



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 12 DECEMBER 2016  
1.00pm**

# City of Launceston

COUNCIL AGENDA

Monday 12 December 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: 12 December 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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## ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - ATTENDANCE AND APOLOGIES	1
2	DECLARATIONS OF INTEREST	1
3	CONFIRMATION OF MINUTES	1
4	DEPUTATIONS	1
	No Deputations have been identified as part of this Agenda	
5	PETITIONS	1
	No Petitions have been identified as part of this Agenda	
6	COMMUNITY REPORTS	2
	No Community Reports have been registered with Council as part of this Agenda	
7	PUBLIC QUESTION TIME	2
7.1	Public Questions on Notice	2
7.1.1	Questions on Notice - CH Smith Site Development, State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and Local Government Act 1993 (Tas) - Mr Basil Fitch	3
7.1.2	Questions on Notice - 200 Lilydale Road, Rocherlea - Ms Cynthia Shapiiro	15
7.2	Public Questions without Notice	18
8	PLANNING AUTHORITY	19
8.1	Amendment 30 to the Launceston Interim Planning Scheme 2015 to Remove Forestry Area Specific Plan Overlay and DA0387/2016 for Rural Development - Subdivision of Land into Two Lots at 877 Lilydale Road, Underwood	19

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Item No	Item	Page No
9	<b>ANNOUNCEMENTS BY THE MAYOR</b>	23
9.1	Mayor's Announcements	23
10	<b>ALDERMEN'S REPORTS</b>	25
11	<b>QUESTIONS BY ALDERMEN</b>	25
11.1	Questions on Notice	25
	No Aldermen's Questions on Notice have been identified as part of this Agenda	
11.2	Questions without Notice	25
	No Aldermen's Questions without Notice have been identified as part of this Agenda	
12	<b>COMMITTEE REPORTS</b>	25
	No Committee Reports have been identified as part of this Agenda	
13	<b>COUNCIL WORKSHOPS</b>	26
14	<b>NOTICES OF MOTION</b>	27
14.1	Notice of Motion - Deputy Mayor Alderman R I Soward - Launceston Cup	27
15	<b>DEVELOPMENT SERVICES DIRECTORATE ITEMS</b>	32
15.1	Event Sponsorship	32
15.2	Permit Authority and Building Surveying Fees	36
16	<b>FACILITIES MANAGEMENT DIRECTORATE ITEMS</b>	42
	No Items have been identified as part of this Agenda	
17	<b>QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS</b>	42
	No Items have been identified as part of this Agenda	

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<b>Item No</b>	<b>Item</b>	<b>Page No</b>
<b>18</b>	<b>INFRASTRUCTURE SERVICES DIRECTORATE ITEMS</b>	<b>43</b>
<b>18.1</b>	<b>Lease Arrangement for 126 Russells Plains Road, Rocherlea</b>	<b>43</b>
<b>19</b>	<b>CORPORATE SERVICES DIRECTORATE ITEMS</b>	<b>49</b>
<b>19.1</b>	<b>Rates and Charges Structure - 2017/2018 Financial Year</b>	<b>49</b>
<b>19.2</b>	<b>Rating Exemptions and Remissions for Charitable Organisations Policy (23-Plx-002)</b>	<b>63</b>
<b>19.3</b>	<b>Council Meeting - 23 January 2017</b>	<b>69</b>
<b>20</b>	<b>GENERAL MANAGER'S DIRECTORATE ITEMS</b>	<b>71</b>
<b>20.1</b>	<b>Report on Council's 2016 Annual General Meeting</b>	<b>71</b>
<b>21</b>	<b>No Urgent Items have been identified as part of this Agenda</b>	<b>74</b>
<b>22</b>	<b>CLOSED COUNCIL</b>	<b>74</b>
<b>22.1</b>	<b>Confirmation of the Minutes</b>	<b>74</b>
<b>22.2</b>	<b>Design Centre</b>	<b>74</b>
<b>22.3</b>	<b>Rate Remission Request</b>	<b>74</b>
<b>22.4</b>	<b>Rate Remission</b>	<b>75</b>
<b>22.5</b>	<b>Rate Recovery Sale - Reserve Price 1</b>	<b>75</b>
<b>22.6</b>	<b>Rate Recovery Sale - Reserve Price 2</b>	<b>75</b>
<b>22.7</b>	<b>Rate Recovery Sale - Reserve Price 3</b>	<b>75</b>
<b>22.8</b>	<b>Rate Recovery Sale - Reserve Price 4</b>	<b>75</b>
<b>22.9</b>	<b>Rate Recovery Sale - Reserve Price 5</b>	<b>75</b>
<b>22.10</b>	<b>Rate Recovery Sale - Reserve Price 6</b>	<b>75</b>

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# City of Launceston

COUNCIL AGENDA

Monday 12 December 2016

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Item No	Item	Page No
22.11	Report from General Manager's Contract and Performance Review Committee	76
23	MEETING CLOSURE	76

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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 28 November 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 Questions on Notice - CH Smith Site Development, State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and Local Government Act 1993 (Tas) - Mr Basil Fitch

**FILE NO:** SF6381

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

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

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### **QUESTIONS and RESPONSES:**

The following questions were submitted to Council on Monday, 28 November 2016 by Mr Basil Fitch and have been answered by Mr Robert Dobrzynski (General Manager).

#### ***Typed as received:***

1. Where is the Master Plan and what is its purpose?

#### ***Response:***

The General Manager's report to the Council Meeting of 28 November 2016 addressed the car park development proposal (and indeed the CH Smith site development) as delivering positive outcomes in eight distinct high priority areas:

1. Urban planning
2. Retail hierarchy
3. Operation efficiency
4. Financial return
5. Community values
6. Heritage restoration
7. City pride
8. City planning

2. How does ***'the proposal'*** fit the plan?

#### ***Response:***

See response to question 1.

3. Who framed the plan, when and under what circumstances?

#### ***Response:***

See response to question 1.

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**7.1.1 Questions on Notice - CH Smith Site Development, State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and Local Government Act 1993 (Tas) - Mr Basil Fitch ...(Cont'd)**

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4. What is the imperative/s driving the proposal, how were they determined and by whom?

**Response:**

See response to question 1.

5. In what way does the process in play take account of the issues of accountability and the integrity of governance?

**Response:**

The General Manager's report has been considered by the Council in Open Council as part of the Council Meeting held on Monday, 28 November, 2016. The debate by Aldermen and motion in regard to the General Manager's report recommendations were also considered in Open Council.

The Council entered into a Closed Council session in order to consider commercially-in-confidence financial issues that may have disadvantaged the Council financially if considered in open Council

6. Who is going to repay the loan and by what means?

**Response:**

The City of Launceston will repay the loan from its general revenues and from revenues derived from the operation of a 300 car space car park on the CH Smith site.

7. How many additional parking places for the City of Launceston does this proposal deliver if realised?

**Response:**

The matter is outlined in the General Manager's report.

8. What income will be generated for the City of Launceston as a direct consequence of this proposal?

**Response:**

Positive cash flows will be generated from the development of a 300 car space car park as the CH Smith site. These positive cash flows are assisted by the provision of a \$9million five-year interest free loan from the State Government as part of the Northern Tasmanian Economic Stimulus package. Detailed cash flows were considered by Aldermen in closed session as commercially in confidence, as part of the decision making process on this item.

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**7.1.1 Questions on Notice - CH Smith Site Development, State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and Local Government Act 1993 (Tas) - Mr Basil Fitch ...(Cont'd)**

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9. What account is being paid to the fact that something in the order of 50% of the city's ratepayers and residents are in receipt of some form of social security and what costs and benefits will flow to them/

**Response:**

The carparks owned and operated by the City of Launceston generate revenue for the Council's operations which offset the need to increase rates.

10. What benefits are intended to flow to what groups of residents and ratepayers plus how will they benefit as a consequence and how will this be articulated to them?

**Response:**

The financial benefits are outlined in the response to question 9. Provision of 300 car parking spaces at the CH Smith site will service visitors to the northern section of the Launceston CBD including activities at the revamped Civic Square site as part of the City Heart project. The car parking facilities will also service the Seaport area which will experience additional development, particularly in the Northbank area and has become increasingly popular.

11. When will plans for the proposal be made public and by what mechanisms - *eg. public display, internet, etc.*

**Response:**

Details of the proposal have been made public following the Council decision at its meeting on Monday, 28 November 2016. Development of the CH Smith site will be subject to the requirement for a Development Application to be submitted, which will be considered under the provisions of relevant planning legislation including the City of Launceston Planning Scheme. Part of this process requires that the Development Application will be advertised inviting public submission.

12. What is the anticipated timeframe for the '**approval process**' and what form of community consultation will be initiated as a part of the approval process?

**Response:**

Refer to response to question 11. It is the responsibility of the developers to submit a Development Application at a time they consider appropriate. Once a valid Development Application is submitted, the process for considering that application, including public advertising will be commenced.

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**7.1.1 Questions on Notice - CH Smith Site Development, State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and Local Government Act 1993 (Tas) - Mr Basil Fitch ...(Cont'd)**

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13. Where, and when, will the proposed ownerships of the development site be articulated given the ultimate ratepayer investment in the project?

**Response:**

The General Manager's report includes advice on the purchasers of the CH Smith site.

14. What will the direct economic impact and benefits of the development be in the Tamar region and how will they be measured?

**Response:**

The General Manager's report and the response to question 1 should be referred to.

15. What environmental and social impacts are being anticipated for development and how is anticipated that they will be realised and/or mitigated - *eg, stormwater management, traffic movements, etc?*

**Response:**

These matters will be considered as part of deliberations on the Development Application submitted by the proponents.

The following questions were also submitted to Council on Monday, 28 November 2016 by Mr Basil Fitch and have been answered by Mr Robert Dobrzynski (General Manager).

**Typed as received:**

1. On Tuesday 8<sup>th</sup> Nov 2016 ABC 936 Leon Compton Mornings he raised an issue that P.M. Malcolm Turnbull and Treasurer Peter Gutwein had signed an M.O.A. also to include Local Gov in a 3 way share to finance projects in future.

**Response:**

This is not a question.

2. Who will select the projects.

**Response:**

The Council projects included in the City Deal Agreement - once developed, will flow from the Council's Priority Projects list.

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**7.1.1 Questions on Notice - CH Smith Site Development, State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and Local Government Act 1993 (Tas) - Mr Basil Fitch ...(Cont'd)**

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3. What % will ratepayers contribute.

***Response:***

Dependent on grant funding provided by State and Federal Government.

4. Mayor Albert van Zetten in interview said LCC was already involved with UTAS and Gov in finance for UTAS move.

***Response:***

This is not a question.

5. Does this mean Council ratepayers will now become involved in projects that were solely State and Fed funding, eg health, education, etc.

***Response:***

This question was asked by Mr Fitch and answered by the Mayor at the Council Meeting of 14 November 2016.

6. Treasurer Peter Gutwein again offered Councils \$701 and bring projects forward a loan interest free. Would you please advise what rules surround the repayment.

***Response:***

Up to five year interest free loan amounts are available under the Northern Tasmania Economic Stimulus Package for Council projects brought forward.

7. The Lindsay St Car Park (99) is that an attempt to placate the loss of Willis St Car Park and support UTAS.

***Response:***

The additional carparks will service a variety of uses including York Park activities.

8. What will be the cost of Lindsay St Car Park be for ratepayer.

***Response:***

Scoping and detailed design are yet to be completed.

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**7.1.1 Questions on Notice - CH Smith Site Development, State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and Local Government Act 1993 (Tas) - Mr Basil Fitch ...(Cont'd)**

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9. Is a tally being kept of costs associated with UTAS move, eg. land Willis St, Velerome \$4.5M, trips by Ald \$1300, staff wages? etc. and now Lindsay St Car Park.

***Response:***

No.

10. Dispute with TasWater (mediation) how much settled per year and were their retrospective charges how much?

***Response:***

The outcome of the arbitration process is for the Council to pay:

- An annual operating contribution of \$871,995 (subject to indexation).
- An annual provisional capital contribution of \$575,340 (subject to review based on actual capital expenditure).

The determination included payments from December 2013 of \$190,939 for capital works and \$2,207,461 for operating costs.

11. Is TasWater reducing Council dividend how much how long?

***Response:***

TasWater advised Councils in August 2016 "...the TasWater Board has determined that for a period of seven years commencing 1 July 2018, TasWater will freeze annual distributions to Owner Councils at \$20 million."

The amount of the reductions for individual Council is subject to the formula on which distributions are made. The City of Launceston receives a 13.62% share of distributions a \$10m reduction in the pool of funds would amount to \$1.362m.

The Council is in the process of confirming an estimate of what this change will mean for the Council's Strategic Financial Plan. While it will be a significant amount the Council is supportive of the commitment to improve important infrastructure and with the lead time provided by the notices will be making the adjustments necessary to accommodate the reduction.

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**7.1.1 Questions on Notice - CH Smith Site Development, State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and Local Government Act 1993 (Tas) - Mr Basil Fitch ...(Cont'd)**

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12. Has Council considered discussing to remove Section 62 - 65 Local Gov Act.

**Response:**

This question was asked by Mr Fitch and answered by the Mayor at the Council Meeting of 14 November 2016.

The following questions, which were taken on notice at the Council Meeting on Monday, 28 November 2016 were asked by Mr Basil Fitch and have been answered by Mr Robert Dobrzynski (General Manager).

1. If the CH Smith proposal is adopted, how is the \$9M loan going to be repaid within five years?

**Response:**

See response to question 6 in the Agenda Item.

2. Where is the public given a chance to provide input into various projects like this?

**Response:**

The CH Smith site development will be subject to a Development Application which will be advertised for public comment.

3. With the Council preparing to borrow \$9m, is the Council underselling this car park?

**Response:**

No.

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**ATTACHMENTS:**

1. Questions on Notice - C H Smith Site Development - Mr Basil Fitch
  2. Questions on Notice - State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and *Local Government Act 1993 (Tas)* - Mr Basil Fitch
-

**Attachment 1 - Questions on Notice - C H Smith Site Development - Mr B Fitch**



**C H SMITH Site Development Proposal**

**Foreword:**

The apparent impending development of Launceston's now derelict heritage site, "The C H Smith Building" will be without doubt welcomed by Launcestonians. A great deal of the city's colonial and post-colonial heritage and histories is invested in this piece of the city's geography. Likewise, a great many Launcestonians, in Tasmania and elsewhere, have significant aspects of their social histories and cultural understandings in some way invested in, and linked to, this site.

Launcestonians' attachment to this site is loaded and this is often overlooked by '*recent arrivals*' with their personal histories and cultural realities located '*elsewhere*'. Its all too easy to overlook social and cultural attachments to '*place*' but in the end they are there and they variously affect people's lives - *socially, culturally and as often as not economically*. So, what happens to, and on, this site is non-trivial despite the imperatives of '*blow-in pragmatism*'.

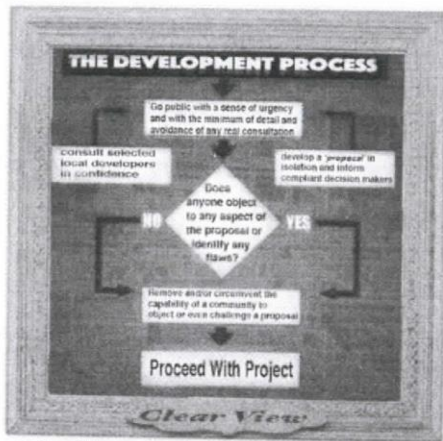
The story behind the fabric of the building is a significant part of the Launceston story and indeed the Tasmania story. The site's Canal Street warehouse represents and reflects Launceston's development from a colonial maritime port to the present.

C H Smith established a successful trading company that was known as one of Launceston's and Tasmania's key mercantile traders from the mid 19th century to the early 20th century. The company was carried on by his sons after his death in 1904. Mr Smith was not the only businessman to utilise the site though, with one of Launceston's early breweries believed to have used the Canal Street warehouse. The 1830s warehouse was said to have been part of the Tamar Brewery, started by John Griffiths and his son-in-law John Scott in 1855, and is now one of Launceston's oldest surviving buildings.

There is no doubt that this site will carry the '*Launceston story*' with it well into the future whatever the current development proposal brings with it. It is just the case that the wider community, as investors in the city's heritage



and histories, have an interest in and a need to be part of the decision making process.

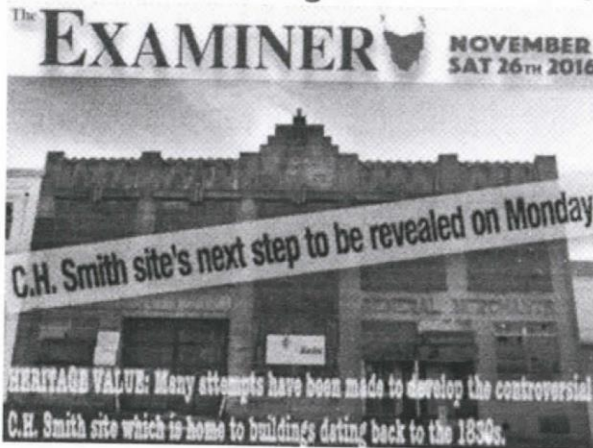


Ex-alderman Basil Fitch said today *"Launceston people must be a part of the decision making equation rather than being politically and bureaucratically sidelined as it appears there is currently a danger of them being. More to the point the politicians and aldermen must be accountable and held to account."*

That said, the apparent *'Christmas present to Launceston'* is welcomed albeit that there is more than a hint

of *'Indian Giving'* about the proposal. It is just the case that development cannot be regarded as being necessary at any price.

C H Smith Building in The Examiner



Visit LCC NEWS for links to various Examiner stories of interest

GO TO:  
<http://lcc63.blogspot.com.au/>

**ON THE AGENDA AT MONDAY NOVEMBER 28th 2016 COUNCIL MEETING**

The Recommendation

*"To determine a proposal seeking a \$9m interest free advance for a period of five years to fund the construction of 300 public car parks on the CH Smith site, subject to certain guarantees."*

When a development proposal turns up for a site loaded with contention there are bound to be questions. When it happens on the cusp of Christmas when everyone is preparing to go away, forget the world for a while, think about other things and so on, additional questions pop into mind – *rightly or wrongly*.

At the very least all this exercising minds about processes and the various levels of **'appropriateness'** invested in and embodied in the proposal and **'the process'**.

When the process goes public with a sense of urgency with the minimum of detail at such a time wonderment is ever likely. If there is a hint that objectors might be admonished and ridiculed if they wish to make a contribution to any kind of consultation or debate, its worrying. If people's concerns, no matter how genuine and well-founded their they may be, are downplayed this too is worrying. If representations are **"taken into consideration and noted"** that's always worrisome. If timing and circumstance make good use of hiding behind administrative processes and **"commercial in confidence"**, embargoes, etc. even when there is public money involved that too is worrisome.

**The big question is ever likely to be who paying whom for what? Then there others that flow on from it. Questions like:**

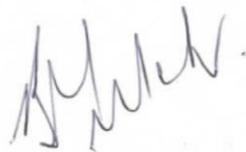
1. Where is the Master Plan and what is its purpose?
2. How does **'the proposal'** fit the plan?
3. Who framed the plan, when and under what circumstances?
4. What is the imperative/s driving the proposal, how were they determined and by whom?
5. In what way does the process in play take account of the issues of accountability and the integrity of governance?
6. Who is going to repay the loan and by what means?
7. How many additional parking places for the City of Launceston does this proposal deliver if realised?
8. What income will be generated for the City of Launceston as a direct consequence of this proposal?

4

9. What account is being paid to the fact that something in the order of 50% of the city's ratepayers and residents are in receipt of some form of social security and what costs and benefits will flow to them/
10. What benefits are intended to flow to what groups of residents and ratepayers plus how will they benefit as a consequence and how will this be articulated to them?
11. When will plans for the proposal be made public and by what mechanisms – *eg. public display, internet, etc.*
12. What is the anticipated timeframe for the '**approval process**' and what form of community consultation will be initiated as a part of the approval process?
13. Where, and when, will the proposed ownerships of the the development site be articulated given the ultimate ratepayer investment in the project?
14. What will the direct economic impact and benefits of the development be in the Tamar region and how will they be measured?
15. What environmental and social impacts are being anticipated for development and how is anticipated that they will be realised and/or mitigated – *eg, stormwater management, traffic movements, etc?*

Apart from these questions other will surely arise as the development and the approval processes proceed. It can only be hoped that the process will be timely and one that meets the Minister's "**Good Governance Guide 2016**".

[http://www.dpac.tas.gov.au/data/assets/pdf\\_file/0018/271170/Good Governance Guide May 2016.pdf](http://www.dpac.tas.gov.au/data/assets/pdf_file/0018/271170/Good_Governance_Guide_May_2016.pdf)



Attachment 2 - Questions on Notice - State and Federal Government Funding, Lindsay Street Car Park, TasWater Settlement and Local Government Act 1993 (Tas) - Mr Basil Fitch

- L'TON CITY COUNCIL MEETING MONDAY 1<sup>ST</sup> NOV 2016  
2874
1. ON TUESDAY 8<sup>TH</sup> NOV 2016 ABC 936 LEON COMPTON MORNINGS HE RAISED AN ISSUE THAT P.M. MALCOLM TURNBULL AND TREASURER PETER GUTWEIN HAD SIGNED AN M.O.A. ALSO TO INCLUDE LOCAL GOV IN A 3WAY SHARE TO FINANCE PROJECTS IN FUTURE.
  2. WHO WILL SELECT THE PROJECTS.
  3. WHAT % WILL RATEPAYERS CONTRIBUTE
  4. MAYOR ALBERT VAN ZETZEN IN INTERVIEW SAID LCC WAS ALREADY INVOLVED WITH UTAS AND GOV IN FINANCING FOR UTAS MOVE.
  5. DOES THIS MEAN COUNCIL RATEPAYERS WILL NOW BECOME INVOLVED IN PROJECTS THAT WERE SOLELY STATE AND FED FUNDING E.G. HEALTH - EDUCATION ETC.
  6. TREASURER PETER GUTWEIN AGAIN OFFERED COUNCILS \$70% AND BRING PROJECTS FORWARD A LOAN INTEREST FREE. WOULD YOU PLEASE ADVISE WHAT RULES SURROUND THE REPAYMENT.
  7. THE LINDSAY ST CAR PARK (99) IS THAT AN ATTEMPT TO PLACATE THE LOSS OF WILLIS ST CAR PARK AND SUPPORT UTAS
  8. WHAT WILL <sup>BE</sup> THE COST OF LINDSAY ST CAR PARK BE FOR RATEPAYERS.
  9. IS A TALLY BEING KEPT OF COSTS ASSOCIATED WITH UTAS MOVE. E.G. LAND WILLIS ST - VELEDROME \$4.5M, TRIPS BY AND \$1300 STAFF WAGES? ETC. AND NOW LINDSAY ST CAR PARK.
  10. DISPUTE WITH TASWATER (MEDIATION) HOW MUCH SETTLED PER YEAR AND WERE THEIR RETROSPECTIVE CHARGES. HOW MUCH?
  11. IS TASWATER REDUCING COUNCIL DIVIDEND HOW MUCH HOW LONG?
  12. HAS COUNCIL CONSIDERED DISCUSSING TO REMOVE SECTION 62 - 65 LOCAL GOV ACT.

Basil Fitch

UNIT 42/5 W WENBY ST  
L'TON

QUESTIONS ON NOTICE  
28/11/2016

**7.1.2 Questions on Notice - 200 Lilydale Road, Rocherlea - Ms Cynthia Shapiiro****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Leanne Hurst (Director Development Services)

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**QUESTIONS and RESPONSES:**

The following questions were submitted to Council via email on Monday, 28 November 2016 by Ms Cynthia Shapiiro. Responses were provided by Mrs Leanne Hurst (Director Development Services).

*It has been assumed that the address reference should actually be 200 Lilydale Road, Rocherlea. It is also noted that although the reference is Lilydale Road, the subject road is a Reserved Road approximately 1km in length leading off the State Highway known as Lilydale Road. The Reserved Road does not fall under the responsibility of either the City of Launceston or the Department of State Growth.*

**Typed as received:**

1. Did LCC subcontract Ben & Tammy Martin owners of 202 Lilydale Rd to put one meter wide sewage pipes six centimetres under the ground on Lilydale Rd adjacent to their block which directs the sewage under Lilydale Rd into Barnard's Creek potentially polluting the water supply that the wildlife in the Boutcher Creek Conservation Area depend on and the down stream dam & properties?

**Response:**

No.

2. If so, why did LCC fail to post a Development Notice stating they were going to have Lilydale Rd dug up to put in sewage pipes.

**Response:**

The City of Launceston did not post a notice as no works to Lilydale Road were undertaken by or on behalf of the City of Launceston.

3. Why have the developers failed to tarmack the road as this was stated to me in a letter, held by my solicitor, as a prerequisite to development?

**Response:**

The works were not the subject of a development permit issued by the Council.

4. If Mr & Ms Martin are not LCC subcontractors, what is LCC going to do in response to their sewage pipes, sewage directed in to Barnard's Creek, development on Crown Land & their lack of a posted Development Notice?
-

**7.1.2 Questions on Notice - 200 Lilydale Road, Rocherlea - Ms Cynthia Shapiiro  
...(Cont'd)**

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***Response:***

The culvert is not discharging sewage. It is only to carry the water run-off across the driveway culvert of property 202 Lilydale Road. This is only water that would already naturally shed across the ground surface before the culvert was installed.

5. What steps is LCC taking to insure that the commercial Worm Farm proposed for 202 Lilydale Rd meets Environmental standards for a commercial development on land Adjacent to the Boutcher Creek Conservation Area on covered by State Regulations as buffet land to a conservation area as no Development Applications have been posted by Mr & Mrs Martin?

***Response:***

Planning officers have previously advised Ms Shapiiro that vermiculture has been determined to belong in the Resource development use class, as defined in section 8.2 of the Launceston Interim Planning Scheme 2015.

200 Lilydale Road is located in the Rural Resource Zone. The use table contained in clause 26.2 of that zone classifies Resource development as a 'no permit required' use.

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**ATTACHMENTS:**

1. Questions on Notice - Ms Cynthia Shapiiro
-

*Attachment 1 - Questions on Notice - Ms Cynthia Shapiro*

**From:** cynthia shapiro  
**Sent:** Monday, 28 November 2016 10:14 AM  
**To:** John Davis  
**Subject:** Sewage pipes on Crown Land 202 Lilydale Rd Rocherlea

**Questions:** 1- Did LCC subcontract Ben & Tammy Martin owners of 202 Lilydale Rd to put one meter wide sewage pipes six centimeters under the ground on Lilydale Rd adjacent to their block which directs the sewage under Lilydale Rd into Barnard's Creek potentially polluting the water supply that the wildlife in Boutcher Creek Conservation Area depend on and the down stream dam & properties? 2- If so why did LCC fail to post a Development Notice stating they were going to have Lilydale Rd dug up to put in sewage pipes. 3- Why have the developers failed to tarmack the road as this was stated to me in a letter , held by my solicitor, as a prerequisite to development? 4- If Mr & Ms Martin are not LCC subcontractors what is LCC going to do in response to their sewage pipes, sewage directed in Barnard's Creek, development on Crown Land & their lack of a posted Development Notice. 5- What steps is LCC taking to insure that the commercial Worm Farm proposed on 202 Lilydale Rd meets Environmental standards for a commercial development on land Adjacent to Boutcher Creek Conservation Area on covered by State Regulations as buffet land to a conservation area as no Development Applications have been posted by Mr & Ms Martin? Thank you Ms Shapiro attached photos

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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 Amendment 30 to the Launceston Interim Planning Scheme 2015 to Remove Forestry Area Specific Plan Overlay and DA0387/2016 for Rural Development - Subdivision of Land into Two Lots at 877 Lilydale Road, Underwood**

**FILE NO:** SF7040, DA0387/2016

**AUTHOR:** Maria Chledowska (Town Planner)

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

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#### **DECISION STATEMENT:**

To provide a statement to the Tasmanian Planning Commission subsequent to the public exhibition period for a combined application for an amendment to the Launceston Interim Planning Scheme 2015 and associated development application.

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

Applicant:	Rebecca Green & Associates
Property:	887 Lilydale Road, Underwood
Zoning:	Rural Resource
Receipt Date:	2/09/2016
Validity Date:	7/09/2016
Further Information Request:	No
Representations:	0

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

Council - 24 October 2016 - Agenda Item 8.1 - Council resolved to initiate Amendment 30 to the Launceston Interim Planning Scheme 2015 to remove the Forestry Area Specific Area overlay from the property at 887 Lilydale Road, Underwood, and approve DA0387/2016 for Rural Development - subdivision of land into two lots at 877 Lilydale Road, Underwood subject to the conditions.

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**8.1 Amendment 30 to the Launceston Interim Planning Scheme 2015 to Remove Forestry Area Specific Plan Overlay and DA0387/2016 for Rural Development - Subdivision of Land Into Two Lots at 877 Lilydale Road, Underwood ... (Cont'd)**

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**RECOMMENDATION:**

That Council:

1. in accordance with Section 39(2) and 43F(6) of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Amendment 30 to remove the Forestry Area Specific Area overlay from the property at 887 Lilydale Road, Underwood; and
  2. provides advice to the Tasmanian Planning Commission that Amendment 30 be approved as certified and exhibited.
- 

**REPORT:**

An application was made under Section 43A of the *Land Use Planning and Approvals Act 1993*, for a combined planning scheme amendment and development application. The application requests an amendment to the Launceston Interim Planning Scheme 2015 to remove the Forestry Area Specific Area overlay from the property at 887 Lilydale Road, Underwood. The application also includes DA0387/2016 for Rural Development - subdivision of land into two lots at 877 Lilydale Road, Underwood subject to the conditions.

Council initiated the planning scheme amendment and approved the development application at its Meeting on 24 October 2016. The combined application was then placed on public exhibition from 2 November to 30 November 2016. No representations were received during this period.

In accordance with Section 39(2) of the *Land Use Planning and Approvals Act 1993*, Council must, within 35 days of the close of the exhibition period, send a report to the Tasmanian Commission on the amendment and development application.

There are no reasons for Council not to proceed with the amendment and concurrent development application. The combined application should be forwarded to the Tasmanian Planning Commission with a recommendation that it be approved without change.

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**8.1 Amendment 30 to the Launceston Interim Planning Scheme 2015 to Remove Forestry Area Specific Plan Overlay and DA0387/2016 for Rural Development - Subdivision of Land Into Two Lots at 877 Lilydale Road, Underwood ... (Cont'd)**

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**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:**

*Land Use Planning and Approvals Act 1993*  
Launceston Interim Planning Scheme 2015

**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.



**Leanne Hurst: Director Development Services**

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- 8.1 Amendment 30 to the Launceston Interim Planning Scheme 2015 to Remove Forestry Area Specific Plan Overlay and DA0387/2016 for Rural Development - Subdivision of Land Into Two Lots at 877 Lilydale Road, Underwood ... (Cont'd)**
- 

**ATTACHMENTS:**

1. Locality Map - 887 Lilydale Road, Underwood (distributed electronically)
  2. Planning Permit - 887 Lilydale Road, Underwood (distributed electronically)
  3. To Be Endorsed Bushfire and Management Plans - 887 Lilydale Road, Underwood (distributed electronically)
  4. LIPS2015 Amendment 30 - 887 Lilydale Road, Underwood
-

**9 ANNOUNCEMENTS BY THE MAYOR****9.1 Mayor's Announcements****FILE NO:** SF2375

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**Monday 28 November 2016**

- Attended the Country Club Casino Christmas Party at the Terrace Restaurant

**Wednesday 30 November 2016**

- Attended the GLA Urban Salinity Launch at the Links Country Club Gold Course in Prospect Vale
- Officiated at the City of Launceston Employee Recognition Event in the Town Hall Reception Room
- Attended the Southern Cross Christmas Party at the Penny Royal
- Officiated at the Welcome Reception for the OzCHI2016 Conference at QVMAG Inveresk

**Thursday 1 December 2016**

- Attended Launceston College Dance Fever at the Door of Hope Auditorium

**Friday 2 December 2016**

- Attended the Tasmanian Flood Recovery Taskforce Briefing to Northern Tasmanian Development at the Meander Valley Council at Westbury
- Officiated at the Northern Suburbs Community Centre Christmas Carols at the Peace Garden in Rocherlea

**Saturday 3 December 2016**

- Attended the City Park Radio Christmas Barbeque at City Park Radio
- Officiated at the NTCA Official Opening of refurbished Function Room at the NTCA Ground in Racecourse Crescent

**Sunday 4 December 2016**

- Attended the Annual Thanksgiving Celebration at the House of Prayer in Rocherlea

**Monday 5 December 2016**

- Officiated at the City of Launceston Annual General Meeting at the Town Hall
-

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

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**Tuesday 6 December 2016**

- Attended the Launch of the Launceston City Cycling Club Christmas Cycling Carnival in the Brisbane Street Mall
- Attended the Student Works Celebration of 2016 at Rocherlea
- Attended the East Launceston Primary School End of Year Presentation at East Launceston Primary School

**Wednesday 7 December 2016**

- Attended the Launceston Church Grammar School Presentation and Graduation for 2016 at the Albert Hall

**Thursday 8 December 2016**

- Attended the Human Rights Week Awards at the Town Hall
- Attended the Royal Flying Doctor Service Thankyou Event at the Launceston Club
- Attended Scotch Oakburn College Annual Celebration at Albert Hall

**Saturday 10 December 2016**

- Officiated at the Ribbon of Blue at the Launceston Netball Centre
  - Attended REMADE 2016 Wearable Art Show at the Annexe Theatre at Inveresk
-

**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.)*

**No Aldermen's Questions on Notice have been identified as part of this Agenda**

**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.)*

**No Aldermen's Questions without Notice have been identified as part of this Agenda**

**12 COMMITTEE REPORTS**

**No Committee Reports have been identified as part of this Agenda**

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**13 COUNCIL WORKSHOPS**

Council Workshops conducted on 5 December 2016 were:

- Discussion with Ross Hart MP
  - Events Funding
  - Cultural Strategy Progress
  - March and October Free Tip Days
  - Rating Objectives
  - Preliminary Budget Discussions - Strategic Financial Plan; Capital and Major Works Program and Fees and Charges
-



**14 NOTICES OF MOTION**

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

**14.1 Notice of Motion - Deputy Mayor Alderman R I Soward - Launceston Cup****FILE NO:** SF5547**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider an increase in funding support to the 2017 Launceston Cup.

**RECOMMENDATION:**

That, in view of the recognition of the importance of the Launceston Cup as a key economic and social event in the Launceston and greater Northern Tasmanian community, the Launceston City Council contribute a sum of \$20,000 towards the cost of the 2017 event.

Given that council has already allocated \$3,100 towards the event, this NOM will see the balance (being \$16,900) being made available for the 2017 event.

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**REPORT:**

The Notice of Motion (NOM) is self-explanatory. The Club was allocated \$3,100 in a recent grant application to Council and was advised that the budget was exhausted. Given the huge economic driver this event is for the region, I met with senior representatives of the Turf Club to explore ways Council could assist, hence this NOM. A \$20,000 investment for an event that generates conservatively over \$3 million for the period as outlined below is a wise investment given the 150-1 return - that is for every dollar Council contributes it generates \$150 in our community directly and indirectly.

The information below is provided by the Tasmanian Turf Club and has come from a range of sources including conversations with Cityprom/Chamber of Commerce and information held by Council from previous submissions and acquittals.

From the information provided we can assume that the average interstate visitor stays on average four nights in and around Launceston and then spends a further four nights in other parts of the State. The trend over the past three years is upwards for length of stay and this also equates to greater spend in our local area.

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**14.1 Notice of Motion - Deputy Mayor Alderman R I Soward - Launceston Cup  
...(Cont'd)**

---

It is believed that there was likely between 1,500 and 2,000 interstate visitors at this year's Cup who, on average, spend more than \$200 per day whilst in the State.

This equates to approximately \$3 million for that period. This is further supported by a large number of intra-state visitors into our area whose average spend is in excess of \$140 per person.

Tasmanian Hospitality figures confirm a huge spike in bookings through this period with all inner city accommodation full and outreaching accommodation at Longford, Hadspen, Perth and Tamar Valley near capacity.

The horse racing industry continues to involve approximately 5,500 participants with over 2,000 employees and has an economic impact to the state in excess of \$100 million. Approximately \$26 million of that is in the Launceston region.

The Launceston Cup has been run for over 150 years and is by far the premier race meeting in Tasmania with attendance over double the Hobart Cup.

The Cup day activities are seen as one of the best social outlets and business networking opportunities in the state and it something to be proud of that a non-capital city with the support of the council and local community can outshine the capital.

In recent Council discussions around key events for Launceston, the Launceston Cup was recognised in the top 10 events for our city and region and will be recognised as such from 2017 onwards. This NOM also assists in the transition to that arrangement in the 2017/2018 budget as indicated in the new policy.

**OFFICER COMMENT**

*(Michael Tidey - Director Corporate Services)*

The General Manager has recently discussed the benefits derived from events in general and signature or major events in particular. The outcome these decisions is reflected in another Agenda Item on Events Sponsorship.

**ECONOMIC IMPACT:**

The Launceston Cup is a major event that has economic impacts beyond the racing industry in tourism. It is part of the summer season of activities that makes Launceston a focal point.

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**14.1 Notice of Motion - Deputy Mayor Alderman R I Soward - Launceston Cup  
...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

The Launceston Cup has an important community and social impact not just through the day but the surrounding activity.

**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

City of Launceston Strategic Plan 2014-2024  
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


**BUDGET & FINANCIAL ASPECTS:**

The budget impact would be to result in an unfavourable variance on the Events budget that would be managed through the overall Council 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.

  
**Robert Dobrzynski: General Manager**

**ATTACHMENTS:**

1. Notice of Motion - Deputy Mayor Alderman R I Soward - Launceston Cup
-

**Attachment 1 - Notice of Motion - Deputy Mayor Alderman R I Soward - Launceston Cup**

## CITY OF LAUNCESTON

**MEMORANDUM**

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FILE NO: SF5547 / SF6437  
RS  
DATE: 23 November 2016

TO: Robert Dobrzynski                      General Manager  
c.c.    Committee Clerks

FROM: Rob Soward                              Deputy Mayor

**SUBJECT: Notice of Motion - Launceston Cup**

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In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on Monday 12 December 2016.

**Motion**

That in view of the recognition of the importance of the Launceston Cup as a key economic and social event in the Launceston and greater Northern Tasmanian community that the Launceston City Council contribute a sum of \$20,000 towards the cost of the 2017 event.

Given that council has already allocated \$3,100 towards the event, this NOM will see the balance [being \$16,900] being made available for the 2017 event.

**Background**

Alderman Soward will provide some background to this.

The NOM is self-explanatory. The Club was allocated \$3,100 in a recent grant application to Council and was advised that the budget was exhausted. Given the huge economic driver this event is for the region I met with senior representatives of the Turf Club to explore ways Council could assist, hence this NOM. A \$20,000 investment for an event that generates conservatively over \$3 million for the period as outlined below is a wise investment given the 150-1 return - that is for every dollar Council contributes it generates \$150 in our community directly and indirectly.

The information below is provided by the Tasmanian Turf Club and has come from a range of sources including conversations with Cityprom/Chamber of Commerce and information held by Council from previous submissions and acquittals.

From the information provided we can assume that the average interstate visitor stays on average 4 nights in and around Launceston and then spends a further 4 nights in other parts of the state. The trend over the past three years is upwards for length of stay and this also equates to greater spend in our local area.

## CITY OF LAUNCESTON

### MEMORANDUM

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We believe that there was likely between 1500 and 2000 interstate visitors at this year's cup who on average spend more than \$200 per day whilst in the state.

This equates to approximately \$3 million for that period. This is further supported by a large number of intra state visitors into our area whose average spend is in excess of \$140 pp.

Tasmanian Hospitality figures confirm a huge spike in bookings through this period with all inner city accommodation full and outreaching accommodation at Longford, Hadspen, Perth and Tamar Valley near capacity.

The horse racing industry continues to involve approx. 5500 participants with over 2000 employees and has an economic impact to the state in excess of \$100 million. Approximately \$26 million of that is in the Launceston region.

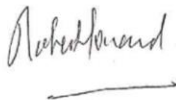
The Launceston Cup has been run for over 150 years and is by far the premier race meeting in Tasmania with attendance over double the Hobart Cup.

The Cup day activities are seen as one of the best social outlets and business networking opportunities in the state and it something to be proud of that a non-capital city with the support of the council and local community can outshine the capital.

In recent Council discussions around key events for Launceston, the Launceston Cup was recognised in the top 10 events for our city and region and will be recognised as such from 2017 onwards. This NOM also assists in the transition to that arrangement in the 2017/18 budget as indicated in the new policy.

#### **Attachments**

Nil



**Alderman Rob Soward**

**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS****15.1 Event Sponsorship****FILE NO:** SF6437**AUTHOR:** Eve Gibbons (Grants and Sponsorship Officer)**DIRECTOR:** Leanne Hurst (Director of Development Services)

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**DECISION STATEMENT:**

To consider event sponsorship support for events to be held in 2017.

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 22 August 2016 - Agenda Item 15.1 - Event Sponsorship (Round 2) 2016/2017

**RECOMMENDATION:**

That Council approves:

1. An additional funding allocation of \$11,900 to the Tasmanian Turf Club, for the 2017 Launceston Cup event.
  2. A funding allocation of \$5,000 to the Festival of Voices for Launceston-based programming for the 2017 Festival of Voices event.
  3. A funding allocation of \$5,000 to Vibestown Productions for the 2017 Party in the Paddock event.
  4. A funding allocation of \$10,000 to Ten Days on the Island Ltd for 2017 Ten Days on the Island event.
  5. That the Junction Arts Festival Committee be invited to meet with the Events Sponsorship Assessment Panel to discuss details of support and programming for the Junction Arts Festival as one of Launceston's Signature Events.
- 

**REPORT:**

The Council has been reviewing its funding commitments to events in line with the City of Launceston Events Strategy adopted in February 2016 and the revised Events Sponsorship Policy adopted in November 2016. Accordingly, it is considered appropriate to review the level of sponsorship funding for those events scheduled to occur in the remaining half of the current financial year.

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**15.1 Event Sponsorship ...(Cont'd)**

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**Launceston Cup**

The Tasmanian Turf Club submitted an application for \$20,000 funding support through Round Two of the Event Sponsorship 2016/2017 program. All applications to Round Two were assessed by the Event Sponsorship Assessment Panel. Following assessment the Launceston Cup became eligible to receive \$15,000. Unfortunately funds were expended before the event could receive its assessed allocation and as a consequence only \$3,100 was approved by Council.

On Monday, 28 November 2016, Council identified the Launceston Cup event as a City of Launceston Signature Event. Therefore, it is proposed that the 2017 Launceston Cup receive additional funding to bring it in line with the Policy adopted by Council.

**Festival of Voices**

The Festival of Voices submitted an application for \$20,000 funding support through Round Two of the Event Sponsorship 2016/2017 program. All applications to Round Two were assessed by the Event Sponsorship Assessment Panel. Following assessment the Festival of Voices became eligible to receive \$5,000. Unfortunately, as all funds were expended, the Council determined that it was unable to sponsor the 2017 event.

Following notification of this decision, the Festival of Voices organisers advised that they would look to review the program and it is not known whether there will be any acts programmed for Launceston in 2017. Nevertheless, in light of the recent review of the Events Sponsorship program, it is still considered appropriate to reconsider the sponsorship decision and to tie any funding commitment to the inclusion of Launceston on the festival programme.

**Party in the Paddock**

Vibestown Productions submitted an application for \$18,000 funding support through Round Two of the Event Sponsorship 2016/2017 program. All applications to Round Two were assessed by the Event Sponsorship Assessment Panel. Following assessment the Party in the Paddock became eligible to receive \$5,000. Unfortunately, as all funds were expended, the Council determined that it was unable to sponsor the 2017 event.

In light of the recent review of the Events Sponsorship program, it is considered appropriate to reconsider the sponsorship decision.

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**15.1 Event Sponsorship ...(Cont'd)**

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**Ten Days on the Island**

Ten Days on the Island submitted an application for \$20,000 funding support through Round Two of Event Sponsorship 2016/2017. All applications to Round Two were assessed by the Event Sponsorship Assessment Panel. Ten Days was assessed at SPL2 event, with a maximum funding eligibility of \$10,000. The Assessment Panel was unable to recommend funding in this round under the previous Events Sponsorship Policy. The City of Launceston Cultural Strategy is currently being developed. However, it is recognised that this is a significant event on the cultural calendar for Launceston and the region and it is recommended that \$10,000 be allocated to the 2017 event.

**Junction Arts Festival**

The Junction Arts Festival is one of the City of Launceston's Signature Events with an annual sponsorship of \$35,000, as well as the provision of a lease for premises for the festival's operations. Following a review of the Events Strategy and the Events Sponsorship Policy, it is considered appropriate to review the level of support provided to this core event on Launceston's cultural calendar. Accordingly, it is recommended that the festival organisers be invited to meet with the Events Sponsorship Assessment Panel to discuss details of support for and programming of the Junction Arts Festival.

**ECONOMIC IMPACT:**

Consideration contained in the report.

**ENVIRONMENTAL IMPACT:**

Consideration contained in the report.

**SOCIAL IMPACT:**

Consideration contained in the report.

**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

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**15.1 Event Sponsorship ...(Cont'd)**

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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

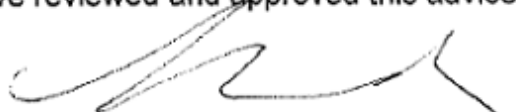
**BUDGET & FINANCIAL ASPECTS:**

The budget impact would be to result in an unfavourable variance of \$31,900 on the Events budget that can be managed through the overall \$100m Council 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.



**Leanne Hurst: Director Development Services**

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**15.2 Permit Authority and Building Surveying Fees**

**FILE NO:** SF2968

**AUTHOR:** Roger Gillett (Manager Building Services)

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

**DECISION STATEMENT:**

To consider the adoption of new Permit Authority and Building Surveying fees to align with the *Building Act 2016* to be enacted on 1 January 2017.

**RECOMMENDATION:**

That, pursuant to section 205 of the *Local Government Act 1993*, Council approves the following:

- a. the existing Permit Authority fees as amended; and

**COUNCIL FEES - 2016/17 FINANCIAL YEAR**

Details	GST Status	Adopted 2016/17 GST Inclusive	PROPOSED 1/1 - 30/6/2017 GST Inclusive	Fee Change
<b>BUILDING SERVICES</b>				
<b>Residential</b>				
Permitted - Minor Structures, swimming pools and Minor Residential (\$50,000 and under)	GST Exempt (Div 81)	\$175.00	\$175.00	\$0.00
Notifiable - Minor Structures, swimming pools and Minor Residential (\$50,000 and under)	GST Exempt (Div 81)		\$175.00	\$175.00
Permitted - Major Residential (over \$50,000)	GST Exempt (Div 81)	\$306.00	\$306.00	\$0.00
Notifiable - Major Residential (over \$50,000)	GST Exempt (Div 81)		\$306.00	\$306.00
Permitted - Minor / small assembled swimming pools	GST Exempt (Div 81)	Exempt	Exempt	-
Notifiable - Minor / small assembled swimming pools	GST Exempt (Div 81)	Exempt	Exempt	-
Building Certificate Residential	GST Exempt (Div 81)	\$175.00	\$175.00	\$0.00
<b>Commercial</b>				
Permitted - Minor Commercial (\$100,000 and under) - based on m <sup>2</sup>	GST Exempt (Div 81)	\$235.00	\$235.00	\$0.00
Notifiable - Minor Commercial (\$100,000 and under) - based on m <sup>2</sup>	GST Exempt (Div 81)		\$235.00	\$235.00
Permitted - Major Commercial (over \$100,000) - based on m <sup>2</sup>	GST Exempt (Div 81)	\$527.00	\$527.00	\$0.00
Notifiable - Major Commercial (over \$100,000) - based on m <sup>2</sup>	GST Exempt (Div 81)		\$527.00	\$527.00
Building Certificate Commercial	GST Exempt (Div 81)	\$235.00	\$235.00	\$0.00
<b>Various</b>				
Permitted - Amendment to Building Permits (per amendment)	GST Exempt (Div 81)	\$89.00	\$89.00	\$0.00
Notifiable - Amendment to Building Permits (per amendment)	GST Exempt (Div 81)		\$89.00	\$89.00
Retrieval of Documents (per half hour)	GST Exempt (Div 81)	\$41.00	\$41.00	\$0.00
Compliance administrative fee - commercial	GST Exempt (Div 81)		\$100.00	\$0.00
Compliance administrative fee - residential	GST Exempt (Div 81)		\$50.00	\$0.00
Compliance site inspection fee	GST Exempt (Div 81)		\$137.00	\$0.00
Certificate to Proceed	GST Exempt (Div 81)	Double the PA fee	Discontinued	-
Permit of Substantial Compliance	GST Exempt (Div 81)	Double the PA fee	Double the PA fee	-
Notifiable - Temporary Occupancy Permits	GST Exempt (Div 81)	\$141.00	\$89.00	-\$52.00
Notifiable - Temporary Occupancy Permit - Non-profit Organisation	GST Exempt (Div 81)	-	-	-
Extension of Time	GST Exempt (Div 81)	\$89.00	\$89.00	\$0.00
Minor Works Notification	GST Exempt (Div 81)	\$89.00	Discontinued	-

15.2 Permit Authority and Building Surveying Fees ...(Cont'd)

COUNCIL FEES - 2016/17 FINANCIAL YEAR

Details	GST Status	Adopted 2016/17 GST Inclusive	PROPOSED 1/1 - 30/6/2017 GST Inclusive	Fee Change
<b>Staged Building Permits Residential / Minor</b>				
Stage 1	GST Exempt (Div 81)	\$175.00	\$175.00	\$0.00
Stage 2	GST Exempt (Div 81)	\$89.00	\$89.00	\$0.00
Stage 3	GST Exempt (Div 81)	\$89.00	\$89.00	\$0.00
<b>Staged Building Permits Residential / Major</b>				
Stage 1	GST Exempt (Div 81)	\$306.00	\$306.00	\$0.00
Stage 2	GST Exempt (Div 81)	\$153.00	\$153.00	\$0.00
Stage 3	GST Exempt (Div 81)	\$153.00	\$153.00	\$0.00
<b>Staged Building Permits Commercial</b>				
Stage 1	GST Exempt (Div 81)	Full PA Fee	Full PA Fee	-
Stage 2	GST Exempt (Div 81)	Full PA Fee	Full PA Fee	-
Stage 3	GST Exempt (Div 81)	Full PA Fee	Full PA Fee	-
<b>Levy (Set by State Government)</b>				
Training Levy		Set by State Gov	Set by State Gov	-
Building Administration Fee		Set by State Gov	Set by State Gov	-

COUNCIL FEES - 2016/17 FINANCIAL YEAR

Details	GST Status	Adopted 2016/17 GST Inclusive	PROPOSED 1/1 - 30/6/2017 GST Inclusive	Fee Change
<b>PLUMBING</b>				
Permitted - Assessment Fee (Domestic)	GST Exempt (Div 81)	\$63.00	\$63.00	\$0.00
Notifiable - Assessment Fee (Domestic)	GST Exempt (Div 81)		\$63.00	\$63.00
Permitted - Assessment Fee (Commercial)	GST Exempt (Div 81)	\$137.00	\$137.00	\$0.00
Notifiable - Assessment Fee (Commercial)	GST Exempt (Div 81)		\$137.00	\$137.00
Permitted - Inspection Fee (including additional inspections)	GST Exempt (Div 81)	\$137.00	\$137.00	\$0.00
Notifiable - Inspection Fee (including additional inspections)	GST Exempt (Div 81)		\$137.00	\$137.00
Permitted - Minor plumbing Fee (domestic 1 fixture)	GST Exempt (Div 81)	\$200.00	\$200.00	\$0.00
Notifiable - Minor plumbing Fee (domestic 1 fixture)	GST Exempt (Div 81)		\$200.00	\$200.00
Permitted - Minor plumbing Fee (commercial 1 fixture)	GST Exempt (Div 81)	\$200.00	\$200.00	\$0.00
Notifiable - Minor plumbing Fee (commercial 1 fixture)	GST Exempt (Div 81)		\$200.00	\$200.00
Permitted - Residential up to 3 fixtures	GST Exempt (Div 81)	\$420.00	\$420.00	\$0.00
Notifiable - Residential up to 3 fixtures	GST Exempt (Div 81)		\$420.00	\$420.00
Permitted - Residential up to 6 fixtures	GST Exempt (Div 81)	\$587.00	\$587.00	\$0.00
Notifiable - Residential up to 6 fixtures	GST Exempt (Div 81)		\$587.00	\$587.00
Permitted - Residential up to 9 fixtures	GST Exempt (Div 81)	\$852.00	\$852.00	\$0.00
Notifiable - Residential up to 9 fixtures	GST Exempt (Div 81)		\$852.00	\$852.00
Residential Units	GST Exempt (Div 81)	\$587.00	\$587.00	\$0.00
Plus each unit over 1	GST Exempt (Div 81)	\$275.00	\$275.00	\$0.00
More than 6 units will be quoted	GST Exempt (Div 81)	POA	POA	-
Permitted - Outbuilding / Misc structure	GST Exempt (Div 81)	\$137.00	\$137.00	\$0.00
Notifiable - Outbuilding / Misc structure	GST Exempt (Div 81)		\$137.00	\$137.00
Permitted - Demolition	GST Exempt (Div 81)	\$226.00	\$226.00	\$0.00
Notifiable - Demolition	GST Exempt (Div 81)		\$226.00	\$226.00
Permitted - Pool	GST Exempt (Div 81)	\$235.00	\$235.00	\$0.00
Notifiable - Pool	GST Exempt (Div 81)		\$235.00	\$235.00

b. the new Building Surveying Service Fee Schedule.

15.2 Permit Authority and Building Surveying Fees ...(Cont'd)

Building Surveying Service Fee Schedule as of 12/12/2016						
<i>PLEASE NOTE: FEES WILL BE QUOTED AS A MAXIMUM FEE AND/OR WHERE INDICATED, AN HOURLY RATE. QUOTES WILL BE IN WRITING AND RELEVANT TO DOCUMENTS PROVIDED FOR QUOTATION.</i>						
Service	Fees for work with Accredited Practitioners		Unit	Fees for work with Non-Accredited Practitioners		Comments
	Ex GST	Incl GST		Ex GST	Incl GST	
<b>General</b>						
Hourly Rate (H/R)	\$ 150.00	\$ 165.00	per hour	\$ 150.00	\$ 165.00	
Additional Inspections	\$ 100.00	\$ 110.00	per inspection	\$ 100.00	\$ 110.00	Inspections associated with current Certifications and Permits
<b>Domestic</b>						
Demolition	\$ 300.00	\$ 330.00	Max fee	n/a	n/a	Includes up to 1 inspection
Underpinning	\$ 300.00	\$ 330.00	Max fee	n/a	n/a	
Shipping Container	\$ 300.00	\$ 330.00	Max fee			
Swimming pool (Above ground)	\$ 200.00	\$ 220.00	Max fee	\$ 200.00	\$ 220.00	Includes 1 inspection (pool fence)
Swimming pool (Inground)	\$ 400.00	\$ 440.00	Max fee	\$ 550.00	\$ 605.00	Includes up to 2 inspections
Deck	\$ 400.00	\$ 440.00	Max fee	\$ 550.00	\$ 605.00	Includes up to 2 inspections
Verandah/Pergola	\$ 400.00	\$ 440.00	Max fee	\$ 550.00	\$ 605.00	Includes up to 2 inspections
Garage/Carport/Shed	\$ 400.00	\$ 440.00	Max fee	\$ 550.00	\$ 605.00	Includes up to 2 inspections
Retaining Wall	\$ 400.00	\$ 440.00	Max fee	\$ 550.00	\$ 605.00	Includes up to 2 inspections
2 Structures (example deck & garage)	\$ 600.00	\$ 660.00	Max fee	\$ 800.00	\$ 880.00	Includes up to 3 inspections
3 Structures (example deck, garage & carport)	\$ 800.00	\$ 880.00	Max fee	\$ 1,100.00	\$ 1,210.00	Includes up to 4 inspections
Addition/Alteration - Less than 35m2	\$ 500.00	\$ 550.00	Max fee	\$ 900.00	\$ 990.00	Includes up to 3 inspections
Addition/Alteration - Greater than 35m2	\$ 700.00	\$ 770.00	Max fee	\$ 1,100.00	\$ 1,210.00	Includes up to 4 inspections
NEW Dwelling	\$ 900.00	\$ 990.00	Max fee	\$ 1,500.00	\$ 1,650.00	Includes up to 4 inspections
Multi Units - 2 Units	\$1,200.00	\$1,320.00	Max fee	\$ 1,500.00	\$ 1,650.00	Includes up to 5 inspections
Certificate of Substantial Compliance	To be quoted	To be quoted	per hour	To be quoted	To be quoted	
<i>PLEASE NOTE: FEES FOR RETROSPECTIVE WORK WILL BE QUOTED AS PER MAXIMUM FEE FOR CLASS/TYPE OF BUILDING WORK. AN ADDITIONAL HOURLY RATE &amp; TRAVEL RATE MAY BE QUOTED DEPENDENT ON LOCATION (GREATER THAN 50KM FROM CBD OFFICE) AND COMPLEXITY OF INVESTIGATING COMPLIANCE OF EXISTING WORK.</i>						

15.2 Permit Authority and Building Surveying Fees ...(Cont'd)

Building Surveying Service Fee Schedule as of 12/12/2016						
PLEASE NOTE: FEES WILL BE QUOTED AS A MAXIMUM FEE AND/OR WHERE INDICATED, AN HOURLY RATE. QUOTES WILL BE IN WRITING AND RELEVANT TO DOCUMENTS PROVIDED FOR QUOTATION.						
Service	Fees for work with Accredited Practitioners		Unit	Fees for work with Non-Accredited Practitioners		Comments
	Ex GST	Incl GST		Ex GST	Incl GST	
<b>Commercial</b>						
Hourly Rate (H/R)	\$ 150.00	\$ 165.00	per hour	\$ 150.00	\$ 165.00	
Demolition	\$ 400.00	\$ 440.00	Max fee	n/a	n/a	Includes 1 inspection
Internal fitout - maximum 250m2	\$ 600.00	\$ 660.00	Max fee	n/a	n/a	Includes 2 inspections
Internal fitout - 251m2 to 499m2	\$ 800.00	\$ 880.00	Max fee	n/a	n/a	Includes up to 2 inspections
Internal fitout - over 499m2	\$ 900.00	\$ 990.00	per floor	n/a	n/a	Includes up to 3 inspections
Takeaway/Café Fitout (Less than 20 people)	\$ 700.00	\$ 770.00	Max fee	n/a	n/a	Includes up to 2 inspections
Restaurant/Café Fitout (More than 20 people)	\$ 900.00	\$ 990.00	Max fee	n/a	n/a	Includes up to 2 inspections
Addition/Alteration - Maximum 300m2	\$1,200.00	\$ 1,320.00	Max fee	n/a	n/a	Includes up to 3 inspections
New/Addition/Alteration - Maximum 499m2	\$2,000.00	\$ 2,200.00	Max fee	n/a	n/a	Includes up to 3 inspections
New/Addition/Alteration - Over 499m2	\$2,500.00	\$ 2,750.00	Max fee	n/a	n/a	Includes up to 4 inspections
Certificate of Substantial Compliance	To be quoted	To be quoted	per hour	n/a	n/a	
Multi Units - 2 Units	\$1,850	\$ 2,035.00	Max fee	n/a	n/a	Includes up to 5 inspections
<b>Other</b>						
Amended Certifications	\$ 150.00	\$ 165.00	Max fee	\$ 150.00	\$ 165.00	Hourly Rate (H/R)
Extention of time (12 Months) BS Service contract past 2 years	\$ 263.64	\$ 290.00	12 Months			
Consultancy work	\$ 150.00	\$ 165.00	per hour			Hourly Rate (H/R), return to base
Re-Open Expired File - Less than 4 years	\$ 600.00	\$ 660.00	Max fee			
Re-Open Closed File - Greater than 4 years	\$ 900.00	\$ 990.00	Max fee			
Strata Reports - 1 Unit	\$ 450.00	\$ 495.00	1 unit			
Strata Reports - 2 Units	\$ 600.00	\$ 660.00	2 units			
Strata Reports - 3 Units or more	Subject to quotation		3+ units			
Access Lift	\$ 800.00	\$ 880.00	Max fee			
Occupancy Permit	\$ 300.00	\$ 330.00	Max fee			
TOP Certificate	To be quoted	To be quoted	per hour			
Travel Return to Base	\$ 1.25	\$ 1.38	per km			Greater than 50km from CBD

**15.2 Permit Authority and Building Surveying Fees ...(Cont'd)**

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**REPORT:**

The *Building Act 2016* (the Act) provides the legislative framework for all building; plumbing and demolition work in Tasmania from 1 January 2017. It replaces the *Building Act 2000* which has been in force since 2004. The Building Regulations 2016 replace both the Building Regulations 2014 and the Plumbing Regulations 2014.

Building and plumbing permits may not be required for work that is low risk (as determined by Director of Building Control's Determination). Medium risk work as determined, including Building Surveyors certification, will be required to be "notified" with plans and specifications as applicable, to the Permit Authority. The (new) notification fee will apply to the receipt and normal administration and storage of documents, including referral to Planning Services, and other referral authorities such as Infrastructure Services and Environmental Services as applicable. The additional task of receipt of the final occupancy permit and other certificates, with final as constructed working drawings is also included in the fee. High risk work only, which predominantly includes commercial work, requires the receipt of Building Surveyor's certification and the issue of permits by the Permit Authority (existing process).

The Permit Authority Schedule replaces and alters the existing schedule previously adopted by Council and will apply for the remainder of the 2016 - 2017 financial year. The major change to the prescribed fees is the inclusion of notifiable building or plumbing fees (Attachment 1 - shaded lines).

With the introduction of the new Act, it was considered prudent to seek legal advice as to whether such fees should be presented to and adopted by Council. The legal advice indicates that because fees are unregulated within the Building Legislation, and as the *Local Government Act 1993* puts a responsibility on Councils to set a fee for services, it is therefore necessary to do so in this case.

In accordance with the legal advice, the fee schedules include maximum not minimum fees and the requirement to quote hourly rates if applicable. This allows the Council to remit a standard fee or part of a fee at its discretion (section 207 of the Act).

Doubling the fee for retrospective work/illegal work has been removed from the schedule of fees.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

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**15.2 Permit Authority and Building Surveying Fees ...(Cont'd)**

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**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 ensure decisions are made in a transparent and accountable way and to continue to meet our statutory obligations and deliver quality services

Key Directions -

4. To continually improve our service delivery and supporting processes

5. To strategically manage our assets, facilities and services

**BUDGET & FINANCIAL ASPECTS:**

Consideration contained in the 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.



**Leanne Hurst: Director Development Services**

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**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**

No Items have been identified as part of this Agenda

**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 Lease Arrangement for 126 Russells Plains Road, Rocherlea****FILE NO:** SF0635**AUTHOR:** Rachael Eberhardt (Natural Environment Officer - Operations)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider leasing the Russells Plains Farm at 126 Russells Plains Road, Rocherlea.

*This recommendation requires a decision by an absolute majority.*

**RECOMMENDATION:**

That, pursuant to the provisions of Section 177 *Local Government Act 1993*, Council lease the two residential properties located on 'Russells Plains Farm' at 126 Russells Plains Road, Rocherlea (as referenced ECM #3939565 and #3939568) at a rate determined by the General Manager at not less than valuation.

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**REPORT:**

The current lease for the dwellings on 'Russells Plains Farm' at 126 Russells Plains Road, Rocherlea expires on 15 January 2017. The existing lease conditions relate to the 900Ha rural property and as such are no longer relevant for the future management of the 'Russells Plains Farm'. The future arrangements are to separate the rural holding from the residential dwellings to improve security of the land and allows further access to the land for clay excavations for future landfill works.

The two houses and associated sheds on 'Russells Plains Farm' are in relatively good condition but are in excess of the Council's needs and therefore it is considered desirable to continue with leasing of the properties.

'Russells Plains Farm' is in a remote location and has poor surveillance from the surrounding roads or other dwellings. The separation of the two residential dwellings from the bulk of the farm has been in planning for a number of months. In the recent period those ISD officers responsible for the management of the site have received interest from a number of operational employees seeking to lease the dwellings. By utilising those interested Council operational employees an increased level of security and passive surveillance of the land will be provided. There would be an expectation that those employees leasing the properties will advise relevant staff of any issues such as vandalism or trespassing noticed on the land.

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**18.1 Lease Arrangement for 126 Russells Plains Road, Rocherlea ...(Cont'd)**

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The *Local Government Act 1993* (the Act) provides for the disposal of Council owned land. The subject site is not public land as defined by the Act.

**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.*

It is considered that any future lease would contain the following items:

- Year by year lease arrangement with a maximum of five years.
- Lease rate to be as per valuation or as determined by the General Manager.
- The lease is to be for residential purposes only.
- Area is nominated in the House 1 plan (Attachment 1) and House 2 plan (Attachment 2) and the subsequent Right of Way to allow for access to each property (Attachment 3).
- The tenant will pay for electricity and any other associated utility accounts.
- The tenant will be selected as an internal expression of interest or otherwise as determined by the Executive Management Committee.

It is recommended that the Council approve leasing of the two dwellings as separate leases subject to the conditions above.

**ECONOMIC IMPACT:**

The two houses and associated buildings are in a relatively good condition, however, due to the nature of the remoteness of the land there is a substantial increased risk of vandalism if left unattended.

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**18.1 Lease Arrangement for 126 Russells Plains Road, Rocherlea ...(Cont'd)**

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**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

The Council operational employees leasing the properties will provide a level of passive surveillance over the whole area managed by the Council.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024  
Priority Area 8 - A secure, accountable and responsive Organisation  
Ten-year goal - To communicate and engage consistently and effectively with our community and stakeholders  
Key Directions -  
5. To strategically manage our assets, facilities and services  
6. To maintain a financially sustainable organisation

**BUDGET & FINANCIAL ASPECTS:**

The leasing of the two properties will generate an income to the Launceston Waste Centre of \$18,200 per annum.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Harry Galea: Director Infrastructure Services**

**ATTACHMENTS:**

1. House 1 site plan
  2. House 2 site plan
  3. Right of way plan
-



Aug 2016

Printed: 1/12/2016



Scale at A4 :  
1:750

Metres

G:\GISMapping\WorkAreas\Property\Coordinator\Aug 2016.mxd

NOTE:  
While all reasonable care has been taken to ensure the accuracy of the information portrayed on this plan its purpose is to provide a general indication of the location of Council services. The information provided may contain errors or omissions and the accuracy may not suit all users. A site inspection and investigation is recommended before commencement of any project based on this data. This note forms an integral part of this plan.  
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A4P





**Attachment 3**

Right of Way

House 1

Right of Way

House 2

Aug 2016

Printed: 1/12/2016



Scale at A4 :  
1:12,500

Metres

G:\GISMapping\WorkAreas\Proposed\Coordinator\Aug 2016.mxd

NOTE:  
While all reasonable care has been taken to ensure the accuracy of the information portrayed on this plan its purpose is to provide a general indication of the location of Council services. The information provided may contain errors or omissions and the accuracy may not suit all users. A site inspection and investigation is recommended before commencement of any project based on this data. This note forms an integral part of this plan.  
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A4P

**19 CORPORATE SERVICES DIRECTORATE ITEMS****19.1 Rates and Charges Structure - 2017/2018 Financial Year****FILE NO:** SF0556**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To determine the Rates and Charges Structure for residential properties that will apply for the financial year ending 30 June 2018 and subsequent years.

*There are a number of rating provisions in the Local Government Act 1993 that form part of the annual rating resolution decision that require an absolute majority. The outcome of this item will be reflected in a future rating resolution and so if a decision were to be made contrary to the recommendation it should be made by absolute majority so as to avoid the possibility of future disagreement.*

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 23 November 2015 - Agenda Item 14.1 - Notice of Motion - Alderman R J Sands - Flexible Rating Structure

Council - 8 February 2016 - Agenda Item 14.1 - Notice of Motion - Alderman R J Sands - Flexible Rating Structure

**RECOMMENDATION:**

That Council:

1. in accordance with section 86A (General principles in relation to making or varying rates) and section 90 (General rate) of the *Local Government Act 1993*, continues the existing policy of determining and applying general rates for residential properties based on the value of the property; and
  2. not utilise the provisions of Division 6A (Average area rates) of the *Local Government Act 1993*, for the determination of general rates for residential properties, due to the regressive nature of this method and the resultant adverse impact on those ratepayers with the least capacity to pay.
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-

**19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)**

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**REPORT:**Executive Summary

The Council decided to undertake a review of aspects of its rating structure in the year leading up to the next revaluation of the properties in the municipality. This report is the final step in regard to one of the actions from that review. Actions from this review (an increased general charge and rating differentials) were implemented as of 1 July 2016. The review process has involved extensive modelling of alternatives followed by presentations to and discussions with Aldermen of the impact of the various alternatives and their alignment with the Council's objectives, taxation principles and the legislation.

These information sessions culminated with a presentation by the General Manager on 5 December to Aldermen illustrating the consequences of shifting the impact of the rate more significantly onto lower value properties which results from a flat (average area) rate policy.

As Aldermen will understand the consideration of this report and its recommendations only relates to the rating of residential properties, it does not affect the rating of non-residential properties (commercial, industrial, primary production, etc).

It is very important for the Council's rating structure to align with its overall strategic objectives and to comply with the key principles for a sound taxation system of equity or fairness and capacity to pay. The modelling and analysis presented to Aldermen at a number of meetings have shown how the Average Area rate system:

- (a) Is regressive tax in that it takes a larger percentage of the asset value from lower valued properties than higher valued properties;
- (b) Would potentially increase rates on more than 18,000 properties and decrease rates on 8,000 properties; and
- (c) Would affect transfer rates to the more socio-economically disadvantaged areas of the City.

A rating structure based on property values aligns with section 86A of the *Local Government Act 1993* (the Act) and the Council's Strategic Objective.

There is capacity within the provisions of the Act to vary the allocation or distribution of rates through the amount of the general charge and the use of differential rates. These tools are used by the majority of Tasmanian Councils including the City of Launceston; three Councils have chosen to adopt the Average Area rate model.

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**19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)**

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Rating systems are not simple to administer or explain; the additional steps required (ie the calculation of rates based on values with a further calculation of averages usually based on localities) for the calculation and communication of Average Area rates means that it is at least as, if not more complex than the normal rating structures to determine and administer.

A rating structure based on property values can be refined and adapted over time as circumstances change. Council should not consider the use of the Average Area Rate system as a trial that can be easily undone, with the increase in rates on lower valued properties and the reduction in rates for higher valued properties that would result from the Average Area Rate system it would be politically difficult to revert back and undo the change and the expectations that are created for higher valued properties by this system.

The final task from this review process will be to present an analysis of the effects of the municipal revaluation and to discuss the rating structures, in particular the general charge and the rating differentials for the next financial year. This task will be completed when the valuation data becomes available around April 2017.

### Background

There were a number of Council decisions made between November 2015 and February 2016. The decision from the Meeting of 23 November 2015 is set out in Attachment 1. The outcomes included a request for specific modelling to be undertaken related to the rates and charges structure for the 2016/2017 financial year and for further modelling of options for the 2017/2018 financial year. These actions have been largely completed with the last presentation and discussion at the Council Workshop on 3 October 2016. The analysis and discussions that occurred over the year included:

- Background sessions to confirm a common understanding of rating structures and legislation.
  - In accordance with the decision a system of rating differentials or variations was implemented for the 2016/2017 financial year with an increase (\$147 to \$250) in the general charge and a resultant reduction in the general rate.
  - More recently modelling and analysis has been presented to Aldermen of the effect of the adoption of alternative valuation bases or the average area residential rate that are permitted under the Act.
  - The purpose of this report is to enable a decision, as required by point 3 of the Council decision of 23 November 2015, that is does Council intend to continue with residential rates based directly on property values or to adopt the average area residential rating alternative.
-

## **19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)**

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It is recommended that the final consideration of the merits of the alternative valuation (assessed annual value, capital value or land value) bases occur prior to the setting of the rates for the 2017/2018 financial year, in conjunction with the analysis of the result of the municipal revaluation, once the data becomes available.

### Strategic Objective

The objective for the Council should be to raise the rates and charges in combination with other sources to generate the revenue necessary for a financially sustainable organisation and at a level that the community can reasonably afford.

The Council strategies to achieve this objective should in turn be:

- (a) to raise the rate revenue in accordance sound taxation principles; and in compliance with the Act; and
- (b) to ensure the total of the rates required are affordable to the community as a whole and to individual ratepayers through the settings used to allocate those rates.

The overall financial strategy for revenues needs to consider when (pay for use) fees should apply and how the mix of these fees, fixed charges and value based rates affects the liveability and affordability of the City.

The actions that need to be taken to deliver on these strategies and objectives are to adopt appropriate policy positions and to give effect to these with the specific settings in the annual rate resolution. The decisions that are made through these mechanisms include setting fixed or flat charges that apply uniformly to all and rates that apply to property values including any variations attributable to other factors, such that the contribution from different sectors or localities mitigates unintended outcomes.

In regard to this report the focus of the actions is on residential properties and consideration of an unusual rating option that is available under the legislation.

### Taxation Principles

Discussion of taxation policy usually refers to a number of principles or criteria against which the taxes and the policies on which they are based can be assessed. The main principles for this evaluation of rates are equity or fairness and capacity to pay.

The principles are intended to bring in some objectivity to the assessment; however these principles are not always interpreted the same way. For example, some interpret equity to mean the same as equal, that is everyone paying the same amount, where as in a taxation context it does not relate to an absolute amount but instead to the rate and application of the tax such that taxpayers in similar circumstances are treated the same. The calculation of an amount of tax is based on the consistent application of the rate of the tax to the tax base (ie the property value).

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## 19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)

Under generally accepted rating structures the rate in the dollar that is applied to a particular category of ratepayers (eg residential properties) would be the same but the amount of the rates payable would vary according to the property value. With Average Area Residential rates the actual amount of the general rate on each property (within a locality) is the same - the amount of the general rate on a property with a value of \$150,000 is the same as one with a value of \$1.5m. Thus, the Average Area rate system is a regressive tax structure with a greater proportionate burden on those with lower valued properties.

In regard to the capacity to pay principle some argue that property value is not able to be realised and so is in a sense is a "stored financial capacity" that is only available when the property is sold. It can equally be argued that those that have the resources to acquire and retain a property of a high value have a greater financial capacity than those with a property with a low value. Again it is generally accepted as evidenced by rating and land tax systems that property value reflects the capacity to pay. The Average Area Residential rate is a flat amount and so does not reflect capacity to pay.

### Analysis

The following table provides an overall summary of the allocation of general rates by property usage categories together with the amount of the waste management charge and the fire service rate which is collected on behalf of the Tasmanian Fire Service.

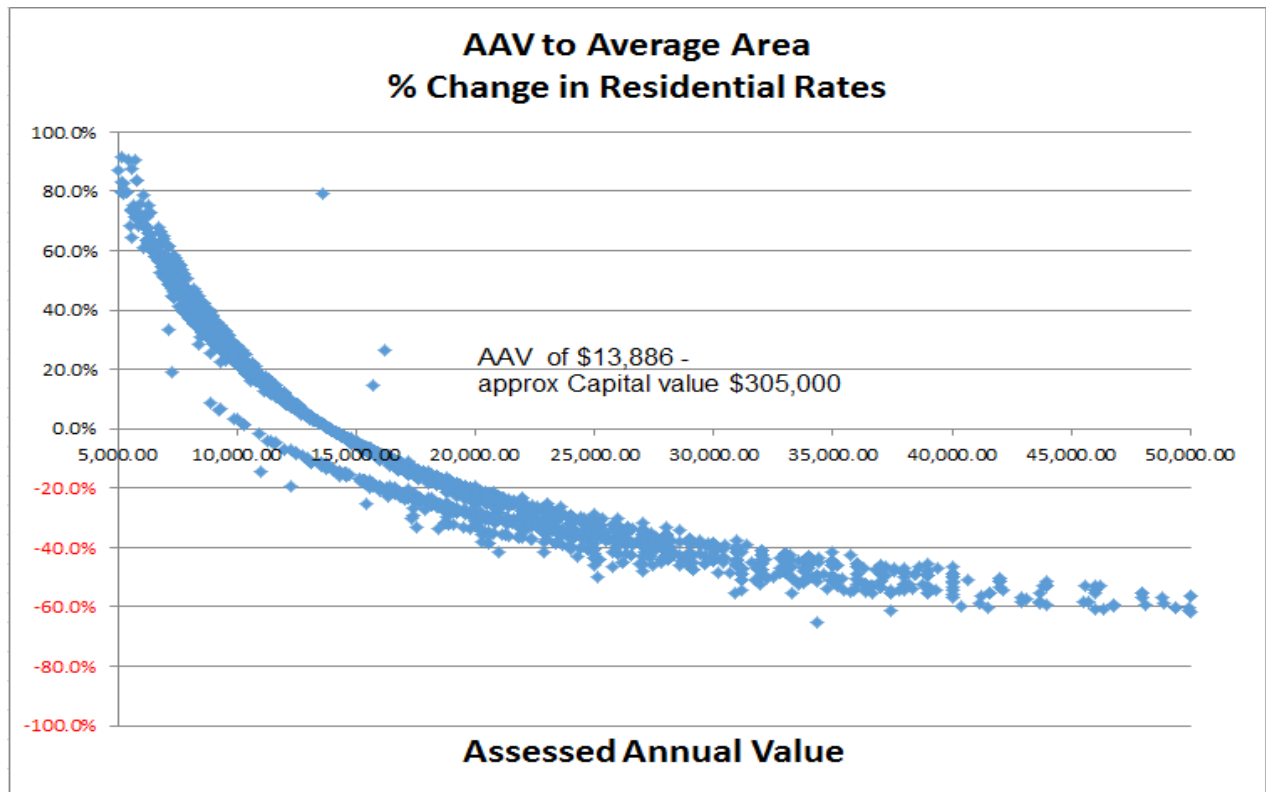
The data shows that the general charge (\$250) makes up 21 percent of the total general rate for residential properties. In addition to the general charge, the waste management charge is determined by the bin size and not by the value of the property. Thus there is a significant proportion of overall rates and charges that are fixed and not based on property values.

<b>Indicative Summary of Property Rates - Year Ending 30 June 2017</b>						
	<b>Property No</b>	<b>Tenancy No</b>	<b>Rate</b>	<b>Charge</b>	<b>Total Rate</b>	<b>Prop'n</b>
<b>General Rates</b>						
Residential	26,740	29,428	27,129,514	7,279,500	34,409,014	65.33%
Commercial	1,873	2,806	9,468,025	733,250	10,201,275	19.37%
Industrial	633	825	2,837,630	204,000	3,041,630	5.77%
Public Service	231	386	2,747,349	148,750	2,896,099	5.50%
Primary Prod'n	569	599	947,648	153,750	1,101,398	2.09%

19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)

Indicative Summary of Property Rates - Year Ending 30 June 2017						
	Property No	Tenancy No	Rate	Charge	Total Rate	Prop'n
Quarry & Mining	3	3	4,298	1,250	5,548	0.01%
Sport & Rec'n	72	74	225,820	21,250	247,070	0.47%
Vacant	1,130	1,138	489,173	281,250	770,423	1.46%
<b>Total General</b>	<b>31,811</b>	<b>35,259</b>	<b>43,849,457</b>	<b>8,823,000</b>	<b>52,672,457</b>	<b>100%</b>
Waste Charge				3,434,790	3,434,790	
Fire Rate			7,161,608		7,161,608	
<b>Total</b>	<b>31,811</b>	<b>35,259</b>	<b>51,011,065</b>	<b>12,257,790</b>	<b>63,268,855</b>	

The following scatter diagram shows the percentage change in residential rates against the assessed annual value of the property.



## 19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)

### Explanatory Notes

1. For this graph the Assessed Annual Value (X axis) has been capped at \$50,000 and the Percentage Change (Y Axis) has been capped at between a decrease of 100% and an increase of 100% in rates.
2. The data on which the graph is based has the rates on 26,711 properties, with 18,689 properties increasing and 8,022 properties decreasing.
3. The assessed annual value of \$13,886 (an approximate capital value of \$305,000) is the point below which general rates increase and above which general rates decrease under the Average Area Rate alternative. The assessed annual value of \$13,886 is above the estimated median residential assessed annual value of \$12,116 for the 26,711 properties.
4. On a locality basis a change to Average Area rates would potentially
  - a. Increase rates most in areas such as Ravenswood, Waverley, Mayfield and Rocherlea. Ratepayers in Mowbray, Invermay and Newnham are also adversely affected as are ratepayers in Summerhill, Punchbowl, South Launceston and Kings Meadows although the changes vary.
  - b. Decrease rates in East Launceston, parts of Norwood, Newstead, Trevallyn, Dilston, Windermere and Swan Bay.
  - c. There are other areas such as Lilydale and West Launceston where there are a mix of increases and decreases.
5. The estimated rates on a property with an assessed annual value of \$13,886 are as follows:

<b>Illustrative Calculation</b>	<b>2016/2017</b>
General Rate	1,037.98
General Charge	250.00
<b>Total General Rate</b>	<b>1,287.98</b>
Waste Charge (140ltr)	102.00
Fire Service Rate (Urban)	190.65
<b>Total Rates and Charges</b>	<b>1,580.63</b>

The modelling uses an Average Area Rate of \$1,288 (General Rate and Charge of \$1,287.98) for analysis purposes. This would represent an 11% increase in total rates for the median residential property and a greater increase for properties with a lesser value as is shown by the scatter diagram.

19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)

6. The next table provides a further breakdown of the change in dollar rates and charges that would apply under the Average Area Rate structure. The dollar ranges in the bands are not uniform so as to show where the majority of changes (increases and decreases) occur.

Change in Rates and Charges (bands)	Properties
<b>Decrease</b>	
By more \$5,001	62
Between \$5,000 and \$1,001	634
Between \$1,000 and \$501	977
Between \$500 and \$0	6,349
	<b>8,022</b>
<b>Increase</b>	
Between \$0 and \$49	1,668
Between \$50 and \$99	2,135
Between \$100 and \$199	5,441
Between \$200 and \$499	8,798
By more \$500	647
	<b>18,689</b>

The following two examples are presented to explain the information in this table, for example, there are:

- (a) 977 ratepayers where their rates would decrease by between \$500 and \$1,000; and
- (b) 8,798 ratepayers where their rates would increase by between \$200 and \$499.

Could these changes be reasonably explained and justified to those in the community with lower property values that are adversely affected given they appear to be at odds with established taxation principles?

Alternative Rating Structures

There are rating structures that can be used to alter the distribution of rates other than the Average Area Rate system. The Council has, for a number of years, used the general charge to reduce the proportion of the rates based on property valuations. Since the 2013/2014 financial year the Council has increased the general charge from \$135 to \$250 per tenancy (a significant increase was from \$147 to \$250 this year), this means that more than 20 percent of the general rate revenue from residential properties comes from a fixed charge. The Act allows for this to be increased further, if deemed appropriate.

## **19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)**

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As of 1 July 2016, when the significant increase in the general charge was implemented, rating variations (or differentials) by property use (residential, commercial, etc) were also introduced. Factors such as these can be used to moderate the effect of significant changes in property values or to modify the distribution based directly on property values.

Final decisions on the amount of the general charge, rating variations and the valuation base should be made once new property valuation data becomes available around April 2017.

### Key Legislative Provisions

Section 86A of the *Local Government Act 1993* states:

- (1) *A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that –*
  - (a) *rates constitute taxation for the purposes of local government, rather than a fee for a service; and*
  - (b) *the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.*
  
- (2) *Despite subsection (1), the exercise of a council's powers to make or vary rates cannot be challenged on the grounds that the principles referred to in that subsection have not been taken into account by the council.*

Put simply, rates are a tax and property values indicate the capacity to pay.

Sections 86A and 109A were included in the Act from 22 December 2011. Section 109A allows for an average area general residential rate to be introduced within defined localities in a municipality.

Section 109A is within Division 6A of the Act which sets out the extensive procedural requirements for the introduction and implementation of a flat rate structure. These requirements create a significant threshold for a Council to overcome before it implements this structure.

The procedural requirements include a requirement for a certificate to be obtained by the Council from the State Government as to its compliance with the statutory process.

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**19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)**

Division 6A of the Act contains the following sections:

- 109A. - Average area rate may be made for locality
- 109B. - Determination of amount of average area rate
- 109C. - Public notice to be given of proposal to obtain authority to make average area rates
- 109D. - Notice of proposal to be given to certain ratepayers
- 109E. - Submissions in respect of proposal
- 109F. - Public meeting in respect of proposal to be held
- 109G. - Applications for certificates
- 109H. - Certificates

This level of oversight of Councils' autonomy and authority by the State Government does not apply in any of the other rating provisions contained in Part 9 - Rates and Charges of the Act.

General Rating Structure other Tasmanian Councils

The following table provides a summary of the rating structures for the 2016/2017 financial year for Tasmanian Councils taken from information on websites.

	Val'n Base	General Rate	General Charge	Minimum Amount	Average Area Rate
Break O'Day	AAV	Y	N	\$529.40	N
Brighton	AAV	Y	N	Y Multiple	Y
Burnie	AAV	Y	N	\$260	N
Central Coast	AAV	Y	N	\$270	N
Central Highlands	AAV	Y	\$345	N	N
Circular Head	AAV	Y	N	\$252	N
Clarence	CV	Y	\$280	N	N
Derwent Valley	-	-	-	-	-
Devonport	AAV	Y	\$300	N	N
Dorset	AAV	Y	N	\$254	N
Flinders	AAV	Y	N	\$435	N
George Town	CV	Y	N	\$668	Y
Glamorgan Spring Bay	AAV	Y	N	Y Multiple	Y
Glenorchy	-	-	-	-	-
Hobart	AAV	Y	N		N
Huon Valley	CV	Y	N	\$320	N
Kentish	AAV	Y	\$350	N	N
King Island	-	-	-	-	-
Kingborough	CV	Y	N	Y	N
Latrobe	AAV	Y	N	\$273 Multiple	N



## 19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)

	Val'n Base	General Rate	General Charge	Minimum Amount	Average Area Rate
Launceston	AAV	Y	\$250	N	N
Meander Valley	-	-	-	-	-
Northern Midlands	AAV	Y	N	\$442 Multiple	N
Sorell	-	-	-	-	-
Southern Midlands	AAV	Y	N	\$302	N
Tasman	AAV	Y	\$300.45	N	N
Waratah-Wynyard	AAV	Y	N	\$180	N
West Coast	AAV	Y	\$259.33	N	N
West Tamar	AAV	Y	N	\$163	N

### Summary of key points.

- The majority of Councils continue to use Assessed Annual Value as the valuation base.
- A number of Councils have applied a general charge with Launceston having the lowest charge of the available information.
- Minimum rate amounts are now set at a higher level than was the previous local government practice.
- Three Councils have adopted the Average Area Residential Rate
  - Brighton Council
    - Average Area General Residential Rates amount \$741, \$856, for different localities.
  - George Town Council
    - Average Area General Residential Rates amount \$886, \$936, \$1,036 for different localities.
  - Glamorgan Spring Bay Council
    - Average Area General Residential Rates amount \$550, \$680, \$869, for different localities.

It is important to note these are general rate amounts they do not include waste management, fire rates or other rates that may apply.

The overall conclusion is that most Councils are moving to higher levels of fixed charges through the general charge and minimum rates. From contact with staff in two other cities advice has been received that after a similar processes to Launceston their Councils have determined to continue to base general rates on property values.

### Conclusion

There is not a strategic or taxation reason for the Council to depart from the existing policy of basing residential rates on property values and adopt the Average Area Rate system.

**19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)**

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**ECONOMIC IMPACT:**

Rates are the key revenue source for local government and although structures may vary between municipalities they are not a primary driver of economic outcomes. Alternative structures may provide a marginal benefit or dis-benefit to sectors of the economy. These policy positions may be determined by a Council as part of an overall economic development strategy. However, the overall impact of rates on the local economy is considered to be marginal.

**ENVIRONMENTAL IMPACT:**

The environmental impact of local government comes principally from the facilities and services provided rather than the rates and charges that are levied.

**SOCIAL IMPACT:**

Rates and charges have the potential to have a social impact through the distribution of rates across the socio-economic sectors of the community. This is why it is essential that established taxation principles, in particular, capacity to pay are appropriately applied to ensure that the taxation burden is equitably applied across the community.

It is a fundamental and critical responsibility of local government, in common with the other tiers of government, to not exacerbate the financial challenges of the disadvantaged sectors of the community through the rating policy decisions that it makes.

**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:**

Decisions on the Rate and Charges Structure are about the allocation of rates between ratepayers, they do not determine the total rate revenue of the City and so do not have direct budget implications.

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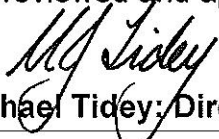
**19.1 Rates and Charges Structure - 2017/2018 Financial Year ...(Cont'd)**

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**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item. As a ratepayer in the City of Launceston the outcomes of the policy decision will vary consistent with similar rate payers in the City.

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

  
**Michael Tidey; Director Corporate Services**

**ATTACHMENTS:**

1. Council Agenda Item 14.1 23 November 2015 - Notice of Motion - Alderman R J Sands - Flexible Rating Structure
-

*Attachment 1 - Council Agenda Item 14.1 23 November 2015 - Notice of Motion -  
Alderman R J Sands - Flexible Rating Structure*

**DECISION: 23 November 2015**

**Moved Alderman J Finlay, seconded Alderman D W Alexander.**

**That Council considers a more flexible rating structure that allows for differential rating and the adoption of an Average Area rate for residential properties.**

- 1. That Council directs the General Manager to prepare the modelling for the 2016/17 rate resolution to allow for the provision of differential rating across the various uses of the land.**
- 2. Provide a rating model to identify the impact of increasing the fixed rate component of the general rate in preparation for the 2016/17 rate resolution.**
- 3. Provide a rating model to identify the impact of adopting an Average Area rate across residential properties based on locality non-use of the land (vacant land) and current AAV valuation range in preparation for the 2017/18 rate resolution.**

**CARRIED 10:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander and Alderman S R F Wood**

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## 19.2 Rating Exemptions and Remissions for Charitable Organisations Policy (23-Plx-002)

**FILE NO:** SF0991

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

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### **DECISION STATEMENT:**

To consider an update to the Rating Exemptions and Remissions for Charitable Organisations Policy (23-Plx-002).

### **RECOMMENDATION:**

That Council adopts the updated Rating Exemptions and Remissions for Charitable Organisations Policy (23-Plx-002) as detailed below:

## **Rating Exemptions and Remissions for Charitable Organisations Policy**

### **PURPOSE:**

To set out the manner of rating certain properties owned by churches, charitable organisations and others.

### **SCOPE:**

This policy applies to all rates and charges levied under the *Local Government Act 1993*. Applies to organisations, not to individuals.

### **POLICY:**

#### **Statutory Exemption**

Section 87 (d) of the *Local Government Act 1993* provides exemption of the General Rate and Fire Levy for land or part of land **owned** and **occupied exclusively** for charitable purposes.

In determining if a ratepayer is eligible for an exemption the answer to each of the following questions must be yes:

1. Is the ratepayer a charitable organisation?

#### *How to Assess*

- They must hold Australian Taxation Office certification that they are a charity with Deductible Gift Recipient (DGR) status.
  - Examples of Charities that may be eligible include:
    - Religious institutions;
    - Aged persons homes;
-

**19.2 Rating Exemptions and Remissions for Charitable Organisations Policy (23-Plx-002) ...(Cont'd)**

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- Homeless hostels;
- Organisations relieving the special needs of people with disabilities;
- Non-profit child care services; and
- Societies that promote the fine arts.
- Refer to the ATO Endorsed DGRs - Gift Pack for deductible gift recipients and donors. More information available on the ATO website [www.ato.gov.au](http://www.ato.gov.au), under non-profit organisations.
- What is not a charity?
  - An entity that is primarily for sporting, recreation or social purposes.
  - An entity that is primarily for political, lobbying or promotional purposes.
  - An entity that's purpose is illegal or against public policy.
  - An entity is carrying on a commercial enterprise to generate surpluses.
  - Government departments and instrumentalities carrying out the ordinary functions of government are unlikely to be charities.

AND

**2. Is the ratepayer using the property exclusively for charitable purposes?***How to Assess*

- The property cannot be used for non-charitable, commercial or for-profit activities in addition to charitable activities, unless part of the land can be separated by a tenancy and isolated exclusively for charitable use. (i.e. a church and a minister's house).
- Examples of charitable activities include:
  - Relief of poverty
  - Relief of needs of the aged
  - Relief of sickness or distress
  - The advancement of religion
  - The advancement of education
  - Provision of child care services on a non-profit basis; and
  - Other purposes beneficial to the community.
- Examples of non-charitable activities include:
  - Private halls or halls that are leased or hired out.
  - Residential properties and manses owned by Religious institutions even when occupied by a minister.
  - Commercial activities that support other charitable work.
- The DGR Endorsement Certificate from the ATO will specify the reason it was given. Assess if this meets the charity definitions. The Organisation should also have ATO endorsement for charitable tax exemption to support this.

AND

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**19.2 Rating Exemptions and Remissions for Charitable Organisations Policy (23-Plx-002) ...(Cont'd)**

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3. Is the charitable organisation the owner of the property?
- A lessee or tenant is not eligible for an exemption.

Properties which are eligible for an exemption from the General Rate and Fire Levy shall be liable for applicable service rates and charges.

**Discretionary Remission**

Organisations that are not eligible for an exemption under Section 87(d) of the *Local Government Act 1993*, may apply to Council for a rates remission.

The Council will provide a remission of the General Rate to those ratepayers that are:

- Charitable organisations that would otherwise be eligible for an exemption, except that they do not own the property that they occupy, where they are liable for the rates and charges.
- Religious institutions that own residential properties that are occupied solely by the church minister and his/her family.
- A combination of the above.

The Council may provide a remission (in full or in part) of the General Rate to those ratepayers where:

1. A charitable organisation would otherwise be eligible for an exemption, except that they conduct minor or incidental commercial activities, provided that the organisation is a non-profit and all funds raised contribute to their charitable purpose (that has been endorsed by the ATO).
2. A charitable organisation leases (rents) properties (or tenancies within a property) for residential purposes to financially disadvantaged members of the community. In such cases the following tests shall apply:
  - i. Rentals are at a demonstrable discount to market rates, such as a rent similar to that applied by Housing Tasmania in respect of its own residential properties;
  - ii. There has been no up-front payments made by the occupier to secure the right to occupy the property; and
  - iii. No body corporate fees or similar are payable by the occupier; and
  - iv. The occupier does not have the lifetime tenancy or a lease period which effectively provides for lifetime tenancy.

No remission shall apply to a property owned by or subject to a lease or management agreement with the State Government.

Where the amount of the General Rate and Charge is less than \$1,000 the Director Corporate Services can make an interim determination. Where the amount is more than \$1,000 the percentage and amount of the remission will be determined by Council.

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**19.2 Rating Exemptions and Remissions for Charitable Organisations Policy (23-Plx-002) ...(Cont'd)**

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All remissions are reported annually to Council for ratification.

In determining the remission the factors considered would include whether the benefit from the organisations activities are within the municipality.

Benefits to the community would include activities such as health promotion, advancement of education, relief of poverty, relief of needs for the aged, relief of sickness or distress and the advancement of religion. This needs to be assessed in the context of what has already been assessed as charitable by the Australian Taxation Office.

For example where an organisation has charitable DGR endorsement from the Australian Taxation Office, is the ratepayer, occupies the property partially or fully for commercial activities to raise funds to support the activities endorsed by the ATO and those activities provide a benefit to the Launceston community (as opposed to activities focused towards other communities) then a remission would be granted.

Applications for a remission are to be made in writing. Eligibility for a remission will be reviewed annually.

Properties which receive a discretionary remission from the General Rate shall be liable for the Fire Levy and applicable service rates and charges.

If an organisation's charitable status changes or the purposes for which the property is used changes, it must notify Council.

Remissions processed under this policy will be taken to Council for endorsement on an annual basis.

***PRINCIPLES:***

Launceston City Council's Organisational Values apply to all activities.

***RELATED POLICIES & PROCEDURES:***

[Properties Management and Operation Diagram 23-HLPr-011](#)

[Rates and Charges Policy 23-Plx-010](#)

***RELATED LEGISLATION:***

Local Government Act 1993 - Part 9.

***REFERENCES:***

N/A

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**19.2 Rating Exemptions and Remissions for Charitable Organisations Policy (23-Plx-002) ...(Cont'd)**

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**DEFINITIONS:**

N/A

**REVIEW:**

This policy will be reviewed no more than 5 years after the date of approval.

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**REPORT:**

The underlined text has been included as a proposed change to expand on the Policy in regard to remissions requested by charitable organisations. This change has been prompted by a request for a rate remission for properties used to provide housing to the financially disadvantaged (see separate Agenda Item).

The wording has largely been taken from the Policy of Clarence City Council. The proposed change to the Policy suggests a threshold of \$1,000 in General Rates for referral to Council for decision (all remissions will be reported to annually). Above this threshold the request would be referred to Council for decision. An alternative would be for the Policy to specify a percentage remission between 0% and 100% that is to be applied.

The Council's Strategic Plan has a ten-year goal of:

*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.*

The Council has, at times, debated whether its role in regard to matters of this type is as an advocate, facilitator or as a provider of financial support.

A recent decision regarding rate remission suggest that the Council is prepared to fund (forego rate revenue) some sectors of the community. The Council now needs to consider when it will and when it will not forego rate revenue to support 'worthy causes'.

**ECONOMIC IMPACT:**

Not directly applicable to this report.

**ENVIRONMENTAL IMPACT:**

Not directly applicable to this report.

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**19.2 Rating Exemptions and Remissions for Charitable Organisations Policy (23-Plx-002) ...(Cont'd)**

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**SOCIAL IMPACT:**

The policy deals with the financial assistance that the Council will consider providing to disadvantaged sectors of the community.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024

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
2. To plan services and facilities that recognise the changing demographics of our community
3. To define and communicate our role in promoting social inclusion and equity

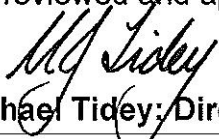
**BUDGET & FINANCIAL ASPECTS:**

The extent of potential rate remission requests is difficult to estimate. The current budget for General Rate remissions of \$712,000 (general provision \$182,000 and retirement village provision \$530,000) is based on known existing remissions.

**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 Council Meeting - 23 January 2017****FILE NO:** SF0975**AUTHOR:** John Davis (Manager Corporate Strategy)**DIRECTOR:** Michael Tidey (Director Corporate Services)

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**DECISION STATEMENT:**

To determine the date for the first Council Meeting in 2017.

*This decision requires an absolute majority.*

**RECOMMENDATION:**

Pursuant to Regulation 6(1) of the *Local Government Act (Meeting Procedures) Regulations 2015*, Council determines that the first Meeting of the 2017 calendar year will be held on Monday, 23 January 2017 commencing at 1.00pm.

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**REPORT:**

This is a procedural matter to set the date and time of the first Meeting of the year.

**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 goal - To continue to meet our statutory obligations and deliver quality services  
Key Directions -  
4. To continually improve our service delivery and supporting processes

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19.3 Council Meeting - 23 January 2017 ...(Cont'd)

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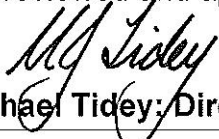
**BUDGET & FINANCIAL ASPECTS:**

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

**20 GENERAL MANAGER'S DIRECTORATE ITEMS****20.1 Report on Council's 2016 Annual General Meeting****FILE NO:** SF0098**AUTHOR:** John Davis (Manager Corporate Strategy)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To report on the Council's 2016 Annual General Meeting (AGM), held on Monday, 5 December 2016 at 5.30pm at the Town Hall Reception Room, in compliance with section 72B of the *Local Government Act 1993 (Tas)*.

**RECOMMENDATION:**

That Council, in respect of the Annual General Meeting held on Monday, 5 December 2016 at 5.30pm at the Town Hall Reception Room, notes the following motions passed at that meeting:

- (i) That the Minutes of the Annual General Meeting held on 7 December 2015 be accepted as a true and correct record.
  - (ii) That the City of Launceston Annual Report for the year ended 30 June 2016 be adopted, together with the Annual Reports for the following City of Launceston entities and Authorities:
    - 1. Queen Victoria Museum and Art Gallery
    - 2. York Park and Inveresk Precinct Authority
    - 3. Launceston Flood Authority.
- 

**REPORT:**

In compliance with section 72B(1) of the *Local Government Act 1993 (Tas)* (the Act), the Annual General Meeting (AGM) of the City of Launceston was held in the Town Hall Reception Room on Monday, 5 December 2016 at 5.30pm.

Notice of the Meeting was published in The Examiner on 12 November 2016. Submissions on the 2015/2016 Annual Report, motions for consideration, or questions on notice were invited - none were received.

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**20.1 Report on Council's 2016 Annual General Meeting ...(Cont'd)**

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A quorum of the Council was present at the AGM, made up of the Mayor, Alderman A M van Zetten, the Deputy Mayor, Alderman R I Soward, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, and Alderman S R F Wood. The attendance of Council Officers and electors was recorded.

Section 72B(6) of the Act requires that a motion passed at the AGM is considered at the next Meeting of the Council. The motions passed at the AGM were:

- (i) That the Minutes of the Annual General Meeting held on 7 December 2015 be accepted as a true and correct record (moved Aldermen R L McKendrick, seconded Deputy Mayor, Alderman R I Soward).
- (ii) That the City of Launceston Annual Report for the year ended 30 June 2016 be adopted, together with the Annual Reports for the following City of Launceston entities and Authorities:
  - 1. Queen Victoria Museum and Art Gallery
  - 2. York Park and Inveresk Precinct Authority
  - 3. Launceston Flood Authority (moved Mayor, Alderman A M van Zetten, seconded Deputy Mayor, Alderman R I Soward).

Section 72B(7) of the Act requires the General Manager to keep Minutes of the AGM. The Minutes of the AGM, will be published at [www.launceston.tas.gov.au](http://www.launceston.tas.gov.au), and an audio recording of the proceedings is available.

**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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**20.1 Report on Council's 2016 Annual General Meeting ...(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 communicate and engage consistently and effectively with our community and stakeholders

Key Directions -

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.



**Robert Dobrzynski: General Manager**

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**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**

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 Design Centre****RECOMMENDATION:**

That Agenda Item 22.2 - Design Centre 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.

**22.3 Rate Remission Request****RECOMMENDATION:**

That Agenda Item 22.3 - Rate Remission Request 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 council on the condition it is kept confidential.

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**22.4 Rate Remission****RECOMMENDATION:**

That Agenda Item 22.4 - Rate Remission be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(j) 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)(j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

**22.5 Rate Recovery Sale - Reserve Price 1****22.6 Rate Recovery Sale - Reserve Price 2****22.7 Rate Recovery Sale - Reserve Price 3****22.8 Rate Recovery Sale - Reserve Price 4****22.9 Rate Recovery Sale - Reserve Price 5****22.10 Rate Recovery Sale - Reserve Price 6****RECOMMENDATION:**

That Agenda Items 22.5 - 22.10 - Rate Recovery Sale - Reserve Price 1 - 6 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(j) 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)(j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.
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**22.11 Report from General Manager's Contract and Performance Review Committee****RECOMMENDATION:**

That Agenda Item 22.11 - Report from General Manager's Contract and Performance Review Committee be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(a) 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)(a) personnel matters, including complaints against an employee of the council and industrial relations matters.

**23 MEETING CLOSURE**

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