment.

3. They have always believed that all Council rates and taxes were included in their monthly maintenance bill.

*Response:*

This is a very important point. It is a matter that residents need to take up with the owners organisation. It also brings into question what charge, if any, should be passed on by the owner organisation to the resident. It is also important to note that as the application of rates is common. Most facility owners should be fully aware of the rating liability.

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**19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)**

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4. Most residents did their sums and concluded that the amount of the maintenance fee, which was over and above their current Council rates, was a reasonable figure and one they could manage.

*Response:*

Acknowledge the comments. The recommendation provide for an extended transitional process to assist with any change made.

5. The future wellbeing of many residents and their financial ability to continue to live within the village would be seriously affected.

*Response:*

The Council is concerned with the wellbeing of all residents of the City, including those that are currently paying rates. As noted in response to the previous question there are issues that residents would take up with the facility owners. The recommended transitional process and access to pensioner rate remissions is part of assisting with change.

Mr Ken and Mrs Thei Lock

1. The proposal would place severe stress on our ability to pay.

*Response:*

Acknowledge concerns. As noted in the response to Mr Miller the transitional proposal is intended to assist residents and achieve a more equitable treatment for all in the medium term.

Petition - Dr Tony McCormack (President Glenara Lakes Residents Association)

Although this document was submitted as a petition, it did not comply with Section 57 of the *Local Government Act 1993* and has been treated as a submission (which in this instance produces the same outcome).

1. We urge the Launceston City Council not to proceed with the proposed changes on the basis that Retirement Villages are used exclusively for charitable purposes in accordance with the policy determined 1985.

*Response:*

The recommendation relates to Independent Living Units not the whole of the Retirement Village. The occupation of an Independent Living Unit does not meet the test for a charitable use; it is no different to the occupation of a privately owned unit. Many changes have occurred since 1985 and it is the responsibility of every new Council to review and update policies to meet the correct requirements that deliver equitable outcomes to all citizens.

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**19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)**

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2. The imposition of the proposed rates will affect the financial viability of some Retirement Villages and is likely to cause financial hardship to many residents, especially as the 30% pensioner rate remission is not applicable.

*Response:*

- a) Privately owned retirement facilities are paying rates
- b) Residential agreements apparently state 'that all Council rates and taxes were included...'
- c) The Council has for many years provided information highlighting the amount of the remission to the retirement facility owners
- d) When this proposal was previously considered all facilities were visited and meeting held with managers and residents
- e) Written advice, from the Commissioner of State Revenue as quoted in the report, is that the pensioner rate remissions does apply

It is understandable that changes that may result in additional costs to individuals can cause concern. It is apparent from the submission that much of the concern relates to uncertainty of the financial effect and a misunderstanding of the basis of and justification from the recommended change.

## Key elements of the proposal are:

- a) addressing a current inequity;
- b) revenue natural objective for the Council;
- c) an extended transition period beyond five years;
- d) delaying the payment in the first year.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

The equitable application of rates is an important social principle.

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**19.1 General Rates - Independent Living Units (Retirement Homes) ...(Cont'd)**

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**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation  
Ten-year goals - To continue to ensure the long-term sustainability of our Organisation  
Key Direction -  
6. To maintain a financially sustainable organisation

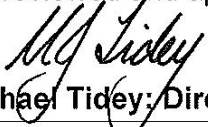
**BUDGET & FINANCIAL ASPECTS:**

The proposal is not intended to change the Council's budget, instead it is intended to provide equitable treatment and redistribute rates between ratepayers.

**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. Submission - Glenara Lakes Residents' Association
  2. Submission - Mr Allan Miller
  3. Submission - Mr Ken and Mrs Thel Lock
  4. Petition - Dr Tony McCormack
-

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**From:** Tricia Bennett [REDACTED]  
**Sent:** Sunday, 22 May 2016 11:00 AM  
**To:** Council  
**Subject:** PROPOSED GENERAL LEVY TO BE CHARGED TO "NOT FOR PROFIT" RETIREMENT VILLAGES

## ***URGENT ATTENTION MAYOR AND ALDERMAN***

Dear Aldermen

On behalf of the residents of Glenara Lakes Retirement and Lifestyle Village we are very concerned at the recent statement announced in the Examiner newspaper by Alderman Hugh McKenzie for the Launceston City Council to reconsider applying a General Levy to Not for Profit Retirement Villages which would mean a substantial increase in rates and taxes.

Southern Cross Care (Tas.), the owners of this village, would of course have to pass this levy or increase onto the residents of this village and we believe this would result in approximately \$1000 per unit per annum. As you would be aware, Not for Profit Retirement Villages have been exempt from this levy. It would be interesting to know why the Launceston City Council has suddenly decided to change this arrangement when Aged Care facilities are having enormous economic challenges to remain viable. Southern Cross Care have three facilities in Launceston and it has only been viable because it is a Not for Profit and rely on a Voluntary Board for its decisions and they do not have shareholders requiring returns on investment. It would be ludicrous not to expect Southern Cross Care to pass on this additional charge as it may impair the viability and sustainability of Southern Cross Care facilities.

We request that you review and dismiss Launceston City Council's intention to apply the General Levy to Glenara Lakes and other facilities on the following grounds:

1. This levy would increase Maintenance fees payable to Southern Cross Care by approximately \$1000 p.a. per unit which would be a considerable cost impost on all residents and in particular those on fixed incomes, of which some are the sole occupant of their Villa, would find this very difficult to meet.
2. Due to the current economic environment and low interest rates many self funded retirees are disadvantaged with a considerable decrease in income.
3. Southern Cross Care proved themselves to be excellent Aged Care providers, developers and managers and have several facilities throughout the state. Glenara Lakes Retirement and Lifestyle Village has added value to Launceston and is providing much needed quality aged facility therefore assisting in the process of freeing up hospital beds in local hospitals.
4. As Southern Cross Care is a Not for Profit organisation it makes it easier on residents to maintain a good standard of lifestyle in their twilight years. This is due to the contribution made by Volunteers and these people should be rewarded for their contribution over many years service.
5. Southern Cross Care employs a considerable number of people in Launceston, through their facilities, and this brings in a considerable amount of money to the Launceston Community.
6. One would expect that if the General Levy was to be applied that it would also apply to other Not for Profit Aged facilities.

7. Very few amenities are provided to Glenara Lakes Retirement and Lifestyle Village by the Launceston City Council and if the General Levy was applied these costs would be the responsibility of the Launceston City Council. These include:
- a. Garbage collection
  - b. Maintenance of streets
  - c. Maintenance of street signage
  - d. Street lighting
  - e. Maintenance of footpaths
  - f. Mowing and maintenance of nature strips

All of the above costs are currently being paid by Southern Cross Care.

As the footpaths around the lakeside are in disrepair a recent quote to bitumen these was in the vicinity of \$40000 this would be a cost to Launceston City Council if any changes were made.

We request that you consider this matter with the utmost care and diligence and that your social consciences should acknowledge the worth of Not for Profit organisations.

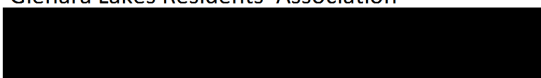
Notification of your findings would be appreciated.

Yours faithfully

Dr Tony McCormack

President

Glenara Lakes Residents' Association



COUNCIL RATES

3-6-2016

To The Mayor, Deputy Mayor and Aldermen  
City Of Launceston  
Town Hall-Launceston.

FILE No.	SF991		
EO	<input checked="" type="checkbox"/>	OD	Box <input checked="" type="checkbox"/>
RCVD	07 JUN 2016	LOC	
Doc No.			
Action Officer	M TIDY		

EG93 - A UNZETION R DOBRZYNSKI  
 Email to  
 To  
 ALDERMEN  
 7/6/2016

There appears to be a perception within the general community that an inequitable situation exists whereby retired residents who live in a retirement village do not pay council rates, whereas those who live in their own homes do.

On the face of it this would appear to be a fair and reasonable perception. However it should be pointed out that no resident of a retirement village made the decision to sell their home and move into a retirement village because they could see that by so doing they would avoid having to pay their fair share of council rates. They have always believed that all council rates and taxes were included in their monthly maintenance fee charged by the owners of the retirement village. This charge, in some cases currently close to \$5000 per annum, covers street construction and maintenance, provision of street lighting infrastructure and power, all water supply and sewerage removal, including the infrastructure for same within the village, all garbage and waste removal, maintenance on all gardens, lawns and nature strips.

All of this was clearly stated in the advertising literature for the villages and was also incorporated into the contract each resident signed before taking up residency. Most residents did their sums and concluded that the amount of the maintenance fee, which was over and above their current council rates, was a reasonable figure and one they could manage.

The Launceston City Council is currently awaiting a report by its General Manager into a proposed application of a general levy on each residence within retirement villages of up to a possible \$1000- \$1200 per annum. Other Tasmanian councils are also considering this issue.

Should such a proposal be implemented the future wellbeing of many residents and there financial ability to continue to live within the village would be seriously affected. Some may even be forced to move out. But where to?

It is not beyond the bounds of possibility that some villages become unviable and eventually forced to close.

The ongoing ramifications for our community are far reaching, maybe even more so than at first imagined.

Signed.....Allan Miller



Launceston City Council,  
To who it may concern,  
I and my wife strongly oppose  
the introduction of general rates to  
not for profit, organisations and in  
particular Glenara Lakes  
retirement and lifestyle village.  
The proposal would place severe  
stress on our ability to pay.  
With the low interest rates on our  
small investment places  
uncertainty for the future to  
maintain our standard of living.  
The payment of rates would mean  
possible inability to pay private  
health insurance which would  
be a real concern in our  
sunset years for maintaining  
our personal health & wellbeing  
and not wanting to put strain  
on the public health system.

P.T.O.

2

I urge the Council to  
reconsider this demeaning  
proposal

yours with respect

Ken & Ethel Lock Jethrocks

Residents of

S.C.C. Glenasa Lakes

Retirement & Lifestyle Village

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PETITION

To the Mayor and Alderman of the City of Launceston.

We, the undersigned concerned citizens of Launceston wish to oppose the imposition of the proposed rate change relating to Retirement Villages.

We urge the Launceston City Council not to proceed with the proposed changes on the basis that the Retirement Villages are for the relief of aged citizens and are therefore used exclusively for charitable purposes which is in accordance with the policy determined by the Launceston City Council following the amalgamation of the Municipalities of Lilydale, St. Leonards and Launceston in 1985.

Further, the imposition of the proposed rate will affect the financial viability of some Retirement Villages and is likely to cause financial hardship to many residents, especially as the 30% pensioner rate remission is not applicable to residents of leased independent living units in Retirement Villages.

NAME OF ELECTOR	ADDRESS	SIGNATURE
ROBIN LUMLEY	8 CLEARBY AVE	Robin Lumley
Bernice McKenna	16 Record Ave. Youngtown	Bernice McKenna
Pauline Follows	11 Symons Ct Youngtown	Pauline Follows
BARRY LUMLEY	8 CLEARBY AVE Youngtown	Barry Lumley
Alan Jones	8 Record Av Ytn	Alan Jones
BETTY SHEPHERD	4 FOOT CRT Y TOWN	Betty Shepherd
MARGARET MEYER	1 KARINGA CT, YOUNG TOWN	Margaret Meyer
HANS MEYER	1 KARINGA CT, YOUNG TOWN	Hans Meyer P.O.A
LOUISE LEE-BACHER	10 RECORD AVE, YOUNG TOWN	L. Lee-Bacher
COLLEEN M'CORMACK	16 PATTISON'S AVE	Colleen McCormack
ROSS WAINING	17 PATTISON'S AVE	Ross Wainig
BRUCE M'CORMACK	16 ✓ ✓	Bruce McCormack
EMILY WATSON	7 CLEARBY AVE	Emily Watson
PATRICIA O'BRYAN	7 RECORDS AVE	Patricia O'Bryan
Andree Bellenger	10 Pattison's Ave	Andree Bellenger
H. JESKE	23 CLEARBY AVE	H. Jeske
MART VAN DER HEK	1 Symons CRT	Mart van der Hek

PETITION

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We urge the Launceston City Council not to proceed with the proposed changes on the basis that the Retirement Villages are for the relief of aged citizens and are therefore used exclusively for charitable purposes which is in accordance with the policy determined by the Launceston City Council following the amalgamation of the Municipalities of Lilydale, St. Leonards and Launceston in 1985.

Further, the imposition of the proposed rate will affect the financial viability of some Retirement Villages and is likely to cause financial hardship to many residents, especially as the 30% pensioner rate remission is not applicable to residents of leased independent living units in Retirement Villages.

NAME OF ELECTOR	ADDRESS	SIGNATURE
ALAN BAKER	15 CLEARY CRT	Alan Baker
G. Y. BAKER	"	G. Y. Baker
K. BUSH	19 " AVE	K. Bush
R. BOON	14 Symons Court	R. J. Boon
A. T. McKENNA	16 RECORD AVENUE	A. T. McKenna
R. McCLIVER	6 The Hollies	R. McCliver
F. GODIER	2 RECORD AVENUE	F. Godier
N. WARBURTON	1 RECORD AVE	N. Warburton
J. BARKER	12 SYMONS CRT	J. Barker
D. WARBURTON	1 RECORD AVE	D. Warburton
E. MALONEY	3 CLEARY AVE	E. Maloney
A. HOYCART	5 SYMONS CT	A. Hoycart
A. J. KIL	16 CLEARY AVENUE	A. J. Kil
E. SHERRY	3 SYMONS CT.	E. Sherry
J. SHEARIFE	3 SYMONS CT	J. Shearife
B. J. DRAPER	4 Blearly Av.	B. J. Draper
PAM SAVILLE	2 Cleary Avenue Youngtown 7249	P. Saville
TONY Mc CORMACK	2 CLEARY AVE youngtown 7249	T. McCormack

PETITION

To the Mayor and Alderman of the City of Launceston.

We, the undersigned concerned citizens of Launceston wish to oppose the imposition of the proposed rate change relating to Retirement Villages.

We urge the Launceston City Council not to proceed with the proposed changes on the basis that the Retirement Villages are for the relief of aged citizens and are therefore used exclusively for charitable purposes which is in accordance with the policy determined by the Launceston City Council following the amalgamation of the Municipalities of Lilydale, St. Leonards and Launceston in 1985.

Further, the imposition of the proposed rate will affect the financial viability of some Retirement Villages and is likely to cause financial hardship to many residents, especially as the 30% pensioner rate remission is not applicable to residents of leased independent living units in Retirement Villages.

NAME OF ELECTOR	ADDRESS	SIGNATURE
MAX DRAPER	16 Cleary Ave	M Draper
GERALDINE CAMERON	14 Cleary Ave	G Cameron
ROBIN CHINDS	17 Cleary Av	R Chinds
EMY CHINDS	17 Cleary Ave	E Chinds
G. Greig	8 Katinga Ct	G Greig
ZERLINDA WHITE	10 Cleary Ave	Z White
GAYE ROSE	5 Katinga Ct	G Rose
CHARLES ROSE	5 Katinga Ct	C Rose
Set Kumar	12 Cleary Av	S Kumar
Elizabeth Hart	13 Cleary Av	E Hart
Elizabeth Barratt	24 Cleary Ave	E Barratt
Jimmy Wainwright	15 Record Ave	J Wainwright
Dae Stanen	17 Pattison Ave	D Stanen
Helen Cohen	3 Katinga Ct	H Cohen
Brian Carroll	16 Symons Ct	B Carroll
Gayle Battell	16 Symons Ct	G Battell
Margaret Harris	28 Cleary Av	M Harris
KATE WAINING	12 PATTISON AV	K Waining



## 19.2 Fire Service Rates - Retirement Homes

**FILE NO:** SF0521/SF0523

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

### DECISION STATEMENT:

To consider the continued provision of remission for Fire Service Rates from Retirement Homes.

*A decision, pursuant to section 129 of the Local Government Act 1993, to provide a rate remission requires an absolute majority of Council.*

### PREVIOUS COUNCIL CONSIDERATION:

Workshop - 6 June 2016

Council Meeting - 27 June 2016 - Agenda Item 19.1 - Item was deferred

Workshop - 4 July 2016

### RECOMMENDATION:

1. That Council notes the legislative requirement to collect by way of a Fire Rate an amount prescribed by the Tasmanian Fire Service and to pay the prescribed amount to the Tasmanian Fire Service.
2. That Council, pursuant to Section 129 of the *Local Government Act 1993* resolves to provide a remission of 100 percent of the Fire Service Rate for Independent Living Units within a Retirement Village for the financial year ending 30 June 2017.
3. That Council notes the adoption of the second recommendation provides a 12 month notice of the change to the Fire Rate remission.
4. That Council resolves to transition further changes in the amount of the remission of the Fire Service Rate within the following time frame:

Financial Year	Remission %	Fire Rate %
2016/2017	100	-
2017/2018	70	30
2018/2019	60	40
2019/2020	50	50
2020/2021	40	60
2021/2022	30	70
2022/2023	20	80
2023/2024	10	90
2024/2025	-	100

5. That Council write formally to the management of the Independent Living Units advising of:
- (i) the 12-month transition of the Council's policy to commence rating Independent Living Units; and
  - (ii) the schedule of payments transitioning fire rates levied to full payment over eight years.
- 

## **REPORT:**

### Background

For many years the organisational practice had been to treat retirement homes as exempt from rates. As Independent Living Units within retirement homes do not meet the requirements for a statutory exemption, this practice was incorrect and a change was made to provide a discretionary remission under Section 129 of the *Local Government Act 1993*. The provision of a remission of General Rates was then mirrored with a remission of Fire Service Rates. The application of Service Rates relates to the ability to access specific services and so is different to General Rates which are not tied to one service.

### Service Rates

Service Rates are raised for a defined or prescribed purpose and should be applied to fund that service. Further, a Service Rate relates to a specific service that is provided to or accessed by the ratepayer, the application of the Service Rate relates to the service provided. In the case of fire services, every ratepayer does not directly access the fire brigade every year but they do benefit from the overall community protection and may, in the event of a fire, receive a direct service.

### Fire Rate Determination Process

The Council annually provides summary valuation information to the Tasmanian Fire Service including details of the values for wholly exempt properties under Section 87 of the *Local Government Act 1993*. This information includes details of the property values in the three Fire Districts in the Launceston Municipality:

- Urban Area
- Rural Area
- Lilydale Area

The Tasmanian Fire Service then, in turn, provides details of the funding, from each district that the Council is required to raise on its behalf. The *Fire Service Act 1979* is the legislative power for the operation of the Tasmanian Fire Service. Division 3 of the *Fire Service Act 1979* provides specific powers in regard to rating.

The Council is then bound by the *Fire Service Act 1979* and the *Local Government Act 1993* to collect the amount as determined by the Tasmanian Fire Service.

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## 19.2 Fire Service Rates - Retirement Homes ...(Cont'd)

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Section 78 of the *Fire Service Act 1979* provides details of land to which the fire service rates do not apply. Similarly, Section 87 of the *Local Government Act 1993* describes the exemptions from Council rates. The retirement homes that are currently provided with a rate remission do not come within exemptions under either piece of legislation.

### Rating Practices Other Councils

Ten Tasmanian Councils were contacted, all indicated they apply the Fire Service Rates to retirement homes.

The remission of Fire Service Rates for the 2016/2017 financial year amounts to approximately \$100,000.

### **ECONOMIC IMPACT:**

Not considered relevant to this report.

### **ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

### **SOCIAL IMPACT:**

The application of service rates on a consistent basis is an important for two policy reasons. Firstly, in the terms of the equity of everyone who can access the services contributing to its cost and secondly to do otherwise creates an inequity whereby ratepayers with properties of similar value, do not make the same contribution for the same service - one funds the other.

### **STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To ensure decisions are made in a transparent and accountable way and to continue to ensure the long-term sustainability of our Organisation

Key Directions -

3. To ensure decisions are made on the basis of accurate and relevant information
  6. To maintain a financially sustainable organisation
-

## 19.2 Fire Service Rates - Retirement Homes ...(Cont'd)

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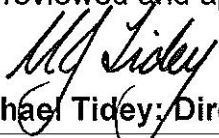
### **BUDGET & FINANCIAL ASPECTS:**

The objective of the change is to redistribute the amount collected on behalf of the Tasmanian Fire Service between ratepayers and not to change the amount raised.

### **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



**19.3 Annual Remissions Rates and Charges - 30 June 2016**

**FILE NO:** SF0523

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

**DECISION STATEMENT:**

To consider the approval of the Schedule of Rate Remissions for 2015/2016.

This decision, pursuant to Section 129(4) of the *Local Government Act 1993*, requires an absolute majority.

**PREVIOUS COUNCIL CONSIDERATION:**

Considered annually

**RECOMMENDATION:**

That Council, pursuant to Section 129 of the *Local Government Act 1993* and in accordance with Council policies the schedule of Rates Remissions for 2015/2016, totalling \$912,202.37 be approved.

Description	Penalty & Interest	General Rate	General Charge	Service Rates	Amount of Remission
General Rates Foregone on Charitable Organisations	-	163,893.38	14,664.00	911.92	<b>\$179,469.30</b>
General Rates Foregone on Manses, Presbyteries	-	3,959.02	441.00	-	<b>\$4,400.02</b>
Approved by Council - Aged Care	-	445,270.36	82,593.14	73,948.83	<b>\$601,812.33</b>
CBD Levy Foregone on Private Residences	-	11,555.94	-	-	<b>\$11,555.94</b>
Jetties and Slipways	-	505.84	2,205.00	380.00	<b>\$3,090.84</b>
Other	28.01	77,529.90	21,300.84	12,855.89	<b>\$111,714.64</b>
Interest & Penalty - Small Remissions in Accordance with Policy 23-PI-006	159.30	-	-	-	<b>\$159.30</b>
<b>Totals</b>	<b>\$187.31</b>	<b>\$702,714.44</b>	<b>\$121,203.98</b>	<b>\$88,096.64</b>	<b>\$912,202.37</b>

**REPORT:**

The schedule, as presented, is based on the application of Council's current rating remissions practices and specific remissions policies.

**19.3 Annual Remissions Rates and Charges - 30 June 2016 ...(Cont'd)**

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- (a) Rating Exemptions and Remissions for Crown Lease Jetties and Slipways Policy (23-PI-008)
- (b) Property Debt (Small Charge) Remission Policy (23-PI-006)
- (c) Rating Exemption for Properties Owned and Occupied by Charitable Organisations

The remissions have been based on written application as per Section 129(2) except in limited circumstances where a verbal request is considered appropriate.

The variance to budget is attributable to an offsetting variance in rate revenue due to an underestimate of the amount of the revenue and the same remission for retirement homes.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
 Priority Area 8 - A secure, accountable and responsive Organisation  
 Ten-year goals - To continue to ensure the long-term sustainability of our Organisation  
 Key Direction -  
 6. To maintain a financially sustainable organisation

**BUDGET & FINANCIAL ASPECTS:**

Remission of rates and charges of:

	<b>Actual</b>	<b>Budget</b>	<b>Variance</b>
Total	\$912,202.37	\$726,500	(\$185,702.37)

The unfavourable variance comprises

- a) the Council approved remission for homes for the aged in Mowbray. The remissions were approximately 50 percent of the debt; and
  - b) an underestimate of the remission on aged care facilities in general.
-

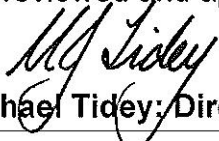
19.3 Annual Remissions Rates and Charges - 30 June 2016 ...(Cont'd)

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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.

  
Michael Tidey; Director Corporate Services

## 19.4 Waste Management - Changes to 2016/2017 Fees

**FILE NO:** SF6329/SF2968/SF0628

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

### DECISION STATEMENT:

To consider changes to the charges for the Launceston Waste Centre and the replacement of wheelie bins for kerbside collection for the 2016/2017 Financial Year.

This decision, pursuant to Section 205 of the *Local Government Act 1993* must be adopted by an absolute majority.

### PREVIOUS COUNCIL CONSIDERATION:

Council - 22 February 2016 - Agenda Item 19.2 - *Council set the fees for the financial year ending 30 June 2017*

### RECOMMENDATION:

That pursuant to Section 205 of the *Local Government Act 1993*, Council approves the following changes to the Fees and Charges for the financial year ending 30 June 2017.

Details	GST Status	Current Fee	Updated Fee
Cost to Replace 85 litre bin (with a 140 litre bin)	GST Exempt (Div 81)	\$138.00	\$80.00
Cost to Replace 140 litre bin	GST Exempt (Div 81)	\$92.00	\$80.00
Cost to Replace 240 litre bin	GST Exempt (Div 81)	\$87.00	\$85.00
Domestic entry per tonne (with a \$10 minimum charge up to 0.15 tonnes) includes regional waste levy of \$5 per tonne or part thereof. The levy is exempt from GST. GST is included in the remainder of the waste disposal charge.	Mixed	\$66.00	\$66.00
Refrigerators/air conditioners per tonne (with a \$10 minimum charge up to 0.15 tonnes) includes regional waste levy of \$5 per tonne or part thereof. The levy is exempt from GST. GST is included in the remainder of the waste disposal charge.	Mixed	\$66.00	\$66.00

## 19.4 Waste Management - Changes to 2016/2017 Fees ...(Cont'd)

Details	GST Status	Current Fee	Updated Fee
<p>Commercial waste (\$10 minimum charge / 0.110 tonnes)</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>- General waste (compacted or loose)</li> <li>- Skip bin / bulk bin</li> <li>- Concrete rubble</li> <li>- Shredded tyres</li> </ul> <p>Regional waste levy of \$5 per tonne or part thereof is included. The levy is exempt from GST. GST is included in the remainder of the waste charge.</p>	Mixed	\$93.00	\$93.00
<p>Controlled Waste (0.5 tonne minimum charge)</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>- Medical</li> <li>- Asbestos</li> <li>- Quarantine</li> <li>- Low level contaminated soil</li> </ul> <p>Controlled waste requires approval from Council prior to disposal.</p> <p>Regional waste levy of \$5 per tonne or part thereof is included. The levy is exempt from GST. GST is included in the remainder of the waste charge.</p>	Mixed	\$150.00	\$150.00

### REPORT:

Mobile garbage bins will now be ordered in Australian Standard colours. This means they will be green with red lid (garbage), yellow lid (recycling) instead of the current pink bins. As such the prices will be cheaper. The new prices for the bins include delivery.

85 litre bins will now be replaced by 140 litre bins as the 85 litre bins are no longer available for purchase from our supplier.

**19.4 Waste Management - Changes To 2016/2017 Fees ...(Cont'd)**

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The minimum charges were calculated incorrectly for the report submitted to Council on 22 February 2016. The minimum charges are now in alignment with the sustainable fee structure.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation  
Ten-year goals - To continue to ensure the long-term sustainability of our Organisation  
Key Direction -  
6. To maintain a financially sustainable organisation

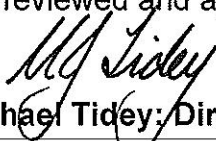
**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this 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**

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**19.5 LGAT General Meeting - 20 July 2016****FILE NO:** SF2217**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To provide voting direction to the Council delegate on the items listed for decision, noting and discussion at the Local Government Association of Tasmania General Meeting scheduled for 20 July 2016.

**RECOMMENDATION:**

That Council provides voting direction to the Council delegate on the items listed for decision, noting and discussion at the Local Government Association of Tasmania General Meeting scheduled for 20 July 2016.

---

**REPORT:**

The LGAT General Meeting will be held in Hobart on 20 July 2016. The outline of the Meeting Agenda Items with recommendations (where applicable) for the consideration of Council is attached (refer to Attachment 1).

The full Meeting Agenda is provided at Attachment 2 and the Minutes for the LGAT General Meeting of 22 April 2016 and attachments to the Meeting Agenda are provided at Attachment 3.

The purpose of this report is to provide Aldermen with the opportunity to comment on these items and provide direction to the Council representative for the LGAT Meeting on 20 July 2016.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

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**19.5 LGAT General Meeting - 20 July 2016 ...(Cont'd)**

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**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders

Key Directions -

3. To ensure decisions are made on the basis of accurate and relevant information

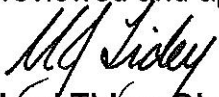
**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this 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. Items for Discussion Decision at LGAT General Meeting 20 July 2016
  2. LGAT General Meeting Agenda - 20 July 2016 (distributed separately)
  3. LGAT General Meeting Minutes - 22 April 2016 (distributed separately)
-



Attachment 1 - Items for Discussion Decision at LGAT General Meeting 20 July 2016

**Items for Discussion/Decision at LGAT General Meeting 20 July 2015**

Ag Item	Pg. No	Items for Noting	Submitting Council/s	City of Launceston comment
8.1	10	<p>Review of The Local Government Act</p> <p>That the members note the following report - <i>Review of the Local Government Act</i></p>	LGAT	<b>Recommendation:</b> Support
8.2	11	<p>Local Government Reform</p> <p>That members note the following report - <i>A verbal update will be provided at the meeting</i></p>	LGAT	<b>Recommendation:</b> Support
8.3	11	<p>Australian Local Government Association Activity</p> <p>That members note the following report - <i>Information distributed at the meeting</i></p>		<b>Recommendation:</b> Support
8.4	12	<p>Policy Update</p> <p>That members note the following report - <i>Building Regulatory Framework Review</i></p>	LGAT	<b>Recommendation:</b> Support
8.5	16	<p>LGAT Professional Development Program</p> <p>That members note the update on the Local Government Professional Development Program.</p>	LGAT	<b>Recommendation:</b> Support
8.6	17	<p>Staffing Changes at LGAT</p> <p>That members note the following report - <i>Information distributed at the meeting</i></p>	LGAT	<b>Recommendation:</b> Support
9.1	17	<p>LGAT Subscriptions</p> <p>That the Members agree:</p> <ol style="list-style-type: none"> <li>1. That LGAT undertake subscription modelling for consideration by councils.</li> <li>2. That the focus of the modelling is to be aligned with practice in other jurisdictions and agreed by General Managers at their September 2016 workshop.</li> <li>3. That any change to the subscription formula be agreed in principle by March 2017 to align with the LGAT Budget process, with formal adoption at the 2017 AGM.</li> </ol>	LGAT	<b>Recommendation:</b> Support

Ag Item	Pg. No	Items for Noting	Submitting Council/s	City of Launceston comment
9.2	20	<p>Planning Reform</p> <p>That members note the progress of the State Government's planning reforms.</p> <p>That Members endorse the identified reform agenda priorities from a Local Government perspective, being -</p> <ul style="list-style-type: none"> <li>- State Planning Policy development;</li> <li>- A greater emphasis on Regional Planning;</li> <li>- Improving the planning appeal process;</li> <li>- Changing notification requirements for discretionary applications; and</li> <li>- Consolidating subdivision legislation.</li> </ul>	LGAT	<p><b>Officer Comment:</b> The identified reform agenda priorities are consistent with officers' views, although there is likely to be some variation of opinion regarding the detail depending upon the size and nature of each council area. It is noted that this priority agenda would ideally have been agreed before the LUPAA was amended.</p> <p><b>Recommendation:</b> Support</p>
9.3	22	<p>Waste Levy</p> <p>1. That the Meeting note that:</p> <p>a) At the May 2016 Premier's Local Government Council meeting it was announced that the Government will not be introducing a state-wide levy on waste; and</p> <p>b) LGAT will be re-establishing the waste management reference group to provide a mechanism to allow for strategic consideration of waste issues across the state.</p> <p>2. That the Meeting agree that the LGAT, supported by the Waste Management Reference Group, develop recommendations for Members, with respect to a waste levy and/or waste strategy.</p>	LGAT	<p><b>Recommendation:</b> Support</p>
9.4	24	<p>Tasmanian Constitutional Recognition for Aboriginal People</p> <p>That members agree that LGAT write to the State Government supporting the proposed amendment to the Tasmanian Constitution to provide for constitutional recognition of Tasmanian Aboriginal people.</p>	LGAT	<p><b>Comment:</b> Question the consultation process that has been conducted with local Aboriginal groups regarding this matter.</p> <p><b>Recommendation:</b> Not Supported</p>
11.1	25	<p>Tourism Infrastructure</p> <p>That LGAT call on the State Government to provide funding for</p>	Break O'Day	<p><b>Comment:</b> Tourism infrastructure and regional infrastructure funding is already available</p>

Ag Item	Pg. No	Items for Noting	Submitting Council/s	City of Launceston comment
		upgrades, maintenance and provision of tourism infrastructure in areas where tourist numbers have increased significantly in recent years.		through both state and commonwealth programs. Individual councils will identify priority projects within their areas and should be best positioned to gather the evidence to support their funding submissions.  <b>Recommendation:</b> Not Supported
11.2	26	Speed Limit Restrictions  That LGAT lobby the State Government to amend legislation to require a decreased speed limit whilst motorists pass an emergency incident.	George Town	<b>Comment:</b> A matter of public safety  <b>Recommendation:</b> Support
11.3	27	Bass Link  That the Local Government Association of Tasmania support the State Government application to the Federal Government for assistance to replace the Bass Link cable.  That the Local Government Association of Tasmania advocate to the State Government to explore all opportunities to ensure the State is self-reliant for its power generation.	Northern Midlands	<b>Comment:</b> Would support an amended motion to provide an additional Bass Link cable rather than to replace the existing cable.  <b>Recommendation:</b> Support an amended motion
12.1	29	Swearing in of Elected Members  That LGAT staff provide a report on potential changes to the swearing-in process for new and re-elected Councillors/Aldermen to require them to - <ol style="list-style-type: none"><li>1. Read and abide by the Local Government Act and Regulations</li><li>2. Read and abide by the Code of Conduct Policy of their Local Government Municipality.</li></ol>	Kingborough	<b>Comment:</b> Aldermen are already bound by the legislation regarding adherence to the <i>Local Government Act 1993</i> which incorporates their Code of Conduct.  <b>Recommendation:</b> Not Supported
12.2	30	Elected Member Expenditure  That there be state-wide reporting consistency on the disclosure of itemised Aldermanic expenses on a monthly basis.	Hobart	<b>Comment:</b> A general sense that each Council should be responsible for its own processes for Elected Member expenditure.  <b>Recommendation:</b> Not Supported
12.3	31	Compulsory Voting	Hobart	<b>Comment:</b>

Ag Item	Pg. No	Items for Noting	Submitting Council/s	City of Launceston comment
		The Local Government Association of Tasmania urge the State Government to consider making Local Government elections compulsory.		A general sense that the residents who are most engaged in the Council's processes and within their communities are likely to vote.  <b>Recommendation:</b> Not Supported
12.4	32	Open and Transparent Governance  The Local Government Association of Tasmania develop resource tools to encourage Tasmanian Councils to consider implementation of live-streaming of Council meetings as a means of ensuring open and transparent governance.	Hobart	<b>Comment:</b> Changes to processes should be determined by legislation. If live streaming is to be encouraged this should be reflected in the <i>Local Government (Meeting Procedures) Regulations 2015</i> . Until then Councils should determine their own processes for ensuring open and transparent governance.  <b>Recommendation:</b> Not Supported
12.5	32	Elected Member Training  That all Councillors undertake an external examination after undertaking training with regard to their role as a planning authority, which will test their competence to deal with planning matters and their knowledge of the planning scheme relating to their municipality.	Burnie	<b>Comment:</b> Training support for elected members is already offered through LGAT and also at induction. Professional officers are engaged by Councils to provide qualified advice on planning matters. Enforcing compulsory training would not be feasible as legislation mandates that elected Councils are the planning authorities, without reliance upon formal qualifications other than election to office.  <b>Recommendation:</b> Not Supported
14.1	34	Tyre Levy  That Members note the issue of waste tyres remains unresolved and seek that LGAT continue to lobby the State Government to develop an effective solution to tyre storage and disposal in Tasmania, which might include the introduction of a regulated tyre levy in Tasmania for	Northern Midlands	<b>Comment:</b> Alternate motion: That LGAT lobby the State Government to legislate that the EPA regulate the storage and disposal of tyres.  <b>Recommendation:</b> To Support an alternate motion

Ag Item	Pg. No	Items for Noting	Submitting Council/s	City of Launceston comment
14.2	37	<p>end of life tyres.</p> <p>Disposal of Abandoned/Wrecked Vehicles</p> <p>That the Local Government Association of Tasmania be requested to consult with the regional waste management bodies (and other relevant bodies) for the purpose of:</p> <p>a. Identifying the extent of problems associated with the disposal of car wrecks/car bodies. This recognises the lack of disposal options given the current steel recycling market (or lack thereof);and</p> <p>b. In conjunction with the regional bodies, determine what cost effective options can be considered to address and manage the issues identified.</p> <p>Note: Consideration should be given to an option for car enthusiasts to access these car wrecks/car bodies for sourcing parts and/or bodies for restoration purposes.</p>	Southern Midlands	<b>Recommendation:</b> Support
15.1	38	<p>Funding of Implementation of Planning Scheme</p> <p>That LGAT call on the State Government to allocate an ongoing budget to provide legal and staff-time funds to all Tasmanian Councils for all challenges arising from the implementation of the State Planning Scheme.</p>	Break O'Day	<p><b>Comment:</b> Any legal challenges to the state provisions would be the responsibility of the state government to defend. As is already the case, Councils will be responsible for defending their own decisions (interpretation and application of the planning schemes) where those decisions are appealed to the tribunal. This is already a requirement of local government in fulfilling its Planning Authority obligations. For that reason the motion is not supported.</p> <p><b>Recommendation:</b> Not Supported</p>
15.2	40	<p>Planning Directives</p> <p>That LGAT lobby the Minister for</p>	Break O'Day	<p><b>Comment:</b> Additional Motion: That LGAT secure assurances</p>

Ag Item	Pg. No	Items for Noting	Submitting Council/s	City of Launceston comment
		Planning and Local Government to engage in consultation with Councils when issuing planning directives and take a more considered approach to change, specifically more notice of implementation.		from the Minister for Planning that the planning reform process will provide the opportunity to deliver on local strategy.  <b>Recommendation:</b> Support
15.3	42	Environmental Management and Pollution Control  That the State Government be requested to develop an agreed set of clear protocols with Local Government clarifying the split in responsibilities between the two levels of government in regard to enforcement under the environmental <i>Management and Pollution Control Act 1994</i> .	Southern Midlands	<b>Comment:</b> Our recent experience with the EPA has been positive, with good support provided as an officer level. However, it is noted that there are some areas where greater clarity would assist all relevant agencies. For example, in our experience there is an expectation that local government will manage agricultural activities where there is a risk of environmental harm. However, particularly for Councils with large rural areas, it is neither practical nor within the skills level of local government to control agricultural practices. The note by LGAT that a 'role of local government' process has been agreed to is welcomed. The motion may reinforce the expectation that public health will be the first priority.  <b>Recommendation:</b> Support
15.4	44	Wildlife Fatalities  That the Local Government Association of Tasmania and member councils; i. Work with the State and Federal Governments and key stakeholders to ensure a coordinated approach to reduce the instances of Tasmanian Devil and native wildlife fatalities on Tasmanian roads through informed projects such as installation of emergent virtual fencing technology and community programs to inspire a	Latrobe and Kentish	<b>Recommendation:</b> Support

Ag Item	Pg. No	Items for Noting	Submitting Council/s	City of Launceston comment
		<p>change in driver behaviour.</p> <p>ii. Support coordination initiatives such as installation of virtual fencing in Devil roadkill hotspot areas, to assess effectiveness and make informed decisions about the installation pattern. (LGAT support for this could be through promotion of projects/case studies, encouraging councils to engage in projects etc.)</p> <p>iii. Work together to access grant funding to support on the ground projects to reduce native wildlife fatalities on Tasmanian roads.</p>		
16.1	47	<p>CSIRO Job Losses</p> <p>The Federal Government be lobbied to reconsider its position with regard to CSIRO job cuts because of the critical importance of the scientific data needed by Councils to accurately inform their climate adaptation strategies and to inform their communities.</p>	Hobart	<b>Recommendation:</b> Not Supported
16.2	48	<p>TasRail - Use of Network</p> <p>That LGAT lobby the State Government and TasRail to permit a Tasmanian Transport Museum MS steam train to travel from Hobart to Fingal once a year on the Fingal Valley Festival day.</p>	Northern Midlands	<p><b>Comment:</b> Not a regional matter</p> <p><b>Recommendation:</b> Not supported</p>
16.3	49	<p>Electronic Gaming Machines</p> <p>That LGAT formally take the position that the terms of reference for the State Government's Joint Select Committee Review into gaming in Tasmania be expanded to include whether or not electronic gaming machines should be allowed outside casinos at all and that as part of the Select Committee Review process, the Tasmanian community be polled to determine its view on this critical question.</p> <p>That LGAT formally take the position that the Gaming Act should be reviewed particularly to remove its power to over-ride other acts.</p>	Brighton	<p><b>Comment:</b> The advisory note from the state government agency appears to indicate that the terms of reference for the Joint Select Committee will allow for submissions on whether electronic gaming machines should be allowed outside casinos.</p> <p>It is also noted that LGAT has indicated its intention to coordinate a sector submission to the joint committee.</p> <p><b>Recommendation:</b> Support</p>

Ag Item	Pg. No	Items for Noting	Submitting Council/s	City of Launceston comment
		That LGAT convey this position to the Government, Opposition and Green parties and to all Members of the Legislative Council		

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**19.6 LGAT Annual General Meeting - 20 July 2016****FILE NO:** SF2217**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To provide voting direction to the Council delegate on the items listed for decision, noting and discussion at the Local Government Association of Tasmania (LGAT) Annual General Meeting scheduled for 20 July 2016.

**RECOMMENDATION:**

That Council provides voting direction to the Council delegate on the items listed for decision, noting and discussion at the Local Government Association of Tasmania Annual General Meeting scheduled for 20 July 2016.

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**REPORT:**

The LGAT Annual General Meeting will be held in Hobart on 20 July 2016. The outline of the Meeting Agenda Items with recommendations (where applicable) for the consideration of Council is attached (refer to Attachment 1).

The full Meeting Agenda is provided at Attachment 2 and the Minutes for the LGAT Annual General Meeting of 22 July 2015 and attachments to the Meeting Agenda are provided at Attachment 3.

The purpose of this report is to provide Aldermen with the opportunity to comment on these items and provide direction to the Council representative for the LGAT Meeting on 20 July 2016.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

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**19.6 LGAT Annual General Meeting - 20 July 2016 ...(Cont'd)**

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**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders

Key Directions -

3. To ensure decisions are made on the basis of accurate and relevant information

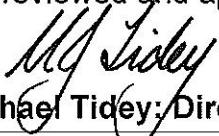
**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this 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. Items for Discussion Decision at LGAT Annual General Meeting 20 July 2016
  2. LGAT Annual General Meeting Agenda - 20 July 2016 (distributed separately)
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-

Attachment 1 - Items for Decision at LGAT Annual General Meeting 20 July 2016

**Items for Discussion/Decision at LGAT Annual General Meeting 20 July 2016**

Ag Item	Pg. No	Items for Decision	Submitting Council/s	City of Launceston Comment
3	5	Financial Statements to 30 June 2016  That the Financial Statements for the period 1 July 2014 to 30 June 2015 be received and adopted.	LGAT	<b>Recommendation:</b> Support
4	7	Budget and Subscriptions 2016/2017  That the Meeting adopt the Budget and Subscriptions as presented.	LGAT	<b>Recommendation:</b> Support
5	8	President and Vice President Honorariums  That the President's and Vice President's allowance for the period 1 July 2016 to 30 June 2017 be adjusted in accordance with the movement in the Wages Price Index.		<b>Recommendation:</b> Support
6	9	Rules of the Local Government Association of Tasmania  That the Rules as amended be adopted in full (replaced).	LGAT	<b>Recommendation:</b> Support
7	10	Reports from Board Representatives  Decision Sought (a) That the reports from representatives on various bodies be received and noted. (b) That Conference acknowledges the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.	LGAT	<b>Recommendation:</b> Support

**20 GENERAL MANAGER'S DIRECTORATE ITEMS**

**No Items have been identified as part of this Agenda**

**21 URGENT BUSINESS**

*Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Agenda.*

**No Urgent Items have been identified as part of this Agenda**

**22 CLOSED COUNCIL**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)*

**22.1 Confirmation of the Minutes**

Pursuant to the *Local Government (Meeting Procedures) Regulations 2015 - Regulation 34(6)* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

**22.2 Annual Remissions Rates and Charges - 30 June 2016****RECOMMENDATION:**

That Agenda Item 22.2 - Annual Remissions Rates and Charges - 30 June 2016 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

- 15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

**23 MEETING CLOSURE**

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**UNCLASSIFIED AGENDA ITEMS:**

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